

2nd Place Winner, Dunham Bible Museum, Piece of the Past Essay Contest, 2020

The Trial of Henry Garnet and Jesuit Equivocation in Early Modern England

By Michella Taylor

In Act 2 Scene 3 of Shakespeare's play *Macbeth*, the drunken porter—acting as hell's gatekeeper—welcomes into the castle a parade of condemned souls, including an “equivocator that could swear in both scales against either scale” (II.iii.9-12). First performed in 1606, scholars have interpreted these lines as direct references made by Shakespeare to the trial and execution of Father Henry Garnet for his complicity in the Gunpowder Plot of 1605. Following the excommunication of Queen Elizabeth by the Pope in 1570 and the Spanish Armada of 1588, the Tudor state began viewing Catholic citizens as potential traitors (Robinson). English Catholics were prohibited from hearing Mass and forced to attend Anglican services under the threat of hefty fines. With the death of Queen Elizabeth in 1603, many English Catholics believed the rise of her successor, King James I, marked the end of an era of Catholic persecution. Under pressure to balance the religious demands of Puritans and other groups, King James I openly expressed his “utter detestation’ of Catholics”(Robinson). Whereas many English Catholics accepted their fate on the fringes of society, a small group led by Robert Catesby sought retribution. Although the conspiracy to attack Parliament and King James I captured national attention, the only record we have of the proceedings against Father Henry Garnet and the other assailants can be found in *A True and Perfect Relation of the Whole Proceedings Against the Late and Most Barbarous Traitors, Garnet a Jesuite and his Confederats*. Published in London in 1606 by the King's printer, Robert Baker, this artifact antagonizes Garnet for his endorsement of the use of equivocation. Based on the limited evidence used to convict Garnet, it is evident to the reader that this artifact was made with the

intention of rousing public support for laws further restricting the freedom of religious minorities.

While the practice of equivocation in early modern Europe was associated with Jesuits, scholars have traced its origins to the earlier works of theologians such as Domingo de Soto and Martin de Azpilcueta, or Doctor Navarrus (Tutino 115). The doctrine of equivocation was originally developed in response to the theological problem of *correctio fraternal*, or fraternal correction. The issue of *correctio fraternal* is based on Matthew 18:15, which states that “if thy brother shall trespass against thee, go and tell him his fault between thee and him alone; if he shall hear thee, thou has gained thy brother” (Tutino 119). As theologians struggled to define situations that would merit fraternal correction, confessors lived under increasing pressure to simultaneously keep the confessional seal intact while adhering to the moral imperative of not lying. To reconcile these conflicting desires in the confessor, theologians turned to the ambiguity of language.

In his most important work on the subject of equivocation, *On the Method of Concealing or Revealing a Secret*, Soto argues that when a confessor is being interrogated about something he learned in confession, he is “to reply that he does not know” (121). He goes on to say that the confessor is not lying when he makes this statement because ‘to know’ something implies that one came across the knowledge himself “using the firm reason of [his own] mind” (122). Hence, the requirement for knowledge is not fulfilled by information gained through confession since the confessor must rely on the personal account of another. The practice of equivocation proved itself to be a useful strategy for religious groups living under heretical sovereigns in Europe. By the 1580s, Jesuits became highly invested in learning the rules of the game played in confessional, where the confessor “needed to find a theological, juridical, and also linguistic

balance between duty to keep the secrets of the sinner and...the necessity to correct the sins” (128). In concealing their thoughts, Jesuits sought to “strengthen their apostolical and political influences” (135). As the association between equivocation and Jesuits grew stronger in Europe, it was used by leaders to fuel public propaganda which depicted Jesuits as “devious and politically seditious” individuals (138).

In *A True and Perfect Relation*, Attorney General Sir Edward Coke takes advantage of this tradition in his opening statement where he states that “[the Jesuit] dissimulation appeareth out of their doctrine of equivocation...[wherein] people are indeed taught, not only simple lying, but fearful and damnable blasphemy” (Huntley 390). Under this pretext, Father Henry Garnet is presented as “the equivocating traitor *par excellence*” (Rogers 44). During his trial, Garnet is questioned by the Earl of Northampton about his decision to keep secret his awareness of the Gunpowder Plot following Catesby’s confession. Each time he is asked, Garnet reiterates his commitment to maintaining the confessional seal by choosing to address internal issues using fraternal correction (see fig. 1 and 2). Garnet’s insistence on secrecy is revealed to be inadequate when the Earl of Northampton highlights the frivolity of the doctrine of equivocation.

Immediately following the execution of Garnet, some Catholics claimed to have witnessed miraculous events. The most famous of these accounts being that of John Wilkinson, who claimed to have retrieved a piece of straw stained with Garnet’s blood from his execution that congealed to form a portrait resembling the Jesuit. Realizing the threat that Garnet’s martyrdom would have on the King’s authority, the court of King James published and distributed their own account of the proceedings against Garnet and the other conspirators.

The copy of *A True and Perfect Relation* sitting in the Dunham Bible Museum collection was originally owned by Herbert Hanbury Smith-Carington, the eldest son of a successful

Worcester nurseryman and seed merchant. While mayor of Worcester in 1980, Carington bought an estate in Ashby Folville, Leicestershire where he built cottages, a village institute, and a vested church. Although it is unclear how the artifact came into his possession, Carington appears to have gone through the trouble of rebounding the book. In addition to the original text, Carington obtained a facsimile of Guy Fawkes' confession which has been included in the artifact. Although it is difficult to locate, Fawkes' signature seems to have been taken after being tortured (see fig. 3). When compared to the confession given by Fawkes before being tortured, one can easily see the strain that the proceedings took on his body. Unlike his first signature, Fawkes' second signature is barely intelligible. Through these observations, we get a sense of the obstacles faced by religious minorities in early modern Europe. Doctrines such as equivocation were adopted by these groups as a means of surviving in an increasingly hostile environment. *A True and Perfect Account* gives readers a first-hand record of the prevailing political and religious attitudes in England at the time of the Gunpowder Plot.

Garnet. Garnet faintly answered, he might not disclose it to any, because it was matter of secret confession, and would endanger the life of diuers men.

Erl. of Nor. Whereunto the Earle of Northampton replied, that that matter of Confession, which before he refused to confesse, because he would saue liues, hee confessed it now to endanger his owne life, and therefore his former answer was idle and friuolous.

Garnet. Then Garnet told the Lords, that he commanded Greenwel to dissuade Catesby, which hee thought hee did; and if Catesby had come to him vpon Alhallowday, hee thought he could so farre haue ruled him, as hee would haue bene persuaded to desist.

Fig. 1

The Proceedings against

Garnet. Hereunto Garnet said, That he had done more then hee could excuse, and hee had dealt plainly with them, but he was bound to keepe the secrets of Confession, and to disclose nothing that he heard in Sacramentall confession.

Erl. of Not. Whereupon the Earle of Nottingham asked him, if one confessed this day to him, that to morrow morning he meant to kill the King with a dagger; if he must conceale it?

Garnet. Whereunto Garnet answered; that hee must conceale it.

Fig. 2

horne on the monday night following, and Confesseth also
the said Percy, this Examinato, Robert Catby, Thomas Comitt
John and Robert Wright mett at the forenamed horne on the
backside of s^t Andrews Inn on sonday night last.

He further saith that t^he wednesday before his apprehension
he went forth of the Towne to a horse in Enfield
chase on this side of Sherbalds where Wally doth by
and thither came Robert Catby, Graunt and Thomas
Comitt, where he staid untill sonday night following.

Hee Confesseth also that there was speech amongst them
to draw s^r walter Ransby to take part wth them, being
one that might stand them in good stead, as others
like sort were named.

Taken before us and subscribed
by the Examinato before us

Edw: Wood
Edw: Forsett

Fig. 3

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