Confession and intimacy in England, 1851-1913

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This thesis is submitted for the degree of Doctor of Philosophy.

Declaration

This dissertation is the result of my own work and includes nothing which is the outcome of work done in collaboration. It is not substantially the same as any that I have submitted, or is being concurrently submitted, for a degree or diploma or other qualification at the University of Cambridge or any other University or similar institution. I further state that no substantial part of my dissertation has already been submitted, or is being concurrently submitted, for any such degree, diploma or other qualification at the University of Cambridge or any other University or similar institution. It does not exceed the prescribed word limit for the Faculty of History's Degree Committee.

Abstract

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This thesis examines the history of confession as an intimate practice in England through four microhistorical case studies. In the introduction, I briefly outline a broad history of confession and trace the outline of what I argue already forms the history of intimacy. I propose that a promising way to deepen the study of the history of intimacy is to study intimate practices. I further suggest that the history of nineteenth-century confession—in both the Roman Catholic Church and the Church of England—offers fruitful material with which to do this. The first chapter looks at the 1852 'Achilli Trial', in which a convert ex-priest sued John Henry Newman for libel. The second chapter follows the development of confession in the Church of England through a controversial book written for priests wishing to hear confessions, which became the subject of a major scandal in 1877. The third chapter deals with a confessional scandal in Kensington, culminating in allegations of the breaching of the seal of the confessional in 1882. Throughout, I seek to use confession to illustrate broader themes, drawing on cases relating to medical surgery, divorce law, detective work, legal practice, obscenity legislation and, finally, trance mediumship; the final chapter turns to the Society for Psychical Research, and examines the way secrets took on evidentiary value in what I argue was an intimate science. Overall, this thesis argues that confession was not only the site of broader cultural anxieties about gender and sexuality, but that it was a practice which united proponents and opponents in awareness of its radical, and potentially threatening, intimacy. It thus allows us to construct a history of intimacy in modern Britain with broader implications. This thesis contains discussion of sexual violence, suicide, abortion, drug use, and female genital mutilation.

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Introduction

As householders across the United Kingdom completed a census schedule on Sunday 30 March 1851, ministers of religion in England and Wales sat down to record the attendance at that day's religious services. The census of religion, the first and last of its kind, was an extraordinary effort of the nineteenth-century bureaucratic state, a state deeply concerned with religious affairs. James Vernon sees the creation of the General Register Office, which was responsible for the census from 1841, as crucial to producing 'a different type of state with the capacity to think and act in new ways.'[1] For Vernon, 'from the eighteenth century new forms of bureaucratic organisation, techniques of abstraction, and material infrastructures were developed that allowed power and authority to become impersonal and extend over greater distances in new ways'—this was the business of 'governing strangers'.[2] In this analysis, the condition of modernity can be characterised as a 'society of strangers', but this condition is best understood dialectically; a society of distant strangers 'provided the conditions for the reconstitution of the intimate domain of personal relations'.[3] The abstracted, statistical way of seeing embodied in the census schedule was also one that, in this dialectic of intimacy, profoundly impressed upon the intimate and the private; the nation, ideally the empire, was to be understood through analysing the domestic sphere. In the main census of 1851, Karen Chase and

[1] James Vernon, *Distant Strangers: How Britain Became Modern* (Berkeley: University of California Press, 2014), p.55.
[2] Ibid., p.76.
[3] Ibid., p.44.

Michael Levenson identify the effort to define families and houses, and trace the relationship between the 'anxiety of definition' and 'social instability.'[4] The religious census arose from a different set of anxieties about definition and social stability, and when the report on its findings was published on 3 January 1854, there was widespread shock at what they appeared to show; of the 12,549,326 people that the registrar-general's agent, Horace Mann, calculated could have attended a religious service on that Sunday, only 7,261,032 had done so. Though fiercely and immediately contested, the report seemed to expose a creeping godlessness among the working classes, the neglect of these deep problems by the religious authorities, and the apparently illusory nature of Anglican dominance of the nation's religious life.[5]

In 1851, Britain's religious modernity remained contested. This thesis explores a particular religious practice that was radically intimate and grew in its use through the decades that followed: auricular confession. Confession—Anglican and Catholic—brought together an enormous range of anxieties and dilemmas. It was secret. It was sexualised. It was considered to be excessively intimate, and in this intimacy disrupting the natural and holy intimacy of the household. This thesis offers a history of confession as an intimate practice and seeks to use this history to explore and develop the potential of what in this introduction I will describe as the 'history of intimacy'.[6] Within the constraints of confession's methodologically challenging—and, to contemporaries, profoundly unsettling—secrecy, this thesis uses four microhistorical case studies to examine confession and other intimate practices in this period.

The first chapter examines the trial of John Henry Newman for libel in 1851. Amidst a wave of anti-Catholic sentiment, the convert preacher Giacinto Achilli had toured the country denouncing Catholicism, celibacy and confession; Newman had accused him of sexual misdemeanours, and Achilli had sued. The trial was a sensation, and has much to tell us about the controversies surrounding confession in the middle of the century. Later, the judge at the trial and Newman's lawyer would go on to shape British obscenity law, the interpretation of which was significantly shaped by the mid-century anti-Catholic and anti-confessional conflicts. As a result, as we see in the second chapter, the law interacted in strange and unintended ways with the development of confession by Ritualists in the Church of England. The second chapter traces this development, demonstrating that intimacy, and not only sexuality, was a central concern not only of opponents but also proponents of the confessional. It explores how the process of developing an Anglican confessional was one of translation, adaption and invention, rather than rediscovery or restoration. The third chapter examines a scandal which demonstrates the intimacies of the confessional in practice, as it exposed secrets and created scandals. In the final chapter, we turn to the strange science of psychical research, examining

[4] Karen Chase and Michael Levenson, *The Spectacle of Intimacy: A Public Life for the Victorian Family* (Princeton: Princeton University Press, 2000), p.5.
[5] Owen Chadwick, *The Victorian Church*, vol. 1 (London: Adam & Charles Black, 1966), pp.363-369.
[6] Parts of this introduction are developed in a more general way in George Morris, 'Intimacy in modern British history', *Historical Journal* 64 (2021), pp.796-811.

a different form of intimate practice and reflecting on what the comparison might illuminate. In this introduction, I will give a broad overview of the development of confession in Britain and outline why the study of confession has much to contribute to what I wish to suggest might be called the history of intimacy. I will outline how I propose to study confession—a methodological challenge given the practice's radical intimacy and famous secrecy. The turn to narrative microhistory in this work will mean that the conceptual and methodological apparatus described in this introduction will sometimes slip from view—we will return in an effort to draw these themes together in the conclusion.

In recent years, historians of modern Britain have provided subtle and nuanced histories of various forms of intimacy—love, friendship, family, touch, sexuality and privacy—enabled and shaped by broader movements in the field. The emergence of histories of emotions and subjectivities has provided both the impetus and a theoretical toolkit with which to approach private intimacies in the past. The history of sexuality, once peripheral, is now firmly part of the historiographical mainstream. Histories of the body and the senses have opened up space for an emergent history of touch. At the same time, few historians have recognised the existing archipelago of studies in the history of intimacy as an interrelated field of research. The interrelatedness of types of intimacy—which sometimes blurs their distinctions—means that thinking in terms of a broader history of intimacy has great explanatory potential; understanding intimacies as interrelated broadens our enquiries in such a way as to throw greater light on these specific types. The intimate is not a stable field; like the private sphere with which it is associated, it is open to constant contestation—it has a history.[7] Historians deploy the term 'intimacy' in various ways, to refer to sex or emotional closeness, for example, with little unified sense of what it might mean. Some scholars, such as Ann Laura Stoler, include sexual violence under this term; others do not include all sex acts.[8] Nonetheless, I wish to suggest that it has value as 'a useful category of historical analysis'.[9] The forms of intimacy already referred to are not an exhaustive taxonomy of types; instead, they indicate the many ways in which scholars have approached this subject. Taking intimacy as a lens allows us to see more clearly the interrelationships between these various forms. It also allows us to look at the relationships that cannot be categorised within them. It is an analytic tool that allows us to step back from fragmented subfields while at the same time being useful in our approaches to particular types of intimacy. In this sense, it is something like what scholars in the digital humanities call a 'macroscope', capable of simultaneously taking in big pictures and zooming in on intricate detail.[10] Intimacy runs the risk of

[7] For a reflection on intimacy in relation to public and private, see Lauren Berlant, 'Intimacy: a special issue', *Critical Inquiry* 24 (1998), pp.281–88.
[8] Ann Laura Stoler, ed., *Haunted by Empire: Geographies of Intimacy in North American History* (Durham: Duke University Press, 2006); Ann Laura Stoler, *Carnal Knowledge and Imperial Power: Race and the Intimate in Colonial Rule* (Berkeley: University of California Press, 2010).
[9] Joan Wallach Scott, 'Gender: a useful category of historical analysis', in *Gender and the Politics of History* (New York: Columbia University Press, 1988), pp.28-50.
[10] Julia Laite, 'The emmet's inch: small history in a digital age', *Journal of Social History* 53 (2020), pp.963-89.

being so capacious as to cease to be useful, but this flexibility is also part of its analytic usefulness; it allows us to consider the boundaries and slippages between feelings, bodies and practices.

Confession ancient and modern

Horace Mann acknowledged that the religious census could only give a partial picture, given that it provided information only on religious observance on a single March day in 1851. One remarkable moment in nineteenth-century religious history was, however, later said to have taken place on that specific day. The eminent Anglican cleric Henry Edward Manning and his friend the politician William Ewart Gladstone attended a service together, an elderly Manning later told his biographer. Just before receiving communion, Manning stood and said that he could 'no longer take the Communion in the Church of England', and parted ways with Gladstone and Anglicanism.[11] The following Sunday, Manning was received into the Catholic Church. His decision to convert to Roman Catholicism was one that had been made by other nineteenth-century Anglicans before him; John Henry Newman was perhaps the most famous of these, converting in 1845.[12] Converts to Catholicism were a shocking phenomenon to many Victorians, a sharp blow to social and cultural norms, and to the body politic in general.[13] Manning's decision was the result of a number of factors, most famously that in 1850 the Privy Council passed a judgment in favour of George Cornelius Gorham, who had been denied an appointment as a vicar by Henry Phillpotts, Bishop of Exeter, on the grounds that his views on baptism were heretical. Manning saw this as a case of a secular court interfering in the doctrines of the Church of England, and felt that it met with insufficient protest from the Church in response.[14] Manning's attempt to defend the enduring catholicity of Anglicanism was also challenged by the restoration of the Catholic hierarchy in England and Wales in 1850, which prompted an eruption of popular anti-Catholic agitation.[15] But something else was playing on his mind—the fact

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[11] Edmund Sheridan Purcell, *Life of Cardinal Manning*, vol. 1 (London: Macmillan, 1896), p.617; Robert Gray, *Cardinal Manning: A Biography* (London: Weidenfeld and Nicolson, 1985), pp.139-140; Peter C. Erb, ed, *The Correspondence of Henry Edward Manning and William Ewart Gladstone*, vol. 1, 1833-1844 (Oxford: Oxford University Press, 2013), p.lxxvii; Other versions of events are less dramatic, and Gladstone did not describe events in this way in his diaries. See Peter C. Erb, ed, *Corresp. Manning and Gladstone*, vol. 2, 1844-1853 (Oxford: Oxford University Press, 2013), pp.462-463; M.R.D. Foot and H.C.G. Matthew, eds, *The Gladstone Diaries*, vol. 4, 1848-1854 (Oxford: Clarendon Press, 1974), p.319.

[12] For the two conversions in comparison and context, see David Newsome, *The Convert Cardinals: John Henry Newman and Henry Edward Manning* (London: John Murray, 1993).

[13] David Hilliard, 'Unenglish and unmanly: Anglo-Catholicism and homosexuality', *Victorian Studies* 25 (1982), pp.181-210; Philip Ingram, 'Protestant patriarchy and the Catholic priesthood in nineteenth-century England', *Journal of Social History* 24 (1991), pp.783-797; D.G. Paz, *Popular Anti-Catholicism in Mid-Victorian England* (Stanford: Stanford University Press, 1992); Frank H. Wallis, *Popular Anti-Catholicism in Mid-Victorian Britain* (Lewiston: Edward Mellen, 1993); James Eli Adams, *Dandies and Desert Saints: Styles of Victorian Masculinity* (Ithaca: Cornell University Press, 1995); John Shelton Reed, *Glorious Battle: The Cultural Politics of Victorian Anglo-Catholicism* (Nashville: Vanderbilt University Press, 1996); Michael Wheeler, *The Old Enemies: Catholic and Protestant in Nineteenth-Century English Culture* (Cambridge: Cambridge University Press, 2006); Monika Mazurek, 'Perverts to Rome: Protestant gender roles and the abjection of Catholicism', *Victorian Literature and Culture* 44 (2016), pp.687-723.

[14] James Pereiro, *Cardinal Manning: An Intellectual Biography* (Oxford: Clarendon Press, 1998), pp.105-117.

[15] Purcell, *Life of Cardinal Manning*, vol. 1, p.594.

that Catholicism could offer with certainty, while Anglicanism could not, the sacrament of confession.[16]

Historians of the medieval and early modern worlds have paid a great deal of interest to confession, greatly indebted to archives of confessional manuals and penitential books.[17] Emerging in its earliest forms in monastic communities, annual confession to a priest was made compulsory for all Catholics by the Fourth Lateran Council in 1215, though it seems that this was unevenly—and perhaps infrequently—observed. During the Reformation, counter-reformers were aware of the problems ill-disciplined confessors posed to confession; Stephen Haliczer has shown how the Spanish Inquisition after the Council of Trent sought to enforce higher standards among the clergy and stamp out the problem of sexual solicitation in confession, a problem that became acute in a period where expectations of standards of priests were higher, and confession was more widespread.[18] It was in Milan under Archbishop Charles Borromeo in the sixteenth century that counter-reformation zeal reached an apogee, in the design of a new technology—the confessional box. The idea was not completely original to Milan, but it is in Borromeo's *Instructiones fabricae et supellectilis ecclesiasticae* of 1577 that we find the first technically specific design for the wooden box, and Milan was the first archdiocese to implement the widespread installation of the new furniture.[19] It was a simple creation; an enclosed chair for the confessor, a place to kneel for the penitent, separated by a wooden panel in which was set a metal grille. This was not a reinvention of the ritual itself, but rather 'provided a material form to sustain a series of traditionally required actions.'[20] What was being specifically regulated here was body and sight. It was long established that the priest sat in a chair, the penitent kneeled, and eye contact was to be avoided; this was now instituted in wood and metal. But the wooden panel between penitent and priest, the fact that the priest was meant to be visible from outside, and the placement of the whole construction in a public position in the church, were all clearly related to fears about the sexualisation of the sacrament. As the historian of the Milanese counter-reformation Wietse de Boer argues, the institution of the confessional box was not, as is often assumed, 'an enhancement' of the sacrament's privacy, but rather a 'reduction'.[21] The grille between priest and penitent—which was never intended to secure anonymity—ensured the limited vision that was previously exhorted, but the entire structure was designed to expose both priest and penitent to

[16] Newsome, *Convert Cardinals*, pp.151-152.
[17] See, for example, Peter Biller and A.J. Minnis, eds., *Handling Sin: Confession in the Middle Ages* (York: York Medieval Press, 1998); Michael Haren, *Sin and Society in Fourteenth-Century England: A Study of the* Memoriale Presbiterorum (Oxford: Clarendon Press, 2000); Sarah Hamilton, *The Practice of Penance, 900-1050* (Woodbridge: Boydell Press, 2001); Abigail Firey, ed., *A New History of Penance* (Leiden: Brill, 2008).
[18] Stephen Haliczer, *Sexuality in the Confessional: A Sacrament Profaned* (Oxford: Oxford University Press, 1996).
[19] Wietse de Boer, *The Conquest of the Soul: Confession, Discipline, and Public Order in Counter-Reformation Milan* (Brill: Leiden, 2001), pp.84-125.
[20] De Boer, *Conquest of the Soul*, p.93.
[21] Ibid., p.96. De Boer is here arguing against an influential argument made by John Bossy. See John Bossy, 'The social history of confession in the Age of the Reformation', *Transactions of the Royal Historical Society* 25 (1975), pp.21-38.

greater public scrutiny. 'The design allowed its users speech and hearing but not seeing, while it invited others (whether inspecting clergy or passers-by) to seeing without hearing.'[22] The visibility of the priest also demanded physical comportment to maintain the privacy of the sacrament; priests were advised not to give any sign to onlookers through body language or expression concerning what was being confessed. After 1577, the confessional box in various forms spread out from Milan to the rest of the world.

In the peculiar religious settlement that emerged in early modern England, the Church of England diverged from Roman Catholicism in its teachings on confession and absolution. The Caroline Divines of the seventeenth century advocated for forms of sacramental confession, but in a manner distinct from Roman Catholic practice.[23] 'For the Carolines,' notes the historian and theologian Mark Langham, 'the Roman canonical requirement to confess destroyed the personal responsibility for, and necessity of, leading a good life.'[24] The traditional High Church position in the Church of England held that ministers of the Church could absolve sins, and High Churchmen pointed to the Book of Common Prayer, with its Office for the Visitation of the Sick and its permission of confessing a particularly burdened conscience to a priest. This Anglican absolution, from the Caroline Divines to the High Churchmen of the nineteenth century, was something considered distinct from the Roman system of sacramental confession; forgiveness was not predicated on auricular confession, nor was confession necessary or obligatory. The existence of a confessional box in a church would imply the contrary, and so such a Roman innovation could be near-universally frowned upon. But in the nineteenth century, the development of Tractarianism, Anglo-Catholicism, and Ritualism in the Church of England would challenge this settlement. The early Tractarians had, at first, shared the earlier High Church view; it had been laid out by the leading Tractarian Edward Bouverie Pusey in Tract 67 in 1835.[25] But over time, the Tractarian view became more radical.[26] Pusey began to hear confessions in 1838; Newman heard them as an Anglican; Manning began in 1844.[27] In 1846, Pusey delivered a sermon at Oxford recommending regular auricular confession.[28] By the middle of the

[22] De Boer, *Conquest of the Soul*, p.105.
[23] Mark Langham, *The Caroline Divines and the Church of Rome: A Contribution to Current Ecumenical Dialogue* (London: Routledge, 2018), p.143.
[24] Ibid., p.199.
[25] E.B. Pusey, *Scriptural Views of Holy Baptism, with an Appendix*, (London: J.G. & F. Rivington, 1836). See Henry Parry Liddon, *Life of Edward Bouverie Pusey*, vol. 1 (London: Longmans, 1894), chap. 15.
[26] For the High Church context and Tractarian evolution of confession, see Peter Nockles, *The Oxford Movement in Context*: *Anglican High Churchmanship, 1760-1857* (Cambridge: Cambridge University Press, 1994), pp.248-256; Anne Hartman, 'Anglican controversies: debating private confession', in Linda Woodhead, ed., *Reinventing Christianity: Nineteenth-Century Contexts* (Aldershot: Ashgate, 2001), pp.67-78.
[27] S.L. Ollard, *A Short History of the Oxford Movement* (London: A.R. Mowbray & Co. Ltd., 1915), p.123; Geoffrey Faber, *Oxford Apostles: A Character Study of the Oxford Movement* (London: Faber and Faber, 1933), pp.401-402; Owen Chadwick, *The Spirit of the Oxford Movement: Tractarian Essays* (Cambridge: Cambridge University Press, 1990), pp.215-216.
[28] E.B. Pusey, *Entire Absolution of the Penitent* (Oxford: John Henry Parker, 1846). For a more detailed account of the evolution of Pusey's thought, see David Forrester, *Young Doctor Pusey: A Study in Development* (London: Mowbray, 1989).

century, some within the Church of England were advocating for the regular practice of confession in a basically Roman style. Some High Churchmen were left behind by the transformation. Henry Phillpotts—the bishop found to be at fault in the Gorham Judgment—had long held the conventional High Church view on confession, but, as Nockles argues, when confession became a new dividing line in the later years of the forties, 'Phillpotts found himself fighting on two fronts.'[29] He defended the idea of the absolution of sins from Protestant criticism, while criticising the Roman system which seduced the Tractarians.[30] At the same time anti-Catholic polemicists set their sights on the Roman confessional. Amid anti-Catholic panic surrounding the restoration of the Catholic hierarchy in 1850, hostility to confession, both in Roman Catholic and Anglican settings, was again aroused. Among the practices being spread by Anglo-Catholics in the Church of England highlighted in Lord John Russell's 'Durham Letter' were 'recommendation of auricular confession, and the administration of penance and absolution'.[31] For all the sound and fury about the spread of Catholicism, the results of the religious census showed that the practicing Catholic population of England and Wales was small; a mere 383,630 people attended Mass on census Sunday. As the *Times* noted, this was less than the Irish immigrant population, the group usually associated with the perceived growth of Catholicism.[32] Anglo-Catholics posed a distinct but related threat—here were wolves in sheep's clothing, Catholics among the Anglican clergy.

Confession contained everything that opponents of Catholicism, and what they perceived to be its Anglican cousins, feared and hated most. They argued that it was a medieval innovation, not found in the Bible or in the practices of the early Church, and it was antithetical to the principles of the reformed Church of England. But apart from this it was also deeply immoral. The confessional was described as 'a prominent feature of Antichrist', 'the workshop where the priest forges his weapons; the microscope through which he views mankind; the masked battery from which he strikes his victim', 'chambers of darkness', 'that sink of impurity and engine of tyranny', and 'dens of iniquity'.[33] Hostility to confession was described in terms of the assertion of manliness and the defence of domestic life.[34] A great deal of fear was attached to the idea that confession might become

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[29] Nockles, *Oxford Movement in Context*, p.251.
[30] Henry Phillpotts, *Charge delivered to the clergy of the Diocese of Exeter* (London: John Murray, 1839); Henry Phillpotts, *Confession and Absolution: A Letter to the Very Rev. Dean of Exeter, on a Sermon Preached by him in the Cathedral at Exeter on Sunday, Nov. 7th, 1852, since published.* (London: John Murray, 1852).
[31] 'Lord John Russell's letter to the Bishop of Durham, 1850' in E.R. Norman, *Anti-Catholicism in Victorian England* (London: George Allen and Unwin Ltd., 1968), p.160.
[32] Chadwick, *Victorian Church*, vol. 1, p.367.
[33] Thomas Fox Newman, *The Confessional: A letter to Matthew Bridges, Esq. Occasioned by His Published Lecture on That Subject; with Strictures on Recent Proceedings at Nailsworth* (London: J. Johnson, 1864), p.4; 'A Clergyman', *The Farmer Teaches the Rector: That the Practice of Priestly Confession and Absolution is Not Only Without Foundation in the Word of God, and Wholly Unauthorised by the Church of England, but That it is Moreover, to the Last Degree, Demoralizing, Enslaving, Blasphemous, and Delusive* (Bath: Binns and Goodwin, 1862), p.6; 'J.S.R.', *Confessionals* (London: S. W. Partridge, 1865), pp.10-11; James Ormiston, *A Protest Against the Ritualists' Confessional: With an Account of a Visit to the Confessional at St. Alban's, Holborn* (London: Hall & Co., 1867), p.7.
[34] Daniel Ace, *A Treatise on the Romish Tenet of Auricular Confession: Wherein the Mind of the Reformed*

instructive in sin. It was thought that confessors would ask penitents questions that would corrupt their innocence. To ask, for example, if a penitent masturbated might introduce the idea to an innocent young woman who had never previously been aware of the vice. Phillpotts found himself embroiled in controversy surrounding confession in his diocese. In 1848, Phillpotts appointed George Rundle Prynne to the church of St Peter's, Plymouth—Prynne's support for Anglican sisterhoods and for auricular confession attracted hostility, and in 1852 a public inquiry, overseen by Phillpotts, was held. It was alleged that Prynne had asked leading questions of an obscene nature, and had imposed extreme penances, including demanding that one penitent draw a cross on the floor with her tongue. With the helpful advice of E.B. Pusey, Prynne was acquitted.[35] Accusations of inappropriate questioning continued to be made against leading figures of the Tractarian and Ritualist tendencies in the Church of England; in 1858 Alfred Poole, curate of St Barnabas, Pimlico, had his license revoked for asking questions about sex to female penitents, and Richard Temple West, curate of Boyne Hill, Berkshire was investigated for improper questioning.[36] Both men were accused by fellow clergymen. In the former case, the Judicial Committee of the Privy Council decided that it did not have jurisdiction on the question.[37]

Many of the themes which will recur throughout what follows—most significantly, the problems arising out of the intimacy of confession—were also problems in the medieval and counter-reformation periods; indeed, as has been noted, the confessional box was a counter-reformation attempt to address some of these concerns. Many advocates and critics of confession reflected on these problems as arising out of immutable human nature—an idea of human nature indebted to Christian understandings of sin and fall, the very same schema of problems which confession sought to address. Yet what concerns us here is not the timelessness of the sacrament, but rather its implementations and implications in the particular social and cultural world of British modernity. In a different context, Matt Houlbrook points out that though confidence tricksters 'paradoxically seemed both universal and exemplary of their time and place', he is 'most interested' in 'what was particularly marked, or at least marked in particular ways' in 1920s and 1930s Britain.[38] Confession,

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Church of England is Fully Shown, Both in her Distinctive Teaching and Ministerial Practice, to be at Utter Variance with this Romish Dogma (London: Charles Westerton, 1862), p.216; 'A Clergyman', *The Farmer Teaches the Rector,* pp.6-7.

[35] Anne Hartman, 'Confession as a cultural form: the Plymouth Inquiry', *Victorian Studies* 47 (2005), pp.535-555.

[36] Reginald G. Wilberforce, *Life of the Right Reverend Samuel Wilberforce, D.D. Lord Bishop of Oxford and Afterwards of Winchester, with Selections from His Diaries and Correspondence*, vol. 2, Second Edition (London: John Murray, 1881), pp.386-406; Thomas Thellusson Carter, *Richard Temple West: A Record of Life and Work* (London: Joseph Masters, 1895), pp.28-30; Nigel Yates, *Anglican Ritualism in Victorian Britain, 1830-1910* (Oxford: Oxford University Press, 1999), p.164; Dominic Janes, *Victorian Reformation: The Fight over Idolatry in the Church of England, 1840-1860*, (Oxford: Oxford University Press, 2009), pp.151-154; G.R. Evans, *Crown, Mitre and People in the Nineteenth Century: The Church of England, Establishment and the State* (Cambridge: Cambridge University Press, 2021), p.192.

[37] Evans, *Crown, Mitre and People*, p.192.

[38] Matt Houlbrook, *Prince of Tricksters: The Incredible True Story of Netley Lucas, Gentleman Crook* (Chicago: University of Chicago Press, 2016), p.5

like the trickster, has a history. Shame and guilt and secrecy have histories. Sin has a history. All of these things have histories not just at the conceptual or intellectual level—changing understandings of the theology of sin, for example—but as practices, lived experiences, and emotional states.

Much of the anxiety about the immoral influence of confession revolved around questions of gender and sex, and it is on these questions that the existing literature has reflected most. Penitents were widely believed to be mainly women, and it was often noted that many Ritualist priests were celibate, or, in the more suggestive term often used by critics, 'bachelors'. If the nineteenth-century household was the foundation of a gender order in which the father was loved, respected and obeyed by his wife and children, then the intrusion of a priest into private life was potentially disruptive. He would know not only about private domestic life, but also the thoughts and feelings which families kept from one another. Auricular confession, it was feared, was a blow to the very foundations of nineteenth-century domesticity; as Bishop Wilberforce argued, confession 'supersedes God's appointment of intimacy between husband and wife'.[39] The Anglican bishops were keen that women should not be allowed to choose a confessor for themselves.[40] As John Shelton Reed notes, it is remarkable that almost all anti-confessional rhetoric and literature was addressed to the male relatives of women, and how rarely men were told not to confess.[41] Confession was also strongly associated with convents and religious sisterhoods, themselves a constant site of moral panic in the nineteenth century.[42]

Whether or not the association of confession with young women was a true reflection of reality is hard to establish. But in any case, women clearly were going to confession, whether or not they formed an overwhelming majority. Sensational and scandalous accounts of these penitents were often framed as seduction narratives. Appearing before the Ritual Commission—a Royal Commission established in 1867 to investigate liturgy and ritual in the Church of England—the Reverend Edmund Clay of St Margaret's, Brighton recounted that he knew of an eighteen-year-old woman who had attended Ritualist services, began to attend confession and as a result had begun to consider conversion to Catholicism. Her confessor, Clay alleged, had told her that in her case the options were either 'infidelity or the Roman Church'; a Catholic priest had subsequently suggested baptism, and asked her not to tell her parents, at which point she wrote to Clay. Clay spoke of her having lost a 'balanced state of mind'.[43] Though Clay did not know the name of the priest responsible for this

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[39] Quoted in Shelton Reed, *Glorious Battle*, p.200. For examples of similar rhetoric in anti-confessional literature, see Ace, *A Treatise*, p.216; Newman, *The Confessional*, pp.43-4; 'J.S.R.', *Confessionals*, pp.11-12; 'A Clergyman', *The Farmer Teaches the Rector*, pp.7, 11; Ormiston, *A Protest*, pp.10, 12.
[40] *The Chronicle of Convocation, Being A Record of the Proceedings of the Convocation of Canterbury, The Eight Victoria Regnate. Sessions May 6,7,8,9, 1873* (London: Rivingtons, 1873), p.374.
[41] Shelton Reed, *Glorious Battle*, p.195.
[42] See Rene Kollar, *A Foreign and Wicked Institution?: The Campaign against Convents in Victorian England* (Cambridge: James Clarke & Co, 2011).
[43] *First Report of the Commissioners Appointed to Inquire into the Rubrics, Orders, and Directions for Regulating the Course and Conduct of Public Worship &c. According to the Use of the United Church of England and Ireland; with Minutes of Evidence and Appendices* (London: George Edward Eyre and William

crisis, he knew that the church involved was the Ritualist church of St Paul's, Brighton, where Arthur Wagner was the priest in charge. Wagner denied the tale, which he described as a 'romance', with the woman as a 'nameless heroine'.[44] Narratives of seduction and fall predominate in nineteenth-century depictions of confession. Accounts of attending confession by women were relatively rare. One such rare account appeared as an essay in *The Church and the World*, included as part of a spiritual autobiography reflecting on thirty years in the Church of England. The anonymous author, the daughter of a clergyman, spent many years as a sort of closeted Catholic. Her first confession, for which she travelled to London, lasted six hours over two days because, she realised, she had been woefully unprepared. The experience was painful—she compared it to surgery—but she was firm in her belief that it was necessary, and implied that she also felt that once begun confession ought to be habitual.[45]

On 9 May 1873, a petition signed by 483 Anglican priests was submitted to the Convocation of Canterbury, the assembly of bishops and clergy in the southern province of the Church of England.[46] The petition called for a litany of changes to the prayer book in areas of both liturgy and sacramental theology. Just one of the points related to confession, but it was this point in particular that sparked significant controversy. The petition called for 'the education, selection, and licensing of duly qualified confessors, in accordance with the provisions of canon law.' Significantly, the justification for this new system of training was 'the widespread and increasing use of sacramental confession'; the claim was that confession was irrepressibly spreading throughout the country, regardless of what priests or bishops might do to encourage or discourage it.[47] In the discussion that followed, many of the bishops agreed that a priest hearing confessions without proper training was a dangerous thing, and doing so without license from the episcopate was dangerous to the unity of the Church.[48] Confession was held to go beyond the normal pastoral responsibilities and duties of a clergyman, and to require a new and higher level of professionalism.[49] Some bishops saw the idea of a system of licensing as an opportunity to institute a system of regulation, and thus to prevent the apparent problem of young priests setting themselves up as confessors outside of episcopal oversight.[50] The 'evil' of confession, after all, was 'spreading very widely and very fast.'[51] But it did not necessarily follow that the training called for by the petition was to be provided. Chief among the reasons for this was that creating a class of trained confessors implied the need for habitual auricular

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Spottiswoode, 1867), p.85.
[44] Ibid., p.112
[45] 'The last thirty years in the English Church: an autobiography', in Orby Shipley, ed., *The Church and the World: Essays on Questions of the Day* (London: Longmans, Green, Reader and Dyer, 1866), pp.215-248.
[46] *The Chronicle of Convocation,* pp.364-367.
[47] Ibid., p.367.
[48] Ibid., pp.367-388.
[49] Ibid., p.367.
[50] Ibid., p.370.
[51] Ibid., p.370.

confession, which the consensus view held was not called for by the Prayer Book.[52] Trained confessors, like permanent confessionals, implied that confession was necessary or compulsory, and thus marked a theological shift in Anglican understandings of grace and salvation. Though there were some differences of opinion on details, the bishops at convocation were unanimous in believing that confession had spread too far in England and was now out of control. Nevertheless, when the bishops issued a declaration on 23 July 1873, they declared that while the Church did not recognise 'sacramental confession', exceptional 'auricular confession' was allowed under the law as it stood.[53] This controversy within the Anglican Church naturally touched upon Roman Catholics. Thomas John Capel, an eminent Catholic priest who is the subject of the third chapter of this thesis, preached in defence of Catholic confession by stressing the 'many safeguards' ensured in the Catholic system, and said that he understood fears about the use of this 'dangerous weapon' by untrained Anglican clergy—he believed nevertheless that the bishops would find it impossible to 'crush out the natural desire to confess.'[54] E.B. Pusey, meanwhile, thought the petition dangerously radical, and on 6 December published a declaration in *The Times*, defending confession in terms less likely to shock and offend sceptics.[55] Despite efforts to the contrary, the Public Worship Regulation Act passed the following year did not ban confession.[56] The Act regulated the implementation of the Church's worship, but did not change the Church's doctrine—confession, though controversial, was still ambiguously permissible in the Church of England. The clergyman S.L. Ollard pointed out in 1915 that this fact probably intensified the debates, as it drove opponents of confession 'to use, with singular lack of scruple, the weapons of slander and innuendo.'[57]

Far from being an ancient practice then, confession was experienced as something novel in nineteenth-century Britain, its spread apparently irrepressible. This was particularly true among Anglicans, but it should be noted that among Catholics too confession appears to have become more widespread, alongside the increase in Catholicism itself.[58] Figures collected from the *Catholic Directory* by Mary Heimann indicate that while few Catholic Churches in England and Wales advertised confessions in 1851, around a third did so in 1914; these figures do not, of course, tell us directly about the number of people confessing, but they do imply that there was truth to the perception of an increase.[59] It nevertheless remains almost impossible to ascertain how widespread confession was in this period. Confessions among Anglicans were rarely advertised, because to do so would imply regular confession, and because given the culture of often violent protest that surrounded

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[52] Ibid., pp.368.
[53] G.I.T. Machin, *Politics and the Churches in Great Britain, 1869-1921* (Oxford: Clarendon Press, 1987), p.60.
[54] *Pall Mall Gazette*, 28 July 1873, p.7.
[55] *The Times*, 6 December 1873, p.7.
[56] James Bentley, *Ritualism and Politics in Victorian Britain: The Attempt to Legislate for Belief* (Oxford: Oxford University Press, 1978), pp.55-56, 64, 76.
[57] S.L. Ollard, *A Short History of the Oxford Movement* (London: A. R. Mowbray & Co., 1915), p.125.
[58] Mary Heimann, *Catholic Devotion in Victorian England* (Oxford: Clarendon Press, 1995), pp.147-148, 151.
[59] Heimann, *Catholic Devotion*, pp.176-182.

the confessional, advertising it was unwise. The leading Ritualist Alexander Mackonochie did advertise confessions at St Alban's, Holborn, and suffered an aggressive protest in consequence.[60] When the previously mentioned Arthur Wagner advertised confessions in Brighton, the notice was torn down; Wagner was assaulted amidst anti-confessional agitation.[61] Confession was not alluded to in the guide books produced for Ritualists.[62] Advertising confessions was forbidden in some areas – the Bishop of Lichfield wrote to a clergyman in his diocese in 1868 forbidding him from doing so.[63] There was apparently a belief among some laypeople that they had to travel to London to confess.[64] But the bishops who discussed confession at convocation in 1873 give a sense of it being a widespread practice beyond London, with the bishops of Ely, Winchester and Chichester all claiming first-hand knowledge of the use of confession in their diocese, alongside the general impression of its widespread use, and the Archbishop of Canterbury noting that it was being practiced in schools.[65] There was a sense that the episcopal hierarchy was losing control. We have already noted that the Catholic population of England was much smaller than anybody assumed before the census, but that Protestant anxieties were roused regardless. Perhaps something similar was true of Anglican confession. In any case, there was a perception, including among those in a position to know, that the practice was rapidly spreading.

This chronology, in which confession was experienced as something new and modern in Britain, sits uncomfortably with the account offered by Michel Foucault. Foucault placed the confessional at the centre of the history of sexuality, describing confession as the preeminent example of the 'procedures for telling the truth of sex' that Western civilisation, uniquely, produced.[66] For Foucault, the confessional of the counter-reformation spread out into other spheres of life even once it itself was surpassed—it might subsequently be found in the family, or in the relationship between doctor or psychiatrist and patient. Foucault pays little attention to the practicalities of confession—despite his interest in bodies he mentions kneeling briefly, once; despite his interest in Bentham's Panopticon, he neglects the ways in which confession involved mechanics of controlling vision; in his emphasis on norms and ideas, he neglects the way in which a priest might shape confession themselves, or indeed might themselves confess.[67] In the fourth volume of *History of Sexuality*,

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[60] Ormiston, *A Protest.*
[61] Antony Dale and Anthony Wagner, *The Wagners of Brighton* (London: Phillimore, 1983), pp.113-114.
[62] Shelton Reed, *Glorious Battle*, p.49.
[63] Birmingham Archdiocesan Archives, R1359, Z6/8/1/6/33, Letter from G.A. Selwyn to A. Newdigate, 27 February 1868. See John Sharp, 'Parson to printer: a Victorian convert's story', *Recusant History* 29 (2009), pp.509-522.
[64] Pusey House Archives, Records of the Society of the Holy Cross, Ch71/A3, Minutes of Chapters and Synods, 1870-1876, p.159.
[65] *Chronicle of Convocation*, pp.370, 371, 375, 376, 387.
[66] Michel Foucault, *The Will to Knowledge*: *The History of Sexuality*, vol. 1, trans. Robert Hurley (London: Penguin, 1998), p.58.
[67] Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan (London: Penguin, 1991); Michel Foucault, *The Birth of the Clinic: An Archaeology of Medical Perception*, trans. Alan Sheridan (New York: Vintage, 1994).

Confessions of the Flesh, published posthumously against the author's wishes, Foucault develops a more sophisticated reading of confession as it emerged in the early centuries of Christianity, much richer in its approach to confession as a form of experience and a practice of subjectivity, and much more closely attuned to historical texts.[68] Literary scholars have been drawn to Foucault's account when analysing the shock of confession in the nineteenth century, especially with regard to Charlotte Brontë's depiction of confession in *Villette*.[69] Susan David Bernstein, in an analysis indebted to Foucault, sees confession as a site of gendered coercion, and one that was secularised and dispersed across nineteenth-century literature, medical science and psychology.[70] More broadly, however, Foucault's account has been more influential upon historians of sexuality than on historians of confession, who, if they have found it useful to reflect on it, have tended to do so in order to complicate and refine. Anne Hartman, for example, suggests that Foucault 'limits' confession by emphasising the transformation of desire into discourse over themes such as the relation between public and private with which she is concerned, while Sally Shuttleworth demonstrates that the relationship between confession and psychiatry was 'more complex' than Foucault allows.[71]

Historians of confession in nineteenth-century Britain have tended to study it mainly in terms of its controversies, both as a feature of anti-Catholic polemic and division and debate within Anglicanism, and what these can show us about the histories of gender and sexuality. This thesis takes intimacy as its critical lens in order to develop this existing literature further, and to make a broader intervention into the variety of literatures which below I argue can be conceptualised as the history of intimacy. It will do so partly by revisiting some of the narratives that have been studied by historians of nineteenth-century confession, and partly through previously unstudied archives; in doing so it will have to grapple with the problem of secrecy.

History *sub sigillo*

It is clear that part of what shocked contemporaries about nineteenth-century confession was its secrecy. Hostility created a situation in which the practice became more and more secret still, as in the case of the unwillingness to—or prohibition of—advertising confession. Indeed, anti-confessional attitudes in the Church of England ensured that Anglican confession was in fact more secretive than Catholic confession—it was more likely to take place in private than in the public-private borderland of the confessional box—and less regulated, given that the religious authorities baulked at the idea of training and licensing. In both Catholic and Anglican settings, central to the practice was absolute

[68] Michel Foucault, *Confessions of the Flesh: The History of Sexuality*, vol. 4, trans. Robert Hurley (New York: Penguin, 2021).
[69] Maria Lamonaca, '"Her confessor, her priest,…her God": Victorian women writers on confession', *Nineteenth Century Studies* 17 (2003), pp.73-90.
[70] Susan David Bernstein, *Confessional Subjects: Revelations of Gender and Power in Victorian Literature and Culture* (Chapel Hill: University of North Carolina Press, 1997).
[71] Anne Hartman, 'Confession as a cultural form'; Sally Shuttleworth, 'Spiritual pathology: priests, physicians and *The Way of All Flesh*', *Victorian Studies* 54 (2012), pp.625-653.

secrecy; this was both theologically grounded, as the confession was at its heart a communication with God, and practical, insofar as secrecy was required in order to ensure the penitent would confess. In a Catholic context, the secrets of confession were described as *sub sigillo*—under the seal. For the historian, of course, that seal poses a problem. This is especially the case here insofar as this thesis is concerned with confession as a practice, not only as something represented in cultural discourse or developed by theologians and intellectuals. Few confessions have left archival traces. This thesis uses a series of small histories, hoping through these different, interconnecting strands to construct a sort of polyphonic history.[72] This history is not an effort in social historical recovery in the vein of many microhistories—the individuals with whom we are concerned are all, as far as I am aware, white, and only a handful are working class. Some of my characters are familiar to historians of modern Britain, others are not. But even when our cast of characters is eminent, and have left rich archives, there is an impossible task at hand—the voices with which we are concerned are irrecoverable; for the most part what was said—or whispered—in the confessional was kept sacredly secret, beyond the inquisitive grasp of any historian. The confessional is the dark nightmare of every historian; if all that was unrecorded in confession had been recorded, we would have a cultural, social and sexual archive beyond comparison. Instead, silence. In the face of such silence, I will adopt a hesitant stance. We will not try to force open the door of the confessional, to tear back the curtain separating us from the past, but instead will look to its other traces. In doing so, the polyphony of small histories will bring in others—we will meet lawyers, physicians, detectives and psychical researchers who can illuminate, and are illuminated by, the dark box of the confessional.

This is a history which follows in the steps of modern British microhistorians in being comfortable—or at least accepting—of irreconcilability, silence, the unknown. There has recently been something of a return to interest in microhistorical methodologies among historians of modern Britain, a historiographical turn that has so far attracted little critical interest. Seth Koven, for example, tracks the intimate relationship of Nellie Dowell and Muriel Lester , and uses it to tell a story about global capitalism, religion and class.[73] Matt Houlbrook uses the many stories told by Netley Lucas, gentleman crook, not as 'representative', but as a means with which 'to tell plausible stories of how he might be symptomatic of 1920s and 1930s Britain.'[74] Christopher Hilliard uses a case of libellous letters exchanged in the seaside town of Littlehampton, and the police investigation and court cases that they generated, to examine community, popular language and literacy in 1920s England.[75] Julia Laite uses a range of characters whose lives intersected with that of Lydia Harvey to

[72] Julia Laite, *The Disappearance of Lydia Harvey: A True Story of Sex, Crime and the Meaning of Justice* (London: Profile Books, 2021), p.10.
[73] Seth Koven, *The Match Girl and the Heiress* (Princeton: Princeton University Press, 2015).
[74] Houlbrook, *Prince of Tricksters*, p.20.
[75] Christopher Hilliard, *The Littlehampton Libels: A Miscarriage of Justice & a Mystery about Words in 1920s England* (Oxford: Oxford University Press, 2017).

tell ‘a polyphonic history’ that spans continents.[76]

Few of these histories identify straightforwardly as microhistories. Koven, for example, ‘borrows from both micro- and macro-histories while challenging the distinctions between them.’[77] Hilliard’s final paragraph identifies the book as ‘a microhistory’, pointing to the way in which the text has used ‘the lives of people who were sociologically unremarkable but underwent remarkable experiences’—the subject matter of all of the classic microhistories.[78] Houlbrook directly places Netley Lucas within a lineage of historiographical characters including Al-Hasan al-Wazzan and Martin Guerre.[79] Laite similarly echoes Zemon Davis in her frequent, but judicious, reliance on ‘the historian’s tool of ‘maybe’, ‘perhaps’ and ‘must have’.’[80] She opts to talk about ‘small history’ rather than ‘microhistory’, suggesting that the methodological questions with which she is concerned reach out beyond microhistories or biographies; ‘whether they are the focus of the research or the subject of an illuminating paragraph, individuals become devices in the hands of most historians; they become cyphers, symbols of wider concerns, windows through which we view their worlds.’[81] This reluctance to straightforwardly identify as microhistorians is reminiscent of Jill Lepore’s observation that few American histories carry the label microhistory; she points to the development of microhistorical work amongst historians of early modern Europe as one explanation for this tendency.[82] The kinds of characters with whom most of the new modern British microhistorians concern themselves are similar to those with whom the classic microhistorians were concerned, and many of the same themes re-emerge. Mobility—geographical and social—has long been such a concern, and is reflected in the interests of Laite, Houlbrook and Koven.[83] Slippery identities, confidence tricks and deceptive subjects unite Zemon Davis and Houlbrook and Laite. Hilliard’s microhistory, focussed as it is on a place and a social phenomenon as much as the individuals who perpetrated it, perhaps stands more in the tradition of Emmanuel Le Roy Ladurie or Robert Darnton.[84] All are interested in the possibilities offered by microhistory to disrupt historiographical themes and problematise understandings of historical processes, by examining the ways in which individual lives were always more complicated. ‘The stories,’ as Joan W. Scott writes in reference to Natalie Zemon Davis’s work, ‘sometimes even those recounted by the powerful, reveal complexities of human experience that challenge the

[76] Laite, *Disappearance of Lydia Harvey*, p.10.
[77] Koven, *The Match Girl and the Heiress*, p.10.
[78] Hilliard, *Littlehampton Libels*, p.176.
[79] Houlbrook, *Prince of Tricksters*, p.5.
[80] Laite, *Disappearance of Lydia Harvey*, p.x; Natalie Zemon Davis, *The Return of Martin Guerre* (Cambridge: Harvard University Press, 1983), p.x.
[81] Laite, ‘Emmet’s inch’, p.966.
[82] Jill Lepore, ‘Historians who love too much: reflections on microhistory and biography’, *Journal of American History* 88 (2001), pp.129-44.
[83] Natalie Zemon Davis, *Trickster Travels: A Sixteenth-Century Muslim Between Worlds* (New York: Hill and Wang, 2006).
[84] Emmanuel Le Roy Ladurie, *Montaillou: The Promised Land of Error*, trans. Barbara Bray (New York: G. Braziller, 1978); Robert Darnton, *The Great Cat Massacre and Other Episodes in French Cultural History* (New York: Basic Books, 1984).

categories with which we are accustomed to thinking about the world.'[85] They are less concerned with some of the theoretical inclinations of earlier microhistorians, such as questions of the relationship between base and superstructure—such, for example, is the central concern of Carlo Ginzburg's *Cheese and the Worms*.[86]

It is useful here to distinguish between intimate history—which concerns intimacy as a feature of our historical praxis, whether in terms of the scale of our subject matter or our emotional involvement with it—and the history of intimacy, the study of intimacy as a historical phenomenon. Many of the books considered here refer to themselves as 'intimate histories'. Marcus Collins's *Modern Love* and Seth Koven's *The Match Girl and the Heiress*, for example, each describe themselves as 'an intimate history', while Claire Langhamer tells us 'the intimate story' of *The English in Love*.[87] Here intimate history seems to suggest an intimate approach to history. A number of historians have commented on intimacy in historical practice, in the ways that we engage emotionally with historical subjects, or the tactile encounters we have with the past through archives and objects.[88] When our research concerns the history of intimacy, our historical practice might seem especially intimate. Prying into the private lives of others, reading through deeply personal material never meant for academic attention, or imaginatively reconstructing losses and love affairs in which we have no business, the explorations of the historian can create a feeling of intimacy with the past. While I want to address intimacy as a category of analysis rather than a feature of praxis, the two are intimately interlinked—we will return to these questions in the conclusion, reflecting back on the intimacies that will emerge in the following chapters.

The stories I seek to tell in this thesis to construct a history of confession as an intimate practice necessarily draw me to the study of scandal—moments where exposure, or in some cases the performance of exposure, brought the deeply private before the public gaze. Thus in chapter one we examine the proceedings of a trial, in which witnesses presented varying narratives, and in which the legal writer W.F. Finlason recorded in close detail his perceptions of tone of voice and manner of expression; in chapter two we examine the private archives of a secretive Anglican Ritualist organisation and the public discourse generated when some of their activities were exposed in parliament and the press; in chapter three we examine a scandal in Kensington, in which the seal of the confessional appeared to be broken, and the records produced by a private inquiry held by the Catholic Archdiocese of Westminster; and in chapter four, we turn to the Society for Psychical

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[85] Joan W. Scott, 'Storytelling', *History and Theory* 50 (2011), pp.203-9.
[86] Carlo Ginzburg, *The Cheese and the Worms: The Cosmos of a Sixteenth-Century Miller*, trans. John and Anne Tedeschi (London: Routledge and Kegan Paul, 1980).
[87] Claire Langhamer, *The English in Love: The Intimate Story of an Emotional Revolution* (Oxford: Oxford University Press, 2013); Marcus Collins, *Modern Love: An Intimate History of Men and Women in Twentieth-Century Britain* (London: Atlantic, 2003); Koven, *The Match Girl and the Heiress*.
[88] See, for example, Carolyn Steedman, *Dust* (Manchester: Manchester University Press, 2001); Katie Barclay, 'Falling in love with the dead', *Rethinking History* 22 (2018), pp.459–73; Emily Robinson, 'Touching the void: affective history and the impossible', *Rethinking History* 14 (2010), pp.503–20.

Research, whose scientific method involved the detailed recording of secrets supposedly shared in séances, often subsequently entailing the destruction of these secret records. The nature of these archives is troubling—on the one hand, they allow a rare glimpse into the workings of confession in practice, but on the other, they necessarily draw our attention to particular scandalous instances, which were not necessarily reflective of the everyday. As I have suggested, I will seek to avoid the assumption that confession was primarily about sexuality. Indeed, as James Eli Adams notes in relation to the secrecy associated with the Oxford Movement, 'by assuming that these secrets were always already sexual, we may be reproducing the suspicions of the anxious Victorian paterfamilias'.[89] To straightforwardly reinscribe the confessional with the meanings associated with it by its critics risks distracting us both from a more complicated understanding of confession and an ability to understand the arguments of those critics. While, as we will see, sex was frequently discussed in confession, sexual sins were not the only sins, nor confession mainly valued for its application to them. This is important to remember, because the nature of the scandals generated by confession will tempt us to consider it in a sexual context. By situating confession instead as an intimate practice—whether it did or did not involve discussion of sex, or sexual intimacies between priest and penitent—we will develop a richer account of its complexities and be able to offer a fuller appreciation of its meanings. The possibilities opened up by narrative microhistory, as suggested by Scott, allow us to challenge broader categories and conceptualisations; in what follows, then, far from assuming secrets to be always already sexual, we will be alert to the broader intimacies at work even when the sexual comprises the subject.

Intimacy in modern British history

If confession was a practice which brought together a range of different types of intimacy, then it serves as a useful subject through which to consider the interrelationships between forms of intimacy already implicit in much of the literature on modern British history. Historians of modern Britain have produced illuminating work on many forms of intimacy; I wish to suggest that thinking with intimacy as a category allows us to examine interconnections between these forms more deeply. Here I will offer a brief sketch of this literature in order to tease out the role that is played, or could be further developed, within it by intimacy as a category of analysis.

With roots in the lesbian and gay liberation histories of the 1970s, queer methodologies have pushed beyond thinking about sexual identities, beyond thinking about same-sex desire and increasingly beyond thinking about sex at all.[90] Released from the limitations of searching for the

[89] James Eli Adams, *Dandies and Desert Saints: Styles of Victorian Manhood* (Ithaca: Cornell University Press, 1995), p.106.

[90] Chris Waters, 'Distance and desire in the new British queer history', *GLQ: A Journal of Lesbian and Gay Studies* 14 (2007), pp.139–55.; Jeffrey Weeks, 'Queer(y)ing the "modern homosexual"', *Journal of British Studies* 51 (2012), pp.523–39; Brian Lewis, ed., *British Queer History: New Approaches and Perspectives* (Manchester: Manchester University Press, 2013); Katie Hindmarch-Watson, 'Male prostitution and the London

emergence of a stable homosexual identity, queer methodologies often indicate the importance of intimacy rather than sexuality *per se* as a useful analytic lens.[91] Much of the most significant literature on histories of friendship is concerned with women's same-sex friendships, the relationship of these friendships to same-sex desire and lesbianism, and their significance to the broader culture.[92] Sharon Marcus seeks to contextualise women's same-sex feelings and attractions within the broadest possible context, taking into account 'friendship, mother-daughter dynamics, and women's investment in images of femininity' in order to highlight that 'even within a single class or generation, there were many different kinds of relationships between women.'[93] Martha Vicinus, meanwhile, is willing to situate intimate friendships within the history of sexuality even if the relationships were celibate; her title, *Intimate Friends*, for her 'embodies the indeterminacy inherent in any study of sexual behaviours and beliefs.'[94] Same-sex relationships in the past, which were perhaps not sexual, do not accord with our contemporary understandings of friendship, and were sometimes navigated using languages of family and matrimony, starkly suggest the usefulness of thinking in terms of intimacy.[95] In particular, the work of Matt Houlbrook suggests the new avenues opened up by queer methodologies; the 2013 edited collection *British Queer History* indicates a turning point in Houlbrook's thinking. Houlbrook pitches his essay as 'a conversation' between his first book, *Queer London*, and his then on-going project, now published as *Prince of Tricksters*.[96] The former, according to Houlbrook, had tried to move beyond exercises in 'social historical recovery', and yet remained too wedded to 'a notion of queerness-as-being'. In particular drawing on Laura Doan's work, Houlbrook makes an intellectual move from queerness-as-being to queerness-as-method; his second book uses the alterity and unknowability of a confidence trickster to unsettle ideas about the interwar period.[97] Houlbrook suggests that 'in certain contexts and as a temporary historicising operation perhaps the time has come

GPO: telegraph boys' "immorality" from nationalization to the Cleveland Street scandal', *Journal of British Studies* 51 (2012), pp.594–617; Laura Doan, 'Sex education and the Great War soldier: a queer analysis of the practice of "hetero" sex', *Journal of British Studies* 51 (2012), pp.641–63; Matt Cook, 'Domestic passions: unpacking the homes of Charles Shannon and Charles Ricketts', *Journal of British Studies* 51 (2012), pp.618–40.

[91] See, for example, the ways in which intimacy is discussed in Matt Cook's work on queer domesticities. Matt Cook, 'Domestic passions'; Matt Cook, *Queer Domesticities: Homosexuality and Home Life in Twentieth-Century London* (London: Palgrave Macmillan, 2014).

[92] Here historians are particularly indebted to Carroll Smith-Rosenberg's work on nineteenth-century America. Carroll Smith-Rosenberg, 'The female world of love and ritual: relations between women in nineteenth-century America', *Signs* 1 (1975), pp.1–29.

[93] Sharon Marcus, *Between Women: Friendship, Desire, and Marriage in Victorian England* (Princeton: Princeton University Press, 2007).

[94] Martha Vicinus, *Intimate Friends: Women Who Loved Women, 1778-1928* (Chicago: University of Chicago Press, 2004), p.xxiv.

[95] A recent history of the experience and representation of female husbands in Britain and America from 1740 to 1910 uses intimacy to describe relationships, in part because of the difficulties of more firm definition in such cases. Jen Manion, *Female Husbands: A Trans History* (Cambridge: Cambridge University Press, 2020).

[96] Matt Houlbrook, *Queer London: Perils and Pleasures in the Sexual Metropolis, 1918-1957* (Chicago: University of Chicago Press, 2005); Matt Houlbrook, 'Thinking queer: the social and the sexual in interwar Britain', in Lewis, ed., *British Queer History*, pp.134–64; Matt Houlbrook, *Prince of Tricksters*.

[97] Laura Doan, *Disturbing Practices: History, Sexuality, and Women's Experience of Modern War* (Chicago: University of Chicago Press, 2013).

to both think and *not* think about sex.'[98] As has already been suggested, this methodological move will be essential when considering confession—we will not deny that sometimes confession was a site for the discussion of sex, sometimes a site which was sexually charged in practice, often a site which was sexually charged in cultural representation; but it was not always sexual, and not necessarily so.

In his review of Hera Cook's *The Long Sexual Revolution,* Houlbrook points out that historians who are influenced by Foucault's concerns with regulation, power, and subjectivity tend to write the sex out of the history of sexuality.[99] When historians have focussed on sexual practices, this work has demonstrated that thinking in terms of the history of privacy can be particularly rewarding. Simon Szreter and Kate Fisher's *Sex Before the Sexual Revolution* demonstrates the importance of privacy to physical and emotional intimacy, drawing on oral history interviews with eighty-nine men and women who lived through the period 1918-1963.[100] They emphasise, following Joan Scott, the historicization of 'experience'.[101] Changes in the availability of information about sex, in ideas about gender roles, and in the availability of contraception were translated into lived experience in complex ways, 'structured in particular' by ideas about the privacy of sex.[102] Though their interviewees were willing to talk about sex, and in some cases seemed to have enjoyed doing so, the authors argue that the respondents highlighted the privacy of their own sex lives in distinction to perceived openness among successive generations; they spoke openly in order to underline the historic importance of privacy. Rather than simply being a methodological problem, then, the privacy of sexual practices can in itself be illuminating. Indeed, implicit in this citation of historic privacy is a sense of the shifting bounds of the private. Sexual practices and talk about sex serve to shape the appropriate bounds and forms of the intimate. To critics of confession, the practice far exceeded these appropriate bounds. The secrecy of the seal ensured that whatever was said within it was capable of being construed in the most extreme possible way, and this meant that the secrecy itself posed as great a danger as its actual contents.

Since the publication of Leonore Davidoff and Catherine Hall's ground-breaking *Family Fortunes* in 1987, a considerable literature has developed on the question of the public-private binary and its gendering.[103] Recent years have seen the emergence of a small but important literature on the

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[98] Houlbrook, 'Thinking queer', p.137. See also Eve Kosofsky Sedgwick, *Tendencies* (Durham: Duke University Press, 1993); Sharon Marcus, 'Queer history for everyone: a review essay', *Signs* 31 (2005), pp.191–218; Regina Kunzel, 'The power of queer history', *American Historical Review* 123 (2018), pp.1560–82.
[99] Matt Houlbrook, 'Sexing the history of sexuality', *History Workshop Journal* 60 (2005), pp.216–22; Hera Cook, *The Long Sexual Revolution: English Women, Sex, and Contraception 1800-1975* (Oxford: Oxford University Press, 2005).
[100] Simon Szreter and Kate Fisher, *Sex Before the Sexual Revolution: Intimate Life in England, 1918-1963* (Cambridge: Cambridge University Press, 2010), p.2.
[101] Joan Wallach Scott, 'The evidence of experience', *Critical Inquiry* 17 (1991), pp.773–97; Szreter and Fisher, *Sex Before the Sexual Revolution*, p.50.
[102] Szreter and Fisher, *Sex Before the Sexual Revolution*, p.385. See also Kate Fisher, *Birth Control, Sex, and Marriage in Britain 1918-1960* (Oxford: Oxford University Press, 2006).
[103] Leonore Davidoff and Catherine Hall, *Family Fortunes: Men and Women of the English Middle Class, 1780-1850* (London: Hutchinson, 1987); Amanda Vickery, 'Golden age to separate spheres? A review of the

history of privacy in particular. In *I Hope I Don't Intrude*, David Vincent offers a subtle history of nineteenth-century privacy via the many lives of the comic character Paul Pry, while his subsequent *Privacy: A Short History* provides a synoptic overview of the history of privacy from the fourteenth century to Edward Snowden.[104] For Vincent, the 'history of intimacy is critical to the evolution of privacy as a concept and a practice'.[105] The figure of Paul Pry was evoked directly by critics of confession in a poem in *Punch*, entitled 'Punch to the Priestly Paul-Prys', which attacked the confessor's desire to 'peep and pry into the souls of men', an image of the confessor as an intruder into the most private realms of life.[106] Deborah Cohen offers an account of the ways in which families have navigated ideas of secrecy and privacy from late eighteenth-century India to the television show *Who Do You Think You Are?*. Cohen charts how privacy and secrecy were shaped by domestic, familial and sexual intimacies in practice. The covering up of shameful family secrets, she argues, 'accustomed those who took part to a moral relativism about behaviour' which led to an understanding of privacy as a right, 'intertwined with personal freedom.'[107] Like many historians of intimacy, Cohen points to the period between the 1930s and 1950s as key to this shift; it was then that privacy and secrecy 'parted ways'.[108] Privacy became increasingly protected by the state, while secrecy was seen as potentially damaging to individuals and relationships. This relationship between privacy and secrecy is of obvious importance to the history of confession. The secrecy of confession—of paramount importance to the defenders of the practice—was construed by critics as a violation of privacy. The priest pried into the minds of his penitents, and in doing so would come into possession of knowledge that ought instead to remain the private property of the penitent or of their family and friends.

Indeed, the interlinkings of intimacy are nowhere more evident than in families, which can be understood as complex networks of relationships, the parameters and bounds of which have shifted

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categories and chronology of English women's history', *Historical Journal* 36 (1993), pp.383-414; Dror Wahrman, '"Middle-class" domesticity goes public: gender, class, and politics from Queen Caroline to Queen Victoria', *Journal of British Studies* 32 (1993), pp.396-432; Clare Midgley, 'Anti-slavery and feminism in nineteenth-century Britain', *Gender and History* 5 (1993), pp.343-362; Lawrence Klein, 'Gender and the public/private distinction in the eighteenth century: some questions about evidence and analytic procedure', *Eighteenth-Century Studies* 29 (1995), pp.97-109; John Tosh, *A Man's Place: Masculinity and the Middle-class English Home in Victorian England* (New Haven: Yale University Press, 1999); Kathryn Gleadle, 'Revisiting *Family Fortunes:* reflections on the twentieth anniversary of the publication of L. Davidoff & C. Hall (1987) *Family Fortunes: men and women of the English middle class, 1780–1850*', *Women's History Review* 16 (2007), pp.773-782; Lucy Delap, Ben Griffin and Abigail Wills, eds, *The Politics of Domestic Authority in Britain since 1800* (Basingstoke: Palgrave Macmillan, 2009); Kathryn Gleadle, *Borderline Citizens: Women, Gender and Political Culture in Britain, 1815-1867* (Oxford: Oxford University Press, 2009).

[104] David Vincent, *I Hope I Don't Intrude: Privacy and its Dilemmas in Nineteenth-Century Britain* (Oxford: Oxford University Press, 2015); David Vincent, *Privacy: A Short History* (Cambridge: Polity Press, 2016).

[105] Vincent, *Privacy*, p.180.

[106] Quoted in Shuttleworth, 'Spiritual pathology', p.644

[107] Deborah Cohen, *Family Secrets: Living with Shame from the Victorians to the Present Day* (London: Penguin Books, 2013), p.xvi.

[108] Ibid., p.210.

significantly across time and in different contexts.[109] Much of the existing historical literature deals with the development of professional experts and state bureaucracies that sought to shape modern parenthood and the family, and the complex and various ways in which parents responded to these developments.[110] But the history of emotions also poses new questions to historians of the family; as Emma Griffin has recently noted, the recent literature continues to emphasise 'the transhistorical and constant nature of parental love', despite 'the burgeoning literature on the history of the emotions'.[111] Much of this literature is attentive to the relationship between familial intimacy and selfhood.[112] As Leonore Davidoff points out, the importance of childhood to the development of the self necessarily means that relationships between children and adults are of central importance; 'taking on an identity', she observes, 'implies intimacy'.[113] Julie-Marie Strange likewise points to 'the importance of family, in all its formations, as a site for the constitution of the self.'[114] Some scholars have suggested that a characteristic feature of modernity is the historically unusual importance of friendship, rather than 'traditional' familial connections. 'More than family, kin or faith,' argues Mark Peel in Barbara Caine's edited collection on the history of friendship, 'friendship was the social glue of modernity.'[115] The reason for this shift, Peel suggests, is the modern conception of selfhood, viewing people as 'relatively autonomous and mobile individuals who understand themselves as changeable, and as having the right to pursue choices.'[116] Here we see how the histories of selfhood and intimacy are related in complex ways—intimacy is important in the construction of the self, and ideas of selfhood shape our intimate interactions. In what follows, we will see the repeated claim by

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[109] Leonore Davidoff et al., *The Family Story: Blood, Contract and Intimacy, 1830-1960* (London: Longman, 1999); Naomi Tadmor, *Family and Friends in Eighteenth-Century England: Household, Kinship and Patronage* (Cambridge: Cambridge University Press, 2001); Leonore Davidoff, *Thicker Than Water: Siblings and Their Relations, 1780-1920* (Oxford: Oxford University Press, 2011).

[110] Sian Pooley, '"All we parents want is that our children's health and lives should be regarded": child health and parental concern in England, c.1860–1910', *Social History of Medicine* 23 (2010), pp.528–48; Angela Davis, *Modern Motherhood: Women and Family in England, c. 1945-2000* (Manchester: Manchester University Press, 2012); Sian Pooley, 'Parenthood, child-rearing and fertility in England, 1850–1914', *The History of the Family* 18 (2013), pp.83–106; Mathew Thomson, *Lost Freedom: The Landscape of the Child and the British Post-War Settlement* (Oxford: Oxford University Press, 2013); Hester Barron and Claudia Siebrecht, eds, *Parenting and the State in Britain and Europe, c. 1870-1950* (London: Palgrave Macmillan, 2017); Laura Tisdall, 'Education, parenting and concepts of childhood in England, c. 1945 to c. 1979', *Contemporary British History* 31 (2017), pp.24–46; David Cowan, 'Modern' parenting and the uses of childcare advice in post-war England', *Social History* 43 (2018), pp.332–55.

[111] Emma Griffin, 'The emotions of motherhood: love, culture, and poverty in Victorian Britain', *American Historical Review* 123 (2018), pp.60–85. Anthony Fletcher, for example, makes the bold claim that there are no 'grounds for supposing that anything of fundamental importance changed, between 1600 and 1914, in the dynamic of the relationships between English parents and their children.' Anthony Fletcher, *Growing Up in England: The Experience of Childhood, 1600-1914* (New Haven: Yale University Press, 2008), pp.xx-xxi.

[112] For a sociological approach to this dynamic, see Anthony Giddens, *The Transformation of Intimacy: Sexuality, Love and Eroticism in Modern Societies* (Stanford: Stanford University Press, 1992).

[113] Davidoff, *Thicker than Water*, p.7.

[114] Julie-Marie Strange, *Fatherhood and the British working class, 1865-1914* (Cambridge: Cambridge University Press, 2015), p.20.

[115] Mark Peel, 'New worlds of friendship: the early twentieth century', in Barbra Caine, ed., *Friendship: a history* (Sheffield: Equinox, 2009), p.279.

[116] Ibid., p.282.

opponents of confession that the practice supplanted the role of friends and family.

The nineteenth-century fascination with domestic privacy generated in turn what Chase and Levenson call 'the spectacle of intimacy'; 'the wild efflorescence in the public signs, traces, slogans, and figures of domesticity, until it was scarcely possible to see the home beneath the mottoes enshrining it.'[117] This dynamic was starkly expressed in divorce law. In 1857, reforms to the law intended to safeguard the institution of marriage created a new space—the Divorce Court—for the airing of and prying into the secrets supposed to be safeguarded by the private, domestic sphere. The public nature of the Divorce Court was intended to act as a disincentive to entering into divorce proceedings, but in fact, petitions for divorce created a new forum for public prurience.[118] The annual number of divorces would not exceed 500 before 1900.[119] But the number of divorces, as Chase and Levenson suggest, does not give an adequate sense of 'the force of the disruption'.[120] The problem of domestic abuse, long assumed to be an overwhelmingly working-class problem, was now demonstrated to exist in the sacred sphere of the middle- and upper-class home.[121] The need to prove one of a number of grounds for divorce encouraged collusion between parties, and by colluding and leaving a case undefended, parties could avoid the public humiliation of a trial; in response, the office of Queen's Proctor was introduced to investigate elements of the case left unsaid by the parties seeking a divorce. 'Given the Victorian investment in domestic privacy,' Cohen points out, 'the Divorce Court, bolstered by the prying Queen's Proctor, was a spectacularly invasive innovation.'[122] Though not the subject of this thesis, divorce will re-appear time and again in it. Indeed, contemporaries saw the link between what had happened as a consequence of the creation of the Divorce Court and the role of the confessional. In 1859, *The Times* compared the revelations of the Divorce Court to 'the confidences reposed in the breasts of Roman Catholic priests on the Continent of Europe', which if published in the newspapers might well prove much worse than the seemingly constant stream of scandal now generated by English law. Sir Cresswell Cresswell, the first judge appointed to the Divorce Court, and thus one of the architects of modern family law, was 'the Confessor-General of England for this unsavoury form of transgression, and the confessions of his penitents are daily given to the world.'[123] More than just metaphor, the comparison speaks to the fact that both the court and the confessional were particular sites where broader cultural concerns about

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[117] Chase and Levenson, *Spectacle of Intimacy*, p.215.
[118] Cohen, *Family Secrets*, pp.38-39.
[119] Gail Savage, '"Intended only for the husband": gender, class, and the provision for divorce in England, 1858-1868', in Kristine Ottesen Garrigan, *Victorian Scandals: Representations of Gender and Class* (Athens: Ohio University Press, 1992), p.11.
[120] Chase and Levenson, *Spectacle of Intimacy*, p.186.
[121] A. James Hammerton, *Cruelty and Companionship: Conflict in Nineteenth-Century Married Life* (London: Routledge, 1992), pp.116-118, 163-166; Ben Griffin, *The Politics of Gender in Victorian Britain: Masculinity, Political Culture and the Struggle for Women's Rights* (Cambridge: Cambridge University Press, 2012), pp.71-73.
[122] Cohen, *Family Secrets*, p.40.
[123] *The Times*, 12 December 1859, p.8.

privacy, secrecy, sexuality and intimacy concentrated.

Ideas of intimacy, secrecy and privacy are clearly interlinked. The intimate is often private, if not secret. But secrecy and privacy produced intimacy as much as protected it. In sharing secrets, intimacies are built—sharers 'know' each other better and open themselves up to vulnerability; Vincent uses gossip to make this point.[124] A confession was not gossip, though critics could portray it as such. But in the following chapters we will see instances in which confession created a particular bond between priest and penitent through the penitent's awareness of the fact that the priest held secret knowledge about them. When these secrets involved priests, these priests might become particularly conscious of the fact that their brother priests knew their secrets through confession. Part of the threat to privacy that confession posed was that a person might not know if another person had confessed something that related to them. Situations such as this shaped the relationships people had with priests. We will see recurrently throughout this thesis that the secrecy of confession, construed as a threat to domestic intimacy, did in practice pose problems in domestic life, and did create new bonds of intimacy.

Intimate practices

Recent developments in the histories of selfhood and emotions indicate how, using intimacy, we might focus on how relationships shape the self. Particularly helpful here is an important essay by Monique Scheer, which, seeking to offer conceptual clarity to historians of emotion troubled by the persistent problem of experience versus expression, argues that emotions are a kind of practice.[125] Scheer builds on the work of William Reddy to go beyond speech and make a case for emotions as practices.[126] She suggests that emotions are embodied practices—things that are done—located in social, cultural and historical contexts. As Elwin Hofman points out, Scheer's methodological contribution to the history of emotions has much to offer historians of the self.[127] Intimacy as a

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[124] Vincent, *I Hope I Don't Intrude*, p.167.

[125] Monique Scheer, 'Are emotions a kind of practice (and is that what makes them have a history)? A Bourdieuian approach to understanding emotion', *History and Theory* 51 (2012), pp.193–220. Michael Roper turns to psychoanalytic theory because it 'focuses on the states of mind that emerge within human relationships,' and maintains the oft-forgotten distinction between experience and representation. James Hinton is likewise concerned with the problem of 'collapsing subjectivity into discourse' and argues for individual agency in 'the creative moment in which an individual, struggling to make sense of him- or herself in the world, will bend, select, recombine, amend or transform sources of meaning available in the public culture.' See James Hinton, *Nine Wartime Lives: Mass-Observation and the Making of the Modern Self* (Oxford: Oxford University Press, 2010); Michael Roper, *The Secret Battle: Emotional Survival in the Great War* (Manchester: Manchester University Press, 2010); Michael Roper, 'Slipping out of view: subjectivity and emotion in gender history', *History Workshop Journal* 59 (2005), pp.57–72; Michael Roper, 'The unconscious work of history', *Cultural and Social History* 11 (2014), pp.169–93. Much of the literature on both intimacy and twentieth-century selfhood is heavily indebted to Mass Observation, and often places great emphasis on MO's classic period as one of significant change in intimate and emotional practices. See for example Langhamer, *English in Love*.

[126] William M. Reddy, 'Against constructionism: the historical ethnography of emotions', *Current Anthropology* 38 (1997), pp.327–51; William M. Reddy, *The Navigation of Feeling: A Framework for the History of Emotions* (Cambridge: Cambridge University Press, 2001).

[127] Elwin Hofman, 'How to do the history of the self', *History of the Human Sciences* 29 (2016), pp.8-24.

category of analysis also has potential to be useful to this way of thinking about practices. After all, if emotions and selfhood are thought of in terms of practices, those practices were often—though not always—enacted in the context of interpersonal relations.[128] The intimacy of touch cannot be ignored if we think about practices as embodied. The intimacy of privacy or secrecy was often important to the expression of emotions and selfhood; for Scheer, 'naming' as an emotional practice, coterminous with Reddy's emotives and analogous to what Hofman identifies as 'self-talk' as a practice of self, is dependent on 'socially situated usage.'[129] Thinking about intimacy thus becomes important in thinking about the histories of emotions and selfhood in terms of practices.

The second step I wish to take with Scheer's work is to think about intimacy in terms of intimate practices; touch and 'self-talk', to take the examples already given, can clearly be seen as such. A recent book by Sally Holloway on courtship in Georgian England suggests the ways in which Scheer's methodological insights might be put into conversation with intimacy.[130] Holloway is interested both in courtship ritual and in the material culture associated with it, and is alert to the ways in which these were made possible by broader social, cultural, and technological change. Increased literacy, the development of a professionalised postal service and the expansion of the luxury trade are key to Holloway's situating of her account at a 'transitional period in the modernization and commercialization of romantic customs.'[131] Holloway argues that 'rituals of gazing at, caressing, kissing, and smelling love tokens worked to cultivate particular feelings, summoning fond memories of loved ones and inspiring love letters and romantic poetry.'[132] Thus, drawing on Scheer, Holloway is able to construct an analysis of Georgian courtship which incorporates emotions, material cultures and the history of the senses. The writing and reception of love letters certainly cultivates feeling; at the same time, further to this, we might also read these practices as intimate, and as creating intimacy. An emphasis on practices, as is beginning to be developed by historians of emotion, is one way in which we might think of 'doing' the history of intimacy.

As has been noted, historicising the body, for Scheer, is an important methodological step in understanding the history of emotions.[133] It is useful, then, to consider touch, 'the most intimate and illusive of the human senses', as Santanu Das puts it, as a case study in the interrelationship between histories of the senses, the self, the emotions and intimacy, and a test of what a history of intimate

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[128] For a particularly sophisticated theoretical approach to the 'sociality' of emotion, see Sara Ahmed, *The Cultural Politics of Emotion*, second edition (Edinburgh: Edinburgh University Press, 2014).
[129] Scheer, 'Are emotions a kind of practice?', p.213.
[130] Sally Holloway, *The Game of Love in Georgian England: Courtship, Emotions, and Material Culture* (Oxford: Oxford University Press, 2019), p.15.
[131] Ibid., pp.1-2, 116.
[132] Ibid., p.170.
[133] Scheer is not, of course, the first person to argue this. Rob Boddice argues that historians of the senses had already made much of Scheer's argument. Nonetheless, it is an argument that Scheer puts forward with a conceptual clarity that makes it extremely useful to historians. Rob Boddice, *The History of Emotions* (Manchester: Manchester University Press, 2018), p.123; Matthew Milner, *The Senses and the English Reformation* (Farnham: Ashgate, 2011).

practices might look like.[134] For Das, 'working at the threshold between the self and the world, touch can be said to open up the body at a more intimate, affective level, offering fresh perspectives on certain issues that repeatedly surface in war writings and have become central to contemporary cultural thinking'; thinking about touch in First World War literature allows Das to construct 'an intimate history of human emotions in times of crisis – to explore the making and unmaking of subjectivity through the most elusive and private of the senses.'[135] With Joanna Bourke, Das argues that 'the norms of tactile contact between men changed profoundly' in the trenches, the physical, psychological and emotional conditions of modern warfare creating 'a new level of intimacy' amongst men desperately far from home.[136] Thus, for example, men ritually reconstructed the affections of missed mothers and sweethearts in proxy kisses and tender moments.[137] We ought also to think here about the ways in which physical or mental injury sustained in the war altered the forms of intimate practices which historical subjects could enact; this is one way in which we might think about how the boundaries of intimacy were defined, including in exclusionary and disciplinary ways. With Scheer we might think of touch as an emotional practice, with Hofman as a practice of self. We can also see it as an intimate practice. The changing 'norms of tactile contact' in conditions of trench warfare—to take one example—suggest that an emphasis on intimate practices is a useful way in which to think about the constitution and reconstitution of the intimate.

Touch as an intimate practice, implicated in the construction of the self, allows us to think about the relationship between body, self and space. The intimacy of the railway carriage, for example, raised the fear among nineteenth-century commentators that women travelling alone were disruptive of the gender order, and liable either to become victims of sexual violence, or false accusers of their male co-passengers.[138] As Barrow notes, nineteenth-century railway carriages 'were intimate yet public spaces'.[139] In building a history of touch on the London Underground, Simeon Koole puts forward a nuanced analysis of the practice of personal space, seen not as something given but rather as something constantly negotiated.[140] We might also think about the history of the modern British bedroom in terms of intimacy and space. In the nineteenth century, overcrowded slums in which working-class families and unrelated tenants slept in a single room led to moral panic about the

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[134] Santanu Das, *Touch and intimacy in First World War literature* (Cambridge: Cambridge University Press, 2006), p.20. See also Mark Paterson, *The Senses of Touch: Haptics, Affects and Technologies* (Oxford: Berg, 2007); Constance Classen, *The deepest sense: a cultural history of touch* (Chicago: University of Illinois Press, 2012).
[135] Das, *Touch and intimacy*, p.6.
[136] Ibid., p.111; Joanna Bourke, *Dismembering the Male: Men's Bodies, Britain and the Great War* (London: Reaktion, 1996).
[137] Das, *Touch and intimacy*, pp.109-136.
[138] Robin J. Barrow, 'Rape on the railway: women, safety, and moral panic in Victorian newspapers', *Journal of Victorian Culture* 20 (2015), pp.341–56.
[139] Ibid., p.343.
[140] Simeon Koole, 'How we came to mind the gap: time, tactility, and the tube', *Twentieth Century British History* 27 (2016), pp.524–54.

dangers of incest and promiscuity.[141] As Peter Scott suggests, the ideal separation of bedrooms between parents and children of different genders continued to be governed by different ideas of 'decency' into the early twentieth century.[142] The material transformation of the modern home was also a transformation of the possibility of forms of intimate practices. At the same time, thinking seriously about intimacy should prompt us to reflect on the ways that the boundaries of intimacy were enforced in contexts of close spatial and physical proximity; as Joanna Bourke puts it, 'proximity did not necessarily breed intimacy'.[143] As in the constant negotiation and renegotiation of personal space described by Koole, proximity established new boundaries to intimacy. In chapter two, we will see how the intimate space of the confessional box was translated into new forms by Anglican confessors, and in chapter three we will see how the Catholic box could be used in different ways—to make a demand for confidentiality, or to stake a claim to respectability.

Intimate practices were also shaped by technology and forms of communication.[144] Holloway draws our attention to the ways in which courtship practices were enabled and shaped by the professionalisation of the Georgian postal service. A recent article by James Baker and David Geiringer considers encounters with personal computers in the late twentieth and early twenty-first centuries, and argues that changes to practices of textual production, 'an intimate, personal process of self-fashioning,' in turn 'recalibrated the processes through which the late-modern self was constructed.'[145] Modes of work, shaped by technology, also produce intimacies. Industrial employment created forms of working-class male homosociality which have only recently begun to be examined by historians, comparable to the changes in intimate practices in the trenches of the First World War.[146] Domestic service was 'the most everyday and intimate realm in which individuals of different social classes confronted each other,' and shaped norms of physical interaction and privacy within the domestic sphere; the intimacies associated with domestic service will reappear throughout this thesis.[147] New histories of work informed by the history of emotions are a promising new

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[141] Seth Koven, *Slumming: Sexual and Social Politics in Victorian London* (Princeton: Princeton University Press, 2004), p.42.
[142] Peter Scott, *The Making of the Modern British Home: The Suburban Semi and Family Life between the Wars* (Oxford: Oxford University Press, 2013), pp.26-28.
[143] Joanna Bourke, *Working Class Cultures in Britain, 1890-1960: Gender, Class and Ethnicity* (London: Routledge, 1994), p.124.
[144] For a recent study of the development of the dating industry in modern Britain, see Zoe Strimpel, *Seeking Love in Modern Britain: Gender, Dating and the Rise of 'the Single'* (London: Bloomsbury, 2020).
[145] James Baker and David Geiringer, 'Space, text and selfhood: encounters with the personal computer in the Mass Observation Project archive, 1991–2004', *Journal of Contemporary History* 33 (2019), pp.293-312.
[146] Helen Smith, *Masculinity, Class and Same-Sex Desire in Industrial England, 1895-1957* (Basingstoke: Palgrave Macmillan, 2015); Jon Lawrence, *Me, Me, Me?: The Search for Community in Post-War England* (Oxford: Oxford University Press, 2019), pp.142-3.
[147] Lucy Delap, *Knowing Their Place: Domestic Service in Twentieth-Century Britain* (Oxford: Oxford University Press, 2011), p.19. See also Alison Light, *Mrs Woolf and the Servants* (London: Penguin, 2007); Judy Giles, 'Authority, dependence and power in accounts of twentieth-century domestic service' in Lucy Delap, Ben Griffin and Abigail Wills, eds, *The Politics of Domestic Authority in Britain since 1800* (Basingstoke: Palgrave Macmillan, 2009), pp.204-220; Claire Langhamer, 'Feelings, women and work in the long 1950s', *Women's History Review* 26 (2017), pp.77-92.

departure among historians of modern Britain.[148] Thinking about intimate practices, shaped by space and technology, offers a useful tool to this new labour history, incorporating both the embodiment of work and the social relationships created in workplaces. Again, it is important to think here about the ways in which intimate practices at work existed alongside the policing of the boundaries of intimacy—workers could find themselves in frequent, close proximity to one another in various forms of employment, and spent large amounts of time with workmates and bosses usually not of their own choosing. While space, technology and work create new possibilities for intimate practices, they also call into existence new boundaries of intimacy and practices of enforcing them.

Secularisation and secularity

On 24 September 1850, Pope Pius IX restored the system of dioceses and bishops in England. Protestant opinion regarded this as a claim to power by a foreign pontiff—the restoration was dubbed the 'Papal Aggression.'[149] The controversy demonstrates how much of the content of mid-Victorian anti-Catholicism remained fixated on issues fundamental to the nature of British state and society; Catholic Emancipation and Relief for Dissenters had shaken the foundations of this system in the eyes of many.[150] 'Am I Queen of England or am I not?' asked Victoria, faced with perceived papal usurpation.[151] In 1851 parliament responded with the Ecclesiastical Titles Act, which imposed heavy fines on those assuming English church titles; it was never enforced.[152] The year 1851 also saw the coining of a new word: 'Secularism'. First appearing in the pages of the freethought journal the *Reasoner*, it was the coinage of George Jacob Holyoake, a freethinker. Holyoake used the term to refer to the positive content of a certain form of non-belief, and it was intended to rescue non-belief from the opprobrium and enormous condescension of those who assumed that lack of faith meant a lack of morals. The secular, of course, had been a way of thinking about the things of the world since at least the Middle Ages.[153] But Holyoake had given it a capital letter and a positive meaning; 'Secularists' might claim recognition and dignity that no right-minded person would award an 'atheist' or an 'infidel'.[154]

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[148] Arthur McIvor, *Working Lives: Work in Britain since 1945* (Basingstoke: Palgrave Macmillan, 2013); Langhamer, 'Feelings, women and work'.

[149] D.G. Paz, 'Another look at Lord John Russell and the Papal Aggression, 1850', *The Historian* 45 (1982), pp.47–64; Walter Ralls, 'The papal aggression of 1850: a study in Victorian anti-Catholicism', *Church History* 43 (1974), pp.242-56; Walter L. Arnstein, *Protestant versus Catholic in Mid-Victorian England: Mr. Newdegate and the Nuns* (Columbia: University of Missouri Press, 1982), pp.45-49; Chadwick, *Victorian Church*, vol. 1, pp.271-309; Frank H. Wallis, *Popular Anti-Catholicism*, pp.53-83.

[150] J.C.D. Clark, *English Society, 1688–1832: Ideology, Social Structure, and Political Practice During the Ancien Regime* (Cambridge: Cambridge University Press, 1985); Chadwick, *Victorian Church*, vol. 1, pp.7-24.

[151] Arnstein, *Protestant versus Catholic*, pp.45-7.

[152] Ibid., pp.47-8.

[153] Sam Brewitt-Taylor, 'Notes toward a postsecular history of modern British secularization', *Journal of British Studies* 60 (2021), pp.310-33.

[154] Edward Royle, *Victorian Infidels: The Origins of the British Secularist Movement 1791-1866* (Manchester: Manchester University Press, 1974); Owen Chadwick, *The Secularization of the European Mind in the Nineteenth Century* (Cambridge: Cambridge University Press, 1975); Laura Schwartz, *Infidel Feminism:*

The nature of Britain's religious modernity remained contested. In the modern Britain of 1851, religious difference and dispute fizzed. The reforms of the past twenty years or so had created a religious settlement in which lingering Anglican supremacy coexisted with greater recognition of religious plurality. The state and the nation were still understood in some respects in religious terms. At the same time, given the extent of Nonconformity revealed by the religious census, the Church of England's sway over the British public was seen to be slipping away. Secularism had given itself a name, but the conceptualisation of irreligion, as well as religious pluralism, remained unsettled. David Feldman, in a rich essay focussing primarily on Sikhs in twentieth-century Britain, notes 'the striking recurrence in British history of pluralist solutions to multicultural dilemmas.'[155] Given that this tendency almost always sought to 'reform but also to preserve vestiges of the English *ancien régime* at home and to sustain British rule overseas', Feldman characterises this as 'conservative pluralism'.[156] This framing is useful because it captures the complexity of the modern British religious settlement as it emerged in the nineteenth century, in which religious minorities were granted hitherto unimaginable recognition by the state, a state which still retained a fundamentally Anglican character.

The religious census of 1851 cast a long shadow over scholarship on religion in modern Britain.[157] The social history of religion, underpinned by assumptions of a process of secularisation, and often tending to regard religion primarily as a mechanism of social or class control, was dominant in the 1960s.[158] These social historians of secularisation tended to see the problem through the statistical lens of social history at that time, and so pored over returns to the religious census, only available to historians after 100 years, and found there confirmation of the secularisation thesis. Urbanisation and industrialisation, those twin features of British modernity, had, inevitably, led to the decline of religious belief. Such a consensus, of course, left itself ripe for revisionist challenge, eagerly taken up from the 1980s.[159] The data on which the classic interpretation relied now came

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Secularism, Religion and Women's Emancipation, 1830-1914 (Manchester: Manchester University Press, 2013); Edward Royle, *Radicals, Secularists and Republicans: Popular Freethought in Britain, 1866-1915* (Manchester: Manchester University Press, 1980); Michael Rectenwald, *Nineteenth-Century British secularism*, (Basingstoke: Palgrave Macmillan, 2016).

[155] David Feldman, 'Why the English like turbans: multicultural politics in British history' in David Feldman and Jon Lawrence, eds, *Structures and Transformations in Modern British History* (Cambridge: Cambridge University Press, 2011), p.293.

[156] Ibid.

[157] Jeremy Morris, 'Secularisation and religious experience: arguments in the historiography of modern British religion', *Historical Journal* 55 (2012), pp.195-219.

[158] E.R. Wickham, *Church and People in an Industrial Society* (London: Lutterworth Press, 1957); K.S. Inglis, *Churches and the Working Classes in Victorian England* (London: Routledge and Kegan Paul, 1963); Hugh McLeod, *Class and Religion in the Late Victorian City* (London: Archon, 1974); Robert Currie, Alan Gilbert and Lee Horsley, *Churches and Churchgoers: Patterns of Church Growth in the British Isles since 1700* (Oxford: Clarendon Press, 1977).

[159] Jeffrey Cox, *The English Churches in a Secular Society: Lambeth, 1870-1930* (Oxford: Oxford University Press, 1982); Hugh McCleod 'New perspectives on Victorian working-class religion: the oral evidence', *Oral History* 14 (1986), pp.31-49; Sarah Williams, *Religious Belief and Popular Culture in Southwark c.1880-1939* (Oxford: Clarendon Press, 1999); Callum Brown, 'Did urbanization secularize Britain?', *Urban History Yearbook* (1988), pp.1-11; K.D.M. Snell and Paul S. Ell, *Rival Jerusalems: The Geography of Victorian Religion* (Cambridge: Cambridge University Press, 2000).

under sustained scrutiny, and could be seen as showing precisely the opposite of what earlier historians, misled by their dependence on secularisation theory, had thought—assumed linkages between urbanisation and industrialisation and the decline of religious belief and church attendance could be unpicked, untethering the chronology of secularisation from the nineteenth century, now understood as a period of religious revival.[160] A form of new consensus appears to be emerging around the 1960s as the crucial decade.[161] Disagreement remains, nevertheless, over whether secularisation remains a useful concept, and if it does not, what new conceptual framework it might more usefully be replaced with. We might think, for example, about the decline of British Protestant identity, or the collapse of some sort of socio-cultural structure dubbed 'Christendom'.[162] Much of what has troubled the debate in recent years can more or less be reduced to fundamental disagreements over how we might go about measuring secularisation, or defining religion.[163] At the same time, greater attention has been drawn recently to the history of the concept of secularisation itself, including to the role of believers in shaping it.[164] In part, this is an opportunity for the rapprochement between social theory and ecclesiastical history advocated by some practitioners of the latter.[165] Sam Brewitt-Taylor, for example, is receptive to the critical literature on the eurocentrism of the very idea of secularisation, and to the claim that there are multiple forms of modernity, and so for him the invention of the idea of a secular society becomes interesting as a distinctive feature of Western modernities.[166]

Historians are now, with good reason, sceptical of ideas of unidirectional processes of modernisation and secularisation; nonetheless, we can see the continued relevance of thinking about *conditions* of modernity and secularity. A number of recent interventions by historians have painted a picture of fragmentation and crisis in historical scholarship in general, and modern British history in

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[160] Cox, *English Churches*; S.J.D. Green, *Religion in the Age of Decline: Organization and Experience in Industrial Yorkshire, 1870-1920* (Cambridge: Cambridge University Press, 1996).
[161] Callum Brown, *The Death of Christian Britain: Understanding Secularization, 1800-2000* (London: Routledge, 2001); Hugh McCleod, *The Religious Crisis of the 1960s* (Oxford: Oxford University Press, 2007); Nigel Yates, *Love Now, Pay Later?: Sex and Religion in the Fifties and Sixties* (London: SPCK, 2010); Sam Brewitt-Taylor, *Christian Radicalism and the Invention of the British Sixties, 1957-1970: The Hope of a World Transformed* (Oxford: Oxford University Press, 2018); Callum Brown, *The Battle for Christian Britain: Sex, Humanists and Secularisation, 1945-1980* (Cambridge: Cambridge University Press, 2019).
[162] Hugh McLeod and Werner Ustorf, *The Decline of Christendom in Western Europe, 1750-2000* (Cambridge: Cambridge University Press, 2003; S.J.D. Green, *The Passing of Protestant England: Secularisation and Social Change, c.1920-1960* (Cambridge: Cambridge University Press, 2011).
[163] Jeremy Morris, 'The strange death of Christian Britain: another look at the secularization debate', *Historical Journal* 46 (2003), pp.963-76.
[164] Talal Asad, *Formations of the Secular* (Stanford: Stanford University Press, 2003); Charles Taylor, *A Secular Age* (Cambridge: Harvard University Press, 2007); Dominic Erdozain, '"Cause is not quite what it used to be": the return of secularisation', *English Historical Review* 127 (2012), pp.377-400; J.C.D. Clark, 'Secularization and modernization: the failure of a 'grand narrative', *Historical Journal* 55 (2012), pp.161-94; Joy Dixon, 'Feminism and secularization', *History Workshop Journal* 80 (2015), pp.291-6.
[165] Morris, 'Secularisation and religious experience'; Sarah Foot, 'Has ecclesiastical history lost the plot?', *Studies in Church History* 49 (2013), pp.1-25.
[166] Sam Brewitt-Taylor, '"Christian civilisation", "modern secularisation", and the revolutionary re-imagination of British modernity, 1954-1965', *Contemporary British History* 34 (2020), pp.603-628; Sam Brewitt Taylor, 'Toward a postsecular history'.

particular.[167] Amidst this ongoing debate on the state of the discipline, a number of works have been published offering broad overviews of the nineteenth or twentieth centuries, or of the modern period as a whole.[168] This spate of new books speak to a desire for 'macro' accounts of modern British history, whether or not the crisis and fragmentation of the field is as grave as some participants in the debate have suggested. Intimacy is often best explored by microhistorical, or at least small-scale, studies, but recent 'macro' accounts of modern British history are sometimes critical of microhistory—James Vernon, for example, one of the keener proponents of histories written with 'organizing narratives', has called for a turn away from 'the navel gazing of microhistories'.[169] Yet, in arguing that modernity can be characterised as a 'society of strangers' that 'provided the conditions for the reconstitution of the intimate domain of personal relations', Vernon implicitly indicates the importance of intimacy in understanding modernity.[170]

This thesis explores this period through the lived experiences of individuals moving through this cultural world. Sectarian difference was still of enormous importance in mid-Victorian Britain. As we shall see, even when religious difference was not marked by conflict, a 'conservative pluralism' prevailed, a pluralism on largely Anglican terms. In chapter three we will see that Catholics were placed in a strange position by changes in the religious makeup of Britain, both feeling themselves to be vulnerable in a 'Protestant society' and at the same time sceptical of the gains they had made in terms of access to higher education in particular. In chapter four we will turn from confession to psychical research. Part of the point of this apparent rupture is to implicitly critique a sort of Foucauldian secularisation thesis, in which pre-modern confession was displaced by modern psychology and psychiatry. Instead, confession in England was a modern phenomenon. As has been stressed here, commentators believed that it was increasing in response to a spiritual desire that was distinct to its times. The Tractarian, Anglo-Catholic and Ritualist shift to regular—even necessary—confession was an innovation in Anglican history, while the very presence of public acts of Catholic worship by English people was a relative novelty.[171] The types of confession that Foucault describes

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[167] 'Modern British Studies at Birmingham working paper no. 1', February 2014, https://www.birmingham.ac.uk/Documents/college-artslaw/history/mbs/MBS-Birmingham-Working-Paper-1.pdf; Jo Guldi and David Armitage, *The History Manifesto* (Cambridge: Cambridge University Press, 2014); Deborah Cohen and Peter Mandler, 'The history manifesto: a critique', *American Historical Review* 120 (2015), pp.530–42; David Armitage and Jo Guldi, 'The history manifesto: a reply to Deborah Cohen and Peter Mandler', *American Historical Review* 120 (2015), pp.543–54.

[168] James Vernon, *Modern Britain: 1750 to the Present* (Cambridge: Cambridge University Press, 2017); David Cannadine, *Victorious Century: The United Kingdom, 1800-1906* (London: Penguin, 2018); David Edgerton, *The Rise and Fall of the British Nation: A Twentieth-Century History* (London: Penguin, 2018); Pat Thane, *Divided Kingdom: A History of Britain, 1900 to the Present* (Cambridge: Cambridge University Press, 2018); Florence Sutcliffe-Braithwaite et al., 'Roundtable: Modern Britain, 1750 to the present, by James Vernon', *Twentieth Century British History* 30 (2019), pp.264–84.

[169] Vernon, *Modern Britain*, p.xxi; James Vernon, *Distant Strangers*, p.132.

[170] Vernon, *Distant Strangers*, p.44.

[171] Indeed, this remained true in the first decade of the new century; in 1908, the Prime Minister, H.H. Asquith, asked attendees of the London Eucharistic Congress not to process through the streets with the Eucharist. British religious pluralism was still marked by a distinction between public and private. As Protestant opponents pointed out, the planned procession was almost certainly illegal under the 1829 Catholic Relief Act. See G.I.T

had almost never happened in England prior to modernity. Modern psychology, meanwhile, emerged alongside and related to psychical research, hardly a secular science if the secular is seen to be coterminous with the disenchanted. As we will see in chapter four, far from being a throw-back to primordial superstition and pre-modern models of belief, psychical research was new and modern, dependent in the form that it took on features of modernity like the railway and the reformed university. This is not to say that confession or spirit communication did not exist in some form prior to modernity—patently, they did—but rather to stress, like Houlbrook on tricksters, what was distinctive to these times. New conditions of belief generated new forms of belief and new forms of enchantment. They also generated new intimate practices.

Machin, 'The Liberal government and the Eucharistic Procession of 1908', *Journal of Ecclesiastical History* 34 (1983), pp.559-83; Carol A. Devlin, 'The Eucharistic Procession of 1908: the dilemma of the Liberal government', *Church History* 63 (1994), pp.407-25; Thomas Horwood, 'Public opinion and the 1908 Eucharistic Congress', *British Catholic History* 25 (2000), pp.120-32.

Chapter 1

'A trial against the Catholic body': confession, the law, and the life of Giacinto Achilli, 1851-1868

John Henry Newman headed to court on 31 January 1853 expecting to go to prison.[1] He had been sued for criminal libel by Giovanni Giacinto Achilli, and had been found guilty. In a lecture given at the Birmingham Corn Exchange, Newman had repeated claims about Achilli's history of sexual misdemeanours earlier made in print by Nicholas Wiseman.[2] Achilli, a former Dominican priest from the Papal States, was a convert to Protestantism who had been arrested in Rome in the restoration of papal authority following the revolution of 1848-9. Since his escape from the dungeons of the Inquisition he had toured Britain preaching against the errors and brutality of the Roman Church. Wiseman, and then Newman, alleged that Achilli's career was marked by a string of adulteries, rapes and sexual assaults, and that this was why he had run into trouble with the Inquisition. When Achilli sued Newman, Wiseman found that he had lost the documents with which he thought he could prove his claims, and so Newman's case came to rest on the court appearances of women who were willing

[1] Letter from J.H. Newman to A. Grant, 9 March 1853, Charles Stephen Dessain and Vincent Ferrer Blehl, eds, *The Letters and Diaries of John Henry Newman* (*L&D*), vol. 15 (Oxford: Oxford University Press, 1964), p.329.
[2] Nicholas Wiseman, 'Dr Achilli', *Dublin Review* 28 (1850), pp.469-511; Nicholas Wiseman, *Dr. Achilli: Authentic 'Brief Sketch of the Life of Dr. Giacinto Achilli,' Containing a Confutation of the Mis-Statements of Former Narratives* (London: Thomas Richardson and Son, 1851).

to testify to Achilli's offences.[3] At the Court of Queens' Bench, sitting in Westminster Hall in June 1852, sectarian conflict between Protestant and Catholic was fought out through scrutinising the narratives, dress and bodies of the witnesses. The case came down to Achilli's word against around a dozen women witnesses, most of whom were poor, foreign and Catholic. Sitting before a judge, Lord Campbell, who made his hostility to Catholicism clear to the jury throughout, the outcome was almost a foregone conclusion.

The 'Achilli Trial', or *Regina v. John Henry Newman, D.D.*, has tended to be treated mainly as an incident in the life of Newman, now venerated as a saint by the Catholic Church.[4] But because the prosecution was of Newman for libel amounting to twenty-three specific claims, rather than of Achilli for a single instance of rape, a large number of women witnesses gave testimony in court. We have a rich account of the trial thanks to the legal writer and Catholic convert William Francis Finlason, whose editorial interventions in the footnotes of the text frequently draw the reader's attention to dress, gesture, physical appearance, and tone of voice. This was because he believed that the tone and body language of the presiding judge, Lord Campbell, prejudiced the trial.[5] This is an exceptionally useful text in the light of growing historiographical interest in bodies and embodiment, including in courtrooms.[6] As Victoria Bates has argued, 'court records can be approached as cultural texts.'[7] In this chapter, we will see the trial mainly through the eyes of Finlason; this was an account keen to draw attention to the sectarian struggle underlying the court proceedings, and to prosecute a broader defence of Catholicism and its doctrines, including auricular confession, in the footnotes to the text. As noted at the time and by historians since, Newman's guilty verdict almost certainly represented a miscarriage of justice driven by mid-Victorian anti-Catholicism. As we will see, ideas about confession were used to discredit the witnesses on whom Newman's entire case depended.

Confession also underpinned much of the furore surrounding Achilli's lectures and writing. In his book, *Dealings With the Inquisition,* Achilli claimed that while still a Catholic priest he had taught against confession.[8] Like British Protestants of the same period, he portrayed the practice as a particular threat to the family.[9] As we will see, Achilli was able to add to such local concerns the evil

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[3] Wilfrid Ward, *The Life and Times of Cardinal Wiseman*, vol. 2 (London: Longmans, 1897), pp.39-40.
[4] See for example Sheridan Gilley, *Newman and His Age* (London: Darton, Longman and Todd, 1990), pp.269-274; Ian Ker, *John Henry Newman: A Biography* (Oxford: Oxford University Press, 1990), p.381.
[5] W.F. Finlason, *Report of the Trial and Preliminary Proceedings in the Case of G. Achilli v. Dr. Newman, with an Introduction, Containing Comments on the Law and on the Course and Conduct of the Trial; also with the Pleadings and Affidavits; and Copious Notes, Particularly on the Constitution and Practice of the Court of Inquisition* (London: C. Dolman, 1852), pp.24-5.
[6] Thomas Dixon, 'The tears of Mr Justice Willes', *Journal of Victorian Culture* 17 (2012), pp.1-23; Victoria Bates, '"Under cross-examination she fainted": sexual crime and swooning in the Victorian courtroom', *Journal of Victorian Culture* 21 (2016), pp.456-70.
[7] Bates, 'Under cross-examination she fainted', p.457.
[8] Giacinto Achilli, *Dealings With the Inquisition: Or, Papal Rome, Her Priests, and Her Jesuits, With Important Disclosures* (London: Arthur Hall, Virtue & Co., 1851), pp.41-3.
[9] John Shelton Reed, '"A female movement": the feminization of nineteenth-century Anglo-Catholicism', *Anglican and Episcopal History* 57 (1988), pp.199–238; Yates, 'Jesuits in disguise?'; Lamonaca, 'Her director, her priest,...her God'; Hartman, 'Confession as cultural form'.

of the confessional as a tool of the Inquisition in the Papal States. Confession was dangerous enough in Britain, but in the territories governed from Rome its true function as a system of spies and tyranny reached its apparent apotheosis. Objecting to the idea while a priest, but obliged nonetheless to hear confessions, Achilli said that he had taken to simply listening to them without offering absolution, which could come only from God, and to seek as far as possible to hear confessions outside of a confessional.[10] He had turned confession into a means of critique of Catholic doctrine, and had used it to teach against transubstantiation to a nun.[11] In a significant way, confession was part of what was on trial. But, as we will see, the issue of confession could not be reduced to the dispute between Catholic and Protestant. Newman's witnesses testified that Achilli had used confession to seduce them. In private, Newman expressed concern about the use of confession in terms that were similar to Achilli's critique in *Dealings With the Inquisition*. This chapter seeks to use the sectarian struggle in the courtroom to complicate the debate around confession, and to suggest that the radical intimacy of confession caused concern both to anti-Catholic polemicists and to leading Catholics. This chapter also seeks to trace connections with subsequent developments in which the same issues were at play; the confessional continued to be brought into courts, and the law was shaped by and shaped the use of confession in England. Newman's counsel, Sir Alexander Cockburn, and the judge Lord Campbell, for example, would construct a framework of obscenity law that would persist into the following century, and which was shaped by scandal surrounding the use of sacramental confession in England.[12] In chapter two, we will see that framework echoing back in ironic ways to shape the development of confession in the Church of England.

We begin with the contradictory narratives of the previous life of Giacinto Achilli that were in circulation, which differed not only in allegations of particular crimes but also in smaller details such as the place of his birth. These competing narratives were negotiated and contested through the bodies of those gathered in Westminster Hall. This shift from published and spoken narratives to courtroom embodiment relied on interpretative frameworks informed not only by ideas of gender, culture and class, but also by religious motivation. Having sketched broadly the conduct of the trial, we will turn to the direct critique of confession surrounding it—we will see how the trial showed that confession could clash with law and liberalism itself. We will then turn to ideas about sexuality and sexual restraint, and the ways in which these were deeply connected to confession. Achilli's life subsequent to his Pyrrhic victory indicates the connections between his critique of clerical celibacy and religio-sexual experiments associated with nineteenth-century utopian and radical movements.

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[10] Achilli, *Dealings With the Inquisition*, pp.39, 239, 241-3.
[11] Ibid., pp.41-3.
[12] Colin Manchester, 'Lord Campbell's Act: England's first obscenity statute', *Journal of Legal History* 9 (1988), pp.223-41; Christopher Hilliard, '"Is it a book that you would even wish your wife or your servants to read?": obscenity law and the politics of reading in modern England', *American Historical Review* 118 (2013), pp.653-78; Christopher Hilliard, *A Matter of Obscenity: The Politics of Censorship in Modern England* (Princeton: Princeton University Press, 2021), pp.12-20.

There is a more complicated, and perhaps more interesting, story here than simply an incident in the life of a saint.

'A great stew'

Giacinto Achilli offered two accounts of his life, both published before the trial. The first was written in October 1849 for Alexis de Tocqueville, the French Minister of Foreign Affairs, who the Evangelical Alliance lobbied for Achilli's release from the Inquisition, and who had 'taken up the affair with the greatest cordiality.'[13] Achilli's ally, the leading evangelical Sir Culling Eardley, quoted excerpts of this autobiography in *The Imprisonment and Deliverance of Dr. Giacinto Achilli*.[14] Achilli's much more detailed autobiography, *Dealings With the Inquisition, or Papal Rome, Her Priests, and Her Jesuits* was published after Newman's allegedly libellous lecture, but before the trial; Finlason suggested that this had been deliberate in order to mislead the jury, who at the trial showed that they 'had obviously imbibed the most intense horror and hatred of the Catholic Church.'[15]

Achilli claimed to have been born in Viterbo in 1803.[16] Educated by Jesuits, he took the Dominican habit in 1819, and in 1821 was ordained a priest. In 1835, keen due to his growing Protestant convictions to escape the Papal States, he went to Capua, having been invited by Cardinal Serra to preach the Lent sermons in the cathedral. The same year, he said, he demanded and obtained secularisation—permission to live outside of the Dominican order for a period—from Pope Gregory XVI, but having been asked in a letter from three cardinals to stay in the order, he spent four years with the Dominicans in Naples.[17] In 1841 he went to Rome and 'had troubles' with the Inquisition on the grounds of his Protestantism. It was now, in Achilli's account, that he renounced 'all the honours, employments, and privileges which I had enjoyed up to that time.'[18] The Inquisition drew up a decree of dismissal, and he ceased to be a priest. In 1842 he left Italy and travelled to English dominions in the Mediterranean, travelling first to Corfu and then to run a seminary attached to the Malta Protestant College.[19] After the collapse of the college amidst scandal—he claimed due to the subterfuge of Catholics—he travelled to England. He returned to Rome in 1849 on the eve of revolution. Pope Pius IX fled the city, a Roman Republic was proclaimed, and Achilli saw an opportunity for the Protestant

[13] British Library, Western Manuscripts, Correspondence of Charles Babbage, vol. 13, Add MS 37194, ff.245-6, Letter from C.E. Eardley to C. Babbage, 1849.
[14] C.E. Eardley, *The Imprisonment and Deliverance of Dr. Giacinto Achilli, with Some Account of His Previous History and Labours* (London: Partridge and Oakey, 1850); Todd Thompson, 'The Evangelical Alliance, religious liberty, and the evangelical conscience in nineteenth-century Britain', *Journal of Religious History* 33 (2009), pp.49-65.
[15] Achilli, *Dealings With the Inquisition*; Finlason, *Report of the Trial*, p.64n.
[16] Eardley, *Imprisonment and Deliverance*, p.7.
[17] This religious use of the concept of the secular is a reminder of the importance of a conceptual history of secularity. Sam Brewitt-Taylor, 'Towards a Postsecular History'.
[18] Eardley, *Imprisonment and Deliverance*, p.8.
[19] *Dr. Achilli and the Malta Protestant College* (London: Partridge and Oakey, 1851); Salv Mallia, 'The Malta Protestant College', *Melita Historical* 10 (1990), pp.257-282.

evangelisation of Italy.[20] The republic was short-lived, and French troops sent by the recently-elected President Louis-Napoleon Bonaparte retook Rome and restored the authority of the pontiff in July. In a wave of reactionary repression implemented by the 'Red Triumvirate' of cardinals which followed, Achilli was arrested at his home and taken to the Castel Sant'Angelo under the jurisdiction of the restored Roman Inquisition.[21] The precise accusations against Achilli were unclear, and changed from the murder of a nun some twenty years previously, to Protestant propagandising in Rome, to the fact that he had married during the republic.[22] The Evangelical Alliance began to lobby the British and French governments for intervention to secure Achilli's release. Eventually, he escaped in the uniform of a French soldier.[23] He returned to England in 1850 as a Protestant *cause célèbre*.

Achilli's conversion gave him the sort of credibility shared by other ex-Catholic preachers such as his fellow Italian Alessandro Gavazzi or the Irishman William Murphy.[24] Given that Achilli's authority came from his personal story and his claims to integrity, it is perhaps unsurprising that Nicholas Wiseman thought 'that his previous life might be worth investigating'.[25] Wiseman's critique of Achilli was published in June 1850. Three months later, Wiseman was made a cardinal with the restoration of the Catholic hierarchy in England. The restoration, or 'Papal Aggression', discussed in the introduction above, was the backdrop to the fervour of anti-Catholicism from which Achilli was profiting.[26] The climate of anti-Catholicism led to attempts to regulate Catholic convents, and accusations being made that Newman had installed dungeons in the Birmingham Oratory.[27] Wiseman and Newman felt obliged to push back. Published first in a review of Eardley's *Imprisonment and Deliverance* in the Catholic journal the *Dublin Review*, and subsequently expanded into a pamphlet, Wiseman's attack on Achilli took issue with almost every claim he had made, and levelled a number of very serious allegations against him.[28] His place of birth was not Viterbo, but Celleno, and he had lied about this to cover up his humble origins; his doctorate was illegitimate; his account of his

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[20] George Macaulay Trevelyan, *Garibaldi's Defence of the Roman Republic* (London: Longmans, Green and Co., 1907); R. de Cesare, *The Last Days of Papal Rome, 1850-1870* (London: Archibald Constable, 1909); E.E.Y Hales, *Pio Nono: A Study in European Politics and Religion in the Nineteenth Century* (London: Eyre and Spottiswoode, 1954); Owen Chadwick, *A History of the Popes, 1830-1914* (Oxford: Clarendon Press, 1998), pp.82-94; Denis Mack Smith, 'The revolutions of 1848-1849 in Italy', in R.J.W. Evans and Hartmut Pogge von Strandmann, eds, *The Revolutions in Europe, 1848-1849* (Oxford: Oxford University Press, 2000), pp.55-81; David I. Kertzer, *The Pope who would be King: The Exile of Pius IX and the Emergence of Modern Europe* (Oxford: Oxford University Press, 2018).
[21] Eardley, *Imprisonment and Deliverance*, pp.123-6.
[22] Ibid., pp.42-3, 55, 80-1n, 104. Achilli later said it was because the Inquisition had intercepted a delivery of Italian Bibles. Achilli, *Dealings With the Inquisition*, p.449.
[23] Eardley, *Imprisonment and Deliverance*, pp.145-7.
[24] Donald M. McRaild, 'Transnationalising "anti-popery": militant Protestant preachers in the nineteenth-century Anglo-world', *Journal of Religious History* 39 (2015), pp.224-43; Arnstein, *Protestant versus Catholic*, pp.88-107.
[25] Nicholas Wiseman, *Dr. Achilli*, p.6.
[26] Chadwick, *The Victorian Church*, pp.271-309; Ralls, 'The Papal Aggression', pp.242–56; Paz, 'Another look at Lord John Russell', pp.47–64; Wallis, *Popular Anti-Catholicism*, pp.53-83.
[27] Arnstein, *Protestant versus Catholic*, pp.62-3.
[28] Wiseman, 'Dr Achilli'; Wiseman, *Dr Achilli*.

dealings with the Inquisition was extremely misleading.[29] Contrary to his claims that his role in the Roman revolution had been of a purely religious nature, he had been involved in revolutionary politics.[30]

Most seriously of all, Wiseman alleged that Achilli was guilty of 'offences…so gross, that we hesitate to pen them'. In February 1831, he had 'caused the ruin of a girl of eighteen'. In September 1833 he was found to have committed the same crime with a woman of twenty-eight, and a further crime with a woman of twenty-four was alleged to have taken place in July 1834. One of these offences had occurred in the sacristy of a church.[31] In Capua between 1834 and 1835, 'he committed the same crime of seduction, and, unfortunately, made use of the facilities which his religious character gave him, of access to establishments of female education.'[32] Wiseman also produced a document he said was from the Neapolitan police that said that Achilli had established a *Pio Unione*, a pious association of men and women, and 'took advantage of this opportunity to seduce a girl of fifteen'. The actual detail of the charge was so grotesque that Wiseman provided it in Italian, rather than translating it; it stated that after his 'seduction' of the child, he had told a friend about it, with the intention that the friend should do likewise.[33] 'Such being the case, it is no wonder that "he got into troubles with the Inquisition," before which he was summoned in 1841,' argued Wiseman. While the British imagination thought of Spanish *autos-da-fé* whenever the Inquisition was referred to, the Roman Inquisition—or Holy Office—of the nineteenth century was concerned primarily with the discipline of clergy. 'He was arraigned for his unsound principles, not merely held, but openly expressed, in regard both to morals and to faith. But he was arraigned also for his gross immoralities from the beginning, including those committed at Capua.'[34] Banished to the secluded Dominican convent at Nazarro, and stripped of his ability to celebrate the sacraments, Achilli fled. At Corfu, now reincarnated as a Protestant preacher, he committed adultery with the wife of the tailor Garamoni. Installed as a professor at the Protestant College in Malta, he continued in his ways. Far from being punished simply for his Protestant convictions, Achilli was an opportunist and a serial seducer of women and girls. In fact, Wiseman argued, his fall from faith was the result of his fall from morality.[35]

Despite Wiseman's searing attack, Achilli continued his preaching against Catholicism and the evils of Rome, adored by his Protestant audiences. At a meeting at Exeter Hall in March 1850, his supporters sung a hymn of praise, addressing him as a 'friend from Rome'.[36] In May 1850 he

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[29] Wiseman, *Dr Achilli*, pp.40-1.
[30] Ibid., pp.35-7.
[31] Ibid., p.16.
[32] Ibid., p.19.
[33] Ibid., pp.20-1.
[34] Ibid., pp.20-21.
[35] Ibid., pp.23-4.
[36] Wilfrid Ward, *The Life of John Henry Cardinal Newman, Based on His Private Journals and Correspondence, Two Volumes in One* (London: Longmans, 1927), p.277n.

addressed a meeting of the Evangelical Alliance at the town hall in Birmingham. The city was now home to John Henry Newman, whose conversion had effectively exiled him from his beloved Oxford. Achilli's arrival in the city moved John Henry Newman to attack him in his *Lectures on the Present Position of Catholics in England*, which he began on 30 June the following year.[37] On 16 July 1851, Newman wrote to James Hope from the Oratory, asking whether he could 'be had up for a libel, in criminal court or civil, for saying against Dr Achilli the contents of the article in the Dublin, since published as a pamphlet?'[38] Achilli's *Dealings With the Inquisition* accused Wiseman of having 'raked together, as on a dunghill, every species of filth from the sons of Ignatius Loyola'.[39] In addition to a Jesuit conspiracy, Achilli said that Wiseman had been motivated by a desire to be made a cardinal, and even claimed that Wiseman would have burned him if he had the power, and could perhaps poison him anyway.[40] But he had not responded to Wiseman's allegations in any particular detail. Hope said that while Newman would be 'open to an action', the fact that the claims had been published without much notice being taken before, and the supposed weight of the evidence for the claims, meant that Newman would not be in much danger. But three days prior to his lecture, Newman wrote to David Lewis saying that he was 'in a great stew'. Newman was 'perfectly safe', Lewis counselled, though there would be grounds for a trial, and Achilli's friends might well try to 'make sport' of him.[41]

On 28 July Newman delivered the fifth of his lectures. He condensed most of Wiseman's claims and delivered the charges with rhetorical flourish. Sarah David Bernstein argues that Newman's lecture adopted 'the structure of confession by appropriating Achilli's voice'.[42] Achilli was, Newman said, 'a profligate under a cowl…ravening after sin.' He was 'an unbeliever, and a hypocrite.'[43] There was a difficult balance to be struck here—insofar as he wished to attack Achilli's historic conduct he was attacking a man who at the time of his crimes had been a Roman Catholic priest, supposedly one with friends in high places in the Church. 'With you the argument begins; with you, too, it ends,' Newman stated, despite having conceded that some priests did fail in their vow of celibacy in the previous lecture, 'the beginning and the ending you are both.'[44] Newman was seeking to hold up Achilli almost as the singular example of a bad priest. By August he had heard rumours that Achilli would prosecute, and Newman wrote to Spencer Northcote, who was preparing an abridgement of the lectures for publication, asking him to leave out the offending passage.[45] By the

[37] Finlason, *Report of the Trial*, p.33.
[38] Letter from J.H. Newman to J. Hope, 16 July 1851, Charles Stephen Dessain and V. F. Blehl, eds., *The Letters and Diaries of John Henry Newman*, vol. 14 (London: Thomas Nelson and Sons, 1963), pp.310-1.
[39] Achilli, *Dealings With the Inquisition*, p.139.
[40] Achilli, *Dealings With the Inquisition*, pp.140-3.
[41] Letter from J.H. Newman to D. Lewis, 25 July 1851, *L&D* 14, p.318.
[42] Bernstein, *Confessional Subjects*, p.51.
[43] John Henry Newman, *Lectures on the Present Position of Catholics in England: Addressed to the Brothers of the Oratory* (London: Burns & Lambert, 1851), pp.197-199.
[44] *Regina v. Newman* (1852), 175 E.R. 541, 550.
[45] Letter from J.H. Newman to J.W. Bowden, 28 August 1851, *L&D* 14, p.335; Letter from J.H. Newman to J.S.

end of the month he was inquiring as to the best ways of finding witnesses and authenticating documents, and asked for a Mass to be said 'with the intention that it may not take place, or may turn out well'.[46] Newman had adopted the structure of confession by speaking as Achilli, but he had not adopted confession's privacy; despite the advice of friendly lawyers, Newman would be 'had up for libel' after all.

Lord Campbell's 1843 Libel Act made clear that if Newman pleaded both that the statements he had made were true, and that 'it was for the public benefit that the said matters charged should be published', then 'the truth of the matters charged may be inquired into'.[47] Newman—or rather Newman's lawyers, who refused to let him appear in court—could effectively turn the trial into an inquiry into the lives of Giacinto Achilli; Achilli's effort to silence his critic could be turned on its head. This meant putting the charges forward in more detail, including the names of alleged victims.[48] The formulaic accusation that Achilli 'debauched, seduced and carnally knew' was used in reference to six women: Elena Valente, Rosa di Allessandris, Vincenza Guerra, Maria Giovanni Principe and two women whose names were unknown. He was also accused of having 'debauched and made faithless to her husband' Marianna Crisaffi, wife of the tailor Nicolo Garamoni, and having 'publicly cohabited and committed adultery' with Albina, the wife of Vincenzo Coriboni, who was later also said to be a prostitute. In London he 'seduced and debauched' Harriet Harris, 'and did conduct himself lewdly and indecently' to Jane Legge, Sarah Wood, Catharine Gorman and a Mademoiselle Fortay. Thus, specific allegations of varying natures were made in relation to twelve women, in addition to which Achilli had married, and the defence brought up the name of a further woman, Louisa Colchester, during Achilli's cross-examination, but was not allowed to proceed with that line of questioning by Lord Campbell. Of these women, Valente, Principe, Crisaffi, Legge, Wood, Harris and Gorman all appeared in court. This was not a trial for rape—although the nature of the trial made it seem that it was Achilli who was the defendant, to the extent that a member of the jury initially delivered the wrong verdict by mistake. Rather, it was a thorough assessment of a variety of claims, all pertaining to Achilli's character, most questioning his sexual conduct, and some clearly concerning cases of rape. The conflicting accounts of the lives of Giacinto Achilli, and the conflicting ideas of Catholic and Protestant, would now be tested in an English court.[49]

Northcote, 28 August 1851 *L&D* 14, pp.337-8.

[46] Letter from J.H. Newman to E. Badeley, 29 August 1851, *L&D* 14, pp.338-340; Letter from J.H. Newman to E. Badeley, 31 August 1851, *L&D* 14, pp.340-2; Letter from J.H. Newman to J.D. Dalgairns, 31 August 1851, *L&D* 14, p.343.

[47] Libel Act, 1843 (6 & 7 Vict. c. 96); Hardinge Stanley Giffard Halsbury, *The Laws of England, Being a Complete Statement of the Whole Law of England*, vol. 18 (London: Butterworth & Co., 1911), p.743. See also M.C. Mirow, 'Roman Catholicism on trial in Victorian England: the libel case of John Henry Newman and Dr Achilli', *The Catholic Lawyer* 36 (1996), pp.401-53.

[48] *Regina v John Henry Newman, DD* (1852), 169 E.R. 647.

[49] For a more detailed treatment of the prelude to the trial see Kollar, *A Foreign and Wicked Institution?*, pp.283-302.

Bodies on trial

William Francis Finlason entered the Middle Temple as a student in 1841, and was called to the bar in 1851, but was more interested in writing legal journalism and history than in practice. He was chief legal reporter for *The Times* for almost half a century, and after his death in 1895 the newspaper described his reputation as 'unique'.[50] A friend of Charles Dickens, he brought a literary flourish to his legal writings.[51] 'Few men caught so soon the points of a case,' the *Times* obituary recorded, 'and he was quite without rival in the rapidity with which he transcribed his notes, when he took any, or wrote down, as a case proceeded, such parts of the evidence or arguments as was necessary for publication.'[52] Absent from his obituary was any mention of his conversion to Catholicism by F.W. Faber in 1849.[53] But Finlason's religious convictions are central to understanding his editorial interventions in his account of the trial, which served in places as a defence against anti-Catholic attitudes.[54]

As has already been noted, one of the most striking elements of Finlason's account of the trial is his attention to the details of gesture, tone, dress and appearance. In Finlason's interpretation of proceedings, the judge had prejudiced the trial through his behaviour. Lord Campbell was, he thought, an anti-Catholic bigot, making interventions on points of religious controversy, closing down lines of questioning of Achilli which he deemed improper while allowing the prosecution to ask whatever they liked, and silencing applause for the defence while allowing it for the prosecution. He was also, it should be noted, the Lord Campbell of Lord Campbell's Act, under which Newman was being prosecuted. Finlason suggested that his silence when he ought to have guided the jury through complex evidence, and even small details of his behaviour, had influenced the outcome. 'The very silence of a judge may be fatal,' he wrote, 'and a smile, or a shake of the head, especially if he be a man of such gravity, may be decisive.'[55]

Finlason was also closely attentive to the significance of the spatial elements of the courtroom. The trial was held in Westminster Hall, which was partitioned with wooden panels to create separate courtrooms within the ancient space. The second day of the trial was delayed because Achilli was in the precincts of the court—effectively a public space—and there was no way of separating him from the witnesses because of a lack of accommodation for them. Finlason made an editorial intervention in the footnotes here to comment that 'the absence of accommodation is disgraceful, and is detrimental to the administration of justice'.[56] Finlason was also aware of the way

[50] *The Times*, 13 March 1895, p.10.
[51] *The Times*, 14 March 1895, p.8.
[52] *The Times*, 13 March 1895, p.10.
[53] Michael Lobban, 'Finlason, William Francis (1818–1895)', *Oxford Dictionary of National Biography* (*ODNB*) (2004), https://doi.org/10.1093/ref:odnb/9462.
[54] Finlason had recently published a legal defence of the restoration of the hierarchy. W.F. Finlason, *The Catholic Hierarchy Vindicated by the Laws of England* (London: Charles Dolman,1851).
[55] Finlason, *Report of the Trial*, pp.24-5.
[56] Ibid., p.83n.

in which the arrangement of bodies in the courtroom could produce forms of evidence. During the prosecution's examination of Achilli, Elena Valente was brought in, and Achilli denied having seen her before. The idea of presenting the woman to Achilli backfired and Valente was ordered out of court as soon as the Attorney General, Frederic Thesiger, had finished questioning him concerning her, because the presence of the woman had—according to Finlason—an effect on Achilli's appearance; 'his hands moved, and his countenance worked convulsively, and strikingly contrasted with the quiet and composed aspect of the woman'.[57] Sir Alexander Cockburn, Newman's lawyer, was also aware of the impression the scene would make, and asked that Valente be moved because she had her back to the jury, and he wanted them to observe what Finlason called 'an air of innocent wonderment as she heard him quietly contradicting all she had sworn.'[58] Cockburn later used the presence of Achilli's victims during his cross-examination of Achilli, calling Maria Principe and her mother to be placed where the prosecutor, the judge and the jury could see them.[59] We noted in the introduction that for centuries the arrangement of bodies and the control of vision had been a central dilemma of confession, one which had led to the design of the confessional box, with its wooden partition and metal grille, in counter-reformation Milan; the visibility of the body of priest and penitent might influence the confession, or even intimate to onlookers the nature of private thoughts and profound secrets. In the chaos of Westminster Hall's wooden partition, and the deliberate arrangement of bodies in space by both sides, we see how forms of evidence—such as Achilli's expression—might be generated.

The physical appearances of the women were also used as evidence during the trial. Summing up the case for the prosecution, Frederic Thesiger compared the appearance of Josephine Achilli, the Englishwoman who Achilli had married in Rome in 1849 and again—despite claiming that the marriage was legal and valid—in London in 1850, to his victims.[60] 'Gentlemen,' he addressed the jury, 'you have seen Mrs. Achilli; and after seeing her, and looking on these girls, for instance, Sarah Wood, I ask you, in your own judgement and experience of mankind, whether the mere comparison does not discredit their stories!'[61] Finlason also noted that Wood was 'plain looking', though believed her testimony because she was also 'plain speaking'.[62] Indeed, Wood offered one of the most unflinching accounts of Achilli's rape, including that he had used 'great force'. Perhaps more strikingly, the physical abuse of one of the witnesses was subject to contestation over its meanings, and how this contributed as evidence for or against her testimony. Marianna Crisaffi Garamoni, the tailor's wife, appeared in court smartly dressed and wearing a veil. Thesiger asked that she raise it, revealing what Finlason called 'her present repulsive appearance'; her nose was disfigured, and she

[57] Ibid., p.124n.
[58] Ibid., p.124n.
[59] Ibid., p.134.
[60] Achilli, *Dealings With the Inquisition*, pp.443-4; Eardley, *Imprisonment and Deliverance*, pp.11-12, 90.
[61] Ibid., p.190.
[62] Ibid., p.102.

explained that her husband had 'used violence towards me many times'.[63] The prosecution again implied that the unattractiveness of the witness counted as evidence that Achilli would not have committed adultery with her. But Finlason and Cockburn both argued the opposite, that the fact that her husband beat her was evidence of her infidelities.[64] In his closing remarks, Cockburn said that he 'would not be guilty of the injustice of judging a man's heart by the externals of his physiognomy', but he used both the plain appearances of his witnesses—'my simple peasants'—and the injured face of Marianna Garamoni to make his case.[65] Indeed, the externals of physiognomy were absolutely central to the case made by both sides. I have indicated that one of the reasons we should be interested in practices is that thinking in this way opens up a greater awareness of embodiment. In the Achilli trial, in a stark fashion, narratives and discourses were negotiated through the bodies of the witnesses. Just as vision might influence the nature of a confession, so the ways in which these bodies were seen was a matter of interpretation. This interpretation was likely to be shaped by the side a person had already taken. Marianna Garamoni's injuries would, in this case, mean different things to a Catholic than they would to a member of the Evangelical Alliance.

While the defence had to prove the details of Newman's allegations, the general charge was immorality. The consent of the women mattered little because Achilli was first a priest and later a married man—the claim was improper sexual behaviour, the women mattered only insofar as they could say that he had had sex with, or attempted to have sex with, them; their agency was not the most significant question. Thus, the language used to describe Achilli's actions was often slippery. The word rape appeared nowhere in the proceedings, though Newman referred in a letter to Richard Stanton in January 1852 to the discovery of 'two new cases (apparently) of *rapa*'.[66] Many of the witnesses stressed their resistance to Achilli's attacks, something that was necessary to meet with contemporary understandings of rape.[67] Cockburn indicated this in his opening remarks, particularly in relation to Sarah Wood, 'whose reluctance and resistance' Achilli overcame.[68] Achilli had called her in to clean his table and had bolted the door, then thrown her onto a bed 'with great force'. Her account of what happened clearly positioned it as rape: 'I resisted with all my might, but could not get away. He was intimate with me then against my will.'[69] Though I am not here offering a history of the concept of intimacy, it is striking that this was the word used by Wood—it indicates, as I have

[63] Ibid., p.147.
[64] Ibid., pp.147n, 148.
[65] Ibid., pp.152-3.
[66] Letter from J.H. Newman to R. Stanton, 14 January 1852, *L&D* 15, pp.13-14. In both Latin and Italian 'rapa' means 'turnip', and in the latter also means 'dunce, stupid individual'. In context, it seems reasonable to assume that Newman had simply made a mistake, and that he meant rape.
[67] Carolyn Conley, *The Unwritten Law: Criminal Justice in Victorian Kent* (Oxford: Oxford University Press, 1991), pp.82-95; Kim Stevenson, 'Unequivocal victims: the historical roots of the mystification of the female complainant in rape cases', *Feminist Legal Studies* 8 (2000), pp.343–66; Bates, 'Under cross-examination she fainted'; Victoria Bates, *Sexual Forensics in Victorian and Edwardian England* (London: Palgrave Macmillan, 2016), pp.105–31.
[68] Finlason, *Report of the Trial*, p.74.
[69] Ibid., p.102.

suggested, privacy and sex, but also in this case a form of violence. Principe also referred to Achilli's violence, and to the fact that she had tried both to physically resist him and to escape.[70] Achilli had repeatedly kissed or attempted to kiss Harriet Harris, one of his servants in London in 1850, and she very clearly stated that she 'did not consent' and 'got away from him as soon as possible'.[71] All of these statements suggest the agency of these women within the courtroom in terms of how they narrativised their experience, in contrast to the ways in which female bodies were inspected or arranged for argumentative purposes. It is in fact striking how, despite the case being one in which Achilli himself was not on trial, and faced, apart from reputational damage, no real prospect of justice, these women came to the court—at the risk of their own reputation—to speak against him.

Moral character was important in the trial both in terms of how reliable the women witnesses were seen to be, and in terms of whether it was seen to be possible that they had been raped.[72] Both sides used the fact that most of the women who appeared in court were peasants or servants; the prosecution used it to imply their unreliability, the defence used it to suggest their simplicity and therefore the unlikeliness of deceit.[73] Some witnesses would not come forward out of shame, especially if they had subsequently married, like Rosa de Allessandris.[74] Pre-empting criticism of his witnesses, Cockburn explained that Elena Valente had remained 'disgraced' for several years after the incident, but that she had 'retrieved' her 'character', married, and 'has since lived in a respectable position'.[75] Valente's testimony was in fact notable for the way in which it provided very specific details of places she had been and a gift she had received from Achilli but completely elided any mention of what had happened.[76] Sarah Logan, the 'respectable' sister of Jane Legge, was clearly reluctant to testify, which Finlason thought both natural and added 'to the value of her evidence.'[77] Moral character also featured in terms of the possibility that the women had been raped. When the prosecution was amending the list of twenty-three more specific charges submitted by Newman, they objected that while Newman alleged that Achilli had 'criminal intercourse with a female child,' there was no evidence that the child 'was chaste, or had any honour to lose.'[78] Even the sexuality of children was open to discussion if it could prove that the raped child was not wholly innocent, as Louise Jackson's work on child sexual abuse in the nineteenth century has demonstrated.[79] While Lord Campbell closed down any line of inquiry relating to Achilli's character beyond the specific

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[70] Ibid., pp.81-2.
[71] Ibid., p.99.
[72] Esther Snell, 'Trials in Print: Narratives of Rape Trials in the Proceedings of the Old Bailey', in David Lemmings, ed., *Crime, Courtrooms and the Public Sphere in Britain, 1700-1850* (Farnham: Ashgate, 2012), pp.23-41; Stevenson, 'Unequivocal victims'.
[73] Shani D'Cruze, *Crimes of Outrage: Sex, Violence and Victorian Working Women* (DeKalb: Northern Illinois University Press, 1998), pp.88-99.
[74] Finlason, *Report of the Trial*, p.70.
[75] Ibid., p.70.
[76] Ibid., pp.77-8.
[77] Ibid., p.102n.
[78] Ibid., pp.46-7n.
[79] Louise A. Jackson, *Child Sexual Abuse in Victorian England* (London: Routledge, 2000).

charges, Jane Legge could be questioned extensively about young men who had come to court her when she had been Achilli's servant. When she insisted that she was 'not obliged to answer' questions related to these men, Campbell interjected commanding her to do so.[80] We have noted already that in the confessional, questions were thought of as posing the risk of transmitting secrets in ways potentially dangerous to the moral integrity of the penitent; here Campbell pushed ahead in compelling the witness to speak. Sarah Wood had come to Achilli from the House of Mercy, a Tractarian house for 'fallen women' run by a friend of Josephine Achilli.[81] Her family had thrown her out after she was 'seduced' and fell pregnant, and it also appears that she was illiterate.[82] Wood might have been seen as a vulnerable young woman who had little to gain from appearing as a witness in the trial; she told the court she was a Protestant, and so it was unlikely that she would have been a member of the constantly imputed Catholic conspiracy. Instead, Wood's past was used to undermine her evidence.

The women appearing in court were suspect and unreliable because they were women and because they were poor, but also in many cases because they were Catholic and sometimes foreign. The outcome of the trial effectively came down to whether or not the jury would believe a Protestant minister whose story contradicted itself, and whose behaviour in the witness stand several times hinted at his guilt, or a host of women with credible stories covering crimes committed over a period of some twenty years and in several countries. The treatment of these women suggests the ways in which religion, sexuality, class and gender intersected in the courtroom. For obvious reasons, then, historians have seen the trial as an example of mid-nineteenth-century anti-Catholicism. But, though the trial was clearly prejudiced by anti-Catholicism, as Monika Mazurek has observed, Newman's defence also had to resort to anti-Catholic and anti-Italian arguments in order to make its case.[83] Cockburn noted that some of Achilli's crimes had been hushed up by 'strong friends in Rome' before the Inquisition had finally stepped in.[84] Indeed, the defence did little to counter the argument that Achilli's continued career progression in spite of some of his crimes seemed to be evidence against the truth of the claims; that would have involved conceding more explicitly that the Church had covered up or turned a blind eye to some of his offences. Many of those who came to speak against Achilli were Catholics and Italians, but, Cockburn argued, 'the man who is brought to meet them is an Italian, a Jesuit, a priest, and a monk!'[85] That Achilli and several of the witnesses were Italians was significant, because ideas about Italy mattered a great deal in nineteenth-century Britain.

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[80] Finlason, *Report of the Trial*, p.101.
[81] Achilli, *Dealings With the Inquisition*, p.445; Finlason, *Report of the Trial*, p.102.
[82] Finlason, *Report of the Trial*, p.103.
[83] Mazurek, 'Perverts to Rome', pp.692-3.
[84] Finlason, *Report of the Trial*, p.70.
[85] Ibid., p.153.

Liberalism and law

The revolutionary wave of 1848, of which Achilli had been a participant, whether purely as an evangelist or also in a political sense, marked the dawning of the Italian *risorgimento*, the series of revolts, political manoeuvrings and wars which led to the unification of Italy. In the *risorgimento*, British imaginations could run riot; great political and ideological traditions met in battle in the romantic landscapes of the Italian peninsula; the political future of an esteemed part of Europe was up for contestation. While liberalism and nationalism, monarchism and republicanism, secularism and clericalism, radicalism and reform clashed in Italy, heroic figures of the *risorgimento* toured Britain, raising funds and addressing salons and mass meetings; figures like Mazzini were heralded in England as 'prophets' of an 'Italian Reformation', heroes of a muscular liberal Protestantism.[86] At the heart of the Italian peninsula lay the Papal States, governed by Pope Pius IX from Rome, the claimed capital of the Italian nationalists. Freed from the tyranny of the pontiff, Italy might become Protestant and modern—the religious future of the peninsula seemed as malleable as its political future. When Achilli saw an opportunity to evangelise Rome during the revolution, he was far from alone. British missionaries flooded the peninsula in the nineteenth century.[87] Missionaries were also dispatched to work among the Italian population living in Britain, many of them political or religious exiles.[88] In the decades following 1848, British liberals would continue to regard conflict in Italy with fascination. On the other side of the clash between liberalism and Catholicism, more than a thousand men from Britain and Ireland would travel later in the century to fight for the temporal power of the papacy.[89] It is important when considering nineteenth-century anti-Catholicism not to lose sight of the Italian context, in which the Pope did, in fact, have divisions.[90]

Throughout the Achilli trial, both sides deployed ideas of Italians as variously lazy, dishonest, superstitious, avaricious, lustful and violent. Achilli himself did so in his critique of confession. 'A single doubt, a mere suspicion, would be enough to sow discord between a married pair,' he argued, 'and as in Italy it happens that the physical temperament is sufficiently ardent easily to fall into excesses, it might happen that, through the agency of the priest, the husband might beat, repudiate, or

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[86] Eugenio Biagini, *Liberty, Retrenchment and Reform: Popular Liberalism in the Age of Gladstone, 1860-1880* (Cambridge: Cambridge University Press, 1992), pp.46-50; Jonathan Parry, *The Politics of Patriotism: English Liberalism, National Identity and Europe, 1830-1886* (Cambridge: Cambridge University Press, 2006), pp.221-75; Marcella Pellegrino Sutcliffe, *Victorian Radicals and Italian Democrats* (Woodbridge: Boydell Press, 2014).

[87] See Simone Maghenzani and Stefano Villani, eds, *British Protestant Missions and the Conversion of Europe, 1600-1900* (London: Routledge, 2020).

[88] Lucio Sponza, *Italian Immigrants in Nineteenth-Century Britain: Realities and Images* (Leicester: Leicester University Press, 1988), pp.133-9.

[89] David Alvarez, *The Pope's Soldiers: A Military History of the Modern Vatican* (Lawrence: University Press of Kansas, 2011). For a first-hand account by an English member of the papal forces, see Joseph Powell, *Two Years in the Pontifical Zouaves, A Narrative of Travel, Residence, and Experience in the Roman States* (London: R. Washbourne, 1871). Powell's vivid evocations of his time in the Papal States are indicative of the way in which, for foreign volunteers, holy war and holiday intersected in the battlefields of Italy.

[90] See C.T. McIntire, *England Against the Papacy, 1858-1861: Tories, Liberals and the Overthrow of Papal Temporal Power During the Italian Risorgimento* (Cambridge: Cambridge University Press, 1983).

even murder his wife.'[91] No reasonable husband, Achilli asserted, would let his wife go to confession, because confession was a tool of papal tyranny, which broke apart the natural privacy of the household—this was a widespread view in Britain, but it was compounded in Italy, where an Italian husband was more likely to be driven by his passions. Achilli, the friend from Rome, addressed his Protestant audience in the context of the cultural differences which marked Italians, but these cultural differences themselves were seen as more the consequence of popery than nature. Danilo Raponi has argued that British attitudes to Italy constituted a form of 'inner-European Orientalism'—'Italy was, in the British imagination,' Raponi argues, 'the Orient, but an Orient where there was hope: Italy could be made liberal, could learn the virtues of constitutional government, could adopt free trade and, perhaps, could even become Protestant.'[92] Peter Mandler has argued for the long salience of 'civilisational' perspectives when thinking about race and nation in nineteenth-century Britain.[93] It was not innate characteristics that kept the Italians at a lower stage of civilisational development, in this sort of a reading, but rather the institutions of priestcraft and papal power; if the temporal power of the papacy could be broken, and the missions to Italy flourish, then a new nation could arise on an English model on the Italian peninsula. British support for various Italian causes thus rested on a mindset which cast the recipients of such support as currently artificially inferior, yet certainly improvable. They were to be improved by changes to institutions both political and religious, and when confronting the question of the temporal power of the papacy the question ceased to be distinguishable.

In linking confession and papal government together, Achilli evoked twin paranoias of the British imagination. The confessional, feared to be spreading in Britain, was linked directly to the tyranny of Rome in the temporal, political sphere. Coming on the heels of the Papal Aggression, perceived by many to be tantamount to a papal invasion, the charge hit with much more force. The atmosphere of fear and suspicion in 1851 was such, in some circles, that there was fear that the Great Exhibition in Hyde Park was being used as cover for a Catholic coup.[94] The convert priest Alessandro Gavazzi connected the Papal Aggression and the Great Exhibition when he joked that the Italian submission to the Exhibition had been a package containing twelve bishops and a cardinal.[95] Confession, like the Exhibition or Gavazzi's imagined package, was another potential weapon of papal infiltration and aggression. As such, it had the potential to be the site of a reversal of the logic of the civilising mission; while evangelical missionaries flooded Italy, Catholics and Tractarians had

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[91] Achilli, *Dealings With the Inquisition*, pp.121-2.
[92] Danilo Raponi, *Religion and Politics in the Risorgimento: Britain and the New Italy, 1861-1875* (Basingstoke: Palgrave Macmillan, 2014), p.48.
[93] Peter Mandler, ''Race' and 'nation' in mid-Victorian thought' in Stefan Collini, Richard Whatmore and Brian Young, eds, *History, Religion and Culture: British Intellectual History 1750-1850* (Cambridge: Cambridge University Press, 2000), pp.224-244. Parry, who writes at length about Italy, follows Mandler's approach on this question, though 'with qualifications'. Parry, *Politics of Patriotism*, p.24.
[94] Geoffrey Cantor, *Religion and the Great Exhibition of 1851* (Oxford: Oxford University Press, 2011), pp.27-30.
[95] Cantor, *Religion and the Great Exhibition*, p.30; Paz, *Anti-Catholicism*, p.28.

opened the gate in the other direction. The 'de-moralising' confessional was also a de-civilising confessional; it was a space in which liberalism itself was under threat by the evangelists of civilisational backwardness.

Confession, then, clashed with the prerogatives of nineteenth-century liberal modernity. This is not, it should be stressed, to 'equate liberal modernity with the growth of transparency and governmental practices of surveillance', as Tom Crook has argued against.[96] Rather, we can see here the complex interplay of conflicting conceptions of privacy—indeed, the fear that the secrecy of confession could become a tool of surveillance rested on an understanding of confession as not secret enough, or secret in the wrong ways. Achilli, as an emissary from the dungeons of the Inquisition, was in a privileged position to be able to weave a range of these concerns together. In its least subtle form, this clash could be seen in the allegation that the Inquisition used the confessional as a tool of papal autocracy—there could be no starker distinction made between British liberalism and Roman priestcraft. In the same way that critics of confession feared that it could be a vehicle for the direct transfer of forbidden knowledge to the penitent, so this critique claimed that it could be a vehicle for the transfer of knowledge outside of the confessional. Family life, and fatherly authority, could not exist in such circumstances; it was a profound blow to nineteenth-century domestic ideology.[97] The family was to be the school of virtue, the training ground of a liberal subject. In this, we see the more subtle way in which confession clashed with liberalism; making the liberal subject was a process of cultivating independence, self-reliance and personal responsibility, but confession, it was argued, pushed the subject in the opposite direction. The moral theology of confession itself was illiberal. In Italy, this could be seen as part of the broader clashes of the *risorgimento*, the battles in which British conceptions of liberty could be seen taking shape as universal ideas. Confessional panics played out an element of this conflict quietly in the churches of Britain; this was a phenomenon with an international dimension, in which universal principles were at stake—the trial, then, brought a global battle into Westminster Hall.

Achilli's supporters and his lawyers were keen to bring out the international dimensions of the trial. Given the way in which the trial was effectively a competition between the word of Achilli and the word of his victims, it became important to the prosecution to suggest that there was an organised, international Catholic conspiracy at work; the scale of the testimony against Achilli could only be explained away if it had been organised. There was in reality a great deal of support for Newman from the global Catholic community; money was raised for his cause in a number of countries, officials in the Vatican helped to search for documents, and Newman's friends travelled widely in search of witnesses. But it was the conspiratorial possibilities of the confessional that

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[96] Tom Crook, 'Secrecy and liberal modernity in Victorian and Edwardian England', in Simon Gunn and James Vernon, eds, *The Peculiarities of Liberal Modernity in Imperial Britain* (Berkeley: University of California Press, 2011), p.89.
[97] See Griffin, *Politics of Gender*, pp.37-136,

aroused the most interest. Elena Valente had gone to confession five or six days after Achilli had first solicited her, to the same confessor again subsequent to the first incident, and to another confessor after the second.[98] While Newman was searching for witnesses, the curate of her church summoned her and asked her if she knew anything about Achilli. He told her 'that it would be for the glory of God and the honour of the Church' to go to England as a witness.[99] Lord Campbell reacted 'incredulously', apparently disgusted by the suggestion that the Church, using information from the confessional, was procuring witnesses for its glory.[100] Thesiger made much of this when he summed up the case for the prosecution. He went so far as to imply that because the Italian witnesses had access to confession, they could simply be forgiven by priests for the lies that they had been sent by the Church to tell; they would 'return to their native country when their work is done, uninfluenced by public opinion, and likely, even if they have failed in the truth, for the honour of the Church and the glory of God, to obtain from their tender-hearted confessors of a very easy absolution.'[101] 'Sir Frederick found fine scope for his sneering here,' Finlason wrote, 'and no one can conceive the contemptuous expression of his sarcasm.'[102] The courtroom could only produce truth if the oath of a witness was kept, and if the personal morality and integrity of all participants—from judge to juror—was sound. Yet the very existence of confession placed these conditions under question. Confession, rather than being a private technology for the generation of truth, might actually be truth's public antithesis. The logical extension of this idea, of course, was that no oath taken by a Catholic could be trusted, no Catholic witness believed; had it been consistently applied, the idea would have made a mockery of religious pluralism and Catholic emancipation. Indeed, much of the latter, just a few decades before the trial of John Henry Newman, had concerned the oaths necessary for a Roman Catholic to participate in public life. In this framing, confession was a threat to the law itself.

In his account of the trial, the convert Finlason intervened regularly to add commentary in defence of confession. Far from offering a licence to sin, or of being in itself of a sexually dubious nature, the confessional was a guardian of purity. It was a means by which the women assaulted by Achilli could be restored to virtue. Elena Valente was not allowed to go to confession as regularly as she might by her mistress, which Finlason thought might have been the cause of 'her fall.'[103] In his preface, Finlason rhetorically asked 'can scandal be caused by this case as to the confessional, when it appears that the sins committed had nothing to do with it; but on the contrary, were prevented when the instructions received there were regarded, and only occurred when they were disregarded? and when, further, it appears that persons not disposed to abandon sin, do not got to confession; and *when*

[98] Finlason, *Report of the Trial*, pp.78-9.
[99] Ibid., p.79.
[100] Ibid., p.196.
[101] Ibid., p.183.
[102] Ibid., p.183n. Sic.
[103] Ibid., p.78.

so disposed, are *reclaimed* by it.'[104] He pointed out that the Italian women who had spoken about confession at the trial 'were reclaimed', whereas the English witnesses were not; the one exception to the rule was 'at an asylum half Catholic.'[105] The latter was presumably a reference to the House of Mercy at which Sarah Wood had lived from when she was sixteen until the woman in charge of the home, Mariquita Tennant, had sent her to work for Achilli. Mariquita Tennant had known Josephine Achilli as a young woman in Italy, and with the support of Thomas Thellusson Carter, an Anglo-Catholic priest, had established the home for fallen women in 1848.[106] But Finlason seems to have confused the women here—Wood, a Protestant, had gone from Achilli's house to her parents in Windsor; if she had been 'reclaimed', it was not by the 'asylum half Catholic.'

Instead, the woman Finlason was presumably referring to, who had been 'reclaimed' by confession, was the Catholic Catherine Gorman. Gorman was a servant at a house in which Achilli lodged in London in 1847. Her confessor had advised her to avoid Achilli, advice that Finlason commented 'probably saved the girl'; 'what can more strongly show the falsity of the vulgar idea about confessing, and sinning again, &c.,' wrote Finlason, 'so current in anti-Catholic publications, or on anti-Catholic platforms.'[107] But the nature of the trial meant that one key element concerning confession in Catherine Gorman's testimony was never fully drawn out—the fact that, in her account, far from confession having 'nothing to do with it', Achilli was personally an example of the sexual danger of confession. Gorman claimed that when Achilli 'attempted to take liberties with' her, he had also asked her to confess to him.[108] In 1847, when Gorman alleged that the attempt had been made, not only had Achilli, on his own account, been opposed to auricular confession for many years, but he had also renounced his priesthood and his Catholicism. Whatever he thought about confession, or whether he was in fact qualified to offer absolution, Achilli clearly understood it as potentially offering an opportunity for sex or rape. Thesiger's attack on confessional conspiracies could not, of course, concede this evidence of the wickedness of confession while maintaining that Achilli was innocent. Nor could Finlason, in his defence of confession, concede that this spoke to the broader dangers of the sacrament. If the allegations made from the witness box were true, Achilli was a clear example of some of the dangers of confession that he had described in his own writings and lectures; he represented a concrete example of actual abuse of confession in practice. In order to challenge this idea, Achilli's lawyers fell back on another strand of anti-confessional thought—the idea that if confession enabled sin, no Catholic could be believed in court, as their oath could be broken without consequence. Both sides, then, deployed different strands of anti-confessional thought, even if in the case of Newman's lawyers this necessarily entailed treading carefully in places. Achilli himself,

[104] Ibid., p.103n.
[105] Ibid., p.iv.
[106] Valerie Bonham, 'Tennant (nee Eroles), Mariquita Dorotea Francesca (1811–1860)', *ODNB* (2004), https://doi.org/10.1093/ref:odnb/46306.
[107] Finlason, *Report of the Trial*, p.103n.
[108] Ibid., p.103.

sneering and shifting nervously in the witness-box, was the point at which the threads were tied; he was both the radical critic of confession, and a prime exhibit of its flaws.

Sin and spiritual love

In what we have seen already, there were various terms used for what it was alleged Achilli had done—'seduced', 'debauched', 'carnally knew', 'intimate…against my will', '*rapa*' and 'crime', the latter never clearly distinguished between sin and breach of earthly law. The truth was that, as has been suggested, the nature of the offence did not matter in the trial, because the charge was having had sexual or intimate relations with a number of women in general, not in particular ways; Newman's lawyers simply had to prove Achilli's bad conduct. In a similar way, various terms related to sexual restraint were used in the trial. The term 'celibacy' was used infrequently and seemed to imply an unnatural law of the Roman Church; being celibate was spoken of more commonly in terms of 'chastity' and 'continence'. This was significant because the accusations against Achilli covered a long period, in which he had been a Catholic priest and a Protestant clergyman, an avowed celibate and a married man. The defence's attempt to paint a particular picture of Achilli's morals, in which neither celibacy nor matrimony had inhibited his actions, meant that a broader account of his behaviour had to be offered. Both the prosecution and the defence indicated that chastity and continence were binding on all Christians, regardless of whether they were clergy or laity. Cockburn referred to the 'moral obligation which attaches to all men as regards continence or chastity,' and noted that some 'may look upon a departure from the religious or moral law in that respect as a venial matter, others may attach to it a greater gravity.'[109] Responding to the defence's questioning of Achilli about incidents of incontinence not referred to in the specific libel, Thesiger conceded that Achilli 'may have forgotten those rules of morality which are obligatory on us all' at some period in his life, but that this was irrelevant.[110]

Newman's fourth lecture on the *Present Position of Catholics in England* had dealt with anti-Catholic criticisms of celibacy as unnatural and naturally leading to vice.[111] In the lecture, Newman had mounted a defence against those who claimed 'that disorders not only sometimes do, but must occur, where priests are bound to celibacy.'[112] He argued that there were 'as many offences against the marriage vow among Protestant ministers, as there are against the vow of celibacy among Catholic priests' and that celibacy in itself was not a cause of immorality.[113] In particular he turned fire on two convert critics of Catholicism. His Oxford friend Joseph Blanco White painted a picture that was not deceitful, but was unrepresentative and limited in scope.[114] Maria Monk, meanwhile, a former nun

[109] Ibid., pp.172-3.
[110] Ibid., pp.184-5.
[111] Newman, *Present Position of Catholics*, pp.127-76.
[112] Ibid., p.133.
[113] Ibid., pp.135-6.
[114] Ibid., pp.142-60; Joseph Blanco White, *Practical and Internal Evidence Against Catholicism* (London: John

whose 'awful disclosures' of corruption, abuse and murder in a Canadian convent caused a near-pornographic sensation, offered an account that was simply absurd, the product of a combination of her sinfulness, her mental deficiency, and her being manipulated.[115] That Monk's account was far more successful revealed, for Newman, the truth that Protestants preferred ridiculous smears and obvious falsehoods to more balanced criticisms.[116] As was pointed out in the introduction, part of what made critics of confession anxious was the celibacy of the confessor—the imagined norm of critics was the image of a young woman whispering her sins to a bachelor priest; the sexual danger of confession was often imputed from this celibacy.

In *Dealings With the Inquisition*, Achilli offered a critique of celibacy alongside his critique of confession. He argued that it was unscriptural, and that St Paul in his letter to Timothy had advised that clergy marry.[117] Marriage, he came to believe, was a 'necessity' and a 'duty' because by marrying Achilli would put himself 'in a state of equality with other men.'[118] In keeping with the views of the presumed audience of his book, Achilli argued that celibacy led to unchastity, that it was rarely held to, and that it was 'alike injurious to nature and to society'.[119] He said that he had held off from marrying because he travelled so much from place to place, but also because he did not want people to believe that he had apostatised to do so, without objecting to the doctrines of the Church.[120] It is important here to note that Achilli's hostility to celibacy bore similarities to the thinking of others in Italian revolutionary politics.[121] Indeed, it was the Roman Republic's abolition of celibacy that allowed Achilli to marry. In his presentation of events, Achilli had nobly taken on the role of being the first priest to marry under the new republican law, so that he could 'set the example of a holy action to Rome.'[122] His marriage was a revolutionary act.

Some of the witnesses reported that Achilli had defended his actions, and he did so in ways that were revealing. Valente said that she had 'asked him whether there was any sin in it, and he replied that there was not. I told him that there was hell in it. He said, "Not at all, otherwise hell would be quite full."'[123] Principe said that Achilli had commanded her to be quiet lest 'shame will grow out of it'. She had said to him, 'You are a priest, let me go,' but he had replied 'Oh, this is no sin.'[124] Dr Bonavia, the Latin and Italian teacher at the Malta College, said that he had remonstrated

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Murray, 1825); Joseph Blanco White, *The Life of the Rev. Joseph Blanco White, Written by Himself; With Portions of His Correspondence*, ed. John Hamilton Thom (London: John Chapman, 1845).
[115] Newman, *Present Position of Catholics*, pp.160-74; *The Awful Disclosures of Maria Monk; Or, The Hidden Secrets of a Nun's Life in a Convent Exposed* (Manchester: Milner and Company, 1836).
[116] Newman, *Present Position of Catholics*, p.175.
[117] 1 Timothy 3:2; Achilli, *Dealings With the Inquisition*, p.444.
[118] Achilli, *Dealings With the Inquisition*, p.444.
[119] Ibid., pp.444-5.
[120] Ibid., pp.443-4.
[121] Eugenio Biagini, 'Citizenship and religion in the Italian constitutions', *History of European Ideas* 37 (2011), pp.211-7.
[122] Achilli, *Dealings With the Inquisition*, p.445.
[123] Finlason, *Report of the Trial*, p.77.
[124] Ibid., pp.81-3.

with Achilli and told him that he should not have allowed the visits of a married woman to a colleague's room. Achilli 'got into a passion'. 'You are too scrupulous because you are married,' Achilli said, according to Bonavia, 'if you were a bachelor perhaps you would do worse than Leonini.'[125] In all three of these accounts, Achilli seems to have understood sex as something natural, and desire as something to be expected even in the unmarried and the avowedly celibate. His belief that 'hell would be quite full' if what he was doing was sinful suggests he believed that his behaviour was normal, or at least not unusual. If Bonavia's re-telling of Achilli's words was accurate, then the use of the word 'scrupulous' here is noteworthy; 'scrupulosity' was a technical term in the works of Catholic moral theology that Achilli and Bonavia would certainly have been aware of. To be scrupulous was to suffer from this scrupulosity, the condition of being so obsessed by and burdened with fear of sin that the person's daily life was inhibited; as Achilli and Bonavia must have known, the good confessor would be alert to scrupulosity among his penitents.

As has been noted, Principe had appealed to the fact that Achilli was a priest while she had struggled with him. When Principe's parents spoke to Achilli, according to her mother's testimony in court, he was angry and retorted, in an echo of his victim's words, 'I am a priest.'[126] Achilli, for his part, used religious technicality to argue that such an exchange could not have happened—Signora Principe had said that her and her husband had taken Achilli aside when he was in a procession, which Achilli explained was not permitted. Explaining to W.A. Reynolds, a government official in the Ionian Islands, why he had taken to living with a married prostitute—with whom he had been seen through a window being intimate, and with whom he seemed to share a bed—Achilli explained that he 'was aware already of her previous character; that he hoped she had become a second Magdalen; that he considered it his duty, as a clergyman, to continue his protection to her.'[127] He gave Sarah Wood a book called *Come to Jesus* after he had attempted to rape her.[128] And further to the way in which he used religion to cover up his crimes, he used it to commit them; the rape of Elena Valente took place in the sacristy of a church, and as has been discussed, Achilli also sought to use confession to solicit sex.[129]

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[125] Ibid., p.98.
[126] Ibid., p.84.
[127] Ibid., pp.87-8.
[128] Ibid., p.102. This was presumably Christopher Newman Hall's hugely successful 1848 tract. Hall's text condemned auricular confession: 'No sacrament, ceremony, creed, or church can save. None but Jesus can. Some rely on their priest. Sad mistake. Poor man, he needs a Saviour for himself. He cannot save his own soul, much less yours. None but Jesus can give absolution. His blood alone cleanseth from sin.' Newman Hall, *Come to Jesus* (London: John Snow, 1848), p.12; Michael Ledger-Lomas, 'Mass markets: religion', in David McKitterick, ed., *The Cambridge History of the Book in Britain,* Vol IV (Cambridge: Cambridge University Press), pp.332-333. Hall, a celebrated Congregationalist and a political radical, maintained in his autobiography at the end of the century that 'Roman Sacerdotalism, which claims for a human priesthood supernatural power to make sacraments chief channels of divine grace, to offer sacrifices for sins, to demand confession, to confer absolution and to obtain, by official intercession, blessings both for the living and the dead' was still the 'great controversy of the day'. Christopher Newman Hall, *Newman Hall: An Autobiography* (London: Cassell and Company, 1898), pp.369-370.
[129] Finlason, *Report of the Trial*, p.77.

Achilli's behaviour and statements in the courtroom also suggest something of his beliefs about celibacy. Achilli smiled while refusing to deny having had sex while a priest.[130] For Thesiger, this refusal to deny was evidence in his favour. Knowledge of 'human nature' suggested that celibacy was almost impossible, and the fact that Achilli did not deny having sinned made his denial of the specific charges more credible.[131] Achilli's confidence that the court would find in his favour is clear; as has been noted, it was obvious that judge and jury were on his side, and that it was his word against the word of a group of poor women, some foreign and some Catholic. Achilli could rely on the judge and jury's scepticism of celibacy, which was sometimes made explicit during the trial; Campbell said in his closing comments, for example, that the fact that Achilli had married despite his vow of celibacy was not a comment on his character, because Luther himself had married a nun.[132] Asked whether 'a charge of unchastity' was a 'serious imputation on your character' first as a Catholic priest and then as a Protestant clergyman, Achilli stated that they were crimes for any Christian and that he did 'not make a difference between a clergyman and a layman.'[133]

Between the end of the trial and the time of Newman's sentencing, an incident occurred at the Birmingham Oratory which allows us a glimpse of how Newman dealt with issues of unchastity in practice, and how these issues related to the confessional. Bernard Hennin, a lay brother at the Oratory, had become infatuated with Frances Wootten, a wealthy supporter of the community. On one occasion Hennin attempted to kiss Wootten multiple times, and in July 1852 he had spoken to her about 'spiritual love'. Wootten was alarmed and went to Nicholas Darnell, a priest of the Oratory, in the confessional. She gave Darnell permission to speak to Hennin about the matter. After they had spoken, Hennin began to express a strong dislike for Darnell, and by December 1852 this had become so obvious that the priest responsible for the lay brothers, Joseph Gordon, asked Darnell what the cause of the animosity was. Darnell asked Wooten's permission to write a statement explaining the matter, which was then sent to Newman.[134]

In Newman's view, Hennin, Wootten and Darnell were all at fault in the situation. Hennin had kept the matter a secret from the community. Had he 'committed an act of fornication' and then told Newman about it, it 'would have been a most bitter piercing trial to me, but I should have felt, I think, no anger with him—for strong temptation may come upon any one'.[135] The problem was rather the climate of secrecy and deceit that had been created; 'I can stand anything but unfaithfulness', Newman wrote to Darnell, 'he has committed the unpardonable sin.'[136] But Newman thought that Wootten was also responsible for how the issue had been mishandled. By naming Hennin in

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[130] Ibid., p.130.
[131] Ibid., pp.184-5.
[132] Ibid., p.200.
[133] Ibid., p.133.
[134] *L&D* 15, p.232n.
[135] J.H. Newman to N. Darnell, 4 January 1853, *L&D* 15, pp.240-1.
[136] Ibid., p.241.

confession, and giving Darnell permission to speak to him, Wooten had created a situation in which Hennin knew that Darnell knew about his feelings and behaviour. Hennin had, as Newman saw it, 'been under the feeling of irritation that *one* father knew his 'secret—' and had the power (after having got leave) of divulging it.'[137] Furthermore, Darnell had not exercised his ministry as a confessor properly. Newman wondered whether it was 'allowable, or at least usual' to get permission from a penitent to repeat something said in confession out of it.[138] 'You know what caution', Newman wrote to Darnell, 'is used in books of moral theology in allowing the Confessor to be the medium of communications to persons mentioned in confession.'[139] In addition, 'the *names* of third persons are not commonly mentioned' in confession.[140] This was significant; because the penitent accused themselves of sin, there would in most cases not be any reason to communicate the name of a person in the confessional—if a married man, say, were to have sex with another woman, the name of the woman would be irrelevant to the sinfulness of the sex. During the trial, asked whether she had told a confessor Achilli's name, Elena Valente had testified that she had not, 'because it is the custom not to mention the name of the sinner, but merely the sin.'[141]

In the letter in which Newman upbraided Nicholas Darnell for his failings as a confessor, he wrote a passage which expressed sharply the problem of secrets arising from confession.

> A confessor hears something of *me* from a penitent. He gets her to allow him to mention it to *me*. I know he is in possession of *my secret*. Why, were I an Italian, and a man of unsubdued mind, I should be sorely tempted, under circumstances, to use the stiletto against that confessor. He may have my life in his hands – he and he only, except the penitent, knows what may ruin me – He has an everlasting rod over me.[142]

Especially in the context of the trial, it is almost impossible here not to hear an echo of Achilli's argument in *Dealings with the Inquisition* that because 'in Italy it happens that the physical temperament is sufficiently ardent easily to fall into excesses, it might happen that, through the agency of the priest, the husband might beat, repudiate, or even murder his wife.'[143] Newman had transferred the exact same sentiment—an Italianised version of the more general claim that confession threatened the family—to the Birmingham Oratory. The Bernard Hennin incident shows that in reality, and not just in the imagination of anti-Catholic opponents of confession, the practice could disrupt the harmony of a community. Hennin had become embittered. Newman's authority as spiritual paterfamilias had been usurped because the entire problem had been placed out of his control.[144] The issue here was not that confession was a site of adultery or sexual temptation. Rather, confession

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[137] J.H. Newman to N. Darnell, 2 January 1853, *L&D* 15, pp.238-9.
[138] J.H. Newman to N. Darnell, 11 January 1853, *L&D* 15, pp.256-60.
[139] Ibid., p.256.
[140] Ibid.
[141] Finlason, *Report of the Trial*, p.79.
[142] J.H. Newman to N. Darnell, 11 January 1853, *L&D* 15, p.256.
[143] Achilli, *Dealings With the Inquisition*, p.122.
[144] J.H. Newman to N. Darnell, 11 January 1853, *L&D* 15, pp.256-7.

posed a danger because of its secrecy, regardless of the nature of the sin confessed.

Achilli unmasked

Following the judgment Achilli's reputation was in tatters. Achilli had formally won, but public opinion was broadly united in agreeing that Newman's allegations were probably true, or at least that his character was unblemished by the affair. Newman was issued a fine, easily paid out of a fund to which subscribers from around the world had contributed—after a long, drawn-out period of anxiety, it seemed like a victory.[145] At the same time, though Newman's legal defence had successfully turned the trial into an exploration of the lives and lies of the anti-Catholic polemicist, as John Wolffe argues, 'the Roman Catholic Church was the loser'.[146] Convincing the public that the Italian ex-priest was plausibly a serial seducer of women and girls was hardly a triumph given the light in which it had shown the Catholic Church which Newman had been trying to defend in the first place. It was true that anti-Catholicism prejudiced the trial, but it surely also prejudiced public opinion of Achilli—Cockburn and his colleagues did not have to work particularly hard to convince those who read about the trial in the newspapers that there were profligates among the Italian clergy and rapes in confessionals. Around the same time as Finlason's account appeared, a report of the trial was published which included an introduction by the editor of a pamphlet entitled *The Confessional Unmasked*.[147] The pamphlet, which was first published in 1836 and was reissued in 1852, consisted almost entirely of selective quotations from Catholic confessional handbooks, which together painted a picture of the confessional as a sexually dangerous institution. That the editor of *The Confessional Unmasked* could issue an account of the trial as proof of the profligacy of Catholic priests suggests the ways in which Protestant opinion had turned against Achilli; he was no longer the convert witness to Roman wickedness, but just another example of it.[148]

On 7 July 1853, Giacinto and Josephine Achilli, with a son, Attilio, who had been born shortly before the trial, arrived in New York.[149] Alongside continued anti-Catholic preaching, Achilli was now working on an Italian translation of the New Testament, and raising funds for the circulation of thirty thousand of them in Italy.[150] But it appears that Achilli was now a Swedenborgian, and alongside his translation of the New Testament was producing translations of Swedenborg's work for

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[145] E. Leo McMannus, 'Newman's "Great Anxiety", *Catholic Historical Review* 80 (1994), pp.457-75.
[146] John Wolffe, *The Protestant Crusade in Great Britain, 1829-1860* (Oxford: Clarendon Press, 1991), p.125.
[147] *Achilli v. Newman. A Full and Authentic Report of the Above Prosecution for Libel, Tried Before Lord Campbell and a Special Jury, in the Court of Queen's Bench, Westminster, June 1852. With Introductory Remarks by the Editor of "The Confessional Unmasked"* (London: W. Strange, 1852).
[148] Chadwick, *Victorian Church*, vol. 1, p.307-8.
[149] New York Passenger and Crew Lists; Microfilm Serial: M237, 1820-1897; Microfilm Roll 128; Lines 5-7; List Number: 649, via ancestry.co.uk.
[150] *Christian Watchman & Reflector*, 26 October 1854, p.171; John B. Boles, *Religion in Antebellum Kentucky* (Lexington: University Press of Kentucky, 1976), p.77. Achilli's translation of the New Testament appeared in 1854. *Il Nuovo Testamento, Traduzione dal Greco per cura di G. Achilli* (New York: American Bible Union, 1854).

distribution in his homeland.[151] Rev. R.W. Dibdin, a member of the London Committee for the Religious Improvement of Italy and the Italians, conducted experiments in 1853 to prove that 'table-turning' in seances was a diabolical phenomenon, and asked the spirits 'If Dr. Achilli be turned Swedenborgeon' (sic). The spirits confirmed that he was.[152] There were suggestions that Achilli's fundraising for Protestant evangelism in Italy, without publicly acknowledging his adherence to Swedenborgism, amounted to gaining money through deception; he had gained access to Protestant pulpits by claiming to be a member of 'the Evangelical Protestant Church of Italy'.[153] Achilli's family grew, meanwhile, and then broke apart. Josephine wrote in 1860, two years after their separation, that Achilli had sent her and their two youngest children to Italy for their health and had promised to send money, which he had then failed to do; in 1860, Josephine Achilli was near-destitute in Florence with three of her four children, two of whom were in poor health.[154] She supported the family through needlework and Italian instruction for English families, and sought assistance from a charitable fund.[155] A letter from Achilli to Josephine alleged that it was Josephine who had abandoned him, and he had refused to provide for her on these grounds.[156] On 18 September 1858, Giacinto Achilli became a citizen of the United States—he gave his former citizenship as 'Pope Pius 9th', presumably a further protest against what he saw as the subjugation of the Papal States to the government of the papacy.[157]

In early December 1859, Achilli arrived at the Oneida Community in New York State. Oneida, a non-denominational Protestant 'Perfectionist' group, preached that Christ's Second Coming had already taken place, and that it was possible for human beings to build the Kingdom of Heaven—including perfect freedom from sin—on earth.[158] Achilli explained to the Community that he lived at the Bergen Heights Water Cure at Jersey City with Attilio and a governess named Mary Bogue. Members of the community were struck by his 'noble figure' and his 'urbane and gentlemanly manners', and he boasted of having met some of the great and the good of Europe, from leaders of the

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[151] *German Reformed Messenger*, 10 August 1853, p.3930; *The National Magazine*, February 1854, p.181; *New York Observer and Chronicle*, 3 May 1855, p.139.
[152] R.W. Dibdin, *Table-Turning. A Lecture by the Rev. R.W. Dibdin, M.A., Delivered in the Music-Hall, Store Street, On Tuesday Evening, November the 8th, 1853* (London: Aylott, 1853), p.3.
[153] *The Independent*, 15 March 1855, p.83; *New York Observer and Chronicle*, 5 April 1855, p.106.
[154] The Achilli children were Attillio 'Frank' Achilli (1851-1929), a second child named Emillio, Italo Achilli (1856-1936) and Frederick Achilli (1858-1929). The last of these was born in Florence, on the same day as his father became an American citizen, which puts the date of Giacinto and Josephine's separation in 1858. *The Circular*, 27 December 1860, pp.191-192.
[155] Diana and Tony Webb, *The Anglo-Florentines: The British in Tuscany, 1814-1860* (London: Bloomsbury, 2020), pp.513-514.
[156] *The Circular*, 27 December 1860, p.192.
[157] National Archives and Records Administration (NARA), Washington, D.C., Soundex Index to Petitions for Naturalizations Filed in Federal, State, and Local Courts in New York City, 1792-1906 (M1674), Microfilm Serial M1674, Microfilm Roll 2, via ancestry.co.uk. Achilli stated his opposition to the conflation of 'Roman' with 'Papist' in *Dealings With the Inquisition*, p.5.
[158] For an account of Oneida in a broader context of American religion and utopianism, see Lawrence Foster, *Women, Family, and Utopia: Communal Experiments of the Shakers, the Oneida Community, and the Mormons* (Syracuse: Syracuse University Press, 1991).

risorgimento to the Duke of Wellington and Louis Napoleon.[159] Before he left, Achilli expressed a desire to bring his family to Oneida to be admitted as members. At a 'family meeting' of the community, it was agreed that they ought to get to know Achilli better; they wrote to Achilli offering to let him and his family come indefinitely as visitors, explaining that the commitment should not be rushed into, and comparing the process to courtship preceding marriage. Oneida practiced what was described as 'Bible Communism' and was based on the teachings of the community's leader, John Humphrey Noyes.[160] Noyes is credited with coining the term 'free love'—he called for the abolition of monogamous marriage and its replacement by 'complex marriage'. The abolition of traditional marriage would not, Noyes argued, breed sexual depravity; instead, a combination of 'free-love' and communal property ownership 'would annihilate the very sources of adultery, whoredom, and all sexual abuse', which were the results of 'poverty and compulsory abstinence' in marriage.[161] A system of sexual 'plenty' would lead to 'chastity and self-control.'[162] Alongside complex marriage, Noyes was concerned, influenced by Malthus, with birth control. He posed what he called 'Male Continence' as an alternative to three prevailing approaches; celibacy, as advocated by Malthus and the Shakers; contraception, advocated by Robert Dale Owen and 'French inventors'; and abortion, advocated by a number of physicians.[163] Noyes distinguished between the propagative and social or amative functions of sexual intercourse. Maintaining that 'the useless expenditure of seed certainly is not natural', Noyes's method was *coitus reservatus* rather than *coitus interruptus*; the social function of intercourse could be maintained while ejaculation and the propagative function could be avoided.[164] Thus, while radical, and posing a critique of celibacy, Noyes's system was intended to encourage control over sexual instincts.[165]

Ten days after the Oneida Community had offered Achilli and his family the status of indefinite visitors, the newspapers reported that Achilli and Mary Bogue had been charged with fornication in Hudson County.[166] On 24 January 1860, after serving a short period in prison, Achilli arrived unannounced at Oneida with Mary Bogue, who he now claimed was his wife, and young

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[159] *The Circular*, 15 December 1859, p.187; *The Circular*, 27 December 1860, pp.191-192. One of the papers Achilli took with him when he left Oneida was a letter from Louis Napoleon, who seems to have taken a personal interest in Achilli's escape from Rome. *Service Historique de la Defense*, Vincennes, Série G6, box 5, Letter from Louis Napoleon to Baraguay d'Hilliers, 26 January 1850. I am grateful to Alessandro Capone for sharing archival material concerning Achilli and the French government.

[160] See *Bible Communism; A Compilation from the Annual Reports and Other Publications of the Oneida Association and its Branches; Presenting, in Connection with their History, a Summary View of their Religious and Social Theories* (Brooklyn: Office of the Circular, 1853).

[161] *Slavery and Marriage, a Dialogue: Conversation Between Judge North, Major South, and Mr. Free Church*, (Oneida: n.p., 1850), pp.12-13.

[162] Ibid., p.12.

[163] John Humphrey Noyes, *Male Continence; or Self-Control in Sexual Intercourse: A Letter of Inquiry Answered by J. H. Noyes* (Oneida: Office of the Circular, 1866); John Humphrey Noyes, *Male Continence*. (Oneida: Office of the Oneida Circular, 1872).

[164] Noyes, *Male Continence* (1872), p.13.

[165] Timothy Spears, 'Circles of grace: passion and control in the thought of John Humphrey Noyes', *New York History* 70 (1989), pp.79–103.

[166] *The New York Times*, 22 December 1859, p.5.

Attilio. The community expressed frustration with Achilli, who they felt had misled them about his personal circumstances, and disapproval of Bogue. Bogue left for New York a few days later, and the community felt that Achilli's mood lifted, and he showed a willingness to submit to the community and regain their trust. Achilli threw himself into community life, including delivering lectures on a number of topics and displaying art that he said he had brought from Rome.[167] Mary Bogue's return to Oneida in February, however, led to the unravelling of Achilli's new life; as the community got to know her better, they disliked her more. They wrote to Achilli, asking him to leave. The letter stressed that Bogue seemed to be a person of 'a worldly character', and that however much they might like him, there was no chance of Bogue's admission to their family. But they also said that they had now learned that while in New York, the couple had been associated 'with a class of loose moralists in sexual matters.' Oneida's 'ideas of the importance of purity in sexual relations' made such a connection impossible. If Achilli thought that they were like 'the free-lovers of New York' or 'the frequenters of the "Unitary Home"', the letter read, then he was wrong. The latter was a communal living arrangement, influenced by Fourier and associated with free love, which disbanded in 1860.[168]

The community were keen to stress the distinction between the free love espoused by Noyes, with its focus on chastity, purity and self-control, and the perceived hedonism of other free love groups with which Achilli appears to have associated. Indeed, Oneida regularly came under attack—including facing prosecution—for supposed immorality.[169] Noyes himself was not so different to Achilli as this need to maintain an appearance of relative propriety suggests. In 1847 he had been arrested for adultery with two of his followers, Fanny Leonard and Achsah Campbell; in the case of Leonard, the accusation was that he used 'force and arms'.[170] Noyes took on the role of 'first husband' within the system of complex marriage, introducing the girls of the community to sex. A gynaecological study conducted in the Community in 1877 indicates that this sometimes involved girls as young as nine or ten, with the average age being around thirteen.[171] As dissent and dispute grew within the Community, Noyes feared that one of his opponents could bring legal action against

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[167] *The Circular*, 2 February 1860, p.3; *The Circular*, 9 February 1860, p.7; *The Circular*, 16 February 1860, p.11; *The Circular*, 23 February 1860, p.15. Achilli's artwork seems to have remained at Oneida after his departure. *The Circular*, 11 January 1869, p.341; Syracuse University Libraries, Special Collections Research Center (SUL), Oneida Community Collection, Box 38, 'Further notes on Dr Giovanni Achilli'.

[168] *The New York Times*, 22 June 1858, p.5; *The New York Times*, 25 June 1858, p.2; *The New York Times*, 21 September 1860, p.5; *The New York Times*, 26 September 1860, p.2.

[169] For published criticisms of the Community, see for example: Hubbard Eastman, *Noyesism Unveiled: A History of the Sect Self-Styled Perfectionists; With a Summary View of their Leading Doctrines* (Brattleboro: n.p., 1849); *Behind the Scenes; Or An Expose of Oneida Community, Embracing their Social and Sexual Relations, Spiritual Controls, Origin, and a Brief Sketch of its Founder* (Oneida: A.L. Slawson, 1875).

[170] Robert Allerton Parker, *A Yankee Saint: John Humphrey Noyes and the Oneida Community* (New York: G.P. Putnam's Sons, 1935), p.133.

[171] Ely van de Warker, 'A gynaecological study of the Oneida Community', *American Journal of Obstetrics and Diseases of Women and Children* 17 (1884), pp.785-810. A description of Noyes's role as 'first husband' was provided in a letter written to an anthropologist, Anita Newcomb McGee, by Noyes's son Theodore in 1892. See Constance Noyes Robertson, *Oneida Community: The Breakup, 1876-1881* (Syracuse: Syracuse University Press, 1972), pp.16-20; Robert S. Fogarty, *Special Love/Special Sex: An Oneida Community Diary* (Syracuse: Syracuse University Press, 1994), pp.214-7.

him for statutory rape, and he fled the Oneida Community for Canada in 1879.[172]

Achilli left Oneida in 1860 without most of his possessions and said that he would be back for Bogue and Attilio. He subsequently sent three letters – to Josephine Achilli, Mary Bogue, and the Oneida Community. In them he adopted a prophetic tone. On his way back to Oneida to collect Bogue and Attilio, he had received a message from God, telling him that his earthly days were coming to an end. Spirits were going to take him to Heaven where, he said pointedly in his letter to the Community, he would live with 'a far better community of true Christians, who are willing to have me in their dwelling house, utterly associated with them.' Attilio was to be raised by the Oneida Community.[173] He promised to 'visit' Bogue, Josephine and the children from the afterlife. His body was never found.

The lawyers and the confessional

After the trial, Newman wrote to Sir Alexander Cockburn, thanking him for his efforts.[174] But throughout, Newman had expressed frustration with his counsel and had sought to replace him; Cockburn had refused to be dismissed.[175] From the beginning, Cockburn had encouraged Newman to think of 'knocking under', and, to Newman's frustration, had decided against calling him as a witness.[176] Newman wondered whether his lawyer was committed 'heart and soul' to the case.[177] Part of the problem was that the two men were very different. Cockburn's colourful personal life was a problem because Newman feared it would limit his lawyer's ability to attack Achilli's adultery and profligacy.[178] Cockburn's womanising was notorious. A contemporary joke drew an unfavourable comparison between Cockburn and Lord Campbell, whose private life was a model of domestic bliss

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[172] Maren Lockwood Carden, *Oneida: Utopian Community to Modern Corporation* (Baltimore: John Hopkins Press, 1969), pp.98-102; Michael Doyle, *The Minister's War: John W. Mears, the Oneida Community, and the Crusade for Public Morality* (Syracuse: Syracuse University Press, 2018), pp.139-142. The latter offers a rich account of the campaign against Oneida, including the use of accusations of circulating obscene publications.

[173] Attilio, later known as Frank, appears to have had a difficult life. Bogue took Achilli's property and the boy from Oneida. She then placed the boy at the Five Points House of Industry, claiming to have found him in Albany. This was discovered by members of the Community, who relayed the news to Josephine Achilli in Florence. Though plans were made to have the boy shipped to Florence, according to an account written in 1958 by Alice Chandler, who knew Frank, he ran away from the House of Industry. He slept 'under porches, and found food in garbage cans'. Caught by the House of Industry, he ran away again to work on a farm in Connecticut, taking the name Frank Baldwin. Aged twenty he went to Oneida and worked in their canning factory until 1880. Chandler's account contains a number of errors—including that Josephine had been at Oneida—which may be the result of the story being second-hand and recorded much later, but are also plausibly the result of Frank knowing very little about the lives of his parents. As Mrs Primo, who collected the story from Chandler, wrote: 'It makes an interesting story, even if it is not entirely correct…I understand, it is as Frank had told the family his lifes history, and series of events'. (Sic) SUL, Oneida Community Collection, Box 38, Biography of Achilli, told by someone who knew Frank Achilli; SUL, Oneida Community Collection, Box 38, Correspondence of W.E. Primo and S.R. Leonard, 1958.

[174] J.H. Newman to A. Cockburn, 25 June 1852, *L&D* 15, pp.106-7.

[175] J.H. Newman to J. Hope, 3 June 1852, *L&D* 15, p.94.

[176] J.H. Newman to A. St John, 6 November 1851, *L&D* 14, pp.417-8; J.H. Newman to E. Badeley, 23 November 1851, *L&D* 14, pp.433-4.

[177] J.H. Newman to E. Badeley, 23 November 1851, *L&D* 14, pp.433-4.

[178] J.H Newman to R. Stanton, 14 January 1852, *L&D* 15, pp.13-14.

and devoted affection.[179] Newman had much more common ground with another member of his legal team, Edward Lowth Badeley, who he had known since 1837. Unlike Cockburn, who chose cases that would bring him to public attention, Badeley was an ecclesiastical lawyer.[180] He had represented Phillpotts in front of the Judicial Committee of the Privy Council in the Gorham case. As a result of reflection on the Gorham judgment, in June 1852—the month of Newman's trial—Badeley was received into the Catholic Church by Henry Manning.[181]

Cockburn and Badeley were to continue to be involved in legal dispute over confession in the years subsequent to the trial. In 1865, Badeley published a defence of the privilege of religious confessions in English courts, amidst the sectarian furore that surrounded the infamous trial of Constance Kent.[182] Having become a resident of a religious home in Brighton, Kent had confessed to the controversial Ritualist priest Arthur Wagner that she had murdered her half-brother five years previously.[183] Kent was portrayed as a victim of the interference and scheming of Wagner, who it was assumed had used his spiritual authority in order to compel her to hand herself in. Wagner refused to testify before the Trowbridge police court, stating that he could not breach the seal of the confessional.[184] He seemed to be using the case to test the limits of the law's recognition of confession in the Church of England; a murder trial had become a site for the fiery controversy between Ritualism and its opponents. At her trial in Salisbury on 21 July 1865, Kent pleaded guilty to the murder of her brother; sentencing her to death, Mr Justice Willes wept.[185] Badeley argued that prior to the Reformation, English common law had privileged religious confessions, and that this had never changed, because no 'authority less than that of an Act of Parliament could in any way affect it.'[186] Woven into the argument was the claim that the versions of the Book of Common Prayer issued in 1549, 1552 and 1662 permitted auricular confession in the Church of England; Badeley had been a Roman Catholic for more than a decade, but this was a crucial part of the argument made by Ritualists that confession was permissible in the Anglican tradition.[187]

Edward Badeley died on 29 March 1868. On 29 April, another case concerning the confessional came before Sir Alexander Cockburn, now Lord Chief Justice, in the Court of Queen's

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[179] Edward Manson, *The Builders of Our Law During the Reign of Queen Victoria*, second edition (London: Horace Cox, 1904), p.138.
[180] Ibid., p.162
[181] Newman took Badeley's conversion to be 'an omen of the absolute and complete success which I am to have in my cause'. J.H. Newman to E. Badeley, 8 June, *L&D* 15, p.97.
[182] Edward Badeley, *The Privilege of Religious Confessions in English Courts of Justice Considered, in a Letter to a Friend* (London: Butterworths, 1865).
[183] 'Adam Bede', *A Natural History of Puseyism: With a Short Account of the Sunday Opera at St. Paul's, Brighton* (London: Horsell and Candwell, 1860).
[184] Evans, *Crown, Mitre and People*, p.192.
[185] Dixon, 'Tears of Mr Justice Willes'. Constance Kent's sentence was later commuted to twenty years' imprisonment. During this time, Wagner wrote to Gladstone, suggesting that she be transferred from prison to St Mary's Hospital as an alternative. See Yseult Bridges, *Saint—With Red Hands?: The Chronicle of a Great Crime* (London: Macmillan, 1954), pp.264-8.
[186] Badeley, *Privilege of Religious Confessions*, p.24.
[187] Ibid., pp.27-30, 33-35.

Bench. *The Confessional Unmasked* had by now taken on a new life, becoming a flagship of the Protestant Electoral Union and gaining a circulation in the tens of thousands in the 1860s. The pamphlet was promoted around the country by William Murphy, an Irish convert from Catholicism who, like Achilli, used his earlier life as a Catholic to make forceful arguments against the evils of Rome; Murphy was infamous for his wild style, his preaching being characterised by shouting, ranting, and waving around a pistol. In the context of riots surrounding Murphy's preaching, efforts were made to suppress it under the 1857 Obscene Publications Act. The law was, like the 1843 Libel Act, otherwise known as Lord Campbell's Act for its author, who Finlason had felt prejudiced the trial of John Henry Newman. A court ordered copies of the pamphlet seized from a metal broker to be obscene and ruled that they should be destroyed; the broker, Henry Scott, appealed the order in the Quarter Sessions, where the Recorder, Benjamin Hicklin, overruled it. This overruling was then challenged by the authorities before Cockburn in the Court of Queen's Bench. Reinstating the decision that *The Confessional Unmasked* was an obscene publication, Cockburn issued what came to be called the Hicklin Test, which offered a definition of obscenity, which had been left vague by Lord Campbell. The 'test' had important consequences—it said that the intention of the producer was not relevant to defining a text's obscenity, and that the likelihood of a text falling into the hands of somebody likely to be corrupted had to be taken into consideration. But, as Mullin has argued, Cockburn's judgment was not the result of reflection on questions of morality, but was rather 'a convenient, pragmatic solution to an immediate, local and very pressing difficulty.'[188]

Cockburn's ruling, and the regime of obscenity law thus established, shaped the way in which confession would develop in the Church of England over the subsequent decade. *The Confessional Unmasked* was not successfully repressed, but a ruling against it placed the moral theology and confessional handbooks which it quoted from in a strange position. As we will see in the next chapter, when Anglican supporters of confession began to compile their own handbooks, more suitable for use in the Church of England than the available Catholic texts, but nonetheless drawing on this source material, they were placed in danger of falling foul of obscenity law.

Conclusion

'This case appears to form a great fact in the social history of the country,' Finlason wrote in his account of the trial; it revealed, he said, 'blind and bitter prejudice' against Catholicism and religious orders.[189] But more broadly, the trial provides rich source material for examination of the gendered and sexualised dynamics of sectarian strife. Beyond its significance to historians of religion, it offers, in the form of a significant number of witnesses, a means by which to access the testimony of

[188] Katherine Mullin, 'Unmasking *The Confessional Unmasked*: the 1868 Hicklin Test and the toleration of obscenity', *English Literary History* 85 (2018), pp.471-499. See also Hilliard, 'Is it a book that you would even wish your wife or your servants to read?'; Dominic Janes, '*The Confessional Unmasked*: religious merchandise and obscenity in Victorian England', *Victorian Literature and Culture* 41 (2013), pp.677-690.
[189] Finlason, *Report of the Trial*, p.1.

survivors of sexual violence.

Achilli's career included periods as a Catholic priest, an Evangelical missionary, a political radical, a Swedenborgian, a prospective member of the Oneida Community, and led finally to a belief in his own direct communication with God. He settled across Italy and the Mediterranean, in Britain and the United States. Throughout, allegations of his sexual improprieties, conceived of in various ways, continued to haunt him—indeed, they seem to have led to his suicide, presumably shortly after he had written the letters on 7 March 1860, the anniversary of his first arrest by the Inquisition. In June 1852 the competing narratives at play were brought together in Westminster Hall. Newman and Wiseman did not appear in court. Achilli did. But so too did a number of his victims, who would otherwise have made little impression on the historical record.[190] Disputed narratives took on a sense of solidity as they could be analysed in the appearance of the women in the witness stand. Courtrooms are spaces in which embodied evidence is produced, from the lifting of Marianna Garamoni's veil to the sneers of Lord Campbell. But this embodied evidence, too, was also a matter of interpretation, overlaid with religious motives arising from the sectarian struggle that the trial stood for, and ideas about moral, national and sexual character. The various lives of Giacinto Achilli, and the complex and heated tensions of religious difference, were brought together in the form of bodies and emotive signs, which were themselves enmeshed in varieties of meaning. Court records can be approached as cultural texts, and bodies are sites of culture.

Above it was argued that the practice of confession brought together a variety of forms of intimacy, and that it served also as a meeting point for a broad array of various anxieties about intimacy. In the courtroom in Westminster Hall, in a battle between Protestant and Catholic, we can begin to trace these intimacies and these anxieties. Achilli's critique of confession reinforced the English Protestant fear that it was a threat to the intimacy of the family. He claimed that in the context of Italy this was also a threat to liberty because secrets could be passed to the powers of papal tyranny; in a broader sense, I have suggested, this was an argument that confession in Britain also threatened, at an intimate level, liberalism itself. It threatened, the prosecution implied, the operation of law. Importantly, however, the account of the trial and its aftermath offered here indicates that it is not sufficient to study the history of confession in England only in terms of anti-Catholic bigotries and sectarian dispute. While the trial allows for a deeper understanding of the radical critique of confession, it also suggests that the intimacies of confession in practice really did entail the sorts of risk that critics suggested. Achilli—the radical critic of the confessional—was, as we have seen, also an example, allegedly, of the dangers of confession; that he himself appears to have considered confession an opportunity for sexual assault or rape proves to some extent the case he made in his published writings. But Newman, too, who had gone to battle in the trial with the intention of

[190] Court records have also preserved a record of another of Achilli's servants, Martha Stacey, who pleaded guilty to stealing from her master in October 1850. *Old Bailey Proceedings Online*, October 1850, trial of Martha Stacey (t18501021-1784).

discrediting Achilli as an anti-Catholic preacher, also had experience of the complex problems arising from confession. In the Birmingham Oratory, it was not the small matter of lack of chastity which caused a problem, but secrets and their circulation. In this case, the charge that confession disrupted other forms of intimacy by keeping secrets between priest and penitent was, in fact, true. For all the bitterness of the conflict, we have seen that, in private, Newman wrote about confession in a way that appears almost to be influenced by Achilli's critique; while anti-Catholic speakers boasted about their desire to do violence to confessors, Newman said that if he were an Italian he might stab one. The lines between critics and proponents of confession were blurred because there was a shared conception of the dangerous intimacies at stake—whether sexual or not. We will return to this fact in the following chapter.

In the years following the Achilli trial, religious controversy continued to be fought out in courtrooms. But courtrooms also shaped religious practice. Confession in particular fell under the influence of the law. In a sense, it was confession that put Constance Kent on trial, where detectives had failed. But her trial also allowed men like Wagner and Badeley to make a case for confession; Wagner appears to have used it as an opportunity to test the limits of the state's toleration of confession, and as a chance to have a court acknowledge its use in the Church of England. The confessional and its supposed immorality were at the centre of the case in which Cockburn defined obscenity under Lord Campbell's Act. The understanding of obscenity emerging from this case, which continued to shape the law in Britain and beyond for over a century, in turn shaped the practice of confession as it was discussed in confessional handbooks. By the 1870s, proponents of confession feared that they might, in legal terms, be producing and circulating obscene publications.

Despite tending to refer to the trial as the 'Achilli Trial', almost everybody who has written about it has focussed on John Henry Newman. But Achilli's strange and ultimately tragic trajectory, shrouded in deception, leaving behind it little but destruction, runs through so many different contexts as to be worthy of study in itself; his life and his thought, shaped by decades of transnational mobility, connected the revolutions of 1848, the evangelicalism and anti-Catholicism of mid-nineteenth century Britain, and the religious revivals of the United States. His was the mobility of disgrace and criminality, of exile and heterodoxy. His was an ideology of liberty, of anti-clericalism, of sexual radicalism, of rape, and of seemingly endless lies. By the end, he professed to be longing for death.[191] Achilli's life provides a complicated narrative with which to trace broader cultural phenomena as they were experienced. Competing, fractured stories were indicative, in some senses of these broader concepts and contexts; religious conflict, the tensions between his own beliefs and social norms, the classed, gendered and sectarian silencing of his accusers. In the end, the law was as insufficient for providing a true account of his life as the historian is.

[191] His constant deceptions, however, leave open at least the possibility that this was one last act of fraud. This was what the Oneida Community initially suspected. *The Circular*, 27 December 1860, p.191.

Chapter 2

‘Painful confessions’: confessors and clitoridectomists, 1855-1879

Six Anglican priests, dressed in surplice and stole, made vows of secrecy in a room at the House of Charity, Rose Street, Soho, on 28 February 1855.[1] This small gathering marked the birth of the Society of the Holy Cross—also known as the Societas Sanctae Crucis, or SSC. The main aim of the society was to promote a higher rule of life among the clergy, and to this end members of the society pledged themselves to strict rules of discipline, including a voluntary rule of celibacy for some members. The Society’s desire for privacy and secrecy was testament to the high stakes of the religious atmosphere of the day. Over the coming years, the society would grow to be one of the most significant organisations of Ritualists in Britain.[2] Its attempts to develop, in private, a form of confession suitable to the English would contribute greatly to the spread of the practice across the country. But the secrecy surrounding this most intimate practice brought the issue to a crisis point, and the society, and confession in England, close to destruction.

What these men were doing was radical. The SSC marked a new generation of Ritualism, distinct from the Tractarianism of the earlier period, but they enthusiastically sought out the support

[1] Pusey House Library, Papers of the Society of the Holy Cross (hereafter Pusey House), Ch71/A1, Minutes of Chapters and Synods 1855-1860, p.1.
[2] Nigel Yates, *Anglican Ritualism*, pp.71-7. For a general history of the society, see William Davage, ed., *In This Sign Conquer: A History of the Society of the Holy Cross (Societies Sancta Crucis), 1855-2005* (London: Continuum, 2006).

of E.B. Pusey from the beginning; they held a special meeting so that he could meet with them, and offered him a dispensation to speed up the process of membership should he agree to join.[3] Pusey seems to have hesitated, but joined in April 1856, and was received into the 'White Rule' of celibates in May.[4] Though he resigned his membership of the society in 1863, Pusey would continue to be linked to the Society, because over the next few years, despite its best efforts, its attempts to encourage the use of auricular confession in the Church of England would become public and controversial.[5] Pusey, who had slowly and cautiously come to advocate for confession by the end of the 1840s, was dragged into the maelstrom of scandal on the topic three decades later.

As was discussed in the introduction, many of those who experienced the controversies surrounding confession believed that they were witnessing a deep-rooted upsurge in a desire for the practice, a widespread spiritual thirst for something that the Church of England must provide. What Anglicans were seeing in their parishes and among their peers was a new chapter in the history of religion in England—this was something that was distinctive to the times. But the task that the Society of the Holy Cross set for itself was to construct an Anglican confessional and to train suitable Anglican confessors; despite the language they used, the growth of confession in the Church of England was not a matter of revival or rediscovery, but rather of invention and translation. Writing about the history of architecture, William Whyte has argued that the historian's job is to 'uncover' the 'transpositions' that occur as 'buildings evolve from concept to construction to interpretation.'[6] In a similar vein, it is the process of 'translating' confession that I want to draw attention to in this chapter. This was a complex process. If the confessional box—implying regular, and perhaps necessary, confession—was too scandalous, then the theology of furniture needed to be translated into a more acceptable form. This was not simply a question of recalling a time before the box, but rather reconstituting the box with rules and restrictions on bodies and vision. It involved the literal translation of texts, and the more intangible translation of objects. It was also developed through discussion, shared experience, and the practice of confession itself.

Rather than being a stable fact, confession was a practice that was constantly reworked, a system of knowledge that had to be learned and adapted—it was a creative process. As we saw in the previous chapter, both proponents and opponents in practice shared many assumptions about the dangerous intimacy of confession. Much of the hostility to the confessional focussed on its potential obscenity—and the potential obscenity of discussing it—and the idea that it might be instructive in

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[3] Pusey House, Ch71/A1, Minutes of Chapters and Synods 1855-1860, pp.79-80.
[4] Ibid., pp.103, 108, 116. Yates writes that Embry's claim that Pusey had been a member 'cannot be substantiated', but the SSC minutes make clear that Pusey was received into the White Rule. J. Embry, *The Catholic Movement and the Society of the Holy Cross* (London: The Faith Press, 1931), pp.5-10; Yates, *Anglican Ritualism*, p.73.
[5] Pusey House, Ch71/A2, Minutes of Chapters and Synods, 1860-1865, p.129. See Robert Mackley, 'Dr Pusey and the SSC', in Davage, ed., *In This Sign Conquer*, pp.54-62.
[6] William Whyte, 'How do buildings mean? Some issues of interpretation in the history of architecture', *History and Theory* 45 (2006), pp.173-4, 177.

sexual sin. But it was not simply discussion of sex, but the very intimacy of the practice itself, that aroused strong feelings. The process of invention and translation is again suggestive of the way that proponents of confession were alert to its radical intimacy.

This chapter begins by examining the scant evidence we have of the private processes by which the Society of the Holy Cross sought to develop Anglican confession, through internal discussions and plans for the proper preparation of confessors. Though confessions were not recorded, the SSC minute books survive and give us a valuable insight into the working of the practice. Here, hostility to confession, both from the episcopal authorities and from lay members of the Church of England, were important. We will examine the process of translation, including the translation of physical spaces and bodily arrangements which were designed to elicit particular emotional states. Crucially, the Society of the Holy Cross also began to translate confessional texts into English and produced a secret confessional handbook. We will see how the SSC's secret confessional handbook was threatened by obscenity laws—obscenity laws which had been shaped by Newman's lawyers in the Achilli trial and shaped largely in the context of the confessional. When the secrecy of the SSC's handbook was taken away, a moral panic broke out which came close to destroying the practice of confession in the Church of England. In the final section we will turn to draw a comparison with a radical medical practice which was subject of controversy around the same time—surgical clitoridectomy—and consider how the scandal surrounding the surgeon Isaac Baker Brown might be instructive in helping to understand what made confession so unsettling to contemporaries.

Inventing the Anglican confessional

In the 1873 debate on confession discussed in the introduction, several bishops attempted to explain the spread of confession in England. At the time of the discussion, religious revival was in the air; between 1873 and 1875, the American evangelicals Dwight L. Moody and Ira D. Sankey launched a successful tour of Britain.[7] Historians have noted that Protestant, Catholic and Anglo-Catholic revivals of the period should be understood in relation to one another, and the Anglican bishops seem to have broadly agreed with this assessment.[8] It was argued that the spread of confession was a response to a newfound reflexivity and spiritual awakening among the people, and that everybody thought 'more of their souls now than they used to do.'[9] Wesleyanism had offered one 'remedy' for 'the burden, and the misery of sin', in the words of Richard Durnford, the Bishop of Chichester, and the confessional now offered another; indeed, it was pointed out, the Wesleyans practiced a particular form of public confession and absolution.[10] The Bishop of Oxford, John Mackarness, likewise thought that there were lessons to be learned from the Wesleyans in their emphasis on real penitence.[11] But the

[7] John Kent, *Holding the Fort: Studies in Victorian Revivalism* (London: Epworth Press, 1978), pp.132-168.
[8] Ibid., pp.236-294; Heimann, *Catholic Devotion*, p.152.
[9] *Chronicle of Convocation*, p.376
[10] Ibid.
[11] Ibid., p.381

idea of a spiritual transformation among the people, a 'passing from greater deadness to greater spiritual life', as John Jackson, the Bishop of London put it, posed problems; if confession was deplorable, and yet had causes 'very deep indeed in the human heart', what was to be done?[12] Bishop Jackson argued that something being wanted did not mean it was healthy, and believed that the only way to meet this supposedly new spiritual need was with what was already available in the Prayer Book. The Bishop of St Asaph, Joshua Hughes, said that in Wales 'catechetical teaching' had met the demand associated with Wesleyanism while unlike Wesleyan practices remaining under the control of the clergy.[13] For Bishop Durnford, it fell to the Church to 'direct and guide' the supposed desire for confession, not to 'repress' it; a lack of respect for the authority of the Church would mean that the public would simply laugh at any attempt to do so, and accuse them of trying to quash 'true and vital piety.'[14] This sense of confession emerging from deeper changes in the souls and spirituality of the population bore much in common with the arguments made by proponents of confession. Pusey traced the development of Anglican confession to the early days of Tractarianism, but stressed how organic its growth had been; confession 'spread from conscience to conscience'.[15] It had not, he said, been instigated by the movement – instead, a broader spiritual awakening had led to a popular demand for confession. Faced with such an upsurge, there was nothing the movement could have done.[16] Pusey, like Durnford, traced the growth of confessions to earlier changes, and both men saw the consequences of these changes as more or less unstoppable.

Confession was also associated with the particular circumstances of modern Britain in that there was an often-noted impression that confession was an urban phenomenon, particularly associated with the urban poor. As has been noted, there was a belief among some that confession was only available in London.[17] Durnford's account of the rise of confession pointed out that it was coincident with the rise of Missions, 'unknown in former days'. As the Missions woke consciences, 'awakened consciences will seek for relief by the open door of confession'.[18] The SSC was deeply involved with the organising of urban missionary work, and also made the connection between Missions and confession. As they awaited a decision from the bishops in 1873, there was a feeling among some members of the Society that any condemnation of confession would necessarily mean that they would be unable to carry out the planned London Mission the following year.[19]

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[12] Ibid., p.378
[13] Ibid., pp, 379, 383
[14] Ibid., pp.376-7
[15] E.B. Pusey, *Advice for Those who Exercise the Ministry of Reconciliation through Confession and Absolution, being the Abbé Gaume's Manual for Confessors or his Extracts from the Works of S. Francis de Sales, Charles Borromeo, S. Philip de Neri, S. Francis Xavier, and Other Spiritual Writers, Abridged, Condensed, and Adapted to the use of the English Church, with a Preface Embodying English Authorities on Confession* (Oxford: James Parker, 1878), p.vi.
[16] Pusey, *Advice*, p.cvlviii.
[17] Pusey House, Ch71/A3, Minutes of Chapters and Synods 1870-1876, p.159.
[18] *Chronicle of Convocation*, p.378.
[19] Minutes of Chapters and Synods 1870-1876, p.115. For the role of confession in the Missions, see John Kent, *Holding the Fort*, pp.271-289.

While confession was a subject of public discussion, the essential privacy of the act meant that it was difficult to know what confessions really contained. As has been noted, there was particular anxiety about the risk that much of what would be talked about in confession was sex, and that priests asking questions of penitents might open innocent minds to previously unconsidered sexual sins. Certainly, some supporters of confession shared the view that sex was a frequent topic of confession. The Tractarian surgeon Robert Brett, for example, thought that sins against the seventh commandment were the most commonly violated, and warned of the dangers of shying away from combating sexual sin out of 'certain prudish feelings of false jealousy'.[20] A comparable Catholic guide to confession and devotion for the laity similarly calculated that of all the commandments, the most 'dangerous and numerous mortal sins' were committed against those relating to sex.[21] Nonetheless, in a paper read to the SSC's 1875 Synod, J.W. Horsley argued that sins 'against the eighth commandment are not only as numerous, but perhaps more difficult to deal with than those against the seventh'.[22] The eighth commandment, the prohibition of theft, required the confessor 'grappling with the most difficult of moral problems in the present day—the habits and sins of trade.'[23] These questions were so complex that one member present proposed 'a small committee of mercantile men & Priests who would draw up a code of morality.'[24] There was a fear that if confessors took too rigorous a line with businessmen, they would 'think that so long as they are in business they can do nothing toward getting into heaven', and thus stay away from confession.[25] In both the sins of sex and the sins of money, commentators believed, rightly or wrongly, that there was something specific to the present day, that these sins were now occurring on a scale surpassing what had been previously normal. Pusey believed that confession was helpful in combating adolescent masturbation in public schools, but he also believed 'that that sin was unknown in most of our public schools' prior to increased 'intercourse with the Continent' following the end of the Napoleonic Wars.[26] Sin had a history; confession had to address the spiritual landscape of the present context. Even those who thought of confession in terms of longstanding tradition or much-needed restoration identified both the popular desire for confession, and the sins which it was supposed to address, as features of their own times.

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[20] R. Brett, *The Churchman's Guide to Faith and Piety: A Manual of Instruction and Devotions*. (London: Joseph Masters, 1862), pp.443-4n.
[21] J. O'Hanlon, *Devotions for Confession and Holy Communion*, (London: Thomas Richardson and Sons, 1866), p.89. O'Hanlon refers to the sixth commandment, forbidding adultery, and the ninth, forbidding the coveting of a neighbour's wife; the commandments are numbered differently in the Book of Common Prayer and in the Roman Catholic tradition.
[22] J.W. Horsley, *Restitution: A Paper Read before the Society of the Holy Cross, at the May Synod,1875* (London: Society of the Holy Cross, 1875), p.3; Minutes of Chapters and Synods 1870-1876, pp.223-9.
[23] Horsley, *Restitution*, p.3.
[24] Minutes of Chapters and Synods 1870-1876, p.228. Nineteenth-century legislators also found themselves grappling with such questions. See James Taylor, *Boardroom Scandal: The Criminalization of Company Fraud in Nineteenth-Century Britain* (Oxford: Oxford University Press, 2013).
[25] Minutes of Chapters and Synods 1870-1876, p.228.
[26] *The Times*, 11 Dec 1866, p.4; *The Times* 15 Dec 1866, p.12; Pusey, *Advice*, p.xxii.

The SSC often discussed confession privately, including offering one another advice in response to particular difficult cases. In January 1876 a meeting of the SSC discussed the case of a priest who knew that his penitent probably took communion without fasting, but who did not confess to this. Would it be proper to ask the penitent a question on the matter? Would it then be proper to refuse absolution until the penitent committed to communicate fasting, or to refuse communion if he would not do so? The 'Brethren' appear to have effectively voted on the issue, with the Master of the Society inviting their contributions to the case in order of seniority—the 'answer' was then recorded in the minutes.[27] A discussion the following year focussed on a similar case, in which a confessor knew that a venial sin had been committed but not confessed.[28] In both cases, the problem came down to the use of questions, the application of knowledge gained outside of confession in administering it, and in what cases a priest might be authorised to withhold absolution from the penitent. But what is most significant here is that, without direction from the hierarchy of the Church, members of the SSC consulted one another in adapting confession to an Anglican context.

Following a case 'in which certain difficulties had arisen', the SSC discussed the need for a specific place to hear confessions, especially those of women, though came to no clear conclusion about where that place should be.[29] The Ritual Commission was particularly concerned to discover whether or not there were confessionals in any of the churches being discussed, but in every case the person being questioned denied their use.[30] Instead, other spaces within the church were used. Alexander Mackonochie advertised that he heard confessions in the sacristy at St Alban's, Holborn, according to the anti-confessional protestor James Ormiston.[31] At St John the Baptist, Frome, W.J.E. Bennett heard confessions in the sacristy or in one of the quiet chapels in the church.[32] Similarly, the vestry was used by Arthur Wagner, who had been Constance Kent's confessor and had tried to use her trial to test the legal protection of confession, at St Paul's in Brighton.[33] At Wymering, George Nugée heard confessions at the altar rail near the sacristy door; the priest sat within the rail and the penitent kneeled on the other side.[34] That none of these men had installed confessionals in their churches is telling of a fear of the confessional's symbolism, given that each had made significant alterations in other areas. Nugée had completely restored the church in Wymering between 1859 and 1861.[35] Since coming to Frome in 1851, Bennett had overseen a much-needed restoration of the church.[36] His

[27] Minutes of Chapters and Synods 1870-1876, pp.291-2.
[28] Pusey House, Ch71/A4, Minutes of Chapters and Synods 1876-1879, p.52.
[29] Minutes of Chapters and Synods 1860-1865, pp.69, 71.
[30] *First Report of the Commissioners Appointed to Inquire into the Rubrics, Orders, and Directions for Regulating the Course and Conduct of Public Worship &c. According to the Use of the United Church of England and Ireland; with Minutes of Evidence and Appendices* (London: George Edward Eyre and William Spottiswoode, 1867), pp.19, 26, 53-4, 79, 80, 114.
[31] Ormiston, *A Protest*, p.9.
[32] Ibid., p.80.
[33] Ibid., p.114.
[34] Ibid., p.54.
[35] Nigel Yates, *Anglican Ritualism*, p.102.
[36] Ibid., pp.108-9; Dominic Janes, 'William Bennett's Heresy: Male Same-Sex Desire and the Art of the

restoration was a transformation of the church and the space around it. The pews were removed, the pulpit moved, the galleries pulled down and the north side of the church was completely rebuilt.[37] Bennett restored the watercourse of the spring on which the church—which had been on that site since the Saxon period—was built, and the fountain was redesigned.[38] Most boldly, Bennett employed the Scottish sculptor James Forsyth to build a *Via Crucis*, a processional way, incorporating scenes from the Stations of the Cross, an unusual devotional innovation in the 1860s.[39] Despite clearly having the opportunity to make alterations, the money to spend on a bold reimagining of the church as a space, and a surprising degree of support from his parishioners, Bennett had not, according to his testimony to the Ritual Commission, installed confessional boxes.[40] In the debates surrounding the Public Worship Act of 1874, confession and the installation of confessionals in churches were discussed.[41] The Archbishop of Canterbury raised the question when he presented the Bill. He quoted at length from a document that advocated the use of confessional boxes—which made direct reference to 'Mr. Bennett's "little chapels"'—and stated that efforts to make confessionals 'by means of partitions and curtains' had been 'made in churches not very far from the place in which we are assembled'.[42]

In Brighton, Arthur Wagner, 'stout, genial and very rich', had built five High Anglican churches with his own money.[43] St Paul's itself was built by Arthur's father Henry, but very much based on the architectural and ecclesiological ideas of the son.[44] Intriguingly, contrary to Wagner's testimony to the commissioners, there were in fact confessional boxes at St Paul's.[45] They were not, however, within the church, but in an enclosed yard; this was a private space, with no public admission. It is possible that the confessional boxes were removed following the anti-confessional panic in the wake of the Constance Kent trial, but this seems unlikely given Wagner's persistence on the issue; as we noted in the previous chapter, he had refused to comply with the court, and he later published a confessional handbook for children in the face of public censure by an open meeting. Instead, it seems plausible that as the boxes were private, Wagner believed them to be beyond the

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Eucharist', *Journal of Victorian Culture* 17 (2012), pp.413–35; Dominic Janes, *Visions of Queer Martyrdom from John Henry Newman to Derek Jarman* (Chicago: Chicago University Press, 2015), pp.30-6.

[37] Frederick Bennett, *The Story of W. J. E. Bennett, Founder of S. Barnabas', Pimlico and Vicar of Froome-Selwood* (London: Longmans, Green and Co., 1909), pp.183-4.

[38] W.J.E Bennett, *History of the Old Church of S. John of Froome* (London: Whittaker and Co., 1866), p.93; Janes, *Visions of Queer Martyrdom*, p.42.

[39] Bennett, *History of the Old Church of S. John of Froome*, pp.93-4; Peter Anson, *Fashions in Church Furnishings*, second edition (London: Studio Vista, 1965), p.193; Mary Heimann, *Catholic Devotion*, pp.42-5; Janes, *Visions of Queer Martyrdom*, pp.43-6.

[40] On popular support for Ritualist renovation in Frome, see Bennett, *History of the Old Church of S. John of Froome*, pp.67-70; Bennett, *The Story of W. J. E. Bennett*, p.183; Yates, *Anglican Ritualism*, p.109.

[41] James Bentley, *Ritualism and Politics in Victorian Britain: The Attempt to Legislate for Belief* (Oxford: Oxford University Press, 1978), p.34.

[42] *Hansard* HC Deb. vol. 218, c.769, 20 April 1874.

[43] Yates, *Anglican Ritualism*, pp.101-2; Nicholas Antram and Nikolaus Pevsner, *Sussex: East with Brighton and Hove* (New Haven: Yale University Press, 2013), pp.55, 150.

[44] Antony Dale, *Brighton Churches* (London: Routledge, 1989), p.87.

[45] Antony Dale and Anthony Wagner, *The Wagners of Brighton*, (London: Phillimore, 1983), p.105.

remit of the commission, which after all had been set up to inquire into *public* worship. Wagner had reason to be cautious in giving away more information than was required given the physical violence he had faced for his Ritualist tendencies.[46] If the confessionals were not in public use, it instead seems likely that they were for the use of the clergy of St Paul's, and for the women associated with the religious sisterhood and the home for fallen women attached to the church. It seems likely, therefore, that the main regular users of the confessionals were the women of the community.

Kneeling appears to have been the norm in these different adaptations to the lack of a confessional box. Both Nugée and Bennett's penitents kneeled, according to their evidence to the commissioners.[47] Excessive kneeling had long been seen as one of the more idolatrous elements of Tractarianism and Ritualism. Thomas Fox Newman, a Baptist minister who believed confession 'to be a prominent feature of Antichrist', saw the kneeling of the penitent as symbolic of clerical power, in which the priest was elevated to the rank of judge and 'invested with the awful prerogatives of Jesus Christ'.[48] Defenders of confession, such as Thomas Thellusson Carter—who with Mariquita Tennant, friend of Josephine Achilli, founded the House of Mercy at Clewer—interpreted the call to kneel as representative not of 'confessing to the Priest, but to God before him'.[49] For Carter, the physical act of kneeling helped to produce the appropriate feelings of reverence and remorse; without such formalities and physical arrangements, confession might be reduced to 'mere familiarity of intercourse', and because 'the mind is influenced by outward circumstance,' kneeling helped to 'represent it to the senses as a Divinely ordained ministration.'[50] This was not a mere conversation but rather a divinely sanctioned practice, and it thus required appropriate reverence from the penitent.

The invention of the Anglican confessional, then, meant rethinking the confessional box and inventing new ways to produce its effects more suitable to 'English sensibilities'. Places to kneel, ways of sitting, looking in particular directions, using pre-existing things like altar rails to create divisions, and going into semi-private spaces like side chapels or vestries all made it possible to reconstruct the essentials of the confessional box without actually—in most cases—using one. What was being translated here was an intimate practice. This practice was not straightforward or stable and had to be adapted to suit the needs of individual penitents and individual priests. The work of translation took place in the context of official and popular hostility. The reasons for translating the confessional box rather than simply installing one seem often to have been to do with a need for secrecy as much as issues of theology—not just the secrecy of the confession, but the need to keep confession itself a secret. If confessional boxes did exist, they were usually, as in Wagner's case, kept private. This, in fact, was contrary to the ideas underpinning the use of the box in the Catholic world,

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[46] Ibid., pp.113-114.
[47] *First Report of the Ritual Commission*, pp.54, 80.
[48] Thomas Fox Newman, *The Confessional*, pp.9-10; Albion M. Urdank, *Religion and Society in a Cotswold Vale: Nailsworth, Gloucestershire, 1780-1865* (Berkeley: University of California Press, 1990), p.96.
[49] T.T. Carter, *The Doctrine of Confession in the Church of England* (London: J. Masters, 1865), p.272.
[50] Ibid.

where the private box was exposed to public sight.

In the absence of formal training or official recognition, the Society of the Holy Cross took it upon themselves to guide one another through the process of translating and developing the intimate practice of confession. They discussed individual cases among one another, they organised retreats, discussions, and lectures, and they held classes on moral theology. Almost all of this was done in secret. And so, what we see here is the development of something deeply private, enabled by conditions of secrecy. But this was not, of course, sustainable if the aim was either to address a supposedly uncontrollable groundswell of desire for confession among the laity, or else to evangelise for and promote the use of confession in the Church of England. In the Catholic Church, where confession was mandatory and hearing confessions was part of the role of the priest, priests were trained in seminaries, given faculties by bishops, and could refer throughout their careers to confessional handbooks written for the express purpose of helping confessors. What the Society of the Holy Cross needed was a confessional handbook for use in the Church of England. This was to be the most audacious of the Society's attempts at secret translation.

The Priest in Absolution

The council of the SSC took the first steps towards compiling a manual for Anglican confessors in 1859, noting that this had been under consideration for some time.[51] Advice was sought from a number of people, including Pusey, and a range of possible sources were discussed, including the work of the French Catholic theologian Jean-Joseph Gaume.[52] A committee was established to undertake the task in 1862, and John Charles Chambers, a member of the Society, took responsibility for translating the work of a number of Catholic sources into English. Together these Catholic sources formed the basis of the English text.[53] The committee also discussed how to make these Catholic texts suitable for an English audience.[54] They were concerned with questions of language; whether or not 'Scholastic terms' such as contrition should be replaced with 'colourless' terms such as sorrow, and whether other words likely to offend some Anglicans should be removed.[55] There was also the question of whether penances should be decided subjectively or objectively, as remedies for the penitent rather than for God's glory.[56] Further, it was thought that some issues were 'not likely to occur in Anglican Confessionals', and might therefore be removed from the text. Again, this was an effort to develop an Anglican form of confession, taking Catholic source material as its basis but adapted for the different context of the Church of England and English sinners.

What resulted was titled *The Priest in Absolution: A Manual for Such as Are Called Unto the*

[51] Minutes of Chapters and Synods 1855-60, p.290.
[52] Minutes of Chapters and Synods 1860-1865, pp.31, 57, 85, 223.
[53] Ibid., pp.59, 223.
[54] Ibid., p.237.
[55] Ibid., p.237
[56] Ibid., p.237

Higher Ministries in the English Church. It was published in two parts. The first part was published in 1866 by Joseph Masters, the religious publishing house.[57] No name for an author, editor or translator was given, and nor did the text refer to the Society of the Holy Cross. The second, substantially longer, part was published in 1872. This part also did not have an authorial or editorial name attached, but it also did not have a publisher—the title page said that it was 'privately printed for the use of the clergy.'[58] The end of the 'Advertisement to the Reader' justified the secrecy of the text: 'To prevent scandal arising from the curious or prurient misuse of a book which treats of spiritual diseases, it has been thought best that the sale should be confined to the clergy who desire to have at hand a sort of Vade-mecum for easy reference in the discharge of their duties as Confessors.'[59] Those who wanted to purchase the book would have to write to the Society of the Holy Cross, which was referred to in the dedication to the text. Circulation would thus be limited.

Though developed through discussion, the final text was the work of Chambers, who retained the copyright. When he died in 1874, the executors of his will wrote to the SSC asking them to purchase the copyright of *The Priest in Absolution*.[60] Money was raised among the membership to cover the purchase.[61] When controversy broke out in 1877, the SSC claimed that the copyright had been purchased out of respect for Chambers's widow, and with the intention that the book should not be circulated; it had come into their hands effectively by accident, and the SSC bore no responsibility for the book's contents.[62] But this was disingenuous. The book may have been the work of Chambers, but the SSC had set up a committee which had discussed the issue, and Chambers had begun the project at the instigation of the society. Clearly, many members of the SSC had long been uncomfortable with the book. William Henry Hutchings, priest and translator, later denied having read the proofs and said that he objected on principle to such books being published because of the potential pitfalls of discussing the seventh commandment.[63] But ultimately, the book had been the SSC's idea, and members of the Society had continuous involvement with its production; to claim in retrospect that it was effectively a private project of Chambers's was misleading, but indicative of the difficulty of the position in which the SSC found itself.[64]

The book, in both parts, was a practical guide for the confessor. In his role as the priest in absolution, several analogies were drawn. He needed 'the love a father, the skill of a physician, the knowledge of a theologian, and the decision of a judge.'[65] Comparisons to family, medicine, theology,

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[57] *The Priest in Absolution: A Manual for Such as Are Called Unto the Higher Ministries in the English Church*, Part 1 (London: Joseph Masters, 1866).
[58] Ibid., Part 2 (n.p.,1872).
[59] Ibid., p.viii.
[60] Minutes of Chapters and Synods 1870-76, p.171.
[61] Ibid., pp.198, 223.
[62] Minutes of Chapters and Synods, 1876-1879, p.106.
[63] Ibid., p.150.
[64] Kenneth Macnab, 'Mackonochie and the controversies over confession and ritual', in Davage, *In This Sign Conquer*, p.90.
[65] *The Priest in Absolution* 1, p.10.

and law evoked both the sense that the priest needed to develop certain qualities, but also that beyond personal qualities these were skills that were to be learned, partly through study and partly through practice. These analogies also served to mark out the book's intention in the eyes of the Society of the Holy Cross—it was to be compared to a medical or legal textbook, a book of specialist use and not for general circulation; as has been noted, the secrecy of the second part of the book was justified through comparison with a medical text. This was to become a matter of grave importance. But the analogies to other roles and professions also indicated something of the nature of sin. Moral theology was the 'science of sin', and sin was a 'spiritual pathology'. This last phrase appeared in a footnote by Chambers attached to the third section of the second book, which dealt with sins of impurity.[66] The footnote stated that 'the main object of entering into this subject of spiritual pathology, is to aid the priest to avoid needless and dangerous inquiries, and at the same time not to omit probing the wounds of sin when necessary for the patient's entire cure, often not only in soul but also in body and mind.'[67] Spiritual pathology was referred to with medicalised language; sins were 'wounds', penitents were 'patients', absolution was 'cure'. Perhaps most radically, Chambers was asserting that the confessional was a remedy not just to problems of the soul, but also of the body and of the mind.

Much of the guidance offered in the book focussed on the role of the priest, and the necessary requirements of character. Being a confessor was in itself a sort of spiritual formation, and even a form of penance. It consumed time that the priest might have preferred to spend in 'his favourite occupations or recreations' and developed a spirit of 'lively charity' and 'great patience'.[68] After hearing confessions, the priest ought to reflect on his faults as a confessor, so that he could 'learn how to manage better on a future occasion.'[69] The task required both outer and inner control and restraint. He should 'should take care not to give signs by hands, feet, eyes, or any bodily motion, so as to give a bystander any suspicion that any thing extraordinary is being related in confession; whatever he hears, he should give no sign of wonder or indignation.'[70] He should pronounce the words of absolution quietly, so that bystanders would not know whether or not it had been given.[71] He should not look at his penitents.[72] He should not take snuff while hearing confessions.[73] Such restraint might even involve physical exertion, produce 'fatigue of body', and 'anxiety of mind'.[74] This need for self-control related to the solemnity of the sacrament and the need for privacy, but the book was also alert to the very real danger of the priest being led into temptation. This might be through the extensive discussion of sin, seen as being polluting to the man who elected to dutifully listen. Or it might be

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[66] *The Priest in Absolution* 2, p.21n.
[67] Ibid.
[68] *The Priest in Absolution* 1, p.13.
[69] Ibid., p.14.
[70] Ibid., p.22.
[71] Ibid., p.49.
[72] *The Priest in Absolution* 2, p.77.
[73] Ibid., p.79.
[74] *The Priest in Absolution* 1, p.13.

because of the closeness to the penitents, especially if they were young women. The pious, it was assumed, gave rise to especial danger of 'affectionate feeling', so much so that a priest ought not to close the door when visiting a sick woman known to be pious.[75] These demands on physical, emotional and spiritual comportment were, of course, a programme for a mode of masculinity, one which re-positioned the Ritualist clergy, often conceived of in public discourse as effeminate, as pursuing a dangerous, brave task. Fear was natural; 'If the confessor did not fear, there would be reason to fear him.'[76] But the task was necessary, and the rewards great. 'He that shrinks from the trials incident to the discharge of his duties, must look to lose the triumphs and rewards which are in store for the valiant conquerors in the warfare of grace.'[77] The personal conduct and masculinity of the priest had a role to play in the cosmic drama of salvation.

If the priest faced dangers, he also, the book acknowledged, in some ways posed them to the penitent. The book shared the criticism that confession could be instructive in sin.[78] Asking questions was thus to be approached carefully, the delicate balance between danger and necessity was to be negotiated with caution. It was better, the book advised in the first part, that the priest did not fully understand the sins being confessed rather than 'expose himself or the penitent to scandal, or render penance itself odious.'[79] 'The great point is to be practical; to question about probable and likely, rather than about possible and rare evils.'[80] This meant that the confessor must be both an expert in moral theology and also in human affairs—which sins were prevalent—and even about the individual whose confession was being heard, and the sins they were likely to have committed. There was little need to question penitent priests, for example, because they could be expected to understand the theology of confession, and thus to make their confessions fully and properly without needing to probe at the wounds of sin.[81] Questions of sexuality were important, but they were important because the confessors themselves were extremely cautious about such questions. Confessors did not demand the minute exposition of sexual sin, a detailed account of the sexual self—rather they were engaged in a careful, cautious balancing act, in which enough had to be recounted to offer the cure of absolution, without spreading or worsening the disease in the process. The very intimacy of the confession itself, beyond the matter of the confession, was dangerous. So, while the book could be helpful, an element of discernment and practical experience was essential. The secret second part entered into a great deal more detail about the technicalities of spiritual pathology and the science of sin. Types of sin, types of penitents and the proper forms of questions were discussed at great length—the book has something of the character of a catalogue of sin and sinners. Pages six through to sixty-seven dealt with the

[75] *The Priest in Absolution* 2, pp.77-8.
[76] *The Priest in Absolution* 1, p.15.
[77] Ibid., pp.15-16.
[78] For example, Ibid., p.23.
[79] Ibid., p.24.
[80] Ibid., p.14.
[81] Ibid., p.23.

analysis of the seven 'capital sins' of pride, covetousness, sloth, gluttony, anger, lust and envy. The longest section of the book, chapter five, dealt with various categories of penitent, and ran to almost two hundred pages. This included specific reflections on children, bishops, teachers, merchants, soldiers, lawyers, the shamefaced, those condemned to death—a wide range of people of different ages, genders, occupations, and moral characters; it is obvious here that the book never assumed that the penitent was anonymous. The book covered as much as was possible the particular and the distinctive, but the craftsmanship of the priest, the skill of the confessor, could never be fully captured.

We have seen already that the confessional box prevalent in Catholic contexts was translated by Anglicans—confessions were now heard in chapels, or in temporarily partitioned places, with the physical details of kneeling, and the restraint of the priest's vision, translating into an Anglican setting the essential intimacy of the practice. In *The Priest in Absolution* we see this translation taking place literally. There was minimal reference to the source material, but much of the text was a direct translation from sources such as the Abbé Gaume. Roman details were ironed out—reference was made to 'capital', rather than 'mortal' sins, for example, and St Philip Neri became 'a notable priest'; in a handful of places references to the Church of England or Anglican sources were included.[82] This was an act of both translation and Anglicisation. Within the logic of this translation, the priests of the Society of the Holy Cross, the vanguard of the confessional revolution in England, acknowledged that what they were doing was dangerous to priests and to penitents. The risk, they concluded, was worth it. But participating in this intimate practice posed grave spiritual and moral dangers. The stakes were conceived of as almost unspeakably great. The eternal soul might endure the suffering of Hell. Confession, the book boldly asserted, in a radical shift from the traditional reading of the Anglican position, was the only solution.

What the Society of the Holy Cross had accomplished, then, was the invention of a new intimate practice. They had invented it through translation—the translation of texts and also the translation of objects. They had invented it through discussions amongst themselves, through retreats, and through learning from their own and each other's experiences as confessors. Importantly, they had invented it in private—in secret. It was not restored, rediscovered, rescued from the medieval past, but translated, adapted and invented for the modern present. This intimate practice posed a radical challenge to the moral, righteous intimacy of domesticity, of family relationships, of parenthood and marriage. As a result, it would take only the revelation of what was supposed to be a secret to trigger a classic Victorian scandal.

The confessional unmasked

In the last chapter, we saw how obscenity law was shaped in response to the problems of the

[82] See, for example, *The Priest in Absolution* 2, pp.141, 160.

confessional. The Hicklin test posed a challenge to the Society of the Holy Cross and their confessional handbook. It meant that the intention of the book—the education and training of confessors—would not in itself be sufficient to protect it from charges of obscenity. *The Confessional Unmasked*, though the intent of its publishers was about as far from the SSC's as it was possible to be, was, substantially, a publication of the same nature, albeit arranged in a different way. Katherine Mullin argues that the 'the tract's rhythms of revelation borrowed pornography's cumulative structure of incremental exposure.'[83] The select shocking quotations of which it was formed were drawn from the same confessional handbooks that the Society had sought to translate into English and an Anglican context. The Hicklin Test removed questions of authorial or editorial intent from the equation; thus, any book dealing with questions of the moral theology and pastoral practicalities of confession was potentially obscene, despite the intention and arrangement of *The Confessional Unmasked* being fundamentally different. The second volume of *The Priest in Absolution*, then, had to be kept a secret. The private circulation of the book placed it into the category of publications to which it aspired; the medical textbooks consulted by physicians. But this secrecy also carried a risk. It meant that the book, and the secretive society responsible for it, could be portrayed as being precisely the sort of conspiracy within the Church that fuelled Protestant anxieties. It implied that the authors and the intended readers of the book knew it to be obscene—while the SSC would conceive of the book's secrecy as being a professional necessity, this secrecy gave the book a whiff of pornography, which was often distributed in a similar way.[84] It would only take the book falling into hostile hands to give opponents a chance to perform an act of revelation; the confessional would be unmasked.

The Society for the Suppression of Vice were the shock troops of a sort of nineteenth-century Protestant morality.[85] They were not, nominally, a sectarian organisation, nor supposed to embroil themselves in religious controversy. But their stance on a book like the second part of *The Priest in Absolution* was a foregone conclusion. Perhaps inevitably, the book did indeed fall into hostile hands, and from them into the hands of the Society for the Suppression of Vice. According to C.H. Collette, the solicitor for the Society for the Suppression of Vice, an unnamed gentleman had been visiting the house of a priest of the SSC and had seen the book—intrigued, the gentleman had taken it, and having read it, brought it to the SSV. Collette said that had the book been circulated by a bookseller or a publisher, they would have been liable to prosecution, but as the book was circulating secretly little could be done.[86] The public statement of the underhand methods used to acquire the book drew a rebuke from Alexander Beresford Hope, who expressed surprise that Collette had been willing seemingly to approve of theft from a clergyman, and said that if the Society was now to become a 'party prosecutor' then the public had a right to know what were the religious or sectarian views on

[83] Mullin, 'Unmasking *The Confessional Unmasked*', p.476.
[84] Mazurek, 'Perverts to Rome', p.691.
[85] See M.J.D. Roberts, *Making English Morals: Voluntary Association and Moral Reform in England, 1787-1885* (Cambridge: Cambridge University Press, 2004).
[86] *London Evening Standard*, 16 June 1877, p.5.

which it would prosecute; Beresford Hope wanted nothing more to do with the society.[87] In response, Collette revised his story—it had not been stolen from a clergyman, but rather lent by a gentleman who had been given it by a clergyman, whose requests for the return of the book the gentleman had declined. Collette's earlier version of the story had also prompted Major E.R. Wethered of Woolwich to comment on the acquisition of the book. He, he said, was the gentleman who had brought it to the SSV. He had attempted to obtain a copy of the book from the SSC and could not, though he knew that part one had been obtained by a woman and a female servant.[88] Then in April 1877 he was lent it by a Mr Fleming, who had not stolen it but had owned the book for three years. The book had been lent already to various clergyman who had spoken publicly about it, and the same copy had been lent to the editor of the *Rock* a year or more ago. Wethered had brought the book to the Society for the Suppression of Vice, who had decided that it would not be possible to prosecute. As a result, Wethered had decided upon a different strategy. The condemnations of clergyman in lectures and discussion in the *Rock* had had minimal effect. So, with the support of the Society for the Suppression of Vice, an attempt was now made to expose the confessional on a national stage.[89]

On 14 June 1877, John Freeman-Mitford, recently created Earl of Redesdale rose in the House of Lords to condemn the *Priest in Absolution*. He had given the SSC prior warning of the attack, and the Master, Francis Bagshawe, had gone to the Lords. The Master had also written to the Bishop of London, which he felt had been effective in preventing the Bishops in the House from going too far and condemning confession outright. Nevertheless, Redesdale's attack was devastating. The limited circulation of the book, he said, suggested that its author, and the SSC, were suspicious of it. He described its contents as 'extraordinary'.[90] It recommended regular confession, including for children as young as five, and said that the priest should ask questions about sex of penitents; this, he said, was 'much more likely to bring about than to avoid the evils to which they relate.'[91] The book, he pointed out, suggested an awareness of the dangers of the confessional. 'In calling your Lordships's attention to the subject,' Lord Redesdale concluded, 'I am actuated by a sense of duty, for I feel that the time has arrived when there should be a decided condemnation of practices such as those indicated in the volumes from which I have quoted these extracts.'[92] The Archbishop of Canterbury thanked Redesdale for having 'undertaken a most disagreeable and painful task' in publicly describing the contents of the book.[93] He said that Redesdale had 'spared us from many details', but that it was clear that 'no modest person can read the book without regret'.[94] All good

[87] *London Evening Standard,* 19 June 1877, p.5.
[88] This appears to have been to test whether it was possible. 'The Ridsdale Judgment and the Priest in Absolution', *Quarterly Review* 144 (1877), pp.242-276.
[89] *London Evening Standard,* 20 June 1877, p.5.
[90] *Hansard* HL Deb, 14 June 1877, vol. 234, c.1742.
[91] Ibid., c.1743.
[92] Ibid., c.1745.
[93] Ibid., c.1745.
[94] Ibid., c.1745.

Anglicans were upset to hear of what went on in Catholic confessionals, he said, but at least among Catholics there was authorisation from above, and care taken in handling 'this most dangerous weapon'; here, however, were Anglican priests working without authority.[95] The 'restraints which in the Church of Rome are imposed in order to prevent those results arising which we might expect to arise from the practices to which I am referring are certainly wanting in this case.'[96] He quoted from the 1873 declaration on confession, and, suggesting that the book went beyond what had been declared permissible, hoped that the number of priests under the influence of the SSC was small. He thought that the SSC had acted with good intentions, but 'they have made a most grievous mistake in endeavouring to pry into the secret thoughts of the human heart in matters of this delicate character.'

> I am certain that if such a course is persevered in it will have very evil results—first, in the harm it will do their own minds; secondly, in the harm it will do to the minds of those who come to them, and whom they address in the terms pointed out in this book; and, thirdly, in its effects as regards the influence in families of the clergy of that Church whose interests they wish to further. I cannot imagine that any right-minded man could wish to have such questions addressed to any member of his family; and if he had any reason to suppose that any member of his family had been exposed to such an examination, I am sure it would be the duty of any father of a family to remonstrate with the clergyman who had put the questions, and warn him never to approach his house again.[97]

The Bishop of Gloucester and Bristol said that he had evidence that many members of the SSC were not aware of the book or did not support it. Lord Oranmore and Browne thought the scandal showed why the Archbishop should have accepted his recommendation that auricular confession should be banned in the Public Worship Regulation Act, and recommended a hard line in response now.[98] The Earl of Harrowby likewise thought that 'no steps could be too strong for stopping this pestilence, which threatened to invade the sanctity of our homes and to destroy the character of our people.'[99] Throughout this debate, all of the key themes of anti-confessional opinion were reflected; the potential obscenity of confessional guides, the dangers of questions, the threat of inappropriate intimacies, and the challenge posed to domesticity. What made this case most striking, however, was that these opinions were being aired in the House of Lords, and that the critique now had as its focus a particular book circulated under the auspices of a particular group of men. 'The Earl of Redesdale exploded a bombshell in the House of Lords last night,' said the *Morning Post*, 'and within the next few hours its echo will have rung all over the country.'[100]

The performance of unmasking in the House of Lords excited an avalanche of commentary in the newspapers. Meetings were held, pamphlets were published—the scandal had all the hallmarks of

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[95] Ibid., cc.1745-46.
[96] Ibid., c.1746.
[97] Ibid., c.1748.
[98] Ibid., cc.1749-50.
[99] Ibid., c.1753.
[100] *Morning Post*, 15 June 1877, pp.4-5.

traditional no-popery, and could be directed at what appeared to be a conspiracy uncovered in the heart of the Church of England. The anti-Catholic party in parliament seized upon the public scandal to go on the offensive against the confessional. George Hammond Whalley, the *de facto* leader of parliamentary anti-Catholicism, was a man whose mind found Catholic conspiracies wherever he looked, whether it was New Zealand, the artillery corps or the telegraph office.[101] Whalley asked a confused Stafford Northcote in the Commons whether the government planned to use Lord Campbell's Act, 'which prohibits the publication of such doctrines and practices', against the book; the Chancellor responded to say that the Act had nothing to say on doctrinal matters.[102] Whalley continued to bring the book up repeatedly in the Commons, though the government had made it clear that the book was a matter for the Church and not for the state; on 4 July he condemned it in a debate on the Divine Worship Facilities Bill, he moved a motion describing the book as obscene on both the 3 and 6 July, and in August he asked Viscount Sandon, Vice President of the Committee of the Council on Education, how schools might be protected from the malign influence of the book.[103] Whalley was not the only parliamentarian to take an extreme stance. Henry Hussey Vivian, a Welsh industrialist, asked Northcote to take legal measures to discover the names of members of the Society of the Holy Cross so that the bishops could prevent them from ministering.[104]

The scandal spread beyond parliament, the papers, and the usual suspects. A motion was brought before a meeting of the London School Board by Joseph Firth Bottomley Firth which proposed that schools run by members of the Society of the Holy Cross could not be described as offering 'efficient and suitable provision'. Members of the Board agreed that the book was to be regarded 'with the greatest abhorrence' but that such steps were beyond their powers.[105] The Middlesex magistrates discussed the position of J.W. Horsley, chaplain at the Clerkenwell House of Detention and the member of the Society of the Holy Cross who had spoken about the sins of commerce. Given the criticism of *The Priest in Absolution* by the episcopal authorities, and Horsley's refusal to resign his membership of the society, his position as chaplain seemed untenable, and he was dismissed.[106] In October, the book was discussed in a bastardy summons against the vicar of West Bromwich, Frederick Willett, in the Birmingham Police Court.[107] The scandal clearly seeped into the public imagination. In at least one church, congregants walked out when their priest preached in defence of the book.[108] Fake versions of the book were sold by hawkers in London.[109] There was even

[101] Wallis, *Popular Anti-Catholicism*, p.164; Arnstein, *Protestant versus Catholic*, pp.197-200.
[102] *Hansard* HC Deb, 28 June 1877, vol. 235, c.407.
[103] *Hansard* HC Deb, 3 July 1877, vol. 235, cc.750-1; *Hansard* HC Deb, 4 July 1877, vol. 235, cc.772-82; *Hansard* HC Deb, 6 July 1877, vol. 235, c.946; *Hansard* HC Deb, 10 August 1877, vol. 236, cc.748-9.
[104] *Hansard* HC Deb, 12 July 1877, vol. 235, cc.1174-1175.
[105] *Pall Mall Gazette*, 5 July 1877, p.7.
[106] *London Evening Standard*, 28 July 1877, p.3.
[107] *Falkirk Herald*, 4 October 1877, p.7.
[108] *Worcestershire Chronicle*, 23 June 1877, p.6.
[109] *Pall Mall Gazette*, 28 July 1877, p.6.

a dog which competed at a meeting of the Ashdown courses named The Priest in Absolution.[110]

The timing meant that a connection could be drawn with a legal case being brought at the same time against the publishers of another book. Annie Besant and Charles Bradlaugh had republished a pamphlet, *The Fruits of Philosophy*, which advocated for birth control—their trial began on 18 June 1877, just four days after Redesdale had risen in the Lords, before Sir Alexander Cockburn in the Court of Queen's Bench.[111] Around the trial, Collette, solicitor for the Society for the Suppression of Vice, also brought a case against Edward Truelove, a radical bookseller who had sold birth control pamphlets by Owen and J.H. Palmer. The legal wrangling over birth control publications was not just a key moment in the history of British secularism, but a crucial case in the story of British obscenity law. The jury decided that *The Fruits of Philosophy* would deprave public morals, but that Besant and Bradlaugh had not had corrupt motives in publishing it. But under Cockburn's Hicklin Test, motive did not matter, and so Cockburn interpreted the jury's ruling as meaning that the defendants were guilty.[112] Thus, in the newspapers, coverage of the scandal surrounding *The Priest in Absolution* sat directly alongside reports from the trial of Besant and Bradlaugh. The comparison was drawn directly by the parliamentary opponents of ritualism. William Forsyth, an MP and a QC, asked if *The Fruits of Philosophy* could be prosecuted as obscene, then why not *The Priest in Absolution*?[113] Joseph Cowen pointed out that 'the book is substantially the same as one for the circulation of which a lecturer against auricular confession was not long ago imprisoned', presumably a reference to *The Confessional Unmasked*.[114] Three quite different texts thus became entwined, caught up in the complex logics of a regime of obscenity law that had, in essence, developed to deal with anti-confessional panics. Answering both men, the Attorney General, John Holker, said that the government could not 'act as censors of the public morals' and prosecute every objectionable book. In the case of *The Priest in Absolution*, he pointed out, the book had not been circulated to the public and so could not be prosecuted.[115] Yet this was hardly an endorsement of the Society of the Holy Cross; 'If the work were circulated among the people,' the Attorney General concluded, 'in my opinion those who caused it to be so circulated ought to be, and would be liable to be, proceeded against for the publication of an obscene and disgusting book.'[116] As in the case of the London School Board, the Attorney General condemned the book as obscene while emphasizing that he lacked legal power to do anything about it.

The secrecy of the book was what damned it in the eyes of many. But it remained, nonetheless, its best legal safeguard. In practice, the SSC had indeed tried to control the circulation,

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[110] *London Evening Standard*, 3 October 1877, p.6
[111] Edward Royle, *Radicals, Secularists, and Republicans* (Manchester: Manchester University Press, 1980), pp.16-17
[112] Royle, *Radicals*, p.16.
[113] *Hansard* HC Deb, 21 June 1877, vol. 235, cc.85.
[114] Ibid., c.84.
[115] Ibid., cc.84-85.
[116] Ibid.

whereas the Society for the Suppression of Vice had, in the first telling of the story, found it difficult to obtain a copy. The Earl of Redesdale had ensured its infamy, but it seems certain that more people read the excerpts that he quoted on the floor of the House of Lords than ever picked up a copy of the book. Yet the idea of revelation, however limited the book's circulation was, was clearly being exaggerated for rhetorical purposes. In Wethered's account the very same copy of the book that had been passed to the Society for the Suppression of Vice had been discussed in a number of sermons and in the *Rock*. Excerpts of the book were also passed from Major Wethered to the *Woolwich Gazette*, where they were discussed months before Redesdale rose in the Lords; the editors of the *Woolwich Gazette*, though, thought that the book was probably useful to confessors, and that if confession was going to take place in the Church of England—an issue on which they remained neutral—then a book of this sort ought to be available to them.[117] And it was not only the copy that Wethered held, however he had obtained it, which was available. A letter published in the *London Evening Standard* pointed out that the efforts that the Society for the Suppression of Vice had gone to to obtain a copy, and the supposed ignorance of the Lords Spiritual of the book's existence, were hardly to their credit given that there was 'a Copyright Act in England'; the writer had himself read the book in the British Museum after it had been condemned in the *Rock*.[118] Another correspondent, 'A Layman with Ten Years Experience of Confession', who wished to point out how hard the SSC had made it to obtain a copy of the book, said that he had considered copying the whole thing from the copy in the British Museum.[119] In other words, the SSC had made every effort to limit the circulation of the book, but copyright law had placed a handful of copies outside of their control—but these were only likely to be consulted by the sort of person who was likely to use the British Museum, and who took an unusual interest in such handbooks. The book was also available, the SSC was aware, in the Bodleian at Oxford and a library in Dublin; in fact, according to one member of the SSC the Bodleian copy 'was constantly read'.[120] Yet access to copyright copies of the book was dependent on the permission of the librarians, who might change how such books were treated. In the aftermath of the scandal, an undergraduate was denied the right to read the book in the Bodleian. Defending the decision, Professor Thorold Rogers wrote that the library should 'never allow itself to be made a convenience for the study of indecent, sensational or obscene books.'[121]

The fate of the Bodleian copy of the book was indicative of the ways that it could slip between categorisations under the exposure of public opinion. As we have seen, the defence made for the book, both by its supporters and within its pages, was a comparison with medical texts, which any student of medicine had to consult—this consultation might be thought of as a grim professional necessity, and an act that tested the masculine forbearance of the student. Critics of the book were

[117] *Woolwich Gazette*, 31 March 1877, p.2.
[118] *London Evening Standard*, 16 June 1877, p.5.
[119] *London Evening Standard*, 22 June 1877, p.3.
[120] Minutes of Chapters and Synods 1876-1879, p.155.
[121] *London Evening Standard*, 28 August 1877, p.6.

certainly aware of this defence and attacked the association between confessional handbooks and medical textbooks. Doctors wrote to the newspapers to argue that there was a difference between the two. A medical examination ascertained facts and did not go into inner details—no doctor had ever compiled a list of questions like those supposedly contained in *The Priest in Absolution*.[122] No doctor cross-examined his patients.[123] Physical intervention by a doctor was a necessity, whereas psychological intervention was not. Questioning, in fact, might aggravate the 'disease', and there was no reason why a priest should be entrusted with the treatment rather than a parent.[124] A member of the Royal College of Surgeons wrote that no doctor would 'make such a minute examination into the condition of a young girl, or even a matron, without some intimate friend of the patient being present.'[125] Defenders of confession also wrote to the newspapers to insist on the comparison.[126] Speaking at a meeting of the Holborn branch of the English Church Union, Mackonochie said that a priest needed to be acquainted with the 'science of sins'.[127] The *Pall Mall Gazette* pointed out that, in reading from the text to a meeting 'largely composed of women and girls', Mackonochie had in effect read to a public audience a text which, if published differently, would have been liable to prosecution as an obscene publication; in other words, while critics of the book could quote from it, and could write innuendo about its contents, any attempt by the SSC to defend the book would tend to break apart the secrecy of the text—the secrecy which legally protected it, and made comparison with a medical textbook possible.[128] The *London Evening Standard* meanwhile mocked Mackonochie's phrase 'the science of sin', suggesting that perhaps a professorship of sin was necessary.[129] Yet scientific analogies were being used by opponents of confession—at a Church Association meeting it was asserted that confession was 'spiritual vivisection'.[130]

This was a classic case of the performative unveiling of Victorian scandal, which produced endless speech about the unspeakable, public exposure of the secret, and titillating moral rectitude as entertainment. As the *Pall Mall Gazette* said, 'Prudery is too often the passive ally of obscenity; and the grossest outrages upon morality often escape the full measure of their deserved condemnation because, like certain noisome animals, they are too filthy to be approached. We are resolved, however, that the "Priest in Absolution" shall not altogether escape in this way.'[131] This idea, that though discussion of the disgusting was dangerous, it was morally necessary, was also to be found in *The Priest in Absolution* itself.[132] Opposition to confession also offered an opportunity to perform

[122] *London Evening Standard*, 20 June 1877, p.5.
[123] *London Evening Standard*, 22 June 1877, p.3.
[124] *Pall Mall Gazette*, 14 July 1877, p.4.
[125] *London Evening Standard*, 20 June 1877, p.5.
[126] *London Evening Standard*, 21 June 1877, p.5.
[127] *Pall Mall Gazette*, 28 July 1877, pp.10-11.
[128] *Pall Mall Gazette*, 28 July 1877, pp.10-11.
[129] *London Evening Standard*, 30 July 1877, p.4.
[130] *London Evening Standard*, 23 July 1877, p.2.
[131] *Pall Mall Gazette*, 16 June 1877, p.1.
[132] *Priest in Absolution* 2, pp.v-viii.

Protestant masculinities. A public meeting of the Church Association was held at Exeter Hall at which the leading anti-Catholic Charles Newdigate Newdegate and Major Wethered were both present. The meeting was full of the usual rhetoric—the confessional posing a mortal danger to the very foundations of English civilisation—and loud cheers. Henry Strangways, former Attorney General and Premier of South Australia, said, to loud and prolonged cheers, that any man who found a priest practicing confession in his house would be justified in kicking him out, and that if the priest then tried to bring an action for assault and battery Strangways would, if a juror, say that it served him right.[133] A letter in the *London Evening Standard* signed 'A Muscular Christian' said that if the law could not prevent the use of the book then 'a sound castigation with a horsewhip would have a wholesome effect, taking care that the punishment should be visibly marked upon the delinquent as a warning to others.'[134]

The performance of unmasking the confessional spread from priestly conspiracies to the material furnishings of the nation's churches. Discussion in the newspapers around the anti-confessional panic meant that physical confessionals began to be discussed. We have already noted that, for the most part, Anglican confessors avoided confessionals, and that the Ritual Commission had failed to uncover any. But now T.H. Fry, the churchwarden of St James's, Hatcham wrote that Arthur Tooth, the inhibited vicar and SSC member, had put a confessional in the church without permission. Tooth's removal meant that steps were now being taken to remove his confessional.[135] That Tooth had run into trouble with the law in the first place was indicative of the risks the SSC now faced.[136] The problem in a case like Tooth's, legally speaking, would not be that he had installed a confessional, but that he had done so without the proper faculties—Fry had found that the process of applying for the proper faculties to remove the confessional meant that he could not simply tear it out as quickly as it had been put up. The crisis over *The Priest in Absolution* now meant that a public condemnation by the bishops, or a change in the law, seemed plausible, and either could have wiped out confession in the Church of England. A petition was presented to parliament calling for the services for the Visitation of the Sick and the Ordination of Priests in the Prayer Book to be amended in such a way as to enable the bishops to stamp out confession.[137] Confession, a slippery subject, now had another material form; 'now in the public mind the doctrine of Confession was bound up with the Book.'[138] The SSC sent a deputation to a meeting with some of the bishops, at which the Master explained himself and gave a copy of the book to the Archbishop of Canterbury. He told the bishops that he agreed to prevent further circulation of the book. The damage done to the SSC was

[133] *London Evening Standard*, 23 July 1877, p.2.
[134] *London Evening Standard*, 19 June 1877, p.5.
[135] *London Evening Standard*, 19 June 1877, p.5.
[136] G.I.T. Machin, *Politics and the Churches in Great Britain, 1869-1921* (Oxford: Clarendon Press, 1987), pp.82-83.
[137] *London Evening Standard*, 19 June 1877, p.6.
[138] Minutes of Chapters and Synods 1876-1879, p.116.

extraordinary, and the Master was inundated with resignations from members.[139] He had even proposed disbanding the Society in response.[140] His fear was that in the 'excitement' caused by Redesdale's revelations in the Lords, the Bishops would respond with an outright condemnation of confession, which would be fatal to the cause; the SSC now had to defend confession and avoid further scandal – they had to be careful not to provoke the bishops into ending the progress made in developing the Anglican confessional.[141] The question now arose of simply destroying the copies of the book in the SSC's possession, and this divided the society.[142]

In the SSC's confused response to what the Master described as a 'serious crisis', we see the multiple fractures and divisions even amongst Ritualists over the nature of the Anglican confessional. Some members simply repudiated the book. Others thought it was bad in places. Some defended it outright. Clearly, no consensus had ever truly formed, and now these divisions pushed Ritualism to breaking point. As the crisis unfolded, some members of the SSC turned to Pusey. A resolution passed by the society's Birmingham branch suggested that the SSC was not responsible for *The Priest in Absolution* and should instead simply adopt the 1873 declaration with which Pusey had responded to Convocation.[143] Members were also aware that Pusey was working on his own confessional handbook. Pusey regretted the scandal caused by *The Priest in Absolution*, and partly blamed himself for it; had he produced a similar work, more sensitive to the anxieties of the Anglican establishment, the situation, and the damage done to the cause of the confessional in England, might have been avoided. One SSC member argued that once Pusey's book was published, Chambers's work could be treated as 'waste paper'.[144] It was noted that Pusey's new book would 'not touch upon the Seventh Commandment.'[145] It was much easier to cut ties with the controversial *Priest in Absolution* given the knowledge that Pusey would soon issue his own handbook for confessors, backed up by the authority of his name and experience, and steering clear of the persistent problem of discussion of sex in confession. Indeed, Pusey's text was published with 174 pages of introduction, including much more extensive quotation of Anglican authorities attesting to the legitimacy of confession in the Church of England. Pusey pitched this introduction as a direct response to the criticism of *The Priest in Absolution*. He argued that the book had been misquoted, misconstrued and misunderstood; he detected, he said, a Satanic influence behind the sudden outburst of scandal.[146] Indeed, the scandal had been ferocious, and its ferocity had, in the long run, done great damage to the SSC, which had lost members and influence. It would not fully recover until the First World War.[147] Nevertheless,

[139] Yates, *Anglican Ritualism*, p.72.
[140] Minutes of Chapters and Synods 1876-1879, pp.158, 196-198.
[141] Ibid., p.111.
[142] Ibid., pp.209, 220, 255, 259-260, 287-288.
[143] Ibid., p.161.
[144] Ibid., p.201.
[145] Ibid., p.277
[146] Pusey, *Advice*, pp.ix-xi.
[147] Macnab, 'Mackonochie and the controversies', p.79.

Anglican confession survived.

Clitoridectomy and spiritual pathology

Sally Shuttleworth, in an insightful essay, examines the critical response to the controversy surrounding *The Priest in Absolution* from the emerging field of psychiatry.[148] Shuttleworth notes that critiques from psychiatric professionals show a more complex story than that put forward by Foucault; here we find not only confessors seeking to 'appropriate…the emerging discourse of scientific pathology', but also fears among medical psychiatrists that their emergent field 'would be destabilized by moves within the church to occupy the territory it had so recently carved out.'[149] Shuttleworth focuses in particular on a lecture given to the Section of Psychology of the British Medical Association by John Charles Bucknill in 1877.[150] Seeking to draw a firm distinction between the science of sin advocated by the confessors and the pathologies explored by psychiatry, Bucknill went remarkably far in effectively arguing against reliance on patient testimony; as far as possible, the patient suffering from a disease of the nervous system should not be asked to describe their own history and it was preferable to ask a relative. The need to distinguish psychiatry from confession shaped the former in such a way, Shuttleworth suggests, that it stunted the development of 'a science of selfhood founded on unspoken sexuality' until 'the full implementation of confessional techniques' in psychoanalysis.[151] At the same time, of course, nineteenth-century physicians were uncomfortable touching or physically examining their patients, and diagnosis was, as much as possible, carried out by having the patient or a friend describe their symptoms in speech or writing. Medical technologies developed to limit touch as much as possible. When it came to the developing field of gynaecology, this was particularly important. When examination of the vagina with the physician's fingers could not be avoided, it should be done quickly, and the woman should not be exposed. The speculum could be used to aid vision if looking was necessary, but it was not considered respectable.[152] It had come to Britain via France, where it had been used by police surgeons for the forced medical inspection of prostitutes, something that also became common practice in Britain following the Contagious Diseases Acts.[153] It was, therefore, seen as troubling, if necessary, when used on respectable patients.

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[148] Shuttleworth, 'Spiritual pathology'.
[149] Ibid., p.640.
[150]John Charles Bucknill. 'Confession: the physician and the priest. An address delivered at the opening of the Section of Psychology, at the Annual Meeting of the British Medical Association, in Manchester, August 1877' *British Medical Journal* 2 (1877), pp.185–88.
[151] Shuttleworth, 'Spiritual pathology', p.649.
[152] Ann Dally, *Women Under the Knife: A History of Surgery* (London: Hutchinson Radius, 1991), pp.126-129.
[153] Judith Walkowitz, *Prostitution and Victorian society: Women, Class, and the State* (Cambridge: Cambridge University Press, 1980); Paul McHugh, *Prostitution and Victorian Social Reform* (London: Croom Helm, 1980); Lucy Bland, *Banishing the Beast: Sexuality and the Early Feminists* (New York: New Press, 1995); Anne Summers, 'The constitution violated: the female body and the female subject in the campaigns of Josephine Butler'. *History Workshop Journal* 48 (1999), pp.1–15; Philip Howell, 'A private Contagious Diseases Act: prostitution and public space in Victorian Cambridge', *Journal of Historical Geography* 26 (2000), pp.376-402.

But despite the supposed reticence to discuss, touch, or look at women patient's 'private parts', the diseases of women captivated nineteenth-century doctors. In 1858 an ambitious surgeon named Isaac Baker Brown founded the London Surgical Home for Women. Baker Brown, like many surgeons of the period, was used to carrying out risky procedures. He had begun performing ovariotomies in 1852, and he had killed three women through this operation before finally finding success when he operated on his sister; death rates like these did not prevent the advancement of medical men, and he was president of the Medical Society of London in 1865. Baker Brown was eminently respectable; his Surgical Home attracted the patronage of the Prince and Princess of Wales.[154] Seemingly about the same time as he established the Surgical Home, he began to experiment with a surgical cure for a variety of physical and mental illnesses, particularly associated with women, that were grouped under the category of 'epileptic fits and hysterical mania'. Baker Brown did not hide the fact that he thought he had made an extraordinary medical breakthrough: he had 'discovered,' he told a public meeting, 'a fact so startling that it almost made one afraid to think of it…Let us in this instance recognise the hand of God's great goodness, proving that there is nothing incurable if we seek a proper remedy.'[155]

In 1866 Baker Brown published a book, *On the Curability of Certain Forms of Insanity, Epilepsy, Catalepsy and Hysteria in Females,* which went into further detail about his remarkable cure. As Shuttleworth uses the scandal surrounding *The Priest in Absolution* controversy to illuminate the development of medical psychiatry, I wish to use a comparison between the book and Isaac Baker Brown's book to illuminate questions surrounding surgery, secrecy, and confession. Both the SSC and Isaac Baker Brown produced a book, which was condemned for the way in which it might circulate, describing a practice which might threaten the family, and which rested on the secret treatment of morality. This is all the more illuminating because the two books treated spiritual pathology from very different premises; while the *Priest in Absolution* suggested the cure of the soul might be of aid to the body, Isaac Baker Brown suggested that only treatment of the body would cure diseases of the mind. Baker Brown's method, which he referred to throughout the book as 'my operation' or 'the usual operation', was simple.[156] The root cause of all the illnesses, physical and mental, that he described was what he called 'peripheral irritation of the pudic nerve'—or, in other words, masturbation.[157] Having found evidence of 'peripheral irritation of the pudic nerve', which he seems never to have failed to do, the patient was given a warm bath and then administered with chloroform. Once she was completely under the influence, Baker Brown would take a knife or scissors—'I always prefer the

[154] Imperial College Healthcare NHS Trust Archives (ICHTA), DP1/2, Letter to Isaac Baker Brown, 1866; ICHTA, DP1/3, Letter to Isaac Baker Brown, 1 March 1866; ICHTA, DP1/4, Letter to Isaac Baker Brown, 21 April 1866.
[155] Royal Society of Medicine (RSM), Obstetrical Society of London (OSL) Z/2, Minutes of proceedings at a special meeting of the Obstetrical Society of London, 3 April 1867, p.11.
[156] Isaac Baker Brown, *On the Curability of Certain Forms of Insanity, Epilepsy, Catalepsy and Hysteria in Females* (London: Robert Hardwicke, 1866), p.34.
[157] Ibid., p.vi.

scissors,' he noted—and excise the patient's clitoris.[158] The operation complete, the wound was bandaged, a grain of opium 'introduced per rectum', and the patient sent to bed. A nurse would watch to prevent disturbance of the wound, which could lead to haemorrhage, as happened to the first patient to undergo the procedure, a Yorkshire dressmaker, in 1859.[159] After a month of quiet rest and an unstimulating diet the wound would heal over, and it would be impossible, he asserted, 'for the uninformed, or non-medical, to discover any trace of an operation.' This last point was significant; who, after all, was likely, other than a medical man or midwife, to be in a position to have discovered any trace? Baker Brown's point was presumably to stress the simplicity of the usual operation, but the idea that shame at the operation—or shame at the diagnosis of masturbation—could be concealed seemed to imply concealment from the patient's husband. This would be one of the charges that would lead to Baker Brown's undoing. In his book, Baker Brown provided notes on forty-eight cases in which he had carried out the operation since 1859 and further noted the use of the procedure by other medical men. They included Isaac Baker Brown Jr, and his eldest son Boyer Brown in New South Wales.[160] The operation, then, was being carried out privately but on a considerable scale.

If Baker Brown's operation was brutally simple, then his defence of it was even more so. If female masturbation led to diseases of body and mind, and could even lead to death, then wouldn't any reasonable person simply seek to make it impossible in the case of the most dangerous masturbators? Some of his critics, he claimed, used repeated application of caustics to the clitoris, suggesting that they shared his analysis of the precise physiological root of the issue.[161] But this treatment would not deal with the problem in the long run, and could actually make things worse. His critics claimed that his operation might lead to sterility, but he could claim to have actually cured sterility in several women, and he denied that the operation would 'interfere with marital happiness', though conceded that he could not back up his claim that this was 'physiologically…untenable' with any 'actual cases'.[162] He responded most firmly to claims that his operation was immoral. It was, after all, 'a method of treatment which has for its object the cure of a disease, that is rapidly tending to lower the moral tone, and which treatment is dictated by the loftiest and most moral considerations.'[163] In fact, Baker Brown said, 'friends and spiritual advisers' who advised overcoming temptations by the power of will might in fact have been doing great harm; if this was a physical disease, it was entirely possible that the effect was to make exercise of the will to control passions impossible, and that in fact the only cure would be a physical, surgical one.[164] Baker Brown's suggestion was that this was a far more charitable approach than a view that held that the sufferers of

[158] Ibid., p.17.
[159] Ibid., p..21.
[160] Ibid., p.13. Isaac Baker Brown Junior changed his name to Lennox Browne after the disgrace of his father. See 'The years of Lennox Browne (1874–1902)' *The Journal of Laryngology & Otology,* 112 (1988), pp.10-25.
[161] Baker Brown, *Curability*, p.10.
[162] Ibid., p.34.
[163] Ibid., p.12.
[164] Ibid., p.13.

this disease were weak-willed. In a case in 1860, the friends of a twenty-year-old patient objected to Baker Brown's diagnosis of irritation of the pudic nerve because 'the young lady was very religious; but as I explained, her illness was to be attributed solely to a physical condition, and was not at all necessarily immoral'.[165] Baker Brown was shifting the problem of masturbation from the will to the flesh. In doing so he challenged the belief that masturbation was a moral problem; physically and psychologically dangerous, leading on to a failure of morals, and potentially fatal, yes—but a disease with a physical cause, not a failure of a person's will or morality. It was not simply that Baker Brown was making a claim about the relationship of morality to the body, but he was also making a claim about how the body worked. The cause of a psychological disorder could be located in the body and localised in the clitoris. It could be identified and isolated; it could be either excited or excised.

From the outset, clitoridectomy was hugely controversial. The noted physician and founder of Great Ormond Street hospital, Charles West, was scathing about the operation in the third edition of his *Lectures on the Diseases of Women*, published in 1864. Female masturbation did exist, he said, and every medical man could expect to hear 'occasional painful confessions from women' concerning it.[166] But this was rare, and it seemed to be the case that masturbation had far less severe effects on women than it did on men. Nonetheless, 'it is impossible to over-estimate its baneful influence on the moral feelings and the sense of self-respect.'[167] If it were possible to eliminate masturbation with an operation and if 'the mind could be restored to its purity by any mutilation of the person', that mutilation would be worthwhile, West argued.[168] But sexual feeling was not confined to the clitoris. Then he turned his attention to Baker Brown, without identifying him by name. West said that he had spoken to a fifty-three-year-old woman who had undergone clitoridectomy without her or her husband's consent. On discovering what had happened, she 'had the humiliation of discovering that the justification of the outrage was, that she was assumed by the surgeon to be addicted to a vice with the very name and nature of which she was alike unacquainted.'[169] West's critique culminated in a defence of the nobility of the medical profession, framed in religious terms. 'I have written this history in all sadness as a warning to my younger brethren, how, if they are not watchful, it is possible, "as noblest things find basest using," that they may pervert their talents, and degrade their manhood, till they sink so low as to find opportunities for mischief in the practice of their art, instead of occasions for the exercise of that power of healing which is most God-like.'[170]

The publication of Baker Brown's book in 1866 marked not the widespread acceptance of his operation, as he might have expected, but instead the beginning of his downfall. As with *The Priest in*

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[165] Ibid., p.34.
[166] Charles West, *Lectures on the Diseases of Women*, third edition (London: John Churchill & Sons, 1864), p.662.
[167] Ibid.
[168] Ibid.
[169] Ibid., p.663.
[170] Ibid. pp.663-4.

Absolution, the problem for Isaac Baker Brown was that the book could fall into the wrong hands. We have seen how the SSC had sought to compare their book with medical textbooks, but the problem with Baker Brown's book was that it lacked the rhetoric of expertise and elite knowledge which offered such texts their protection.[171] It was written in a clear style, with minimal technical jargon—there was something almost conversational in 'I always prefer the scissors', for example. The book, unlike *The Priest in Absolution*, was readily available for sale. First came a battle with West in the pages of *The Lancet*, following on from the allegations made in West's *Lectures*. Again, West accused Baker Brown of having brought masturbation to the attention of a non-medical, and often female, audience, and of performing his operation without the consent of a patient or her husband.[172] Baker Brown offered a defence of the physiological and psychological soundness of the operation by citing a number of respected medical experts, but several of these then wrote to the medical press to protest that they did not, in fact, agree with Baker Brown. Dr Henry Maudsley, later better known for his medical theorising against the education of women, said that Baker Brown vastly exaggerated the link between masturbation and mental disorder in women.[173] Holmes Coote described clitoridectomy as 'based upon a double error', the first being an exaggerated sense of the prevalence of female masturbation, and the second being Baker Brown's misunderstanding of the function of the clitoris.[174] He did not doubt the dangerousness of female masturbation—he said that patients in lunatic asylums masturbated excessively, and that this led to death—but argued that it was a disease of the brain, not the clitoris. Similarly, Forbes Benignus Winslow said that he had 'never detected any local vaginal cause for the mental condition', that 'the source of the disturbance is, in the majority of cases, situated in the *head*', and thus concluded that 'Mr. Baker Brown begins his treatment of these cases at the wrong end.'[175] Baker Brown could reasonably have expected some sympathy from Winslow, who argued forcefully in his 1852 Lettsomian Lectures that mental illness was a physical problem.[176] Shuttleworth points out that Winslow's use of 'spiritual pathology' in these lectures was amongst the earliest uses of the phrase.[177] 'This spiritual doctrine has naturally led in the conclusion—false in theory and destructive in practice—that for the alleviation and cure of the spiritual malady, spiritual remedies were the most important and essential,' said Winslow. 'The clergyman instead of the physician was therefore summoned to the bed-side of the insane, and the Bible and Prayer-book displaced the physical remedies prescribed for the cure of the disorder.'[178]

In January 1867 a new front in the battle was opened up by the publication in *The Times* of

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[171] Roy Porter and Lesley Hall, *The Facts of Life: The Creation of Sexual Knowledge in Britain, 1650-1950* (New Haven: Yale University Press, 1995), pp.147-8.
[172] *The Lancet*, 17 November 1866, pp.560-561; *The Lancet*, 15 December 1866, pp.678-9.
[173] Ibid.; Henry Maudsley, 'Sex and Mind and in Education', *Fortnightly Review* 15 (1874), pp.466-83.
[174] *The Lancet*, 22 December 1866, p.795.
[175] Forbes Winslow, 'Clitoridectomy', *British Medical Journal* 2 (1866), p.706.
[176] *The Lancet*, 18 September 1852, pp.253-6; *The Lancet*, 9 October 1852, pp.321-3; *The Lancet*, 16 October 1852, pp.346-9.
[177] Shuttleworth, 'Spiritual pathology', p.641.
[178] *The Lancet*, 18 September 1852, p.254.

correspondence between Baker Brown and the Commissioners in Lunacy. The paper had previously published a report from the Home that stated that it received lunatics, which naturally caught the attention of the commissioners.[179] They called in the House Surgeon, who 'substantially admitted' that this was the case.[180] But Baker Brown denied it, and said that on one occasion where a patient was found to be 'of unsound mind' she was sent to Hanwell Asylum.[181] The *British Medical Journal* seized upon the denial as an admission by Baker Brown that 'no patient of unsound mind had been cured of the disorder by clitoridectomy, in the Surgical Home. It was understood that such cures were the striking proofs of the efficacy of that procedure.'[182] Materials circulated by the Obstetrical Society providing evidence in favour of the expulsion of Baker Brown included a number of insane women treated with clitoridectomy mentioned in Baker Brown's book, and a quotation from the *Proceedings* of the Surgical Home that stated clearly that five patients with hysterical mania had been admitted.[183] This was important; either Baker Brown was now admitting that clitoridectomy was not used to cure insanity, or else he was lying to the commissioners.

In 1867, the surgeon John Scoffern turned his hand to writing a satire on the London Surgical Home.[184] He pointed out that the first person to advocate Baker Brown's method was, in fact, Jesus Christ, who in the Sermon on the Mount had told his followers to pluck out their eye if it caused them to sin. 'Nevertheless,' joked Scoffern, 'for eighteen hundred centuries and a half, and more, the divine truth was unregarded. It remained for Mr Baker Brown to give the precept effect.' He then proceeded to suggest other surgical cures based on the logic of Baker Brown's 'usual operation'; women shoplifters, sufferers of kleptomania, could undergo 'kleptodectomy' by 'partially dividing the palmar and digital muscles'; women who talked too much could be cured with 'glossodectomy', 'partially dividing some of the lingual muscles'; and 'gyromania', obsessive dancing, could be cured by the 'division of a few fibres of the glutaei and gastrocnmemii muscles'.[185] Scoffern concisely summarised some of the arguments against the operation; it was applied to women when the logic would not be applied to men, it left the inner, moral failing undealt with, and its absurdity was exposed by pointing to other parts of the body. But the thrust of the satire was addressed to the fact that, despite medical controversy and his theories resting on similar grounds to Forbes Winslow's criticism of the 'spiritual theory of insanity', Baker Brown was noted for attracting support from clergymen.[186] In 1866, the *Church Times* recommended Baker Brown's book to the clergy, who would 'be doing a great service,

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[179] Minutes of proceedings, p.14.
[180] RSM, OSL/Z/2, Published matters, pp.9-10.
[181] Ibid., p.11.
[182] 'Correspondence', *British Medical Journal* 1 (1867), p.94.
[183] Published matters, p.12.
[184] John Scoffern, *The London Surgical Home: Or, Modern Surgical Psychology, Being a Popular Statement of the Operations Therein Performed by Mr. Isaac Baker Brown* (London: Dr Scoffern, 1867). See Dally, *Women Under the Knife*, pp.157–9; Robert Darby, 'The benefits of psychological surgery: John Scoffern's satire on Isaac Baker Brown', *Medical History* 51 (2007), pp.527-544.
[185] Scoffern, *London Surgical Home*, p.6.
[186] *The Lancet*, 18 September 1852, p.254.

especially to their poorer parishioners' by bringing the book to 'the notice of medical men, any of whom can, if possessed of ordinary surgical skill, perform the operation with but slight assistance.'[187] Clergymen, after all, would 'frequently discover among their parishioners' distressing cases of the sort described by Baker Brown.

After months of argument, on 3 April 1867, a special, private meeting of the London Obstetrical Society was held to discuss Baker Brown's expulsion. In a long and heated debate, at which 237 men were present, the rights and wrongs of Baker Brown's conduct, and the validity of his operation, were fiercely contested. The meeting had the feeling of a trial; Dr Savage described Baker Brown's critics as making a case for the 'prosecution' and Baker Brown himself complained of being treated unfairly.[188] At the end of the discussion a ballot was held and 194 of those present voted for the clitoridectomist's expulsion from the Society.

Dr Seymour Haden opened the case for the 'prosecution' with an appeal to the masculinity of those present. Those medical men who treated the diseases of women were 'the guardians of their interests' and sometimes 'the custodians of their honour.'

> We are, in fact, the stronger; they are the weaker. They are obliged to believe all that we tell them. They are not in a position to dispute anything we say to them or recommend them, and we may therefore be said to have them at our mercy. We, being men, have our patients, who are women, at our mercy; and it is certain under those circumstances, that if we should depart from the strictest principles of honour—if we should cheat or victimise them in any shape or way, we should be unworthy of the Profession of which we are members—and therefore unworthy of being Fellows of this Society.[189]

Pleased with their conduct at the end of the meeting, a motion was proposed to thank the Council of the Society for 'their manly, and straightforward, and patriotic conduct of this painful affair.'[190] But Baker Brown also appealed to masculinity. Amidst constant heckling and interruption, he insisted that, 'it is not manly to interrupt me'.[191] Rather than attack him on personal grounds, he argued, they should discuss whether clitoridectomy was medically sound; they should 'investigate it like men' and 'have a meeting of the Society like men'.[192] Baker Brown also felt the need to defend himself against the implication that his focus on masturbation as a key cause of the diseases of women was the result of 'impure and unchaste thoughts'—he appealed to his family life and to the chaste women with whom he surrounded himself to prove that he had 'no unchaste thoughts with regard to women'.[193] Just as scandals over the confessional gave opportunities for the performance of Protestant masculinities—and occasioned innuendo about the effeminacy of confessors—so the scandal of

[187] Quoted in 'Spiritual advice', *British Medical Journal* 1 (1866), p.456.
[188] Minutes of proceedings, p.44.
[189] Ibid., p.5.
[190] Ibid. p.71.
[191] Ibid. p.37.
[192] Ibid. p.34.
[193] Ibid. p.65.

clitoridectomy became a site for the contestation of medical masculinities. Indeed, the manliness of medicine was at a precarious juncture. Just a few years earlier, in 1865, Elizabeth Garrett Anderson had become the first woman to obtain a license to practice medicine.[194] The very existence of an Obstetrical Society, with its membership limited to men, was indicative of the way that medical professionalism sought to distinguish itself from women's midwifery.

Baker Brown attempted to mount a defence of his operation alongside his demand that it be investigated fairly and scientifically. It was, he claimed, not the 'mutilation' his opponents described, but in fact 'nothing more or less than circumcision'; the claim was met with 'laughter, hisses, and groans' from the meeting.[195] He said that the Society had responded in the same way to James Henry Bennett's use of the speculum, now standard practice.[196] But most of the discussion focussed not on the physiology of clitoridectomy, but on Baker Brown's conduct as a professional. As the President of the Society put it, the discussion concerned 'the manner in which you perform it; it is the ethics of the question—not the operation itself.'[197] Baker Brown was accused of deliberately bringing masturbation to public attention, and of circulating pamphlets and requests for subscriptions in ways that were unprofessional.[198] Haden implied that Baker Brown's practice relied on a form of blackmail, carrying out the operation without consent and then demanding a fee for it in the knowledge that the patient, or her husband or friends, would be kept quiet by shame.[199] Dr William Tyler Smith, echoing an earlier comment in the *British Medical Journal*, described it as 'terrorism'.[200]

Importantly, this was a terrorism exercised not only against the patients but also against their husbands—Haden described the husband as the 'victim'.[201] The consent of the patient was almost always understood to be insufficient—the consent of her husband or her 'friends' was also required. Baker Brown claimed that one female patient had asked him to operate and not to inform her husband of it, and that she had subsequently '"sold" him, telling her husband that the operation had been done unknown to herself.'[202] Constantly insisting upon the routine nature of his operation, Baker Brown, in his published response to the allegations against him, pointed out that physicians were not expected to

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[194] Enid Moberly Bell, *Storming the Citadel: The Rise of the Woman Doctor* (London: Constable & Co. Ltd., 1953); Jo Manton, *Elizabeth Garrett Anderson* (New York: Dutton, 1965); Philippa Levine, *Victorian Feminism, 1850-1900* (Gainesville: University Press of Florida, 2005); Lise Shapiro Sanders, ''Equal Laws Based upon an Equal Standard': the Garrett Sisters, the Contagious Diseases Acts, and the sexual politics of Victorian and Edwardian feminism revisited', *Women's History Review* 24 (2015), pp.389-409.
[195] Minutes of proceedings, p.32. Robert Darby argues that the Baker Brown controversy was the closest nineteenth-century Britain came to a debate on male circumcision, and that the debate, by reinforcing ideas about the difference in sexual appetite between men and women, entrenched the 'legitimacy' of male circumcision. Robert Darby, *A Surgical Temptation: The Demonization of the Foreskin and the Rise of Circumcision in Britain* (Chicago: University of Chicago Press, 2005), pp.142-163.
[196] Minutes of proceedings, p.33.
[197] Ibid., p.35.
[198] Ibid., p.19.
[199] Ibid., pp.12-3.
[200] Ibid. pp.60-1; 'The Obstetrical Society', *British Medical Journal* 1 (1867), p.61.
[201] Minutes of proceedings, p.12.
[202] RSM, OSL/Z/2, Mr Baker Brown's replies, p.2.

tell husbands that their wives had venereal disease, or to ask a husband's permission to use a speculum.[203] At the Obstetrical Society meeting, Dr Charles Routh argued that there were 'some circumstances in which it is probably justifiable to keep information from the husband', such as if they knew that a pregnant patient was pregnant by another man.[204]

Routh tried to evince the sympathy of the meeting not for the mutilated women or their misled husbands, but for Baker Brown, whose name was about to be ruined, and whose family would consequently suffer; 'Is the punishment not greater than the offence?'[205] But Tyler Smith responded by trying to turn the sympathy of the room to the women. Alongside families where 'the husband is annoyed, and the wife made wretched', there were cases of single women who had undergone the operation with little or no understanding of what it entailed. Women in such a position would have to tell potential husbands about the operation, which would clearly reduce their value as potential wives.[206] Tyler Smith rejected Routh's comparison of keeping clitoridectomy secret and not telling a husband about his wife's adultery because in clitoridectomy the surgeon was the cause of the problem. And, he claimed, 'clitoridectomy leaves her a different woman after the operation from anything she has been before'.[207] In the judgment of the *Medical Times and Gazette*, a woman who had undergone clitoridectomy 'must to all intents and purposes be considered maimed and imperfect, so far as sexual and reproductive life is concerned.'[208]

The expulsion of Baker Brown marked the defeat of clitoridectomy by the medical establishment.[209] Twelve years later, in the fourth edition of *Lectures on the Diseases of Women*, Charles West's scathing criticism of clitoridectomy was modified, treating the scandal as something that had passed. 'The operation was therefore entirely unphysiological while there were circumstances connected with it which compelled all right-minded men to condemn alike the proposal and the proposer. Happily we need not now dwell further on the subject, for all practitioners are agreed that the only indication for removal of the clitoris is furnished by disease of the organ itself.'[210] Surgical clitoridectomy was not, though, a thing of the past; in the United States it became more popular in the late 1860s, and there and in Australia it was practiced well into the twentieth century.[211] If clitoridectomy had instead become a secret, then it will perhaps remain impossible to know if and how it was practiced following the public censure of Isaac Baker Brown. The gynaecologist Lawson

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[203] Ibid., p.1.
[204] Minutes of proceedings, p.53.
[205] Ibid., p.57.
[206] Ibid., p.59.
[207] Ibid., p.60.
[208] *The Medical Times and Gazette*, 15 December 1866, p.641.
[209] J.B. Fleming, 'Clitoridectomy—the disastrous downfall of Isaac Baker Brown, F.R.C.S. (1867)', *Journal of Obstetrics and Gynaecology of the British Empire* 67 (1960), pp.1017-34.
[210] Charles West and J. Matthews Duncan, *Lectures on the Diseases of Women*, fourth edition (London: J&A Churchill, 1879), pp.652-3.
[211] Kirsten Bell, 'Genital cutting and western discourses on sexuality', *Medical Anthropology Quarterly* 19 (2005), pp.125-148; Simone Weil Davis, 'Loose lips sink ships', *Feminist Studies* 28 (2002), pp.7-35.

Tait, son of the Archbishop of Canterbury during the *Priest in Absolution* crisis, wrote in 1889 that he had not heard anybody admit to having carried out the procedure since 1867; he also admitted that he himself had performed a clitoridectomy, with successful results, in 1886.[212] In any case, what had been at stake in the debate had not been the operation, but rather the manner in which Baker Brown had performed it, and the dangerous way in which he had been both public about the procedure in his book and secretive about it in practice. The theory behind clitoridectomy, while criticised by some, remained plausible—the intimacy of the practice condemned it.

Conclusion

The Baker Brown scandal, primarily of interest to historians as a part of the gendered history of medicine, has something to tell us about the development of the confessional in England.[213] Alex Comfort, later author of *The Joy of Sex*, noted that in the hands of confessors, 'a little girl might expect a penance, rather than a mutilating operation' like that carried out by Baker Brown.[214] Perhaps, but we have seen that confessors made constant reference to medicine, medical professionalism, and medical textbooks as they developed an English confessional. Here we see, again, how issues relating directly to sexuality were often mediated by broader concerns about intimacy. The unsexing, sterilisation, or mutilation of women by clitoridectomy was, of course, of great concern to its critics. But so too were the issues arising from doctor-patient confidentiality, and the way in which the relationship between doctor and patient might be disruptive of the private sphere of the household. Isaac Baker Brown's operation threatened to undermine patriarchal authority, because its secrecy, and the undetectability of the change that he boasted of, meant that a husband might never know what had happened to his wife. At the same time, his publication of a book written in a clear style, clearly intended for a broader audience than a normal medical textbook, exposed him to accusations of having brought the medical question of masturbation to the reading public. The book, after all, was what triggered the scandal, just as the confessional handbook developed by the SSC—which had been intended to remain strictly secret—would soon trigger a scandal of its own. This most intimate form of surgery, a surgical procedure directly related to sexuality, also brought up questions of secrecy, privacy, and the relationship between doctor and patient. This surgery was, of course, also a moral procedure—it attracted support from some clergymen precisely because it offered a material, medical cure to a deeper moral malaise. In this sense, it offered an alternative to the confessional; where Chambers implied, in an undeveloped thought, that the confession of sins might have physical

[212] Lawson Tait, *Diseases of Women and Abdominal Surgery*, vol. 1 (Philadelphia: Lea Brothers & Co., 1889) pp.63-64; Elizabeth A. Sheehan, 'Victorian clitoridectomy: Isaac Baker Brown and his harmless operative procedure' in Roger N. Lancaster and Micaela di Leonardo, eds, *The Gender/Sexuality Reader: Culture, History, Political Economy* (London: Routledge, 1997), p.333.
[213] Darby, *A Surgical Temptation*, pp.142-163; Dally, *Women Under the Knife*, pp.163-184, Moscucci, *The Science of Woman*, pp.134-164.
[214] Alex Comfort, *The Anxiety Makers: Some Curious Preoccupations of the Medical Profession* (London: Nelson, 1967), pp.102-103.

benefits, Baker Brown believed that there was a physical road to the abolition of sin.

In both controversies, debates about intimacy and sexuality were navigated with recourse to ideas about masculinity. In the debate at the Obstetrical Society, both sides appealed directly to 'manliness' in setting both the terms of the debate and in making sense of the role of the male gynaecologist. John Tosh has argued that 'manliness' in this period referred to a form of masculinity which 'had to be earned, by mastering the circumstances of life and thus securing the respect of one's peers'; it placed emphasis on rugged individualism, personal integrity, discipline and straight-talking.[215] The men of the Obstetrical Society could thus frame their argument and their defence of women in terms of their own personal manliness. Critics of *The Priest in Absolution*, meanwhile, adopted a similar language of manly self-assertion and frankness, and this frankness sometimes turned to explicitly violent language in their rhetoric about the defence of the domestic sphere from these prurient, effeminate priests. This recurrent theme of the response to the book—the manly, violent defence of domestic peace —perhaps serves as an illustrative example of the complex processes in which, as Martin Francis has argued, men could simultaneously 'both embrace and reject the attributes of domestic manliness'.[216] At the same time, *The Priest in Absolution* cast the confessor in a masculine role, facing grave dangers for the salvation of souls, and offered advice for hearing confessions which reflected at length on questions of physical, emotional, and spiritual self-control. While historians of the controversy have often pointed to the way that Ritualist priests challenged dominant codes of masculinity, it is notable here that in significant ways the text of the book defended confession with recourse to the conceptual framework of self-control associated with 'manliness'.[217]

These gendered stakes were heightened by the nature of the two institutions discussed here. Both the Society of the Holy Cross and the London Obstetrical Society can be thought of as professional associations, concerned with the regulation, improvement, and accreditation of their members.[218] Yet beyond just the regulation of expertise with which such institutions might usually be associated, we see here that they were entangled with the regulation of intimate practices. In both cases, some level of intimacy could be sanctioned by the institution as necessary, but limits, and a sense of masculine propriety, also needed to be implored. Both bodies found themselves, almost by accident, governing a practice that was unsettling in its intimacy, and one from which the public had

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[215] John Tosh, 'Gentlemanly politeness and manly simplicity in Victorian England', *Transactions of the Royal Historical Society* 12 (2002), pp.455-472.
[216] Martin Francis, 'The Domestication of the Male? Recent Research on Nineteenth- and Twentieth-Century British Masculinity', *The Historical Journal* 45 (2002), pp.637-652.
[217] For work on the conceptualisation of the relationships between different forms of masculinity, see R. W. Connell, *Masculinities* (Cambridge: Polity, 1995); R.W. Connell and James W. Messerschmidt, 'Hegemonic masculinity: rethinking the concept', *Gender and Society* 19 (2005), pp. 829–59; Ben Griffin, 'Hegemonic masculinity as a historical problem', *Gender and History* 30 (2018), pp.377-400.
[218] Harold Perkin, *The Rise of Professional Society: England Since 1880* (London: Routledge, 1989); Penelope J. Corfield, *Power and the Professions in Britain, 1700-1850* (London: Routledge, 1995); Heidi Egginton and Zoë Thomas, eds, *Precarious Professionals: Gender, Identities and Social Change in Modern Britain* (London: University of London Press, 2021).

to be protected. The Society of the Holy Cross, founded to provide a network of support and self-improvement for the Ritualist clergy, had become something akin to a self-governing professional association of confessors, and thus the obvious target for critique and hostility the moment knowledge of their secret practices became public.

But for all the furore, the truth was that *The Priest in Absolution* fell foul neither of the Public Worship Act nor the Obscene Publications Act. The Archbishop of Canterbury might have thought that a person who circulated the book might be 'treading very near the confines of the law', but neither parliamentarians nor the Society for the Suppression of Vice believed that anybody could be prosecuted. Pusey's more measured publication escaped the same level of national scandal because it was a more radical translation and declined to take the same secretive approach. The irony of the *Priest in Absolution* was that its secrecy was both its best legal defence and the reason that it sparked such outrage. But the outrage itself was what classified the book—one day it could be consulted extensively in Oxford, the next the librarian had declared it unfit for undergraduates. As Beresford Hope pointed out, Catholic manuals of this kind were available from booksellers, and any attempt to prosecute the Society of the Holy Cross would logically have also meant prosecuting Henry Edward Manning, now Cardinal-Archbishop of Westminster, having succeeded Nicholas Wiseman in 1865.[219] This logic, of course, also inhered in Cockburn's judgment on *The Confessional Unmasked*. Presumably, Catholic manuals could be prosecuted, it was simply that by the later decades of the nineteenth century nobody was going to prosecute them. Both the Public Worship Act and the Obscene Publications Act were imprecise tools, the threat of and broader implications from which were used here selectively to fight a partisan, sectarian battle within the Church of England.

The history of *The Priest in Absolution* is a material history. The physical circulation of the book was as significant—indeed, perhaps more significant—than its contents. The book could be sold, stolen, circulated or destroyed. The law placed the disseminators of the physical book in danger, not the authors. By making the second part of the book a secret, the SSC placed it in a category with medical textbooks; by making the secret part of the book a public scandal, opponents of the confessional placed it in a category with obscene publications—secrecy made the book at once safe and dangerous. The book was at the heart of a series of translations, a process of trying to translate and invent an English, Anglican form of confession. But what made *The Priest in Absolution* so sensational was that it tied together, in a single, troubling text, in a particular material form, a complex set of relations between a variety of different forms of intimacy.

[219] *London Evening Standard*, 19 June 1877, p.5.

Chapter 3

‘Occasions offered to unchastity’: scandal, secrecy and the seal of the confessional in Catholic London, 1868-1886

In the summer of 1868, Pusey watched anxiously as Thomas John Capel, a Catholic priest, set about winning converts in Oxford.[1] Capel was charming, charismatic and ‘the centre of a miniature movement of aristocratic conversions.’[2] Most famous of the fruits of this movement was the Marquess of Bute, to whom he would be private chaplain until 1873—it was supposedly as a reward for this celebrated conversion that Capel was made a Domestic Prelate to the Pope, a distinction that allowed him to wear purple and to be addressed by the honorific ‘monsignor’. Capel’s conversion of the young aristocrat was famous enough to be satirised by Disraeli in his novel *Lothair*, in which Capel appeared in the character of Reginald Catesby.[3] In 1873 the monsignor sought to go further with his evangelisation of the rich by establishing a Catholic Public School in Kensington. Over the coming years, Capel expanded his influence over various Catholic institutions in the area. He established his Catholic Public School, a school for girls, and a Catholic workhouse for women named St Anne’s Home. He became the chaplain and confessor to the nuns of the Convent of the Assumption in Kensington Square. This concentration of Catholic institutions in Kensington was the

[1] Vincent McClelland, *English Roman Catholics and Higher Education, 1803-1903* (Oxford: Clarendon Press, 1973), p.301.
[2] Ibid., p.300.
[3] Benjamin Disraeli, *Lothair* (London: Longmans, Green, and Co., 1870).

result of the existence of the Pro-Cathedral on the High Street, the centre of Catholic liturgical life in England prior to the completion of Westminster Cathedral.[4] In 1877, Capel was put in charge of the Pro-Cathedral. But soon afterwards, Capel resigned, citing disobedience and 'feminine squabbles'.[5] The clergy of Kensington, for reasons that remain unclear, disliked Capel. This animosity was to haunt him for a decade or more. Foremost among Capel's clerical foes was to be Father Walter Croke Robinson, a convert who had become the first Catholic fellow of New College, Oxford following the abolition of religious tests.[6]

Even after the restoration of the Catholic hierarchy, the Catholic Church in England and Wales remained under the supervision of 'Propaganda', the Sacred Congregation for the Propagation of the Faith—the section of the Roman Curia responsible for missionary activity. In September 1872 Cardinal Barnabò, the Prefect of Propaganda, wrote to Henry Edward Manning, the convert who now, as Archbishop of Westminster and soon a cardinal, was the most senior Catholic cleric in England. In the light of parliament's abolition of profession of religious belief as a condition of higher education, the danger to faith and morals posed by the universities was greater than ever before, Barnabò counselled.[7] In response to the prefect's intervention, the Fourth Provincial Synod of Westminster, meeting in 1873-1874, made moves in a new direction, embarking on a bold new experiment in Catholic higher education in England. A Senate was established, to which existing Catholic educational institutions could subscribe; this federal structure was intended over time to develop into something more like a university proper, modelled on the University of London. Separately, the Synod turned to the question of a specialist institution for the education of Catholic men between the ages of eighteen and twenty-two. The answer was to be provided by establishing a Catholic University College in Kensington, with Mgr Capel as Rector and Walter Croke Robinson as Censor. Manning requested that Capel give up his involvement with the Catholic Public School so that he could devote himself to the project.

The project proved to be a catastrophe. The college failed to gain the support of the existing institutions, religious orders like the Jesuits, and important figures like John Henry Newman, who had already failed in similar attempts in Ireland.[8] Parents still clamoured to send their sons to Oxford or Cambridge, frustrated that while in broader society religious questions in education had receded, and

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[4] John Jenkins and Alana Harris, 'More English than the English, more Roman than Rome? Historical signifiers and cultural memory at Westminster Cathedral', *Religion* 49 (2019), pp.48-73.
[5] Archives of the Archbishop of Westminster (AAW)/DOW/AP/2/2/3/102, Letter from T.J. Capel to H.E. Manning, 3 March 1877; AAW/DOW/AP/2/2/3/110, Letter from T.J. Capel to H.E. Manning, 15 July 1877; AAW/DOW/AP/2/2/3/115, Letter from T.J. Capel to H.E. Manning, 26 October 1877.
[6] William Gordon Gorman, *Converts to Rome: A Biographical List of the More Notable Converts to the Catholic Church in the United Kingdom During the Last Sixty Years* (London: Sands & Co., 1910), p.235; Judith Champ, *William Bernard Ullathorne: A Different Kind of Monk* (Leominster: Gracewing, 2006), pp.416-7.
[7] McClelland, *English Roman Catholics and Higher Education*, p.275.
[8] Colin Barr, 'The failure of Newman's Catholic University of Ireland', *Archivium Hibernicum* 55 (2001), pp.126-139; Paul Shrimpton, *The 'Making of Men': The Idea and Reality of Newman's University in Oxford and Dublin* (Leominster: Gracewing, 2014).

while university education became more significant to professional life, it was their own Church, and not the state, which now stood in their way.[9] With limited support and student numbers, the college's finances suffered. When the bishops asked Capel for financial accounts in 1878, he prevaricated before revealing that they did not exist. It emerged that far from ceasing work on the Catholic Public School as he had promised Manning, Capel was proceeding with the project, and was £28,000 in debt in consequence.[10] Capel resigned, and entered into protracted legal wrangling with the bishops, bankrupting himself in the process. Father Robinson, who, as Censor of the college, had grown to dislike Capel more and more, replaced him as Rector. In 1882, the college was closed and the property sold off.

The historical literature on the college is small; it appears either as a brief moment—and rare failure—in the life of Manning, or as an unusual institution intended to address the enduring problem of Catholic higher education.[11] But the disaster of the college has left behind a rich archive, one which allows us a rare glimpse into the functioning of Roman Catholic confession in London. From the outset, the college was dogged by rumours of sin and scandal among the students. But as the university scheme began to unravel, and as the charismatic Capel battled against bankruptcy, bishops, and his nemesis Father Robinson, a cascade of scandals emerged. Secrets circulated, and were recorded, as the confessional both unmasked and was unmasked.

The temptation of Aunt Fanny: converts, perverts, and Mgr Capel

In the summer of 1868, the American children's writer Frances Barrow was in Pau, in the south of France, where Capel was ministering to English speakers who had come in search of health and recuperation. In the late sixties and early seventies, Barrow, better known to American children as Aunt Fanny, had turned her hand to writing for adults, and so in 1870 she published a pen-portrait of Capel in *The Galaxy*, a literary magazine.[12] Barrow offered a vivid portrait of the celebrity priest, fresh from his conversion of the Marquess of Bute. Capel's appointment to the mission at Pau was ideal—the area had become a haven for wealthy tourists since the middle of the century.[13] Barrow

[9] William Whyte, *Redbrick: A Social and Architectural History of Britain's Civic Universities* (Oxford: Oxford University Press, 2015), pp.75-77.
[10] McClelland, *English Roman Catholics and Higher Education,* p.316
[11] James Pereiro, *Cardinal Manning: An Intellectual Biography* (Oxford: Clarendon Press, 1998), pp.240-5; David Newsome, *The Convert Cardinals: John Henry Newman and Henry Edward Manning* (London: John Murray, 1993), pp.323-7; Vincent Alan McClelland, *Cardinal Manning: His Public Life and Influence* (Oxford: Oxford University Press, 1962), pp.117-25; Vincent Alan McClelland, *English Roman Catholics and Higher Education,* pp.269-368; Tom Horwood, 'The rise and fall of the Catholic University College, Kensington, 1868-1882', *Journal of Ecclesiastical History* 54 (2003), pp.302-18.
[12] Fanny Barrow, 'Monsignore Capel: The Monsignore Catesby of Disareli's *Lothair*', *The Galaxy* 10 (1870) pp.677-85.
[13] Peter Thorold, *The British in France: Visitors and Residents Since the Revolution* (London: Continuum, 2008), pp.60-81. This tourism was largely driven by a series of publications describing the supposed health benefits of the area. See, for example, Alexander Taylor, *The Curative Influence of the Climate of Pau* (London: John W. Parker, 1842); Julius Althaus, *The Spas of Europe* (London: Trübner & Co. 1862); Edwin Lee, *The Health Resorts of the South of France*, second edition (London: W.J. Adams, 1865).

interspersed her account of meeting Capel with picturesque scenes of French peasant life. She explored a fair and mingled amongst the locals, 'a delightfully simple, primitive people' who walked 'around with mouths and eyes wide open'.[14] Among the exhibits she saw a two-headed woman, a 'dwarf of implacable countenance', and 'a giantess of overwhelming proportions'.[15] She finished with the spectacle of the crucifixion enacted by five-inch tall marionettes, which she found 'utterly shocking'.[16] These features figured Pau, in the context of Aunt Fanny's fairy-tale narrative, as somewhere enchanted. The scene was set not only by primitive religion, but by its placement among creatures of fantastical deformity, and natives of charming simplicity.

Amidst the scene Capel was 'gliding in and out among the crowd, his black silk robe and purple sash floating back, disclosing the high-arched instep of a small, slender foot—that rare beauty in an Englishman.' His eyes were large, grey, and 'gently-proud', the smile that crossed 'his beautiful mouth' was of 'rare sweetness', his skin paler than the other priests, who were 'greasy' and 'swart'. Capel possessed 'almost seraphic beauty' and 'magnetic intelligence'.[17] Capel's striking physical appearance was widely commented upon, and added to his charisma as a preacher. Seeing him preach in Italy in 1883, another American writer, William Dean Howells, thought that he had 'never seen a more picturesque figure', his face 'strong, and beautiful with its deep-sunk dreamy eyes.'[18] Yet another American writer, Arthur Warren, who befriended Capel in Kensington, described him at home, 'a dignified, even imposing figure.'[19] As befitted a celebrity of the day, he was depicted in portrait in *Vanity Fair*, where the caption dubbed him 'The Apostle to the Genteel'; 'His manners have been toned down to a point of suavity amounting nearly to fawning…He is withal, if not an admirer, at least a great controller and director of the fair sex, and he has probably made and unmade more important marriages than any man or mamma in the country.'[20]

Barrow could not take her eyes from him as an American man approached to warn her that the priest boasted that 'he requires only three interviews to bring any woman over to the true faith.' Though confident that she could not be converted, the trial of three framed the rest of the narrative; she must meet Capel and resist his beauty and his charm. When Barrow returned to her room she found that he had left his card; 'my hand trembled and my heart beat loudly as I took it up. Why, there was magnetism in his very card!'[21] Later, Capel left his card a second time, and this time it was accompanied by a friend waiting to see her. 'Oh my dear,' said the friend, 'oh, I beseech you do not let that terrible priest make a pervert of you.'[22] Finally, at the third chance, Barrow met Capel at

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[14] Barrow, 'Monsignore Capel', p.680.
[15] Ibid.
[16] Ibid.
[17] Ibid., p.678.
[18] William Dean Howells, *Tuscan Cities* (Boston: Ticknor and Company, 1885), pp.63-4.
[19] Arthur Warren, *London Days: A Book of Reminiscences* (Boston: Little, Brown and Company, 1920), p.37.
[20] *Vanity Fair*, 7 September 1872, p.79.
[21] Barrow, 'Monsignore Capel', p.679.
[22] Ibid., p.680.

dinner with friends. Over dinner, a battle of wits played out. Barrow made a joke about the problem of communicating new knowledge of sin through the confessional, and Capel conceded that there was some truth to it. By the end of the dinner Capel had taken her arm and declared that they were now 'good friends'.[23] The narrative concluded with news that the Pope had asked Capel to leave Pau, to accompany the Marquess of Bute on a tour of the Holy Land. On Sunday afternoon, struggling with the idea of attending a Catholic church, but finding herself 'malleable in the hands of the priest', she went to hear Capel preach. Now Capel's beauty seemed transcendent, 'like the face of one who had thrown off forever all soiling contact with this world.'[24] She realised that she should consider herself lucky that he had been ordered away from Pau, because had he had a chance to conduct three interviews with her, her confidence that she could resist him would be tested.

Throughout the story of the temptation of Aunt Fanny, conversion to Catholicism is figured in terms of seduction. The use of the term 'pervert' for 'convert' by Barrow's friend was symptomatic of a relatively widespread usage. Newspapers had, for example, reported on the 'perversion' of the Marquess of Bute.[25] As we have seen, to change one's faith was to lose one's reason, to fall; women were regarded as being particularly sensitive to such seductions, and these ideas about seduction were particularly entwined with ideas about confession and its intimate, demoralising dangers. In Barrow's rich description of Capel, much of this elision of seduction and religion is achieved in the figure of the monsignor himself, who is repeatedly described in terms of his physical attributes and his magnetic persona, which also seem to have enchanted others who met him. Depicted as an almost-mythical figure in the fairy-tale structure of the story, Capel becomes a symbol of seductive catholicity. This is not to make the mistake of reinscribing the anxieties of the nineteenth-century paterfamilias or to assume that something that really was about religion was about sex; we should note, for example, that the joke Barrow told Capel about spreading sin in the confessional referred not to sex but to fraud. But Barrow was clearly consciously playing here with the tropes of the time, in part to construct an exciting, racy narrative.

Barrow's erotically-charged account also testifies to the celebrity of the priest, and that this celebrity was a result of his reputation both as especially sophisticated and as a converter of aristocrats. By the time Capel came to Kensington, he was established in Britain as one of the country's most prominent priests. In Kensington, Capel's house, Cedar Villas, white and elegant compared to the 'hideous red-brick Hospital for Boys' next door, was, as a result of its inhabitant's fame, visited by journalists, who recorded their impressions of the interior.[26] The house had celebrity associations before Capel. Its previous inhabitant had been Edward Askew Sothern, the actor best known for the comic role of the whiskered aristocrat Lord Dundreary in 'Our American Cousin'.

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[23] Ibid., p.683.
[24] Ibid., p.685.
[25] Mazurek, 'Perverts to Rome'. On the 'perversion' of the Marquess of Bute, see for example *The Times*, 4 January 1869, p.6.
[26] Edmund Hodgson Yates, *Celebrities at Home,* third series (London: Office of *The World,* 1879), pp.321-30.

According to his son, Sothern's pursuits in magic and the debunking of mediums led him to have 'all kinds of paraphernalia installed' in the house; the building 'was wired throughout, so that trapdoors in floors or walls would open and swallow or eject various objects.'[27] Under Capel's ownership, Sothern's billiard room had been refitted as a chapel.[28] The smell of cigar smoke was replaced with the smell of incense; stained glass windows and a painted medieval altar were installed. Arthur Warren remembered that Capel had hung a large picture of Pius IX and his household, in which the monsignor was a conspicuous presence.[29] Elsewhere were a dozen or so portraits of celebrities, including Gladstone, which Capel explained he kept 'as a penance'. In the garden was a cedar tree—the last survivor of the trees from which the house had taken its name—and a fountain. Capel owned a beautiful mockingbird and a black collie which was a source of entertainment to guests—it would jump at the name of the Pope, and growl at the mention of Bismarck. There were four or five thousand books, mainly on theology and ecclesiastical topics, but also on broader subjects; it was noted that he was a keen student of every development among the Ritualists.[30] On display in the house was, as testament to Capel's celebrity, or his ego, a marble bust of himself.[31] Busts, pen-portraits, and depictions in *Vanity Fair* spoke to Capel's status as an ecclesiastical celebrity, his striking image reproduced across a variety of media, allowing for what Sharon Marcus has described as 'intimacy, connection, and proximity' with 'the heaps of stuff generated by celebrity culture.'[32]

In the aftermath of the First Vatican Council, at which the doctrine of papal infallibility was defined, debate raged in Britain, prompted by a pamphlet by William Gladstone, on the council's effect on Catholicism's place in British life.[33] The Vaticanism Controversy prompted responses from leading figures of English Catholicism like Newman and Manning.[34] One contributor to the debate, cited by Gladstone in print, was Monsignor Capel.[35] Capel's intervention paid greater attention than Manning's or Newman's to some of the specific claims made by Gladstone, including the idea that

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[27] Edward H. Sothern, *My Remembrances: The Melancholy Story of Me* (London: Cassell and Company, 1917), p.339. T. Edgar Pemberton, *A Memoir of Edward Askew Sothern* (London: Richard Bentley and Son, 1889), pp.199-207; Austin Brereton, *The Life of Henry Irving* (London: Longmans, Green, and Co., 1908), pp.63-8; Harry Houdini, *A Magician Among the Spirits* (New York: Harper and Brothers, 1924), pp.30-32.
[28] Yates, *Celebrities at Home*, pp.321-2
[29] Arthur Warren, *London Days*, p.38.
[30] Yates, *Celebrities at Home*, p.328.
[31] *New York Times*, 24 February 1880, p.3.
[32] Sharon Marcus, *The Drama of Celebrity* (Princeton: Princeton University Press, 2019), p.96. The printed image of authority figures—Pius IX in particular—transformed the Catholic Church. See C.A. Bayly, *The Birth of the Modern World, 1780-1914: Global Connections and Comparisons* (Oxford: Blackwell, 2004), pp.357-9; John W. O'Malley, *Vatican I: The Council and the Making of the Ultramontane Church* (Cambridge: Belknap Press, 2018).
[33] William Ewart Gladstone, *The Vatican Decrees in their Bearing on Civil Allegiance: A Political Expostulation* (London: John Murray. 1874).
[34] An extensive bibliography of the Vaticanism Controversy can be found in Peter C. Erb, ed., *The Correspondence of Henry Edward Manning and William Ewart Gladstone, Vol IV, 1882-1891* (Oxford: Oxford University Press, 2013), pp.391-4.
[35] Thomas John Capel, *A Reply to the Right Hon. W.E. Gladstone's 'Political Expostulation', Reprinted, with Additions, from 'The Weekly Register and Catholic Standard'* (London: Longmans & Co., 1874).

women were overrepresented among converts, as well as to the context of Gladstone's initial charges in an article on Ritualism. He also argued that Gladstone's assertion that a convert had to abandon their intellectual freedom was ludicrous. This was obvious when one considered that men like Newman or Manning were converts, and that so too were a number of the eminent staff of the Catholic University College, Kensington.

'Absolute vice and immorality': the Catholic University College

The Catholic University College, Kensington was unusual among many of the institutions of higher education that developed in nineteenth-century London in that it was in part residential; while, as Horwood argues, the curriculum of the college was generally inclined toward the modern, professional and scientific, these domestic disciplinary arrangements appear to have been more traditional.[36] Domestic life would be used in order to instil both discipline and religious devotion, with regular prayer in addition to expected attendance at chapel.[37] In the 1820s, the founders of the nascent University of London had decided that religious instruction could be excluded in part because non-resident students would receive religious instruction and moral influence at home.[38] At an explicitly Catholic place of higher education, domestic arrangements would be needed to instil the faith, and whereas at other institutions, religious denominations might seek to set up halls of residence alongside the university, here the college would run the lodgings directly. [39] Capel secured several properties near to the college for resident students, and there were plans to build 'three sides of a quadrangle, with accommodation for eight hundred or nine hundred students.'[40] Although most students lived at home, and several found alternative lodgings in London, many of these non-resident students would lunch or dine 'in Hall'.[41] The college hall, however, was not a specially designed college building, but rather Capel's own dining room. Walter Croke Robinson, having taken up lodgings in the college as Censor, was dismayed to find himself living in Capel's private residence, and that his attendance at dinner was 'much insisted on'.[42] When efforts were made to impose discipline on students, they could seem heavy-handed, and some blamed this for a collapse in student numbers. One housemaster

[36] Matthew Andrews, *Universities in the Age of Reform, 1800-1870: Durham, London and King's College* (London: Palgrave Macmillan, 2018), pp.30, 65-6. Non-residential higher education would remain the norm outside of Oxford, Cambridge and Durham into the twentieth century. See Carol Dyhouse, *No Distinction of Sex? Women in British Universities, 1870-1939* (London: Routledge, 1995); Carol Dyhouse, *Students: A Gendered History* (London: Routledge, 2006).
[37] Horwood, 'Rise and Fall'; Paul R. Deslandes, *Oxbridge Men: British Masculinity and the Undergraduate Experience, 1850-1920* (Bloomington: Indiana University Press, 2005), pp.83-120.
[38] Keith Vernon, *Universities and the State in England, 1850-1939* (London: Routledge Falmer), p.55.
[39] William Whyte, 'Halls of Residence at Britain's Civic Universities, 1870-1970', in Jane Hamlett, Lesley Hoskins and Rebecca Preston, eds., *Residential Institutions in Britain, 1725-1970: Inmates and Environments* (London: Pickering and Chatto, 2013), p.158.
[40] Charles Maurice Davies, *Unorthodox London: or, Phases of Religious Life in the Metropolis*, second series (London: Tinsley Brothers, 1875), p.64.
[41] AAW/DOW/AP/2/2/5/57, List of students at the Catholic University College, 1878.
[42] AAW/DOW/AP/2/2/5/69, Letter from W.C. Robinson to H.E. Manning, 27 April 1878.

reported resentment arising from the prohibition on smoking, and a general feeling that the students were being treated as boys rather than men.[43] After having sacked the porter for being frequently drunk and unnecessarily expensive, Capel asked a policeman to keep watch over the college at night, and this led to a feeling among the students that they were being spied upon. Capel produced 'General Directions for Students', which laid out a strict timetable and regulations on where students were allowed to go and at what times, but which nonetheless ended with a statement concerning the need for the students to be treated as men rather than boys.[44] Robinson found the arrangements as frustrating as any of the students did, and wrote to Manning that the situation was 'most extraordinary.'[45] Capel complained of a lack of authority, and especially of fraught relations with Robinson.[46]

Some students seem to have benefited from their time at the college. Cuthbert Butler looked back in later life thankful for the 'high quality of the instruction and formation received' there, but he seems to have spent much of his time at the theatre.[47] Theatre-going was a recurrent problem, and representative of the opportunities students took to enjoy the nightlife of the metropolis. Kensington might have been a suitable location for a college, but its location next to a railway station meant that students could travel into central London with ease; an American student from King's College reported seeing Kensington students at various dancing rooms and similar venues.[48] The fact that Kensington proved not to be suitably safe from the temptations of the city is especially striking given that, in order to keep women away from the Strand, King's College established lectures for women in Kensington in 1878, while the Catholic University College was facing difficulties—by 1885, the Ladies' Department was based at 13 Kensington Square, a few doors down from the Convent of the Assumption, in a building formerly leased by Capel to house his St Anne's Home.[49] One Catholic student became much more conscientious, including in his Catholicism, when he left the college for a Protestant crammer; that a Protestant college was better able to ensure a student's proper conduct than the Catholic University College was obviously a problem, and a correspondent writing to the college authorities blamed the college directly; 'it was from the want of proper discipline and constant bad example of his fellow students at the College that a well disposed and virtuous young man fell into

[43] AAW/DOW/AP/2/2/5/105 Letter from H.W. Lloyd to H.E. Manning, 20 August 1878.
[44] AAW/DOW/AP/2//2/5/38 General Directions for Students, n.d.
[45] Letter from W.C. Robinson to H.E. Manning, 27 April 1878.
[46] AAW/DOW/AP/2/2/5/74, Letter from T.J. Capel to H.E. Manning, 29 May 1878.; AAW/DOW/AP/2/2/5/92, Correspondence forwarded to Manning, 18 July 1878.
[47] Cuthbert Butler, *The Life and Times of Bishop Ullathorne, 1806-1889* vol 2 (London: Burnes, Oates and Washbourne Ltd, 1926), pp.35-6; David Knowles, *The Historian and Character and Other Essays* (Cambridge: Cambridge University Press, 1963), p.266.
[48] AAW/DOW/AP/2/2/5/27, Statement regarding the Catholic University College, n.d..
[49] F.J.C. Hearnshaw, *The Centenary History of King's College, London, 1828-1928* (London: George Harrap & Company, 1929), pp.312-8, 376-8; Hilda D. Oakeley, 'King's College for Women', in Ibid., pp.489-509; Gillian Sutherland, 'The Plainest Principles of Justice: The University of London and the Higher Education of Women', in F.M.L. Thompson, ed., *The University of London and the World of Learning, 1836-1986* (London: The Hambledon Press, 1990), p.39; Vernon, *Universities and the State*, p.68.

habits of idleness, distraction & absolute vice and immorality.'[50]

The extent of the problems at the college remained opaque. Professor Paley, whose son was enrolled as a student, wrote that stories of the problems of 'laxity in morals and discipline' were ill-founded and malicious rumours.[51] But W.G. Ward, whose son Wilfrid was also a student, told Manning in 1878 that he thought 'unchastity' was much more common at the college than Manning believed. He nevertheless believed that moving the college out of London was not a solution to the problem. He thought there was a general lack of chastity among the Catholic upper classes, and at the age at which the students entered the college, they should not be shielded from temptation but should learn to resist it; they would, after all, be sent out sooner or later into Protestant society.[52] In a sense, the problem of being in London simply mirrored the unavoidable problem of being a Catholic in a Protestant culture. In this chapter, we will see that this sense, that Catholics were a minority, and that in these circumstances they were duty-bound to maintain the safety and sanctity of the Church both for its own sake and to continue to attract converts, shaped a particular attitude towards 'scandal'. Scandal, in a Protestant society, might imperil the entire Church. Ward seemed sanguine about the problems in the college—but this sense of being in a fragile minority was important. In tracing the collapse of Capel's Catholic Kensington, we will see how the desire to avoid scandal bred secrets.

The students at the college themselves, in Ward's telling, tended not to blame the temptations of London but their own weaknesses; many, he said, would make 'sincere resolutions of amendment' at Easter, and even though it was to be assumed that these resolutions were not stuck to, it was not 'self-evident' that boys of this nature, sinners who repented but were weak, should be denied a Catholic education. These 'sincere resolutions of amendment' were presumably confessions; Catholics were expected to go to confession in preparation for Easter during the penitential season of Lent. If this was the case, then the confused picture of the actual state of sin in the college belies the fact that the priests in Kensington presumably knew more about the extent of vice than they were able to report to Manning. The temptations of the city—what Ward called 'occasions offered to unchastity'—were part of the education offered by the college, in this reading; safeguarded by the confessional, the boys could be permitted to fall and be redeemed.

When the Kensington experiment floundered, however, it did so in such a way as to expose that the least disciplined and most promiscuous member of the college was not a student, but the Rector himself. Rumours had circulated about Capel for years. As Capel entered into legal squabbles with the bishops, these rumours and allegations became more significant to the Church authorities, and Robinson in particular seized on them. The college's failure brought forth secrets, and investigation and inquiry ensured that these secrets left behind an archival trace.

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[50] Statement regarding the Catholic University College, n.d..
[51] AAW/DOW/AP/2/2/5/34, F.A. Paley, Statement on the Catholic University College, n.d..
[52] AAW/DOW/AP/2/2/5/85, Letter from W.G. Ward to H.E. Manning, 27 June 1878.

'The unfortunate girl'

Two years before the opening of the college, a woman named Alice Young wrote to Manning from Paris, to express her disgust that Mgr Capel was still active as a priest in London. Young and Manning had last discussed the priest's conduct precisely two years earlier in 1870, and Manning had said that he would write to her when Capel had changed his ways; no such letter had ever come, and yet Capel continued.[53] The accusation appears to have been originally made to Manning in Rome, and the substance of it was that Capel had 'acted with immodesty' either to Alice Young or her sister, and had behaved improperly with their Italian servant.[54] Despite the allegations, Capel's rectorship at the College went ahead as planned. In 1873 or 1874, a priest alleged to Manning that Capel had 'criminal intercourse' with two French women, described as a servant and a governess. In this instance Manning asked Capel for an explanation, and Capel demanded to know the name of the priest, threatening to bring action for defamation. Again, nothing happened.[55]

Towards the end of November 1875, a twenty-three-year-old woman named Mary Stourton wrote to Manning concerning allegations she wanted to make against Capel.[56] The Stourton family were firmly of the Catholic aristocracy, and Mary's cousin was a peer.[57] Though personally unknown to Manning, she arranged to meet with him—shortly before she was to move to Paris—and make her allegations.[58] Manning asked that she put her statement in writing. Expressing her reluctance, she nevertheless did so. She began her narrative with the unhappiness of her youth. Six weeks ago, she had, driven by the misery of home, ran away with a married man. She realised her mistake, she said, and came to London alone. 'I tell you all this in case you might happen to hear of it later, then you would scarcely believe my word.' Capel was already known to her when she arrived in London, and he sought her out—he had always been a true friend to her, and now he became a kind of go-between to her mother. 'It is hard to write the next;' she wrote, 'no one on earth, not the basest man could have more deliberately or in a more heartless way done all in his power to harm me still more.' Capel knew the power he held over her and her family, that she was alone and isolated, and that she would therefore not resist him. Stourton was emphatic that Manning should not tell Capel that it was her who had informed him.[59] Manning did not believe Stourton and told her that if Capel was to be spoken to, he would have to be shown the letter.[60] But Stourton said she was still utterly dependant on Capel and

[53] AAW/DOW/AP/2/2/3/544, Letter from A.H. Young to H.E. Manning, 6 May 1872.
[54] AAW/DOW/AP/2/2/3/50, Notes regarding Mgr Capel, n.d..
[55] Ibid.
[56] AAW/DOW/AP/2/2/3/95, Letter from M. Stourton to H.E. Manning, 22 November 1875.
[57] Bernard Burke, *A Genealogical and Heraldic Dictionary of the Peerage and Baronetage of the British Empire*, thirty-sixth edition, (London: Harrison, 1874), p.1095.
[58] AAW/DOW/AP/2/2/3/18, Letter from M. Stourton to H.E. Manning, 9 January 1876; AAW/DOW/AP/2/2/3/85, Notes on the case of Miss Stourton, n.d..
[59] AAW/DOW/AP/2/2/3/8, Letter from M. Stourton to H.E. Manning, n.d..
[60] Notes on the case of Miss Stourton, n.d.; AAW/DOW/AP/2/2/3/97, Letter from M. Stourton to H.E. Manning, 25 November 1875.

could not afford to challenge him publicly.[61]

Manning told Capel that Mary Stourton had made allegations against him and, it seems, did not tell her that he had done so.[62] Capel's response enclosed a long statement by Stourton concerning the affair with the married man, which he had received the previous Thursday, the very day that Stourton alleged Capel had seduced her.[63] The statement was long, detailed, and moving, and Stourton had sent it to Capel so that he would be able to judge the extent of her guilt in what had happened—it was in effect a sort of confessional exercise, and Capel was supposed to use it to form a moral judgment for Stourton's guidance.[64] This longer account went into much more detail than the version written for Manning. It described her relationship with Mr Corballis, the married man, from the beginning.[65] When they met, both staying in the same house, she was as innocent as a child, and she had no knowledge of sex at all, she said; she trusted him completely. One night, Corballis raped her at two o'clock in the morning while she was half asleep.[66] The next day he told her he had done it because he loved her. Stourton became infatuated with him, in part because she feared that she could never marry anyone else. Her mother advised her to go to confession and to be quiet. Eventually Stourton left home and went to Inverness, encouraged by letters from Corballis, and asked him to meet her there. Corballis told her to go home. She threatened to kill herself and bought a bottle of chloroform. Corballis came to Inverness, where they lived in a hotel as man and wife, and he promised never to leave her. When Stourton came to London alone, she expected Corballis would follow—he did not. Alone in London, and unable to return to her family, she had fallen under the influence of Capel. The day Capel had received the confessional statement from Stourton was the same day that Stourton alleged he had 'done all in his power to harm me still more', a phrase which, in the context of this more detailed account, clearly suggested that Capel had raped her. Despite the clearly intimate nature of this letter, Capel did not hesitate in sending it to Manning. Capel also sent Manning a letter Stourton had sent him from Paris in which she said that she felt much better there; Stourton, of course, wrote assuming Capel did not know that she had spoken to Manning, and Capel

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[61] Letter from M. Stourton to H.E. Manning, 25 November 1875.
[62] Notes on the case of Miss Stourton, n.d..
[63] AAW/DOW/AP/2/2/3/96, Letter from T.J. Capel to H.E. Manning, 24 November 1875.
[64] AAW/DOW/AP/2/2/3/30, Letter from M. Stourton to T.J. Capel, 18 November 1875.
[65] AAW/DOW/AP/2/2/3/96, Statement by Mary Stourton, [17 November 1875]. No first name for Mr Corballis is given in the sources. However, it seems certain that he was a member of the landed Catholic Irish family of Corballis-Corbally. Mary's cousin, Alfred Stourton, twentieth Baron Stourton, married Mary Margaret Corbally in 1865. The most plausible identification is that Mr Corballis was one of the three sons of James Joseph Corballis and Mary Barron, because Mary Barron died in 1872 and Mary Stourton's letter referred to Mr Corballis's mother's death in that year . As one of these sons died as an infant, and another died unmarried (Stourton said Mr Corballis was married), it seems likely that Mr Corballis was James Henry Corballis (1835-1903). For genealogical details see Parkinson, Danny. "The Corballis-Corbally Families of Co. Dublin." *Dublin Historical Record* 45 (1992), pp.91–100. Elements of autobiographical writing can be found amongst the extensive advice on riding, shooting and other aristocratic rural pursuits in James Henry Corballis, Arthur Fisher, ed., *Forty-Five Years of Sport* (London: Richard Bentley and Son, 1891).
[66] As in the cases of some of the witnesses in the Achilli Trial, Stourton's letter makes clear that Capel raped her without using the word.

presented the letter as evidence both that she carried on with him as normal, and that—in her reference to feeling better—she knew herself to be insane.[67]

Unable to corroborate Stourton's account and presented by Capel with evidence of her being a fallen woman, Manning dropped the case.[68] Stourton was now in a much worse position than before, not only because Capel knew that she had accused him, but also because this knowledge began to spread further. In Paris, she heard that 'the longer I keep away from England the better', because her reputation was ruined; she was told that people knew she had written letters to Manning, and it was said that 'they have not been read but laughed at'. Capel and her aunt were no longer writing to her. The letters she had written to her mother saying that she intended to change her ways were now certain to be of no avail. 'Of course they have all turned against me & I have not a single friend in the world,' she told Manning. 'I spoke to you as I did', she wrote, 'thinking that on that subject it would be as confidential as if I had told you in confession.'[69] This assumption, that discussions of intimate matters with a priest were to be kept as *sub sigillo*, or under the seal, will recur throughout this chapter. What this secret-sharing shows us is that the confessional created a particular kind of Catholic secrecy, one in which the secrecy of the sacrament was expanded into a kind of professional secrecy of priests. Both the allegations she made to Manning and the confessional account of her life written for Capel were produced under the assumption of the existence of this expansive confessional secrecy. But, clearly, no such secrecy existed in the minds of the clergy in this case. Manning told Capel without Stourton's consent and Capel simply posted Stourton's letter to Manning. Mary Stourton's secrets circulated, and others found out about them.

In August 1877, Mary Stourton sent a photograph of herself from Paris to Capel. On the reverse side, she wrote the words 'Forgive me'.[70] She also wrote and begged Capel to help her in finding a husband. With one of these letters to Capel, she included a lock of her hair. Towards the end of the year, back in London on her way to Christmas at her mother's house on the Isle of Wight, she wrote Capel another letter, demanding 'Once for all shall we be friends again or not?' She would never humiliate herself by apologising again. Then her tone became implicitly threatening, saying that if he forgave her then she would stop speaking about him, but if he did not, she would continue.[71] She asked to meet him in the confessional at the Pro-Cathedral.[72] Finally, Stourton and Capel met. In Capel's account, he came home to find Stourton in his house, and she said that she had been to confession and her confessor had told her to apologise to the monsignor. Capel said that he immediately accepted her apology but told her that she would have to retract her original

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[67] AAW/DOW/AP/2/2/3/98, Letter from T.J. Capel to H.E. Manning, 29 November 1875; AAW/DOW/AP/2/2/3/306, Letter from M. Stourton to T.J. Capel, 29 November 1875.
[68] Notes on the case of Miss Stourton, n.d..
[69] AAW/DOW/AP/2/2/3/18, Letter from M. Stourton to H.E. Manning, 9 January [1876].
[70] AAW/DOW/AP/2/2/3/89, Photograph of Mary Stourton, 1877.
[71] AAW/DOW/AP/2/2/3/31, Letter from M. Stourton to T.J. Capel, n.d..
[72] Ibid.

allegations.[73]

Stourton wrote to Cardinal Manning once again in January 1878. At the time the letters making allegations against Capel were written, she said, she was 'suffering from excitement consequent on being away from home', and as a result she believed and brooded over 'horrible histories' that were told to her by Capel's sister-in-law, Berthe Capel. She had apologised to Mgr Capel, and he had immediately accepted her apology.[74] She also sent a copy to Capel, describing it as 'atonement' for 'the great wrong I tried to do to you'.[75] Manning 'understood this as withdrawing the charges against' Capel.[76] In truth, however, she had not withdrawn anything. After all, she had not gone to Manning to tell him 'horrible histories' that she had heard through Mrs Capel, but rather to make specific allegations about what Mgr Capel had done to her. Capel would later enter into the record many of the documents just cited; the photograph with 'forgive me' written on it, letters of apology, insinuations of threat, as evidence that Mary Stourton had sought Capel's forgiveness for lying about him to the Cardinal. But in none of these letters did Stourton ask for forgiveness for lying; instead, she sought forgiveness for having spoken out against him, and was clearly seeking to rebuild their friendship, a friendship on which she had several times said to the Cardinal that she was tragically dependent, and in which she now invested her hopes of finding a suitable husband. Nevertheless, with Capel's version of events now firmly believed, and Manning once again willing to leave matters as they stood, the case rested for several months.

In April Stourton went to the Cardinal and told him that Capel had dictated the letter in which she appeared to retract her earlier comments.[77] Manning asked her which of the letters—the allegations of 1875 or the supposed retraction of 1878—he was to believe, and Stourton said the first. He asked her to 'affirm' that the alleged 'act of criminality' had taken place, and she responded, 'I do', and stated that it had happened 'four or five times'. As in the Achilli trial, while 'it' might have been rape, the question of concern to Manning appears not to have been Stourton's consent—by the evidence of her own account, she could be dismissed as a fallen woman—but the 'criminality' of any sexual activity by a priest. Stourton then said that she would go to any priest that he would name and make her confession. Manning sent her to Robert Aston Coffin, who in 1882 would be appointed Bishop of Southwark. Stourton and Coffin met a number of times, and her story remained consistent. These repeated meetings seem to have served two purposes. The first was to see whether, in the face of scepticism, Stourton would stick to her story when asked about it repeatedly. The second, relatedly, appears to have been to prepare her to make a general confession, after which Coffin said she could in

[73] AAW/DOW/AP/2/2/3/222, Copy of Mgr Capel's defence, 22 February 1879.
[74] AAW/DOW/AP/2/2/3/123, Letter from M. Stourton to H.E. Manning, 4 January 1878.
[75] AAW/DOW/AP/2/2/3/7, Letter from M. Stourton to T.J. Capel, 4 January 1878; AAW/DOW/AP/2/2/3/124, Letter from M. Stourton to H.E. Manning, 4 January 1878. The two versions were in fact slightly different but substantially the same.
[76] Notes on the case of Miss Stourton, n.d..
[77] Ibid.

future make her confession to any priest she liked. Stourton asked Manning if he would be her confessor, 'as you know all about me'. Manning had already shared Stourton's allegations despite her belief that they would be held as secret as if made in a confession, but she remained willing, and in fact committed, to choosing him as her confessor—this suggests that Stourton maintained a faith in the inviolability of the seal, and trusted that in a real, formal confession her secrets would remain safe. Stourton's reason for her desire to have Manning in particular as her confessor—because he knew all about her—is also revealing. With any other priest, entering into her sins—the lack of faith she frequently referred to in her letters, for instance—would necessarily entail dragging up the things of the past, the things from which the general confession would absolve her.[78] If Mary Stourton was absolved of the sins she committed with Capel, she would never have to seek absolution for them again, but these sins might echo on as contexts for future sins. The moral theology of confession assumed that context would not normally be gone into, but here in practice we see Mary Stourton making a different assumption.

After having made a confession on 12 May, Stourton signed a statement in which she 'solemnly' declared that everything she had said to Manning was true. She added that 'in the letters of apology that I wrote this last spring I never alluded to & consequently did not retract the statement' made to the cardinal.[79] Yet it is not clear if Stourton was yet free of Capel. At the end of the month, a relative of Stourton, Teresa Constable Maxwell, wrote to Manning, warning of the dangers Capel posed to Stourton, who seemed once more to be coming under the monsignor's spell.[80] Unlike Manning, Teresa Constable Maxwell thought Stourton to be honest, frank and dutiful.[81] Indeed, she reported that Stourton had been disgusted by Capel on his last visit, when he had instructed her not to say anything about their 'interviews' in confession, 'but for the sake of appearances to go to Confession at certain times.'[82] This instruction throws light on an otherwise peculiar phrase in a note Stourton wrote to Capel in which she had said that she had been to confession in order 'to show that I am innocent of those letters'; had she been lying, she would either have had to keep away or to have confessed it.[83] In other words, this confession was made for the sake of appearances, to give the public impression that the scandal surrounding Stourton since her accusations against Capel had been cleared. Yet what was being done here—attending confession so that onlookers would believe that whatever her sins were, she had confessed them—rested on the assumption that Stourton would not or could not do what she was in fact, encouraged by Capel, doing; that is to say, going to confession and

[78] AAW/DOW/AP/2/2/3/135, Letter from M. Stourton to H.E. Manning, 3 June 1878.
[79] AAW/DOW/AP/2/2/3/129, Letter from T.J. Capel to H.E. Manning, 22 May 1878.
[80] AAW/DOW/AP/2/2/3/130, Letter from T.C. Maxwell to H.E. Manning, 28 May 1878.
[81] AAW/DOW/AP/2/2/3/134, Letter from T.C. Maxwell to H.E. Manning, 5 June 1878.
[82] AAW/DOW/AP/2/2/3/133, Letter from T.C. Maxwell to H.E. Manning, 31 May 1878.
[83] AAW/DOW/AP/2/2/3/29, Letter from M. Stourton to T.J. Capel, n.d.. Which letters were being referred to here is somewhat unclear—Stourton was not in the habit of dating her letters. According to Capel's later testimony this letter was received prior to her change of course on 4 January. AAW/DOW/AP/2/2/3/222, Copy of Mgr Capel's defence, 22 February 1879.

leaving unabsolved sins of a grave nature. We have already noted that the design of the confessional box was intended to maintain privacy whilst also exposing the sacrament to publicity, by placing the secret happenings in a public place within the church—we noted in the last chapter that as Anglicans adapted confession to their own purposes, hostility ensured that for the most part this element of the practice was lost. Stourton's use of the confessional to make a public claim to innocence indicates the way that the public nature of this private practice could be used by the penitent to stake a public claim to private absolution.

On 18 June Stourton had her last meeting with Coffin.[84] The case was being taken more seriously now, but no action against Capel was yet taken.[85] Manning asked Stourton to repeat her allegations before the Vicar General, and on 19 December she signed another statement, repeating her claim that the letter of apology had been dictated by Capel, and that she stood by her original story.[86] By the end of 1878, then, Capel was finally coming under serious suspicion. Claims about his conduct had first been brought before Manning in 1870, eight years earlier, and just a year after Capel had arrived in Kensington. Partly for want of evidence, and in at least Mary Stourton's case partly because Manning did not think her credible, there had never been any consequences for Capel. He was still chosen to run the College, still put in charge of the Pro-Cathedral—indeed, while allegations continued to be made Capel continued to expand his influence in Catholic Kensington. Yet in December 1878, Manning asked Stourton to re-state her case, this time in front of the Vicar General, and a priest was sent looking for corroborating evidence. It was not only that Stourton's repentance, and her confession, had made her seem more plausible. The reason, presumably unbeknownst to Mary Stourton, was another set of allegations beginning to circulate through Kensington.

'A terrible confession'

Dr Henry Willington went to the confessional not to accuse himself, but Mgr Capel. He did not find him, and later, when he wrote asking to meet him urgently in the confessional, the priest ignored him. Willington, a specialist in neuralgic and nervous diseases, was a local man; his house lay on what he assumed would be Capel's journey to his school.[87] He was in his mid-sixties and had converted around 1874. Just a few months after his conversion, Willington had asked Capel for advice on behalf of a patient of his who had fallen pregnant by a priest. Willington had thought the conversation secret, though it was not a confession; Capel had thought the story was untrue, discouraged Willington from pursuing it, and had discussed it with their mutual friend Emily Bellew—Willington had broken off his friendship with both Capel and Bellew as a result. Having learned as Stourton had that the conversation was not regarded as under the seal, Willington was now trying to use the secrecy of the

[84] AAW/DOW/AP/2/2/3/136, Letter from M. Stourton to H.E. Manning, 18 June 1878.
[85] AAW/DOW/AP/2/2/3/85, Notes on the case of Miss Stourton, n.d..
[86] AAW/DOW/AP/2/2/3/161, Declaration by M. Stourton, 19 December 1878.
[87] AAW/DOW/AP/2/2/3/70, H. Willington response to accusations of being a 'loafer', n.d..

confessional box to keep private his accusations against Capel; the space of the confessional would be a guarantee of secrecy, even if the transaction was not, properly speaking, a confession. If the idea of a confessional-professional secrecy—the idea that meant Stourton had given an account of her life to Manning—was not real, then the wooden box enforced a less ambiguous concept of the secret. Willington wanted to tell Capel that he knew about the nature of his relationship with Emily Bellew.

Emily Louisa East married John Fenwick Wilkinson in 1846.[88] Their marriage was an unhappy one. Soon after they married, Mr Wilkinson became violent towards her, and several times he gave her a venereal disease. Mrs Wilkinson left her husband and returned several times, before petitioning for divorce in 1860.[89] In 1861 she married John Chippendall Montesquieu Bellew, a famed preacher and Anglican clergyman. Bellew himself had divorced the same year.[90] One of John Bellew's sons, the actor Kyrle Bellew, later recalled Emily Louisa Bellew, his new 'mamma', arriving suddenly in his life, 'very handsome and beautifully dressed' at Waterloo Station.[91] Sacrificing John's livelihood, the Bellews converted to Catholicism in 1868.[92] Conversion meant that the status of Emily and John's marriage was questionable; both were divorced, and so in the eyes of the Catholic Church remained married to their first spouses, both of whom were still living.[93] The expectation of the Church was that they would continue to cohabit but as 'brother and sister'; that is to say, they could share the intimacies of domestic life but not the intimacy of sex. John Bellew died in 1874, the year that the Catholic University College opened.[94]

The affair between Mrs Bellew and Mgr Capel was alleged to have begun the same or following year and continued intermittently until 1878.[95] Capel was on his way out to dinner. It was raining, and, seeing Mrs Bellew in the street, he offered to take her home in his cab.[96] In the cab, the first instance of 'criminal intimacy' took place. In this case, it seems that Bellew was the instigator of what happened—at the very least, what happened was never implied not to have been consensual; she spoke of it as a success, and later 'accused herself as the source of what had happened'.[97] She almost immediately told Willington about it. Though the affair lasted for about four years, it was intermittent, sometimes with long gaps. In letters during this period, Bellew wrote with sadness about not having

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[88] Somerset Heritage Service, Somerset Parish Records, 1538-1914, D/P/cros/2/1/10, via ancestry.co.uk.
[89] The National Archives, Kew, Surrey, England (TNA), Divorce and Matrimonial Causes Files, J77/59/W77, via ancestry.co.uk.
[92] TNA, Divorce and Matrimonial Causes Files, J77/3/B54, via ancestry.co.uk.
[91] Kyrle Bellew found the arrival of the new Mrs Bellew difficult and ran away to sea. Kyrle Bellew, *Short Stories* (New York: Shakespeare Press, 1912), pp.14-15.
[92] Emily Bellew's conversion owed something to John Henry Newman, to whom she wrote with the good news. Charles Stephen Dessain and Thomas Gornall, eds., *The Letters and Diaries of John Henry Newman,* vol 24 (Oxford: Clarendon Press, 1973), p.165.
[93] John Fenwick Wilkinson died in 1904. Eva Maria Money married Ashley Eden and died in 1877. See W.F.B. Laurie, *Sketches of Some Distinguished Anglo-Indians*, second series (London: W.H. Allen & Co., 1888), pp.121-2
[94] *London Evening Standard,* 22 June 1874, p.3.
[95] AAW/DOW/AP/2/2/3/24, Reply of Mgr Capel to charge made by Mrs Bellew, 2 August 1880.
[96] AAW/DOW/AP/2/2/3/52, Notes of a statement by Mrs Bellew, 22 January 1879.
[97] AAW/DOW/AP/2/2/3/52, Notes of a statement by Mrs Bellew, 22 January 1879.

seen Capel for some time.[98]

In August 1878, Emily Bellew travelled to Broadstairs, Kent, to a haunted house owned by Agnes Guppy-Volckman. The testimonies later presented by Capel made no reference to the fact that the house was haunted, that Guppy-Volckman was a well-known spiritualist medium, or that Bellew had attended for the purposes of joining a séance. The name of the medium may have been noticed by Manning, who was an opponent of spiritualism.[99] Guppy-Volckman had recently become famous for levitating from Highbury to Bloomsbury. She had purchased the house after a terrifying experience with a 'Green Lady', and had had it furnished so that she could invite friends to visit. Twelve gathered at the house, according to a later account by one of the attendees, the author and Catholic convert Florence Marryat, who also provided a statement for Capel.[100] Marryat's account of the séance describes the party as holding hands around a table, 'laughing and chatting with each other', as the Green Lady materialised. A few days later, Marryat, Guppy-Volckman and Bellew were discussing 'a very private' and 'delicate matter' when Marryat again saw the Green Lady.[101]

According to the testimonies of Guppy-Volckman, Marryat and Rosa Freeland, a friend of Mrs Bellew, Bellew's conduct at the haunted house was disgraceful. She appeared to be drunk or under the influence of chloral for much of the visit. Around the women members of the party, she seemed to have 'a morbid wish' to discuss sexual matters, bragging of her lovers past and present. She told how she would seduce married men and return them to their wives as 'leavings' out of spite, and how she would destroy any man who spurned her. She boasted of having a lover in London, whose name was rendered in the various testimonies as Latitchka, Latchka or Latchkey, a reference to the key with which he would let himself into her house; she grew angry when members of the party questioned her apparent obsession with Capel and insisted that 'he is only my confessor.' She boasted that though she and Mr Bellew had separate rooms the idea that they lived celibately was 'all nonsense'—'she had had five miscarriages by him, and in each case he made her destroy the child.' Her conduct with the men at the party was especially disgraceful. She 'made a notable and decided set at one of the gentlemen guests'.[102] Bellew asked for him while drunk and undressed in bed, and they went out on night-time walks together. She told Rosa Freeland 'details of her doings with this gentleman that I could not commit to paper', and Bellew's maidservant told Freeland that, when drunk, Bellew did 'things' to her, supposedly confusing her for the man. Mrs Guppy-Volckman, aware of Bellew's conduct with her guest, thought that 'this was leading to serious consequences' and

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[98] AAW/DOW/AP/2/2/3/93, Letter from E. Bellew to T.J. Capel, 28 January 1875; AAW/DOW/AP/2/2/3/33, Letter from E. Bellew to T.J. Capel, 2 August 1876.
[99] Alex Owen, *The Darkened Room: Women, Power and Spiritualism in Late Victorian England* (London: Virago, 1989), pp.84.
[100] Florence Marryat, *There Is No Death* (London: Kegan Paul, Trench, Trübner & Co., 1891), p.128.
[101] Ibid., pp.129-130.
[102] Marryat says this gentleman was an officer. The later account mentions two officers among the guests, and as one of these was Marryat's husband, we can assume that Bellew's alleged target here was Colonel Greck, who seems likely to have been Colonel Peter Greck, a Russian engineer. 'Obituary: Peter Greck, 1827-1888', *Minutes of the Proceedings of the Institution of Civil Engineers* 94 (1888), pp.300-301.

asked Bellew to leave.

She left Broadstairs, after having been there for three weeks, on 31 August.[103] The 'cheap fast' train provided travel to London at 11:30 a.m. every day; it was always busy towards the end of the summer, but the unusually bad weather meant that the trains were busier than usual as people returned to the city earlier than planned. As the train passed through Sittingbourne station it collided with wagons unloaded from a goods train as they were crossing the line.[104] The engine was derailed, and the first carriages fell to their sides, dragged over the tracks. Five people were killed and many more were seriously injured, at least one dying subsequently of their injuries. Bellew and Rosa Freeland were travelling in one of the carriages which was 'completely smashed'.[105] The four passengers opposite were killed.[106] Freeland and Bellew were severely injured. Two of Bellew's ribs were broken, her spine injured, and her nerves shaken.

Bellew returned to London to recuperate. Capel's final act of 'criminal intimacy' with Mrs Bellew took place in September, after the Sittingbourne disaster.[107] After this, Capel visited 'repeatedly'.[108] During this time, his behaviour with Mrs Bellew's servant, Lucy Stevens, became more and more inappropriate. According to a statement Stevens later made to Robinson, every time Capel visited, he would call her 'dear' or 'darling' and kiss her; he began to come back an hour or so after he had left Mrs Bellew, and beg Stevens to let him in. Twice he invited her to call on him late at night. On one of these occasions Capel let her in himself rather than allow a servant to do it, and she found him by the door listening out for her footsteps, without shoes so as not to alert others in the house to his movements. Stevens thought Capel was drunk from the way he fell about. He grabbed her and dragged her to his knee and begged her to come into his bedroom; when she protested, he said 'you need not be afraid, there will be no baby.' He promised her fine clothes and a good marriage, told her he loved her and that she was pretty; Stevens said 'he used every kind of expression a man would use in trying to seduce a girl. I have no doubt he did all he could to seduce me.'[109] The final incidents of these attempted seductions took place when Bellew was away at the seaside for her health. Stevens told her brother-in-law and Mrs Willington some of the details about what had happened. We have already noted that domestic service was a particularly intimate form of employment, and as is clear from the testimonies offered by Newman's witnesses in chapter one, this

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[103] The date of her departure suggests that Guppy-Volckman's telling, in which she had been asked to leave, might not be strictly true; on her own account she received guests in July and August, which would suggest Bellew left as late in the stay as was possible, and Rosa Freeland travelled back to London on the same train.
[104] *The Engineer*, 6 September 1878, p.169; *Saturday Review*, 7 September 1878, p.298.
[105] *Manchester Evening News*, 2 September 1878, p.2.
[106] *Western Daily Press*, 20 September 1878, p.3; *The Tablet*, 21 September 1878, p.377.
[107] AAW/DOW/AP/2/2/3/63, Letter from E. Bellew to H. Willington, 18 December 1878; AAW/DOW/AP/2/2/3/156, Statement by L. Stevens, 12 December 1878; AAW/DOW/AP/2/2/3/157, Letter from W.C. Robinson to H.E. Manning, 14 December 1878.
[108] Statement by L. Stevens, 12 December 1878; Letter from W.C. Robinson to H.E. Manning, 14 December 1878.
[109] Statement by L. Stevens, 12 December 1878.

intimacy also exposed servants to predatory men. The case of Lucy Stevens is particularly interesting in that it also indicates a level of intimacy between domestic servants and the friends of their employers—Stevens told Mrs Willington about Capel's behaviour before she told Mrs Bellew. When Bellew returned Stevens gave her notice that she would leave her employment, and shortly after Stevens told Bellew about Capel's behaviour.[110]

The revelation of Capel's behaviour towards Lucy Stevens to Bellew sundered the latter's relationship with the celebrity priest. 'You've behaved damnably towards me,' she wrote. But she said that she 'scorned to retaliate', said that she stood by him and that she would say nothing unless driven to desperation. 'I won't put a faggot on the fire—& if we never meet again—and we never may—remember that one woman was true even if you were (as I know) false'.[111] Whether or not Bellew sought revenge, Lucy Stevens had told Mrs Willington, and Mrs Willington had told Dr Willington.[112] Willington wrote to Manning. He asked to meet in order 'to discuss and disclose a scandal, that if it once gets into print, as it will sooner or later…will be the largest scandal of modern times' to face the Catholic Church in England.[113] He said that he had known about this case for some time, and had tried to speak to Capel in the confessional, but that he had hesitated to escalate the issue further—now, though, he had solid evidence. Shortly afterwards he met Manning and the Vicar General and made his claims in person.[114] Willington was asked at this meeting to write out in a letter the allegations that he had made.[115] He said that Bellew had first told him of their criminal intercourse in 1875; that his friendship with both Capel and Bellew had been broken off over the incident that he had considered a breach of the confessional; that the Lucy Stevens incidents, told to his wife, had brought matters to a head; and that he thought Bellew and Capel would seek to lie their way out of his allegation. He also noted, intriguingly, that Capel tended to go away for a few weeks before major festivals—this, he implied, was for the purpose of seeking absolution elsewhere.[116] Confession, then, was very much on Willington's mind—he felt Capel had breached the seal, he tried to use the box to enforce secrecy, and he alleged that Capel confessed elsewhere in order to keep his secrets at home.

Willington offered his services in the investigation in whatever way he could, though expressed a desire to keep his name out of it for now.[117] He clearly held a grievance against both Capel and Bellew, but he returned to speaking to Bellew in order to gather information. His wife, who spoke to both Bellew and Stevens, was his main source of information, and his wife did not know that

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[110] This was at first said to be at the end of November, but later the beginning of December. AAW/DOW/AP/2/2/3/59, Notes on the statement of L. Stevens, n.d.; AAW/DOW/AP/2/2/3/68, Notes on the evidence of L. Stevens, n.d.; AAW/DOW/AP/2/2/3/197, Letter from E. Bellew to H.E. Manning enclosing note by L. Stevens, 23 January 1879.
[111] AAW/DOW/AP/2/2/3/26, Copy of a note from E. Bellew to T.J. Capel, copied 27 October 1880.
[112] AAW/DOW/AP/2/2/3/27, Copy of an anonymous letter received by T.J. Capel, n.d..
[113] AAW/DOW/AP/2/2/3/150, Letter from H. Willington to H.E. Manning, 5 December 1878.
[114] AAW/DOW/AP/2/2/3/49, Notes regarding Mgr Capel, n.d..
[115] AAW/DOW/AP/2/2/3/68, Notes on the evidence of L. Stevens, n.d..
[116] AAW/DOW/AP/2/2/3/151, Letter from H. Willington to D. Gilbert, 7 December 1878.
[117] Ibid.

he was making accusations to the Catholic authorities.[118] As we have seen, critics of the confessional believed that it was disruptive to domestic intimacy. The affairs of Mgr Capel led Dr Willington into a strange position, reporting secrets told to him by his wife directly to Cardinal Manning. This was a Protestant's nightmare, almost precisely the flow of information that Achilli had depicted between the confessional and the pope. Willington seems not to have thought the situation particularly peculiar—indeed, it was already the case, it seems, that Mrs Willington had continued to be a friend to Mrs Bellew after Dr Willington had broken off their friendship. Willington claimed that he was 'of opinion, that the lady in question had absolved me of the bond of the professional secret'.[119] What he meant by this was unclear—on his own account, Bellew had only told him some of what happened in 1875, and most of the information he now had came from his wife, who did not know that he was taking the information to the cardinal. In what sense Willington was under any form of professional secret in the first place is unclear—he was never, it seems, her doctor—much less in what sense he had felt himself to be absolved of it.

Around 7 December, Emily Bellew went to confession to Father Robinson, Capel's nemesis. Willington wrote to Robinson on 9 December. 'A terrible confession was made to you by a Penitent on Saturday,' he wrote. 'Thank God I do that it has been done! A great burden is laid on your shoulders, by your knowledge of the name of "the Viper" in it.'[120] Willington wrote to reassure Robinson that something was being done 'as to the bruising of his head.'[121] He would take this to Cardinal Manning 'within a few hours' and seek to bring allegations against Capel to his face, and 'bring a speedy retribution down on his head.'[122] As we saw in chapter one, it was unusual to name a third party in a confession, but Bellew seems to have done so here, and to then have told either Willington or his wife. A confession of this nature, including an allegation against a fellow priest and personal nemesis, would have placed Robinson in a strange position. Within days Robinson was involved in the case and had taken a statement from Lucy Stevens.[123]

Events were now gaining momentum. On 17 December, Willington and Capel met face to face in the presence of Daniel Gilbert—the Vicar General of the Diocese—and Willington made his charges to his former friend.[124] Capel denied everything and said that Emily Bellew was an immoral woman and a drunkard.[125] He also presented the letter from Bellew accusing him of having treated her 'damnably'. Gilbert pointed out that 'the letter implied the charge', which Capel conceded. Willington

[118] Notes regarding Mgr Capel, n.d..
[119] Notes on the evidence of L. Stevens, n.d..
[120] AAW/DOW/AP/2/2/3/152, Letter from H. Willington to W.C. Robinson, 9 December 1878.
[121] Ibid.
[122] Ibid.; AAW/DOW/AP/2/2/3/69, List of dates by H. Willington, n.d.; AAW/DOW/AP/2/2/3/71, Letter from H. Willington to H.E. Manning, 9 December 1878.
[123] AAW/DOW/AP/2/2/3/155, Statement by L. Stevens, 21 January 1879.
[124] AAW/DOW/AP/2/2/3/49, Notes regarding Mgr Capel, n.d..
[125] Capel said that Bellew's doctor and her daughter-in-law would back him up in this—in fact they did not; AAW/DOW/AP/2/2/3/162, Letter from E.S. Wait to H. Willington, 21 December 1878; AAW/DOW/AP/2/2/3/159, Letter from E. May to E. Bellew, 19 December 1878.

left, and Gilbert read Capel the statement that Robinson had taken from Stevens. Again, Capel denied it, saying that the account was inconsistent with the fact that, due to his ongoing money troubles, there was a bailiff in the house during the period in which the incident was alleged to have taken place. Gilbert told Capel that he would have to respond to the charges in writing. Meanwhile, the new statement was sought from Mary Stourton. By early January Capel had not sent anything, and was complaining of illness, and so Gilbert went to see him at home. Capel asked Gilbert 'as a friend' what the state of his case was, and Gilbert told him to place himself in the cardinal's hands so that they could avoid a Commission of Investigation, which would be a disaster for all involved; Gilbert left believing that Capel seemed inclined to follow his advice. When Gilbert next visited Capel, however, his health had recovered, and his attitude had changed; he was going to fight and had been advised to prosecute his accusers.[126]

On 22 January Emily Bellew went to Cardinal Manning, seeking to make another confession.[127] Henry Willington came with her.[128] Manning refused to hear it as a confession—he must be able to use whatever she said to him as evidence in the developing case against Capel. Nonetheless, Bellew spoke. The record of her statement was headed 'The following declaration was spontaneously made out of the confessional', as if to make clear that there was no breach of the seal in using Bellew's words. Bellew took responsibility for what had happened herself, and 'accused herself'. As Willington had reported, she had told him immediately after the first occurrence, and the affair had carried on intermittently for years. Bellew asked that her name was not brought into the case against Capel, but Manning said that Capel already knew about the allegations.[129] Manning asked her questions about her former life. The same day, Robinson wrote to Manning alarmed by the fact that Manning had known to ask her about her abortions. Suspicion had fallen on Robinson as Bellew's confessor, but he had never told Manning about them. The confusion, it seems, was caused by Willington, who had gathered much of the information. Robinson worried that Willington was interfering too much in the case and hoped that he could be stopped from speaking to Bellew.[130] Secrets were flowing too frequently and freely. In a religious milieu in which confession played a significant role, the transmission of secrets was loaded with a particular anxiety, because any suggestion that the seal of the confessional was broken risked exposing the intimate practice to scandal.

'What a year of sorrows; what a year of scandals!'

After years of hesitation, there now seemed to be enough evidence to bring charges against Capel in a Diocesan Commission of Inquiry. The charges related to his behaviour with Emily Bellew, Lucy

[126] Notes regarding Mgr Capel, n.d..
[127] AAW/DOW/AP/2/2/3/194, Letter from E. Bellew to H.E. Manning, 22 January 1879.
[128] AAW/DOW/AP/2/2/3/52, Notes of a statement by Mrs Bellew, 22 January 1879.
[129] Ibid.
[130] AAW/DOW/AP/2/2/3/195, Letter from W.C. Robinson to H.E. Manning, 22 January 1879.

Stevens and Mary Stourton, in addition to a charge of habitual drunkenness. But an inquiry had the potential to cause scandal and would involve going in detail into the case. Robinson was confident that it would be quickly won; 'He will be done for', he wrote to a friend.[131] Capel seems to have thought he would be cleared by the commission; certainly, he began to demand that the inquiry begin with haste.[132] He had seen off Mary Stourton before, and could now bring his attention to bear on the reputations of Bellew—a divorcee whom he accused of abusing drink and chloral—and Stevens—a servant and a Protestant. He immediately set about accusing Willington of being a liar, and, perhaps surprisingly given his own financial troubles, pointed out that the doctor was a bankrupt.[133] Willington was worried by the idea that Capel planned to sue him; not least because he had heard Bellew was planning to leave the country to avoid the scandal, and Mrs Willington had told him that she would not testify.[134] The threat of libel action would be an effective weapon in trying to prevent witnesses from speaking—after all, the commission had no powers to compel witnesses or to administer oaths.[135] Whether or not the proceedings of the commission were privileged—that is to say, whether things said in the inquiry would be actionable as libel in the civil courts—was the topic of differing legal views from lawyers consulted by the authorities.[136] Capel eventually waived his right to prosecute his accusers; this seems to have been the result of a threat of excommunication, as blocking witnesses would have been an impediment to the jurisdiction of the archbishop.[137] While the inquiry was ongoing, Capel was told, his faculties as a priest were suspended—this meant that he could not receive converts or hear confessions.[138]

The Diocesan Commission of Inquiry met from 29 January to 12 February 1879. Capel was questioned and given the opportunity to question witnesses in turn. Important witnesses were absent. In early February Bellew wrote that she would not testify to anything relating to her alleged affair with Capel, though she would happily answer questions in writing concerning her use of chloral or the case of Lucy Stevens.[139] Her doctor sent a note to say that she was not capable of testifying, and also wrote to say that Bellew was not in general given to excessive drink, although she did take more chloral than was good for her.[140] Mary Stourton was in France, and had no reason to return—she had

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[131] AAW/DOW/AP/2/2/3/200, Letter from W.C. Robinson to 'Old Padre', 26 January 1879.
[132] AAW/DOW/AP/2/2/3/196, Letter from T.J. Capel to D. Gilbert, 22 January 1879.
[133] AAW/DOW/AP/2/2/3/122, Letter from T.J. Capel to D. Gilbert, 1 January [1879].
[134] AAW/DOW/AP/2/2/3/194, Letter from E. Bellew to H.E. Manning, 22 January 1879; AAW/DOW/AP/2/2/3/193, Letter from D. Gilbert to H. Willington, 21 January 1879; AAW/DOW/AP/2/2/3/210, Letter from H. Willington to W.C. Robinson, 3 February 1879.
[135] AAW/DOW/AP/2/2/3/178, Letter from J.V. Harting to H.E. Manning, 11 January 1879.
[136] AAW/DOW/AP/2/2/3/182, Copy of a legal opinion of Mr Bagshawe, 13 January 1879; AAW/DOW/AP/2/2/3/190, Copy of a legal opinion of Mr Day, 17 January 1879.
[137] AAW/DOW/AP/2/2/3/177, Letter from T.F. Knox to H.E. Manning, 10 January 1879; AAW/DOW/AP/2/2/3/187, Letter from T.J. Capel to D. Gilbert, 15 January 1879.
[138] AAW/DOW/AP/2/2/3/183, Copy of a letter from D. Gilbert to T.J. Capel, 14 January 1879; AAW/DOW/AP/2/2/3/184, Letter from T.J. Capel to D. Gilbert, 14 January 1879; Copy of a letter D. Gilbert to T.J. Capel, 15 January 1879.
[139] AAW/DOW/AP/2/2/3/208, Letter from E. Bellew to W.C. Robinson, 1 February 1879.
[140] AAW/DOW/AP/2/2/3/209, Note regarding the health of Mrs Bellew by Dr E. May, 2 February 1879;

made her statement again, and had nothing to gain from appearing to be cross-examined and interrogated. Lucy Stevens testified, as did her brother-in-law. The lack of key witnesses meant that Robinson's certainty that it would be a swift and certain strike against his nemesis was quickly shaken. Even as the commission began, he was still searching for evidence and for more witnesses to come forward, seemingly at the request of Manning.[141]

The injuries Bellew sustained in the Sittingbourne railway disaster were to become significant points of discussion in the case against Monsignor Capel. Willington had claimed that Bellew had said that Capel had made love to her with 'recklessness & rampancy' following the train accident; the clergymen of the commission thus found themselves discussing whether or not Bellew would have been able to have reckless and rampant sex when she had broken ribs. This is an important point, because it reminds us that different physical abilities circumscribe the ways in which people can engage in intimate practices; a history of intimacy is necessarily, to some extent, related to the history of the body. Indeed, Bellew's health has left behind an unusually detailed record. From her divorce proceedings against John Fenwick Wilkinson, we know that she accused her husband of having given her a venereal disease three times.[142] Dr Harper testified that he had been her medical attendant from 1870 to 1874, and that when he had first called on her she suffered from ovarian disease, and later 'fibrine thickening of the uterus'.[143] Willington stated that she was, at her age, 'necessarily subject' to hysteria, but that he had not observed any hysterical behaviour in her.[144] Both the mental and physical injuries sustained in the Sittingbourne accident were entered into the record. Capel alleged that there was madness in her family; her sister died in an asylum in 1868.[145] Florence Marryat said that Bellew had claimed to have procured five miscarriages at the insistence of the late Mr Bellew, in order to conceal that they were not living according to the demands of the Church; Manning, as has been noted, had somehow found out about the abortions already. That Mrs Bellew took chloral was never in dispute, only whether she took it to excess. Chloral hydrate was widely used as a recreational drug, but it had medical uses as a sedative, and Mrs Bellew had at least begun using the substance as a treatment for pain. Addiction was common, sometimes associated with its use as a painkiller, sometimes used by alcoholics and insomniacs to aid sleep.[146] Overdose could kill.[147] It is possible that Mrs Bellew had undergone ovariotomy in order to cure her ovarian disease, much better-established as a procedure by the 1870s than in the 1850s when Isaac Baker Brown, before turning to

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AAW/DOW/AP/2/2/3/159, Letter from E. May to E. Bellew, 19 December 1878.

[141] AAW/DOW/AP/2/2/3/40, Letter from W.C. Robinson to 'Padre', 28 January 1879; AAW/DOW/AP/2/2/3/204, Statements of police inspectors, 30 January 1879.

[142] TNA, Divorce and Matrimonial Causes Files, J77/59/W77, via ancestry.co.uk.

[143] AAW/DOW/AP/2/2/3/166, Minutes of a Commission of Inquiry regarding Mgr Capel, 1879.

[144] Minutes of a Commission of Inquiry regarding Mgr Capel. See Elaine Showalter, *The Female Malady: Women, Madness, and English Culture* (New York: Pantheon, 1985).

[145] TNA, Lunacy Patients Admission Registers, class MH 94, piece 4, via ancestry.co.uk.

[146] Benjamin Ward Richardson, 'Chloral and other narcotics', *The Contemporary Review* 35 (1879), pp.719-739.

[147] 'The Dangers of Chloral', *British Medical Journal* 535 (1871), p.349.

clitoridectomy, had been so persistent in its use.[148] Bellew's alleged hysterical nature and consumption of drink and drugs enabled Capel to claim that she had hallucinated the contents of her allegations.[149]

This detailed medical record, generated both by the documentary evidence of her divorce and the inquiry into the Kensington scandal, is striking. Both the divorce court and the commission demanded the disclosure of secrets. But strikingly, in the case of the commission, Bellew's medical history was discussed in her absence and without her consent. After Dr Harper had described Bellew's ovarian disease, he said that she took stimulants to excess and that he had ceased attending to her because he judged her to be 'a woman of dangerous character'. A member of the commission then asked him whether he thought there was 'a grievous violation of professional secrecy in making such statements about Mrs Bellew without her leave?' Harper replied simply, 'Yes.' After the evidence was read back he added that given that the information was already the topic of their discussion, he did not believe he was revealing anything new.[150] There was no further cross-examination, and it seems that the commissioners chose not to pursue Harper's evidence any further because it represented a breach of professional secrecy. John Morris, a Jesuit priest who helped Capel as a sort of legal advisor, later wrote to Manning questioning the way in which Dr Harper's evidence had been treated.[151] It was clearly a reasonable judgment on the part of Harper, Morris wrote, that he could break this professional secrecy in the context of an inquiry of priests committed to secrecy. In any case, it was clearly wrong to ignore the professional opinion of a medical man, even if it had not been given appropriately; after all, there were no rules concerning evidence in front of the commission, only that it had to try to establish the truth.[152] When Capel questioned his own doctor in order to establish that he bore no medical symptoms of excessive drink, he began by stating that he was 'relieving you from all professional secrecy'.[153]

Capel's cross-examination of Lucy Stevens attacked her on the basis of her social class, her Protestantism, and her recollection of details. He focussed in particular on the phrase used in her statement, dictated to Robinson, that Capel had 'used every kind of expression a man would use in trying to seduce a girl.' 'These are the words of a girl not yet so it transpired in evidence twenty years in age,' Capel wrote in his submission after the hearings. 'It is scarcely the conduct of a right-minded girl, who was inexperienced in wrong doing.' Stevens's apparent sexual knowledge, Capel proposed, was evidence of her bad character, or at the very least her lack of innocence. Knowledge itself could be 'demoralising'—as anxieties around the dangers of the confessional showed. But there was also

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[148] Moscucci, *Science of Woman*, pp.134-164.
[149] AAW/DOW/AP/2/2/3/222, Copy of Mgr Capel's defence, 22 February 1879.
[150] AAW/DOW/AP/2/2/3/166, Minutes of a Commission of Inquiry regarding Mgr Capel, 1879.
[151] For a biography of Morris, see J.H. Pollen, *The Life and Letters of Father John Morris* (London: Burns and Oates, 1896).
[152] AAW/DOW/AP/2/2/3/229, Letter from J. Morris to H.E. Manning, 5 March 1879. Capel made the same argument. Copy of Mgr Capel's defence, 22 February 1879.
[153] Minutes of a Commission of Inquiry regarding Mgr Capel, 1879.

the possibility, because Robinson had recorded the statement, that the phrase had been put to her by Robinson in order to make the nature of the allegation clearer—Capel complained that those who gathered the evidence were biased against him. If priests avoided asking questions in the confessional, they could not avoid asking them in an inquiry into the sexual misdemeanours of a fellow priest.

Shortly after the commission closed, Canon George Last, the president, wrote his findings. The charge of drunkenness did not stand. Mary Stourton's absence, her status as a 'corrupted person', and the fact that she had made and retracted her statements all cast doubt on the truth of the claims; but her testimony nevertheless placed Capel under 'very grave suspicions.' Lucy Stevens had been mistaken in some details about the layout of Capel's house, which cast some doubt over the rest of her testimony. But Capel's efforts to demonstrate Stevens's vindictiveness towards him had backfired—she had no motive to lie, and it was clear that he was peculiarly committed to bringing her down in the eyes of the commission. The case of Bellew was more straightforward. She had only spoken out against Capel reluctantly and moved by conscience—Capel was guilty. Furthermore, 'The concurrent testimony of the witnesses Miss Stourton Mrs Bellew and L. Stevens not suspected of collusion leaves a strong presumption against the monsig even when the guilt was not proved.'[154] All of the other members of the commission substantially agreed, though some were more forthright in their confidence that, while unproved, there were grave suspicions arising from the statements of Stourton and Stevens.[155]

The commission having made their case, it fell to Manning to pass sentence. But here secrecy and scandal once again pressed upon him. If he passed a formal sentence defrocking Capel, then the matter would necessarily become public, whereas up until now a level of secrecy had been maintained. Capel headed to Rome, apparently in order to lay the groundwork for an appeal, and because he was aware that enemies from England were speaking ill of him there.[156] But without Manning passing a formal sentence, there was nothing for him to appeal; he was caught in a peculiar legal limbo, still stripped of his faculties but not yet of his priesthood.[157] In England, there was uncertainty as to whether he would return.[158] In Rome, his case was known about by senior cardinals and the Pope.[159] Capel said that he was considering going to America, which would be a convenient solution for all parties.[160] But he returned to Kensington, and insisted he would stay to defend himself.

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[154] AAW/DOW/AP/2/2/3/170, Statement by G. Last, 16 February 1879.
[155] AAW/DOW/AP/2/2/3/171, Statement by R. Butler, March 1879; AAW/DOW/AP/2/2/3/216, Statement by R. Macmullen, 14 January 1879; AAW/DOW/AP/2/2/3/220, Statement by E. Pennington, 18 February 1879; AAW/DOW/AP/2/2/3/230, Statement regarding Mgr Capel, 7 March 1879; AAW/DOW/AP/2/2/3/231, Statement regarding Mgr Capel, 8 March 1879.
[156] AAW/DOW/AP/2/2/3/173, Letter from T.J. Capel to H.E. Manning, 1 January 1879; AAW/DOW/AP/2/2/3/211, Letter from T.J. Capel to H.E. Manning, 8 February 1879; AAW/DOW/AP/2/2/3/245, Letter from J. Rogerson to H.E. Manning, 23 May 1879.
[157] AAW/DOW/AP/2/2/3/238, Letter from T.J. Capel to H.E. Manning, 30 April 1879.
[158] AAW/DOW/AP/2/2/3/232, Letter from R.S. Swaby to H.E. Manning, 7 March 1879; AAW/DOW/AP/2/2/3/242, Letter from J.R. Madan to H.E. Manning, 12 May 1879.
[159] AAW/DOW/AP/2/2/3/181, Letter from J. Palmer to D. Gilbert, 13 January 1879.
[160] AAW/DOW/AP/2/2/3/247, Letter from W. Clifford to H.E. Manning, 28 May 1879.

His absence, he said, had been interpreted as an admission of guilt, and he still maintained his innocence.[161]

His strategy seems to have had two components. The first was to use the newspapers to paint a picture of his good standing. Stories began to appear stating that the Pope had acquitted him, that he was going to return to England as nuncio, that Robinson was soon to be called to Rome, that Manning had behaved as a tyrant.[162] Capel accused Robinson of having used the papers to smear him.[163] The second was to act as if nothing had happened. He told people that he had been acquitted, and that the Pope was on his side. He continued to hear confessions and receive converts in Rome.[164] In Kensington he said Mass, and behaved as normal, hosting parties in his garden.[165] When challenged, he denied having gone any further than he was permitted to do; he had not preached at the public school, he said, but merely given instruction on the day's gospel in the chapel before High Mass, which was not strictly preaching.[166] Manning demanded that he cease all religious instruction in the chapel.[167] Capel was seeking to use the ambiguous position that he had been placed in—under restrictions but not yet defrocked—to imply his innocence; the secrecy of the commission would work in his favour until Manning was willing to pass sentence.

In May, the commission met again and decided unanimously that Capel should leave England as soon as possible, and that if he persisted in saying that the case against him had failed either in Rome or in England then he should be suspended *a divinis*—completely suspended from his priestly rights and duties.[168] In June, Manning's position began to harden, and he wrote to Capel to say that he had agreed with the Pope that no sentence would be passed—in order to avoid scandal—if Capel would submit to Manning's demands that he leave England and cease his ministries. Yet Capel was continuing to exercise his ministry and insisting he would stay; 'persistence in this course', Manning warned, 'will have certain inevitable consequences.'[169] On 26 June the commission advised Manning that action should be taken immediately, and that Capel should be completely suspended from the exercise of his faculties in the Archdiocese of Westminster.[170]

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[161] AAW/DOW/AP/2/2/3/259, Letter from T.J. Capel to D. Gilbert, 21 June 1879.
[162] AAW/DOW/AP/2/2/3/226, Letter from W. Maywell to H.E. Manning, 1 March 1879; AAW/DOW/AP/2/2/3/232, Letter from R.S. Swaby to H.E. Manning,7 March 1879; AAW/DOW/AP/2/2/3/236, Letter from A.H. Young to H.E. Manning enclosing a newspaper cutting, 8 April 1879; AAW/DOW/AP/2/2/3/255, Letter from W.C. Robinson to H.E. Manning enclosing newspaper cuttings, 16 June 1879; AAW/DOW/AP/2/2/3/276, Newspaper cutting from the *Chronicle* sent to H.E. Manning, 6 June 1879.
[163] AAW/DOW/AP/2/2/3/235, Letter from T.J. Capel to H.E. Manning, 5 April 1879.
[164] AAW/DOW/AP/2/2/3/247, Letter from W. Clifford to H.E. Manning, 28 May 1879; AAW/DOW/AP/2/2/3/248, Letter from J.V. Harting to H.E. Manning, 14 June 1879; AAW/DOW/AP/2/2/3/250, Unsigned letter to H.E. Manning, 9 June 1879; AAW/DOW/AP/2/2/3/251, Letter from T.J. Capel to H.E. Manning enclosing an extract of a letter by G. Angus, 12 June 1879.
[165] AAW/DOW/AP/2/2/3/256, Letter from C. Harrington Moore to D. Gilbert, 17 June 1879; AAW/DOW/AP/2/2/3/262, Letter from R.F. Clarke to H.E. Manning, 21 June 1879.
[166] AAW/DOW/AP/2/2/3/260, Letter from T.J. Capel to H.E. Manning, 21 June 1879.
[167] AAW/DOW/AP/2/2/3/261, Copy of a letter from H.E. Manning to T.J. Capel, 21 June 1879.
[168] AAW/DOW/AP/2/2/3/244, Minutes of a Commission of Inquiry regarding Mgr Capel, 23 May 1879.
[169] AAW/DOW/AP/2/2/3/258, H.E. Manning to T.J. Capel, 18 June 1879.
[170] AAW/DOW/AP/2/2/3/265, Resolution concerning Mgr Capel, 26 June 1879.

Yet ambiguity still reigned, and Robinson and Capel still fought out their mutual hatred, which had now persisted for many years. The future of the public school in particular was precarious, especially once Capel was suspended, and Manning apparently told at least one parent that it would close imminently.[171] Standards at the school slipped in Capel's absence, with an outbreak of venereal disease amongst the unsupervised boys.[172] Robinson advised Miss Plues, the superintendent of St Anne's Home, to have her name removed from the lease, in order to avoid becoming liable for the closure of the institution.[173] Capel was bankrupt and insistent that he was owed money by the bishops.[174] Lack of funds, he said, was partly what had prevented him from going to America; he was effectively seeking to blackmail the episcopal authorities, suggesting that he would leave England if the financial problems arising from the failed college were settled in his favour.[175] Indeed, it now became apparent that Capel was borrowing and being given money, mainly from wealthy female supporters, to maintain both the network of Catholic institutions in Kensington and his own lifestyle.[176] Robinson implored Manning to permanently get rid of Capel for the sake of the circle of devoted women whose souls were still at risk—he promised to bring the cardinal more scandals soon.[177]

Capel and his allies continued to try to discredit his accusers. In November 1879, a woman 'known slightly' to Mary Stourton, Sarah Bridges, wrote to her demanding clarification; Stourton had apparently told one person that she had only ever thought of Capel as a priest, and had 'made statements of an opposite character' to another.[178] Stourton sent the letter on to Manning, along with a letter of her own expressing a great deal of anxiety about who now knew what; she added in a postscript that she had recently been to confession to a new priest, who 'was so nice & kind'.[179] A short while later, Sarah Bridges wrote to Manning, asking to see him with 'confidential evidence'.[180] Bridges, it seems, was trying to catch Stourton in a lie. The following year, Bridges was still on the case. In May 1880, Mrs Fischer, with whom Stourton had lived in London for a period in 1878, told Bridges that she would lie to protect Stourton, that Stourton took too much chloradine, had a lover,

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[171] AAW/DOW/AP/2/2/3/272, Copy of a letter from M.M. Plues to T.J. Capel, 14 July 1879.
[172] AAW/DOW/AP/2/2/3/284, Letter from C. Harrington Moore to H.E. Manning, 22 September 1879; AAW/DOW/AP/2/2/3/286, Letter from C. Harrington Moore to H.E. Manning, 23 September 1879.
[173] AAW/DOW/AP/2/2/3/272, Copy of a letter from M.M. Plues to T.J. Capel, 14 July 1879; AAW/DOW/AP/2/2/3/273, Letter from W.C. Robinson to D. Gilbert, 6th July 1879; AAW/DOW/AP/2/2/3/275, Letter from W.C. Robinson to H.E. Manning, 22 July 1879; AAW/DOW/AP/2/2/3/276, Letter from M.M. Plues to W.C. Robinson, 29 July 1879; AAW/DOW/AP/2/2/3/281, Letter from G.M. Fraser to W.C. Robinson, 16 July 1879.
[174] AAW/DOW/AP/2/2/3/241, Letter from T.J. Capel to H.E. Manning, 12 May 1879.
[175] AAW/DOW/AP/2/2/3/287, Letter from T.J. Capel to H.E. Manning, 25 September 1879.
[176] E.g., AAW/DOW/AP/2/2/3/281, Letter from G.M. Fraser to W.C. Robinson, 16 July 1879; AAW/DOW/AP/2/2/3/310, Letter from A. Wilmot Chetwode to M.M. Plues, 30 December 1879; AAW/DOW/AP/2/2/3/312, Letter from T. O'Grady to H.E. Manning, 30 January 1880; AAW/DOW/AP/2/2/3/313, Letter from P. Fenton to H.E. Manning, 9 June 1880.
[177] AAW/DOW/AP/2/2/3/308, Letter from W.C. Robinson to H.E. Manning, 2 December 1879.
[178] AAW/DOW/AP/2/2/3/2/3/302, Letter from S. Bridges to M. Stourton, 8 November 1879.
[179] AAW/DOW/AP/2/2/3/2/3/302, Letter from M. Stourton to H.E. Manning, 17 November 1879
[180] AAW/DOW/AP/2/2/3/2/3/298, Letter from S. Bridges to H.E. Manning, 15 November 1879.

and had taken bank notes from a man.[181] When Fischer left a letter from Stourton in the Bridges's drawing room, Bridges took a copy. The letter was clearly profoundly private; Stourton wrote that she was near death because of her consumption of chloral, and she begged Fischer not to tell others about her private life.[182] But Fischer had already told Bridges a great deal, and Bridges told the cardinal all she knew. Perhaps most strikingly, Manning then told Bridges, 'in confidence' about 'Miss M. Stourton's case', which Bridges promised she would keep *sub sigillo*.[183] The purpose of Bridges writing to the cardinal had been to portray Stourton as a woman of ill-repute, who could not be trusted; her evidence sought to show that she was a liar, a drug addict, and possibly a prostitute. But Manning already knew that Stourton was a sinner, and he knew it partly because Stourton had been relatively open about the fact to him and partly because Capel had broken Stourton's confidence in passing on an account she had written in 1875. Now, bizarrely, Manning told Bridges what he knew. Mary Stourton could not escape. Above, I suggested that the students at the Catholic University College were allowed to sin and be redeemed. Ward, as we saw, argued that repentance reigned in the college. Mary Stourton's case suggests that women were less likely to be afforded such public acceptance of their confessions—she was still judged at home, condemned by her aunt, and was still having her confidences broken by Manning.

The most important of Capel's accusers, however, was Emily Bellew, the woman found most plausible by the commission. Capel's efforts to change the view of the commission by discrediting Bellew were futile; there was little doubt that Bellew was far from a model Catholic, but this made the allegation that she had an affair with a priest more, not less, likely. What mattered was her reluctance, unlike Mary Stourton, to make allegations against Capel. Capel argued that the allegations supposedly 'spontaneously made out of the confessional' had in fact been made after a great deal of persuasion by Willington; but in the eyes of the commission, this reluctance spoke to her credibility, not against it. She had not accused him, nor sought to damage him. Indeed, she had said as much in the letter in which she had promised Capel not to do him any harm, which he himself had brought to the attention of the authorities, and which was now viewed as one of the most damning pieces of evidence in favour of the truth of the allegation. After reviewing this new submission of evidence, the commissioners agreed that it changed nothing.[184]

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[181] AAW/DOW/AP/2/2/3/2/3/330, Letter from S. Bridges to H.E. Manning, 15 May 1880; AAW/DOW/AP/2/2/3/2/3/331, Letter from S. Bridges to H.E. Manning enclosing a copy of a letter by M. Stourton, 22 May 1880.
[182] Ibid.
[183] AAW/DOW/AP/2/2/3/2/3/333, Letter from S. Bridges to H.E. Manning, 31 May 1880.
[184] AAW/DOW/AP/2/2/3/320, R. Butler statement regarding Mgr Capel, 19 September 1880; AAW/DOW/AP/2/2/3/321, G. Last statement regarding Mgr Capel, 27 September 1880; AAW/DOW/AP/2/2/3/322, E. Pennington statement regarding Mgr Capel, n.d.; AAW/DOW/AP/2/2/3/323, Notes regarding the judgment on Mgr Capel, 5 October 1880; AAW/DOW/AP/2/2/3/325, R. Macmullen statement regarding Mgr Capel, 15 October 1880; AAW/DOW/AP/2/2/3/326, Letter from E. Pennington to H.E. Manning, 23 October 1880.

'Again! Again!'

In August 1880, a man named John Rutherford Smith, living in Southampton, received an anonymous letter, apparently written in the handwriting of a woman. It read:

> I caution you as I have had to caution others against allowing your wife to go to luncheon so often at Monsignor Capel's. Her friendship with Mgr. Capel is more than of an ordinary character and you had better come to London to sever the acquaintance. Cardinal Manning is already aware of it.

A short time later, Rutherford Smith received a postcard, written in the same handwriting. It was shorter, and blunter.

> What a fool you are, have you no respect for your wife or for yourself either?[185]

At first, Rutherford Smith took no notice of the anonymous letters. But a while later, he returned to London and heard from others that there were rumours circulating in Kensington about the celebrity priest, and his mind turned again to the letters. Troubled, he went to the Pro-Cathedral on a Saturday evening in November to make his confession to Walter Croke Robinson.

According to John Rutherford Smith, Robinson said in the confessional that he should go to Manning and tell him about the anonymous letters. Rutherford Smith replied that he would only speak to the cardinal if Robinson insisted on it. Robinson then asked if Rutherford Smith could be trusted with a secret and said to meet him at his house on Abingdon Road the following week. Rutherford Smith did so, and Robinson there asked him to repeat what he had said in the confessional. 'Thinking that this was to be regarded as a further explanation of Saturday's confession, and was to be considered as under the same secrecy I did so:' Rutherford Smith stated in an affidavit the following year, 'certainly I would not have repeated what I said in confession had I thought there was not such secrecy.' Robinson again said that Rutherford Smith should speak to Manning. Rutherford Smith responded that he had no charge to make against Capel. He had assumed up till now that because they were colleagues at the Pro-Cathedral Robinson and Capel must be on friendly terms. But Robinson then began to speak in such a way as to encourage Rutherford Smith to believe that everything he had heard was true. Indeed, Robinson was open about his animosity towards Capel. Robinson said that he would go and see the cardinal, apparently to the surprise, and without the sanction, of John Rutherford Smith.

John Rutherford Smith and his wife, Clara, were separated. Capel served as Clara's spiritual advisor. They wrote to one another often, and the tone of their letters was sometimes flirtatious; in

[185] The originals of these messages were destroyed but are described in various files in the archive. AAW/DOW/AP/2/2/32/36, Copy of a letter from J.H. Rutherford Smith to T.J. Capel, 26 March 1881; AAW/DOW/AP/2/2/32/40, Affidavit of J.H. Rutherford Smith, 26 April 1881.

one, Capel thanked her for a photograph of herself that she had sent and said he thought that the original was much better looking.[186] His advice to her concerned more than just spiritual matters – he expressed his opinions on where she should live, and on legal questions.[187] Capel knew Clara's mother and her sister.[188] Much of the correspondence consisted of Capel complaining about his financial difficulties, and his treatment at the hands of the bishops; he told her that were it not for his personal crisis he would have lent her money to help her in her own financial troubles.[189] Clara's money difficulties meant that she decided to return to the theatre; Capel discouraged this unrespectable course, but then offered to introduce her to people in the world of theatre once her mind had been made up.[190]

A week after his meeting with Robinson, John Rutherford Smith was ill, and went to a doctor recommended to him by the priest. When he arrived, Rutherford Smith was surprised to find that the doctor knew a great deal about what had passed between the two men in the confessional. Robinson, who said that Rutherford Smith had given him permission to use the information, said that he thought that sharing it with his doctor was in Rutherford Smith's best interests. When he saw Robinson a few days later, Robinson said that he and the doctor thought that Rutherford Smith ought to take legal action against Capel. Robinson was now, it seems, the adviser Rutherford Smith turned to in times of need, because Rutherford Smith a short while later wrote to Robinson asking him to encourage Clara to return to him; Robinson, however, said that he would not speak to her as long as she had anything to do with 'that man'. But Robinson did speak to Clara on John's behalf, when John and Clara—though apparently separated—went together to hear Robinson preach at the Pro-Cathedral. This meeting sparked the new wave of crisis and scandal which was to follow.

In March 1881, Clara mentioned the meeting to Capel, who called the information 'extraordinary' and told her that if she were to write down what had happened she would be doing him '<u>a real service</u>'.[191] On 16 March, Clara Rutherford Smith wrote a letter alleging that Robinson had asked her why she lived separately from her husband. He said, according to her account, that he knew that the reason was 'a gentleman', before making a series of shocking claims about Capel. Robinson

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[186] AAW/DOW/AP/2/2/32/2, Letter from T.J. Capel to C. Rutherford Smith, n.d.; AAW/DOW/AP/2/2/32/13, Letter and New Year card from T.J. Capel to C. Rutherford Smith; AAW/DOW/AP/2/2/32/8, List of letters, telegrams and postcards from Mgr Capel to Mrs Rutherford Smith, n.d..
[187] AAW/DOW/AP/2/2/32/14, Letter from T.J. Capel to C. Rutherford Smith, 2 January 1880; AAW/DOW/AP/2/2/32/20, Letter from T.J. Capel to C. Rutherford Smith, 18 March 1880; AAW/DOW/AP/2/2/32/21, Letter from T.J. Capel to C. Rutherford Smith, 2 April 1880.
[188] AAW/DOW/AP/2/2/32/56, Letter from T.J. Capel to C. Rutherford Smith, 7 December 1879; AAW/DOW/AP/2/2/32/57, Letter from T.J. Capel to C. Rutherford Smith, 19 January 1882.
[189] AAW/DOW/AP/2/2/32/30, Letter from T.J. Capel to C. Rutherford Smith, 2 December 1880.
[190] AAW/DOW/AP/2/2/32/18, Letter from T.J. Capel to C. Rutherford Smith, 27 February 1880; AAW/DOW/AP/2/2/32/22, Letter from T.J. Capel to C. Rutherford Smith, 3 April 1880; AAW/DOW/AP/2/2/32/23, Letter from T.J. Capel to C. Rutherford Smith, 8 April 1880; AAW/DOW/AP/2/2/32/24, Letter from T.J. Capel to C. Rutherford Smith, 30 April 1880; AAW/DOW/AP/2/2/32/25, Letter from T.J. Capel to C. Rutherford Smith, 31 May 1880.
[191] AAW/DOW/AP/2/2/32/32, Letter from T.J. Capel to C. Rutherford Smith, 8 March 1881.

said that he knew that Capel was her spiritual adviser—even though he was not allowed to hear confessions—and that Capel was the reason she did not live with her husband. Robinson said that 'he would not like to trust even himself with me alone'.[192] Not long after, Capel spoke to John about what Clara had told him. John apparently told Capel that Robinson had broken the seal of the confessional, having told both Manning and the doctor about the November confession.[193] Capel insisted that he put this in writing, which he did; a few days later, after a further conversation, Rutherford Smith wrote a longer version of this letter.[194] He seems to have wavered somewhat before finally signing an affidavit, prepared by Capel and drawing on the letters, towards the end of April.[195]

The information that now sat with Capel furnished the perfect opportunity for revenge. Father Robinson, Capel's longstanding nemesis, had breached the seal of the confessional. John Rutherford Smith was willing to sign an affidavit to the effect. And if Manning could be shown to have received information obtained in the confessional, then he too could be brought into a scandal. Furthermore, the stakes involved in a breach of the seal of the confessional were extreme—Robinson could be portrayed as endangering the entire Catholic cause in England. Capel had been willing to share Mary Stourton's letter with Manning, and he had received information about her from Manning, but this was something different—an explicit case of the breaking of the seal, of a secret slipping from the box, to the home, to a doctor, to the cardinal.

Capel's plan began to disintegrate later in May 1881, when John Rutherford Smith changed his story. On 20 May he said, in the presence of Manning, that Clara Rutherford Smith's letter about Father Robinson seemed not to be written in her style – he did not believe that she had written it, and he did not believe that its contents were true. His own letter, he said, had only been written because Capel had told him to, and it was Capel who had put into his head the idea that Robinson had broken the seal of the confessional; he would never have instigated the proceedings, or even written the letter, by his own devices. He now said that he and Capel had fallen out long before the initial anonymous letter had been sent, because he had heard that Capel was giving money to his separated wife; Capel had apparently threatened him with action for libel for telling others about this. Importantly, he said that he could not remember whether or not he had given Robinson permission to repeat what he had said out of the confessional; he was now 'almost convinced' that in fact he had.[196] Just two days later, Rutherford Smith was convinced—Robinson had asked him permission to discuss what was said out of the confessional with others.[197] This was not, then, a case of a breach of a seal, but rather the same

[192] AAW/DOW/AP/2/2/3/339, Copy of a letter from C. Rutherford Smith to T.J. Capel, 16 March 1881.
[193] AAW/DOW/AP/2/2/32/67, Letter from T.J. Capel to D. Gilbert, 28 February 1882.
[194] Ibid.
[195] AAW/DOW/AP/2/2/32/40, Affidavit of J.H. Rutherford Smith, 26 April 1881;
AAW/DOW/AP/2/2/32/54/14, Letter from T.J. Capel to J.H. Rutherford Smith, 14 April 1881;
AAW/DOW/AP/2/2/32/54/15, Letter from T.J. Capel to J.H. Rutherford Smith, 24 April 1881;
AAW/DOW/AP/2/2/32/65, Letter from T.J. Capel to D. Gilbert, 25 February 1882.
[196] AAW/DOW/AP/2/2/32/46, Statement by J.H. Rutherford Smith, 20 May 1881.
[197] AAW/DOW/AP/2/2/32/72, Statement by J.H. Rutherford Smith, 22 May 1881.

problem we saw in the Birmingham Oratory during the Achilli trial; it remained the case that it was unusual, and perhaps inadvisable, to ask a penitent to repeat something said in confession outside of it, but it was not, strictly speaking, a breach of the seal. Far from being a case that would damn Robinson, it now seemed that the seal had not been broken, Robinson was innocent, and Capel had, through threats of legal action, persuaded Rutherford Smith to make a false allegation.

As in the earlier cases, part of the battle took place in the newspapers. In May, the *Daily Chronicle* printed an article which announced that Rutherford Smith had petitioned Propaganda and the Holy Office, charging Robinson with having 'infringed the "sigillum" of confession'. The appearance in the newspapers appears to have spooked Rutherford Smith, and Capel expressed consolation, though not an admission that he had put it there, to him.[198] After Rutherford Smith's retraction of his allegations against Robinson, a document printed in Paris began to circulate amongst the clergy, quoting from the *Daily Chronicle* article, and alleging that pressure had been put on Rutherford Smith by friends of Robinson to withdraw his claims.[199] Rutherford Smith denied having been the author of the circular.[200] The document described the case as a major crisis for Catholicism in England.

> The burden of confession is so great that the least doubt about the sacredness of the secrecy would render the Sacrament unbearable. And already many refuse to confess so long as this scandalous fact remains, or until our pastors declare that such is contrary to the teaching and practice of the Church. When they see that Rev. W. C. Robinson without clearing himself publicly from this charge so publicly made is allowed to preach, to say mass and to hear confessions, Catholics look with fear and trembling and turn to the rest of the pastors of the Church in our country to strengthen them before such a scandalous charge.[201]

It was certainly true that fear of information spreading through the confessional was beginning to spread in Kensington. Mrs Geldard, who had worked at the girls' school, wrote that Capel told people to confess at the Carmelite Church in Kensington rather than the Pro-Cathedral, and that she herself had ceased going to confession for fear that word would get back to Capel.[202] In February 1882, an article appeared in the *Whitehall Review* headed 'The Kensington Confession Case', professing to reveal the whole truth and to 'set aside once for all the erroneous assertions made by scurrilous libellers'.[203] It was substantially a statement of Capel's version of events, and accused Manning of a deliberate cover-up to save Robinson. The article blamed the series of misunderstandings and mistakes on the ignorance of Rutherford Smith—a recent convert—and Robinson—a converted

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[198] AAW/DOW/AP/2/2/32/54/7, Letter from T.J. Capel to J.H. Rutherford Smith, n.d..
[199] AAW/DOW/AP/2/2/32/51, 'The secrecy of confession', 1881.
[200] AAW/DOW/AP/2/2/32/50, Letter from J.H. Rutherford Smith to D. Gilbert, 13 July 1881.
[201] 'The secrecy of confession'.
[202] AAW/DOW/AP/2/2/371, Statement regarding Mrs Geldard, 18 February 1882; AAW/DOW/AP/2/2/375, Letter from F. Geldard to D. Gilbert, 25 February 1882.
[203] AAW/DOW/AP/2/2/32/62, Cutting from *The Whitehall Review* on 'The Kensington Confession Case', 9 February 1882.

Anglican clergyman. 'It is notorious,' the article concluded, 'that *ex*-Anglican curates have become the *enfants terribles* of the Roman Church in England; and instructions have been sent from the Propaganda to prove their vocations and, above all, to examine them thoroughly in Moral Theology before allowing them to take their seats in the "box."'[204] Capel denied being the author of any of the articles both to Canon Gilbert and to Clara Rutherford Smith.[205] The articles were a threat to the confessional system—if Catholic laypeople lost faith that their sins would be kept secret, the entire practice would be irrevocably changed.

Finally, in February 1882, eighteen months after John had received the anonymous messages, Clara Rutherford Smith admitted to 'criminal intimacy' on 'numberless occasions' with Mgr Capel. Capel, according to John, had instructed Clara never to 'enter the confessional'.[206] But Capel had stopped visiting Clara, or sending her money, and so Clara now told her husband the truth.[207] On 8 February, Clara wrote to Canon Gilbert, saying that the criminal intercourse had been going on for three years – this would have meant that the affair began in Capel's original *annus horribilis*.[208] Clara had told John that he should seek a divorce if he saw fit.[209] John said that he was considering citing Capel as a co-respondent.[210] His wife had been able to give him evidence that could be used in a divorce—letters with which money had been sent, the addresses of the various places she had lived where the landlord or neighbours might be sought as witnesses, and her sister said she would testify as a witness.[211] He was held back, he said, by his solicitor's desire to avoid a scandal to the Church, and by his own respect for Manning in particular; but if Capel was not swiftly dealt with by the authorities, then he would do it.[212]

Manning had long struggled to keep the scandal a secret; Rutherford Smith was now threatening to make it public in an extraordinary way. The prospect of the scandal that would arise from Capel being cited in divorce proceedings alarmed the diocesan authorities. John was clearly using the prospect to try to force them to take action against Capel.[213] Clara wrote a letter to Gilbert expressing frustration that he did not seem interested in an anonymous letter she had received, and said that as a result she would not try to stop any scandal arising out of her upcoming divorce case.[214]

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[204] Ibid.
[205] AAW/DOW/AP/2/2/3/370, Letter from T.J. Capel to D. Gilbert, 18 February 1882; AAW/DOW/AP/2/2/3/373, Letter from T.J. Capel to C. Rutherford Smith, 20 February 1882.
[206] AAW/DOW/AP/2/2/32/63, Letter from J.H. Rutherford Smith to W.C. Robinson, 3 February 1882; AAW/DOW/AP/2/2/3/356, Letter from J.H. Rutherford Smith to D. Gilbert, 6 February 1882.
[207] AAW/DOW/AP/2/2/3/359, Letter from J.H. Rutherford Smith to D. Gilbert, 7 February 1882.
[208] AAW/DOW/AP/2/2/32/61, Letter from C. Rutherford Smith to D. Gilbert, 8 February 1882; Letter from J.H. Rutherford Smith to D. Gilbert, 7 February 1882.
[209] Letter from J.H. Rutherford Smith to D. Gilbert, 7 February 1882.
[210] Letter from J.H. Rutherford Smith to W.C. Robinson, 3 February 1882; Letter from J.H. Rutherford Smith to D. Gilbert, 6 February 1882.
[211] Letter from J.H. Rutherford Smith to D. Gilbert, 7 February 1882.
[212] Letter from J.H. Rutherford Smith to W.C. Robinson, 3 February 1882.
[213] Ibid.
[214] AAW/DOW/AP/2/2/3/342, Letter from C. Rutherford Smith to D. Gilbert, 28 April 1882.

Yet even with Clara's confession, John found it more difficult to gather the evidence than he had at first anticipated, and so brought the proceedings instead against Lawrence Palk, the son of a Conservative MP.[215] Though John's professed reason was the difficulty in getting evidence, Robinson took credit for preventing Rutherford Smith from citing Capel. 'God forbid, I should revenge myself,' he wrote to Manning, 'but this was an opportunity, for if I only had given the word, he would have figured in the Divorce Court, & there would be an end, at last, of him.'[216] The publicity of the Divorce Court had often been argued for as a way of dissuading immoral behaviour, the cost of which had been the effervescence of published reports of the infidelities and transgressions of petitioners in the press. Lord Redesdale, who later as an earl brought the secret part of *The Priest in Absolution* to public attention, had argued that the Divorce Court ought to operate 'in the most public manner'.[217] But if the publicity of the court's proceedings was a way of preventing immorality, here we see that it also served to prevent the exposure of scandal and to enforce strict secrecy.

Amidst the allegations and counter-allegations, anonymous letters kept coming—Catholic Kensington was as awash with libellous correspondence as Hilliard's Littlehampton.[218] Capel, his family, and his friends apparently began to receive anonymous letters, believed to be written by the same person, from 14 February 1881.[219] In March 1882, Manning received an anonymous sketch, satirising Capel. He was depicted wearing secular clothes and dancing in the street with a woman, presumably Mrs Rutherford Smith, while a woman marked 'Wet nurse & wife from Nazareth convent' and another marked 'Mrs D__N', holding a 'cash box', looked on. Cedar Villa was marked as a chapel, with a sign saying that Mrs Rutherford Smith and Mrs Franklin would soon preach, while Scarsdale Lodge bore a sign saying 'surgeon accoucher' (Sic). The caption beneath read 'WHAT WILL HAPPEN WHEN FATHER!!! TJC WINS'.[220] A long letter sent in the first half of 1882 purported to be from a former lover of Capel, determined on revenge; she had, she said, employed detectives to discover who Capel's new lover was, and found that they included Mrs Rutherford

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[215] AAW/DOW/AP/2/2/3/365, Letter from J.H. Rutherford Smith to D. Gilbert, 12 February 1882. John also said that Clara was now living with a Captain Greaves and was known as Mrs Greaves. The divorce proceedings were a disaster; Palk claimed Clara was a prostitute and that John received money from her prostitution. The case inflicted heavy financial damage on John, who now owed Clara her costs. He faced the workhouse. Canon Gilbert and Cardinal Manning pondered helping him, though wanted to ensure that if they did offer help 'it should not come directly from us, but from some other source.' During the proceedings John was arrested for impersonating a police officer while drunkenly trying to enter a hotel. The couple eventually divorced in 1885. In 1891 John was sentenced to five years penal servitude for blackmailing the wife of a farmer with whom he lodged. AAW/DOW/AP/2/2/32/68, Letter from J.H. Rutherford Smith to D. Gilbert, 4 March 1882; TNA, Court for Divorce and Matrimonial Causes, later Supreme Court of Judicature, Divorce and Matrimonial Causes Files, J77, J77/274/8042; AAW/DOW/AP/2/2/32/70, Letter from W.C. Robinson to H.E. Manning enclosing newspaper cuttings, 7 February 1883; *Sussex Agricultural Express*, 8 August 1891, p.3; *Gloucestershire Chronicle*, 15 August 1891, p.2.

[216] AAW/DOW/AP/2/2/32/63, Letter from W.C. Robinson to H.E. Manning, 13 February 1882.

[217] Gail Savage, 'Erotic Stories and Public Decency: Newspaper Reporting of Divorce Proceedings in England', *The Historical Journal* 41 (1998), pp.511-528.

[218] Hilliard, *Littlehampton Libels*.

[219] AAW/DOW/AP/2/2/3/387, Letter from T.J. Capel to D. Gilbert, 14 April 1882.

[220] AAW/DOW/AP/2/2/3/383, Anonymous drawing, 1882.

Smith, Mrs Pitman, and a former nun.[221] Manning received another anonymous letter in December 1882 alleging that Mrs Pitman was one of Capel's mistresses, and also that he was 'devoted' to a Viennese prostitute.[222] The flow of anonymous post fed into an atmosphere of suspicion. Harting and Gilbert worried that Capel or one of his associates may have had a hand in writing them in order to show how readily the diocesan authorities believed libels against Capel.[223] Capel, meanwhile, accused Canon Gilbert of having allowed his 'agent or agents' to show one of the anonymous letters to various people. In any case, there were now rumours and allegations circulating in Kensington on an extraordinary scale, and in the proliferation of anonymous letters these secrets took material form. From the beginning, secrets had been committed to writing either as part of private correspondence or as part of the inquiry into Capel's affairs. In the case of Mary Stourton, for example, Capel had passed on an intimate letter without consent, and Sarah Bridges had taken a copy of a letter left on a table. Letters as objects gave these secrets an unwanted mobility, just as the materiality of *The Priest in Absolution* had allowed it to circulate and to slip between moral statuses and states of privacy.

Capel's great opportunity for revenge and vindication had fallen apart spectacularly. He had hoped to have John Rutherford Smith swear that Robinson had broken the seal, but now it was said that Capel had tried to procure a false allegation and had meanwhile been having an affair with Rutherford Smith's separated wife. He was suspected of having raised the Kensington confession case in the newspapers and the periodical press, something which the Church authorities took extremely seriously. Once again, he went to Rome. Manning's decision to strip Capel of his faculties was now clear. When Capel's brother and his wife, Arthur and Berthe Capel, had a son, Arthur Edward Capel, Berthe wrote to Manning asking for permission to have him baptised by her brother-in-law, in private at his home; Manning refused the request.[224] But in Rome there was still ambiguity, and Capel maintained that the faculties he had been granted by the pope still stood. He lobbied hard at the Vatican.[225] Every ambiguity offered opportunity, and the Vatican was still reluctant to move decisively. This reluctance brought to mind old scandals. A source in Rome wrote to Manning that the pope and cardinals did not understand that in the Achilli case, Achilli himself was not the scandal—'for human nature is weak & falls are to be expected'. Instead, 'the <u>authorities</u> were the <u>scandal</u> who covered up' and 'let that infamous priest go hearing confessions & winning souls after they knew him to be utterly unfit to be trusted.'[226] At the time of the Achilli trial, as was argued in chapter one, the

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[221] AAW/DOW/AP/2/2/3/36, Anonymous letter to H.E. Manning, n.d..
[222] AAW/DOW/AP/2/2/3/447, Anonymous letter to H.E. Manning, 5 December 1882.
[223] AAW/DOW/AP/2/2/3/379, Letter from D. Gilbert to H.E. Manning, 2 March 1882.
[224] AAW/DOW/AP/2/2/3/4, Letter from B. Capel to H.E. Manning, n.d..; AAW/DOW/AP/2/2/3/5, Draft of a letter from H.E. Manning to B. Capel, n.d..
[225] AAW/DOW/AP/2/2/3/403, Letter from R. Coffin to H.E. Manning, 17 June 1882; AAW/DOW/AP/2/2/3/427, Letter from E. Stonor to H.E. Manning, 22 October 1882.
[226] AAW/DOW/AP/2/2/3/239, Letter from W. Lockhart to H.E. Manning, 6 November 1882. James Vincent Harting, a lawyer who had testified in the Achilli case and had travelled to Italy to gather witnesses for Newman, was also involved in investigations into Capel, sharing information that he had learned from one of his clients with Manning. Finlason, *Report of the Trial*, pp.103-108; AAW/DOW/AP/2/2/3/377, Letter from

stakes of sectarian conflict had meant that this obvious point could not be made, but that it was adopted by critics of confession once Achilli was disgraced. In private, decades later, Catholics too took the point.

Manning feared that Capel would return, and asked various people if his reinstatement would cause scandal, and how widely known the affair had become; the responses all stressed that rumours about Capel were widespread in Kensington, and that his reinstatement would be a disaster and a scandal.[227] If he returned, Manning decided, he would be suspended *a divinis*.[228] Now it became clear to Capel that the fight was over. The Pope's view on the matter hardened, and Capel was sent to Florence, where he drank to excess and was apparently shunned by respectable people.[229] In September 1882, Cardinal Bilio of the Holy Office ruled that Capel was acquitted, not because he was innocent—indeed, he believed he was guilty—but because Capel had persuaded them that Manning and others had been too driven by 'passion' and that the commission had lacked the proper legal form; Manning argued that English law did not give him the power to compel witnesses or to administer oaths, which seems to have been the complaint from the Holy Office—the peculiar legal status of the commission once again gave Capel room for manoeuvre.[230] Defiant, Manning declared that he would never permit Capel's return to England and went so far as to threaten to resign as Archbishop of Westminster—this marked Manning's adoption of the threat of exposure of the scandal to public gaze that had hitherto been avoided by his allies. The Pope sent Capel to America, a country Capel had long admired.[231] It was a compromise that kept him from England, without causing scandal.

In 1884, Capel published a sermon he had preached at the cathedral in Philadelphia.[232] It was a standard version of the Catholic argument for the confessional, similar to the pro-confessional publications we discussed above. He warned against the risks of asking too many questions and argued that there was no evidence that the confessional caused a general decline in morality. And like many confessional texts, he drew the comparison with doctors. It is difficult not to read this section of

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J.V. Harting to H.E. Manning, 28 February 1882..

[227] AAW/DOW/AP/2/2/3/404, Letter from J.B. Rowe to H.E. Manning, 9 July 1882; AAW/DOW/AP/2/2/3/405, Letter from E.S. Keogh to H.E. Manning, 10 July 1882; AAW/DOW/AP/2/2/3/406, Letter from A. White to H.E. Manning, 10 July 1882; AAW/DOW/AP/2/2/3/407, S. Jones statement regarding Mgr Capel, 13 July 1882; AAW/DOW/AP/2/2/3/408, Letter from J.V. Harting to H.E. Manning, 14 July 1882; AAW/DOW/AP/2/2/3/409, Letter from C. Harrington Moore to H.E. Manning, 15 July 1882; AAW/DOW/AP/2/2/3/412, W. Hemsley statement regarding Mgr Capel, 19 July 1882; AAW/DOW/AP/2/2/3/413, Letter from J. Carew to H.E. Manning, 21 July 1882; AAW/DOW/AP/2/2/3/414, Letter from W. Hemsley to Fr Moore, 21 July 1882.

[228] AAW/DOW/AP/2/2/3/475, Notes by H.E. Manning regarding Mgr Capel, 9 May 1883.

[229] AAW/DOW/AP/2/2/3/434, Letter from E. Stonor to H.E. Manning, 29 October 1882; AAW/DOW/AP/2/2/3/477, Letter from R. Butler to H.E. Manning, 12 May 1883; AAW/DOW/AP/2/2/3/471, Letter from R. Butler to H.E. Manning, 2 May 1883; AAW/DOW/AP/2/2/3/490, Letter from R. Butler to H.E. Manning, 31 May 1883.

[230] Notes by H.E. Manning regarding Mgr Capel, 9 May 1883.

[231] AAW/DOW/AP/2/2/3/511, Letter from R. Butler to H.E. Manning; AAW/DOW/AP/2/2/3/35, Letter from R. Butler to H.E. Manning, n.d..

[232] Thomas John Capel, *Confession and Absolution* (Philadelphia: Cunningham & Son, 1884).

the sermon in relation to his dealings with medical experts during the investigation into his affairs. Priests were more rigorously trained to deal in the darker elements of the moral sciences than doctors were. The 'spiritual physician' had to treat the specific disease of sin presented, not inquiring further; and his surgery was protected by a secrecy surpassing all others. Capel did not mention that these matters were often much more complicated in practice than in theory.

Conclusion

The story of Thomas John Capel is so extraordinarily rich in complex details, that this chapter has necessarily left many strange twists and turns by the wayside; there is no room here for several other plausible accusations by various Kensington women, numerous potential cases of fraud, his alleged foray into brandy smuggling, possible bribery in the Vatican, his potential parentage of a child raised in the convent, or his invention of a flying machine. Capel's financial affairs were so complicated, so opaque, and so poorly documented that it has not been possible to reconstruct them here—though they clearly had a bearing on his more intimate crimes. The archive explodes with secrets, but at the time these were effectively maintained. Writing about the whole affair in 1892, Arthur Wollaston Hutton said that 'the truth will never be known, for the Catholic Church is successful beyond everything in hushing up scandals'.[233]

What the various scandals surrounding Capel show is how ideas about confession spread out from the confessional box to create a particular form of Catholic secrecy. We have seen that Sarah Bridges, a lay woman who involved herself in the case, promised to Manning that she would keep information given to her about Mary Stourton as if they were a confession. We have seen that Mary Stourton, and allegedly John Rutherford Smith, believed that conversations with priests were to be treated as under a sort of confessional secrecy, even if they were not formally confessions. The avoidance of scandal—the avoidance of secret information becoming public—motivated the actions of many Church leaders, especially because of the position Catholics felt themselves to be in within a 'Protestant society'. This is partly why Capel's threats to sue various figures—Bellew, Willington, John Rutherford Smith and many more—were powerful. Taking the issue into the courts would expose the accusations to the public. Even those who were hostile to Capel sought to avoid this; even Robinson, Capel's nemesis, wanted to keep Capel from being cited in a divorce case for this very reason.

But this expansive idea of confessional secrecy was subtle, ill-defined and not necessarily shared by all. We have seen how, during the investigations into Capel, secrets which had been disclosed privately—often with the idea that they were to be held *sub sigillo*—were shared, often without the consent of the source. Manning and Capel traded Stourton's secrets between them. Willington had turned against Capel and Bellew because of the way Capel had treated his report of

[233] Arthur Wollaston Hutton, *Cardinal Manning* (London: Methuen & Co., 1892), p.120.

the sins of another priest. Manning shared information about Stourton with Sarah Bridges—it is unclear why. This secret-sharing was also found in secular contexts. It disrupted the home, as Protestants feared the confessional would, when Willington began sharing information that Mrs Bellew had entrusted to Mrs Willington, without telling Mrs Willington that he was doing so. Dr Harper felt himself to be justified in sharing details of Bellew's medical record with the secret tribunal of the commission. The confidence with which all these people trusted the authorities would treat their cases enabled them to share secrets. The commission was itself a sort of confessional box, in which normal standards—professional and domestic—seemed to be suspended.

The box itself was used several times during these scandals as a space in which this nebulous secrecy could be expected to be more concrete. Willington, feeling that Capel had previously disclosed things which he expected ought to have been kept secret, tried to accuse Capel in the box. Mary Stourton asked to meet Capel in his confessional box in the Pro-Cathedral. In neither case was this to be a confession, but the confessional box itself, they assumed, enforced the seal. The ambiguity that Robinson had created, which enabled him to be accused of breaking the seal, was asking Rutherford Smith to repeat what he had said inside the box outside of it—the same problem we saw in the Birmingham Oratory in chapter one. Mary Stourton, we know, went into the box in order to be seen doing so, so that onlookers would know that she was now absolved of her sins; the confessional box could be used to stake a public claim to absolution, and therefore social respectability. This idea, as I have argued, rested on the assumption that going to a confessional for appearances, or not fully confessing one's sins, was not possible—but we know that Stourton was not making full confessions. Yet even if Stourton had in some way misused the confessional, she expressed in her frank letters to Manning the belief that her atonement for past sins should end the judgment of the 'Catholic set' with whom she had to associate at her mother's house on the Isle of Wight. This 'Catholic set' also show the limits of the social recognition of absolution—it did not free the penitent from social judgment. The sacrament might offer absolution, but the social standards of her peers were not necessarily so forgiving.

Even the box, though, was never firmly sealed—and not just because a priest might ask a penitent to repeat their confession outside of it. Capel himself was clearly suspicious of the confessional. He told both Mary Stourton and Clara Rutherford Smith not to go to confession and sent others to the Carmelite church rather than to the Pro-Cathedral. It was not necessarily the case that what Capel feared was that accusations would be made against him in confession and then brought against him outside of it—though, as the case of John Rutherford Smith and Father Robinson shows, there was a possibility of this. Instead, it is obvious that in the cultural world of the clergy, the information could not but have informed their opinions, even if the secrets were maintained. Indeed, while the proliferation of secrets in the archive might give us the impression that the confessional seal had broken wide open, we must assume that the majority of secrets were kept, and that the archive remains silent. At the University College, I have suggested that the priests would have had a better

grasp of the extent of sin than it is possible for us to have. In the case of Capel, it is possible that Manning, Gilbert, Robinson and all the clergy of Kensington knew far more about Capel than it would ever be possible for us to know. It has not proven true, as Arthur Wollaston Hutton said, that 'the truth will never be known, for the Catholic Church is successful beyond everything in hushing up scandals'—this scandal is described here for the first time. But it remains likely that it is simply the tip of the iceberg, that the boxes are still shut, and will be forever.

Like so many celebrities, Capel ended up in California. His life in America was 'precarious', reliant on money from friends, including the Marquess of Bute, and far from being able to revel in his fame as he had in the past, now 'mingling daily with people none of whom knew his romantic history'.[234] Scandal continued to follow him. In 1886, rumours began to circulate, apparently stirred up by the journalist, politician and anti-Catholic agitator Frank Pixley, about an affair between Capel and Mrs Valensin, a wealthy heiress separated from her husband, who claimed to be an Italian count.[235] Whatever the truth of the stories, Capel was soon running her California ranch, and drawing up plans to settle European families in an 'ideal community' there.[236] In 1886, at long last, the pope decided to suspend him *a divinis*.[237] But his celebrity persisted. The newspapers sought the opinion of the one-time sojourner amongst the aristocracy on matters relating to Britain; he offered his theory on how culture led to the immorality on display in the Oscar Wilde trial, and wrote an obituary for Gladstone.[238] Capel died in October 1911, at the house of Thomas Grace, the Archbishop of Sacramento.[239] His will divided up his estate between Mrs Valensin and Arthur Capel's children.[240] The obituaries in the British newspapers recalled his popularity as a preacher, and almost invariably to his appearance in *Lothair*; the *Pall Mall Gazette* reported his death as that of 'the last of the leading figures in the Disraelian novel'.[241] Many noted his 'disappearance' from British high society—his death brought back 'strange and pathetic memories of well nigh forty years ago.'[242] His had been the life of an ecclesiastical celebrity, his disappearance sudden and bewildering.

Whether through his will or through his bankruptcy, the marble bust of Capel that the disgraced priest had once owned came into the possession of the nephew that Manning had refused him permission to baptise. Arthur Edward Capel, better known as "Boy", was a celebrity in his own right. He was a polo player, a playboy and a businessman. In 1908, Boy Capel was in Pau, where

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[234] *Arkansas Catholic*, 4 November 1911, p.6.
[235] *Kansas City Star*, 11 October 1886, p.1; *Harrisburg Telegraph*, 8 October 1886, p.1; *The Pacific Bee*, 14 October 1886, p 5; *Sacramento Bee*, 13 December, 1886, p.2; *San Francisco Examiner*, 13 Dec 1886, p.1. For the anti-Catholic context, see Joshua Paddison, 'Anti-Catholicism and Race in Post-Civil War San Francisco', *Pacific Historical Review* 78 (2009), pp. 505–544.
[236] *The San Francisco Call*, 13 June 1895, p.7.
[237] AAW/DOW/AP/2/2/3/540, Letter from R. O'Callaghan to H.E. Manning, 10 July 1886.
[238] *The Pacific Bee*, 18 May 1898, p.3; *San Francisco Examiner*, 21 April 1895, p.21.
[239] *New York Times*
[240] *Sacramento Bee*, 21 July 1913, p.3.
[241] *Pall Mall Gazette*, 26 October 1911, p.3.
[242] *Freeman's Journal*, 28 October 1911, p.7; *Truth*, 1 November 1911, p.1001; *Gentlewoman*, 11 November 1911, p.58.

decades earlier Fanny Barrow had been enchanted by his uncle. Horse-trekking one day, he caught the eye of a young woman, the lover of one of his friends. She went by the name Coco Chanel. Impulsively, Chanel went with Capel to Paris, and there, with his encouragement, influence and investment, began the business that would make her one of the most famous women of the twentieth century.[243] In 1919, just a few days before Christmas, Boy Capel died in a car crash.[244] His will divided up almost quarter of a million pounds in just 180 words, including £40,000 to Chanel, and the same figure to another mistress, an Italian countess.[245] The death of Boy profoundly shook Chanel, and appears to have encouraged her to carry prayer cards in her wallet along with a note that a priest ought to be called if she was involved in a serious accident.[246] Coco Chanel kept the bust of Monsignor Capel. 'He protects me,' she said.[247] It remains on the mantelpiece in Chanel's dining room at 31 rue Cambon, Paris, where it has watched, and continues to watch, as the celebrities of each new age come and go.

[243] Paul Morand, trans. Euan Cameron, *The Allure of Chanel* (London: Pushkin Press, 2008), p.32;
[244] *Westminster Gazette*, 24 December 1919, p.3; *The Tatler*, 7 January 1920, p.8.
[245] *Globe*, 9 February 1920, p.8; *Westminster Gazette*, 9 February 1920, p.2.
[246] Hal Vaughan, *Sleeping with the Enemy: Coco Chanel, Nazi Agent* (London: Chatto & Windus, 2011), p.225n.
[247] Claude Baillén, trans. Barbara Bray, *Chanel Solitaire* (London: Collins, 1973), p.139.

Chapter 4

'The trance phenomena of Mrs Thompson': mediumship and psychical research, 1882-1913

While in Kensington in 1882, Monsignor Capel appeared as a witness in the *Belt v. Lawes* trial, in which the sculptor Richard Belt sued another sculptor, Charles Bennet Lawes, for libel. Lawes had claimed that many of Belt's sculptures had been finished by other people, including Pierre Verheyden, a friend of Capel's who had taught drawing at the Catholic public school. The trial was the last trial to be held in Westminster Hall, where thirty years earlier John Henry Newman and Giacinto Achilli had done battle.[1] Attitudes had not necessarily changed a great deal in the intervening years; as P.D. Edwards suggests, it 'is arguable that, simply because he was a foreigner and a Roman Catholic, Verheyden did more harm to Lawes's cause' than any other witness.[2] Capel himself seemed not to impress the judge, who wondered why the ecclesiastic was involved at all.[3] The court even laughed at a reference to the bankrupt priest.[4] In 1895, after his friend Capel had left the country for the final time, Verheyden rented out a house he had built, Hertford Lodge in Battersea, to a strange man named

[1] P.D. Edwards, 'Millais, Edmund Yates, and the case of *Belt v Lawes*', *Victorian Review* 19 (1993), pp.1-19.
[2] Ibid. p.15.
[3] *Morning Post*, 28 December 1882, p.6.
[4] *Morning Post*, 9 November 1882, p.9.

Frederic Thurstan.[5] At Hertford Lodge, Thurstan conducted experiments in mediumship and psychical abilities. It is here that we will let the spirits in. They have been trying to get in from the beginning. R.W. Dibdin tried to learn about Achilli through table-rapping. Achilli himself became a Swedenborgian, and then gave himself over to the spirits. Emily Bellew went on holiday to a haunted house with the medium Agnes Guppy-Volckman. Capel's house had been rigged by the previous inhabitant with accoutrements for the debunking of mediums.

Soon after it was established, a woman named Rosalie Thompson contacted Thurstan about the 'sort of gymnasium' for the development of psychic abilities he had established at Verheyden's house, seeking to explain her 'perplexing experiences'.[6] The trouble was that Thompson fell into trances.[7] Edmond, her husband, tried to shake her out of them, to no avail. Exasperated, he wrote to Mrs Thompson's father, Edwin Middleton. Mr Middleton advised that he do nothing—her mother was just the same.[8] Around the time Thurstan rented Verheyden's house, the Thompsons and their three children moved from Warwickshire to Hampstead. It was to be the beginning of her involvement with the world of fin-de-siècle experiments in mediumship, and she was to become an important investigative case for the Society for Psychical Research (SPR).

Spiritualism became relatively widespread in Britain in the second half of the nineteenth century, as has been implicit through the previous chapters. Tables were rapped, turned and raised, spirits walked through darkened rooms and spoke through entranced mediums. From 1882, the SPR set out to test the evidence of this explosion of psychical phenomena. The Society sought to be taken seriously. Its first president was the philosopher Henry Sidgwick, and its publications, the *Proceedings* and *Journal of the Society for Psychical Research*, were modelled on those of other learned societies. Many spiritualists were critical of the SPR's scepticism; many psychical researchers were critical of spiritualist credulity. Early in the SPR's history, Eleanor Sidgwick wrote to her husband Henry that 'I really think the spiritualists had better go.'[9] For their part, spiritualists were often outraged by what they saw as the excessive scepticism of the SPR leadership. W.T. Stead, writing in *Borderland*, a short-lived spiritualist newspaper, said that "There is about the Psychical Research Society a fatal air of sniffiness…[a] superciliousness so common in Universities."[10] The uneasy alliance between these two camps within the SPR's membership served to keep the leadership

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[5] Colin Thom, ed., *Survey of London: Vol. 50, Battersea: Part 2, Houses and Housing* (New Haven: Yale University Press, 2013), p.102.
[6] *Light*, 17 October 1896, p.499; F.W.H. Myers, 'On the trance-phenomena of Mrs. Thompson', *Proceedings of the Society for Psychical Research* (*PSPR*) 27 (1902), pp.67-74.
[7] A version of this chapter has been published as George Morris, 'The trance phenomena of Mrs Thompson: mediumship, evidence, and intimacy in early twentieth-century Britain', *Twentieth Century British History* 32 (2021), pp.608-629.
[8] *Light*, 28 July 1900, pp.355-356.
[9] Quoted in Janet Oppenheim, *The Other World: Spiritualism and Psychical Research in England, 1850-1914* (Cambridge: Cambridge University Press, 1985), p.140.
[10] 'The Psychical Research Society and its work. Its negative record. By Mr. Myers.', *Borderland* 2 (1895), pp.346-8. See Joseph O. Baylen, 'W.T. Stead's "Borderland: A Quarterly Journal of Psychic Phenomena", 1893-1897', *Victorian Periodicals Newsletter* 2 (1969), pp. 30-35.

of the society in the hands of the 'Sidgwick Group', an educated, well-to-do and largely Cambridge-based cadre committed to establishing psychical research as a legitimate science.[11] The course of British psychical research was governed by this network of friends, relatives and neighbours, of varying degrees of commitment to the 'spirit hypothesis'; it rested on what the SPR's leading theoretician, F.W.H. Myers, called 'a small group of intimate friends'.[12]

In 1892, the Catholic historian Lord Acton wrote to Myers, asking for a psychical researcher's professional opinion on how to write about miracles.[13] Myers wrote that while he believed that miracles did take place, 'nearly all existing accounts of such incidents were untrustworthy'. The sentiment neatly encapsulates Myers's stance on orthodox religion: the old sources had failed, now science had to investigate.[14] The historian, he thought, must consider the evidence, discounting anything that was not first-hand, that came from anyone with a motive like fame or money, or from categories of people such as children or 'the lower races'. What was left was worthy of study by the historian, informed by the techniques of psychical research. Myers preferred the term 'supernormal' to 'supernatural' because the later implied that the phenomena were outside nature, whereas he believed that they were simply outside of the norm. Myers brought his classical education to bear on refining the language of psychical research, for example in coining the word telepathy. His objection to ideas about the 'subconscious' or 'unconscious' rested on a similar basis to his desire to emphasise that psychical phenomena were not unnatural; subconsciousness implied something beneath the conscious self, whereas he argued for subliminal consciousness as simply existing beneath the boundary with ordinary consciousness, but no less part of the self. These specific coinages and repurposings of more familiar words led to the need for a glossary in his posthumous book. The contemporary historian probably assumes that supernormal phenomena have no basis in fact. But the desire to explain such phenomena rests on premises not dissimilar to Myers's. We tend to dismiss miracles or psychic phenomena as products of unconscious motives, psychological drives or other forces. We might think of this method as the historian as psychical researcher; like psychical researchers, we are concerned with the underlying mental causes of supernormal phenomena.[15] Psychical research, spiritualism and the occult were formative influences on this modern understanding of the self—a mysterious entity governed by unknown, unconscious, underlying motives.[16]

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[11] Oppenheim, *The Other World*, p.141.
[12] F.W.H. Myers, *Fragments of Prose and Poetry* (London: Longmans, Green & Company, 1904), p.3.
[13] Alan Gauld, *The Founders of Psychical Research* (New York: Schocken, 1968), pp.364-367.
[14] Frank Miller Turner, *Between Science and Religion: The Reaction to Scientific Naturalism in Late Victorian England* (New Haven: Yale University Press, 1974), pp.104-133.
[15] On this question, see especially Dipesh Chakrabarty, 'Minority histories, subaltern pasts,' *Postcolonial Studies* 35 (1998), pp.15-29.
[16] John J. Cerullo, *The Secularization of the Soul: Psychical Research in Modern Britain* (Philadelphia: Institute for the Study of Human Issues, 1982); James P. Keeley, 'Subliminal promptings: psychoanalytic theory and the Society for Psychical Research', *American Imago* 58 (2001), pp.767-791; Alex Owen, *The Place of Enchantment: British Occultism and the Culture of the Modern* (Chicago: University of Chicago Press, 2004);

Most of the mediums to whom psychical researchers turned to answer these complex questions were women. Alex Owen looks to the séance to explore the functioning of gender at a particular moment.[17] In this vein, we might read Rosalie Thompson's trance phenomena for what they can tell us about gender, or see them as a performative enactment of grief, as a transgressive expression of socially unacceptable feelings. Key to Thompson's mediumship was, as was the case with many mediums, the tragic loss of one of her children.[18] Lucy Eleanor Thompson was born in late 1888 and buried in Oldbury in the West Midlands on 4 March 1889. Nelly, as she would become better known, began to speak through her entranced mother in the mid-nineties. The séance provided a way for Nelly to live on, and to grow, so Thompson could continue a relationship with her daughter despite her death. But such a reading risks falling into the trap of trying to explain away the trance phenomena of Mrs Thompson and can only take us so far. Most importantly, the question of fraud arises with some force; in the case of Thompson, fraud is impossible, as we will see, to prove or disprove in the historical record.

This chapter instead seeks to explore trance mediumship and psychical research as an intimate practice, as something that produced and was produced by particular forms of intimacy. The emphasis is not on possibilities of fraud or psychosis, nor on the reality of supernormal phenomena, but instead the actually existing intimacies that psychical research entailed. The emphasis on intimacy in the existing literature is promising. Owen, for example, is attentive to the ways in which touch was an important part of mediumship, and she is alert to the 'undercurrents of sexual intrigue' within spiritualism.[19] In addition to touch and the erotics of mediumship, a number of scholars think in terms of the intimate in broader ways. Pamela Thurschwell frames these dynamics as 'experiments in intimacy', particularly in the shift from investigation of physical mediumship, in which mainly male researchers touched mainly female mediums, to experiments in thought transference, which involved avoiding physical contact altogether.[20] I wish to suggest that psychical research can be thought of as an intimate science, in which the intimate had evidentiary value in the exploration of the self. The key concept at the heart of the explanatory schema constructed from the work of psychical researchers—Myers's concept of telepathy—was, as Roger Luckhurst argues, the theorization of an

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Rhodri Hayward, *Resisting History: Religious Transcendence and the Invention of the Unconscious* (Manchester: Manchester University Press, 2007); Philip Kuhn, *Psychoanalysis in Britain, 1893-1913* (Lanham: Lexington Books, 2017), pp.17-28. For the later development of psychology and its relationships to spiritualism and religion, see especially Mathew Thomson, *Psychological Subjects: Identity, Culture, and Health in Twentieth Century Britain* (Oxford: Oxford University Press, 2006), pp.17-53.

[17] Alex Owen, *The Darkened Room: Women, Power and Spiritualism in Late Victorian England* (London: Virago, 1989).

[18] Oppenheim, *The Other World*, p.36.

[19] Owen, *Darkened Room*, p.218. For a discussion of the erotics of psychical research in the work of F.W.H. Myers, see Jeffrey J. Kripal, *Authors of the Impossible: The Paranormal and the Sacred* (Chicago: University of Chicago Press, 2010), pp.85-91.

[20] Pamela Thurschwell, *Literature, Technology and Magical Thinking, 1880-1920* (Cambridge: Cambridge University Press, 2001), pp.12-36.

oxymoronic distant intimacy.[21] As will be discussed, telepathy was an idea of intimacy that was explicitly connected in the theories of psychical research with ideas about the self. Psychical research both rested on forms of intimacy—the relationships between psychical researchers, the things that took place in the séance—and produced ideas about intimacy—the concept of telepathy, and with it the idea of a continued intimacy with personalities after bodily death.

In order to explore the intimacy of psychical research, this article follows a single case of mediumship; in a sense, this is a ghost story. This thesis has so far attempted to use narrative microhistory, drawing on recent work in the history of modern Britain, to construct an analysis, and has thus been drawn to individuals about whom firm conclusions have proved elusive; Achilli and Capel in particular seem to have lived lives characterized by endless lies. Rosalie Thompson stands as a similar sort of figure, whose strange life moved through different worlds, and which allows us to tell bigger stories. As with these troubling figures, the medium leaves behind a strange archive—in this case, much of it comprising of notes from séances, passing on messages from a long-dead Nelly—with which it is only ever possible to tell a fragmented and unstable story. But, as Julia Laite has argued, the digitization of archives—often associated with 'big' history—has the ability to transform the writing of small histories; in this vein, we will track Rosalie Thompson beyond the papers of the SPR and into online databases of newspapers and bureaucracies.[22] Chasing an individual in this way, turning to the tools of family history to do so, not only allows us to add more texture and detail, to add flesh to the archival bones, but also unearths another side to the story.[23] As one might expect when setting out into the strange terrain of séances and psychical research, not everything here is quite as it seems.

Making a modern medium

In 1895 Frederic Thurstan advertised in the spiritualist magazine *Light* for applications to join, free of charge, meetings to be hosted by him at Hertford Lodge. These gatherings were intended for the development of the psychic abilities of attendees, not for a combination of investigation and entertainment like Emily Bellew's ill-fated visit to the Green Lady. Applicants should remember, the notice stressed, that the point of these gatherings was not 'investigation of the phenomena' themselves, but rather 'experimental research regarding the best methods of psychic evolution and education.'[24] While many spiritualists sat in such circles with the intention of developing their powers, this was to be put on a more scientific footing, in order to ascertain the best ways of carrying out such psychical development. Rosalie Thompson sought out Thurstan's advice to explain her

[21] Roger Luckhurst, *The Invention of Telepathy, 1870-1901* (Oxford: Oxford University Press, 2002).
[22] Julia Laite, 'The emmet's inch: small history in a digital age', *Journal of Social History*, 53 (2020), pp.963-989. See also Laite, *Disappearance of Lydia Harvey*.
[23] See Tanya Evans, 'Secrets and lies: the radical potential of family history', *History Workshop Journal* 71 (2011), pp.49-73; Alison Light, *Common People: The History of an English Family* (London: Penguin, 2014).
[24] *Light*, 19 October 1895, pp.509-10.

'perplexing experiences', and as a result joined the experiment in the establishment of a psychic gymnasium.[25]

Thurstan was the son of Anglo-Indian Evangelicals; his father was a Canon of Colombo Cathedral in Ceylon. He attributed his interest in spiritualism and psychical research to his Anglo-Indian upbringing; in his introspective loneliness, he came to see himself as living between the worlds of East and West and mapped the sense of the existence of the 'other world' onto this isolating cultural and geographic separation. After schooling in England and studies at Cambridge, he set up a London club for musicians, artists and actors, but this project failed, leaving him penniless, indebted and with a broken engagement. At the same time, visits to a medium convinced him 'that there was indeed a society of invisibles around us with whom we might enter into companionship and close intimacy', just as he had dreamed as a young boy in India.[26] For Thurstan, psychical research and the scientific method were important insofar as they could win converts to the cause, but sure enough in his own convictions, he began to practice his own psychic abilities and to communicate with spirits.[27] After a period travelling the world, he returned to London in 1895 and began to push the idea of psychic training further.

He settled upon Hertford Lodge. Nearby lived the magician, inventor and debunker of spiritualist phenomena, John Nevil Maskelyne.[28] Maskelyne's performances involved him challenging mediums to produce phenomena which he could not replicate, similarly to Sothern, the previous inhabitant of Capel's house, as we noted in the last chapter.[29] He held the scientists of the SPR in low regard; 'no class of men,' Maskelyne said, 'can be so readily deceived by simple trickery as scientists'.[30] In 1895, the year Thurstan set up shop at Hertford Lodge, Maskelyne took part in the SPR's séances with Eusapia Palladino, an Italian peasant who had been married to a magician, in Cambridge.[31] Palladino was a renowned physical medium, famed for her apparent ability to levitate tables under test conditions. At sittings held at Myers's home at Leckhampton House, the SPR concluded that Palladino's physical phenomena were the result of sophisticated trickery.[32] Henry

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[25] F.W.H. Myers, 'On the trance-phenomena of Mrs. Thompson', *PSPR* 17 (1902), p.69.
[26] *Light*, 24 March 1900, pp.139-42.
[27] *Light*, 31 March 1900, pp.152-5.
[28] Colin Thom, ed., *Survey of London: Vol. 50*, p.101.
[29] Ruth Brandon, *The Spiritualists: The Passion for the Occult in the Nineteenth and Twentieth Centuries* (New York: Prometheus, 1984), p.166. For Maskelyne's writings on spiritualism, see J.N. Maskelyne, *Modern Spiritualism: A Short Account of its Rise and Progress, With Some Exposures of So-Called Spirit Media* (London: Frederick Warne & Co., 1876); J.N. Maskelyne, *The Fraud of Modern 'Theosophy' Exposed: A Brief History of the Greatest Imposture Ever Perpetrated Under the Cloak of Religion* (London: George Routledge & Sons, 1912).
[30] Brandon, *The Spiritualists*, p.256.
[31] Brandon, *The Spiritualists*, pp.256-9.
[32] Oliver Lodge, 'Experience of unusual physical phenomena occurring in the presence of an entranced person (Eusapia Palladino)', *JSPR* 6 (1894), pp.306-336; Richard Hodgson, 'The value of evidence for supernormal phenomena in the case of Eusapia Palladino', *JSPR* 7 (1895), pp.36-55; 'General meeting', *JSPR* 7 (1895), pp.131-135; Henry Sidgwick, 'Eusapia Palladino', *JSPR* 7 (1895), pp.148-159; Everard Feilding, W.W. Baggally and Hereward Carrington, 'Report on a series of sittings with Eusapia Palladino', *PSPR* 23 (1909), pp.309-369. Lodge maintained that there were some genuine supernormal phenomena on display. See Oliver

Sidgwick used the SPR's exposure of Palladino to publicly state the case for the SPR as true scientists, exposing fraudulent mediums rather than being blinded by credulity.[33] But in Maskelyne's account the SPR had been insufficiently sceptical to begin with.[34] Maskelyne, like the more famous magician-cum-debunker of spiritualist phenomena, Harry Houdini, brought to the séance room a particular set of skills in deception, and an attentiveness to the small details of trickery that made him perceptive of things literally invisible to psychical researchers. The fame of some of the more persuasive mediums meant that the exposure of fraud by magicians could offer in itself a form of entertainment. As Luckhurst argues, 'Stage performers offered their own version of modernity's war on superstition, but without the austerity associated with science.'[35] This was a strange neighbour for a school for psychics.

Part of the question, for Thurstan, was how psychical training could be carried out in the metropolis. Regular attendance by a group of the same people was important in building up 'the necessary atmosphere of intimacy and familiarity', but 'practical experience of metropolitan life' showed how difficult this was to achieve. 'In short,' Thurstan reported to the Spiritualist Alliance, 'though theoretically it is best for psychic development to have always the same set of congenial devotees around one, practically it is impossible to manage this in the present conditions of social and civic life in any large-spread centre of thought and society.'[36] Thurstan was far from alone in his concern over the deleterious spiritual effects of the modern metropolis. The Theosophist C.W. Leadbeater advised against the use of public transport, because of the danger posed by proximity to the 'astral bodies' of others.[37] But questions of time and transport became important in the logistics of communing with the dead. Of the two hundred or so applicants to the psychic gymnasium, the majority were women of the educated classes; the best time to meet was therefore in the afternoons, though this risked further excluding men who worked.[38] Even then, women who lived in the suburbs sometimes wanted to leave early to make sure they were back in time for dinner. Eventually Thurstan settled on one session from 3:15 p.m. to 5:45 p.m., and another from 4:30 to 6 p.m..

The original notice of the meetings pointed out how well-connected Hertford Lodge was with the transport infrastructure.[39] Omnibuses passed the door every five minutes, the Metropolitan Railway stopped at nearby Sloane Square station, it was a walk of less than fifteen minutes from South Kensington, Battersea and Battersea Park Stations, as well as being just three minutes' walk

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Lodge, *Past Years: An Autobiography* (London: Hodder and Stoughton, 1931), p.310.
[33] 'Exit Eusapia!', *The British Medical Journal* 2 (1895), p.1182; Henry Sidgwick, 'Exit Eusapia', *The British Medical Journal* 2 (1895), pp. 1263-4.
[34] *Daily Chronicle*, 29 October 1895, quoted in Brandon, *Spiritualists*, p.256.
[35] Luckhurst, *Invention*, p.65.
[36] *Light*, 14 November 1896, pp.547-9.
[37] Joy Dixon, *Divine Feminine: Theosophy and Feminism in England* (Baltimore: John Hopkins University Press, 2001), p.129.
[38] *Light*, 14 November 1896, p.548; 'The development of psychic gifts. Report of a year's work at Hertford Lodge', *Borderland* 4 (1897), pp.51-9.
[39] *Light*, 19 October 1895, pp.509-10.

from Chelsea Pier. The complex mess of railway lines and stations meeting in Battersea, resulting from a 'hapless piece of Victorian non-planning' was known as the 'Battersea Tangle'.[40] Battersea's railways encouraged more building and the growth of commuting, and this was recognised in reliefs of trains on the sides of the town hall.[41] Many local residents worked on the railways, and in 1894 the Battersea Polytechnic Institute admitted its first students. Thurstan's concerns about the possibilities of psychical training in modern urban conditions were entangled with railways and other forms of transportation which were transforming the space around the rooms he had chosen. This was an experiment in creating a school for psychics within the modern metropolis, and Thurstan saw his challenge as coming from the conditions of modern life. While modern urban conditions might pose a challenge to Thurstan in establishing the forms of intimacy on which he believed psychical phenomena relied, the school itself depended on these very same conditions. The very existence of two hundred or so people with potential psychical abilities in one place was in itself remarkable. These people could meet in Battersea at the intersection of a tangle of transport links and be home in time for dinner.[42]

The first of the gatherings was held in November 1895, and after seventy meetings the first year of activity ended in July 1896. Rosalie Thompson was a committed attendee. Though Thurstan took his experiment in psychical education seriously, the meetings he arranged were, according to James Coates, 'neither formal nor stiff—they met more like a family party'.[43] Though Thompson herself was described as 'semi-uneducated' by the scientist and psychical researcher Oliver Lodge, the attendees at Thurstan's gatherings were mainly relatively educated women with cultural capital and shared interests beyond psychical research; it should be remembered that the SPR was a highly educated group of people, and had an interest in portraying Thompson as very normal, and thus unlikely to be duplicitous.[44] As has been noted, Thurstan believed that familiarity and conviviality were important in enabling the development of psychical gifts. Reporting to the Spiritualist Alliance in November 1896, Thurstan judged his experiment a success.[45] The following year Thurstan proposed extending the 'reunions' under the auspices of a body registered by him as the Delphic Lyceum. Alongside the circles set up for practicing psychic abilities, there were to be classes in palmistry and mesmerism led by experts. Admission to the reunions would only be permitted if the participant signed a declaration stating that their intention was to develop their own psychic abilities and not to witness performances by others.[46]

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[40] Andrew Saint, ed., *Survey of London: Vol. 49, Battersea: Part 1, Public, Commercial and Cultural* (New Haven: Yale University Press, 2013), pp.287, 290-293
[41] Ibid., p.295.
[42] For the relationship between the supernormal and the city, see Karl Bell, *The Magical Imagination: Magic and Modernity in Urban England, 1780-1914* (Cambridge: Cambridge University Press, 2012).
[43] James Coates, *Seeing the Invisible: Practical Studies in Psychometry, Thought Transference, Telepathy, and Allied Phenomena*, second edition (London: L.N. Fowler & Co, 1909), p.128.
[44] Lodge, *Past Years*, p.291.
[45] *Light*, 14 November 1896, pp.547-9.
[46] 'A School for Psychic Development', *Borderland* 4 (1897), pp.315-6.

The greatest discovery of the experiment was the extraordinary mediumistic abilities of Mrs. Thompson, whose trances gave voice to persuasive 'spirit controls'. Early in her mediumship, Thompson's controls identified themselves in various ways; her sister, her mother, Peter Pindar, Peter Wharton, Esther, Charles Wade, and Annie.[47] The dominant control at this point was Mrs Cartwright, a woman who had taught Mrs Thompson as a schoolgirl in Much Wenlock. But then, at some point during the developmental séances, a voice spoke through Mrs Thompson in trance and announced, quite simply, 'I'm Nelly'.[48] As the Nelly control developed and become more dominant, other controls appeared less frequently, and Mrs Cartwright now appeared to be taking care of Nelly in the spirit world. Thurstan soon began to sit with Thompson in smaller groups, including at her home in Hampstead. Thompson's trances, in which she was apparently completely unconscious, were accompanied by other strange phenomena; there were rapping noises which gave Edmond financial advice, a table levitated in the air like in the investigations of Eusapia Palladino, flowers fell down from out of nowhere, sitters felt the touch of hands. In November 1896, Nelly apported a toy from Battersea to the Thompson's home. Full spirit materialisations, for a long time the gold standard of spiritualist mediumship, were sadly lacking; only Thompson could see them, though sitters did feel as though they were being physically touched by the spirits. Nevertheless, the baby buried in Oldbury seemed to have returned to her entranced mother in Battersea. When a new series of meetings was announced in October 1896, an elite stream was established 'for the special benefit of one or two Members greatly gifted in this direction.'[49]

Since Thurstan had begun his educational experiment, F.W.H. Myers and Henry Sidgwick had been keeping an eye on it, in case it might produce a medium with whom the SPR could conduct experimental séances.[50] Thurstan, who knew Myers from studying at Cambridge, introduced him to Thompson in 1898. To the SPR, Thompson offered a wonderful case study. She seemed honest and trustworthy, and her husband's commercial success meant that she didn't charge for her services, limiting the scope for accusations of fraud.[51] For many mediums, séances were a source of income. Mrs Piper, Thompson's American equivalent and – as we shall see – later rival, made a small fortune giving sittings. Payment for psychical services seemed to position the medium as a sort of magician, offering entertainment for a fee. Money gave an incentive to cheat, even if the medium did possess supernormal powers; when the spirits failed, it was thought, the medium would have to resort to cheating in order not to lose income, because one bad séance might be severely damaging to her reputation. The Thompson family's private means meant that payment was never a factor, and instead there seemed to be little reason for Thompson to offer her services to the SPR except in order to further knowledge of psychical phenomena; Mr Thompson told *Light* that they had been persuaded to

[47] Frank Podmore, *The Newer Spiritualism* (London: T. Fisher Unwin, 1910), p.185.
[48] 'General Meeting', *JSPR* 10 (1901), p.148.
[49] *Light*, 17 October 1896, p.499.
[50] Trinity College Library, Cambridge, Add.Ms.c. 100/173, Henry Sidgwick to F.W.H. Myers, June 1896.
[51] Myers, 'On the trance-phenomena of Mrs. Thompson', p.69.

work with Myers 'for the benefit of humanity'.[52] Thompson's good character was stressed repeatedly. Myers described her as 'active, vigorous, practical', interested in 'the ordinary amusements of young English ladies' like bicycling and the theatre. She was 'not of morbid, or even of specially reflective or religious temperament'; nobody 'would think of her as the possessor of supernormal gifts.'[53] She was the perfect medium for an investigative séance—well-to-do, sincere, and apparently lacking any sign of mental illness.

It was Thompson's trances, rather than the physical phenomena on display in her séances, which interested the SPR. Physical mediumship was falling out of favour, not least because the SPR had caught Eusapia Palladino engaging in foul play.[54] Myers encouraged Thompson to focus entirely on trance mediumship, and to devote her services entirely to sittings with the SPR. The trance control Nelly was far more interesting to the psychical researchers than the apparent ability to make flowers materialise from the air. She had, in a sense, graduated from Thurstan's school for psychics top of the class; she now moved into the strange world of the Society for Psychical Research. This graduation bore out Thurstan's aspiration that, despite what he perceived as the challenges of urban modernity, it would be possible to train people in the development of psychical abilities in the metropolis. Indeed, despite Thurstan's fears that urban modernity was disruptive of the sociability and intimacy required by such an experiment, the Hertford Lodge gymnasium was in fact dependent on the collapsing of space by transport which has been read as a classic symptom of the modern. Psychical development depended on committed attendance and the development of sociability. But it was greatly assisted by the sheer number of people claiming psychical powers in the modern metropolis. Spirit communication depended on the railway timetable.

'A small group of intimate friends'

The Society for Psychical Research was founded in 1882, in a meeting held at the Great Russell Street headquarters of the British National Association of Spiritualists.[55] The original idea for such a society belonged to the physicist and Christian spiritualist Sir W.F. Barrett, but the first president, at the urging of Myers and Edmund Gurney, was the philosopher Henry Sidgwick. Sidgwick's university connections brought a degree of respectability to the SPR, and the membership of a number of scientists, politicians and other figures from the late nineteenth-century British establishment. Unlike the existing spiritualist press, the *Proceedings* and *Journal of the Society for Psychical Research* were modelled on the publications of other learned societies. As has been noted above, there was an uneasy alliance within the membership of the SPR, with spiritualists such as Stainton Moses on the one hand,

[52] *Light*, 28 March 1903, p.151.
[53] Myers, 'On the trance-phenomena of Mrs. Thompson', p.69.
[54] William James, 'Address by the President', *PSPR* 13 (1896-7), pp.2-10; Frank Podmore, *The Newer Spiritualism*, p.184.
[55] For an account of the founding of the SPR, see Alan Gauld, *The Founders of Psychical Research* (New York: Schocken, 1968), especially pp.137-49.

and unconvinced sceptics like Sidgwick, Myers, Gurney and Sidgwick's supremely sceptical student Richard Hodgson, on the other. Eleanor Sidgwick's criticism of W. Eglinton's slate-writing in 1886 marked an early moment of disagreement between the two tendencies, and the effect of such disagreements was to entrench the leadership of the Society in the hands of the 'Sidgwick Group'. Financially, the SPR was nearly completely dependent on this set of wealthy individuals. The early SPR's most significant publication was the two-volume *Phantasms of the Living* in 1886, co-authored by Myers, Gurney, and Frank Podmore.[56]

Two main series of 'sittings' were held with Thompson by SPR members. The first was with Myers, who met with Thompson over 150 times, sometimes introducing her to friends and colleagues. As will be discussed, no record of these sittings survives. The second series, beginning in 1899, is better documented, and formed the basis for the discussion of Thompson's trance phenomena eventually published in the *Proceedings* in 1902. Administrative responsibility for these sittings fell largely to John George Piddington. He was about the same age as Thompson, and continued his involvement with the SPR long after the deaths of its founding generation, becoming president in 1924—he died in 1952, aged 83.[57] Also key to the Thompson investigation was Alice Johnson, a zoologist who was secretary of the SPR from 1903 to 1907, and research officer from 1907 to 1916.[58] Through the research, Thompson—and Nelly—met leading lights of the day, inside and outside of the séance room. Piddington would introduce others to the séances, sometimes concealing their identity from Thompson. During sittings, Thompson met Eleanor Sidgwick, Mary Benson, William James, the physicist Oliver Lodge, the classicist Margaret Verrall, and the Dutch writer and radical Frederik van Eeden, among others. The sitters from the SPR's leadership were universally members of the educated classes, some of whom—like Lodge—had backgrounds in more conventional sciences.[59] Unavoidably, there would be small talk before sittings, often noted by Piddington in case the chatting influenced the results. Piddington had met Edmond Thompson at a dinner before the sittings had started, and according to Mrs Cartwright, one of Thompson's controls, Henry Sidgwick and Thompson had played tennis.[60] The Thompsons spent time with the Myerses and the Jameses at Charles Richet's chateau at Carqueiranne. An account by Alice James described the awkwardness of the gathering. Myers was interested in Thompson only as a medium, 'as a guest and fellow mortal he

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[56] Edmund Gurney, F.W.H. Myers and Frank Podmore, *Phantasms of the Living* 2 vols (London: Trübner, 1886). See Shane McCorristine, *Spectres of the Self: Thinking about Ghost-Seeing in England, 1750-1920* (Cambridge: Cambridge University Press, 2010).
[57] 'Obituary', *JSPR*, 36 (1952), p.637.
[58] C.D. Broad, *Lectures on Psychical Research* (London: Routledge & Kegan Paul, 1962), p.101; Mary Creese, *Ladies in the Laboratory? American and British Women in Science, 1800-1900* (Lanham: Scarecrow Press, 1998), pp.109-110; Marsha L. Richmond, '"A lab of one's own": the Balfour Biological Laboratory for Women at Cambridge University, 1884-1914,' *Isis* 88 (1997), pp.422-55.
[59] Richard Noakes, *Physics and Psychics: The Occult and the Sciences in Modern Britain* (Cambridge: Cambridge University Press, 2019); James Mussell and Graeme Gooday, eds, *A Pioneer of Connection: Recovering the Life and Work of Oliver Lodge* (Pittsburgh: University of Pittsburgh Press, 2020).
[60] Cambridge University Library, Department of Manuscripts and University Archives (CUL), Society for Psychical Research Archive, SPR/MS/59/6/4, Sitting notes, 7 May 1903.

cares nothing about her', while his wife Eveleen Myers treated her 'with absolute brutality', for reasons that will be discussed below. William James was impressed by Thompson, considering her 'the only natural and wholesome party' there, and said she had 'more human nature in her than in most people I know.'[61] It would be incorrect to describe Thompson as part of the Sidgwick Group, but like Thurstan's school or the 'Green Lady' séance attended by Emily Bellew, research with the SPR could be a relatively sociable affair.

The group was tight-knit. Eleanor Sidgwick was a Balfour; her siblings Arthur and Gerald not only attained high political office but were also presidents of the SPR. Another brother, Francis, had taught Alice Johnson, who became Eleanor's secretary. Eleanor's husband, Henry Sidgwick, was the brother of Mary Benson. Members of the SPR's leadership also shared membership of other elite intellectual circles—many of the men in the Cambridge Apostles, many of the women in the Ladies Dining Society.[62] This was an intellectual aristocracy, Bloomsbury with spirits.[63] The cause of women's education shaped the lives of many of the SPR's leading lights. Henry and Eleanor Sidgwick were driving forces behind the establishment of Newnham College, and Eleanor Sidgwick was the college principal throughout the period of the Thompson sittings. Alice Johnson was an extraordinary product of Newnham. Myers had resigned his lectureship at Trinity in 1869 'for the purpose of helping to start the new movement for the Higher Education of Women'; he had become the Inspector of Schools in Cambridge.[64] This was also a period of significant change in Cambridge as a result of the reforms to the celibacy requirements for fellows, beginning in the 1860s and more or less completed by the 1880s.[65] Arthur Verrall married Margaret Merrifield 1882. Arthur was a classicist and fellow of Trinity, and Margaret was an early Newnhamite and a lecturer in classics at the college. Though Margaret resigned her lectureship on marriage, she continued to supervise at Newnham.[66] Their daughter, Helen, born in 1883, was an early case of the offspring of such academic marriages. As early as 1885 Helen was displaying possible supernormal abilities, and by 1888 Margaret was using her daughter in experiments in thought-transference.[67] Both Margaret and Helen became prolific automatic writers. Nora and Henry Sidgwick had married in 1876 – the celibacy

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[61] Letter from William and Alice James to Henry James, 25 February 1900, Ignas K. Skrupskelis and Elizabeth M. Berkeley, eds, *The Correspondence of William James*, vol. 3, *1897-1910* (Charlottesville: University of Virginia Press, 1994), pp.102-4.
[62] Oppenheim, *Other Side*, pp.127
[63] Noel Annan, 'The Intellectual Aristocracy', in J.H. Plumb, ed., *Studies in Social History* (London: Longmans, Green & Co., 1955), pp.241-87.
[64] Myers, *Fragments*, pp.16-17.
[65] See Christopher N.L. Brooke, *A History of the University of Cambridge*, vol. 4, *1870-1990* (Cambridge: Cambridge University Press, 1993), pp.252-7.
[66] Liz Gloyn, 'This is not a chapter about Jane Harrison', in Edith Hall and Rosie Wyles, eds, *Women Classical Scholars: Unsealing the Fountain from the Renaissance to Jacqueline de Romilly* (Oxford: Oxford University Press, 2016), pp.154-62.
[67] [Margaret Verrall], 'Experiments in thought-transference', *JSPR* 4 (1889) pp.33-7. The article detailing the experiments was published anonymously, but Eleanor Sidgwick identified Verrall as the author in her obituary. E. M. Sidgwick, 'Mrs A.W. Verrall', *PSPR* 29 (1916–18), pp.170–6.

requirement applied to fellows only, and Sidgwick had resigned his fellowship in 1869 on the grounds that he could not subscribe to the Thirty-Nine Articles in good faith. Academic marriages, increasingly common in the 1880s, cemented the existence of an intellectual aristocracy. Reform to women's education and the relaxation of college celibacy requirements physically changed the streets of Cambridge. In 1900, the Cambridge leadership of the SPR lived in close proximity around Newnham. The Sidgwicks lived in the college itself, and a co-habiting academic couple in residence was revolutionary enough that they had consulted the college council on the question in 1880.[68] The Myerses lived a short walk away at Leckhampton House, and Margaret and Arthur Verrall at 5 Selwyn Gardens, a short distance from the Myerses.[69] Some of the early SPR seances with Thompson took place at the Verralls's home.[70] The network through which Thompson's trance phenomena and Nelly's messages were studied was an intimate group of friends and relatives from a particular subset of the fin-de-siècle elite. If the Catholic University College had been a peculiar product of reforms in higher education, then so too was the world of the SPR; in both cases, reform gave rise to unanticipated results. Marina Warner has argued that a 'paradox…defines the early psychic researchers: they were pioneers in the secularization of the British Establishment.'[71] This is true, but there is a further paradox to the paradox, because psychical research was also a beneficiary of 'secularizing' university reform.

Once a sitting had begun, Thompson's trances generally came on suddenly and, though she was apparently unconscious, seemed light; researchers drew a comparison with Leonora Piper, an American trance medium of similar calibre. Trances sometimes came on outside of the sittings, often witnessed by Edmond Thompson, who would report back to the SPR.[72] In one trance, Mrs Thompson began to shiver, in another she fell to the ground, bruising her head—but in general such physical changes were unusual in Thompson's mediumship, and certainly less frequent than in Piper's.[73] At an early séance with Thompson, researchers were unimpressed by 'the merely external conditions of the trance condition, voice & manner' which could 'be simulated by anybody'. It was noted that for all the apparent sincerity of Thompson, the answers to questions seemed to start in her voice and only

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[68] Gillian Sutherland, *Faith, Duty and the Power of Mind: The Cloughs and their Circle, 1820-1960* (Cambridge: Cambridge University Press, 2006), pp.105-6. For a discussion of Henry Sidgwick in the context of academic 'professionalization', see Stefan Collini, *Public Moralists: Political Thought and Intellectual Life in Britain, 1850-1930* (Oxford: Oxford University Press, 1991), pp.199-202.
[69] Elizabeth Leedham-Green, *A Concise History of the University of Cambridge* (Cambridge: Cambridge University Press, 1996), p.168; Gillian Sutherland, *In Search of the New Woman: Middle-Class Women and Work in Britain, 1870-1914* (Cambridge: Cambridge University Press, 2015), p.37; Gillian Sutherland, *Faith, Duty and the Power of Mind: The Cloughs and their Circle, 1820-1960* (Cambridge: Cambridge University Press, 2006), pp.105-6.
[70] CUL, MS SPR/59/1/11, Sitting notes, 4 December 1899.
[71] Marina Warner, *Phantasmagoria: Spirit Visions, Metaphors, and Media into the Twenty-First Century* (Oxford: Oxford University Press, 2006), p.240.
[72] *Light*, 28 July 1900, pp.355-6; CUL, MS SPR/59/1/8, Edmond Thompson's notes re Susanna Parkes control, 27 November 1899.
[73] CUL, MS SPR/59/1/13, Sitting notes, 18 December 1899; CUL, MS SPR/59/6/1, Sitting notes, 6 April 1903.

gradually to be delivered in Nelly's.[74] Nelly was apparently quite cross when she heard Piddington say 'that mother did not struggle, nor pull faces when she goes in a trance.'[75]

Nelly's description of her own experience of the trance phenomena focused on a sense of embodiedness. She described her feeling of being 'inside' her mother, comparing Thompson's body to a house.[76] She wouldn't do well in a séance if her mother's body didn't 'feel clear and clean'.[77] Much of this feeling was localized in Thompson's stomach. After Henry Sidgwick died in August 1901 he began to communicate through Thompson, and on one occasion Nelly complained that his stomach 'made mother feel sick'.[78] These physical sensations—blurring the distinction between feeling as emotion and feeling as touch—were a way for Nelly to describe the complex, intimate interaction between herself and her mother. As has been noted by historians of the supernormal such as Alex Owen, the intimate dynamics between a deceased child and an entranced mother drove much of the phenomena associated with spiritualism and psychical research, a peculiar form of intimacy with the dead; whether imagined or real, these intimacies were clearly significant to those who studied such phenomena. 'Sometimes,' said Nelly, 'I can really be my mother'; but this personal identity could only be achieved when her mother's stomach was clean, and the house of her body was empty.[79] In the theories that developed to explain trance phenomena like those of Thompson, the relationship of a control spirit—if that was what Nelly was—to 'Mrs Thompson's organism' was described as an 'invasion'.[80] In trance, Thompson would leave her body, or at least enable enough room for Nelly to share it with her. A control's invasion could sometimes rise to the surface of Thompson's organism and express itself through physical mannerisms; touch could be of evidential value in psychical research. Frederik van Eeden met with Thompson alone in her house in Hampstead in 1900, and found the results persuasive.[81] Thompson, who apparently knew nothing of the person he was attempting to contact, responded to questions asked in Dutch, a language she did not speak. Intimate details of his suicide emerged.[82] But there were also embodied clues as to the identity of the controlling spirit. There was a telling cough. Most persuasively, the entranced Thompson patted van Eeden's head and shoulders, and he recognized it as the touch of his friend.[83] Recognition of personality was transmitted through physical intimacy.

The reality or otherwise of Thompson's trance could also be tested through her body.

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[74] CUL, MS SPR/59/1/4, Sitting notes, 28 December 1899.
[75] CUL, MS SPR/59/1/11, Sitting notes, 4 December 1899.
[76] CUL, MS SPR/59/5/6, Sitting notes, 29 January 1901.
[77] CUL, MS SPR/59/2/1, Sitting notes, 10 January 1900.
[78] CUL, MS SPR/59/6/1, Sitting notes, 6 April 1903.
[79] CUL, MS SPR/59/5/6, Sitting notes, 29 January 1901.
[80] F.W.H. Myers, *Human Personality and Its Survival of Bodily Death*, vol. 1 (London: Longmans, Green & Co., 1903), p.231.
[81] CUL, MS SPR/59/4/2, Sitting notes, 7 June 1900.
[82] CUL, MS SPR/59/3/7, Sitting notes, 24 May 1900; CUL, MS SPR/4/1, Sitting notes, 5 June 1900; CUL, MS SPR/59/4/2, Sitting notes, 7 June 1900.
[83] CUL, MS SPR/59/4/2, Sitting notes, 7 June 1900.

Insensitivity to pain would be difficult to fake, and so William James 'pricked her lips and hands with a pin, without warning.'[84] Thompson didn't flinch, supporting James's impression that the trance was genuine. Thompson deliberately went into a trance in order not to feel any pain when having a filling at the dentist's in 1899.[85] 'The parrots who defend their want of interest or belief in psychic faculties with a "But what's the use of it all?",' wrote Piddington, 'might have to learn a new cry if this kind of self-induced anaesthesia became common.'[86] Despite physical insensitivity being a test of the authenticity of a trance, Nelly could be expected to experience physical sensation through her mother's entranced body. Before Thompson had begun sitting with the SPR, Thurstan had bought Nelly a toy, which she apported—that is to say, psychically transported—from Battersea to Hampstead.[87] On another occasion, a member of the SPR gave Thurstan some chocolates for Nelly.[88] It is unclear from the archival material how Nelly was to be expected to play with the toy, or to eat chocolate, unless she was to use the entranced body of Thompson to do so. In a touching moment in a January 1900 séance, Nelly complained of being nervous, and Piddington held 'her' hand.[89] Pamela Thurschwell is right to think about the workings of psychical research as 'experiments in intimacy', but her reading of the replacement of the more tactile physical mediumship by experiments in telepathy neglects the physical intimacy that often arose in the course of mental mediumship. The sittings with Thompson were much less physical than those with Eusapia Palladino, which involved eminent men manhandling the trickster at Myers's home. But several sitters physically interacted with Thompson in the pursuit of their science; van Eeden recognized his friend through Thompson's touch, William James tested her with pin pricks, and Piddington held her hand to comfort Nelly.

Nelly, whose body was buried in the West Midlands, nevertheless had a body which was accessible to psychical research, though it was one that existed only in the spirit world. In a sitting in November 1899, Nelly announced that she intended to materialize for her father, so that he could see her black curly hair, not light like her mother's.[90] At a later sitting, in January 1900 she offered a different description, this time saying her hair was 'as light as mothers'; this description was fuller, adding that she had 'dark, wide open eyes', was fat, and looked as if she was seven despite being older.[91] Months later, Piddington pointed out to Nelly the contradiction between the two descriptions, and Nelly explained that the latter description was of Elsie, not of her. Elsie Line was apparently a spirit friend of Nelly's who used to communicate through Thompson before Nelly had become the main control; she on one occasion had communicated through Mrs Piper, claiming to be Nelly.[92] Van

[84] J. G. Piddington, 'On the types of phenomena displayed in Mrs. Thompson's trance', *PSPR* 18 (1904), pp.106-107.
[85] Ibid., p.110.
[86] Ibid.
[87] *Light*, 21 November 1896, pp.563-4.
88 CUL, MS SPR/59/1/14, Sitting notes, 5 January 1900,
[89] CUL, MS SPR/59/2/3, Sitting notes, 16 January 1900.
[90] CUL, MS SPR/59/1/7, Sitting notes, 29 November 1899.
[91] CUL, MS SPR/59/2/4, Sitting notes, 18 January 1900.
[92] CUL, MS SPR/59//4/4, Sitting notes, 20 December 1900.

Eeden was especially interested in dreams, and conducted a peculiar experiment with Nelly.[93] He was able to dream lucidly, and so he called out to Nelly while dreaming on the night of 3 January 1900; Nelly appeared to him in 'in the form of a little girl, rather plump and healthy-looking, with loose, light-coloured hair.'[94] Piddington reported back that Nelly had said, apparently unprompted, that she had heard his call on the night of 4 January. Despite Nelly primarily being a phenomena of trance mediumship, she did possess some sort of spiritual body. The spirit of a dead child which had continued to develop on the other side was a common character of mediumship, and here we see how Nelly's physical appearance persisted as an object of inquiry despite the SPR's emphasis on mental phenomena. In dreams, van Eeden communicated with the dead child.

Nelly communicated with, and passed on messages from, other personalities, sometimes seeming to give the impression of being unable to understand the communication herself. The overall effect of the trance sometimes worked by Nelly weaving together citation and quotation, without dropping character herself. Nevertheless, Nelly did use technical terms on occasion; she explained away a factual error that she had made by saying 'I expect that was Mother's subliminal called you that', suggesting that the Nelly control had a relatively good grasp of the technical jargon of psychical research.[95] While other personalities sometimes spoke through Mrs Thompson in trance – such as Van Eeden's friend – it was just as often the case that Nelly served as an intermediary, accounting for mistakes she sometimes made. Piddington noted that Nelly tended to speak in a childish manner, and that when she needed to explain something complicated she would quote an adult spirit like Mrs Cartwright or Sidgwick. Henry Sidgwick's death in August 1900 was the second death of one of the founding fathers of psychical research; Edmund Gurney had died in 1888, possibly by suicide.[96] Sidgwick died without being satisfied of the evidence for the survival of human personality after death; Keynes quipped in 1906 that 'He never did anything but wonder whether Christianity was true and prove that it wasn't and hope that it was.'[97] But despite Sidgwick not having been convinced himself, his own appearances as a spirit control would, through Mrs Thompson, convince others.[98] In December 1903, Piddington read a report to a private meeting of the SPR in which he said that he was convinced of the honesty of Thompson and that he found the Sidgwick control persuasive.[99] The small details made the control plausible; it stuttered like Sidgwick, and automatic writing produced by

[93] Frederik van Eeden, 'A study of dreams', *PSPR* 26 (1913), p.452.
[94] Frederik van Eeden, 'Account of sittings with Mrs. Thompson', *PSPR* 17 (1902), p.112.
[95] CUL, MS SPR/59/3/2, Sitting notes, 6 February 1900.
[96] Trevor Hall, *The Strange Case of Edmund Gurney* (London: Gerald Duckworth & Co., 1964); Oppenheim, *Other World*, pp.144-145.
[97] R.F. Harrod, *The Life of John Maynard Keynes* (New York: Harcourt, Brace and Company, 1951), p.116. For an overview of Sidgwick's engagement in psychical research, see C.D. Broad, 'Henry Sidgwick and psychical research', in *Religion, Philosophy and Psychical Research: Selected Essays* (New York: Harcourt, Brace and Company, 1953), pp.86-115.
[98] Marina Warner incorrectly says that Sidgwick, unlike Myers, did not communicate after death. See Marina Warner, *Phantasmagoria: Spirit Visions, Metaphors, and Media into the Twenty-First Century* (Oxford: Oxford University Press, 2006), p.246.
[99] *Light*, 19 December 1903, p.605.

Thompson was remarkably like the professor's handwriting.[100] The more intimate the details of the statements made by Nelly or another control, the better the evidence for the supernormal.

The spirit of E.W. Benson asked, through Thompson, for a sitting with Mary Benson—his wife and Sidgwick's sister—so he could talk about their private life without Myers.[101] E.W. Benson had died in 1896, leaving his widow, who had become engaged to him at a very young age, to reflect at great length on the question of personality. Hers, she thought, had long been subdued by the 'dominant personality' of the archbishop.[102] Her husband had in his younger days been a founder of the Ghost Society at Cambridge, through which his cousin—and future brother-in-law—Sidgwick had first encountered psychical research, but later Benson had turned against it, and was irritated by his wife's continued interest.[103] This scepticism appeared to continue on the other side: Nelly said that he wasn't as interested in communicating as his wife was, and that she didn't need his 'evidence', though a one-on-one sitting was arranged regardless.[104] Nelly, as she often did, wrongly ascribed a dead baby to Mrs Benson.[105] Benson wrote to Myers to say that 'nothing at all evidential of an intimate kind' emerged, and that she wondered if she was wasting Thompson's time.[106] Myers, too, complained that 'there was little intimacy in the communications' in his earliest sittings with Thompson.[107]

Throughout the sittings, it was intimate evidence that was sought. In the sense of privacy, intimacy was of paramount importance. The fewer people who knew the fact that Nelly communicated, the more likely it was to have been supernormally acquired. Thus, for example, the details given of van Eeden's dead friend, which had been unknown to anybody, were particularly persuasive. But there was also the evidentiary intimacy of a form of recognition, the small details of the trance personality which struck the sitters as particularly persuasive; Henry Sidgwick's handwriting or his stutter, or the way in which van Eeden recognized the touch of his friend through Thompson's hands. Intimacy was of evidentiary value in the science of psychical research.

Much of this intimacy, of course, was evidence only in the eye of the beholder. Richard Hodgson had six sittings with Thompson in July and August 1900. He was unimpressed and claimed that Mrs Thompson had simply cheated. She had, he thought, looked into envelopes presented for her to touch. Certainly, the only accurate information she was able to give had come after she might have had an opportunity to investigate the envelopes containing it. When a handkerchief with the name

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[100] CUL, MS SPR/59/5/1, Sitting notes, 11 January 1901; CUL, MS SPR/59/5, Sitting notes, 21 January 1901; CUL, MS SPR/59/5(ii), Letter from Alice Johnson to J.G. Piddington, 26 January 1901.
[101] CUL, MS SPR/59/3/4, Sitting notes, 1 May 1900.
[102] Bodleian Libraries, Oxford, MS. Benson 1/77, Mary Benson diary 1896-1901, 13 January 1897. See Simon Goldhill, *A Very Queer Family Indeed: Sex, Religion and the Bensons in Victorian Britain* (Chicago: University of Chicago Press, 2016).
[103] Bodleian Libraries, Oxford, MS. Benson 1/73, Mary Benson diary 1862-1868, 20 January 1864; Oppenheim, *Other World*, p.68.
[104] CUL, MS SPR/59/3/6, Sitting notes, 30 May 1900.
[105] Ibid.; CUL, MS SPR/59/1/10, Van Eeden notes on sittings on 29 November and 1 December 1899.
[106] CUL, MS SPR/59/3/4, Letter from Mary Benson to F.W.H. Myers, 30 May 1900.
[107] Ignas K. Skrupskelis and Elizabeth M. Berkeley, eds., *The Correspondence of William James*, vol. 9, *1899-1901*, (Charlottesville, 2001), p.66.

Barker was given to her, the name Barker was the only new information she was able to produce. The question remained, of course, whether this was conscious or unconscious fraud; it was still possible that it was Thompson's control, and not Mrs Thompson, who had looked into the envelopes. But Hodgson's most damning claim was that he did not believe that Thompson had been in a trance at all.[108] It was not just that the trance phenomena were not supernormal, but that there was no trance, nothing but conscious fraud on the part of Thompson. As has been mentioned, psychical researchers expected occasional cases of fraud on the part of genuine mediums, and it was therefore not straightforwardly the case that an example of fraud by Thompson discredited her mediumship in general. Nelly seemed to take responsibility herself, saying that she thought 'we should look anywhere & do anything to tell things'; she had cheated, but the cheating itself was supernormal.[109] But Hodgson had his own spirit backers for his accusations against Thompson. In November he wrote to Myers that he had received messages through Leonora Piper that confirmed his suspicions about Thompson. Piddington promised to 'stick up' for Thompson.[110] She was consulted on the publication of Hodgson's adverse report in *Proceedings* and allowed to read the proofs, edits to which toned down the language, including the deletion of the phrase 'conscious and deliberate.'[111] Lodge's introduction to the special issue of *Proceedings* framed Hodgson's report in terms of Thompson's willingness to allow it to be published.[112] It came down to trust. The debate spilled out from the SPR inner circle and into the spiritualist press, where Thompson's treatment was characterized as unfair, and the SPR as exceedingly sceptical.[113]

An intimate science: theories of trance, telepathy, and survival

Judging Thompson's trance phenomena first required establishing whether what the controls said was true. Margaret Verrall analysed 238 statements and found that a significant number were true. The question was how this knowledge had been arrived at. This was complex. Fraud might be unconscious, because the mind could gather information without being aware of doing so, through a passing glance at a newspaper, for example, or overhearing a snippet of conversation. This might entail supernormal phenomena such as hyperaesthesia, but not spirits. Most pressing was the possibility that information had been acquired telepathically by Thompson, without the need for a spirit control. This too would be supernormal but would not confirm the survival of personality after death—in such readings of the facts, Nelly might be a feature of Thompson's subliminal mind, or a secondary personality, rather than the discarnate consciousness of a dead child. The methodology of

[108] Richard Hodgson, 'Report on six sittings with Mrs Thompson', *PSPR* 17 (1902), pp.138-61.
[109] CUL, MS SPR 59/5/9, Sitting notes, 9 July 1901.
[110] CUL, MS SPR 59/6/1(ii), Letter from J.G. Piddington to Rosalie Thompson, 12 August 1901.
[111] Ibid; CUL, MS SPR 59/8/7(vii), Amended proofs of 'Report on Six Sittings with Mrs Thompson'.
[112] Oliver Lodge, 'Introduction to the Reports of Sittings with Mrs. Thompson', *PSPR*, 17 (1902), pp.61-6. See also letter from Rosalie Thompson in *JSPR* 10 (1901), p.144.
[113] See for example, *Light*, 19 December 1903, p.605.

psychical research demanded the elimination of the possibility of various forms of explanation—once fraud had been decided to be unlikely, they proceeded to unconscious acquisition of facts, and then to telepathy amongst the living, and only, in the last resort, to the workings of spirits.[114] Van Eeden and Myers reported that knowing Thompson ruled out conscious fraud, and that, to varying degrees in each of their analyses, the phenomena seemed to display a mixture of telepathy with the living and genuine communication with the dead.[115]

These were problems which needed to be picked apart carefully in the reports on Mrs Thompson. Myers offered five 'classes' of trance. There were fraudulent trances, as one often found with professional mediums. There were genuine but morbid trances as were seen in hysteria. There were genuine and healthy trances in which no facts unknown to the medium were presented, as was often the case under hypnotism. There were genuine trances in which facts unknown to the medium were presented but might have been acquired telepathically from other people in the room. And finally, there were trances in which verifiable information not telepathically acquired from those present, but likely to have been known to a deceased person, was given; here it was possible to speak of 'a temporary *substitution* of personality.' These classes were blurry, but in the case of Mrs Thompson Myers argued that fraud was out of the question, and though some of the phenomena could be explained in terms of telepathy and telaesthesia, most of the information seemed to be, and claimed to be, from the dead.[116] Van Eeden's report also kept open the possibility that the knowledge had been telepathically acquired rather than received from the dead; 'we must not speak of spirits until it becomes absolutely necessary.' Van Eeden summarised the problem of explaining Thompson's trance phenomena under four headings: conscious fraud, unconscious fraud, information by spirits, and clairvoyance and telepathy. The first of these he, like Lodge and Myers, had little time for – it presupposed 'a system of secret information, a detective service, of incredible extent and precision' and 'to know Mrs. Thompson is to discard this idea.' Unconscious fraud would have required Thompson to connect small details in extraordinary ways and was thus unlikely. Van Eeden wavered for a long time between belief that the information had come from telepathy or from spirits, before finally concluding in his report that he had witnessed spirit control in Thompson's trance, but that most of the phenomena could be characterised in terms of telepathically acquired information subliminally dramatized by Thompson.[117]

Telepathy provided the key explanatory concept in either case because it was understood that communication with spirits was a telepathic phenomenon. The term had been coined by Myers. For Roger Luckhurst, Myers's conceptualization of telepathy was a theorization of an oxymoronic distant

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[114] John Peregrine Williams, 'The Making of Victorian Psychical Research: An Intellectual Élite's Approach to the Spiritual World', PhD thesis, University of Cambridge, 1984.
[115] Myers, 'On the trance-phenomena of Mrs. Thompson'; Van Eeden, 'Account of sittings with Mrs. Thompson'.
[116] Myers 'On the trance-phenomena of Mrs. Thompson'.
[117] Van Eeden, 'Account of sittings with Mrs. Thompson'.

intimacy.[118] And indeed, Myers was careful not just to imply communication with the term but also feeling. In *Human Personality*, Myers sometimes slipped into mystical language to hold up love as an extraordinary spiritual force. He claimed, for example, that 'Love is the energy of integration which makes a Cosmos of the Sum of Things.'[119] 'Telepathy' described a form of communication that could collapse time and space, and perhaps even the boundaries between living and dead. It also connected with the model of the self that Myers developed. Myers had become convinced through studies of trances, hypnosis, hysterics and dual personalities that a unitary self was an unsustainable idea, reflecting only a small part of selfhood.[120] Instead he argued for a distinction between the everyday supraliminal self and a subliminal self. This model of selfhood, combined with the idea of telepathy, explained a huge range of supernormal phenomena. Hence the idea that Thompson's subliminal might read something without her supraliminal self being aware of it, and it might then be shared in trance. The subliminal might also have telepathic capacities. Thus, it was meaningful to consider the possibility that Thompson's subliminal was picking up thoughts from living people. Many spiritualists were sceptical of telepathy, which in some cases seemed like a less plausible explanation than straightforward spirit communication. But telepathy became a way for psychical researchers to conceptualize communication between the living and the dead. If the self could survive bodily death, then it was possible that the telepathic source of information was a discarnate spirit. It was also possible that a person's subliminal might detach temporarily from their body, allowing for the subliminal to enter into a spirit realm from which it could communicate information back, or for the 'invasion' of a discarnate spirit, which could then control the medium's body. The intimate distance of telepathy tied up supraliminal and subliminal in such a way as to provide an explanatory framework for a vast range of supernormal phenomena. The final piece of the puzzle would be the evidentiary intimacy of the messages. This is what Thompson could offer.

For Myers, the greatest of this intimate evidence was communication he had received through Thompson with the love of his life. Myers had fallen in love with Annie, the wife of his cousin Walter Marshall, in 1873. Walter was declared insane in 1876. The situation was unbearable to Annie, who asked to have charge of her husband taken from her. Myers sought to help her, but in August she died by suicide.[121] As early as 1877 Myers received messages from Annie through mediums.[122] But it was Thompson who gave him the most persuasive evidence. No notes from the séances survive, but Myers wrote a description of his meetings with Annie Marshall through Thompson in a letter to William James.[123] Nelly described the spirit as 'almost as bright as God'. For Thompson the experience was

[118] Luckhurst, *Invention*, p.1.
[119] Myers, *Human Personality* vol.1, p.112.
[120] Oppenheim, *Other World*, pp.256-60; Luckhurst, *Invention*, pp.107-11; Kripal, *Authors of the Impossible*, (Chicago: University of Chicago Press, 2010), pp.36-91.
[121] Gauld, *Founders*, p.116-24.
[122] Gauld, *Founders*, p.130.
[123] *Corresp. William James*, vol. 9, p.66-7.

near-ecstatic. For Myers, the control speaking through Thompson 'left no doubt of her identity'. Thompson had provided Myers with evidence for the survival of personality by giving satisfaction to his greatest desire. As Myers began to work on his magnum opus, in which both his model of the self and his proofs for survival would be laid out, he assured Thompson that the sittings with her would be key. But, as it happened, Thompson was to be effectively erased from Myers's work.

Thompson told Myers he would be reunited with Annie Marshall on 6 February 1902; he greeted the foretelling of his death cheerfully and planned out the remaining few years of his life according to this timeline.[124] After an attack of influenza and pneumonia he joined William James at a sanatorium in Rome, where his health significantly declined and his breathing worsened. On 5 January 1901, James wrote to Piddington from Rome. In James's diagnosis, interpreted through Myers's framework, Myers's breathing difficulties were 'purely an effect of Mrs T.'s prediction of his death.' 'I verily believe that his subliminal is to put it brutally, trying to kill him as well as it can, the whole thing being a suggestive phenomenon.'[125] He sought the help of the 'other side'—Nelly should be told of the effects of the prophecy and 'induced to neutralize them behind the scenes', or to come up with an alternative prophecy. Myers died in Rome on 17 January. James wrote to Eleanor Sidgwick that the 'serenity' of his death was a demonstration 'of the practical influence of a living belief in future existence.'[126] Thompson may have been in some way responsible for his death, but she had also given him the faith which allowed him to die peacefully.

After 1903, Thompson more or less stopped sitting for the SPR. Edmond had apparently wanted her to stop since at least 1901, but Eveleen Myers thought this would not make a difference, 'as he is a nonentity—& she does always as she likes'.[127] The proximate cause seems to have been Myers's death, which changed the stakes of spirit communications for Thompson; Piper gave more messages to Hodgson about Thompson being a fraud, but now the control was Myers, who declared Thompson 'absolutely treacherous false & untrustworthy'.[128] Myers's death also meant that responsibility for editing his book, *Human Personality and its Survival of Bodily Death*, fell to Johnson and Hodgson. Thompson's presence in the book is a ghostly one, implicit and excised. There were no direct references to her, despite Myers having told her how valuable he had found his sittings with her, and despite her name appearing in the index.[129] She wrote to Johnson complaining, who said that the material was not ready for publication.[130] But in an interview with *Light*, Thompson suggested

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[124] Lawrence J. Jones, 'Presidential Address', *PSPR* 38 (1929), p.43; Axel Munthe, *The Story of San Michelle* (London: John Murray, 1929), pp.370-372; Gauld, *Founders*, pp.332-4.
[125] CUL, MS SPR/59/5/2, Letter from William James to J. G. Piddington, 5 January 1901.
[126] *Corresp. William James*, vol. 9, p.412.
[127] Harvard University, Houghton Library, MS Am 1092.9 (396), Letter from Eveleen Myers to William James, 13 April 1901: https://iiif.lib.harvard.edu/manifests/view/drs:43872312$20i.
[128] Ibid.
[129] F.W.H. Myers, *Human Personality*, p.29; Ibid. vol 2, p.659.
[130] CUL, MS SPR/59/8/5(ii), Rosalie Thompson to Alice Johnson, 20 February 1903; CUL, MS SPR/59/8/5(iii), Copy of a letter from Alice Johnson to Rosalie Thompson, 23 February 1903; CUL, MS SPR/59/8(iv), Letter from Rosalie Thompson to Alice Johnson, 24 February 1903; CUL, MS SPR/59/8/5(v), Copy of a letter from

that Hodgson was responsible for her exclusion.[131] The SPR's official account was that the lack of published material on Thompson at the time of Myers's death and the fact that Myers was now unable to respond to Hodgson's criticism meant it was impossible to include any detailed analysis of her case. The SPR added that Myers had believed in Thompson's abilities at the time of his death, and that they were grateful for her assistance. She stopped sitting for the SPR 'for reasons of an entirely private and personal nature, and not because she had experienced unsympathetic or hostile treatment' from the investigators.[132]

The official account made no mention of the role of Eveleen Myers in editing the archive, though this was privately a concern of psychical researchers. Just a few months after Myers's death, Lodge and James discussed the awkwardness of publishing any of the material on Annie Marshall, the 'A-control': it would be difficult for Eveleen and for the children, but at the same time everything would become public eventually, 'unless there should be a conspiracy of silence more efficiently carried out than seems possible.'[133] Eveleen probably already knew 'practically everything', thought Lodge, either because Myers had told her or because she had found material amongst his papers.[134] She found a copy of Myers's unpublished autobiography, which had been circulated to a number of friends, and demanded that all copies be destroyed.[135] Eveleen eventually published a heavily edited version of the autobiography, with all direct references to Marshall removed.[136] She also demanded the destruction of the records of sittings Myers had with Thompson which referred to the 'A-control'. Myers had never written an account of his sittings with Thompson, and now the archive of evidence was gone; the article which did appear in the *Proceedings*, a paper Myers had given at the Psychological Congress in Paris, offered a background to Thompson's case and a description of the procedure Myers followed at the sittings, but offered few substantive details of communications. Johnson and Hodgson could not have included any detailed reference to Thompson in *Human Personality*, even if they had wanted to. Here we see the epistemological problem at the heart of this intimate science; the more intimate a message was, the better evidence it was for communication with spirits — but the more intimate a message was, the less likely it was that it could be published. It was a science in which the best evidence was destroyed. The demands of a peculiar sort of secrecy defined

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Alice Johnson to Rosalie Thompson, 27 February 1903; CUL, MS SPR/59/8/5(vi), Letter from Rosalie Thompson to Alice Johnson, 7 April 1903; CUL, MS SPR/59/5(vii), Copy of a letter from Alice Johnson to Rosalie Thompson, 8 April 1903.

[131] *Light*, 28 March 1903, pp.151-2.

[132] 'The trance phenomena of Mrs Thompson', *JSPR* 11 (1903), pp.74-6.

[133] *Corresp. William James*, vol. 9, p.440.

[134] Ibid., p.443.

[135] Gauld, *Founders*, p.325; Trevor Hamilton, *Immortal Longings: F. W. H Myers and the Victorian Search for Life after Death* (Exeter, 2010), p.301.

[136] 'Fragments of Inner Life' in F.W.H. Myers, ed. Eveleen Myers, *Fragments of Prose & Poetry* (London: Longmans, 1904), pp.1-54. In her preface, Eveleen Myers wrote that she had omitted some passages 'on account of their references to people still living' but had 'supplemented' the text with letters. There were many letters which she had not included because of their personal nature, but which might one day appear. Ibid., pp.v-vi.

this science; as in the confessional, information itself took on an intimate quality.

Thompson sat with Johnson three times in early January 1907. Nelly told Johnson that her mother thought of Piddington as 'a bit of a champion of hers', presumably in reference to the controversy surrounding Hodgson's investigations.[137] Hodgson, who had died in 1905, was still on Nelly's mind at the third sitting, where Nelly declared that if 'Richard Hodgson says he's sorry, then I'll excuse him.' The séance was strange. There was nothing childlike about the Nelly control, and Thompson paced around the room. She cried and called out for Myers.[138] There were signs that Thompson's powers were fading. Nelly said she hadn't been in her mother's stomach for a while, and that it needed 'spring cleaning'. She said that Edmond thought his wife was 'too fat and easy going to be psychical now.' The series of sittings was cut short when, on 21 January, Thompson wrote a short note to Johnson, postponing their plans to meet because Edmond was ill; he died on 25 January 1907.[139] The trance phenomena of Mrs Thompson were drawing to a close. After this there are few more records in the SPR archives. In May a friend of Thompson's, with whom she had been staying in Sheffield, wrote to Nora Sidgwick, relaying that Nelly had said that Myers had made Mrs Verrall write automatically. Mrs Verrall said that this was wrong, but she was pleased to hear from Nelly again.[140] Lady Battersea reported that she called on Thompson in August 1908 and Thompson had become entranced. Passing on the report for publication to Piddington, Oliver Lodge suggested omitting Thompson's name, 'since otherwise Mrs Thompson will be bothered with numerous requests for a sitting.'[141] After 1913, she no longer appeared in the SPR membership list.

Mysterious fires and a female detective

Three times in the first week of March 1911, fires broke out at the home of Mr Heaven at 61 Kent Road, Harrogate. At around 2:40 a.m. on Friday morning, Isabel Scruton, a teenage nursery-maid, woke Heaven's servants, shouting about a fire in her bedroom. Amidst the chaos a nurse, who had been employed by Heaven since Tuesday, went to find Scruton. The teenager told the nurse that she should not have started the fire, but that she had heard voices. At around 4 a.m., somebody telephoned the police, who arrived and arrested Isabel Scruton for attempted arson. The following Tuesday, the trial took what the *Leeds Mercury* described as a 'melodramatic turn.' The nurse took to the witness box, still 'replete in a nurse's costume', but was revealed not to be a nurse at all. She was in fact 'a lady detective from London with seventeen years' experience of detective work'; she had been

[137] CUL, MS SPR 59/7/8, Sitting notes, 2 January 1907.
[138] CUL, MS SPR 59/7/10, Sitting notes, 10 January 1907.
[139] CUL, MS SPR 59/7/12, Letter from Rosalie Thompson to Alice Johnson, 21 January 1907; England and Wales, National Probate Calendar, 1858-1995, via ancestry.co.uk.
[140] CUL, MS SPR/59/7/14, Letter from Margaret Verrall to Eleanor Sidgwick, 3 May 1907.
[141] CUL, MS SPR 59/7/16(i), Letter from Lady Constance Battersea to Oliver Lodge, 24 November 1908; CUL, MS SPR 59/7/16(ii), Notes on Mrs Thompson, 24 November 1908; CUL, MS SPR 59/7/16(iii), Notes on Mrs Thompson, 24 November 1908; CUL, MS SPR 59/7/16(iv), Letter from Oliver Lodge to J.G. Piddington, 26 November 1908.

brought to the house on the Tuesday to investigate the mysterious fires. She told the court that Scruton had started the fire because she was insane. Claiming authority for this analysis of the situation, the lady detective claimed that she 'had a great deal of experience of people of abnormal mind and also of dual personalities'. This, certainly, was true, because the detective was Rosalie Thompson.[142]

Rosalie Thompson, private detective, made a few more appearances in the newspapers around this time. In 1908 a case came before the Divorce Court, in which a 'lady detective' named by the newspapers as 'Rosetta Thompson' gave evidence. A fruit broker, John William Dennis, petitioned for divorce from his wife Rose on the grounds of her misconduct with George Hastings Butcher, a veterinary surgeon. When Mrs Dennis had gone to a hydropathic establishment early in 1908, Mr Dennis sent Thompson to watch her. Posing as a journalist recovering from blood poisoning, she befriended Rose Dennis and became her confidante; Mrs Dennis confessed to Thompson.[143] In 1912, Melville Sewell Bagley petitioned for divorce from his wife, the singer Maggie May, who he alleged had been having an affair with another singer, Ronald Hamilton Earle. It transpired that Rosalie Thompson had been watching Mr Earle for two years on behalf of Mrs Earle.[144] Most concretely of all, in April 1911, shortly after the trial of Isabel Scruton, Rosalie Thompson recorded her occupation in the census as 'independent means—& female detective'.[145]

The only reference that I have come across to Thompson's other world in the literature on psychical research is in a footnote in a 2017 book by Trevor Hamilton, which seems to rely on the census data alone, leading him to conclude that she 'later . . . became a detective'.[146] There is no evidence that the researchers were aware of Thompson's other activities during the period in which she was being studied. Van Eeden, as has been mentioned, wrote almost presciently that to claim conscious fraud on the part of Thompson 'presupposes a system of secret information, a detective service, of incredible extent and precision. I may say that to know Mrs. Thompson is to discard the idea.'[147] The researchers, it seems, were unaware of Thompson's detective work, despite believing that they knew her well—in the case of Myers, 'intimately'. Knowledge of Thompson's secret appears to have emerged later. Gerald Balfour wrote to the medium Winifred Coombe Tennant in March 1914 that Thompson had given up mediumship and gone into police service.[148] But Rosalie Thompson was described in court in 1911 as having been a detective for seventeen years. Seventeen

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[142] *Leeds Mercury*, 15 March, 1911, p.3.
[143] *London Evening Standard*, 26 November 1908, p.10; *Yorkshire Evening Post*, 26 November 1908, p.3; *Daily Telegraph and Courier*, 26 November 1908, p.14.
[144] *London Daily News*, 9 March 1912, p.3; *Illustrated Police News*, 16 March 1912, p.6.
[145] 1911 Census of England, London, St Marylebone, All Souls, Thompson household, class RG14, piece 534, ancestry.co.uk.
[146] Trevor Hamilton, *Arthur Balfour's Ghosts: An Edwardian Elite and the Riddle of the Cross-Correspondence Automatic Writings* (Exeter: Andrews UK, 2017), p.125.
[147] F. van Eeden, 'Account of Sittings with Mrs. Thompson', *PSPR* 17 (1902), p.77.
[148] Harvard University, Houghton Library, Winifred Coombe Tennant papers, Ms Eng 1825, Box 3, Letter from Gerald Balfour to Winifred Coombe Tennant, 8 March 1914. My thanks to Susan Pedersen for sharing notes from the Winifred Coombe Tennant papers with me.

years' experience would have been exactly coterminous with her career as a medium, and would have included the full range of experimental séances with the SPR.

The rise of the detective in the late nineteenth century, associated with a debasement of the value of private life, was at the centre of a set of cultural anxieties. In the 1890s, private detective agencies began to employ women in larger numbers. That Thompson appears to have been involved in a number of divorce cases is unsurprising, as divorce law was a driving force in the expansion of female detective work.[149] We have already noted the way in which divorce law created a public spectacle of the private, and one in which the courts and the press were seen to be intruding into private life in ways that drew contemporary comparison with the confessional; we have seen too that the threat of exposure in the Divorce Court was scandalous enough that even Fr Walter Croke Robinson sought to save his nemesis from it. While Rosalie Thompson was investigating the private lives of others, the mid-nineteenth-century legal regime governing divorce that had created these complex dilemmas of privacy was under scrutiny, including by a Royal Commission that sat between 1909 and 1912.[150] The Majority Report of the Commission concluded that the law as it stood led to immorality and that the grounds for divorce should be significantly expanded.[151] The need to produce evidence of infidelity—real or not—led to the phenomena of the 'hotel divorce', a subject of satire in the thirties, in which, by making adultery semi-public, servants and hotel staff could testify to having witnessed wrongdoing.[152] Private detectives might be employed in similar ways; sometimes the work of somebody like Thompson meant uncovering secrets, sometimes she was simply a medium through which they were willingly disclosed—or entirely fabricated.[153] The priests of the commission of inquiry into Mgr Capel's affairs had relished the opportunity to acquire evidence of a standard suitable to the Divorce Court, even if they also wished to keep Capel out of it. If it was intimate evidence that psychical researchers sought, it was intimate evidence too that was the concern of the detective, including of the sexual intimacies entailed by divorce cases.

The worlds of psychical research and private detectives were not completely distinct. Hodgson employed an American private detective agency to shadow Piper in Boston, partly because there was a suggestion that she might have employed detectives in order to gather information on sitters.[154] Similar precautions were not taken, it seems, in the case of Thompson, who seemed trustworthy. In a sitting on 29 January 1901, Piddington asked Nelly to help her mother 're Foxwell case'. This suggests interest in using Thompson's abilities in a setting otherwise suitable to a

[149] Haia Shpayer-Makov, 'Shedding the uniform and acquiring a new masculine image: the case of the late Victorian and Edwardian English police detective', in David G. Barrie and Susan Broomhall, eds, *A History of Police and Masculinities, 1700-2010*, (London: Routledge, 2012), pp.145-6.
[150] Stephen Cretney, *Family Law in the Twentieth Century* (Oxford: Oxford University Press, 2005), pp.196-249.
[151] *Report of the Royal Commission on Divorce and Matrimonial Causes* (London: HMSO, 1912).
[152] Evelyn Waugh, *A Handful of Dust* (London: Chapman & Hall, 1934); A.P. Herbert, *Holy Deadlock* (London: Methuen, 1934).
[153] Deborah Cohen, *Family Secrets*, pp.38-73.
[154] Lodge, *Past Years*, p.282.

detective, because Percy Foxwell, a stockbroker from Thames Ditton, had gone missing the previous year. Thompson was not the only medium whose assistance was sought in the case. Foxwell's wife believed in clairvoyance, and consulted Mr Van Bourg, an associate of Abraham Wallace, a Harley Street doctor and SPR member. The body was found, with Van Bourg's assistance, on 31 January. In May 1901 Wallace read a paper to the SPR on the Foxwell case and was met with scepticism from Piddington.[155] Regardless of what Piddington thought, Van Bourg went on to attempt to solve further mysteries—the disappearance of Dr Sophia Frances Hickman in 1903, and the mysterious death of Miss Money in the Merstham Tunnel in 1905.[156] The case of Miss Money attracted a great deal of speculation, a wide-ranging inquiry, and a reconstruction of events. The celebrity psychiatrist Lyttleton Forbes Winslow diagnosed the murderer as 'a dangerous monomaniac' and was confident that the killer was 'of the Jack the Ripper type.'[157] In chapter two, we noted that Forbes Winslow's father, Forbes Benignus Winslow, had been an opponent of Isaac Baker Brown, on the grounds that the conditions Baker Brown sought to cure through surgery were in fact problems located in the mind, materially construed as being effectively coterminous with the brain. We see in Forbes Winslow Junior's analysis of the Money case a particular mode of inquiry, which sought, in ways similar to psychical research, to construct an idea of identity out of isolated data. Winslow would not have seen it this way; he was a passionate opponent of spiritualism, which he linked to insanity. It was because of Winslow and others like him that Myers stressed Thompson's sanity and lack of religious enthusiasm.[158]

In an influential essay, Carlo Ginzburg draws a comparison between the techniques of the art historian Giovanni Morelli, the fictional detective Sherlock Holmes, and the psychoanalyst Sigmund Freud; what unites them, argues Ginzburg, is a particular epistemological model, a 'conjectural paradigm': 'In all three cases tiny details provide the key to a deeper reality, inaccessible by other methods.'[159] Forbes Winslow was deploying a version of this method when he read a psychological profile and a criminal type from the evidence available in the Merstham Tunnel case. Psychical research too, followed such a model; as we have seen, researchers traced a course from the recognition of Sidgwick's handwriting, or the touch of Van Eeden's friend, to the survival of personality. Rosalie Thompson was both the medium of the evidence of psychical research and at the same time an evidence-collector of the Sherlock Holmes type. Perhaps she used her skills as a medium in her detective work, perhaps not—but we know that in the trial of Isabel Scruton she

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[155] 'General meeting', *JSPR*, 10 (1901), pp.82-4.
[156] For histories of the case, see Susan Collinson, 'The case of the disappearing doctor: women, suicide and insanity at the turn of the century', *Psychiatric Bulletin* 14 (1990), pp.83–6; Claire Brock, 'The disappearance of Sophia Frances Hickman, M.D.', *History Workshop Journal* 80 (2015), pp.161–82.
[157] *Yorkshire Post*, 2 October 1905, p.5.
[158] L. Forbes Winslow, *Spiritualistic Madness* (London: Baillière, Tindall, and Cox, 1877); Judith Walkowitz, 'Science and the seance: transgressions of gender and genre in late Victorian London', *Representations* 22 (1988), pp.3-29.
[159] Carlo Ginzburg, 'Morelli, Freud and Sherlock Holmes', *History Workshop Journal* 9 (1980), pp.5-36.

applied the framings of psychical research to make analytic claims about the mind of the accused arsonist. Ginzburg notes the role that intuition plays in the conjectural paradigm—the individuality of each person makes the straightforward application of sets of rules or procedures impossible. The intuition used here must be distinguished, Ginzburg argues, from 'the extra-sensory intuition of various nineteenth- and twentieth-century irrationalisms.'[160]

Yet the hyper-rationalism of a figure like Sherlock Holmes represents a scientific approach to mystery that, though supposedly rooted in the empirical, seems almost supernormal. Raymond Williams argues the detective story rests on the assumption of the normality of mystery: the detective might illuminate a specific mystery, but a general darkness still reigned over the urban labyrinth.[161] Holmes serves as a useful point of comparison here because his creator was a spiritualist, much mocked for his belief in the supernormal, especially after the First World War. For Michael Saler, Doyle's beliefs stand in sharp distinction to those of his fictional creation: Holmes is scientific, secular, modern, whereas Doyle is spiritualistic, pre-secular and pre-modern—thus it is that Doyle must kill Holmes, only to have to resurrect him in the end.[162] In the figure of Rosalie Thompson such a distinction collapses utterly. She plays the roles of Holmes *and* Doyle. The worlds of private detectives and trance mediums were interlinked; the detective and the medium, whatever the disguises and deceptions at play, were, in this case at least, the same person. Whether we prefer to think in terms of the re-enchantment of modernity, or to dismiss the idea of disenchantment as a myth, Rosalie Thompson represents different forms of enchantment.[163] The remaining mystery—the one that has so far been avoided here—is which of these forms of enchantment was real.

The discovery of Thompson's detective work offers no evidence that the trance phenomena were based on fraud—no more than Hodgson's belief that she had looked inside the envelopes did. But it indicates that Thompson would have had technical skills suitable to such fraud. It exposes that the faith that the psychical researchers had that they really knew Thompson, in Myers's case 'intimately', was an illusion. The researchers constantly underestimated what it was possible for Thompson to know; much was made, for example, of her ability to understand van Eeden's Dutch when entranced, but in the 1970s, the Dutch parapsychologist George Zorab wrote that he had found evidence that she had, in fact, lived in Amsterdam.[164] It seems likely that, at the same time, the

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[160] Ibid., p.29.
[161] Raymond Williams, *Country and City in the Modern Novel: W.D. Thomas Memorial Lecture* (Swansea: University College of Swansea, 1987), p.10.
[162] Michael Saler, '"Clap if you believe in Sherlock Holmes": mass culture and the re-enchantment of modernity, c.1890-c.1940', *Historical Journal* 46 (2003), pp.599-622.
[163] Joshua Landy and Michael Saler, eds, *The Re-Enchantment of the World: Secular Magic in a Rational Age* (Stanford: Stanford University Press, 2009); Michael Saler, *As If: Modern Enchantment and the Literary Pre-history of Virtual Reality* (Oxford: Oxford University Press, 2012); Jason Ā. Josephson-Storm, *The Myth of Disenchantment: Magic, Modernity and the Birth of the Human Sciences* (Chicago: University of Chicago Press, 2017).
[164] George Zorab, 'Parapsychological developments in the Netherlands', *European Journal of Parapsychology* 1 (1976), pp.57-82.

psychical researchers overestimated their own privacy. They were more or less attuned to the fact that information about their more famous members might be gleaned from publications such as *Who's Who*.[165] But insufficient attention seems to have been paid, for example, to the fact that they were surrounded by staff, despite the fact that William James had met Piper through his servants.[166] Much less did anybody consider that Thompson, or her colleagues, may have been deploying the methods of a spook, following them around, intercepting their post. The discovery of Thompson's detective work proves nothing, but it unsettles everything.

Conclusion

Thompson's disappearance from the SPR membership lists from 1913 can be explained by remarriage. Leo Kennedy was the South Africa representative for the Chicago-based Corn Products Refining Company, and eleven years his new wife's junior.[167] Rosalie Kennedy, now an American citizen, moved to South Africa with him around 1914. On 22 February 1940, she died of heart failure, aged 71, at home in Durban. She was buried the next day in Stellawood Cemetery, her simple headstone giving no indication of her peculiar life, nor even the name under which she had achieved a sort of fame.[168]

Many accounts of the history of spiritualism and psychical research support, whether implicitly or explicitly, a form of secularisation thesis, in which modern spiritualism was a response to a nineteenth-century crisis of faith—it was a scientific approach to the supernormal, given that old orthodoxies no longer seemed sustainable. There is some truth to this view, as is indicated by the correspondence between Myers—the son of an Anglican clergyman, very much shaped by his own personal crisis of faith—and Lord Acton—one of the leading lights of liberal Catholicism in Britain. In a Foucauldian reading, the displacement of the confessional by the therapist's chair is a core feature of modernity, so that the secularisation of confession as psychiatry is central to the emergence of a modern subject. Yet in practice, something more complicated emerges. Psychical research remained deeply imbricated both with the emergence of modern psychology and with developments in Christian theology. Georgina Byrne has used the relationship between spiritualism and the Church of England to suggest that, contrary to secularisation narratives, religious belief in Britain is better understood as having been redefined rather than declined in the period up to 1939.[169] A number of scholars have illuminated, as has been noted, the relationship between the occult, psychical research, and the emergent psychologies. The inclusion of this brief study of a particularly interesting case in

[165] Margaret Verrall, 'Trance phenomena of Mrs Thompson', p.171.
[166] Krister Dylan Knapp, *William James: Psychical Research and the Challenge of Modernity* (Chapel Hill: University of North Carolina Press, 2017), pp.186-7.
[167] NARA, Emergency Passport Applications, Volume 168: Great Britain (1920), via ancestry.co.uk.
[168] Death Reports in State Department Decimal File, 1910-1962, Box 1156,1940-1944, via ancestry.co.uk.
[169] Georgina Byrne, *Modern Spiritualism and the Church of England, 1850-1939* (Woodbridge: Boydell Press, 2010).

the history of psychical research in a thesis on confession has been intended to illustrate not a direct relationship between the confessional and the séance, nor to imply that the latter displaced the former, but rather to indicate that both were particularly modern practices which bore certain similarities, and grappled with similar problems, with regards to the intimate.

Much of the challenge of Rosalie Thompson, private detective, comes down to the question of how well the researchers knew their medium, and to what extent they were naïve about how well she knew them. The unsettling revelation of her detective work seems to suggest an explanation for Thompson's trance phenomena. We might be happy to assert, with Hodgson, that the whole thing was a fraud. But so many possibilities remain. Perhaps Thompson faked the whole thing in search of fame or the ability to mix with members of high society. Perhaps she believed that she could channel her daughter's discarnate spirit but had to play dirty in order to satisfy the evidentiary standards of psychical research. Perhaps there are things that the archive cannot tell us that might give us clues about her motives; after all, this is an archive comprising largely of messages from the dead, and one that we know, thanks to Eveleen Myers, to be incomplete. As was argued above, seeking to psychologize these phenomena is to set out on the path of the psychical researcher; we might add that to speculate from pieces of evidence to possibilities is to set out on the path of the detective. The fact of Thompson's secret other life brings into focus the way in which both mediums and detectives traded in the discovery and disclosure of intimate evidence, and analysis from this evidence to broader, bigger truths. Psychical research was an intimate practice, whether Thompson was a fraud or not. In this strange career, her life is unsettling even beyond her trance phenomena. Individuals cannot be contained in a genre. This chapter started out as a ghost story; it ended up as a detective story.

We have seen how intimate facts were of evidentiary value, and how this posed a major scientific challenge because it meant that the best evidence could not be published, and in some cases was destroyed. Psychical research was an intimate science, in which the intimate was evidential, in which touch featured heavily, in which the distant intimacy of telepathy was the premier analytical tool, and in which all of these were connected to ideas about selfhood. We have seen, too, that the SPR might be considered an intimate network, inter-marrying, living in close proximity to one another, sharing alongside their interests in psychical research the cultural values and norms of their particular segment of fin-de-siècle British society. It was an intimate network that was made possible in part by reforms at Cambridge, reforms related to those which were in other ways responsible for the emergence of the experiment in Catholic higher education explored in the previous chapter. While in that experiment the railway proved to be disruptive, in some senses, as has been suggested here, psychical research benefited from this engine of the modern, most notably in enabling the Hertford Lodge séances; Mrs Thompson, like the penitents who believed they had to travel to London to confess, as noted in chapter two, could commute between Hampstead, Battersea and Cambridge to give rise to her daughter's unsettling voice.

The tight-knit group at psychical research's heart, originally circulating around Sidgwick,

drove the agenda of psychical research. If many psychical researchers, like Myers, were brought to their studies by a desire to remain intimate with lost lovers and friends, it is unsurprising that the deaths of members of the intimate network at the heart of the SPR, such as Sidgwick and Myers, shifted the direction of the research towards maintaining this intimacy beyond the grave. By the time Thompson ceased her mediumship, the SPR had set out into even stranger terrain, as the original Sidgwick Group, living and dead, became captivated by the so-called 'cross-correspondences', complex messages transmitted through several mediums, still held in high esteem by present-day psychical researchers.[170]

We might be tempted to see Rosalie Thompson as a character like the unrelated Edith Thompson, self-fashioning through creative engagement with fiction, dream and fantasy.[171] But what Mrs Thompson, or Nelly, was telling were rarely stories. They were fragmentary facts, moments of impersonation, and only rarely more expansive explanations. It was other people who told stories through Thompson—Myers, for example, both in the forms of the completion she gave to a lifetime's longing, or in his theoretical expositions. What Thompson was doing was also not straightforwardly self-fashioning. There were many other selves at play—Nelly, Mrs Cartwright, Henry Sidgwick—and it was Myers who theorized them into a model of selfhood. Thompson is present through much of the archive only as the vacated organism that theory held her to be when entranced. The many voices and narratives that flowed through and surrounded Thompson never settled around a comprehensible, unitary self—the unitary self, after all, was a myth.

'Facing subjects given to tall tales,' writes Matt Houlbrook, 'historians and biographers have often likened themselves to detectives, their painstaking research removing the "masks" concealing the "truth".'[172] Houlbrook rejects such an approach, instead opting for 'a way of writing history that is readier to admit its limits, more open-ended in its conclusions, deliberately less confident'.[173] The moment I adopted the historical-detective stance, I discovered that Thompson was herself a detective, and became complicit in the disclosure of her secret. The effort to remove the mask simply reveals an alternative mask, which leaves the original story more complex than before, and anything like truth almost certainly further from reach. If Thompson was a fraud, then her methods were those of the historian as detective: opening other people's letters, checking details in newspapers, extrapolating from mentions in diaries or published memoirs. But the next step is a separate art to that of the detective; here the historian is like Thompson the medium. With the material that she gathered through the methods of a detective, she, like us, claimed to channel the voices of the dead. And

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[170] Oppenheim, *Other World*, pp.132-135; Hamilton, *Arthur Balfour's Ghosts*. For an example of Thompson's entanglement with the cross-correspondences, see Oliver Lodge, 'Report on some trance communications received chiefly through Mrs. Piper', *PSPR* 23 (1909), pp.127-285.
[171] Matt Houlbrook, '"A pin to see the peepshow": culture, fiction and selfhood in Edith Thompson's letters, 1921-1922', *Past & Present* 207 (2010), pp.215-249.
[172] Houlbrook, *Prince of Tricksters*, p.15.
[173] Ibid., p.16.

perhaps, as we sometimes do, she really believed that she *was* channelling their voices, telling the truth.

Conclusion

Charles Maurice Davies was one of the founding members of the Society of the Holy Cross, one of the six sworn to secrecy in a room in Soho in February 1855. In his case, the suspicion that Ritualism was a road to Rome was true, and he briefly became a Roman Catholic. After his dabble in the metaphorical Tiber, he returned to the Church of England, and identified as a broad churchman. Davies became more active as a journalist than as a clergyman and began writing for the *Daily Telegraph*. He travelled to France as a correspondent in the Franco-Prussian War and was briefly detained as a spy while searching for his fellow writer George Augustus Sala, who happened also to be a friend of Monsignor Capel.[1] But he became best known for his writing on religious themes. His novels dealt with religious controversies of the day, from Puseyism to spiritualism. More famously, in four collections of journalistic writing appearing between 1874 and 1875 he charted maps through the religious, spiritual and occult life of the metropolis: *Unorthodox London*, *Heterodox London*, *Orthodox London* and *Mystic London.* Davies's urban explorations reveal a city swarming with religious controversies and strange systems of belief. Orthodoxy and unorthodoxy mingle and enmesh—the titles of the books are misleadingly discrete. Monsignor Capel appears in *Unorthodox London*, a seance appears in *Orthodox London*. In the dedication of the series in *Heterodox London*,

[1] G.S. Woods and Nilanjana Banerji, 'Davies, Charles Maurice (1828-1910), *ODNB* (2009), https://doi.org/10.1093/ref:odnb/32735.

Davies describes the books as 'volumes on the religions of London'. What is notable about the books is the even-handedness with which the subjects are treated, even if Davies's tone sometimes seems a little arch. London, in these texts, is figured as a space of religious plurality — full of an extraordinary range of beliefs. Davies's conception of broad churchmanship was broad indeed.

This open-mindedness, and Davies's journalistic and light-hearted tone, met with hostility from contemporary critics. But as Francis Dodsworth and Sophie Watson have argued, Davies's method was a form of urban ethnography. The journalistic style of his urban ethnography allowed for a form of thick description in which places, people and scenes vividly came to life. This ethnography was one which Davies thought of as an important intervention in discussion of the nature of religious belief in modern Britain.[2] The line between orthodoxy and unorthodoxy drawn by the Church of England did not reflect the realities of life in late nineteenth-century Britain. Plebeian spiritualism no less than Oxford Ritualism spoke of a spiritual thirst, which religious authorities ignored at their peril. Dodsworth and Watson argue that Davies was positioning the diverse religious groups he encountered as distinct cultures already existing—often unknown—amidst the metropolis; while the Church of England consumed itself in debate over vestments, liturgy, and auricular confession, outside of its walls new religious cultures flourished. Yet these cultures were not completely discrete—they interacted with and influenced one another. In chapter one, we saw the remarkable religious mobility of Giacinto Achilli, and an Anglican clergyman asking a spirit about whether Achilli had become a Swedenborgian. In chapter three, we saw how Emily Bellew, a Catholic, attended a seance with a well-known medium. We saw Lord Acton consulting F.W.H. Myers with regard to the historicity of miracles. Davies himself, a member of the SSC who we examined in chapter two, and who provides us with a picture of Monsignor Capel, became a spiritualist.[3]

In the classic ethnographic rhetoric of making the hidden visible, Davies laid out the religious pluralism that thrived in the centre of modern Britain. This discursive trick proliferated in nineteenth-century Britain; poverty was rediscovered, the private sphere was the endless subject of public discourse, the obscene and the unspeakable—as we saw in particular in chapter two—seemed to be ceaselessly spoken about, innocence was lost, found and lost again. In this thesis, we have sought to speak about unspeakable things. The confessional, in its radical secrecy, is supposed to be the most secret thing of all, but it has also served here to illuminate—or at least, to allow us to glimpse the shape of—other secrecies; the secrets of gynaecologists, of unspeakable acts of sexual violence, of professional codes, of hidden lives, of private tribunals, of emptied archives. I have sought to avoid as much as possible the language of discovery and revelation. At the same time, I have followed Davies here in using detailed description, strange coincidences, and intriguing characters to elucidate a lively,

[2] Francis Dodsworth and Sophie Watson, 'Into unorthodox London: the religious ethnography of Charles Maurice Davies', *Victorian Literature and Culture* 40 (2012), pp.487-508.
[3] For Davies on Capel, see Charles Maurice Davies, *Unorthodox London: Or, Phases of Religious Life in the Metropolis*, first series (London: Tinsley Brothers, 1875), pp.379-381, 398, 408; Davies, *Unorthodox London*, second series, pp.59-65.

living world amidst a particular set of cultural conditions. Now we will attempt to draw some conclusions from the complicated narratives which this thesis has explored. In brief final remarks, we will reflect on the methodological difficulties posed by the sort of history that has been told here.

Confession before the confessional culture

The first of the four interlinking stories that I have told began in 1851, the year of the religious census, of Manning's conversion, of the Ecclesiastical Titles Act and the coining of 'Secularism'. We considered the trial of John Henry Newman and the life of Giacinto Achilli as case studies in the culture war which raged between Protestant and Catholic in mid-Victorian England. Though confession itself was not on trial, because the trial concerned questions about sex, and also questions about truthfulness and honesty, the question was raised time and again. We saw how the confessional was a sexualised threat to patriarchy and the domestic order in the Protestant imagination, and we also saw how the case of Achilli suggests how this might have been, in some instances at least, a not completely unfair representation. Amidst the trial, we saw how a minor incident in the Birmingham Oratory offers an insight into the slippages between the different forms of emotion and intimacy experienced in this novel form of religious community, and how the confessional was seen as both a problem and a solution. But the dangers of the confessional were also more broadly conceived—in particular, the questions of privacy and secrecy that the confessional raised were deemed to be potentially disruptive of truth and thus of the process of the court and of the law itself. Key players in the trial continued to make interventions on the subject of the confessional. Badeley argued later that English courts privileged the secrecy of the confessional, a claim which went right to the heart of some of the issues raised in the trial. Between them, Campbell and Cockburn constructed and defined a regime of obscenity law which took its long-lasting shape in Cockburn's intervention on a publication relating to the obscenity of confessional texts. Achilli's downfall, meanwhile, was marked by the fact that the editor of this very same publication cited him, the one-time defender of Protestant rectitude, as an example of the dangers of confession.

The next chapter showed how the Campbell-Cockburn legal regime, and especially Cockburn's effort to suppress an anti-confessional pamphlet in the interests of public order, echoed back to shape the development of the confessional in England. After the initial waves of the Oxford Movement had, in cases like those of Newman, Manning and Badeley, flowed into the Tiber, a new generation of Anglicans began to attempt to construct a confessional in the Anglican tradition. This was a process, I have argued, of translation; the translation of physical arrangements, buildings and space as well as the literal translation of texts in moral theology. It was creative and adaptive, rather than being the restoration which it was often claimed to be. A new wave of anti-Ritualist agitation was now fought out on the terms of the legal regime crafted in response to *The Confessional Unmasked*. We saw how the troubling status of this book shifted depending on context, and how comparisons were constantly made between the craft of the confessor and the physician. To illustrate

this comparison, we considered the controversy surrounding a different book written at around the same time as *The Priest in Absolution*, in which Isaac Baker Brown described, and advocated, his peculiar cure for many of the psychic diseases of women. We saw how, despite starting from radically different premisses, many of the same sorts of question arose in this case; how privacy and secrecy interfered with the family, how sexual knowledge might be accidentally transmitted through a procedure supposedly set about in good faith, and how ideas about the obscene could be used as the terrain for this sort of conflict. While Pusey was eventually able to rescue the Anglican confessional through the publication of another book, Isaac Baker Brown and his book were firmly condemned.

In these first two chapters, then, we constructed a history of confession as it featured in the controversy between Catholic and Protestant, and how it began to be developed in practice in the Church of England. The functioning of the confessional itself, however, in its day to day use either among Catholics or Anglicans remained opaque. The unusual life of Monsignor Thomas John Capel offered an opportunity to look inside the confessional, at least to a limited extent. We saw how confession was used to accuse, absolve and even to investigate—we saw how it was also potentially breached; we saw the confessional seal could sometimes, in practice, be lifted with the consent of the penitent. But we also saw how the confessional generated an expansive idea of a particular form of Catholic secrecy. We have seen laity communicating secrets one to another as if they were bound by the same rules as priests, as if their own circulation of information fell under the laws of the seal. And we also saw how, in the context of a commission understood by many of those involved to be a sort of confessional stage, other forms of professional secrecy appear to have been almost unthinkingly breached—the professional secrets of doctors and lawyers are scattered through Manning's archive. In the context of the sectarian disputes which we witnessed in the first two chapters, this mode of Catholic secrecy became a way of avoiding scandal that threatened, it was believed, the progress and very existence of Catholicism in England. The norms of this minority milieu were profoundly shaped by the intimate practice of confession.

In a room owned by one of Capel's teachers, we let the spirits in. In Victorian Britain, they crowded around seemingly everywhere—they were present, unbidden, in each of the previous three chapters. The supposedly secular sciences of the mind, as many historians have commented, and the last chapter reiterated, remained profoundly enchanted in the late-nineteenth and early-twentieth centuries. The psychological self, as much as the soul, could be understood in supernormal terms. Psychical research, I argued, was an intimate science which approached this secular soul, this still-enchanted self, through a methodology that relied on the idea of the production of intimate information or of forms of recognition as possessing evidentiary value. But the surprising revelation that the medium at the centre of this case study, Rosalie Thompson, was also working, at the very same time, as a private detective, allowed us once again to trace how this intimate methodology interlinked with other forms of intimate practice. As both a detective and as a medium, Rosalie Thompson traded in secrets. The role of the detective highlights once again the significance of the

innovation of nineteenth-century divorce to ideas about privacy, secrecy, and intimacy.

In the introduction, I set out to show how intimacy as a category of historical analysis already exists, in a nascent form, within the literature on the history of modern Britain. I furthermore suggested that one way of developing this use of intimacy further would be to study its history in terms of what I have called, drawing on the work of Monique Scheer in particular, intimate practices. One important advantage of this way of thinking, I have said, is that rather than risking losing meaning through its capaciousness, thinking in this way makes possible description of relationships while allowing for the unstable, the unknowable and the queer. Historical subjects were always imbricated in complex networks of intimacy—explorations limited to single relationships can only ever be partial. It matters that the parents a child reacts against in their own romantic life, for example, were once young lovers themselves. The relationships between siblings ought to interest historians as much as the relationship between parents and children. Sex is important, but touch is too. The history of intimacy, already nascent in interrelations between subfields, is complicated and methodologically challenging. The sorts of intimate practice that we have been discussing here are significant for the way in which they draw together different types of intimacy. Thinking about intimacy is a useful step in conceptualising this interrelatedness and accounting for the indeterminate; it offers a revealing category of analysis to historians of modern Britain.

The multiplicities of intimacy discussed here have encompassed what would today be named as female genital mutilation, rape and sexual assault. In this broad conception of the intimate, I am indebted to the work of historians of empire. Ann Laura Stoler in particular directs our attention to the role of the intimate in imperial domination and the creation of particular kinds of imperial subjects.[4] Stoler's work, though not focussed on Britain, has had a significant influence on historians of British imperialism.[5] Interest in questions of race and exploitation make imperial historians acutely aware of a wide range of intimacies, stretched beyond sex, love and friendship to encompass sexual violence, and even torture and physical abuse.[6] At a time when historians of Britain are increasingly called upon to think about 'Britain and the world', it is significant that some of the most sophisticated approaches to the history of intimacy are those developed and deployed by historians of empire.[7] We have much

[4] Ann Laura Stoler, 'Tense and tender ties: the politics of comparison in North American history and (post) colonial studies', *Journal of American History* 88 (2001), pp.829–65. Reprinted in *Haunted by Empire: Geographies of Intimacy in North American History* (Durham: Duke University Press, 2006), pp.23–67. The original essay was published as part of a roundtable discussion, which is worth reading in full; 'Empires and intimacies: lessons from (post) colonial studies. A round table', *Journal of American History* 88 (2001), pp.829–97.

[5] Catherine Hall, 'Commentary', in Ann Laura Stoler, ed., *Haunted by Empire: Geographies of Intimacy in North American History* (Durham: Duke University Press, 2006), pp.452–68; Elizabeth Buettner, *Empire Families: Britons and Late Imperial India* (Oxford: Oxford University Press, 2004); Tony Ballantyne and Antoinette Burton, eds, *Moving Subjects: Gender, Mobility, and Intimacy in an Age of Global Empire* (Chicago: University of Illinois Press, 2009).

[6] See also a recent edited collection examining a range of intimacies in American slavery; Daina Ramey Berry and Leslie M. Harris, eds, *Sexuality and Slavery* (Athens: University of Georgia Press, 2018).

[7] For a recent set of contributions to this debate, see Tehila Sasson et al., 'Britain and the world: a new field?',

to gain not only from thinking about the ways in which Britain existed within an imperial formation, but also from seeking to apply ideas developed by scholars working on imperial formations to our studies of the metropole. Beyond this intellectual justification, however, there is the methodological fact that such intimate violations generate scandal, and that scandal generates archives. In order to construct the detailed, intimate descriptions and narrative microhistories through which I have sought to explore the history of the confessional, I have turned, like many historians, to the records of trials, tribunals and recorded debates. Scandal, of course, changes the nature of its objects—consider the way in which the Bodleian librarian reconsidered the nature of *The Priest in Absolution* in light of its public exposure and censure. The very processes by which some of these scandals have been transformed into the archives that hide in the scholarly apparatus of this work were intimate in a sense, confessional in a sense.

We ought to ask what, if anything, was peculiarly or particularly modern about intimacy in modernity. As has been mentioned, Vernon's attempts to breathe new life into the concept of modernity includes an argument that the 'modern social condition…engendered new forms of intimacy, affection, and self-knowledge'.[8] While Vernon has been critical of the small histories which interest in intimacy often leads us into, it is worth considering the ways in which intimacy was related to broader themes such as modernity. Beyond the scope of this thesis, the existing literature indicates that the decline of confession in the late twentieth century was related to broader social phenomena; this story, too, has much to tell us about intimacy in modern Britain. This literature has been most developed in the study of American, rather than British, Catholicism. In an essay that has proved influential on the history of Catholic confession in the United States, James M. O'Toole traces the remarkable shift from the confessional as the centre of Catholic spiritual life in the nineteenth and early twentieth centuries, before a precipitous decline in the seventies. For O'Toole, this decline was the result of a range of contributing cultural and religious shifts, including the papal encyclical *Humanae Vitae*—which stated the Church's position on artificial contraception—and a general shift in ideas about sin and morality.[9] Maria C. Morrow places the decline of confession among American Catholics in the second half of the twentieth century within a broader decline of penitential practices; penitential abstinence from meat on Fridays is particularly highlighted in Morrow's account as a cornerstone of this 'penitential culture'.[10] In a similar vein, Patrick W. Carey explains the decline of confession in America as a feature of a more general shift in 'penitential language', a framing in which Carey also includes the languages used by Protestants and Jews.[11] The general moral,

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Journal of British Studies 57 (2018), pp.677–708.

[8] Vernon, *Distant strangers*, p.50.

[9] James M. O'Toole 'In the court of conscience: American Catholics and confession, 1900-1975,' in James M. O'Toole, ed., *Habits of Devotion: Catholic Religious Practice in Twentieth-Century America* (Ithaca: Cornell University Press, 2004), pp.131-86.

[10] Maria C. Morrow, *Sin in the sixties: Catholics and confession, 1955-1975* (Washington, D.C.: Catholic University of America Press, 2016), p.4.

[11] Patrick W. Carey, *Confession: Catholics, Repentance, and Forgiveness in America* (Oxford: Oxford

theological and cultural shifts observed by scholars of American history is also indicated in the literature on British history, though here few historians take confession as their principal focus. Dagmar Herzog suggests that *Humanae Vitae* fomented 'further the very secularization…it was manifestly intended to stem', and notes in an endnote the example of the decline in the practice of confession as a symptom of this shift.[12] David Geiringer has used oral history interviews to chart a changing moral landscape, and notes how confession declined in line with a broader change in perceptions of clerical authority, especially in regards to questions about sex; his interviewees draw attention to their feelings about discussing sexual matters with priests considered either inexperienced or hypocritical.[13] These changes indicate that the decline of confession can best be understood as part of broader moral shifts of the sort that have been studied by historians who have sought to complicate traditional understandings of the decline of religious belief in modern Britain; rather than Catholics staying away from the confessional as a feature of a generalisable process of religious decline, this appears to be a story about the complexity of religious change, with the decline of confession being a symptom of a moral, ethical and theological shift on the part of lay Catholics.

In this thesis I have tentatively used the terms 'secularity' and 'religious modernity' in order to indicate the conditions of belief in which these stories played out. This phrase, 'conditions of belief', is borrowed from the philosopher Charles Taylor, who has argued that what is distinctive about 'secularity' is that unbelief became one plausible, viable option among others. In the nineteenth century, the religious settlement that had established the constitutional, social and cultural supremacy of Anglicanism unravelled. In 1851, our starting point, the religious census found that a larger than expected proportion of the churchgoing population went to Nonconformist services. Culture war between Catholic and Protestant raged. If sectarian strife subsided—in England at least—in coming decades, conflict between different factions of the Church of England, often drawing on similar tropes, continued. This was a religiously plural society, in which the institutions of the state were increasingly—in at least some uses of the term—secularised, even if, as Feldman has argued, this pluralism tended in a conservative direction. One instructive element of Charles Taylor's framing is that he is alert to the way secularity emerges unevenly across a society; 'the presumption of unbelief has become dominant in more and more of these milieux; and has achieved hegemony in certain crucial ones, in the academic and intellectual life, for instance; whence it can more easily extend itself to others.'[14] In exploring the religious history of modern Britain, I have sought to be attentive to difference—the clash between Catholic, Anglo-Catholic and Protestant—and milieu—the Society of

University Press, 2018).

[12] Dagmar Herzog, 'Afterword—Looking for love' in Alana Harris, ed., *The Schism of '68: Catholicism, Contraception and 'Humanae Vitae' in Europe, 1945-1975* (London: Palgrave Macmillan, 2018), pp.356, 361.

[13] David Geiringer, '"At some point in the 1960s, Hell disappeared": Hell, gender and Catholicism in post-war England', *Cultural and Social History* 15 (2018), pp.255-72; David Geiringer, *The Pope and the Pill: Sex, Catholicism and Women in Post-War England* (Manchester: Manchester University Press, 2020), pp.98-100, p.141.

[14] Charles Taylor, *A Secular Age* (Cambridge: Harvard University Press, 2007), p.13.

the Holy Cross, the concentration of streets I have called Catholic Kensington, or the Society for Psychical Research. In chapter two, we compared two different institutions—the SSC and the Obstetrical Society—in order to illuminate how, in similar ways, they became embroiled in questions of the regulation of the appropriate bounds of intimacy. Both disputes, we saw, were fought out through the use of comparable languages of gender. Institutions, of course, are attractive to historians because they leave archives, but we can also think about these bodies as Taylorian milieux; they are petri dishes for the study of social norms and cultural concepts.

In the three chapters which focussed primarily on confession, we saw different ways of navigating this religious difference through the practice; in the first chapter, we saw the bitterness of sectarian struggle; in the second, we saw a secretive group of men at work constructing a new confession; in the third, we saw how confession generated its own norms of secrecy and privacy in Catholic Kensington. The short-lived and spectacularly unsuccessful effort to establish a Catholic place of higher education in Kensington also suggests the complex ways in which institutional secularisation played out in Britain—as we saw, Catholics sought to establish their own institutions in part because the processes of reform which had granted them access to established universities undermined the religious nature of those same universities. When we turned to the strange world of the Society for Psychical Research, we saw an alternative way in which the secular university created new networks of belief. The interlinking world of the SPR, I have suggested, was in part a peculiar project of the same period of reform—many of its leading lights maintained a relationship with Cambridge on the basis of its repeal of religious tests, were associated with campaigns for the admission of women to higher education, and, unlike the dons of previous generations, were married.

The point of my broader explorations—into gynaecology, the law, psychical research, divorce—has not been to show the spread of some sort of confessional logic across the broader culture, as if to suggest that the confessional was the preeminent intimate practice of Britain's religious modernity. Indeed, the confessional has perhaps been just as instructive in suggesting the contours of nineteenth-century conceptions of intimacy via widespread anxieties about its apparently increasing use. My claim is not that confession was typical, but rather that it was unusual, and unusual in a way that was distinctive in modernity. Deborah Cohen's history of secrecy and privacy argues that we now live—and have lived since the sixties—in a 'confessional culture' which 'marks not the end of privacy but its broadened expression: the right to be let alone shorn of the shame and secrecy.'[15] This marks a significant reversal, for Cohen, since the nineteenth century, when 'secrecy served as the unlikely bulwark of privacy'.[16] Significantly, the privacy and the secrecy with which Cohen is concerned is centred on the family, because 'it was in families, equipped with the ambiguous prerogatives of intimacy, that most people confronted illicit behaviours and dread stigmas they had

[15] Cohen, *Family Secrets*, p.252.
[16] Ibid., p.xv.

never before contemplated.'[17]

The history offered in this thesis is one of confession before the confessional culture. The principal threat that confession posed to mainstream nineteenth-century norms was that illicit behaviours and dread stigmas would be encountered outside of the home and the relationships of families, and instead relocated to a side chapel, or a confessional box, with a priest likely to be unmarried, and thus posing in another sense a threat to domestic norms and the ideologies of gender. This was not secrecy as a 'bulwark' of privacy, nor the broader privacy of freedom from secrecy—on the contrary, this was a secrecy that was threatening precisely because it was a threat to another form of privacy and another form of secrecy. And it was a threat precisely because it was an intimate practice—whether or not the secrets shared were secrets about sexuality; it established a new form of relationship, between penitent and confessor, distinct from the idealised intimacy of family. Relationship here means not just the establishment of an enduring connection between a penitent and their chosen confessor, but also the relationship established in the practice itself, even if the confession was the first and last, or the only time the penitent approached a particular confessor. In the milieux which practiced confession—Anglican or Catholic—a radical new intimate practice emerged which challenged the precarious relationship between privacy and secrecy charted by Cohen, long before any such shift occurred in the broader culture. It is significant that these were milieux, not a generalisable social trend. As we have seen, while Mary Stourton believed that the practice of confession could liberate her from sin, it clearly could not liberate her from social condescension; it might save her soul, it could not save her name. In this context, one of the most striking things about psychical research is the way in which the entire science was built around the exchange of secrets between the medium and sitters. This was a precise reversal of the logic of confession; in confession, the owner of a secret would present it to a priest, whereas in psychical research the owner of a secret would be presented with it by a medium. The need to protect privacy meant that the complex transmission of secrets in psychical research could not be made public—it was a science, as I have said, in which the best evidence was destroyed. Nevertheless, secrets were recorded. In Catholic Kensington intimate letters seemed to circulate constantly, passed from hand to hand and discussed at length, often without the consent of their authors; as in the case of *The Priest in Absolution*, circulation meant that recorded secrets could take on a life of their own. Many of these secrets now remain in perpetuity in the intimacy of archives.

A confession

Achille Mbembe argues that archives are hosts to rituals, in which 'secular' documents are set apart, and then endowed with importance and status in part through the imposition of rules of secrecy for

[17] Ibid.

'the first years of their life'; such rituals ensure control over the dead and the spectre.[18] In the last chapter, we let the spirits in. Now I want to let in, just for a moment, the other ghost haunting us—the voice of the author. Historians are now comfortable including themselves in their texts, being reflexive about their subjectivity. We can think of Laite visiting Lydia Harvey's grave, or Houlbrook's letters to Netley Lucas, or the use of the historian's own family histories by Alison Light, Jon Lawrence, Julia Laite and Melanie Tebbutt.[19] All of these examples are fruitful, though, with Sheila Fitzpatrick, I maintain that there is much to be said for holding the instinct to dwell on subjectivity in check.[20] In a thesis about intimacy, it seems necessary to close with a short reflection on the trouble of intimacy with the past.

When I opened the first of the many boxes of archival material that Cardinal Manning collected on the case of Mgr Capel, Mary Stourton's hair was the first artefact I picked up. I touched her hair and saw her photograph before I knew her name. The Victorians gathered the hair of their loved ones, they worked it into jewellery and have deposited it to us in their archives—Mary Stourton was, in this sense at least, not alone. 'In an age before photographs were easily reproducible,' writes Daisy Hay, 'hair offered the illusion of intimacy with the absent, a tangible signifier more animate than a portrait.'[21] Stourton sent both a photograph and a cutting of hair, two different forms of a shared material culture of intimacy. In many cases, hair was deeply associated with cultures of memorialisation, mourning and grief; cutting hair from the body, Christiane Holm argues, transforms it into something that is permanent, that will outlast the body, as well as transforming its 'natural status' into 'a cultural status'.[22] Deborah Lutz argues that hair jewellery was a form of secular reliquary.[23] John Henry Newman is now venerated as a saint by Catholics, though the excavation of the grave he shared with his beloved friend Ambrose St John revealed that his body had decomposed so thoroughly that only a small fragment of bone remained as a relic.[24] Like in the case of Giacinto Achilli, there is no body to be found. Mary Stourton is not remembered as a saint, nor did she send her hair as a token of mourning, though its permanence was part of its romance. It has, because of the

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[18] Achille Mbembe, 'The power of the archive and its limits', in Carolyn Hamilton, Graeme Reid, Jane Taylor, Michèle Pickover, Razia Saleh, Verne Harris, eds, *Refiguring the Archive* (Dordrecht: Kluwer, 2002), p.20.
[19] Laite, *Disappearance of Lydia Harvey*, pp.344-7; Houlbrook, *Prince of Tricksters*, pp.20-1, 339; Light, *Common People*; Jon Lawrence, *Me, Me, Me? The Search for Community in Post-War England* (Oxford: Oxford University Press, 2019), pp.19-40; Julia Laite, 'Schooners and schoonermen, My grandfather and me', *History Workshop Journal* 87 (2019), pp.251-61; Melanie Tebbutt, 'Imagined families and vanished communities: memories of a working-class life in Northampton', *History Workshop Journal* 73 (2012), pp.144-69.
[20] Sheila Fitzpatrick, 'Getting personal: on subjectivity in historical practice' in Sebastian Jobs and Alf Lüdtke, eds, *Unsettling History: Archiving and Narrating in Historiography* (Frankfurt: Campus Verlag, 2010), pp.183-197.
[21] Daisy Hay, 'Hair in the Disraeli Papers', *Journal of Victorian Culture* 19 (2014), pp.332-45.
[22] Christiane Holm, 'Sentimental cuts: eighteenth-century mourning jewellery with hair', *Eighteenth-Century Studies* 38 (2004), pp.139-43.
[23] Deborah Lutz, 'The dead still among us: Victorian secular relics, hair jewellery, and death culture', *Victorian Literature and Culture* 39 (2011), pp. 127-42.
[24] John Cornwell, *Newman's Unquiet Grave: The Reluctant Saint* (London: Continuum, 2010).

way in which Capel handed over her correspondence to Manning, survived in a box in the Westminster Diocesan Archives, housed beside the Pro-Cathedral which was the centre of the small world of Catholic Kensington. Touching Stourton's hair produces a feeling of intimacy with the past; it did so even before I knew whose hair I was holding. Jill Lepore, holding the hair of American lexicographer Noah Webster, describes this as 'an eerie intimacy' with her subject.[25]

These historiographical intimacies with the dead are impossible to avoid, especially when the historian adopts the sorts of microhistorical approaches that I have applied here. These themes have been reflected upon time and again by historians in recent years; the materiality of the archive and the emotions it produces, the way we become entwined in imaginative intimacies with our subjects, the role of feeling in historical scholarship. I have not been, and have not tried to be, immune from these things. The reader may have detected a hint of outrage when I wrote that the letters that Mary Stourton wrote to Manning and Capel were passed between the two of them, against her will; an intimate violation, a violation of intimacy. The reader may have detected a hint of irony in the fact that I then, with the arrogance of the historian and the shield of a century and more, quoted from those misused documents. And the reader now knows that I have handled her hair, hair she did not send to me. Capel insisted that she had sent him the hair as a sort of advertisement to potential suitors; he was supposed, he said, to show it around, to circulate it, just as he circulated her secrets without her consent. I do not believe him; I am not making any excuses.

I am not going to justify it. But my defence will be that I am not Rosalie Thompson — I am not making lives for the dead. I have tried to remember that, in the confessional and in the séance, there is much more that I cannot know than there is that I can. F.W.H. Myers spent hundreds of hours with Rosalie Thompson. I have spent hundreds of hours with the archives of investigations into her case carried out by the Society for Psychical Research between 1898 and 1907. Myers knew things about Thompson that I will never know. As we have seen, the notes of his séances with her were destroyed. But he also knew smaller things, things I could not know without a séance of my own. He knew what her voice sounded like. He knew how she moved, how emotions played out across her face—in trance and out of it. He walked with her, talked with her, dined with her, travelled with her. I have encountered her handwriting and a few photographs of her, but apart from that have mainly seen her through the notes of psychical researchers.

The methods of family history to which I have turned to address this gap in knowledge lead the historian into a feeling of pursuit—we come to see our subjects as quarry, hiding from us in archives and databases. Sometimes this can involve physically travelling around the world, often following similar paths to our subjects as we pick up the documentary clues they have dropped behind them. At other times it can mean sifting through vast, seemingly endless banks of data, sometimes following the wrong path for a while, constantly turning back, trying to weave together datapoints

[25] Jill Lepore, 'Historians who love too much', p.129.

offered up by search facilities. Jonathan Spence tells us that he was 'in pursuit of Hu', and in his reliance on the exculpatory account of Foucquet could never truly find him; Lepore points out that Spence ends his book with Hu telling his own version of events 'off stage', unheard by author or reader, in order to 'make amends' for this reliance.[26] But sometimes it is not the condescension of posterity, but the desire of the subject not to be found, which makes the pursuit necessary.

I encountered Thompson's 1911 census form as a shock, as a twist in the tale, as a huge blow to my confidence that I knew her archival traces. When I first began to write about psychical research, I knew that I would not only have to suspend my own disbelief but ask my readers to do the same. I was not interested in whether or not mediumship was real, but in what happened in the séance, in the forms of intimacy that it created, and the ideas about selfhood that were in play. How these things were faked, or what psychological forces and unconscious desires were at work, are interesting questions, but they were not the questions that I was interested in. But if the reader knew while I was building up my analysis of the trance phenomena of Mrs Thompson that she lived a secret second life, and one that might have some bearing on how she was seemingly able to know things that she could not in normal circumstances have known, the suspension of disbelief risked seeming implausible. As I began to write, I decided that I would keep Thompson's secret with her, at least for a little while. Then I would unsettle the whole thing towards the end and try to use the twist as a point from which to interrogate a range of other things—plausibility, privacy, the confidence of the researchers that they knew her, the methodological similarities between being a detective and a psychical researcher. I would become complicit. At that point, I did not think that I was betraying or exposing her. It felt like I was making it clear that she was much more extraordinary than any of her contemporaries had recognised, as if the brilliant trickery of her life could only be appreciated eighty years after her death. After all, I only knew any of this because she filled out the census form, a strange thing to do if she had wanted her secrets to last forever. She had not been hiding from me. Like many of the psychical researchers, I like Mrs Thompson, though I cannot explain why. The pursuit of sources, the way it felt like she was always trying to trick me, established intimacy. Presenting the account in this way made it seem that we were taking part in a trick together. I was not entirely sure it was intellectually honest—at times I felt bad. I wonder if she did. The truth is that if the whole of Thompson's mediumship was fraudulent then she must have been a disgraceful person, digging into people's private lives, claiming to speak for—to speak as—dead loved ones. But I cannot bring myself to believe that it was straightforwardly fraudulent, even if I do not think that she did prove that human personality survives bodily death.

I do not claim any particular novelty to the kinds of material with which I am dealing here—incomplete archives, archives of secrets, archives of lies—but hope instead that these highlight the

[26] Jonathan D. Spence, *The Question of Hu* (London: Faber and Faber, 1989),pp.xii, xviii; Lepore, 'Historians who love', p.137.

peculiarities of all historical research. That next step, the step in which we make lives and stories, is, of course, just as troubled. 'Stories—in whatever narrative form—embed as many secrets and distortions as archives themselves;' writes Antoinette Burton, 'their telling encodes selective disclosures, half truths, and partial pasts no more or less than do histories "proper."'[27] In trying to construct a polyphonic history, in trying to tell sprawling, complex stories in relatively short chapters, there are many details which I have left out, many more peculiar lives to explore, many more secrets to tell. I have tried to let my stories remain inconclusive, to avoid imaginative leaps or authorial judgment—but in the end this is an impossible task; and they remain *my* stories, fashioned together out of the stories told by others. Faced with contradictory narratives, I have inevitably found some subjects more plausible than others. Sheila Fitzpatrick is right to argue that most historians still care about finding out what was true, even if this is treated as 'a kind of family secret, not to be discussed in public.'[28] This has been especially true in the chapters on Achilli and Capel, where an ethical duty to the survivors of sexual violence has pulled me back towards a social-historical recovery mode of historical writing. At times I have deployed the historiographical language of 'voice', a language which I have tried to unsettle in the final chapter.

Archives are increasingly de-materialised, digitised and searchable online. New technologies—and indeed, industries—of archival accumulation have allowed me to pursue the microhistorical methods that have informed this thesis, including during a pandemic which closed the doors of archives and libraries.[29] While Julia Laite, researching and writing on the eve of the pandemic, could visit Lydia Harvey's grave, I have been able to find Rosalie Kennedy's grave only because it has been photographed and alphabetically catalogued on the website of the Genealogical Society of South Africa.[30] The infrastructure of the digital archives used here still bears the traces of religious and supernormal belief. The International Association for the Preservation of Spiritualist and Occult Periodicals (IAPSOP) has digitised more than 330 titles, including the *Journal* and *Proceedings of the Society for Psychical Research*; IAPSOP has collaborated with institutions like the British Library, and uses cutting-edge machine learning techniques, while the backbone of the operation remains a staff of volunteers. The ghostly hands of these volunteers can sometimes be seen on the scanned pages, sometimes wearing jewellery bearing occult symbols; for many, this is clearly a labour of love. Commercial genealogical websites, meanwhile, have longstanding connections to the Church of Jesus Christ of Latter-Day Saints (LDS), the religion sometimes known as Mormonism. For more than a century, the LDS Church has built up an extraordinary archive of genealogical records, now claimed to cover over three billion people—these records are now publicly available at FamilySearch.org. LDS members are granted free access to a range of genealogical websites,

[27] Antoinette Burton, 'Archive fever, archive stories' in Antoinette Burton, ed., *Archive Stories: Facts, Fictions and the Writing of History* (Durham: Duke University Press, 2005), p.20.
[28] Sheila Fitzpatrick, 'Getting personal', p.187.
[29] Laite, 'Emmet's inch'.
[30] Kennedy, Rosalie (nee Middleton) 1868-1940, https://graves-at-eggsa.org/main.php?g2_itemId=3226430.

including FamilySearch, Ancestry and FindMyPast. For LDS members, genealogy has an important spiritual dimension. Believers trace their unbaptised ancestors, who can then be offered baptism through a living proxy.[31] But the benefits to those outside of the LDS Church are clearly extraordinary. The 'family history industry' is now worth billions; in August 2020, the private equity group Blackstone bought a majority stake in Ancestry for $4.7 billion. This multi-billion-dollar industry, alongside armies of volunteers, the support of major libraries, academic institutions and philanthropic foundations, and access to commercial databases provided by public libraries, enables a form of popular historiography on a remarkable scale, a digital revolution in which a thousand microhistorical flowers might bloom.[32] It has great benefits to bring to academic historians. Within it, sacraments and spirits still linger.

Driving much of the public appetite is a desire to discover 'family secrets'. As Deborah Cohen argues, excavating the skeletons from the closet would in the nineteenth century have been seen as 'a dread embarrassment', but now 'it is the reward at the end of a determined search.'[33] People seek through secrets to explain themselves and their identities. They also seek to empathise with people in the past. For Cohen, the desire to speak openly about the secrets buried in the family past is part of the 'confessional culture'.[34] The people whose lives have formed the subjects of this thesis are not my family. But I have become deeply entangled with them, and in the end I am not happy about it. What I have found myself most concerned about is not my loves and hates, the sympathy and the anger which the various shards of character I have encountered have stirred in me; rather, it is the sense that, in a thesis which is concerned with the intimate, I have learned secrets that nobody wanted me to know. I have touched Mary Stourton's hair, I have made public Rosalie Thompson's very private life. I did not think I would feel like this—that I would feel ashamed to be a historian. I have said I did not want these secrets—I said we would not try to break open the confessional, I said that we should avoid thinking of historians like detectives. I was told in the Westminster Diocesan Archives, though it seems too perfect to be true, that the Rutherford Smith papers had until recently not been available to researchers, because their contents, dealing with an alleged breach of the seal of the confessional, would place the reader at risk of grave sin. But here they are. This is the problem of intimacy with the past. I confess: I have come into possession of secrets, and I have passed them on.

[31] The deceased person can refuse this baptism. This is stressed by the LDS Church as important because the practice of 'baptising the dead' has proved controversial, especially when, on multiple occasions, the names involved included individuals murdered in the Holocaust. Official Church policy now states that names submitted for the process must be limited to members of the family of the person proposing them.
[32] Light, *Common People*; Laite, 'Schooners and schoonermen'; Tebbutt, 'Imagined families'; Tanya Evans, *Family History, Historical Consciousness and Citizenship: A New Social History* (London: Bloomsbury, 2021).
[33] Cohen, *Family Secrets*, p.242.
[34] Ibid., p.252.

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