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University of Durham

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Submitted for the Degree of Master of Arts

**Roman Catholic Education in England in the Nineteenth Century,
with special reference to William Bernard Ullathorne**

Charlotte Hansen

April 1998



11 MAY 1999

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Abstract

Until 1870 education in England was mainly the domain of private, corporate and ecclesiastical enterprise, but in 1870 the English State laid the foundation for a national system of primary and secondary education in the form of the new Elementary Education Act. The Act did not declare education to be a purely secular matter, nor did it allow the Church to be involved in education on a nondenominational basis under State supervision. The Education Act established the so-called “dual system”, the division of elementary education into Board and Voluntary schools.

One of the most prominent contributors to English Catholic attitudes on education in the second half of the nineteenth century was William Bernard Ullathorne (1806-1889), who was a fierce opponent of the “dual system”. After a number of years in Australia as Vicar General, he returned to England in 1840 where he subsequently became Vicar Apostolic of the Western and Central Districts. On the re-establishment of the English Catholic hierarchy of bishops in 1850, Ullathorne was made Bishop of Birmingham. He resided in Birmingham until 1888.

It is the aim of this work to determine and explain the core of W. B. Ullathorne’s long and extensive influence on the educational debate in the last century. It aims at establishing the ways in which he influenced both the laity and the hierarchy in their concepts of what an ideal Catholic education should be. It also examines Catholic attitudes towards the State’s new paramount role as the provider of education. This will be done through an extensive study of Ullathorne’s writings and correspondence on education, as well as newspapers and periodicals throughout the years 1850-1889.

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I confirm that no part of the material offered has previously been submitted by me for a degree in this or any other University. Material from the work of others has been acknowledged and quotations and paraphrases suitably indicated.

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My deepest gratitude is reserved for my father for his constant encouragement and unfailing support in everything I do.

...Our teacher is the consultant who is said to dwell within the inner man; this consultant is Christ, the unchangeable power of God and everlasting wisdom. He is the teacher whom every rational being consults; but to each man only as much is revealed as he is able to receive relative to the condition of his will, which may be evil or good.

St. Augustine
The Teacher (De Magistro)

...education is a high word; it is a preparation for knowledge, and it is the imparting of knowledge in proportion to that preparation...It implies an action upon our mental nature, and the formation of a character; it is something individual and permanent, it is commonly spoken of in connexion with religion and virtue.

J. H. Newman
The Idea of a University

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INTRODUCTION

Of this let all men be assured; we will have nothing to do with schools in which our duty to God is not as much cared for as our duties to man.

W. B. Ullathorne,
The Address delivered at the Catholic Meeting in the Town Hall, Birmingham, 15th November 1869

England was the last major nineteenth-century power to create a national system of education, and the most reluctant to put it under public control. Overall, the English educational system was characterised by a singular diversity of institutions and a chronic lack of integration among its various parts.

In 1870, when the English State laid the foundation for a national system of education, it entered a sphere still generally regarded as fundamentally that of religion. This was a sphere that had until then been the domain of private, corporate and ecclesiastical enterprise. Religion in 1870 still meant generally a particular religion, be it the Church of England, Roman Catholicism or some form of organised Nonconformity. When the English State had to decide what was to be done about the teaching of religion, and by whose authority, it neither declared education a purely secular matter, nor allowed church involvement in schools on a nondenominational basis under State operation. 'Anxious to hold the balance between incipient secularism



and weakening institutional religion, it decreed that religion might indeed be taught in the Board schools',¹ but not in the form of 'religious formularies or catechisms distinctive of any particular denomination'.²

One of the fiercest opponents of the establishment of the so-called "dual system", the division of elementary schools into Board schools and Voluntary schools, was William Bernard Ullathorne. W. B. Ullathorne was born in 1806 and became a Benedictine postulant in 1823 at Downside Abbey, where he received the religious habit twelve months later. In 1831 he was ordained to the priesthood, and in the following year, he sailed for Australia as Vicar General to Bishop Morris.³

In Australia he worked among convicts and colonists for ten years. During his time in the colony, Ullathorne made occasional visits to Rome to give reports of the state of the mission in Australia and to canvass for clergy in Ireland. He was summoned to England to give evidence before Sir William Molesworth's Committee on Transportation. His pamphlet, *Horrors of Transportation*, is regarded as a classic exposé of the kind of complacency that the British government exercised in its Australia policy. In Australia, Ullathorne acquired an understanding of how people's standard of living partly determined the kind of education their children received, and his awareness of this connection was one of the predominant elements in his writings on education, after his return to England.

¹ H. O. Evennett, *The Catholic Schools of England and Wales* (Cambridge University Press: Cambridge, 1944), p. 131.

² Text of the Elementary Education Act, 1870, Section 14, II: Management and Maintenance of Schools by School Board.

³ William Placid Morris (1794-1872). Professed at the Benedictine College at Acton Burnell, Shropshire in 1811. In 1818 he was ordained to the priesthood, and in 1832 he was appointed Vicar Apostolic of Mauritius. He was consecrated Bishop of Troy, *in partibus infidelium* in February 1832.

After a breakdown he went back to England in 1840 and became a parish priest in Coventry. Although his name was first proposed as Bishop of Hobart Town, next of Adelaide and then of Perth, Ullathorne never returned to Australia. In 1846 he became Vicar Apostolic of the Western District of England and was based in Bristol, and two years later he moved to the Central District. In Ullathorne's autobiography *The Devil is a Jackass*⁴, he described his early determination never to rest, until the hierarchy had been re-established in England, and he was the leading protagonist of the cause at the Holy See. On the re-establishment of the hierarchy in 1850 he argued that the recognition of Vicars Apostolic was 'the recognition of a far more extensive papal power in the country than is the recognition of a hierarchy of titular bishops'.⁵ Ullathorne's constant emphasis on the absolute authority of the Holy See was one of the principal elements of his theology.

In the re-established hierarchy Ullathorne became the first bishop of Birmingham, where he resided until 1888. Then he was made titular Archbishop of Cabasa. He 'was to be for forty years the standard of reference for the Catholic tradition in England. Few men have filled the pastoral office with such success, unalterable devotion and common sense'.⁶ He died in 1889.

⁴ Ullathorne wrote two drafts of his autobiography. The first draft was written at the instigation of Mother Margaret Mary Hallahan and was an account of his life until the late 1860s. In the last years of his life he rewrote the first draft. In the latter, the Bishop covered the same ground as in his first draft, and presumably he would have extended the narrative to include his long episcopate, but he died before the second draft had been completed. The manuscript was first published in 1941 under the title *From Cabin-boy to Archbishop* and then again in 1995 under the title *The Devil is a Jackass*. The words of the second title were allegedly among the last words that Ullathorne uttered on his deathbed. *The Devil is a Jackass* ends with the re-establishment of the English hierarchy in 1850.

⁵ Quoted, Ed. Norman, *The English Catholic Church in the Nineteenth Century* (Clarendon Press: Oxford, 1984), p. 71.

⁶ David Mathew, *Catholicism in England, 1535-1935* (Longmans, Green and Co: London, New York and Toronto, 1936), p. 194.

It is not the primary aim of this work to offer a detailed account of the emergence of an English educational policy *per se*, nor does it intend to consider its significance for religious education or religious groups in general, as such accounts are legion. Rather, it seeks to explain the essence of W. B. Ullathorne's long-lasting and extensive contribution to the educational debate in the last century. It likewise aims at establishing in what way he influenced English Catholic concepts of religious education, and Catholic attitudes towards the State's new paramount role as the provider of education. In order to assess his arguments and conclusions regarding a National Education Bill, it is necessary to give a full account of the fragments of a Catholic education before 1870, and of the many attempts that were undertaken to secure a national education. This thesis also includes a comprehensive account of the 1870 Education Act itself, as it has been rightly described as 'a landmark in the history of religious education in England'.⁷

The first part consists of chapters I and II. Chapter I gives an overview of education in England from the Middle Ages up to 1870, and explains the nature of the relationship between the State and the Established Church. The second chapter offers a detailed account of the consolidation of education as a State concern. It traces the beginnings of a national education and describes the establishment of the national education itself. The chapter also explains the Catholic reaction to the educational provisions made by the State.

Chapter III is a thorough analysis of W. B. Ullathorne's writings in the period 1850-1857. The chapter introduces the pamphlets *Remarks on the proposed Education Bill* (1850) and *Notes on the Education Question* (1857). The pamphlets were

⁷ M. Cruickshank, *Church and State in English Education, 1870 to the present Day* (Macmillan and Co Ltd: London & St Martin's Press: New York, 1963), p. 36.

Ullathorne's most elaborate and systematic contributions to the raging debate on education, and in these he unfolded his visions of an ideal education. Other writings will also be considered.

Chapter IV is an exposition of the 1870 Education Act in its preliminary stages. The chapter likewise offers a study of the contents of the final Bill, as Ullathorne's writings presuppose a certain knowledge of the Act. The account of the Act itself, however, is limited to describing those elements of the Act that are relevant for an understanding and evaluation of Ullathorne's arguments.

Chapter V shows how the Education Act was received by both the Catholic laity and the Catholic hierarchy. The debate, primarily as it raged in the pages of *The Tablet*, will be examined to see if there was consensus between the laity and the hierarchy in the way they responded to the Act. The aim will be to show how a body of a representative Catholic opinion reacted to Ullathorne's fears of government interference in educational matters.

Chapter VI looks at the establishment of the school boards and their significance for the development of education. It focuses on Ullathorne's varying positions on the school boards, and explains how his understanding of the boards developed, before he reached his final position. The latter is illustrated primarily through his correspondence with H. E. Manning.

Chapter VII comments on the general effects the Act had on English denominational education, and explains why the Act ultimately failed in providing a 'sound and cheap elementary education' for children of all denominations. In the 1880s Cardinal Manning came out strongly against the working of the Act because of its

palpable short-comings in relation to the voluntary schools, and he devoted himself to campaigning for a re-opening of the Act. By comparing selected pieces of his and Ullathorne's writings, dating chiefly from the 1880s, the chapter explores whether or not Manning and Ullathorne actually were such great adversaries in the education question.

The concluding chapter evaluates how well Ullathorne's visions of a denominational education hold up in a current perspective. It asks if denominational education is merely a Utopian vision when the State has become the main provider of education. The chapter clarifies the relevance of speaking of "old Catholics" and their insistence on maintaining a denominational education system as an important underpinning to a "closed Catholicism"; and whether or not "new Catholics" and their willingness to make compromises, and co-operate with the State in educational matters can be seen as the expression of an "open Catholicism".

This study is based primarily on the use of the following four categories of sources relating to W. B. Ullathorne: manuscripts, official documents (ecclesiastical and diocesan), correspondence *re* Ullathorne, and periodicals and newspapers.

CHAPTER I

The State and Elementary Education before 1870: An Overview

1.1 Fragments of a Catholic Education

The English school system derives ultimately from the schools founded by St. Augustine and his companions at Canterbury, probably in 598. When St. Augustine landed in Kent, he began the task of converting the English by setting up bishoprics at Canterbury and Rochester. In doing this he was carrying out orders given to him by Pope Gregory the Great. For nearly a thousand years, these and the other dioceses that were created throughout England were ruled by bishops in communion with Rome.

The original model for these schools was Roman. In Roman days the recognised province of grammar schools was the *trivium*, incorporating grammar, rhetoric, and logic. The *quadrivium* of later studies was divided into four heads: arithmetic, geometry, music, and astronomy.¹

In the Middle Ages the provision of schools, in proportion to the population was about four times as great as it was in the middle of the nineteenth century. The need to provide a clergy sufficiently learned to carry out the duties of the priesthood always

¹ A. S. Barnes, *The Catholic Schools of England* (Williams and Norgate, Ltd: London, 1926), p. 7.

required a high standard of education. The main schools of the period were the bishop's schools, and they made provision for education in connection with the cathedrals. It was the duty of the bishop to provide a sufficient supply of priests who were at least qualified to carry on the work of the diocese and to fill vacant benefices.²

Until the Reformation, England received a Christian education through the monastic schools, song schools, grammar schools, guild, chantry and hospital schools, through the two universities at Oxford and Cambridge, and through the parish schools run by the local clergy.

According to A. S. Barnes, the monasteries have enjoyed a reputation which is not wholly deserved as supporters of the general education of England. He writes that only in exceptional cases did a monk teach in a school outside the monastery; there is no known record of a school for externs carried on within the precincts of the monastery itself. The monasteries were efficient in the education of their own subjects, but took very little interest in that of boys outside the order.³

Under Henry VIII (1509-47) the smaller monasteries (those with an annual value of less than £200) were suppressed by an Act in 1536. The larger houses were closed, not by legal suppression, but by "voluntary" surrender in 1539. The houses, of differing sizes, were closed on the pretext of their corruption and decadence, the lives of their inhabitants being said to be lecherous or worldly. No specific principle, however, was employed in the dissolution of the English monasteries.⁴

² Barnes, *The Catholic Schools of England*, p. 2.

³ *Ibid.*, p. 12.

⁴ O. Chadwick, *The Pelican History of the Church*, 6 vols. *The Reformation*, vol. 3 (Hodder & Stoughton: London, 1965), p. 105.

The song schools provided an education for boys who aspired to the priesthood, or at least to the modicum of knowledge which admitted them to the 'privilege of clergy'. These schools were the elementary or preparatory schools at the time; here boys were taught to read and write and to sing in Latin but no more, and the education of a large number of the boys ended at this stage.⁵

The chantry schools were supported financially by pious benefactors; very often they requested the local priest to spend part of his time teaching the children of the parish. The standard of the teaching given in the chantry schools varied according to the size of the bequest for the teaching, the value of the provision for the chantry and the capabilities of the chantry priest. Education throughout the Middle Ages was not exclusively reserved for the wealthy, or only to be obtained in densely populated places, 'but by means of these chantry schools [education] was brought into every parish and placed, generally entirely gratis, within the reach of every labourer's son'.⁶ By the sixteenth century almost every small town or village had its own arrangements for more advanced tuition than was given in the song schools.

Chantry schools were another institution that was particularly characteristic of the late Middle Ages. In essence they were the saying or 'chanting' of Masses and other prayers for the people who endowed them, who were presumed to be in purgatory, and who could benefit from them there. 'Chantry schools were thus an aspect of lay piety expressing a form of eucharistic devotion which increased greatly throughout Western Christendom at this time'.⁷ As institutions, they could be an entire college of priests or a university

⁵ Chadwick, *The Reformation*, vol. 3, pp. 5-7.

⁶ *Ibid.*, p. 15.

⁷ N. Tanner, 'Piety in the later Middle Ages', pp. 61-76, in *A History of Religion in Britain* S. W. Gilley & W. J. Sheils (eds.) (Blackwell: Oxford UK & Cambridge USA, 1994), p. 68.

college. On a smaller scale, there might be a single priest saying a daily mass in perpetuity or simply half a dozen masses which a tradesman asked in his will to be said for his soul. All Souls College in Oxford began as a university chantry, having been founded by the Archbishop of Canterbury in 1438 for forty priests who were expected to pray for the souls of King Henry V and for the Englishmen who had died in the wars in France.

In 1547, during the reign of King Edward VI, the chantries were dissolved, and so this Catholic institution was destroyed. The intention of the abolition of the chantries was not to destroy education as such. It was the unfortunate consequence of the fact that the Church alone had been the originator, provider and maintainer of education in England which led to the destruction of this educational provision. Some of the abolished schools, however, were refounded as the Edward VI grammar schools.

The re-establishment of Protestantism in England under Queen Elizabeth I (1558-1603) led at once to the enactment of severe laws against all who remained faithful to the old religion. In 1559 Elizabeth I deposed and imprisoned almost the whole Catholic hierarchy because it refused to disavow the primacy of the Pope in favour of royal supremacy in spiritual matters. Four bishops avoided imprisonment; the bishop of Llandaff took the oath of supremacy and three others managed to escape. Thomas Goldwell, Bishop of St. Asaph and the last of the Marian bishops who had remained loyal to Rome under Elizabeth I, died in 1585. Sixtus V then considered the Roman Catholic hierarchy in England and Wales to be extinct and the English Catholics were without *normal* episcopal government for two hundred and sixty-five years. From 1581-94, Cardinal William Allen, the Archbishop-elect of Mechlin, served as 'Prefect of the

English Mission' and from 1598 until 1621 archpriests were in charge of the Mission. In 1623 Gregory XV appointed the first Vicar Apostolic in episcopal orders, and then later the actual government of the Roman Catholic Church was by Vicars Apostolic who held titular sees; first one see for the whole of England and Wales, then two, then four and finally eight.⁸ After the death of Thomas Watson, Bishop of Lincoln in 1584, no Roman Catholic bishop resided in England or Wales for thirty-nine years (1584-1623). The Catholics were without any form of ecclesiastical government between 1594 and 1598, from 1621 to 1623 and again from 1655 to 1685. During these long stretches, English Catholics were cut off from the disciplinary influence of the episcopate.⁹

Catholics were deprived of their churches and preferments and of the schools and colleges they had already founded, and they could no longer found new schools or teach their children at home. It was not possible to keep up any supply of priests and missionaries whose main work would be teaching. Either England was to be left entirely to Protestantism or some kind of college must be set up on the Continent, where the laws of Elizabeth I could not prohibit Catholic colleges.¹⁰ To prevent the extinction of Catholicism in England, a seminary of some kind was urgently needed, and preferably more than one.

⁸ The title vicar apostolic is found towards the end of the fourth century, signifying a resident who possessed jurisdiction and authority in his own diocese, and received special authority and powers over other bishops of the region from the Roman pontiff. The vicar apostolic, in the sense understood today, is a creation of the Sacred Congregation for the Propagation of the Faith. After it had been established in 1622, the Congregation assumed the responsibility for all missionary activities of the Church. The vicar-general (syncellus), also known from the fourth century, is a prelate who is appointed by the bishop to assist him in the administration of the diocese by exercising ordinary jurisdiction in his name.

In the periods mentioned in the main text, the ordinary jurisdiction of the bishop was impeded in England.

⁹ V. Alan McClelland, *Cardinal Manning, His Public Life and Influence 1865-1892* (Oxford University Press: London, 1962), p.1.

¹⁰ Barnes, pp. 55-6.

In 1568 the initial steps were taken by the Jesuits when they established the English College at Douay for the training of priests for England, and with that, 'the post-Reformation Catholic mission can be said to have begun'.¹¹ At first priests arrived slowly; by 1575 there were only eleven, but soon the pace quickened and by 1580 the number of priests exceeded the one hundred. Douay required a high standard of education, and especially a knowledge of Latin, from aspirants to the priesthood. At the end of the sixteenth and beginning of the seventeenth century, there were several houses of English priests and nuns at Douay. As the college was supported by alms from England and the Continent, the discipline was very strict. In 1619 the College at Douay started its own school as distinct from the seminary. Most of the boys who attended the school returned to their homes in England once their education had finished, 'and with varying fortunes it persisted until the French Revolution and the wars which followed it drove Englishmen back to their native land'.¹²

In 1592 the Society of Jesus established a house at St. Omer, known in England by the codename of *Flamsteed*. In 1624 the Society also established a school at St. Omer which was to become one of the most popular schools for English boys on the Continent. The boys were divided into classes according to their ability and knowledge. They were required to speak only Latin on a daily basis, and although the time-table was demanding, accounts from the school show that the boys went skating and fishing, played various games and performed theatre plays. To prepare the boys for the social

¹¹ W. J. Sheils, 'Catholicism from the Reformation to the Relief Acts' pp. 234-251, in *A History of Religion in Britain*, p. 239.

¹² M. D. R. Leys, *Catholics in England 1559-1829, A Social History* (Longmans: London, 1961), p.157.

life that awaited them once they returned to England, they were taught to dance and fence and were given music lessons as well.

This kind of education was only available to the sons of the wealthy. Many of the smaller landowners and merchants found it difficult to pay for the education of their sons. It was not only the Catholics who found the schools which were closely connected with the Established Church unsatisfactory on both religious and educational grounds. Protestant Dissenters established several "Academies" in the eighteenth century, whose standard of learning was often much higher than those of the grammar schools.

Several Catholic schools for boys were founded in England from the time of the Catholic convert King James II (1685-89); two of these were Osmotherly and Egton, near Whitby. His reign was not merely a time of toleration for Catholicism, but also one of political and academic influence based on royal patronage. However, the King's ignorance of the extent of the prevailing national fear of Catholicism and his appointments of Catholics to prestigious positions brought this halcyon period to an end. With the accession of William of Orange, the Catholics lost royal patronage as well as general toleration.

The penalty for keeping a schoolmaster who did not conform to the new laws was £10 a month. But although the policy of the government had been to make a Catholic education in England impossible, the attempt failed and Catholic education even in England was not brought entirely to a close. Priests earned a living by working as tutors, and seminarists who arrived from the Continent used music as a cover for their real activities. Although it was impossible to maintain an actual school, as an assembly of boys would soon be discovered, some of the Catholic gentry succeeded in keeping a

tutor in their house for the education of the children of the household, despite the risk that was involved.

There seem to have been about a hundred and twenty Catholic schoolmasters teaching clandestinely in England in the seventeenth century, and at least a hundred and thirty-five in the eighteenth century. During these 'two centuries over 220 Catholic schools, of intermittent and hunted existence, were functioning at one time or another, at least three of them with unbroken continuity from about 1650'.¹³ Also, in the middle of the seventeenth century, the Jesuits had a boarding school at Stanley Grange at Derbyshire, and the Misses Dalton, had a school for boys at Yealand in Lancashire. The government was aware of the existence of five schools in Yorkshire as well as of several schools in London. In the eighteenth century, when the bishops made their visitation enquiries, a considerable number of papist schools were reported to them.

By the later part of the eighteenth century, many Catholic schools flourished. Some of these were charity or poor schools situated in villages; most of them, however, only lasted a few years, as their continued existence depended on a priest who was willing and able to undertake the teaching. The earliest traceable Catholic Charity school, according to A. C. F. Beales, dates from 1764 and by the end of the century there were at least ten of them, mostly in London. These were 'tiny schools for the children of the Catholic poor, financed literally by subscriptions of a penny a week and by the proceeds of "Charity Sermons" preached in the chapels of the foreign Embassies in London (the only Catholic chapels licensed by law to exist)'.¹⁴

¹³ A. C. F. Beales, 'The Struggle for the Schools' pp. 365-409, in G. A. Beck (ed.), *The English Catholics 1850- 1950* (Burns Oates: London, 1950), p. 365.

¹⁴ Beales, 'Catholic Education in England', pp. 456-66, in *Lumen Vitae*, vol. I (1946), pp. 457-8.

‘There were, no doubt, many such [charity] schools, especially in country districts where Catholicism was strong, and in large towns where they would not be conspicuous’¹⁵, and their teaching was the equivalent to a normal curriculum of schools at the time. Often a charitable squire would pay the fees, either at an English Catholic school or on the Continent, for a boy who showed promise and expressed a wish to enter the priesthood. The education of the majority of men ended with their school days, except for those who entered the priesthood or trained to become lawyers and doctors.

Some Catholic parents took an equal interest in the education of their daughters. A steady stream of young women crossed the seas, and English nuns opened houses, mainly in France and in the Netherlands. Within many of these convents, schools were established and several of their pupils became nuns. English girls also joined convents that had already been founded. Many young ladies, however, only received the kind of education they needed to fill a fitting place (i.e. as wives and mothers) in society.

Mary Ward (1585-1645) conceived the idea of founding a new order for women, as she was adamant that the children of the poor should receive some kind of education. She was equally concerned that future mothers of Catholic children should be intellectually equipped. In 1609 she and seven companions went to St. Omers where they began the Institute of the Blessed Virgin. Mary Ward’s idea was to found an order that followed the rules of St. Ignatius rather than the rules of St. Benedict. This kind of order was not to be bound by the walls of a convent but was to be in the world. The Ignatian spirit of Mary Ward’s ideas were regarded as dangerously novel by some, and also aroused anti-Jesuit feelings.

¹⁵ Leys, *Catholics in England 1559-1829*, p. 162.

In 1612 she secured the approbation of Bishop James Blaise at St. Omers, and within three years she opened an affiliated house in England. Although Paul V received the "Scheme of the Institute" in a favourable manner, he did not give his formal approval. In 1629 the Congregation of the Propaganda¹⁶ suppressed Mary Ward's cause and she was imprisoned for a short time in the Anger Convent in Munich, but was eventually released after a personal appeal to the Pope. Although a definite suppression was handed down in 1631, she obtained permission for some of her sisters to continue their apostolate, if they lived in a community under private vows. Mary Ward herself returned to England in 1639, first to London and then to Hewarth Hall, Yorkshire. Only in 1877 was Mary Ward's Institute given final papal approbation by Pius IX.¹⁷

The 'English Sisters' later built institutes in England, one situated just outside York, the other at Hammersmith where it developed into a school. In 1780, during the Gordon Riots¹⁸, local tradespeople helped to shelter the nuns, and their work continued. Leys considers it to be 'an interesting sidelight on Roman Catholic practice in the seventeenth and eighteenth centuries that so many people ran these risks, and incurred the very heavy expense involved'.¹⁹ The work of the school was so well-known and so

¹⁶ The sacred congregation of cardinals *de propaganda fide*, is commonly called the Congregation of Propaganda. Already Gregory XIII contemplated such organisation, but the congregation was not actually established until 1622, by Gregory XV, to guard, direct and promote foreign missions. Urban VIII instituted the College of Propaganda as part of the same design, where young men of every nation and language could be trained for the priesthood, and prepared for the warfare against heathenism or heresy. The management of the College was put in the hands of the Congregation.

¹⁷ Leys states that Clement XI gave his sanction to the foundation in 1703.

Leys, *Catholics in England 1559-1882*, p. 164.

¹⁸ Also known as the 'No Popery Riots'. These broke out in London in 1780, when a mob headed by Lord George Gordon marched to Parliament with a petition for the repeal of the Catholic Relief Act of 1778.

¹⁹ Leys, *Catholics in England 1559-1882*, p. 167.

respected that even non-Catholics sent their girls to the school, but most of the girls from the wealthy families still went to the Continent to receive their education.

1.2 Fragments of a Catholic Education after the French Revolution

One of the immediate consequences of the French Revolution was that the numerous British establishments on the Continent were broken up, and most of them returned to England after the law for the Civil Constitution of the Clergy was passed in 1790.

Although the Catholic Relief Act of 1791 had actually prohibited the foundation of Catholic schools in clause XV, Catholics continued to found and re-found schools. The Clause was interpreted as applying only to schools concerned exclusively with the training of priests, and so they were not challenged by the law. This turned out to be a two-edged sword, as it also meant that legal protection could not be guaranteed and the Catholic authorities were anxious about their endowments. The legal uncertainty of Catholic educational endowments was highlighted in the fate of the Douay claims. In 1816 Bishop Poytner of the London District was given a certain sum of money by the French government to compensate for the seizure of the college property and assets during the Revolution. The money was paid out to commissioners of the British government who declined to give it to the Catholic colleges 'because of legal queries about the "superstitious" uses to which it might be put'.²⁰

French refugee clergy followed the British establishments and sought a living by teaching poor Catholic children in London, and other larger towns. The refugees from

²⁰ Norman, *The English Catholic Church*, p. 178.

the French Revolution were not as numerous as their Protestant fellow countrymen, who had sought asylum after the revocation of the Edict of Nantes in 1685. A great number of the refugees, as many as 7,000 at one time or another, were priests and monks belonging to the Roman Catholic Church. These clerics have often been described as the “émigré” clergy, which is strictly speaking not correct, as the great majority of the priests, as well as the religious who accompanied them, were not emigrants but were actually deported. ‘This was an important distinction because the clergy were able to present themselves as a group more sinned against than sinning, a “classe évidemment innocente”, men who had suffered for their ideals, and gave to the whole “emigration” a conscience which it might otherwise have lacked’.²¹

Aidan Bellenger points out that if the French exiles did not have a great influence at the level of ideas, then neither can their presence in England have greatly affected popular education. Although the late eighteenth century was a period that saw an expansion of the charity school movement, ‘the exiles did not play a large part in this’²², apart from a few exceptions. The main reason why the contribution of the French clergy to English Catholics was not in proportion to their numbers was the English Catholic reluctance to accept the French Catholics into their community. There was not an absolute barrier between the English and the French, because the works in the missions had precluded that, but there were innumerable objections to a closer relationship between them. ‘Whatever common ground the two religious communities had, the caution of the English Catholics to co-religionists who were never seen as anything

²¹ D. A. Bellenger, *The French Exiled Clergy in the British Isles after 1789* (Downside Abbey: Bath, 1986), p. 2.

²² *Ibid.*, p. 62.

more than a transient factor in church affairs ensured that for all their numbers the French stirred little more than a passing ripple on the still waters of English Catholicism'.²³ It may be added that the same was true for education. Alan McClelland, on the other hand, ascribes a greater influence to the French émigré clergy upon the English Catholics as they personified the first real contact between English Catholics and mainstream Continental Catholicism since the Reformation.²⁴

The majority of the French refugee priests were able to return to France when Napoleon and Pope Pius VII agreed on their concordat in 1801. By 1817 most of the French religious communities had returned to their own countries, whereas the English schools and seminaries remained and prospered in England.

The College at Douay had, as mentioned earlier, existed before there were any Vicars Apostolic in England. It was a pontifical college and its superiors answered only to the Holy See, the president of the college was independent of any English bishop. According to Bernard Ward, the main difference between the college at Douay and those founded in England to replace it was that the first was a pontifical college, whereas the latter have always been episcopal establishments, whether governed by one bishop or more.²⁵ Douay gave rise to two new colleges in England: St. Edmund's at Old Hall, the diocesan college of the London District established in 1793, and Ushaw near Durham which was ready for occupation in 1808.²⁶

²³ Bellenger, *The French Exiled Clergy*, p. 62.

²⁴ McClelland, *Cardinal Manning*, p. 3.

²⁵ B. Ward, *The Dawn of the Catholic Revival in England*, 2. vols. (Longmans, Green and Co: London, New York, Bombay and Calcutta, 1909), vol. II, 1781-1803, p. 71.

²⁶ St. Edmund's employed as 'professor' of philosophy John Charles Richard d'Ansel, who, after the Restoration, had a successful career in France which culminated with his appointment as Bishop of Bayeux. D'Ansel was highly thought of at St. Edmund's and gave lectures on wide-ranging philosophical themes.

In 1794, the gentlemen from Liège settled at Stonyhurst. At Liège, founded in 1616, they had been living virtually as Jesuits, but on their return to England they came under the jurisdiction of the bishops. In 1796 they received a special brief from Rome giving them rights similar to those they had enjoyed in Liège. The Benedictine community of St. Lawrence settled at Ampleforth, near York, and in 1814 the community of St. Gregory migrated to Downside, near Bath.²⁷ Sedgley Park and Oscott were purely English foundations.

Ward notes that the education given at the Catholic colleges at the time did not differ significantly from that of an ordinary English public school. The differences that did manifest themselves were, according to him, due to conservatism and respect for tradition. The main emphasis of the curriculum was on the study of Latin and Greek classical authors. Mathematics beyond simple arithmetic was hardly taught. The physical sciences were studied as part of the philosophy course; they, and the combination had been *comme il faut* at Douay and Liège. The disciplines of history and geography were new to the curriculum.²⁸

According to W. J. Battersby, the educational conditions for girls and women in general in the 1860s were simply chaotic. In 1868 the Schools Inquiry Commission emphasised 'the poor quality of female education', and commented on 'a want of thoroughness and foundation; a want of system' and 'a want of organisation'.²⁹ There were no public schools for girls, few endowed schools existed, and the universities were

²⁷ B. Ward, *The Eve of Catholic Emancipation*, 3. vols. (Longmans, Green and Co: London, New York, Bombay and Calcutta, 1911), vol. I, pp. 202-7.

Examples of French exiles, who played a prominent part in teaching, were Dom Martin Leveaux, a Maurist Monk and Abbé Elloi, a doctor of the Sorbonne who taught at Downside.

²⁸ Ward, *The Eve of Catholic Emancipation*, vol. I, p. 212.

²⁹ W. J. Battersby, 'Educational work of the Religious Orders of Women 1850-1950', pp. 337-64, in

closed to them. Private governesses, for those who could afford them, taught almost nothing but superficial accomplishments. Girls did not receive any serious education as they were deemed incapable of assimilating such instruction. But for Catholics this picture changed with the return of the religious orders of women after the exile. 'It is no exaggeration to say that the Religious Orders have contributed enormously towards the progress realised, and in some respect have led the way'.³⁰

Apart from the foundation of Mary Ward, convents had been virtually unknown in England for more than two centuries and were mostly regarded as the utmost expression of a strong and negative influence from Rome.³¹ The nuns who arrived from the Low countries were largely destitute as they had lost their convents and their personal belongings, apart from what they were able to carry with them. They were strictly forbidden to carry their Breviaries, or any books that might be mistaken for Breviaries and nothing in the form of a rosary or scapular. Most of the communities that returned managed to find benefactors who first of all received them, and then provided them with new homes, usually in the countryside.

The English Catholics, p. 337.

³⁰ Battersby, 'Educational Work of the Religious Orders of Women', p. 337.

³¹ The Protestant suspicion of young girls being unwillingly trapped behind convent walls did not cease to exist because the number of women choosing to join religious orders was substantial. In 1853, a series of attempts began in Parliament to secure official inquiries into the conditions of the convents and other Catholic institutions. This movement was led by C. N. Newdegate, the MP for North Warwickshire and eventually resulted in the Select Commission on 'Conventual and Monastic Institutions' in 1870.

Already in 1851 Ullathorne wrote the pamphlet '*A Plea for the Rights and Liberties of Religious Women, with reference to the Bill proposed by Mr. Lacy*'. The pamphlet was a passionate plea for the rights of women to enter convents without having to answer to the State for their motivation to do so. Three years later, in 1854, followed '*A Letter addressed to Lord Edward Howard, on the Proposed Committee of Enquiry into Religious Communities*'. The letter was an attempt from Ullathorne's side to show that there were fewer religious houses of enclosed orders for both men and women in 1854 than there were in 1800.

The first nuns who came to England were the Benedictines of Gent and Brussels and the Carmelites from Lierre in 1794.³² Towards the end of the eighteenth century the Benedictines of Montargis, a French community with several English members, arrived in England. As the Revolution spread to the Low countries, the Franciscans of Bruges came to Taunton, the Benedictines of Ghent settled in Oulton, and the Sepulchrines of Liège in New Hall.³³

After Catholic Emancipation had made England safe for religious orders, the Sacred Heart nuns established an order at Roehampton, and the Sisters of Notre Dame one at Clapham. They were joined by other educational orders, most notably the Ursulines and the Society of the Assumption. The Sisters of the Institute of Charity, the Sisters of Charity at St. Vincent's, Carlisle Place and the Sisters of the Faithful Virgin at Norwood also settled in England. The Sisters of the Christian Retreat and the Sisters of the Immaculate Conception arrived and set up schools. In 1844 the Dominicans of St. Catherine of Siena were founded by Mary Margaret Hallahan and Bishop Ullathorne in Coventry. Cardinal Wiseman called on the convert Cornelia Connelly to found the Society of the Holy Child Jesus, and in 1848 she established the school at St. Leonards.

By 1850 there were more than twenty different orders of nuns engaged in work of an educational character at every social level. These corresponded to the public schools and offered a selective education to the upper classes. There were also approximately fourteen private 'Ladies Schools', whose running was put in the hands of Catholic laywomen. 'In terms of education offered to girls, in fact, at all levels, the Catholic schools provided very much better and more extensive facilities than the education

³² Ward, *The Dawn of the Catholic Revival*, vol. II, p. 117.

³³ Ward, *The Eve of Catholic Emancipation*, vol. II, p. 167.

available for females generally in nineteenth-century England'.³⁴ This does not, however, indicate that Catholic education for girls was in any way satisfactory.

Higher education was the preserve of the returned colleges. It was here that the trained Catholic élite could best hope to gain its entry into public life. M. D. R. Leys emphasises that the Catholics were in no worse position than most of their social counterparts, as the universities of the eighteenth century were by no means places of learning for the ordinary man.³⁵ Sometimes Catholics even went to live in Cambridge for social as much as for academic training. If the authorities were lenient, a Catholic might even receive instruction as an ordinary undergraduate, although he could never proceed to take a degree as that involved an oath against transubstantiation which no Catholic could take.³⁶ In Oxford even matriculation was barred by religious tests. 'But for a very long time, indeed...educated British Catholics were rather loth to launch out with a *positive* influence. The long ages of persecution had produced a habit of mind that looked inward rather than outwards; the Catholic body was too introverted'.³⁷

At the time of the Gordon Riots, the idea of Sunday schools, popularised by Robert Raikes, spread rapidly. In 1784 the Sunday School Committee was set up in Manchester by Churchmen, Dissenters and Roman Catholics. 'Indeed, in the history of

In the index, however, Ward has written New Hull, and not New Hall.

³⁴ Norman, *The English Catholic Church*, p. 183.

³⁵ Leys, *Catholics in England 1559-1829*, p. 162.

³⁶ J. E. E. D. Acton, first Baron Acton (1834-1902) was one of the few Catholics who had gone to Cambridge as an undergraduate. From 1859-1864 he was the editor of the *Rambler* and from 1895 he was Regius Professor of Modern History at Cambridge.

³⁷ Beales, *Catholic Education in England*, p. 459.

Beales' view is endorsed by J. Altholz: 'The English Catholics did not take full advantage of the opportunities opened by Emancipation, and their political activity before 1850 [the re-establishment of the hierarchy] was rather feeble. For this reticence, the habits of the penal days must be blamed. During the period of recusancy, Catholics had sought no more than toleration and had grown accustomed to obscurity. They remained hesitant to put themselves forward even after 1829, although the legal barriers had been removed and the Catholic gentry were socially acceptable'.

J. Altholz, 'The Political Behaviour of the English Catholics, 1850-1867', pp 89-103, in the *Journal of*

Nonconformity the Sunday school movement has a special significance, for it was the only attempt the dissenting churches ever made to secure large-scale provision for popular education under their own control'.³⁸ The religious teaching was largely confined to rote learning texts, catechisms and hymns. The teaching of reading was carried out in all these schools; the aim was the ability to read the Bible, which was used as a child's primer and reading book. The Sunday schools, attended by children and adults alike, were declared by the first secretary of the Committee of the Privy Council on Education James Kay-Shuttleworth to have 'laid the foundations of public education for the poor deeply in the religious organisations of the country'.³⁹

There were also new initiatives in the area of popular day-school education. The pioneer school established by the Quaker Joseph Lancaster both drew Anglican support as well as provoking Anglican antagonism. The Anglicans were against the non-sectarian teaching of the school and won the aid of the Anglican clergyman Andrew Bell, who had earlier used the monitorial system to organise schools abroad, and now began to organise Anglican schools along the same lines in England.

Two rival societies were organised around Lancaster and Bell. The British and Foreign School Society, established originally in 1808 as the Royal Lancasterian Society, was supported by members of the dissenting congregations and by a number of Liberal Churchmen. The National Society for Promoting the Education of the Poor in the Principles of the Established Church was founded in 1811, and had the backing of the majority of Anglicans. The two societies represented a fundamental distinction in

British Studies, vol. 4, no. 1 1964) p. 91.

³⁸ M. Cruickshank, p. 2.

³⁹ Quoted, J. W. Adamson, *English Education 1789-1902* (Cambridge University Press: Cambridge, 1964), p. 18.

religious opinion between Anglicans and Dissenters and they were to dominate English elementary education for the greater part of the nineteenth century. The two societies shared the same objective, the salvation of souls, with a consequent emphasis on religious instruction; but whereas the British and Foreign Schools Society advocated simple Bible teaching, the National Society insisted on teaching the doctrines and liturgy of the Established Church.⁴⁰

These Protestant initiatives stimulated the Catholic response, although this was on a much smaller scale. 'As the century advanced it became almost axiomatic that where a church was established there must be a Catholic school also: a situation which exactly paralleled the educational expansion of the Church of England in the nineteenth century.'⁴¹ At this time there were only a few Catholics who endorsed mixed education. Among them were Charles Butler, who supported the idea of a "common Christianity". He believed in educating Catholic and Protestant children together in the same school, with common Biblical instruction, and so he encouraged the establishment of Shadwell as a school in 1816. The Catholics withdrew from the school when Bishop Poytner ruled against it. In his evidence to the Parliamentary Select Committee on Education, also in 1816, Butler maintained that secular and religious instruction could be separated in the schools. According to Norman 'it was precisely this view which the Catholic educational programme of the nineteenth century, inspired by the leading advocates of Ultramontanism, was intended to deny'.⁴²

The Emancipation Act of 1829 removed the legal restrictions on Catholic schools

⁴⁰ Cruickshank, p. 2.

⁴¹ Norman, *The English Catholic Church*, p. 177.

⁴² *Ibid.*

and schoolmasters. Cardinal Wiseman thought of Emancipation as the equivalent for Catholics of the egress from the catacombs for the early Christians.⁴³ However, the Catholics were educationally isolated in 1829 as they had no knowledge of the public schools and universities. The Catholic aristocracy's aloofness was natural in a body that had been trained to unobtrusiveness during Penal Times, but at the same time it was misunderstood by the English "liberal" society.⁴⁴ Viewed in a political perspective the Catholics were also isolated; there was no hope of a joint civic campaign for educational rights on the part of the various minorities, especially with the Nonconformists and the Jews, as suspicion of the Pope as a "foreign sovereign" lived on. In 1835 a Select Committee gave the total number of Catholic schools in England as 86 day schools, 62 Sunday schools and one infants' school.⁴⁵

There was to be a significant change in the general Catholic position during the next twenty years. The *Dublin Review* was begun in May 1836 to supply the need for a Catholic periodical of a high literary merit to attract the attention of non-Catholics. *The Tablet*, a weekly newspaper, followed in 1840 with the converted ex-Quaker Frederick Lucas as editor. By this time, the Catholic body had begun an educational campaign. The main voice of the campaign was the Catholic Institute, a body of laymen, that had been set up in 1838 by Charles Langdale, the MP for Knaresborough. Norman writes

⁴³ McClelland, 'Sensus Fidelium': 'The Developing Concept of Roman Catholic Voluntary Effort, in Education in England and Wales', pp. 61-88, in C. Brock and W. Tulasiewicz (eds.), *Christianity and Educational Provision in International Perspective* (Routledge: New York and London, 1988), p. 63.

⁴⁴ Beales, 'The Struggle for the Schools', p. 365.

⁴⁵ *Ibid.*, pp. 365-6.

that 'he was to become, as President of the Poor School Committee, the most important Catholic educationalist of the century'.⁴⁶

Another great influence on the English Catholic Church were the converts to Catholicism from the Church of England. The Oxford Movement, deriving its name from the university of its origin, produced a large number of conversions to Rome in the 1840s.⁴⁷ The catalyst of the movement was the crisis in the Church in the years 1828-33: 'the full formal admission of Nonconformists into Parliament with the repeal of the Test and Corporation Acts in 1828, the admission of Roman Catholics with the passage of the third Catholic Emancipation Act in 1829, and the election in 1830 of a Whig government apparently resolved to reform the Church if not to plunder it'.⁴⁸ In 1833 John Keble, Professor of Poetry at Oxford and the author of *the Christian Year* (1827), reacted to the plan of suppressing ten Irish bishoprics with his sermon on *National Apostasy*. The chief object of the sermon was to defend the Church of England as a divine institution.

The leading members of the Oxford Movement were John Henry Newman (1801-90), then fellow at Oriel College, Oxford and Edward Bouverie Pusey (1800-82), Regius Professor of Hebrew, likewise at Oxford. The initial novelty of the movement 'lay in its willingness to surrender the erastian and Protestant elements in the High Church tradition and to redefine the Church of England as a *via media* between popery and Protestantism rather than, as traditionally, between popery and radical Protestantism

⁴⁶ Norman, *The English Catholic Church*, p. 167.

⁴⁷ Among the converts were Frederick Oakeley, W. G. Ward and Frederick Faber.

⁴⁸ Gilley, 'The Church of England in the Nineteenth Century', pp. 291-305, in *A History of Religion*, p. 297.

or Puritanism'.⁴⁹ The movement was also called Tractarian, from its ninety 'Tracts for the Times', published between 1833 and 1841. In the last of the 'Tracts for the Times', Tract 90 (1841), Newman sought to show that some of the Thirty-Nine Articles of the Book of Common Prayer could be reconciled with a true Catholicism. The result was that Newman was denounced by most of the bishops of the Church of England, and in 1845 he and others converted to Rome. Newman's conversion was undoubtedly the conversion that has had the greatest significance for the Catholic Church in England. He was made a Cardinal in 1879.

In 1840 Nicholas Wiseman (1802-65) returned to England from Rome, where he had been the rector of the English College. The future Cardinal of Westminster had been educated at Ushaw and Rome. In 1840 there was a redistribution of the English Catholic administrative areas and three new vicariates were created, the Lancashire, the Yorkshire and the Welsh Districts. The former Midland District was divided into two sections, the Central and the Eastern District. Wiseman became Bishop of Melipotamus in partibus and coadjutor to Bishop Walsh of the Central District and also president of Oscott College. In 1850, when the hierarchy was restored, Wiseman became the first Cardinal Archbishop of Westminster.

Henry Edward Manning (1809-92) was another convert. He was to follow Wiseman as Archbishop of Westminster in 1865. He was ordained in the Church of England in 1832 and became Archdeacon of Chichester. The Gorham Judgement⁵⁰

⁴⁹ Gilley, 'The Church of England', p. 298.

⁵⁰ In 1847 the Rev. G. C. Gorham was presented to the vicarage of Bramford Speke. The Bishop of Exeter, H. Phillpotts, found him unsound on the doctrine of baptismal regeneration and refused to institute him. After a complicated lawsuit, Gorham appealed to the Judicial Committee of the Privy Council, which attributing to him a view which he did not actually hold, declared it to be not contrary to the doctrine of the C of E. As Phillpotts still refused to institute him, Gorham was instituted by

destroyed his faith in Anglicanism, and he became a Roman Catholic in 1851. In 1875 Manning was made a Cardinal. In the context of this thesis Manning is particularly interesting, because of his work in the social and educational area, and not least because he and Ullathorne clashed fiercely in the debate over education. Their positions illustrate two different attitudes as to what extent the Catholics should embrace the English State in an attempt to achieve benefits and influence. David Mathew remarks in his book on *Catholicism in England* that 'it is remarkable that those who were now to appear as the Catholic leaders should have been such close contemporaries, a fact not without its influence in the clash of personalities'.⁵¹

At the restoration of the English hierarchy in 1850, Pope Pius IX created a territorial hierarchy of twelve bishops, declaring that the new divisions would hold 'notwithstanding the rights and privileges of the ancient English sees'.⁵² Thomas Grant was made Bishop of Southwark, the first Bishop of Shrewsbury was James Brown, and in Plymouth George Errington resided. W. B. Ullathorne became Bishop of Birmingham.

At the time of the re-establishment of the hierarchy, the effective political element of the English Catholics was drawn from the group of hereditary Catholics, known as the "old Catholics". These were the descendants of the survivors of the penal days; the core was a substantial and tightly-knit group of families of nobility and gentry such as the Earl of Shrewsbury and the Duke of Norfolk. 'The Catholic peers, although in a potentially strong position, were, in practice, rather inactive. It was the landed gentry

Archbishop J. B. Sumner.

⁵¹ D. Mathew, *Catholicism in England 1535-1935*, p. 191.

⁵² Quoted, D. G. Paz, *Popular Anti-Catholicism in Mid-Victorian England* (Stanford University Press: Stanford, 1992), p. 8.

who took the leading role...The political leadership of the English Catholics was thus drawn from the squirearchy which, except for religion, was indistinguishable from the class which had customarily governed England since the Glorious Revolution'.⁵³

The consequence of this outlook, according to Josef Altholz, was to lead the Catholics into an almost habitual alliance with the Whigs, and virtually every Catholic member of Parliament, whatever his actual political beliefs, was listed as a Whig or Liberal. The Whigs had traditionally been the party of Relief and Emancipation. The Whig-Catholic alliance was not based so much on political principle as on political convenience. 'Through quiet co-operation with the Whigs, the Catholics hoped to make sure the civil equality they had recently won and to obtain the removal of the remaining disabilities which they suffered'.⁵⁴ The Emancipation had not given Catholics full equality, and the legal status of Catholic orders and Church property was unclear. Catholic schools were in need of recognition and financial support; and provision had to be made for Catholics who served in the armed forces, in workhouses, or in prisons.

In 1850, the first Catholic Training College, the *École Normale* for male teachers, was opened in Hammersmith; it remained the only one of its kind until 1947. Wiseman opened the first Catholic Reformatory for boys at Hammersmith in 1855 and the first Industrial School for boys at Walthamstow; both received Home Office certification. At the request of the Poor School Committee established in 1847, Sister Mary of St. Philip Lescher of the Sisters of Notre Dame was sent to Liverpool in 1865 to open a college for the training of teachers in elementary schools. 'Here she laboured for nearly fifty years, building up an institution which became the model for subsequent Catholic

⁵³ Altholz, 'The Political Behaviour', pp. 90-1.

⁵⁴ *Ibid.*, p. 92.

colleges, and by her work enabling Catholic schools to meet the demands of successive Education Acts'.⁵⁵ After 1865 Manning's work establishing schools for poor children showed remarkable success. The work was divided into three broad areas: the provision of elementary schools, the setting-up of reformatory and industrial schools and orphanages, and the transfer of Catholic children from the workhouses.⁵⁶

Two claims had become entrenched as canons of Catholic orthodoxy; 'the inalienable right of parents to decide that a child be brought up and educated in accordance with their religious convictions, and, secondly, that political and social equity demands the State acknowledge parental rights by not making it more difficult for Catholics to follow their consciences in this matter than it does for Anglicans or Nonconformists'.⁵⁷

1.3 The State and the Established Church

When the State assumed supreme control of the *Ecclesia Anglicana* in the sixteenth century, it made the Church obey it, and whoever attempted to change the national religion thereby sought to change the State. The Church supported the State, and religious instruction was regarded as an essential and fundamental part of education; the licensing of teachers and the provision and oversight of education were under the control of the Established Protestant Church. 'The uniform control involved a common aim; the great outstanding purpose to be realised was the religious purpose, to which other objects, however important, were ostensibly subordinate'.⁵⁸

⁵⁵ M. Mary Paul, S. H. C. J. in *The English Catholics*, appendix III, 'The Religious Order of Women: Active Work', p. 285.

⁵⁶ McClelland, 'Sensus Fidelium' p. 67.

⁵⁷ *Ibid.*, p. 62.

⁵⁸ Adamson, p. vii.

In the early years of the nineteenth century the position of the Established Church still remained undisputed; it was a partner of the State in all matters affecting religion. The head of the State was also the head of the Church, and bishops were nominated by the Prime Minister, often to reward or ensure political support. Changes in the Church's liturgy and laws were controlled by Parliament and its prelates sat in the House of Lords. Most Church appointments were at the disposition of the Crown or of the aristocracy and gentry, who could appoint clergymen congenial to their interest.⁵⁹

The Church held a privileged position in the State. The Nonconformists had gradually received a degree of toleration, but not of equality, and the Roman Catholics had few rights until the 1829 Emancipation Act, although many laws and customs invidious to Roman Catholics remained in force (such as the lack of State funding for their schools). Like Anglicans, Nonconformists could be obliged to pay tithes, and no one (except Quakers and Jews) could be legally married except by an Anglican clergyman.

Gradually the close association between the Established Church and the State began to crack and what had for so long been the Church's strength now became its weakness as the beneficial character of the alliance was questioned, due in part to dislike of ecclesiastical corruption. Also the State was faced with not one Church but by several, by Presbyterians, Roman Catholics, Methodists, Baptists, Congregationalists, Quakers and Unitarians. At the same time the Church's influence was weakened by the growing divisions among its own members. When Samuel Whitbread's Parochial Schools Bill was debated in Parliament in 1807, the Lords rejected his proposal that

⁵⁹ J. Murphy, *Church, State and Schools in Britain, 1800-1970* (Routledge & Kegan Paul: London, 1971), p. 1.

local rates be levied in England and Wales by vestries or magistrates to provide elementary education for poor children.⁶⁰ When the Archbishop of Canterbury maintained that education should remain under the control of the Church of England, Earl Stanhope, one of the speakers, raised a crucial objection to the prerogative of the State Church in the matter of education:

Was it reasonable or just to say that the children of Catholics, Presbyterians, Quakers, and all the innumerable sects of Dissenters from the Established Church in this country, were to be barred all sources of public education, supplied by public benevolence, unless they were to become converts to our established religion?⁶¹

At the time Lord Stanhope's question was ignored, but eventually it had to be answered. There was, however, still a general consensus that the education of the poor was the responsibility of the Churches and that the emphasis should be on religious instruction.

As the activities of the State expanded and the government's powers of intervention in social and economic areas increased, areas that had once been the sole responsibility of the churches (education and health care) 'became the centres where religious and public bodies met and had to re-define their relationships'.⁶²

⁶⁰ M. Gaine is of the opinion that had the Government at this time brought in some system of universal non-denominational education it might have found general acceptance and the country may have been spared the long history of religious disputes. This opportunity was short-lived as it only lasted from the Relief Acts of 1779 and 1791 until the coming of the monitorial system of education in the first half of the 19th century. However, Gaine does not elaborate on his thesis, and in view of the character of the intense educational debate that followed, his claim seems somewhat unsubstantiated. M. Gaine, 'The Development of Official Roman Catholic Educational Policy in England and Wales', Dom P. Jebb, *Religious Education, drift or decision?* (Darton, Longman & Todd: London, 1968), pp. 137-164.

⁶¹ Hansard's Catalogue and Breviate of Parliamentary Papers (Oxford, 1953), vol. IX, p. 1177.

⁶² Norman, *The English Catholic Church*, p. 158.

Both Protestants and Catholics were drawn into the political sphere through the increasing powers of the English State; and it was in the development of the English educational system that these two institutions most frequently came into contact and indeed into collision. Two major difficulties arose in the changing climate of educational policy.⁶³ The first difficulty lay in the expansion of the population and the increasing complexity of economic life. The second difficulty was the rise of religious diversity, as the number of those who objected to the National Church was increasing. These movements meant that the State Church could no longer act as a national agency.⁶⁴

⁶³ The whole concept of an "educational policy" was in itself a novelty. At the beginning of the century most people took it for granted that education was the primary responsibility of the Established Church.

⁶⁴ Norman, *The English Catholic Church*, pp. 158-9.

CHAPTER II

The Consolidation of Education as a State Concern

2.1 The Beginnings of the Establishment of Provision for National Education

Despite early changes in attitudes to where the responsibility lay for education, all attempts to ensure the State's intervention in educational matters were frustrated for many years. The first Factory Act in 1802 decided that apprentices in a small number of mills and factories should receive instruction in the three R's and be given religious instruction, but the expenses of this were to be borne by the manufacturers, and the Act was not enforced.¹

Not until after the First Reform Act of 1832 and the changes in the franchise did the State make an active contribution to education. In 1833 J. A. Roebuck, the leader of the Radicals (who were now allies of the Whigs) put before the Commons detailed Benthamite² proposals about universal and national education for all, aided by the State

¹ Murphy, *Church, State and Schools*, p. 12.

² α) Jeremy Bentham (1748-1832) favoured legislative intervention to secure essential reforms, but he was also more than critical of the inefficient administration of the State as it existed, and he thought that any extension of law and government needed full justification, as an extension of these was fundamentally concerned with the restriction of liberty.

E. E. Rich, *The Education Act 1870, a Study of Public Opinion* (Longmans, Green and Co LTD: London & Harlow, 1970) pp. 1-2.

β) The classic statement of the State's responsibility for the provision of education was made by

where absolutely necessary. Despite considerable opposition from both political parties, a sum of £20,000 per annum was allocated for building schools; the money was to be paid out as grants in aid of private subscription. In England and Wales all applications for aid had to be supported by the National and British Societies, and both of these made religious teaching the basis of education. This meant that Roman Catholic and denominational Nonconformist schools, such as those of the Wesleyans, could not receive assistance.

In 1839, the annual grant was increased by £10,000 and the distribution of the grant was taken out of the hands of the Treasury. Instead, the Committee of the Privy Council on Education (hereafter referred to as the Committee of Council) was set up to oversee the application of any funds voted by Parliament for the purpose of promoting education. The government decided that all of the members of the Committee were to be laymen and members of government, not representatives of the churches. The members would change with different governments, but there would be a permanent non-political secretary to act as chief administrator. The first secretary to the Committee of Council was Dr. James Phillips Kay (later Kay-Shuttleworth), who believed that education of the poor must remain associated with the separate churches, or 'religious communities', as he preferred to call them.

John Stuart Mill (1806-1873) in his *Principles of Political Economy* in 1848. He justified the intervention of the State in matters of education, 'because the case is not one in which the interests and judgement of the consumer are a sufficient security for the goodness of the commodity'.

J. Stuart Mill, *Principles of Political Economy*, ed. by W. J. Ashley, 1909, p. 956.

That is to say, the gain of a child and the commodity from education may not be seen as a gain by the parent, who has effective control over the child's activities. Therefore it is an allowable exercise of the powers of government to impose on parents the legal obligation of giving elementary education to children.

G. Sutherland, *Policy-making in elementary education 1870-1895* (Oxford University Press: Oxford, 1973), pp. 115-162.

After the return of the Whigs to power in 1839, the Committee of Council made the rule 'that no plan of education ought to be encouraged in which intellectual instruction is not subordinate to the regulation of the thoughts and habits of the children by the doctrines and precepts of revealed religion'.³ It was not clear in 1839, however, whether 'revealed religion' meant only some form of Protestant Christianity. According to Lord Lansdowne, Roman Catholics made no applications as it seems that they 'took it for granted that their applications would be unwelcome'.⁴

In December 1839, the Committee of Council suggested that a school without connections to the British and Foreign School Society might insert a clause in its trust deeds if it were to receive a share of the annual grant from the Treasury.⁵ The so-called "Conscience Clause" was the provision in the trust deeds that schools should exempt those from religious instruction who did not wish to receive any instruction, without prejudice to their membership of the school. At first, the Committee of Council merely suggested the insertion of such a clause in all trust deeds of schools in receipt of grants, but in 1847 the Committee strongly urged the inclusion of the clause in such deeds, 'yet it appears that the insertion was not pressed till about the year 1853'.⁶ The object of the

³ Quoted, Rich, *The Education Act 1870*, p. 18.

⁴ G. F. A. Best, 'The Religious Difficulties of National Education in England, 1800-70', pp. 155-73, in *Cambridge Historical Journal*, vol. XII, 2, 1956, p. 170.

⁵ The suggested clause: 'And it is hereby declared that the instruction at the said school shall comprise at least the following branches of school learning, namely reading, writing, arithmetic, geography, Scripture history and (in the case of girls) needlework: and it is hereby further declared that it shall be a fundamental regulation and practice of the said school that the Bible be daily read therein and that no child shall be required to learn any catechism or other religious formulary or to attend any Sunday School or place of worship to which respectively his or her parent or other person having the custody of such a child shall on religious grounds object, but the selection of such Sunday School and place of worship shall in all cases be left to the free choice of such parent or person, without the child's thereby incurring any loss of the benefits and privileges of the school the trusts whereof are hereby declared'.

Quoted, Adamson, p. 129.

⁶ Quoted, *Ibid.*

clause was to protect religious minorities in “single-school areas”, districts where there was only one school for the whole community, usually a Church School. The compulsory imposition was agreed to without too many protests from Wesleyans and Roman Catholics whereas it raised a storm of protests from Anglicans.

In 1839 the Committee of Council also sought to reduce the powers of the Anglican clergy over individual schools. The opposition by the Church as a whole was so intense that the government surrendered its plans for State schools, and in the years 1843 to 1867 there was *only one* government Bill aiming at establishing a national system of compulsory secular education, proposed in 1850 by William Johnson Fox and voted down in Parliament after its second reading. The Bill will be dealt with extensively in Chapter IV, as Ullathorne’s pamphlet *Remarks on the proposed Education Bill* was a ferocious attack on Fox’s suggestions.

It was highly significant that the Whig government put into force its plans for a central Committee ‘which in the course of time was to grow and develop into a major department of State’⁷. The State had strengthened and consolidated its position by establishing two fundamental principles: ‘the right to promote the extension and improvement of elementary education, and the right to inspect its secular efficiency’.⁸

Denominational warfare affected the relationship between the government and the Church of England. The inspection of schools was one of the issues that led to long and bitter battles; the Anglican authorities insisted that inspectors of Church of England schools should concern themselves with both secular and religious instruction. The Order in Council issued in August 1840, often referred to as the “Concordat”, was an

⁷ Cruickshank, p. 3.

⁸ *Ibid.*, p. 4.

attempt to spell out the nature of the dual control implied by the State grants for Church schools, by defining the peculiar status and responsibilities of the clerical inspector.⁹ The government extended the same procedures to the appointment and control of inspectors for schools run by other denominations, including the Roman Catholics after 1847. The Concordat firmly established the principle of State inspection, a principle that was met with the utmost opposition from amongst others Denison¹⁰ and Manning, who held the view that schools should be under the exclusive control of the clergy.¹¹

2.2 The Catholic Reaction to the Establishment of Provision for National Education

In the years after 1815, the enormous task of not only educating but also clothing and apprenticing Catholic children was under the supervision of the Associated Catholic Charities, an unofficial body of philanthropists, with roots going back to the 1750s. As it was a private organisation, it did not qualify for the public funds for educational purposes finally made available by the State. Only groups with official recognition such as the Anglican and Free Churches' parallel associations, were eligible to receive the grants.

⁹ 'We further beg...that such portions of the Instructions to these Inspectors as relate to religious teaching shall be framed by the Archbishops, and **form part of the general instructions issued by us to Inspectors of such schools**, [my emphasis] and that the general instructions shall be communicated to the Archbishops before they are finally sanctioned by us.'

Order in Council, dated 10 August 1840, recording the Concordat with the Archbishop of Canterbury concerning the inspection of schools.

J. Stuart Maclure, *Educational Documents, England and Wales, 1816 to the present day* (Methuen: London and New York, 1965), p. 47.

¹⁰ G. A. Denison (1805-96), Archdeacon of Taunton from 1857. At the meeting of the National Society for Promoting the Education of the Poor, held in Westminster on 6 June 1849, Denison put forward a resolution adverse to the acceptance of State aid on such terms. Later he withdrew his resolution in favour of an amendment by Manning to much the same effect, but phrased in more diplomatic language. Eventually a compromise was reached.

¹¹ Murphy, *Church, State and Schools*, p. 30.

At this early stage in the development of State education, English Roman Catholics did not immediately apply for the grants made available by the Committee of Council. According to Edward Norman it was not clear that their schools were eligible, and there was a division among the Vicars Apostolic about accepting grants. As has been said, the term 'revealed religion' did not unambiguously extend to Roman Catholicism. Some believed that State inspection (the condition of the grants) was potentially hazardous to the independence and freedom of Catholic schools.¹² Marjorie Cruickshank, however, states that it was not until 1846 that Lord John Russell hinted that 'the new regulations might be extended to apply to Roman Catholic schools'.¹³ Marjorie Cruickshank's emphasis on a later date suggests that the Catholics could not have applied for the grants as early as 1839, even if the Vicars Apostolic had chosen to apply.

The Roman Catholics were in a unique position. The provision of schools for Catholic children was particularly inadequate because of the relatively small numbers of middle-class subscribers and the constant influx of extremely poor immigrants from Ireland, particularly during the Irish famine in the years 1846-1849. Marjorie Cruickshank points out that in other religious communities, the rich had some inherent connection with the poor, either as landowners or as factory masters, whereas English Catholics 'were called upon to provide education for the children of thousands [of Catholics] who were not the natural growth of their own poor, and whose poverty was not counterbalanced by any abundance in their own riches'.¹⁴

¹² Norman, *The English Catholic Church*, p. 160.

¹³ Cruickshank, p. 8.

¹⁴ *Ibid.*

Wherever Catholic schools were established, they catered for a more depressed section of the population than the British, the Wesleyan or even the National schools. By 1850 some five hundred Catholic schools had been built, but the poorest areas, where the necessary voluntary contribution could not be raised, remained without schools for many years.¹⁵

‘The Roman Catholic policy had hardened since the events of 1839-1843. When Roman Catholic children were withdrawn from the Liverpool Corporation Schools in 1842, having been refused permission to attend for secular education only, they had been marched in procession to a new Roman Catholic school, which, from shortage of funds, it had taken a decade to complete. The gesture was symbolic: henceforward the Roman Catholic authorities were convinced that no acceptable compromise would be forthcoming, so that they must be prepared to rely on their own efforts and insist on having their own schools’.¹⁶ In 1845 the Catholic Institute made a special educational appeal declaring that although 30,000 Catholic children received education in England, there were still 35,000 who did not.¹⁷ As a result of these findings, the Institute set up a standing educational Committee with Langdale as its chairman; this Committee began a correspondence with the Committee of Council in 1846. The subject of the correspondence was to establish whether Catholic schools were eligible to receive maintenance grants or not.

¹⁵ Cruickshank, pp. 8-9.

¹⁶ Murphy, *Church, State and Schools*, p. 35.

¹⁷ These numbers seem to be a gross underestimation of the actual number of Catholic children in England at the time; however Edward Norman does not indicate his source, and the appeal does not appear to be mentioned by anyone else.
Norman, *The English Catholic Church*, p. 167.

A year later in February 1847 a test-case followed. A Catholic school in Blackburn applied for a grant as a direct result of Lord Lansdowne's suggestion that Catholics should test the rules. The bishops were able to show that the school was not limited to Catholics and that Protestant children could be exempted from religious instruction. Following this, the principle of grants was eventually accepted. In June of the same year, Frederick Lucas, the first editor of *The Tablet*, founded the *Association of St. Thomas More of Canterbury for the Vindication of Catholic Rights*. The Association's approach was more democratic than that of the Institute and it appealed to the Catholic middle class and urged *political action*. Election candidates were asked to support the Church's educational claims, which gave the Association a visible political profile.¹⁸

In 1847 the Vicars Apostolic reorganised the Catholic Charities under the name of the Catholic Poor School Committee. The Committee was to function as the Catholic official to apply for and receive Parliamentary grants.¹⁹ When the Roman Catholic authorities applied for State aid in 1847, the Liberals first refused on the grounds that the regulations of the Committee of Council required the reading of the Authorised Version of the Bible in assisted schools. This condition was withdrawn to accommodate Roman Catholics.

Although W. B. Ullathorne was opposed to the central purpose of the Poor School Committee's existence, the receipt of State grants, he was favourable to the work of the Committee and wrote in 1850: 'the operations of the Committee are a beautiful illustration of our unity, and of its force when applied to good works. On this effort to

¹⁸ Norman, *The English Catholic Church*, p. 167.

¹⁹ Beales, 'Catholic Education in England', p. 458.

advance the education of the poor, very much indeed depends.²⁰ The relationship between the Committee and the bishops was harmonious, largely due to the hierarchy's close control over the Committee's actions.²¹

It soon became clear that the Roman Catholic representatives were not willing to give up their principles. They insisted that the inspector of their schools must be a Roman Catholic. Regarding the provisions of consultations before the appointment of the inspector and the restriction of his activity to secular inspection, the same conditions would apply that had been agreed upon with the British Society. The Catholic Poor School Committee was opposed to the principle of lay management even when applied to the "secular" affairs of the school. However, they eventually accepted it, under protest, since it was not strictly speaking opposed to Catholic doctrine and had been insisted upon for other religious bodies. They refused to depart from their contention that only the clergy could decide what did or did not fall within the sphere of religion and therefore within their sole jurisdiction.²² Since there was no Roman Catholic lay opinion supporting the Committee of Council, it had to accept that any appeal in a disputed matter must be to a bishop. The Poor School Committee also set up a model trust deed for Catholic schools for use when applying for grants, the so-called *Kemerton Trust*.²³

By all accounts, the grants were an enormous benefit to Catholic schools. In the first fifteen years of the grants, sums totalling £239,757 were received towards primary

²⁰ Birmingham Dioc. Archives, Dioc. Papers B.1919. Ullathorne *re* collection for the Poor School Committee, 3 June 1850.

²¹ Norman, *The English Catholic Church*, p. 169.

²² Murphy, *Church, State and Schools*, pp. 36-7.

²³ The *Kemerton Trust* is not strictly defined, apart from being named as the model trust deed for Catholic schools that was set up by the bishops to use when applying for grants.

education and £21,543 for teacher training-schools. Despite Ullathorne's misgivings, the inspection of the schools that received grants did not in itself lead to significant government intrusion on their Catholic character.²⁴

In 1849, Ullathorne initiated improvements of the facilities for Catholic education in Birmingham. He identified the causes of the unsatisfactory state of the schools as: a lack of funds, the indifference of the poor towards the education of their children, and a want of adequate involvement and encouragement from wealthier Catholics. He formed a committee of the clergy and thirty lay members, and placed all poor schools under their general administration, to be run with common funding. The reorganisation was to be a great success. By August that year, the committee was receiving governmental support.²⁵

The Second Annual Report of the Catholic Poor School Committee of Birmingham on the standard of schooling in the city supported the necessity of Ullathorne's initiative:

Much perhaps, on the whole, is being done, but very much more need, and, we feel sure, may be done, towards saving the children of our poor from the dangers to which their Faith and morals are exposed. Though having many, [in 1851 there were seven Catholic schools in Birmingham attended by more than 1100 children] we need even more Schools, among the poorest and most spiritually destitute of our people...There is, however, a large number of the Catholic Body of Birmingham, who may, we conceive, help us more fully than they do; and to this class we appeal for more general and more generous assistance. It is a telling fact, that three-fourths of our subscriptions are received from one-fourth of our subscribers, showing that

Norman, *The English Catholic Church*, p. 168.

²⁴ *Ibid.*, pp. 169-170.

²⁵ K. I. Ziesler, *The Irish in Birmingham, 1830-1970* (Ph.D. thesis, University of Birmingham, 1989), p. 66.

the number and amount of the smaller subscriptions are very much less than they ought to be.²⁶

Ullathorne stated his concern more bluntly in the *Notes* than in the annual report of the Poor School Committee, writing in the *Notes* that 'it is an undeniable fact, that, whatever the Irish labourer may give, when well urged, towards the building and support of his church, he gives very little to the school'.²⁷

In 1852 the bishops set up their own body of inspectors of religious instruction, on a diocesan basis, with a system of prizes and rewards, funded by the Catholic Poor School Committee. It was an attempt to guarantee standards in both those schools which were in receipt of aid and those which were not. Four years later, in 1856, the plan came into operation, with a syllabus of Religious Instruction for the pupil teachers, a rota of diocesan specialists, and two ecclesiastical inspectors who were appointed by the bishops and financed by the Committee.

The bishops were occasionally dissatisfied with some of the reports. Manning wrote on this very subject in 1854 to Charles Langdale because the Rev. T. W. Marshall, the first Catholic inspector had reported to the Committee of Council on the slow rate of educational improvement among the Catholic schools in London, a conclusion Wiseman found 'most unjust, and I am tempted to use a stronger term, towards the zealous clergy and laity of my Diocese.'²⁸ Langdale responded reassuringly that no intrusion by the State was intended. On the subject of jurisdiction, Wiseman wrote in the same letter to Langdale:

²⁶ Birmingham Dioc. Archives, Diocesan Papers B. 2154. The Second Annual Report of the Catholic Poor School Committee of Birmingham, 2 Feb. 1851.

²⁷ W. B. Ullathorne, *Notes on the Education Question* (Richardson and Son: London, 1857), pp. 9-10.

²⁸ Westminster Dioc. Archives, Wiseman Papers W3/31/52a. Wiseman to Langdale, 4 Feb. 1854.

I observe a growing jealousy of Government interference in our education, as tending to make Government master of our teachers through the advantages it offers to mere secular education, and so leading to great power of interference with our religious matters. Now here appears to me to exist a new, and unexpected, and dangerous exercise of power. When we agreed to Government inspection (and you know how I have come forward to defend it) it was to inspection of schools, and not of Dioceses. We never understood that Government was to be furnished with the Inspector's opinion on any system for which, as in Catholic [sic], he holds that the Bishop and Clergy are responsible to God. Every district school put under inspection is subject of his Report, but surely what is out of such schools, or what is or is not done for education, out of the sphere of his inspection, cannot be matter of his Report to a protestant Government. It is not his place to look round, and tell H. M.'s Council what Catholics, and particularly in a given Diocese, are doing or not, according to his opinion, which can, or ought to, be only formed upon the matter of his Inspection. In other words, he is "Her Majesty's Inspector of Catholic Schools", and not "Her Majesty's Inspector of Catholic Education". The latter belongs to the Bishops and not to the Queen.²⁹ (Wiseman's own underlinings).

Two other distinguished men who served the Committee in different positions were the Oxford convert Thomas William Allies, who was the Committee's secretary from 1853 to 1890 and led the Catholics through the period of the passing of the 1870 Act, and the fifteenth Duke of Norfolk, Henry Fitzalan-Howard, who chaired the Committee in the years 1885 to 1917.³⁰ Later in the century the Committee's name was changed to the Catholic School Committee, and in 1905, to the Catholic Education Council.

At the first Westminster Synod in 1852, the restored hierarchy declared:

²⁹ Westminster Dioc. Archives, Wiseman Papers W3/31/52a. Wiseman to Langdale, 4 February 1854.

³⁰ H. O. Evennett, *The Catholic Schools of England and Wales*, p. 18.

The first necessity, therefore, is a sufficient provision of education adequate to the wants of our poor. It must become universal. No congregation should be allowed to remain without its schools, one for each sex. Where the poverty of the people is extreme, we earnestly exhort you, beloved children, whom God blessed with riches, especially you who, from position, are the natural patrons of those around you, to take upon yourselves lovingly this burden, of providing, if possible, permanently, for the education of your destitute neighbours.³¹

2.3 The Consolidation of Provision for National Education

In 1856 the State gave the Committee of Council a more direct link with Parliament, when it decided that in the future the vice-president of the Committee would be an MP. The administrative duties would be attended by the Department of Education, and not by a somewhat remote Committee of Council.

In 1858 a Royal Commission was established under the chairmanship of the Duke of Newcastle to enquire into the state of popular education. It was clear that the religious bodies could not provide and maintain the necessary number of schools for a national system under the existing arrangements, since vast 'gaps'³² in the supply of schools remained, and there were considerable areas of educational destitution in the industrial towns where the children had never set foot in a school.

Edward Norman writes that, when the Newcastle Commission was set up by Parliament, Wiseman sent out a circular to the bishops and advised them to co-operate with its investigation; the Commission had applied to the Poor School Committee for help in gaining access to Catholic schools. Wiseman had consulted with George

³¹ Quoted, M. Gaine, p. 137.

³² In his introduction of the Education Act in 1870 in the House of Commons, W. E. Forster, vice-president of the Council, stated that it was one of the objects of the Act to 'fill up gaps'.

Errington, William Joseph Clifford (now bishop of Clifton), Thomas Grant and Charles Langdale, and examined the questionnaires sent out by the Commission. Apart from a paragraph on school endowments, which they thought it might prove unwise to answer because of the law on Catholic bequests, they recommended that the Commissioners should be assisted in their work.³³

Josef Altholz's account of Catholic attitudes to the Commission's work cannot be reconciled with Norman's. According to Altholz, there were no Catholic members of the Commission, as the Poor School Committee had failed to notice the appointment of the Commission until it was too late to change its composition and instructions. 'When at last the bishops awoke to its existence, they misunderstood its character: they saw it as a breach of faith on the part of the Government, an attempt to force Protestant inspectors on Catholic schools and to subject religious teaching to inspection'.³⁴ Efforts to reorganise the Commission by including a Catholic member in the organisation, or to secure the appointment of Catholic assistant commissioners failed; the bishops then decided to instruct the clergy to decline any co-operation with the Commission and to refuse its inspectors admission to Catholic schools. This decision caused dismay among the educated laity, who felt that the hierarchy had placed itself in an impossible situation. The Catholic school inspector, Scott Nasmyth Stokes, infuriated the bishops with his article in *The Rambler* in January 1859, in which he urged the Catholics to co-operate with the Commission. Altholz's account of events is supported by the debate that followed in *The Rambler*.³⁵

³³ Norman, *The English Catholic Church*, p. 171.

³⁴ Josef L. Altholz, *The Liberal Catholic Movement in England, The "Rambler" and its Contributors 1848-1864* (Burns & Oates: London, 1960), p. 88.

³⁵ *The Rambler* was a journal founded in 1848 by the convert John Moore Capes. Until 1861 it was 'one

The Newcastle Commission published its report, the so-called *Newcastle Report*, in 1861. It was the first comprehensive survey of English education; the Commission interpreted its terms of reference to mean the education of the independent poor, but it also made enquiries into the education of pauper, vagrant and criminal children, schools supported by the State (the Army and the Navy) and other charitable foundations. It appointed ten assistant commissioners to examine each specimen district, covering agricultural, manufacturing, mining, maritime and metropolitan areas.³⁶

The Commission recommended that the Committee of Council should have its areas of operation extended, but the chief features of the old system should remain; no interference with denominational bodies, and no central control over school management. The Commission proposed changes in the methods of paying grants. Capitation grants from the State as well as additional grants for pupil teachers were to be supplemented by new payments from local rates. Included in the proposal for local rates was a plan for establishing county and borough education boards. The boards were to be responsible for examining secular instruction, and paying certain grants but they were not to concern themselves with starting new schools. The already existing principles of inspection, and the continued special status of clerical inspectors, were endorsed.

The majority of the Commission advocated the continuation of State grants towards the costs of education, but rejected the suggestion that education should be free

of the most notable of Victorian periodicals and is an invaluable source of articulate, mid-century lay Catholic debate'. D. Quinn, *Patronage and Piety. The Politics of English Roman Catholicism, 1850-1900* (The Macmillan Press LTD: London, 1993), p. 4.

The Rambler re-emerged in 1862 as *The Home and Foreign Review* but was already closed again in 1864 by its editor John Acton.

³⁶ Maclure, p. 71.

or compulsory. The minority thought that State aid should be limited to the children of the poorest classes.

The only recommendation of the Newcastle Commission adopted by the government was the suggestion of “payment by results”³⁷ but not in the form suggested by the Commission.³⁸ The government was reluctant to introduce the question of putting some of the cost of education on the rates, as such an initiative would raise many denominational issues that the government was eager to avoid. Instead, it incorporated the principle of payment by results into the distribution of maintenance grants for elementary schools.

In 1862, the Code of Regulations made by the Committee of Council for the administration of grants to schools was revised after the Newcastle Commission had published its Report. The architect behind the revisions of the Code was Robert Lowe, who was the vice-president of the Committee of Council and the head of the Education Department. The Code was met with eager protests and was postponed twice before it was finally put into operation in 1863. The Code was particularly condemned for its secularising tendency, because grants were awarded for success in the three Rs, but not for the fourth R - religious knowledge. It seemed likely that, from now on, teachers and managers would be inclined to put less emphasis on religious instruction. The

³⁷ Maclure, p. 71.

³⁸ The Newcastle Report, vol. I, 1861.

“Payments by results”. General plan for modifying and Extending the Present System...

General Principles. All assistance given to the annual maintenance of schools shall be simplified and reduced to grants of two kinds.

I) ‘The first of these grants shall be paid out of the general taxation of the country, in consideration of the fulfilment of certain conditions...’

II) ‘The second shall be paid out of the country rates, in consideration of the attainment of a certain degree of knowledge by the children in the school...’

Committee defended its policy by pointing out that the grants were reduced if religious teaching was found to be unsatisfactory.

The Revised Code abolished payments directly to certificated teachers, authorising instead one grant in their place; this was to be paid to the school managers and was based on examination results. By employing such a measure, the system of grants was opened to schools taught by teachers with fewer qualifications. At the same time, the Code instituted a lower class of certificates than those previously existing, and raised the regulation number of pupils allowed for each teacher. Grants earmarked for building and improving training colleges were no longer available.

The idea of an examination of the children was not a new one, as it formed part of the Minute of 1853 on the capitation grant, but the annual grant was now a question of payments by results. The maximum grant was based on sources of income of the school. This meant that that the poorer schools had no chance of qualifying for the grant.

The Revised Code had a grave impact on the Catholic training colleges. Until the Revised Code was put into force in 1863, full grants for tuition and maintenance had been paid for all students in residence. The introduction of this new principle meant that grants for students were deferred until after they had left college, and secured two favourable reports from their schools with an interval of twelve months between them. Personal allowances were also discontinued and the college authorities were obliged to cover one quarter of the costs of maintenance and tuition of their students from fees and private subscriptions. The financial strain on the colleges became intolerable,³⁹ and

³⁹ Battersby, 'Educational Work of the Religious Orders of Women', p. 349.

religious groups already well provided with colleges now had a distinct advantage over other religious groups which were not well equipped with colleges.

The introduction of the Revised Code led to a temporary reduction in the annual education grant between 1862 and 1866 of more than 20%. It involved a considerable increase of State inspection and control, which was denounced by Voluntaryists⁴⁰ and Denominationalists alike. 'It was clear that the State would consider quite intolerable the financial and administrative burdens which the creation of a national system of elementary education would involve'.⁴¹ The rigours of the Revised Code were modified in 1867 and successive codes over the next thirty years removed the worst features of payment by results, until the principle itself was dropped in the 1902 Education Act.⁴²

The Conscience Clause debate flared up anew. In the Revised Code was inserted a Clause (article 22.b) which required the observance of the principle in the management of all grant-aided schools. The article led to a rupture between the Committee of Council and the National Society; the dispute was at its highest in the years 1862 and 1870, when the principle became statute law by the Elementary Education Act.⁴³

In his pastoral Letter issued only two weeks after his consecration as Archbishop of Westminster in 1865, Manning pointed to the 'the ten of thousands of poor Catholic

⁴⁰ The Voluntaryist movement arose in 1843, and was led by Edward Baines, a Congregationalist and editor of *The Leeds Mercury*, and Edward Miall, a Radical and a Congregationalist minister and editor of *The Nonconformist*. The Voluntaryists objected to State support in education as they thought this not only interfered in religious matters, but actually violated the consciences of those who were forced to pay tax to support another religion than their own. By 1851 they had built more than three hundred schools and a training college without help from the State.

J. Murphy, *The 1870 Education Act, Text and Commentary* (David & Charles: Newton Abbot, Devon), p. 18.

⁴¹ Murphy, *Church, State and Schools*, p. 45.

⁴² Maclure, p. 79.

⁴³ Two further commissions were set up following the Newcastle Commission, and before the 1870 Act was voted through Parliament. In 1864 a Commission was set up to enquire into the state of Public schools [The Clarendon Report, 1864]. In 1868 the Schools Inquiry Commission followed, and attempted to establish what measures needed to be taken in order to improve English education [The

children who are without instruction or training...the lowest estimate reaches 16,000, a more probable estimate raises it to 20,000'.⁴⁴ The following year, the Archbishop established the Westminster Diocesan Education Fund, whose aim was to cater for those without schooling; those who had broken the law and were in schools for delinquents; the 1,000 Westminster children in workhouses; and Catholic elementary education in general. Within a year £7,855 had been raised and twenty new day schools had been established.⁴⁵

'The 1860s marked a decisive transition in English education... The question was no longer about piecemeal State intervention but rather concerned [with] giving the State overall responsibility for provision, and the form that this would take'.⁴⁶ The acceptance of the idea of education as the responsibility of the State had long been impeded by conflicts between religious and secular education, and between the religious parties and the State. However, the "religious problem" did not cease, even with the passing of the 1870 Education Act. Education remained the catalytic ingredient in the Catholic process of religious, social, cultural and political growth that began with the Catholic Emancipation. The major outcome of the educational process and the educational debate of the mid-nineteenth century was an ever-growing consciousness within the Roman Catholic Church of its paramount duty as an educator; a duty that required the formation of its own youth in the light of the Sacred Deposit of Truth of which it saw itself as the guardian.⁴⁷ W. B. Ullathorne was to be one of the most

Taunton Report].

⁴⁴ Battersby, 'Educational Work of the Religious Orders of Women', p. 350.

⁴⁵ Beales, 'The Struggle for the Schools', p. 372.

⁴⁶ Andy Green, *Education and State Formation. The Rise of Education Systems in England, France and the USA* (The Macmillan Press LTD: Basingstoke & London, 1990), p. 300.

⁴⁷ McClelland, 'Sensus Fidelium', pp. 72-3.

prominent and dedicated defenders of the principle of the Sacred Deposit of Truth in its implications for education.

CHAPTER III

W. B. Ullathorne's Writings on Education, 1850-1857

Woe, then to the parents, woe to the teachers,
and woe to the blind politicians, who look
only to the natural and forget the divine elements
implanted in the children of God; who devote
all culture to the child of nature, and have
little or no consideration for the child of grace...
It is like cultivating the weeds and neglecting the corn.-

W. B. Ullathorne,
*The Endowments of Man*¹

3.1 Introduction to Ullathorne's Writings on Education, 1850-1857

'Many times in his episcopal life did Ullathorne enter the lists in defence of the Catholic primary schools and of the principle of denominational education'.² The first occasion was in 1850, when the Member of Parliament for Oldham in Lancashire, William Johnson Fox, introduced a Bill that attempted to promote the secular principle in education against denominational schools.³ W. J. Fox proposed that in areas where

¹ W. B. Ullathorne, *The Endowments of Man, considered in their Relations with his Final End: a Course of Lectures* (Burns & Oates: London, 1880), p. 378.

² Dom. Cuthbert Butler, *The Life & Times of Bishop Ullathorne 1806-1889*, 2 vols. (Burns Oates and Washbourne Ltd: London, 1926), vol. I, p. 168.

³ William Johnson Fox (1786-1864), Unitarian minister and writer. He was the leading and popular

Her Majesty's Inspectors reported the provision of schools to be inadequate, an Education Committee should be established. This Education Committee was to be empowered to levy rates as a means to make up for any deficiencies in the existing schools. Any new schools were to be undenominational; religious teachers were to be given access to the schools but only at specified times and only if the parents of the children desired it. Also, religious teaching should be separate from secular teaching. In the already established schools, the Committee could allocate financial aid but only where the instruction in the schools showed 'that the children were efficiently instructed in the elements of secular education. The Inspectors were to be the final judges of the latter'.⁴

At the adjourned debate on the proposed Education Bill, Parliament voted against the passing of the Bill. 'The House divided:- Ayes 58; Noes 287: Majority 229'.⁵ Fox's Bill was defeated largely because Lord John Russell, the then Lord of the Treasury and Premier, felt that it would give too much power to Inspectors and to Education Committees. 'The Bill appears to me to be as contrary to all freedom of choice - to be as little comfortable to the usual liberty that is allowed to Englishmen upon those subjects - as anything which it has ever been my fortune to see introduced into this House'.⁶ Fox tried to introduce a similar scheme the following year but his suggestion that rate-aid should only be available for secular schools was premature and his resolution was defeated anew. Twenty years later, the main principles of Fox's first Bill were finally

orator of the Anti-Cornlaw League in the beginning of the 1840s, before being elected to Parliament.

⁴ McClelland, 'Archbishop Ullathorne and Religious Education', pp. 124-130, in *Pax*, vol. LIV (Autumn, 1964), p. 125.

⁵ Hansard's Parliamentary Papers and Debates, vol. CXI, p. 792.

⁶ Hansard, vol. CX, p. 473.

endorsed by Parliament in the form of the 1870 Education Act.

Ullathorne, who was then Vicar Apostolic of the Central District and soon after became the first Bishop of Birmingham in the restored hierarchy, stepped instantly into the ranks of the 'Noes' with the publication of his pamphlet *Remarks on the Proposed Education Bill*.

'I am preparing a pamphlet on this Education Question, which will just suit your taste, though it will earn for me the title of bigot'.⁷ In his first pamphlet on education, Ullathorne argued that to separate secular instruction from religious instruction would invariably lead to the de-Christianisation of the country. He believed that Continental infidelity would spread to England and German rationalism would invade English soil. He vehemently denied the right of the State to usurp parental rights by intervening in education.

The *Remarks* are just what their name suggests, remarks. They are best read as an emotional and visionary exposition of the main themes that were to recur in the following decades of the educational debate. They serve as an exordium to Ullathorne's later and much more substantial pamphlet *Notes on the Education Question*, which followed in 1857. Simultaneously, the *Remarks* introduce the reader to the principles which Ullathorne never wavered from in his subsequent writings and statements on education. As McClelland has pointed out, the following lines from the *Remarks* are both a statement characteristic of Ullathorne as well as serving almost as a profession of faith.⁸ 'If anyone doubts that it is the peculiar and inalienable office of parents to

⁷ Mother Francis Raphael, O. S. D., *Letters of Archbishop Ullathorne* (Burns & Oates, Limited: London, 1882), p. 12.

⁸ McClelland, 'Archbishop Ullathorne', p. 126.

educate their own children, let him go to the dens of beasts and to the nests of birds and be wiser'.⁹

The *Notes* are a lengthy and elaborately detailed account of government policy on the education question. They are relentlessly critical of the terms under which Catholic schools accepted maintenance grants¹⁰ from the State. The chief danger was government interference in religious instruction. Ullathorne subjected himself to over exertion to get the pamphlet ready for the meeting of the bishops in Low Week of that year. He wrote in March 1857: 'I have finished my pamphlet; but all this work and other things brought on a swimming in the head. When I was in the pulpit yesterday the church seemed to rock about and everybody to be turning around, and I was obliged to come down. This will oblige me to do only half work for some time to come. I think I shall do if I abstain from night work; but I had been writing till one o'clock the night before and I felt I had overdone myself'.¹¹

In the following, a thorough and comprehensive account of the contents of the *Remarks* and the *Notes* will be given to demonstrate why Ullathorne so vigorously opposed Fox's proposed Bill in 1850, and showed a stern disapproval of the passing of the 1870 Education Act.

3.2 *The Pamphlet Remarks on the Proposed Education Bill (1850)*

W. J. Fox stated in his introduction of the Bill in Parliament that the difficulties concerning the passing of a National Education Bill were no longer a question of arguing for or against the benefits of education, whether for the individual or society as

⁹ Ullathorne, *Remarks on the Proposed Education Bill* (Burns and Lambert: London, 1850), p. 6.

¹⁰ As described in chapter 1.3.

¹¹ Raphael, *Letters of Archbishop Ullathorne*, p. 84.

a whole, as education had become widely recognised as a necessary and vital part of people's lives. Education for everybody was the one point that he and Ullathorne agreed on. The difficulties, however, lay in defining the State's rôle in providing it. Fox declared:

now, although it was held by many that on the one hand it was the duty of Government to educate the people, and on the other that education was a religious question, and that religion was voluntary, and should not have the interference of Government, yet between these extreme opinions there was... a large number of persons who held that although Government should not educate the people, yet they would exercise a legitimate function in providing that the people should educate themselves, and it was on that view that he had constructed the measure which he should have the honour to submit to the House.¹²

Fox continued his advocacy of the Bill by assuring the House that it was not an unreligious Bill and that there were adequate provisions in his proposals to protect the faith of children. As for the allocation of financial aid only for the teaching of secular objects, he asserted that the teaching of religion was solely of value in proportion to the proficiency of children in other studies. Fox stated:

not that religious teaching should be in any degree checked, restricted, or abated; but that care should be taken always to accompany it with such training and instruction as would give it its full force on the mind, and ensure its best results on the heart and character.¹³

¹² Hansard, vol. CIX, pp. 27-8.

¹³ *Ibid.*, p. 38.

‘What was thus a secularist programme in intent was made to appear a beneficial one to religion. But the superficiality of the argument did not deceive Ullathorne’¹⁴ who declared that:

it cannot be too often repeated that this plan of so-called education, training, as it does, but on the human side, with all its negativness, is yet a positive, well-defined, and coherent system of religion without faith, so to speak, and of most levelling character, whatever may be the intention of those who devise it and propose to carry it out. By it you indoctrinate and familiarise the mind with a principle that only wants the force of the passions for a momentum with which to outthrust from the soul of youth both the principle of authority and the positive doctrines of religion together.¹⁵

This passage captures in unmistakable language the very essence of Ullathorne’s whole thinking, introducing the reader to the following main issues that he was to expand on and clarify in his *Notes*: the definition of “true” education and the substance of “real” faith which were two of the elements that formed Ullathorne’s conception of what education actually was and indeed *should* be. Of equal importance to him was the principle of authority, the question of who possessed this authority, and the positive doctrines of the faith. The family was the utmost expression of the purpose of God’s creation, and Ullathorne continuously defended it as the ultimate foundation of society.

In order to assess Ullathorne’s arguments and conclusions, it is important to be aware that these maxims were all interrelated, and could not be separated in his opinion. It was the very separation of these principles that Ullathorne saw as being the basis of Fox’s proposed Bill, and this was the fundamental reason for his utter dismissal of the Bill. True education, according to Ullathorne, was to

¹⁴ McClelland, ‘Archbishop Ullathorne’, p. 126.

¹⁵ Quoted, *Ibid.*

*bring up the whole man as God designed him to be, in all his relations with both the visible and invisible universe. It is above all to exalt his mind and heart out of sense and to give his thoughts and feelings an unseen and eternal ground on which to rest themselves. Train him only materially and for this world and you degrade him, pull him down, unspiritualize him, make him of the earth earthly, however much a portion of his faculties may be quickened into skilful activity in that direction to the stunting of his more exalted capabilities. Is this to educate man? or rather is it not to disinherit his spirit of its highest claims, and to leave the whole inner regions of his soul uncultivated?*¹⁶

To Ullathorne, a man without religion is not real, but merely a fictitious being.¹⁷ God meant man to be trained to see all things in light of his religion, and everything 'even on earth' is regarded in its religious bearings, both good and bad things. 'His [man's] religious conscience attends him all through life'.¹⁸ In Ullathorne's opinion, Fox's Bill would only be encouraging the training of secular faculties and so prevent man from developing into a real being.

Over and over again, Ullathorne emphasised the ultimate right of parents to act as the paramount decisionmakers in matters concerning their children; the State had no right to violate parental authority. God has ordained parents to be subordinate creators of their children, while God held his visible Providence over them. This joint obligation between parents and the Church meant that parents were obliged to seek out a religious education for their children. Parents have both the ultimate responsibility for their

¹⁶ *Remarks*, pp. 5-6.

¹⁷ *Ibid.*, p. 12.

¹⁸ *Ibid.*, p. 9.

children's religious education and the prerogative to make decisions on behalf of their children; the parental responsibility and the parental prerogative are closely connected.¹⁹

To Ullathorne the joint responsibility of the Church and the parents was threatened by what he referred to as the "new system." The "new system" was an attempt to dissolve the bonds of the family and so to transfer a portion of the responsibility for the child to the civil power: '...The error and disease of the day is this making the teachers of a child's whole education, and that even from infancy, the delegates of the state, or in some way of the civil power'.²⁰ Ullathorne explained that this would not be the case in a system that gave financial help to schools that were set up totally independently:

such a plan of aiding education would be indeed a blessing to the land, which, whilst it provided checks that might be needful to prevent the abuse of the public funds, would leave the schools themselves, the choice of their teachers, and the spirit of teaching free, and beneath the control of those on whom the duty of teaching rests in the first instance before all human law, and by right which no human law can set aside.²¹

Ullathorne thought this could be achieved under the administration of the existing Committee of Council if the State would refrain from any unnecessary interference in religious education. It is significant to note that Ullathorne did not oppose government control, i.e. inspection of the use of public funds, *per se* (a point which he was to repeat very clearly in the *Notes*), but he opposed a system of non-religious education and religious teaching without the creeds. He pointed out that it was a misconception to

¹⁹ *Remarks*, pp. 12-13.

²⁰ *Ibid.*, p. 7.

²¹ *Ibid.*

suppose that religious teaching did not take place in schools which excluded the creeds; this was in fact a very clearly defined system of 'natural deism with a tincture of the Socinian'.²² Ullathorne defined 'the new system' in the following way:

Scripture extracts selected from a version obnoxious to the parents or pastors of a portion of the children, and so selected as to present Christianity naturalised, which have the appearance of a body of religion, though without its bones and solid substance, are there to mislead the child as to the nature of divine revelation. All the doctrines of the catechism are left out.²³

When all catechisms are left out, it becomes virtually impossible to teach the child, as

the great and difficult part of education is to base the child's mind and heart upon the spiritual world; and that can only be done by the positive doctrines of religion, and with the help of the facts in which they are incorporated.²⁴

Ullathorne did not want religious teaching to consist merely of a series of dogmatic lessons, but he thought that children should absorb instruction from the example of Christian teachers and the ethos of Christian surroundings. 'Young minds want grasp and discrimination, and are led by influences more than by judgement'.²⁵ It seemed to the Bishop that in the "new system" a teacher would be considered to be unqualified if he believed in a distinctive creed.²⁶ 'Now man without his religion is not a

²² *Remarks*, p. 9.

John Toland and his *Christianity not mysterious* (1696) and Matthew Tindal are among the most well-known representatives of Deism. What made Deism and Socinianism a serious threat was not so much the number of their adherents but the fact that many of them were members of the Established Church; hence the scale of effort to defeat them. To Ullathorne Deism obviously represented a great threat to what he perceived to be true Catholicism; an empty religion without creeds versus an all absorbing spirituality.

²³ *Remarks*, p. 8.

²⁴ *Ibid.*, p. 12.

²⁵ *Ibid.*, p. 10.

²⁶ *Ibid.*

real, but a fictitious being, and no model for a child to learn from'.²⁷ He castigated the absurdity of banishing religious teaching to a fixed time when the school would admit 'a heterogeneous body of rival teachers from rival sects and creeds'.²⁸

Ullathorne briefly touched upon the subject of the enormous influx of poor Irish Catholics who had come to England following the disastrous effects of the Irish famine, declaring that if any community had the right to receive public funds for educational purposes, 'the English Catholic community have this claim with tenfold force'.²⁹ The issue of not only the Irish poor but of the poor in general, and the possibility of educating them, will receive further attention in the following account of the *Notes*, as Ullathorne gave the subject a more developed treatment there.

The bishop ended his pamphlet with the following wish:

if in the present system of administering aid by the Government, the Council would come into open communication and a plain understanding with the heads of the principal religious communities; if they would give up all secondary views and claims to needless power...and holding the ecclesiastical party responsible for the character of the teachers; then the aid being but a part of the support of the schools would make up for the increased number of the claimants.³⁰

3.3 The Pamphlet Notes on the Education Question (1857)

In 1856 the new Department of Education was created by an official Order in the Committee of Council. The official head of the Department was still to be the Lord President of the Council, but the responsibility for education was in reality transferred to

²⁷ *Remarks*, p. 12.

²⁸ *Ibid.*, p. 11.

²⁹ *Ibid.*, p. 18.

³⁰ *Ibid.*, pp. 19-20.

a new official, the vice-president. It was as a result of these changes in legislation that Ullathorne contributed anew to the debate on the future of education, and 'this time in opposition to his own brethren'.³¹

As the result of recent legislation, Catholics had been placed on an equal footing with the Established Church in the allocation of government grants to their schools; these grants, however, were dependent on a positive report from the local government Inspector. The Catholic hierarchy had authorised Thomas William Allies, the first Secretary of the Poor School Committee in the years 1853-90, to negotiate with the government on its behalf and the outcome of these negotiations was the Kemerton Trust. The recommendation was that those schools in receipt of government aid should be held and administered under this trust.

It was recognised that government aid must involve some measures of government control, and so the issue was the extent to which the government might legally push its claims to control under the terms of the trust deed. Butler writes that the bishops were generally understood to be satisfied that the trust was to be accepted. The hierarchy recognised that government aid was the only possible means to provide the Catholic poor with an opportunity for schooling at all, especially to meet the needs of the enormous influx of Irish Catholics after the Famine.³²

The consensus in the hierarchy that Butler refers to must have been fragile and short-lived, when one considers the debate that followed. The matter was not only discussed by the bishops, among whom there was much argument both for and against the acceptance of the model; but it also sparked off an acute controversy in the Catholic

³¹ McClelland, 'Archbishop Ullathorne', p. 127.

³² Butler, vol. I, pp. 180-1.

press among laymen and clergy. The solution was less popular among these groups, because it was felt that, under the terms of the trust, the Catholic character of the schools was being jeopardised.

Cardinal Wiseman interpreted there to be a general agreement among the bishops at the meeting of 1856. He thought them to be in favour of the terms agreed upon between the government and the Catholic Poor School Committee. Then Ullathorne attacked Wiseman's interpretation of the bishops' meeting by publishing the pamphlet *Notes on the Education Question*, in which he advocated that the government building grants should only be accepted in particularly poor areas and as the very last resort. Under the terms of the Kemerton trust, he argued, all independence for Catholic schools would be irretrievably lost:

after ages of exclusion, as Catholics, from the funds at the command of the State, we are beginning to receive its aid towards education of the poor of our Church. And in return for that aid, as a matter of course, we are giving up something of that absolute freedom and independence of action, which whatever else we have suffered, has been our greatest earthly blessing, and has outbalanced even much of our suffering...All that can be said is, that, whatever it may cost, the Catholic Episcopacy will never permit either Catholic principles or liberty of instruction, the nurse and guardian of those principles to be interfered with.³³

In the preface to his *Notes* Ullathorne stated the purpose of the seventy-two page pamphlet as investigation: 'these chapters are written in the spirit of enquiry, and to promote enquiry. They have no authority beyond their argument'.³⁴ 'My object is to investigate certain leading details of the present system of education, and to suggest due

³³ W. B. Ullathorne, *Notes on the Education Question* (Richardson and Son: London, 1857), p. 7.

³⁴ *Notes*, p. 5.

care and forethought to such Catholics, and especially to the clergy, as may be bringing themselves beneath its influence'.³⁵ He wished to 'stimulate vigilance, though, whilst I would awake all wise apprehensions, I would turn aside needless alarms'.³⁶ 'Aid implies control. And as our schools avail themselves of three sources of aid, they come under three controlling influences. These are, the local influence, which should ever be predominant, the Poor School Committee's influence, and the Government influence'.³⁷

Ullathorne covered the following issues in his pamphlet: in the first chapter, he gave his account of the actual position of the English Catholics. In the second chapter, he proceeded to the issue of inspection of schools. In the third chapter, the Bishop wrote about building grants, and in the fourth chapter, he elaborated on the situation of teachers and training schools. In the penultimate chapter of his pamphlet, Ullathorne turned his attention to the subject of school attendance, and in the sixth and final chapter, he summarised his observations on the future perspectives of Catholic education.

Initially, Ullathorne characterised the Protestant government as being the enemy of the Catholic faith; the past relations between the government and Catholics had been troubled in the early stages of the government's intention to give out grants to the poor. The Catholic claims were ignored, according to Ullathorne. However, the attitudes towards English Catholics had undergone a considerable change:

and it is but just to say, that, in the negotiations which followed, as well as in the administration of the public grants, we have been treated on a perfect equality with the other communities not being of the Establishment; and

³⁵ *Notes*, p. 5.

³⁶ *Ibid.*, p. 6.

³⁷ *Ibid.*

that, in the terms of arrangement, as much consideration has been given to our peculiar circumstances.³⁸

The fundamental question was of an internal character. Ullathorne asked how far the Catholics should accept government grants. The object of the government was to help those who were not able to help themselves, a category into which the masses of destitute Irish Catholic immigrants definitely fell. The burden of maintenance of the schools, especially in the manufacturing and mining districts, was mainly thrown on the unendowed Catholic clergy. Ullathorne stated in this context:

...it is impossible to deny that, in this country, the Irish poor have not, as a body, the same zeal for the education of their children, that they have for their religion. This too is most certain, that they will not accept of education except from the Catholic Church.³⁹

At first sight, Ullathorne seems to have been rather hard on the Irish, but the quotation must be appreciated in its context. Ullathorne was very concerned about the burden on the poor Catholic clergy in trying to provide the Irish immigrants with churches and the means to exercise their religion. Ullathorne's early years as a priest were spent working with the Irish during his time in Australia. The Roman Catholic community in Sydney was mainly Irish when Ullathorne arrived there in 1833. 'One of Ullathorne's major achievements was to win for them a position of religious and social equality in the colony. As a result he was held in esteem by the Irish'.⁴⁰ Ullathorne's close contact with the Irish in Australia had left him mainly sympathetic to the Irish cause. His relations with the Irish was to be maintained throughout his long episcopate

³⁸ *Notes*, p. 8.

³⁹ *Ibid.*, p. 10.

⁴⁰ Ziesler, pp. 84-5.

in Birmingham, where the number of Irish immigrants was enormous.

Ullathorne considered two matters in this connection. Firstly, he argued that it was not sufficient to give the poor a mere rudimentary education. To leave the Catholics behind in the race would be to 'condemn them still to occupy the very lowest position in the social scale'.⁴¹ 'Quite true is it, that the providing of education is the duty of the family; but who will say, that, in these days, the families of the poor can perform that duty; or are even disposed to do it? The Church then steps in with her charity to enable the family to accomplish that obligation'.⁴² As already mentioned in the account of the *Remarks*, Ullathorne saw the bond between the family and the Church as the ultimate foundation of a Christian society, and this was to be an ever recurring theme in his writings on education. Secondly, the government was determined that people should have full opportunities to receive an efficient education. The Catholics had to show that they were both able or willing to do the work, otherwise 'every means will be exerted to take the work out of our hands and to bring the children into a mixed system'.⁴³ It was Ullathorne's great fear that a mixed educational system would be the result of the State's involvement in education.

As already described, the Poor School Committee was appointed by the Catholics in 1847 to act as their means of communication with the government. Ullathorne called Charles Langdale, the first President of the Poor School Committee, a '*clarum et venerabile nomen*', and continued 'whether we shall pay too dearly for them [the grants] in the end, is another question. But I think it depends a good deal on ourselves'.⁴⁴

⁴¹ *Notes*, p. 11.

⁴² *Ibid.*

⁴³ *Ibid.*, pp. 11-12.

⁴⁴ *Ibid.*, p. 12.

Ullathorne elaborated: 'it will be our own fault if we do not reclaim and make a stand'.⁴⁵ Again, the Bishop stressed the consequences of a mixed system as grave, but avoidable, if the Catholics themselves could reach some kind of consensus. It was the primary responsibility of the Poor School Committee to take a stand. 'Our chief danger then is, lest, as the system extends and takes hold of the country, Parliament should interfere, and impose new conditions beyond the terms of the contract'.⁴⁶

As Ullathorne had emphasised repeatedly in the *Remarks*, educational matters were so interwoven with religious affairs that no dividing line between the two could or indeed should be drawn.⁴⁷ He underlined once more that it was only right that the State should know to whom and for what purposes its resources had been given. However, the changing of governments and of their policies and principles could emerge as a problem. 'A Government coming in on a no-popery cry, may, if it chooses, put us in a trying position'⁴⁸, the Bishop wrote. The fear of the eventual repercussions of a strongly Protestant government were never far away. Ullathorne's comment on a no-popery administration should probably not be understood as a direct reference to the then existing government; rather it was an allusion to Lord John Russell's "no-popery" campaign after the re-establishment of the hierarchy. As Wiseman was in Rome at the time, the duty of defending the Catholic position fell largely upon Ullathorne who wrote about this period that 'the whole country is in a boil on the subject'.⁴⁹

In the second chapter Ullathorne concerned himself with the issue of inspection:

⁴⁵ *Notes*, p. 13.

⁴⁶ *Ibid.*, pp. 13-14.

⁴⁷ *Ibid.*, p. 14.

⁴⁸ *Ibid.*, p. 15.

⁴⁹ Raphael, *Letters of Archbishop Ullathorne*, p. 10.

inspection is the guarantee which the Government requires for the just and useful appropriation of the public money. And so long as the gentlemen who exercise this office keep within the limits hitherto prescribed by the Minutes of the Privy Council, I do not see that any fair objection can be raised against this part of the system.⁵⁰

Inspection had, according to Ullathorne, brought advantages to Catholic schools, and to deny this would be unjust:

and, until a good system of education has become generally diffused, a judicious inspection kept within its existing limits, must continue to bring advantages.⁵¹

The Instructions of the Committee of Council to inspectors of schools, established in 1840, were respectful of the freedom of the school and the independence of its management. Among other things, the instructions stated that

...no plan of education ought to be encouraged in which intellectual instruction is not subordinate to the regulation of the thoughts and habits of the children by the doctrines and precepts of revealed religion.⁵²

Nevertheless, Ullathorne was uncertain whether or not the impulse given to the secular elements of education by the government inspector might have a tendency to diminish the interest taken in religious instruction, even though his own visitations in his diocese had not supported this concern. He had found, as a general rule, that the best trained schools were also the best instructed in religion.

It cannot be too often repeated that the inspector's office is not to control or to interfere either with the school, with its managers, or teachers; but simply

⁵⁰ *Notes*, p. 15.

⁵¹ *Ibid.*

⁵² *Ibid.*, p. 17.

to inspect and to report... With the religious element of the school a Catholic inspector has nothing whatever to do, it is altogether beyond his province.⁵³

Ullathorne was hopeful that the inspector would not influence the school, the managers or the teachers unduly as long as the instructions to the inspector remained clear, and as long as the inspector kept within those instructions. Should the inspector overstep his authority, 'it must...be the fault of the clergyman'.⁵⁴

The Committee of Council's Minute from 1848 stated that:

Roman Catholic Schools receiving aid from the Parliament grant be open to inspection, but that the inspectors shall report respecting the secular instruction only.⁵⁵

The Catholic inspectors' reports to the government concerned Ullathorne, as these showed 'that both their letter and their spirit, as respects the subject of religion, have been overpassed'...doubtless their object was to prove their zeal in the cause of their religion, and to remove any impression that they were solely interested in secular matters'.⁵⁶ In order to sustain the good relationship between the inspectors and the managers of the Catholic schools, Ullathorne emphasised that the inspectors had to keep to their instructions.

A final question remained unanswered according to Ullathorne, although he did not explain coherently wherein the problem lay. According to the Committee of Council's 1840 Minute, an inspector could only be appointed with the Poor School Committee's consent. Ullathorne wondered how far representations would go towards an inspector's removal in case of difficulties. The Archbishop of the Province in

⁵³ *Notes*, p. 21.

⁵⁴ *Ibid.*, p. 20.

⁵⁵ Quoted, *Ibid.*, p. 22.

⁵⁶ *Ibid.*, p. 23.

question should not only be consulted about appointments of an inspector but should he withdraw his recommendation, then the Committee of Council would have to make another appointment. 'To no other community has any provision of this kind been distinctly expressed'.⁵⁷

In the third and most important chapter on the infamous building grants, Ullathorne commented on the regulations and conditions under which a Catholic school was to be managed, and its trust administered, when the school in question had been either built, floored or refitted with the aid of a government grant such as that described in the model trust deed. The following four out of altogether twenty regulations were of particular interest to Ullathorne:

II)The school is to be at all times open to her Majesty's Inspector for the time being, whilst the Inspector is to be guided and limited in his duties by the instructions to Inspectors of August 1840, as modified by the Minute of December 18th, 1847. This last Minute provides that the inspector be appointed with the concurrence of the Catholic Poor School Committee, and limits his inspection to the secular element.

III)The management of the school is to be conducted, as follows: The priest for the time being, having faculties from the Bishop, is to have the sole management and superintendence of the religious instruction of the scholars, with power to direct no other than religious instruction to be given on Sundays.

IX)No priest can have any control over the school unless he be in the exercise of faculties from his Bishop. And none but a Catholic can be master or mistress of the school, or member of the Committee, or vote at elections of the Committee.

X) The priest of the Mission has power *on religious grounds* to suspend any teacher from his office, or to prohibit the use of books in the school... Such a suspension or exclusion is to endure until the decision of the superior

⁵⁷ Notes, p. 27.

ecclesiastical authority can be obtained, which is to be final and conclusive in the affair.⁵⁸

The right of the priest or the bishop to remove the teacher is limited to removal *on grounds of religion*; the same applies to the removal of books. Ullathorne was concerned about the lack of definition: ‘into what regions, or how far into them, those religious grounds, are supposed to extend is not defined. Of course they ought to include Catholic doctrine and morals’.⁵⁹ However, as any exclusion of a teacher or a book from the school by the priest or the bishop was limited to *religious grounds*, and independent of the managing Committee, the question of what would happen if the Committee maintained that the reasons for the removal of a teacher or a book were for “secular” reasons, remained unanswered. Ullathorne wondered who would then make the final decision, as this was not made clear in the regulations. The answer according to ‘all good Catholics’ would be ‘that the bishop is the legitimate and only judge of the matter’.⁶⁰ The opposite of ‘all good Catholics’ was a ‘party of lax, worldly and badly informed Catholics’ who only found religion ‘in the Creed, the Decalogue, and books expressly written for religious purposes’.⁶¹ If these were to reject the removal of a teacher or of a book, the bishop was not in a position to veto that decision, as he did not possess the ultimate authority because this belonged to the secular courts. Ullathorne pointed out that if the trustees were of the same opinion as the bishop, they might

⁵⁸ *Notes*, pp. 27-9.

⁵⁹ *Ibid.*, p. 30.

⁶⁰ *Ibid.*

⁶¹ *Ibid.*, pp. 30-1.

litigate the case with the Committee of Council and then a secular court would have to decide the meaning of *on religion grounds*.⁶²

Ullathorne proceeded to comment on a quotation from the Secretary of the National Society concerning the constitution of school-trusts:

...they see no other course for themselves, under existing circumstances, than to continue to vote grants according to the Charter of the Society, and, without joining in the Management Clauses, to leave the promoters of schools either to adopt or to decline, the proposed Government Clauses, provided they constitute their schools in a manner consistent with the Society's terms of union.⁶³

Ullathorne interpreted this statement to mean that the Society would give grants without making it a condition that the promoters of the schools complied with government policy.

If a disagreement should arise between the minister or the curate and the Committee of Management on the grounds of moral or religious reasons, or concerning the dismissal of a teacher from the school on account of his or her defective or unsound instruction of the children in religion, then the minister or curate, or any member of the Committee was in a position to request a written statement to be laid before the bishop of the diocese. The decision of the bishop should then be regarded as the final decision in the matter. Two additional amendments that were made to Minutes in 1852 and 1853 led Ullathorne to conclude that:

the Committee may dispute with, resist, and litigate against a bishop who attempts to remove a teacher for what he, as well as the clergyman, judges and decides to be "*immoral acts or habits*".⁶⁴

⁶² *Notes.*, p. 32.

⁶³ *Ibid.*

⁶⁴ *Ibid.*, pp. 33-4.

The Poor School Committee consented only very reluctantly to the principle of lay management of poor schools. They applied for the authority to insert the word 'moral', in addition to 'religious grounds' in the clause about the dismissal of teachers by the clergyman. At this time the concession was only given to Church of England schools, and not to Catholic Trust-deeds schools. Their request for this, however, was not granted.

Ullathorne opened his fourth chapter on teachers and their training schools by quoting T. W. Allies, who ran the policy of the Poor School Committee on three maxims: 'there can be no sound education without religion, as is the teacher so is the child, and as is the trainer so is the teacher'.⁶⁵ Ullathorne wholeheartedly agreed with these maxims and although he did not mention Allies' name in this connection, there can be no doubt that they originated from him. The Bishop himself expanded on the maxims, saying that:

the higher elements of religion must not walk in and out of a school with the clergyman, they must dwell with the teacher, who is ever on the spot. Only those who are detached from the lower motives of this world, can put their hearts into the heart of every poor child.⁶⁶

Ullathorne admitted that there were excellent secular teachers but they were few in numbers. Most secular teachers' main concern was to earn their livelihood and, if married with families, their hearts were more with their family than with the school. Ullathorne thought that only if it was made a requirement in the training of teachers that they depend on the managing priest, then they could become religious men. Unless this

⁶⁵ *Notes*, p. 34.

⁶⁶ *Ibid.*

happens 'we shall see the growth of an evil already complained of: the certificated teacher will conceitedly hold himself to be wiser than the managing priest in his sphere as a teacher, and will incline to independence of his suggestions'.⁶⁷

The difficulty consisted in the provision of religious men to train as teachers; it was absolutely necessary to have the right seed and the right soil to ensure this.

A great building is not needed at the outset, what is wanted for a commencement is *the* man to make that commencement; and he must have in him the sap of several men.⁶⁸

It was not a question of money but of recognising the need to establish a form of a Diocesan Institute to ensure a provision of religious men to train as teachers. Ullathorne visualised that this would be placed in the principal town of the diocese and the Institute would train the teachers in various schools. Like the houses of religious women, these institutes would become the best of training schools. 'Surely, after supplying so many women who have ably founded houses of Religious teachers, the Catholicity of this country can furnish *one* man for the same work',⁶⁹ Ullathorne wrote. This was just one of the numerous occasions on which Ullathorne praised the work of nuns.

Ullathorne wondered how the system of inspection would work after the political parties grew accustomed to it; would it then undergo changes according to the particular issues of a political party, or not? 'And will it be flavoured with the literary, and scientific condiments, which Whig, Tory, Radical, or any other section of Parliament, which wins the power of ruling us, may suggestively provide?'⁷⁰ the Bishop asked.

⁶⁷ *Notes*, p. 38.

⁶⁸ *Ibid.*, p. 40.

⁶⁹ *Ibid.*

⁷⁰ *Ibid.*, p. 41.

Ullathorne emphasised anew that he was not drawing conclusions, but simply suggesting materials for consideration.

He then rather abruptly turned his attention to the matter of books and the kind of books most needed. In his selection of books, he relied heavily on the observations of “the Sisters”; he did not say exactly who they were, although he kept referring to them and their experiences as a definite authority. According to “the Sisters”, history should be a prominent study in the schools because, in their opinion, it was a subject that conveyed ideas and principles as well as facts to the children.

...History studied as the relation of God’s dealings with man, as a continued chain of evidence in testimony to the Faith, as furnishing the highest examples of Christian life, and a correct knowledge of those facts, a *misrepresentation* of which has ever been the most successful weapon of heresy and infidelity, especially in England, has, as it appears to us a higher aim, and a more direct bearing on Christian Education.⁷¹

History was perceived to be of an almost exclusive importance to Catholics as ‘they, and they alone possess the key to its perfect comprehension’.⁷² However, they were not able to give history a prominent place in their teaching, as Catholics were obliged to use Protestant books that omitted certain passages as well as selecting others from various authorities. In this way, they had to rely on the resources of individual teachers to select and arrange the material in an appropriate way.

According to Ullathorne, “the Sisters” acknowledged that a National Board of Education, which supported all sects in an equal manner, could not be expected to support any exclusive system of education:

⁷¹ *Notes*, pp. 42-3.

⁷² *Ibid.*, p. 43.

...and it is one of our grounds for declining to apply for any Government support; not because we accuse the Privy Council Board of any unfairness in the course it pursues, but because that course is one which we cannot ourselves conscientiously adopt.⁷³

The physical sciences were acknowledged by “the Sisters” to quicken pupils’ minds and to perfect their memory, having a reflective and reasonable effect, but nevertheless ‘this is not what we understand by Education’.⁷⁴ In making this distinction, “the Sisters” and Ullathorne agreed wholeheartedly that physical sciences were to be separated completely from the secular and religious components of the curriculum.

In a letter from Ullathorne to Cardinal Wiseman in 1850, he mentioned the Sisters of St. Paul at Banbury. The Bishop wrote about the Sisters of St. Paul that

they are quite prepared to originate a training house and school, to submit their teachers and schools to inspection and to [word illegible] their utility over the entire country. It has been thought that if a model house were established in Birmingham...The Sisters are prepared in cooperation with the Poor School Committee to establish a model house of the kind.⁷⁵

A qualified identification of “the Sisters” mentioned in the *Notes* as the Sisters of St. Paul at Banbury is suggested by Ullathorne’s great knowledge of them and their work.

In his fifth and penultimate chapter, Ullathorne returned to the subject of the poor, especially the Irish poor, and their possibilities of attending school:

after bringing schools to the poor, the next point is to bring the children of the poor to the schools, and to keep them there... The poor have come, through force of circumstances to be a migratory race, and especially the

⁷³ *Notes*, p. 46.

⁷⁴ *Ibid.*

⁷⁵ Westminster Dioc. Archives, 130/1. Ullathorne to Cardinal Wiseman, 30 March 1850.

poor Irish... Many of the poor would not send their children to school were it not for the influence of the clergy.⁷⁶

Ullathorne had two main concerns about Catholic education: the few number of years the children attended school, and the irregularity with which some of them attended. Ullathorne recognised that keeping children from going to school was very often an act born of necessity, if both parents had to go to work and the child in question had to look after the baby in the family. But he found that there were far less excusable motives to consider as well. He mentioned parents who did not want to send their children to school ragged, or parents who, because they were uneducated themselves, did not acknowledge the value of education.⁷⁷

The most alarming problem in Ullathorne's experience was the early withdrawal of children from school. In places such as Ullathorne's own diocese, Birmingham, there were numerous young boys and girls employed in various ways. The majority of the children left school as early as seven or eight years. The Bishop wondered if parents and employers ever thought about the consequences of employing young children as labourers. However, Ullathorne recognised that the absence of children from school was very much a problem of a social character:

all society is in a conspiracy against the instruction of the poor. The non-labouring classes are full of philanthropy, but as to that Christian charity which looks to souls, it is a virtue almost unknown.⁷⁸

Ullathorne attacked what he saw as the hypocrisy of employers. They were often the greatest advocates of educating the poor and contributed money to the good cause,

⁷⁶ *Notes*, p. 48.

⁷⁷ *Ibid.*, p. 50.

⁷⁸ *Ibid.*, p. 52.

but then they would also give their shillings to keep the children from school. 'Preposterous as this is, what else can be expected when the first principles of a people is [sic] the hastening to be rich'?'⁷⁹ The work of the school was beset by yet another difficulty that lay 'at the root of all the rest': the poor, especially the Irish poor, had no settled habitation and were forced to travel around.

Ullathorne returned to one of his main arguments 'it is impossible to understand the question of school attendance without studying the family life of the poor'.⁸⁰ The root of the evils was the lack of home training for the children. Behind the insufficient home training was the fundamental cause of all misery: the absence of mothers from homes, which often began in their children's youth and made their daughters unfit to become good mothers and housewives.

Ullathorne was adamant that most of the poor who did send their children to school were willing to make sacrifices in order to do so, and they were anxious that their children should learn as much as possible. The lack of schooling for great parts of the population was ultimately a social problem, caused by poverty.

Ullathorne looked towards the future Catholic policy in educational matters in his last chapter and declared:

that we are deriving material advantages from the Government aid is a fact too patent to require any demonstration. And that the Government inspection, as now exercised, has stimulated and braced up the tone of our schools is a truth as lillie to be denied.⁸¹

Despite the obvious advantages to Catholics, Ullathorne warned that the danger

⁷⁹ *Notes*, p. 52.

⁸⁰ *Ibid.*, p. 57.

⁸¹ *Ibid.*, p. 60.

was even greater, as the advantages made it tempting to be uncritical towards the areas in which the government had exercised an absolute and perpetual control. It was not inspection as such that was alarming, but the hidden elements behind it. An example of this was the government's intervention based on the inspector's report. Ullathorne was anxious about what would happen if the inspector was dissatisfied with the state of things at a school; would the government then declare that the trusts were not duly executed? And would Parliament not take measures to enable them to enforce the executions of trusts according to their own reading of them? *'If at the back of inspection there is no power of action, then inspection itself is as unmeaning as it is ridiculous'*.⁸²

[My italics]

Ullathorne feared that the official importance of the inspectors would grow as a part of the strengthening of the system, and the influence of their counsels would increase immeasurably. All the schools held on the conditions of the model trust-deed were placed under lay-management. Out of seven votes, the priest had one; the only exception made respected the question of *religious* instruction. The government had refused to allow the addition of the word *moral* to the phrase *religious instruction*.⁸³ 'A universal system of education for the people, under control of the State, is the latest panacea for the evils of society. The notion grows with its agitation'.⁸⁴ Ullathorne was particularly anxious about a certain sentence in 'the Instructions to Inspectors' at the outset of the plan. It declared that this inspection was not intended as a means of control, but as offering assistance. However, the then Minister of Public Instruction,

⁸² *Notes*, p. 62.

⁸³ This was previously pointed out in the account of chapter two of the *Notes*.

⁸⁴ *Notes*, p. 65.

M. T. Baines⁸⁵ declared in a pamphlet that 'it would be folly to shut our eyes to the fact, that *Government aid implies Government control*'.⁸⁶

Ullathorne wrote that it was the Church who had brought forward the principle of teaching the people, not the State as 'she is the author of both elements of that instruction - the religious and the secular: and she has never separated them, because to a Christian these two elements are inseparable'.⁸⁷ 'To the Church, teaching is her appropriate sphere; for the State, it is a most unnatural occupation when it passed beyond the subjects of law and policy'.⁸⁸ The office of the government was to preserve order in society and to protect its subjects. But because the ecclesiastical establishment had failed to ensure the provision of elementary education, it was believed that only the State could substitute the Church as the provider of education; the secular element was only trusted in, because the clerical had failed.

Government inspection is one thing, but Government control would be another; and that we can never accept. The first leaves education free, the second makes the Government the educator of the people... The Catholic has a view of things both in heaven and on earth, which the Government has not even the faculty to comprehend.⁸⁹

Ullathorne ended his pamphlet as he introduced it. The future liberty of the education of the poor depended on the vigilance and zeal of Catholics. If '...we hold not in our hands the end of the cable by which we are anchored on the public treasury, ready to let slip and make for the free and open waters, the moment that danger shows its head

⁸⁵ Matthew Talbot Baines (1799-1898). During Lord John Russell's administration, he became president of the Poor-Law Board in 1849.

⁸⁶ *Notes*, p. 66.

⁸⁷ *Ibid.*, p. 67.

⁸⁸ *Ibid.*, pp. 66-7.

⁸⁹ *Ibid.*, p. 67.

- our freedom is gone'.⁹⁰ The matter of religious freedom remained largely an internal question for Catholics.

3.4 *Reactions to the Pamphlets*

Lord Shrewsbury wrote to Ullathorne, declaring himself in agreement with the latter's rejection of Fox's proposed Bill. He complimented Ullathorne on his stand on the matter writing that his rejection of the Bill was 'extremely well put and argued, and carefully establishes the position, that Fox's Bill is inadmissible'.⁹¹

The Tablet reviewed the *Notes* in February 1857 in a respectful but very inaccurate manner that did not actually address the specific contents of Ullathorne's pamphlet apart from a few lines:

...a subject of such importance is treated so dispassionately, with such an entire absence of personality and of irrelevant topics, by an authority so justly respected as the Bishop of Birmingham.⁹²

Instead *The Tablet* gave the reader its own view on the educational issue. The paper stated that government interference with and control of Catholic education was an evil, and such evil should only be tolerated if the only way of avoiding it was to incur an even greater evil. According to *The Tablet*, the Holy See had sanctioned the government's ultimate authority over Catholic education, and the paper considered the agreement between the government and the Poor School Committee as being "a lesser evil".

...The actual system and the present terms cannot be impugned as wrong *per*

⁹⁰ *Notes*, p. 72.

⁹¹ Birmingham Dioc. Archives, B. 1872. Lord Shrewsbury to Bishop Ullathorne, 23 March 1850.

⁹² *The Tablet*, 21 February 1857.

se, and therefore that the whole question is a practical question, to be governed by considerations of expediency only. When a sufficiently good Catholic school can be founded and maintained in independence of the Government, that, we think, is the best plan.⁹³

When *The Tablet* stated ‘and therefore that the whole question is a practical question’, it had utterly misunderstood the very essence of Ullathorne’s argument. One of his objections to State grants was that the regulations and instructions for the distribution of the grants were not detailed enough, and therefore were likely to be interpreted *ad hoc*. Ullathorne’s paramount fear was that *ad hoc* or practical decisions would lead to the separation of religious and educational matters. There were a number of “grey” areas in the agreement between the government and the Poor School Committee whose definition was not specific enough: the meaning of ‘*on grounds of religion*’; the regulation of inspection under changing governments; and the very nature of the power of action behind the inspection.

The controversy that followed the publication of the *Notes* culminated when Ullathorne wrote a long letter to *The Tablet*, in which he expressed much more unequivocally his dislike of the Kemerton Trust than he had done in the *Notes*:

it has been industriously stated that the Bishops have formally approved the model trust deed, and that even the Holy See has sanctioned the government system. Both statements are incorrect... But on the government system the Holy See has never spoken.⁹⁴

Regarding the conditions of the building grants (which Ullathorne had commented on in detail in chapter three of the *Notes*), the Bishop wrote in his letter:

⁹³ *The Tablet*, 21 February 1857.

⁹⁴ *Ibid.*, 4 April 1857.

I then saw that there was something very serious lurking amidst the conditions attached to building grants, and I felt satisfied that no one who did not examine those documents with a theological insight could detect the difficulties which they presented in anything like their full extent.⁹⁵

Ullathorne discussed another “grey” area, the issue of whether “religious” and “moral” questions were identical:

we may say that *religious* include *moral* questions, as our faith teaches us; but the Privy Council will not allow of this, and so much they have repeatedly declared. And our [Catholic] usages are not provided for in the interpretation of the deed. The Privy Council repels them.⁹⁶

He finished his letter by declaring that ‘it is essentially a question affecting the principles of Ecclesiastical liberty and the discipline of the Church’.⁹⁷ Under no circumstances, maintained Ullathorne, should the building grants under the trust deed be accepted.

The contents of Ullathorne’s second pamphlet were discussed at the Low Week Meeting of the hierarchy in 1857. Cardinal Wiseman especially was angered by Ullathorne’s intervention, and on the second of May, he let *The Tablet* print a letter which he had sent in the name of the bishops to the Chairman of the Poor School Committee, Charles Langdale. Although Ullathorne’s name was not mentioned and no explicit reference was made to the Bishop’s pamphlet, there is little doubt that a severe public rebuke was intended from the Metropolitan. Wiseman wrote:

but to give proof of our readiness to support the [the Poor School] Committee and vindicate it from any insinuation that it has departed from its original purposes, or drawn the Faithful in danger, I will enter into a few

⁹⁵ *The Tablet*, 4 April 1857.

⁹⁶ *Ibid.*

⁹⁷ *Ibid.*

particular questions only to renew the remembrance of what seems to have been forgotten.⁹⁸

The Archbishop then specifically dealt with the anxiety regarding the building grants and the use of the words “religious” and “moral”. On the subject of building grants, Wiseman stated

....that building grants may be safely accepted under the Model Deed, known also as the Kemerton Deed, and of course maintenance grants with equal safety.⁹⁹

On the uses of the words “religious” and “moral”, Wiseman wrote:

after mature deliberation we concluded that “religious” among Catholics comprehended “moral”. Our religion is practical as well as dogmatic; it embraces a moral code as well as articles of faith....The Bishops deliberately adopted “religious” in preference to “moral”, being precluded from adopting both...¹⁰⁰

Wiseman concluded his letter:

vigilance is no doubt to be exercised ...but when these precautions have been taken, apprehension should cease; and the Faithful should not be harassed and perplexed by the raising anew of questions long since solved, after full and deliberate consideration. The whole question of education grants has been reopened, as if the model deed had not been maturely examined till now, or had slipped inadvertently into operation. *Such a view is completely erroneous...* We trust therefore, that this explicit conclusion and declaration, to which we have come...will have the effect of allaying any apprehensions which have been excited among the Catholics of Great Britain on the subject to which it refers, and will likewise bring to a

⁹⁸ *The Tablet*, 2 May 1857.

⁹⁹ *Ibid.*

¹⁰⁰ *Ibid.*

charitable close the controversies, too often acrid and personal, to which these fears have lately led.¹⁰¹ [My italics]

Ullathorne felt the intended public rebuke and warning acutely. It is striking, and hardly a coincidence, that Wiseman should have employed the term *vigilance*, when this was the very word that Ullathorne had chosen to use not once, but twice; first in the preface of his *Notes* and then again in the final pages of the pamphlet.¹⁰² That Ullathorne was very upset can be seen in a letter to him from Newman, who expressed sympathy for his bishop's 'distress'. In another letter from Newman to Ullathorne, Newman thanked his bishop for the 'confidential and painfully interesting communication on the subject'.¹⁰³

In a letter not addressed to anyone in particular but to his clergy, Ullathorne objected to Wiseman's account of the decisions at the bishops' meeting; no resolution was put and no vote was taken at that occasion. It was only an informal talk without an actual agenda, according to Ullathorne:

I take the earliest opportunity of making you acquainted with the circumstances of my not having had any participation in the actual drawing up of that letter, and of my not being cognizant of the resolution, from which it purports to emanate. I did not even know of the existence of the letter until I saw it in the Newspapers, although I was present the whole time of our ordinary meetings...and was given to understand, when we separated, that our deliberations on all important transactions has been brought to a close.¹⁰⁴

¹⁰¹ *The Tablet*, 2 May 1857.

¹⁰² *Notes*, p. 6 & p. 72.

¹⁰³ Quoted, Butler, vol. I, p. 181.

This communication has not been preserved, unless it was a copy of a private letter to the bishops that challenged Wiseman's *Tablet* letter.

¹⁰⁴ Birmingham Dioc. Archives, Diocesan Papers B. 3702. Ullathorne to Reverend and dear Sir. 6 May 1857.

Ullathorne continued, on the theme of Wiseman's letter:

the surprise which has generally been expressed to me, at certain passages in that letter which appear to imply censure on my recent writings on the Educational Question, and the wonder you will entertain, how I myself come to be represented as a party to these censures, induce me to give you the above preliminary explanation on a subject on which I may have further communications to make.¹⁰⁵

On 12th May Ullathorne felt able to shed some light on the matter:

my surprise, therefore, was equal to yours, on reading in the Newspapers a letter, written in the name of all the Bishops, in which it appeared to me as to other persons, that a censure was passed upon the raising of any question in the subject of accepting Building Grants...Upon enquiry I have ascertained, that, on the day after the close of our ordinary Meetings, on occasion of opening the Training School at Hammersmith, at which three Bishops besides myself were unable to assist, a resolution was passed that the Cardinal Archbishop should address a letter to the Chairman of the Poor School Committee, expressive of confidence in the Committee, and conveying the sentiments of the Bishops on the subject of Building grants. That Meeting was held on the 23rd of April and his Eminence's letter is dated the 25th.¹⁰⁶

In the same letter Ullathorne declared himself content with Wiseman's explanation:

I am now happy to be able to inform you that in a reply to a letter of mine, his Eminence, has distinctly denied any intention of alluding to me or to my writings in the letter referred to. And this explanation will, I trust and believe, have the effect of removing any painful impressions from the minds of those who have entertained them, as it has removed them from my own.¹⁰⁷

¹⁰⁵ Birmingham Dioc. Archives, Diocesan Papers B. 3702. Ullathorne to Reverend and dear Sir. 6 May 1857.

¹⁰⁶ Birmingham Dioc. Archives, Diocesan Papers B. 3711. Ullathorne to Reverend and dear Sir. 12. May 1857.

¹⁰⁷ *Ibid.*

Ullathorne's willingness to accept Wiseman's assurance that he had not been the subject of Wiseman's rebuke is puzzling. There can be no doubt that the critique Wiseman expressed in the infamous letter printed in *The Tablet* was aimed directly at Ullathorne and his pamphlet. It seems that Ullathorne chose to make a retreat and shunned further direct confrontations with Wiseman as if his courage eluded him.

Ullathorne explained himself in a letter to his 'great friend among the bishops',¹⁰⁸ Bishop Grant of Southwark. He told Grant that his sole purpose in his circulars had been to show that the bishops had *not* voted for a censure of his writings, and that he himself had not consented to any such censure:

...and from all the information I have received, it would appear that the Bishops had never voted anything on that subject.

...A letter of such gravity, which commit all the Bishops to a specific policy with a Protestant Government, and that increasingly, for the conditions of Building Grants are of perpetual force, and bind our succession as well as ourselves; a letter which by committing each Bishop and all the Hierarchy with the clergy the laity and the whole world, and by which they limit their future liberty and discretion to so great an extent; such a document should surely have been drawn up and revised with all the ease of a Synodal decree...I am assured that the Bishops present did not authorise the introduction of anything which might appear to censure the part raising of questions on Building Grants, and I cannot but think that if the letter had been submitted to revision of the Bishops, and especially to the revision of those who were absent at the time when it was agreed that his Eminence should write a letter, we should have been saved the distress of this painful controversy.¹⁰⁹

¹⁰⁸ Butler, vol. I, p. 275.

When Grant died during the Vatican Council, Ullathorne wrote in an appreciation of the late Bishop that 'a great light is put out in our little church in England. A Saint has departed from this world... A great example has gone from us when we most needed it-but God knows best.'

Raphael, *Letters of Archbishop Ullathorne*, pp. 243-49.

¹⁰⁹ Southwark Dioc. Archives, Section C, Box 2. Manning, Ullathorne & others. Ullathorne to Grant,

There are two interesting points to be made from Ullathorne's letter to Thomas Grant. Firstly, he repeated his conviction that the bishops present at the meeting had not taken a vote in order to censure questions on building grants, and secondly, it is difficult not to sense a greater reservation towards Wiseman than he expressed in his circular of 12th May. In the letter to Grant he appeared less certain of Wiseman's assurance that he had not been the subject of Wiseman's letter.

McClelland concludes that 'as events turned out Wiseman was right [in terms of the sensibility in accepting the building grants] and Ullathorne wrong, but the incident reveals the latter's passionate belief in the complete independence of denominational schools from State control and his determination to fight even his brother bishops for what he strongly believed to be both right and for the good of religion'.¹¹⁰ Ullathorne was certainly willing to fight his brother bishops to a great extent but the question remains if his determination did not fail him, and if he dodged his own principles on this occasion. His letter to Grant shows how deeply wounded he actually was over the dispute with Wiseman.

Ullathorne's biographer Butler writes that 'as things have worked out in fact, however, indispensable Government aid has been, Ullathorne could look on the actual position of the Catholic primary schools as the verification of his forebodings of loss of independence in 1857; this is not to say that the maintenance of such independence could have been made in any way possible'.¹¹¹

30 May 1857.

¹¹⁰ McClelland, 'Archbishop Ullathorne', p. 128.

¹¹¹ Butler, vol. I, p. 182.

CHAPTER IV

The 1870 Elementary Education Act

4.1 *Introduction to the Act*

In 1867 the Reform Act added a million new voters to the Parliamentary Register, thereby doubling the electorate. Illiteracy was still prevalent and the voluntary bodies were not able to ensure full provision for education of the people. It was blatantly clear that the State would have to intervene in some way or other, if illiteracy were to be conquered. The provision of schooling thus became a matter of urgency.

The first general election under the new Act took place in 1867, when the Liberals returned to power. William Ewart Gladstone¹ became Prime Minister, and William Edward Forster was appointed a privy councillor and vice-president of the Committee of the Privy Council on Education.² The main responsibility for establishing a national

¹ William Ewart Gladstone (1809-1898), M. P. from 1832, and Prime Minister from 1868-74 and in later governments. He had little to do with the Education Act which he left almost entirely to Forster. In his own words 'his responsibility for the Act was one of concurrence rather than of authorship'.

² William Edward Forster (1818-1886) was brought up in the discipline of a Quaker body. He worked in the wool business, and became a wool manufacturer in Bradford in 1842. In 1846-1847 Forster paid two visits to the famine-stricken districts of Connemara. In 1861 he was elected to Parliament for Bradford, and was later regarded as the Conservative type of Liberal *par excellence*. He quickly made his mark in the House and when Gladstone resigned the leadership of the Liberal party, after the dissolution of 1874 and the accession of Benjamin Disraeli to power, Forster was proposed as Gladstone's successor. He withdrew, however, in favour of Lord Hartington. In 1880, when Gladstone again became Premier, Forster was made chief secretary, with Lord Cowper as Lord-lieutenant. In 1882 Forster and Cowper resigned their positions.

system of education, which formed a principal part of the government's programme, was put into W. E. Forster's hands. 'It was these years that saw the gradual growth of new political interest, a concern namely about popular education. There was no longer any need for the agitator to fight for the very principle that all should be taught to read and to write and to cipher'.³ In January 1868, James Kay-Shuttleworth published a *Memorandum on Popular Education* in which he proposed that the maintenance as well as the extension of denominational schools should be covered by the payment of local rates. His visions were welcomed by both sides of Parliament, and his suggestion of local rates as a considerable contribution towards the costs of education pointed towards the future Act.

In 1869 the Parochial Schools Bill (for Scotland) proposed to create a dual system of grant-aided denominational schools and rate-aided schools, but the Bill fell through. In the parliamentary session of 1869, Forster devoted much of his time and attention to the Endowed Schools Bill. The Bill itself did not raise great parliamentary issues, but its importance can be appreciated from the fact that it oversaw three thousand schools with an average income of 592,000l.⁴ At this stage, Forster also considered what measures were necessary to provide England and Wales with a national system of elementary education.

In 1868 the government abolished church-rates and thereby seemed to move in the direction of a total separation of Church and State. In 1868-69, about three-quarters of the annual State grant for elementary education in England and Wales (excluding

³ P. Hughes, 'The Coming Century', pp. 1-41, in *The English Catholics*, p. 7.

⁴ The National Dictionary of Biography, vol. VIII, p. 467.

parochial union schools) went to Anglican schools.⁵ Of the 8,000 State-aided schools in England and Wales, 6,000 were National schools and 1,500 British and Wesleyan schools. Only the few Ragged⁶ and Roman Catholic schools took the poorest children.

There were many different opinions among those who promoted a national system of elementary education funded by rate-aid for non-denominational schools. Public opinion was broadly speaking, divided in two, the voices being: the National Education League and the Birmingham Education Union.

The National Education League was founded in 1869 as a continuation of the Birmingham Education Aid Society. According to the League's own circular, it campaigned for 'the establishment of a system which shall secure the education of every child in England and Wales'.⁷ Many of the League's members supported the Radical demand that education should be free, compulsory and secular. However, the majority advocated unsectarian religious instruction, either from personal conviction or from a fear of alienating those who would consider the complete omission of all religious instruction from the curricula of schools as going too far.

The League was launched by the Unitarian Joseph Chamberlain, but its most active and prominent representative was the Borough of Birmingham's member of Parliament, George Dixon, who was the League's chairman. During the course of a two day meeting held by the League in Birmingham in October 1869, George Dixon decided that 'unsectarian' meant the exclusion of 'all dogmatic, theological teaching, creeds and

⁵ The Ragged schools for neglected children or those whose parents were too poor to pay for schooling, were started by philanthropists who thought that it was not sufficient for children to be taught in the workhouse, or in the Industrial and Reformatory schools, or even in prison. Rich, p. 19.

⁶ Cruickshank, p. 18.

⁷ Quoted, Adamson, p. 349.

catechisms' but that the exclusion of Bible-reading 'without note or comment' was 'not necessarily' intended.⁸ At the second session of the meeting Dixon presented his paper *On a System of National Schools based on local Rates and Government Grants*. The final 1870 Education Bill bore an almost uncanny resemblance to the contents of this paper.⁹

The League's campaign in Birmingham culminated in a public meeting held at the Town Hall with the Mayor presiding, which was attended by a large number of working men. The outcome of this meeting, and in particular Dixon's introduction of compulsory education at this occasion, served as the incentive for Ullathorne's address to his fellow Catholics in the same Town Hall in November 1869.

The League was very well organised and tremendously active in the campaign for a national system of education, and it gained the support of many Nonconformists and Liberal Anglicans. There were, however, differences in opinion among the League's supporters. Protestants, in particular, Wesleyans, were concerned that the extension of denominational schools would increase the number of Roman Catholic schools.

The Birmingham Anglican clergy and lay Churchmen responded to the League by forming the Birmingham Education Union in August 1869. The Union campaigned for an extended denominational system. The Union and a similar society joined forces in October 1869 to form the National Education Union at Manchester, whose object it was to secure the continuation and development of the existing system. They wanted 'the primary education of every child by judiciously supplementing the present

⁸ Adamson, p. 350.

⁹ *Ibid.*

denominational system of national education.’¹⁰ Religious instruction was to remain denominational, safeguarded by a conscience clause. Although the Union was less wealthy than the League, it was an important rival and it was supported by many Denominationalists.

The Union had two great sources of strength: firstly, the sentiments and purposes of the Union found support in Parliament, particularly in the House of Lords. Secondly, and far outweighing the first source in importance, ‘was the very existence of such great numbers of denominational schools: it would manifestly be difficult for any government, however doctrinaire, to frame policies which ignored the vast capital resources and moral determination represented by such schools, or the bargaining power held by those who owned them’.¹¹

There was very little attention paid to the parents and their wishes for the schooling of their children. Their demands to be consulted might have been based not only on their parental responsibility but also on their contribution towards the cost of running the schools. It would seem that most of the Roman Catholic parents wished their children to attend Roman Catholic schools. Despite efforts from the secularists and the socialists there appears to have been very little demand for a total prohibition of Bible teaching in the schools.

Where the parents cared about education at all, and the contributions from fees showed that there were actually many who did, they were in general willing to overlook doctrinal differences, and were prepared to demand the best schooling available for their children. The Newcastle Commission described this attitude as a ‘comparatively passive

¹⁰ Adamson, p. 352.

¹¹ Murphy, *The 1870 Education Act*, pp. 32-3.

attitude of the body of the people'. However, this passivity was of little importance since the decision about the future of education did not fall within the control of parents. It served as a challenge to religious groups, both because 'it inspired further missionary endeavour or, according to the point of view, gave those who controlled the religious instruction in the schools the opportunity to proselytise on a vast scale'.¹²

The Elementary Education Act did not inaugurate the provision of State aid for public elementary education; such aid had been given in various ways for the previous forty years. Nor did it introduce a national system that was completely maintained by public funds. It was not intended to provide for education in the whole of the United Kingdom, since Scotland and Ireland were excepted. It did, however, decree that in the future there must be made available throughout England and Wales 'a sufficient amount of accommodation in public elementary schools', and it recognised that this would entail financial support from both national and local taxes. Although the State declined to accept the full responsibility for a national system of education, it did take steps to ensure that such a system would be established.

4.1.1. Definitions

Forster did not make any attempt to specify what elements he thought should constitute elementary education. Nor did he name the groups that State-aided elementary schools were intended to provide for, or made clear how the purposes of the Act were to be defined and put into effect. Probably he considered such definitions to be superfluous, as the Committee of Council had previously issued regulations on subjects

¹² Murphy, *The 1870 Education Act*, p. 34.

that were to be taught, if a school hoped to be given a government grant according to the system of “payment by results”.

It was not required that an elementary school that received aid should only provide elementary education. In the Act, an elementary school was merely defined as a school in which elementary education formed ‘the principal part of the education there given’.¹³ According to James Murphy, the clear intention was to extend the curriculum beyond the teaching of the three Rs. Since 1867, the Revised Code had been modified so as to allow grants for one or two ‘specific subjects’ such as history and geography.¹⁴ The only stipulation regarding the social status of the children was that the parental contribution must not exceed nine-pence per week, which was a remarkably high maximum for the time.

4.2 Purpose & Object of the Act

On February 17th 1870, Forster introduced the Elementary Education Bill into the House of Commons. His launch of the Bill into the House was very long and elaborate, but at the same time skilfully arranged in an attempt to steer a course of compromise between the National Education League and the Birmingham Education Union. In stating that ‘I need not detain the House with any reasons for bringing an Education Bill forward’¹⁵, the speech bore resemblances to Fox’s introduction to his faltered 1850 Bill. Forster pointed out that there were vast deficiencies in both the quantity and the quality of the existing schools. He declined to adopt either a Continental approach towards education with a strong emphasis on the State, or a mere continuation of existing

¹³ The Elementary Education Act, Preliminary, definition of terms, section 3.

¹⁴ Murphy, *The 1870 Education Act*, p. 37.

¹⁵ Hansard, vol. CXCIX, p. 439.

policies to increase governmental funds towards the Voluntary schools. In order to overcome the deficiencies, he proposed to create an entirely new and local authority, the school board. The board was to be given power to provide the necessary school accommodation, and authority to supervise the running of its own schools, subject to the ultimate control of the Education Department.

Forster summed up the present state of primary education as

...much imperfect education and much absolute ignorance; good schools become bad schools for children who attend them for only two or three days in the week, or for only a few weeks in the year; and though we have done well in assisting the benevolent gentleman who have established schools, yet the result of the State leaving the initiative to volunteers, is, that where State help has been most wanted, State help has been least given, and that were it was desirable that State power should be most felt it was not felt at all. In helping those only who help themselves...we have left unhelped those who most need help. Therefore...we find a vast number of children badly taught, or utterly untaught because there are too few schools and too many bad schools, and because there are large number of parents in this country who cannot, or will not, send their children to school.¹⁶

Forster claimed that 'only two-fifths of the children of the working classes between the ages of six and ten years are on the registers of the Government schools [i.e. the schools inspected for grant purposes], and only one-third of those between the ages of ten and twelve'.¹⁷ As for the schools that did not receive government assistance, they were, generally speaking, 'the worst schools, and those least fitted to give a good education to the children of the working classes'.¹⁸ Forster quoted a recent survey from

¹⁶ Hansard, vol. CXCIX, pp. 442-3.

¹⁷ *Ibid.*, p. 441.

¹⁸ *Ibid.*

Liverpool indicating that out of 80,000 children between five and thirteen years, only received an adequate education. He stated that the condition of primary education in Leeds, Manchester and Birmingham was comparable to that of Liverpool.¹⁹

Forster's figures could be challenged on the basis that the contribution of the uninspected schools had been underestimated, and that school populations were always in movement, so that more children were actually being educated than were in attendance at any given time. Also, the Newcastle Committee had decided that six years of schooling were adequate, and not eight years as Forster stated. Even though the accuracy of Forster's statistics could be questioned, he had drawn attention to genuine shortcomings in the current state of education.²⁰

Therefore the first object of the Bill was to 'cover the country with good schools, and get the parents to send their children to those schools'.²¹ In order to achieve this, Forster declared that the following three conditions had to be met: first of all, 'we must not forget the duty of the parents'; then 'we must not forget our duty to our constituencies, our duty to the tax-payers'; and thirdly, 'we must take care not to destroy the existing system in introducing a new one'.

Our object is to complete the present voluntary system, to fill up gaps, sparing the public money where it can be done without, procuring as much as we can the assistance of the parents, and welcoming as much as we rightly can the co-operation and aid of those benevolent men who desire to assist their neighbours.²²

¹⁹ Hansard, vol. CXCIX, p. 442.

²⁰ Murphy, *The 1870 Education Act*, p. 38.

²¹ Hansard, vol. CXCIX, p. 443.

²² *Ibid.*, pp. 443-4.

James Murphy has pointed out that there were two groups of problems in 'filling up the gaps':

i) What was to happen to the existing schools? Were they to be (I) taken over by public bodies and assimilated into a new system, or (II) allowed to remain in existence without any aid from public funds, or (III) given only such assistance as they presently received, or (IV) provided with increased financial support so that the voluntary organisations might be enabled to establish some or all of the additional schools required?

(ii) If the voluntary bodies were not to supply all of the new schools, who should do so (I) under existing circumstances, (II) when deficiencies occurred in the future? If public authorities were to set up schools, should they do so in all parts of the country so that competition and choice became possible, or only in those localities where additional schools were considered to be needed? Who should decide where new schools were required, and on what grounds?²³

These problems caused a great deal of controversy. Those in favour of denominational instruction sought to extend the current system as far as possible. Most of their opponents, regardless of whether they hoped to abolish the denominational system altogether in one swift move or merely wished to see it fade away, were determined that no extra encouragement should be given to it. They wanted to make publicly owned and controlled schools available all over the country, especially in what had been, or might become, single-school areas which only had schools with mixed education.

²³ Murphy, *The 1870 Education Act*, pp. 38-9.



4.3 *The Religious Issues*

4.3.1 The Voluntary Work

Seen in a political and economical perspective, the government's decision to continue to support the Voluntary schools was probably unavoidable, but the two additional government steps were not. Firstly, by positively encouraging the further development of the voluntary system and providing grants towards the cost of building new schools, even if these were given with stipulations of a limited period and only under certain conditions, the voluntary bodies were forced to take on new commitments, and in doing so the government implicitly accepted a continuing moral obligation towards them. Secondly, as the Department of Education refused to accede to demands that school boards should be set up in *all* districts, parents in many places were forced albeit, inadvertently, to send their children to Voluntary schools. Frequently a voluntary school attached to a particular denomination was the only school available, especially in small Anglican areas.

The government had pledged itself to ensure that "suitable" schools would be available to all children, and Forster had defined this (though not included in the final Act) as meaning 'schools to which, from the absence of religious or other restriction, parents cannot reasonably object'.²⁴ The minimum safeguard that could ensure this undertaking was the formal acceptance by those voluntary bodies in receipt of public aid of the right of parents to withdraw their children from religious instruction and observance. Until then, the government had insisted on the "Conscience Clause" in the trust deeds of all new schools that were built with the aid from governmental grants in

²⁴ Hansard, vol. CXCIX, p. 445.

what would become single-school areas. The present requirement was far more important, since it would apply to *all* schools receiving *annual* State grants, whether board or Voluntary schools. At first the government inflicted great difficulties upon itself by proposing that the parent could ensure withdrawal 'by sending his objections in writing'. This was obviously an additional deterrent to illiterate or poorly educated parents already unlikely to wish to incur criticism from influential school managers or neighbours. The government was obliged by the determined opposition of large numbers of its own supporters to not only withdraw this stipulation but also to introduce a "time-table-clause" requiring that any religious observance or instruction must take place at the beginning or end of a school meeting in order for a withdrawal to be facilitated without loss of secular instruction.²⁵

The government now wished to adopt a neutral role, occupying itself with the provision of secular education and not concerning itself with differences of religious belief.

4.3.2 *The Board Schools*

The two most problematic questions the government had to answer were:

- i) whether religious instruction of any kind should be given in the Board schools;
- ii) if so, what form should it take?

Surrounding these two questions were the doctrinal and professional antagonisms of Church leaders. There was a passionate belief in the importance of religious teaching as an integral part of school instruction, but at the same time there were strong convictions about the impropriety of secular authorities "meddling" with religion, and

²⁵ The Elementary Education Act, 1870, Section 7,(2).

about the injustice considered to be involved in using public funds to sustain the Church of England, and the Roman Catholic by 'putting popery on the rates'.²⁶

The government's reply to these questions was simple, although scarcely disarmingly so. Initially the decision of whether or not to support Voluntary schools from the rates had been left to the individual school boards. Also, at first it was intended that the separate boards would be allowed to decide what religious instruction, if any at all, should be given in the schools under their jurisdiction. Forster asked the rhetorical question:

ought we to restrict the school Boards, in regard to religion, more than we do the managers of Voluntary schools? We have come to the conclusion that we ought not. We restrict them, of course, to the extent of a most stringent Conscience Clause.²⁷

In other words the school boards could arrange to provide as much or as little religious instruction as they wished or none at all. They were only bound by the requirements of the "Time-table Conscience Clause".

This proposal was bound to arouse opposition on all sides. It would alienate all those who insisted on religious instruction of whatever kind, as it allowed the school boards to deliver only secular instruction. It also alienated those who advocated purely secular instruction, since it did permit some kind of religious instruction. There would be the additional difficulty, which was not inconsiderable, of placating those who demanded the provision of religious instruction, should their preferred form of instruction not be adopted by the local boards. The proposal to leave the decision of

²⁶ Murphy, *The 1870 Education Act*, pp. 57-8.

²⁷ Hansard, vol. CXCIX., p. 457.

whether or not to provide religious instruction entirely to “local option” was not new. Fox’s 1850 proposal had left questions about religious instruction to be decided by the ratepayers, and Sir John Pakington’s Bill in 1855 had proposed that religious teaching might be in accordance with the dominant creed of each locality.

The problem was a genuine one. Whatever regulations were made would have to be imposed, and Forster maintained that the task would be one of ‘detailed supervision’, which does not belong to the central government, and in which the great probability is the central government would fail’.²⁸ On the other hand, he explained, members of the school board would be elected by the parents and therefore trusted by them, a somewhat presumptuous and oversimplified postulation. Forster expressed his belief in the judgement of the parents by stating ‘... we do not doubt that the parents will take care to elect men that will not raise religious difficulties in the way of education’.²⁹ Others were less confident of the guarantee of such trust and saw religious difficulties or religious intolerance manifesting themselves when school board elections were fought. Eventually the proposal had to be withdrawn, and the initiative was again the government’s.

At this stage the government was not in a position to demand the provision of only one form of denominational instruction, and the choice had to lie between permitting only secular instruction and prescribing some form of religious instruction which might be described as unsectarian. The “secular” solution had for decades attracted those Nonconformists who deplored State interference in religious matters or financial support to rival denominations; it appealed to many who had no religious belief.

²⁸ Hansard, vol. CXCIX, p. 458.

²⁹ *Ibid.*, p. 459.

The National Public School Association³⁰ had been persuaded by Lord Cobden to omit the word “secular” from its name, and while the National Education League, though many of its members favoured purely secular education, now campaigned for unsectarian instruction so as not to alienate many potential supporters, particularly among Nonconformists.

Forster summed up the situation as follows:

why do we not prescribe that there shall be no religious teaching? Why, if we did so, out of the religious difficulty we should come to an irreligious difficulty. We want, while considering the rights and feelings of the minority, to do that which the majority of the parents in this country really wish; and we have no doubt whatever that an enormous majority of the parents of this country prefer that there should be a Christian training for their children - that they should be taught to read the Bible. If we are to prevent religious teaching altogether, we must say that the Bible shall not be used in schools at all. But would it not be a monstrous thing that the book which, after all, is the foundation of the religion we profess, should be the only book that was not allowed to be used in our schools?³¹

The Premier himself would have been willing to accept a “secular solution”, leaving the religious instruction to be given outside school hours by teachers, parents, or the clergy. He wrote ‘We might have fallen back upon the plan of confining the rate to secular subjects but this was opposed by the church, the opposition, most of the dissenters, and most of our friends’.³² This made it clear that there would be no

³⁰ The Lancashire Public School Association was founded in 1847, and in 1850 it changed its name to the National Public School Association. Richard Cobden, Liberal M.P. and leader of the Anti-Corn Law League was a member of the Association. Its policy comprised free schools supported by local rates, managed by locally elected committees, with only secular education because of religious difficulties.

³¹ Hansard, vol. CXCIX, pp. 457-8.

³² Quoted, Murphy, *The 1870 Education Act*, p. 60.

requirement to give religious instruction in Board schools, but neither would it be forbidden.

4.3.3 The Cowper-Temple Clause

On June 14th 1870, the Cabinet made central changes to the Bill. The religious issue was now to be decided at a national level and not left exclusively to the local school boards. Gladstone explained to the House that the complexities of the religious situation had put the government in a dilemma: on the one hand, there was a public demand for some form of religious education, and on the other hand, the Nonconformists were against any payment to denominational schools. 'The remedy therefore was two-fold, to sever completely the link between denominational schools and school boards, and to permit only undenominational instruction in schools erected by local agency'.³³

The precise form of the compromise was embodied in the Cowper-Temple Clause. It was the Whig M.P. for South Hampshire and the chairman of the National Education Union, William Francis Cowper-Temple, who proposed the amendment that

no religious catechism or religious formulary which is distinctive of any particular denomination shall be taught in the school.³⁴

Local School boards were permitted, but in no way compelled to give undenominational religious instruction in their schools and so 'they could...run their schools as secular institutions'.³⁵

³³ Cruickshank, p. 29.

³⁴ The Elementary Education Act, Management and Maintenance of Schools by School Board, section 14, 2.

³⁵ Cruickshank, p. 30.

According to James Murphy, the clause has been widely misunderstood; it was not Cowper-Temple's intention to come forward as the champion of unsectarian instruction in Board schools. 'His concern was to answer the complaint that certain books and prescribed forms of words were so closely associated with a particular religious communion that their use by children or teacher might in itself seem to imply acceptance of membership of that communion'.³⁶ The clause was not intend to forbid the expression of the teacher's own doctrinal beliefs. Margaret Cruickshank, however, describes the clause as 'entirely negative'.³⁷

Cowper-Temple himself explained that

the exclusion of catechisms and formularies...dealt only with lesson books which bore upon their title-page plain indications of their origin...

Yet this solution was not as clear-cut as it seemed at first glance, and the government's initiative was met with stern opposition. It would be simple enough to recognise catechisms which were only used in Church of England or Roman Catholic schools, but what constituted a distinctive formulary? Was a prayer a formulary, or was a hymn a creed? Robert Lowe, the vice-president of the Committee of Council had pointed out that a dogma was not simply distinguishable from a precept. The government itself was vague when it came to define the term 'undenominational Christianity'.³⁸ Gladstone told the House that although the government did not know what undenominational and unsectarian instruction meant in the language of the law, it

³⁶ Murphy, *The 1870 Education Act*, p. 61.

³⁷ Cruickshank, p. 30.

³⁸ *Ibid.*

was convinced that 'practical judgement and the spirit of Christianity, combined with common sense, may succeed and does succeed in the vast number of cases'.³⁹

Although the clause was opposed to any measures that would 'deprive the teachers in the schools created under the Bill, of the right, which everybody else in this country enjoyed, to explain the Bible according to his own views and opinions'⁴⁰ the Act had not defined the position of the teachers. It had not even protected them from religious tests imposed by school boards anxious to recruit teachers of a given observance or none at all. The amendment designed to provide the teachers with such protection was rejected by the government as 'unnecessary'. Since most teachers had been trained in various denominational colleges, it seemed likely that the 'religious problem' would merely be transferred from Parliament to the classroom.

4.3.4 The Conscience Clause

The so-called Conscience Clause was the condition that any elementary school had to accept in order to be eligible to receive public money, and it read:

no scholar shall be required, as a condition of being admitted into or of attending or of enjoying all the benefits of the school, to attend or to abstain from attending any Sunday school, or any place of religious worship, or to learn any such catechism or religious formulary, or to be present at any such lesson or instruction or observance as may have been objected to on religious grounds by the parent of the scholar sending his objection in writing to the managers or principal teacher of the school or one of them.⁴¹

Forster explained that in taking money from the taxpayer in order to provide his

³⁹ Quoted, Cruickshank, p. 30.

⁴⁰ Hansard, vol. CCIII, p. 739.

⁴¹ *Ibid.*, vol. CXCIX, p. 448.

children with education, the government had no right to interfere with his feelings as a parent, nor did it have the right to force any kind of religious instruction to which he objected, upon his children. The clause would apply to all schools, secular as well as denominational. The inevitable consequence of the schools being made to adopt the time-table conscience clause was that 'religious instruction which had at one time constituted the pivot of the teaching, became a mere adjunct thereto, which might be taken or left. The idea of a curriculum which should form an organic whole was thus destroyed, and education in the popular schools became destitute of a master purpose'.⁴² It was to this destruction of an organic whole that Ullathorne so fiercely objected.

Finally, on 9th August 1870, the Education Bill reached the Statue Book. The half-hearted compromise was a disappointment to both the Education League and the National Education Union. This "discount" solution satisfied neither those who advocated a national system of public elementary schools under local control, or those who wished to secure the denominational principle. The Act did, however, succeed in making elementary instruction into a State concern that benefited all classes of society, and it meant that education was no longer primarily a concern for private organisations. And despite Gladstone's scorn for 'a new type of Pope in the Council Office'⁴³, decisions would clearly lie with the Education Department.

⁴² Adamson, p. 359.

⁴³ Murphy, *Church, State and Schools*, p. 66.

CHAPTER V

Reactions to the Passing of the 1870 Elementary Education Act

5.1 General Reactions to the Passing of the Act

Most of the defenders of the voluntary system were relieved at the outcome of the Act. Some Church of England leaders had been influenced by the Education League's successful agitation, and believed that a delay in passing the Bill would have serious implications for their Church. Many Nonconformists felt betrayed by their own Liberal party. The National Education League continued to exist, and promoted the formation of school boards wherever possible in an attempt to block any increase in the grants given to denominational schools. It persevered in its struggle to create a free, compulsory and unsectarian elementary education. The Central Nonconformist Committee worked towards not only a total refusal of governmental aid to new denominational schools but also towards a gradual withdrawal of aid from already existing denominational schools. 'But the great weakness of the Nonconformist position, as always, was indecision about religious instruction'.¹

¹ Murphy, *The 1870 Education Act*, p. 67.

5.2 *Catholic Reactions to the Passing of the Act*

5.2.1 **The Authority given to the Poor School Committee by the Hierarchy to represent Catholic Interests**

In January 1870, the chairman of the Poor School Committee Lord Howard of Glossop, had a letter printed in *The Tablet* in which he asked the hierarchy for more support for the Poor School Committee since it was the only central organisation that represented Catholic interests. Lord Howard felt that 'though it has been comparatively ill supported, it is yet necessary, and cannot be dispensed with, if only as an organ of communication as between the Government of the day and the Catholic body upon its educational affairs'.²

At the hierarchy's Low Week Meeting in April 1870, the hierarchy discussed 'the Dangers to Catholic Colleges and Schools arising out of Mr. Forster's Endowed Schools' Bill' and the 'means of averting them'.³ The Bishops were aware of the issues at stake and they 'would have been blind, indeed, if they had not seen in them a portent for the future'.⁴ At this occasion, Lord Howard presented a memorandum to the bishops wherein the Poor School Committee stated

that under the present aspect of education, as affecting the Catholic Body, it is necessary that greater energy should exist in the proceedings of the Poor School Committee; and that its work should be upon a larger scale: so as to stimulate education generally, to extend the numbers of school teachers, to elevate their character by premiums...and generally, to diffuse education more widely.⁵

² *The Tablet*, 22 January 1870. Correspondence. Education of the Catholic Poor. To the Editor of *The Tablet*.

³ Westminster Dioc. Archives, ACTA. Meeting of the Bishops in Low Week, 7 April 1869.

⁴ McClelland, *Cardinal Manning*, p. 65.

⁵ Westminster Dioc. Archives, ACTA. Meeting of the Bishops in Low Week, 7 April 1869.

The Committee felt that the Catholic position was critical, and it thought that a more aggressive strategy had to be adopted in order to defend Catholic interests. The bishops agreed to widen the Committee's range of authority and recognised the Committee as

...the organ sanctioned by us of communication with the Government and we have every confidence that your Committee, in your communications and negotiations with Government for any Government grants, will be fully aware of our determination not to yield to the Ministers of the day any portion, however small, either of our ecclesiastical liberty, or of our episcopal control over the religious education of the children of the poorer members of our flock.⁶

The approval by the bishops of the Poor School Committee's right to act as the hierarchy's official voice in any dealings with the government was to have far-reaching consequences. When the members of the hierarchy were in Rome in 1870 attending the Vatican Council, the responsibility of defending Catholic principles was left largely to the Poor School Committee and the laity. Some members of the Committee and the laity only reluctantly accepted the Act, because they were apprehensive about the certain absence of Roman Catholic teaching in Board schools. Many Roman Catholic parents were compelled to send their children to a Board school because of the remission of fees and their own inability to acquire sites by compulsory purchase. The Committee and the laity were relieved when the decision was made to not allow school boards to influence the amount of financial support made available to Church schools, but there remained a division among

⁶ Westminster Dioc. Archives, ACTA. Meeting of the Bishops in Low Week, 9 April 1869.

them as to whether they should join the boards as members or not. In the event, most schools that already received grants continued to do so.

5.2.2 The Position of the Hierarchy

Opinions were divided among the members of the hierarchy, as a majority of them were sceptical about the wisdom of continuing to receive government grants for their schools within the framework of the new “dual system”, a view quintessentially represented by Ullathorne.⁷ Before he left for Rome, Manning had already agreed to forego the right to a Catholic inspector of schools⁸ at a meeting with Lord de Grey⁹ that had taken place in London in November. Before the news of Forster’s Bill actually reached Rome, the Archbishop ‘convened a meeting at which he revealed the substance of his November discussions with Lord de Grey. This caused yet another conflict of opinion over education between Manning and Ullathorne’.¹⁰ When Manning told the hierarchy that he had given up the right to a Catholic inspector of schools, Ullathorne objected fiercely. He described the meeting in a letter to his Vicar General, Canon Michael O’Sullivan:

I don’t think I told you that the Archbishop called a meeting last week in which he proposed we should give up Catholic inspectors in consideration of certain advantages in a new education scheme. I asked him what he knew of the proposed scheme, he said he knew nothing. Had he proposed this to

⁷ Newman was of the same opinion and pronounced that ‘since I believe, the majority of Englishmen are for denominational education, this is a great tyranny - and is brought about by the exigencies of a Liberal Government’.

The Letters and Diaries of John Henry Newman, (ed.) C. S. Dessain, Nelson: London and Birmingham, 1961-81, vol. xvvi, p. 259.

⁸ In 1847 the Committee of Council had decided that no inspector of Catholic schools that received aid should be appointed without the consent of the Poor School Committee.

⁹ Sir George de Grey (1799-1882), Statesman. Entered Parliament in 1832, and held various posts throughout the years. His parliamentary career ended with the dissolution in 1874.

¹⁰ D. E. Selby, ‘Henry Edward Manning and the Education Bill of 1870’, in *The British Journal of Educational Studies*, vol. xviii, 1970, pp. 197-212.

the Government? He had trusted it to Lord de Grey. When? Just before he left England. Had he consulted Bishops upon it? No. This surprised everyone. I then proposed we should wait until we had the Bill in hand. All approved this and we separated.¹¹

Both Selby and Norman mention Ullathorne's letter to O'Sullivan and are of the opinion that Manning had convened a meeting in Rome to discuss the Education Bill.¹² McClelland, however, disagrees. 'It is very unlikely that such a meeting took place. If it did do so it would certainly have been informal and no written record of it exists. Perhaps the subject may have been touched upon at lunch one day when the bishops were present but no formal meeting was convened'.¹³ McClelland omits to comment on Ullathorne's letter which explicitly states that 'the Archbishop called a meeting last week'. Ullathorne must have been referring to a meeting that took place before the actual letter was written, i.e. the meeting must have been before the 23rd February.

The following notice was given by *The Times* recording a second meeting of the bishops while they were in Rome:

The Weekly Register states that the English Catholic Bishops, now all save two in Rome, met together at the English College in that city on the 28 ult., to consider the best steps to be taken with regard to Mr. Forster's Education Bill. The Archbishop presided, and the meeting continued discussing the measure for nearly three hours.¹⁴

¹¹ Birmingham Dioc. Archives. Ullathorne to O'Sullivan, 23 February 1870.

Manning was probably informed by Lord de Grey that the government intended to permit the use of rates for Voluntary schools.

Selby, p. 202.

¹² *Ibid.*

Norman, *The English Catholic Church*, p. 172. Norman does not explicitly state what meeting of the bishops during February in Rome he is alluding to, but he refers to Ullathorne's letter to Michael O'Sullivan.

¹³ McClelland, *Cardinal Manning*, p. 80.

¹⁴ *The Times*, 14 March 1870, (p. 4, col. 3). *The Weekly Register*, XLI, 168, 12 March 1870.

Selby notes that Ullathorne denounced Manning for acting without consulting his suffragans in the matter of foregoing Catholic inspectors to oversee Catholic schools, a decision that would have repercussions beyond the Archdiocese of Westminster.¹⁵ To Ullathorne this was a question of principle, and he could not understand that Manning was willing to compromise on such an important matter. A majority of Ullathorne's fellow bishops must have shared his opinion at this stage as they rejected Manning's November initiative at their second Rome meeting on the 28th February 1870.¹⁶ The hierarchy instructed the Poor School Committee that 'the engagements of 1847 embody the only principles upon which a cordial co-operation with Government can be hoped for and expressly specified the retention of the denominational inspectorate'.¹⁷ Ullathorne continued to speculate over Manning's reluctance to disclose the details of his agreement with Lord de Grey, and complained with his usual bluntness about Manning's secrecy to the Treasurer and Secretary of the Birmingham Diocese, Canon Escourt:

the Vicar's letter confirmed all about the Archbishop's giving us up with Lord de Grey. He said he would send for his notes and produce them, but we have heard no more. He still keeps his isolation from us, and is endlessly active with everybody else that he can take by the button.¹⁸

According to Butler, one of the bishops staying behind was Bishop Alexander Goss of Liverpool who had 'started for the Council, but had been held invalided at Cannes and never got to Rome'. Butler, vol. II, p. 63. Bishop Brown of Newport and Menevia was the other bishop staying behind. McClelland, however, writes that only Brown did not attend the Council, as Manning had left him in charge as *locum tenens*.

McClelland, *Cardinal Manning*, p. 77.

¹⁵ Selby, p. 203.

¹⁶ *Ibid.*

¹⁷ Quoted, *ibid.*

¹⁸ Birmingham Dioc. Archives. Ullathorne to Canon Escourt, 8 March 1870.

The resolutions made by the hierarchy were sent out as a series of instructions and forwarded to the Catholic Poor School Committee on 2nd March 1870. The bishops who had been present at the meeting in Rome appended their signatures.

The peculiar circumstances of England render it inevitable, that the administration of the local School Boards and of the education rate will always be in the hands over which no control, sufficient to protect the children of the Catholic poor, can be exercised. This has been abundantly proved by the long and painful experience of the Poor Law Board.¹⁹

The bishops relied on the relations with the Committee of Council remaining amiable, as these had worked in favour of Catholic interests.

5.2.3 The Position of the Catholic Laity, and the Debate in *The Tablet*

The debate on education that took place among the Catholic laity was reported in the pages of *The Tablet*.

On 26th February 1870 the Poor School Committee held a meeting 'to consider the nature and probable effect' of the Elementary Education Bill.²⁰ Among the members who were present at the meeting were the Duke of Norfolk, Lord Howard, the Bishop of Salford, Herbert Vaughan and T. W. Allies. On this occasion, the Poor School Committee appointed a sub-Committee to monitor the course of the Bill through Parliament, and to correspond with those members of Parliament who were favourable to the Catholic cause. Catholic members of Parliament made repeated requests for an authoritative ruling on how they should regard the Bill. At the end of the Committee meeting, the following resolution was passed:

¹⁹ Quoted, Selby, p. 207.

²⁰ *The Tablet*, 26 February 1870. Diocesan News. Catholic Poor School Committee.

that it is the opinion of this meeting that the Bill on Elementary Education...will, if it becomes law in its present form, be dangerous to the faith and religion of the poorer Catholics, from their number and position and inability to help themselves, and that it is the duty of Catholics to make every effort to have improvements introduced into it.²¹

The Committee feared that the lack of economic means to build a sufficient number of Catholic schools in poor industrial areas would inevitably result in large numbers of poor Catholic children being forced into Board schools, and declared that 'the Bill for primary Education...does not promote the extension of the existing system of denominational education as they would desire'.²² An editorial in *The Tablet* quoting *The Echo*²³ shared the Committee's concern and stated that

it is obvious...that the exercise of compulsory powers over the teaching of the children of the Roman Catholic poor by authorities elected by the Protestant majority and entrusted with the function of regulating the religious character of the schools under their care, would be regarded by the Roman Catholic community as a detestable grievance.²⁴

On the subject of the dangers that the Bill represented to Catholic schools *The Tablet* wrote:

hence it is only too probable that, if we were strong enough to throw out Mr. Forster's Bill for Public Elementary Education, the Government would meet us with a new measure, endorsed by Mr. Bright,²⁵ withdrawing all Parliamentary grants from denominational schools, and establishing a compulsory system of purely secular education. The conclusion is obvious:

²¹ *The Tablet*, 26 February 1870. Diocesan news. Catholic Poor School Committee.

²² *Ibid.*

²³ *The Echo*; daily newspaper published in London by Horace Voules from 1868-1907.

²⁴ Quoted, *The Tablet*, 5 March 1870. Dangers of Mr. Forster's Bill and Catholic Poor Schools.

²⁵ John Bright (1811-89), Quaker and Liberal M.P. for most of the period 1843-86. He was an avid supporter of social reforms but was opposed to state education. He was a member of the Gladstone administration from 1868-70 and in 1873 he attacked the denominational character of the 1870 Act.

all our exertions must be directed at present to obtain such amendments in Mr. Forster's Bill as may remove the dangers it offers, as it now stands, to the faith and religion of our Catholic poor. With this end in view, Catholics will find that several provisions of the Bill require from them an energetic and outspoken appeal to the Christian justice of Parliament and of the country.²⁶

A later *Tablet* editorial shared Ullathorne's concerns, and completely rejected Manning's willingness to compromise as a valid option:

rather than submit to the application of this new system to our schools, as well as those of the Parish Boards, it would be better far to shake off all connection whatever with the national system. It were better to go forth, in poverty, suffering, and bowed down by a self-imposed taxation, than to enter into a national system which would insidiously poison our youth in their education and sap the well-spring of their future happiness.²⁷

In March the Catholic laity published a Declaration saying that 'a system of popular education founded on the secular principle instead of being unsectarian would be sectarian in the most obnoxious sense to the community generally, and it would be especially unjust to Roman Catholics who under such system would be compelled to support schools contrary to the plain dictates of their consciences'.²⁸

On March 19th 1870, Lord Howard presented a memorandum to the Premier, the President and the vice-president of the Education Department, declaring that education could not possibly be undenominational and compulsory at the same time. Like the bishops, the Poor School Committee continued to reassert its faith in the fairness of the Committee of Council. At this time the Lord also established a Crisis

²⁶ *The Tablet*, 5 March 1870. Dangers of Mr. Forster's Bill and Catholic Poor Schools.

²⁷ *Ibid.*, 26 March 1870. Catholics and the Education Debate.

²⁸ Quoted, Norman, *The English Catholic Church*, p. 172.

Fund to finance Catholic Voluntary Schools that wanted to withdraw from receiving State aid.

In May, after the Bill had survived its second reading in Parliament, the Poor School Committee held their annual meeting. The members of the Committee were 'unanimous in feeling that denominational education must at all costs be retained'. The Catholics' inability to meet their own educational needs sprang mainly from poverty and their lack of power to secure the regular attendance of 'scholars', two points that Ullathorne had emphasised thirteen years earlier in his *Notes*.

...Many thousands of poor Catholic children are to be found without education in our great cities, it is submitted that to compel these children to enter into Board schools, in which, contrary to the principles of the Catholic religion, secular and religious instruction will not go hand in hand, would be to institute a religious grievance, both contrary to the principles professed by all parties at this time, and without any parallel in countries of mixed religions. *Nor will any Conscience Clause succeed in touching the real evil* [my italics]...Would it not be just and fair that such a body of Catholic children should be provided with schools under such management and conditions as are not repugnant to their convictions? For the Bill, as it now stands, would make England an exception to the whole civilized world; since there is not any instance on the continent of Europe, or in America, *in which Primary Education is at the same time compulsory and undenominational.* [My italics]²⁹

The Conscience Clause was dismissed as being nothing but a cosmetic measure to soften the opposition towards a universal and mixed education. The very principle of compulsion was utterly unacceptable to Catholics.

...Wherever a Board District is created, the rights of minorities should be respected... and that whenever the Privy Council shall decide that there are

²⁹ *The Tablet*, 7 May 1870. Diocesan News. Catholic Poor School Committee.

children of any one denomination in such district sufficient to fill a school, managers of such denomination shall be appointed to carry it on, to whom the Board shall allow such funds as they would allow to the same number of children in other Board Schools. Such a provision, which is only in accordance with the principles of justice and the rights of conscience...would enable Catholics cordially to support the Bill, and cooperate in carrying out its provisions.³⁰

Sister Joan Bland's observation that 'Archbishop Manning and his associates in the hierarchy seem to have viewed the situation with rather less alarm than the lay leadership expressed'³¹ is supported largely by the general tone of the debate in *The Tablet* but contradicts Selby's assertion that Ullathorne's opinion was shared by his brother bishops.³² The debate in *The Tablet* shows that Ullathorne's uncompromising attitude found support among parts of the laity.

As a State, indeed, we are not Christians, and still less are we denominational; thus it is clear that the only fair principle on which State aid can be granted to schools is the entire and absolute exclusion of any religious teaching whatever: let fathers and mothers teach their children any creed they please, unaided, at home; but if they require the aid of the public purse for secular education, let them accept it as secular, that is to say, pure and undefiled from any admixture of religion.³³

In June 1870, the Duke of Norfolk launched the Catholic Education Crisis Fund Committee at Norfolk House. From its launch and until the end of 1873, the Crisis Fund had built or enlarged 257 Catholic schools, providing accommodation for 56,456 more children at a cost of £259,179. Sister Joan Bland calls this 'perhaps the

³⁰ *The Tablet*, 7 May 1870. Diocesan news. Catholic Poor School Committee.

³¹ Sister Joan Bland, 'The impact of Government on English Education, 1870-1902' pp. 36-55, in *Catholic Historical Review*, p 37.

³² Selby, p. 203.

³³ *The Tablet*, 18 June 1870. The Educational Conflict.

most significant impact of the Education Act of 1870 on English Catholic education'.³⁴

In his Pastoral Letter to the Diocese of Birmingham in 1870, Ullathorne took the opportunity to express his gratitude to Lord Howard and the Duke of Norfolk. He was 'deeply appreciating, and warmly acknowledging the untiring labours, and the generosity in this cause, of Lord Howard,...and by no means less grateful to the Duke of Norfolk'.³⁵ However, this was only the beginning of an effort 'which has yet to move the whole Catholic body of England'.³⁶ Ullathorne declared that 'we are most anxious that this diocese should respond to their invitation in a like spirit of self-sacrifice and open-hearted charity'.³⁷ The Bishop told his diocese that Catholics had to make the choice

whether we will establish and support sufficient schools and teaching of our own for our own Catholic children, or whether, through our neglect, we are to leave our children under the compulsion of having to attend schools in which they will either learn no religion, or a teaching that is in opposition to the Catholic religion.³⁸

During 1871 the Diocese of Birmingham was given £2,000 by the Crisis Fund.³⁹

5.3 The Catholic Meeting in Birmingham's Town Hall, 15th November 1869

In November 1869 Ullathorne called together a meeting in Birmingham in order to 'proclaim that this secular system of education is one in which we can have no

³⁴ Sister J. Bland, p. 40.

³⁵ Birmingham Dioc. Archives. W. B. Ullathorne, *A Pastoral Letter to the faithful of the Diocese of Birmingham*, October 1870, p. 6.

³⁶ *Ibid.*

³⁷ *Ibid.*

³⁸ *Ibid.*, p. 4.

³⁹ Birmingham Dioc. Archives, Diocesan Papers B.4913. The Catholic Education Crisis Fund

part⁴⁰, and especially to voice his concern about the suggested school boards. At the same time the meeting served as a response to the outcome of the National Education League's meeting held in the same Town Hall earlier in 1869.⁴¹ According to Ullathorne, the League was determined that 'it must be the whole scheme, and nothing but the scheme, it must go as unquestioned by its votaries as any religious creed by its believers'.⁴²

In Ullathorne's view there were four main principles in the scheme that the Education League had proposed. The first principle was compulsory education: 'every man of the working men shall be compelled by law to send his children to school between certain ages'.⁴³ Secondly, religion shall not be taught in these schools with fines and punishment keeping up the principle of compulsion. Thirdly, the schools are to be built and supported by a rate, like the poor-rate, and supplemented by government grants. Fourthly, the schools will be overseen by a board, whose members have been elected by a majority of rate-payers.⁴⁴

In Ullathorne's estimation, Catholics were the foremost victims of the League's politics because they were obliged to pay rates towards schools which their conscience would not allow them to send their children to. As an authorisation of his arguments, the Bishop quoted the Royal Commission's report that had advised

Committee to the Diocese of Birmingham, 21 March 1871.

⁴⁰ Birmingham Dioc. Archives B. 4778. *Catholic Education. The Address Delivered at the Catholic Meeting, in the Town Hall, Birmingham, November 15th, 1869 by the Right Rev. Bishop Ullathorne.* (M. Maher and Son: Birmingham, 1869), p. 12.

⁴¹ The chronological order has been broken here, as a full appreciation of Ullathorne's speech at the meeting presupposes knowledge of the contents of the 1870 Education Act as described in Chapter IV.

⁴² *Catholic Education*, p. 3.

⁴³ *Ibid.*, p.2.

⁴⁴ *Ibid.*, pp. 2-3.

against *ad hoc* school boards, against an undenominational system of education and against compulsion.⁴⁵

The system to which I so strongly object is called an universal system, but it is only universal in its comprehension through its leaving out the chief aims and ends of education...For education does not consist merely in acquiring the knowledge and the use of letters and figures. These are only the instruments of education, every thing depends on giving the right motives and habits as to the use *of* these letters and figures.⁴⁶

And in a tone highly reminiscent of that which he employed in his two pamphlets, the Bishop stated that

in the system proposed, the soul, which is the chief part of man, is to be left in the school an uncultivated waste...It prescribes the rights of man, but it discards the right of God; and when the rights of God over man are discarded, the rights of man have but poor and feeble powers of enforcement left them.⁴⁷

Ullathorne argued anew that it was the responsibility of the schools to provide religious instruction, as

to expect, after training children on a compulsory system for six full days of the week, on a system devoid of religion, and then expect that an hour of voluntary attendance and teaching of the seventh day is to repair the blank of the week, is to take a very strange estimate of what a child is, and of what

⁴⁵ The Report of the Royal Commission, also known as the Schools Inquiry Commission. [The Taunton report, after its chairman Baron Henry Taunton]. The Report was published in 1868. The Commission was set up as a direct result of the two previous Royal Commissions [the Newcastle and Clarendon reports] into public schools and elementary education. The Clarendon Commission had revealed the unsatisfactory state of the endowments and charters of the public schools, and there was every reason to expect that those of the endowed schools were no better. The spread of elementary education as described by the Newcastle Commission emphasised the need for an enquiry into secondary education.

⁴⁶ *Catholic Education*, pp. 6-7.

⁴⁷ *Ibid.*, p. 7.

a child can be made to be. Habits is everything with the child, as with the man.⁴⁸

Ullathorne was concerned that a Protestant version of the Bible, without note or comment, would find its way into the schools if the local school board endorsed such a step, and he insisted that

we Catholics must stand aloof as *scandalized*⁴⁹ [my italics] spectators of the conflict ...How can those sacred books be read without being explained? And how can they be explained without either a religious or an anti-religious bias in the teacher? But whether the Bible is or is not read, I maintain that this secular, undenominational, unsectarian scheme of education is the most sectarian scheme that could possibly be devised.⁵⁰

In making this point Ullathorne pre-empted the later debate that followed concerning the Board schools and the use of different versions of the Bible.

Ullathorne explained that he did not object to Protestants or others having their own schools. He objected to Catholics having to pay tax and special rates to support such schools while the Catholic schools would not be eligible for any help from those same rates. 'And still more do we object to be compelled, whether by moral compulsion or by legal compulsion, to attend those schools'.⁵¹

The bishop pleaded that the denominational system should be given

that fair trail which it has not yet had. Support it liberally, and in a free and elastic spirit. Give secular schools, if they will have them, to those who are of the secular sect.⁵²

⁴⁸ *Catholic Emancipation*, p. 8.

⁴⁹ It is likely that Ullathorne is employing Paul's use of *σκανδαλιζειν* in this context; i.e. meaning to cause to stumble, give offence or scandal to anyone (1.Kor. 1,23; Gal. 5,11; Rom. 9,33)

⁵⁰ *Catholic Education*, p. 9.

⁵¹ *Ibid.*

⁵² *Ibid.*, p. 12.

5.3.1 *The Times*' Reaction to Ullathorne's Address at the Catholic Meeting

The Times reviewed Ullathorne's speech on the 18th November 1869:

the speech of Bishop Ullathorne at Birmingham on the scheme of the National Education League is in many ways worthy of being regarded as a model discourse from a Catholic Prelate...It is able, it is plausible, it is suave even when stubborn in its opposition to the proposals against which it is levelled...and yet we cannot help feeling that it is affected throughout with some incurable vice. With all its apparent candour it lacks manliness. The Bishop does not take the trouble to state with perfect exactness the plan of his antagonists.⁵³

The paper claimed that Ullathorne had misrepresented the League by implying that it would prohibit the existence of places of education which it did not itself patronise. Rather, *The Times* explained, the League wanted to provide children who, be it Anglican or Catholic children, were not reached by any organisation with an opportunity for schooling. 'The means are to be supplementary to the existing means, and, as they are denominational, these must be undenominational'.⁵⁴

The Times thought that Ullathorne's first objections to the League's programme, namely compulsory school-attendance executed through fines and imprisonment, were passed over very hastily and with an 'inexactness of statement which vitiates the whole of his argument'.⁵⁵ Furthermore, *The Times* did not share Ullathorne's fear that the liberty of choice would be infringed, and found his remarks wide of the mark.⁵⁶

⁵³ *The Times*, 18 November 1869.

⁵⁴ *Ibid.*

⁵⁵ *Ibid.*

⁵⁶ It is not clear if *The Times* thought that Ullathorne's comments in general were of the mark or the paper merely alluded to his remarks on the infringement of freedom. Judging by the general tone of its review, however, the paper thought the former was the case.

The paper continued: 'take, for example, his essential position, that education without religion is necessarily imperfect. *We assent to this unreservedly, and we know of none who would reject it*'. [My italics] *The Times* was not correct in making this categorical statement. George Dixon had actually declared that the League meant instruction to be 'purely secular. Disguise as you may, to that complexion you must come at last'.⁵⁷

The Times concluded its review of Ullathorne's address by declaring that 'the positive part of Bishop Ullathorne's address fails as completely as his criticism of his opponents'.⁵⁸

⁵⁷ Adamson, p. 350.

⁵⁸ *The Times*, 18 November 1869.

CHAPTER VI

The School Boards and Religious Controversy

6.1 The School Boards in Operation

The school boards not only sparked off controversy before the 1870 Act was actually put into action, but they continued to remain a cause of immense hostility between Church and government in the thirty-two years that they were in existence. The boards were abolished by legislation in 1902, when the Balfour Act replaced the 1870 Act. 'The elections of members to the school boards and the operation of these boards provided one of the battlegrounds for Nonconformists as they attempted to transform the political and social framework of the nation in hopes of obtaining their concept of complete religious equality'.¹

In 1872 the National Education League suggested that school boards should be made compulsory in all districts. The League wanted all existing denominational schools to be brought under the authority of the school boards for secular instruction, with any religious instruction being provided outside school hours at their own expense. At a meeting of the Central Nonconformist Committee, over which Joseph Chamberlain

¹ N. J. Richards, 'Religious Controversy and the School Boards 1870-1902' pp. 180-196, in

presided, the Committee announced that its future aims were to secure the amendment of those provisions of the Act that 'violated the principles of religious liberty, to ensure the refusal of State grants to new denominational schools, and to bring about the gradual withdrawal of such grants from schools under sectarian management'.²

One of the subjects of greatest controversy arose out of section VII of the Act (the section declaring that all religious instruction should take place at either the very beginning or at the very end of lessons at school). Section VII applied to any State-aided school and presupposed that all forms of religious instruction could be confined to a set time or times within the course of a school day. The Catholic schools were especially vulnerable to these restrictions because 'of "the Catholic atmosphere" that not only permeated the whole of life and organisation of a Catholic school but was the very raison d'être of its existence'³ In 1872 Manning was persuaded by Forster, who was very careful not to antagonise the Archbishop since he was 'a proved friend of the administration'⁴, to withdraw readers that contained doctrinal or unfavourable reference to the Reformation. It was especially Burn's Standard Reading Books I to V, that the Rev. W. H. Rule, of the Management Committee of the Protestant Alliance, found to be in contradiction to the Act, as it 'not incidentally, but most expressly, and fully...dwell upon the doctrines, orders, sacraments, ceremonies, customs, and superstitions of the Papal Church'.⁵ McClelland notes that it was doubtful whether the use of the text book's historical material actually 'constituted a breach of the conditions under which the

the *British Journal of Educational Studies*, vol. xviii, 1970, p.180.

² Adamson, p. 239.

³ McClelland, 'Sensus Fidelium', p. 76.

⁴ McClelland, 'The Protestant Alliance and Roman Catholic Schools, 1872-74', in *Victorian Studies*, vol. 8, December 1964, pp. 173-182.

⁵ Quoted, *ibid.*, p. 175.

Parliamentary Grant was allotted to the Voluntary schools'.⁶ It was not a coincidence that history books caused such a furore between Catholics and their Protestant counterparts. Ullathorne made repeated references to history as the chief study in Catholic schools because it was a subject that conveyed ideas, principles and facts to the children. 'These ideas and principles are intimately connected with religion and morals; whilst at the same time we know of no one study which embraces and throws a light on so many other subjects'.⁷ At their Low Week Meeting in April 1873 the hierarchy decided unanimously 'to substitute new books for use during the four hours of secular instruction'⁸.

The subject of greatest controversy, however, was Section XXV of the Education Act. When a school board was established, the religious affiliation of the majority of members on the board would often determine the interpretation of Section XXV of the Act. This authorised the board to use the rates to finance a child of destitute parents either at a denominational school or at a Board school. Nonconformists viewed Section XXV as a way for a denominational school to obtain local rate aid, although the intention of the framers of the Education Act was that rates would support Board schools, and Parliamentary grants would aid denominational schools. The conflict was a question of principle, as the clause was only in operation for six years, and the total payment only came to £18,000.⁹ In 1876, the responsibility for aiding the children of poor parents was transferred from the school boards to the Poor Law Guardians.

⁶ McClelland, 'The Protestant Alliance', p. 177.

⁷ *Notes*, p. 42.

⁸ Quoted, McClelland, 'The Protestant Alliance', p. 180.

⁹ Cruickshank, p. 42.

During the six years Section XXV was in operation, it created political turmoil. In many towns it was a symbol of the difference between those who advocated the continuation of denominational schools and those who advocated non-sectarian, if not secular schools. In Birmingham, for instance, the Conservative majority on the school board introduced more extensive religious teaching in Board schools than the mere reading of the Bible without comment. They even considered instituting a system of inspection for this kind of religious teaching which alarmed members of the Central Nonconformist Committee, whose headquarters were located in Birmingham. Members of the Committee feared that inspection would endanger religious equality and result in the teaching of a dogmatic creed in the Board schools.¹⁰

There was, therefore, friction and antagonism over the question of how much religious education, if any, should be included in the schools established by the school boards. By leaving this decision to the local boards, it was possible to pass the Education Act in 1870 without including a national policy on this question, except the Cowper-Temple Clause to prohibit the teaching of a particular dogma. But many of the new rural boards established at the creation of the school board system were only the result of a direct order from the Education Department, and not from popular demand. Nonconformists agreed, however, that even these rural Board schools were preferable to Anglican schools.

6.2 The Exchange of Views on School Boards between Ullathorne & Manning

The controversy that the school boards caused is epitomised by an exchange of letters between Ullathorne and Manning in the years between 1870 and 1876. Their

¹⁰ Richards, p. 191.

correspondence not only illustrates two very different conceptions of the Act itself, but also shows irreconcilable ideas of how Catholics should respond to the Act. Ullathorne and Manning discussed whether Catholics should join the school boards in an attempt to gain influence, or whether they should avoid them in a gesture of defence of the denominational principle.¹¹

Manning chose to co-operate with the school boards, as he explained to Ullathorne that

it seems to me that our best course is to co-operate to the utmost of our power, and thereby to obtain a share in the treatment of questions which may affect us. If they should offer to include our clergy in any Boards, I think we ought to accept it. We can but retire, if in conscience bound.¹²

Ullathorne did not agree with his Archbishop as he could not 'understand the policy of beginning by joining the education boards'.¹³ He told Manning that members of the Poor School Committee had expressed perplexity over this suggestion. 'It seems to me that by such a step we give up the contest for denominational schools'.¹⁴

But Manning defended his policy of co-operation as he feared that

the Boards may destroy our lesser schools by reporting them to be insufficient or inefficient. The effect of this in London would be to destroy one half of our schools. By opening negotiations with the Boards, as I have done with the Privy Council, I hope to save these. By standing aloof from the Boards we should be exposed to the danger of their hostility.¹⁵

¹¹ Unfortunately it has not been possible to gain access to this correspondence between Ullathorne and Manning previously kept at Bayswater; the following extracts are therefore quoted from McClelland's *Cardinal Manning*, pp. 70-1.

¹² Quoted, McClelland, *Cardinal Manning*. Manning to Ullathorne, 17 September 1870, p. 70.

¹³ *Ibid.*, Ullathorne to Manning, 7 October 1870, pp. 70-1.

¹⁴ *Ibid.*, p. 71.

¹⁵ *Ibid.*, Manning to Ullathorne, 7 October 1870, p. 71.

Manning and Ullathorne pursued the same aim, namely to preserve and protect denominational schools, but they differed in how this was to be achieved. Ullathorne was standing on a principle concerned solely with the interests of Catholics. Manning, with his Anglican background, was both more pragmatic, and perhaps implicitly, looking at a larger picture.

6.2.1 Manning's Circular, 22nd February 1871

In 1871 Manning sent out a circular to his bishops in which he asked them to decide what course Catholic members of the school boards should adopt. The bishops agreed on the following two resolutions: 'The Bishops are unanimous in deciding that no Catholic member of the School Boards can vote for any Schools having religious instruction other than Catholic' and 'some of the Bishops are apprehensive lest, in voting for Schools from which religion is excluded, we should seem to countenance the Secular System'¹⁶. From these conclusions it followed 'that the Catholic members of the school boards ought to vote *against* schools having religious instruction other than a Catholic'.¹⁷ Whether Catholic members of the boards could vote for purely secular schools was not answered by the bishops, and on Ullathorne's private copy of the Archbishop's Circular, he jotted down that same question.¹⁸ It was to be answered at the Low Week Meeting later that year.

¹⁶ Birmingham Dioc. Archives, Diocesan Papers B. 4905. Circular from Manning to the bishops, 22 February 1871.

¹⁷ *Ibid.*

¹⁸ *Ibid.*

6.2.2 The Low Week Meeting of the Hierarchy, April 1871

At the Low Week Meeting in April 1871, a majority of the bishops decided that Catholic members of school boards could vote in favour of secular education:

eight Bishops considered that members could so vote in the last resort, in order to prevent positive heretical teaching in the schools; especially if in such schools the Secular Education was confined to primary Secular Education: the other Bishops thought it advisable for members to abstain from voting at all.¹⁹

Unfortunately the accounts of the Low Week Meeting do not reveal the identity of the bishops who authorised school board members to vote for a secular education that was confined to primary education; nor do the accounts disclose which bishops thought it best for school board members to abstain from voting. A 1876 letter from Ullathorne to Manning about the natural position of a Catholic on the school boards sheds some light on how he is likely to have voted at the meeting. Ullathorne thought it would be

almost a protest throughout; otherwise he [member of a school board] is constantly giving direct cooperation by his vote to undenominational or even irreligious education. But how can a member of the Board stand thus in a negative position? He must in many cases vote on what he thinks the better of sides even though the preferable side is still in cooperation with secular education.²⁰

The last sentence suggests that Ullathorne five years earlier had been among the eight bishops who were in favour of the school board members voting so as to prevent a positive heretical teaching rather than to abstain from voting.²¹

¹⁹ Westminster Dioc. Archives, ACTA. Meeting of the Bishops in Low Week, 9 April 1869.

²⁰ St. Dominic's Convent, Stone, G/ULL/VI/16. Ullathorne to Cardinal Manning, 29 September 1876.

²¹ It is important to note that it is only suggested that Ullathorne was among the "eight bishops" at the meeting in April 1871, and not stated as an unequivocal fact.

6.3 *Ullathorne's changing Positions on Catholics on School Boards, 1870-76*

Edward Norman claims that Ullathorne was initially in favour of Catholics sitting on the school boards, accepting the best he could find in a system he intensely distrusted. By 1876, however, he had changed his mind, and from then on he argued for Catholic withdrawal from the boards because he thought that they were fundamentally un-Catholic.²² Norman is correct in pronouncing 1876 as the year in which Ullathorne's understanding of whether or not Catholics should join the boards changed, but to say that he originally approved of a Catholic association with the boards, is an oversimplification on Norman's part that is not supported by the sources relating to the matter.

Norman is mistaken when he argues that Ullathorne was originally in favour of the boards. In Ullathorne's *Notes* and not least in the speech he gave at the Catholic Meeting in Birmingham in 1869, he was adamant in his critique of the establishment of school boards, as he saw them as the very embodiment of the dual system. Norman quotes the following to support his claim that Ullathorne was originally in favour of Catholics joining the boards:

that the withdrawal of Catholics from the School Boards would diminish the check, which at this time hinders a more rapid and dangerous development of the system.²³

Norman commits a *faux pas*, as the memorandum he quotes is questionable on two accounts: i) it is unclear when exactly it was written, but possibly it dates from 1876

²² Norman, *The English Catholic Church*, p.173.

²³ St. Dominic's Convent, Stone, G/ULL/VI/17. Memorandum concerning position of Catholics in relation to school boards, anon.? by Ullathorne, ms. copy, n. d (?1876).

and ii) it is not certain, if it can undoubtedly be ascribed to Ullathorne. Norman substantiates his claim that Ullathorne was originally in favour of the boards in 1870 by quoting a memorandum, possibly written in 1876 that does not verify his claim that Ullathorne was originally in favour of Catholics sitting on the boards.

Rather than subscribing to Norman's view of there being an original and a later position in Ullathorne's attitude towards the boards, it would be more accurate to speak of three stages. Initially, Ullathorne was clearly against the establishment of the boards. Then followed a period where he reluctantly accepted Catholics joining the boards in order to obtain some degree of influence.²⁴ The position that Norman refers to as being Ullathorne's original one was actually the opinion he held sometime between 1870 and 1876, and so the second stage in Ullathorne's understanding. Finally, Ullathorne returned to his original position and fought for a total Catholic withdrawal from the boards, a stance he maintained for the remaining part of his life. In 1876 Ullathorne explained to Manning why for a short period, he had supported Catholics sitting on the school boards:

when I agreed to place Catholics on the School Boards I was not without mental misgivings as to the policy of this step, but as my mind was not then as clear as it is now after the experiment has been made, I concurred in the common conclusion. But with progress of time and observation I have been more and more led forcibly to the conclusion that *we are in an unsatisfactory position by reason of this policy; and it appears to me that we ought to have the light of the Holy See upon it.*²⁵ [My italics]

²⁴ This is a pragmatic attitude that is highly uncharacteristic of Ullathorne but it does, however, correspond with his letter to Manning in September 1876 (quoted on p. 134 and again on this page).

²⁵ St. Dominic's Convent, Stone, G/ULL/VI/16. Ullathorne to Cardinal Manning, 29 September 1876.

In the same letter Ullathorne gave the following reasons for his withdrawal of support to Catholics being on the boards:

the School Boards are in their nature *uncatholic*. Their constitution, object and aim is to establish and maintain schools and propagate a system of education in antagonism with Catholic education, and with all definite religious education. [My italics]

The question then arises, whether we do not give them our countenance and cooperation by authorising the election of Catholics, and even of priests, to be members of those Boards? It is in the spirit and tendency of the School Boards to endeavour to get the denominational schools placed under their activity, and we know that a number of Anglican clergymen have actually placed their schools under them.

The question then, arises, whether our participation in those Boards is not an encouragement to them and to the public to think that our objection is not so much to the principle of Boards as it is one of expediency.²⁶

Ullathorne's opposition to the school boards was, as the last sentence in the quotation shows, born out of principle. In 1856, he wrote to Thomas Grant that 'if you yield a point you are considered as yielding the principle involved in that point', a maxim he still subscribed to twenty years later.²⁷ Ullathorne was at great pains to defend what he considered to be an unbreakable Catholic principle. The Bishop expanded on his wish to stand aloof from the school boards to Manning:

the thought has perpetually grown upon me that we should hold a far stronger position in face of these Boards and of the whole system, if we had nothing whatsoever to do with them. *We should thus exhibit our antagonism to the system and so express by our passiveness the true sense of the Church. We should not appear to concur in them, we should not cooperate*

²⁶ St. Dominic's Convent, Stone, G/ULL/VI/16. Ullathorne to Cardinal Manning, 29. September 1876.

²⁷ Dioc. Archives of Southwark, Section C, Box 2. Ullathorne to Bishop Grant, 8 October 1856.

with them, we should not be compromised in them. We should be stronger before them by isolation from them. [My italics]

I commend the whole subject to your Eminence's grand consideration; and especially the question whether we ought to seek the light of the Holy See upon a question which appears to me to be among the *causae majores*.²⁸

Ullathorne and Manning continued their correspondence on the question. In Ullathorne's view there were two matters that demanded the attention of the Holy See. Firstly, Rome would have to decide whether Catholics should sit on the boards or not. In order to make this decision 'a careful statement would have to be drawn up on the nature of these Boards from the Acts of Parliament'.²⁹ Secondly, if the Holy See were to decide that the principle of Catholics on the boards was sound then 'some rules of guidance are urgently needed for the Catholic members'.³⁰

Ullathorne regarded the matter of school boards as a "causa majora" and therefore he thought it necessary to consult Rome. His insistence on obtaining the Holy See's view was in many ways similar to his position during the internal Catholic debate on tertiary education in the previous decade where he also insisted on seeking Rome's advice. It is clear from his assurance to Manning that Ullathorne was willing to bow to Rome's decision, even if it was to go against his own conviction.

Ullathorne continued to expound his view that Catholics should have as little to do with the school boards as possible. In a correspondence in 1880 between Ullathorne and the second Mother Provincial of the Congregation at Stone, Mother Imelda Poole, concerning voting for the school board, Ullathorne told the Prioress:

²⁸ St. Dominic's Convent, Stone, G/ULL/VI/16. Ullathorne to Cardinal Manning, 29 September 1876.

²⁹ Dioc. Archives of Southwark. Ullathorne to Manning, 10 October 1876.

³⁰ *Ibid.*

...I permitted the former prioress to vote once for the School Board as it was presented that one vote would be decisive but on the understanding that it was not to be a precedent. I am sure the Holy See would not approve of nuns doing this as a rule. I think, therefore, you had better avoid doing so, or it will be considered a matter of course that the Prioress should vote.³¹

Mother Imelda Poole died unexpectedly in October 1881, and Ullathorne continued the correspondence with her successor, and in March 1883 he told the Prioress that he thought the fate of the education question was in progress.

The Anglican Education Society has taken it up, our union is to do the same, and several members of Parliament are prepared to advocate it. I feel it will be slow work, but the Ministry will do all they can to shelve it.³²

McClelland, Butler and Selby reach the same conclusion in comparing Ullathorne's and Manning's attitudes. Butler writes about Manning's attitude: 'No doubt this policy was the more farseeing, and indeed, the only practical one, the chance of separate treatment having been lost'.³³ McClelland follows up this conclusion, stating that 'in the long run perhaps Manning's view was the more statesmanlike. To have held aloof from the scheme and refused all intercourse with the Boards would have led to competition on a vicious scale with the Board schools. The Roman Catholic schools would have been bound to lose in such a struggle because the Board Schools were backed by public money and could easily outstrip competition'.³⁴ Selby's conclusion corresponds to that of Butler and McClelland. He

³¹ St. Dominic's Convent, Stone, G/ULL/III/152. Ullathorne to Prioress of Stone, concerning voting for the School Board, Oscott, 9 March 1880.

³² St. Dominic's Convent, Stone, G/ULL/III/163. Ullathorne to Prioress of Stone, concerning the "Education Question", Oscott, 26 March 1883.

³³ Butler, vol. II, p. 147.

³⁴ McClelland, *Cardinal Manning*, p. 147

sees Manning's willingness to compromise as having been a tactically sound decision, as denominational inspection was unlikely to have survived an educational reform.³⁵

All three correctly conclude that it would have been economically and practically unwise for Catholics not to join the school boards. But by emphasising these aspects of the question in assessing Ullathorne's admittedly stern hostility towards the school boards, they tend to overlook that for him it was always a matter of principle. To co-operate with the school boards was to Ullathorne the equivalent of giving up the fight to maintain denominational education, and to him that was the same as giving up being a Catholic. He was not consistent in his uncompromising attitudes, as he was willing to accept Catholics joining the school boards if clear rules for them in doing so were drawn up, and if the Holy See were to give its blessing. Then one principle was cast aside in favour of another, namely adherence to the authority of Rome. Obedience to the Holy See was one of the most marked features of Ullathorne's theology, and to misrepresent or misinterpret this element in his understanding of true Catholicism, is to fail to appreciate the very core of his thinking.

³⁵ Selby, pp. 203-4.

CHAPTER VII

Manning, Ullathorne's Greatest Adversary in Educational Matters?

7.1 Manning's "Act of Surrender"

This study would not be complete without touching upon the motives underlying what E. S. Purcell termed Manning's 'Act of Surrender'¹, namely his decision to actively support the 1870 Education Act. McClelland has convincingly argued that Manning was not as oblivious to the threat the Act posed to denominational education as Purcell's words declared. He did defend the denominational system and besieged Gladstone, his old friend from their Oxford undergraduate days, with letters from Rome during the Vatican Council, pleading the Catholic case against Forster's proposals. In May 1870 he wrote to Gladstone that

the integrity of our Schools as to (I) Doctrine, (II) Religious management, and the responsibility of the Bishops in these respects cannot be touched without opening a multitude of contentions and vexations.²

¹ E. S. Purcell, *Life of Cardinal Manning, Archbishop of Westminster* 2 vols. (Macmillan, 1896) vol. II, p. 494.

² Quoted, McClelland, *Cardinal Manning*, p. 66.

McClelland believes that Manning, unlike most of his Catholic brethren, was not opposed to the entry of the State into the field of education.³ He was aware that 'putting away all ecclesiastical questions, it cannot be denied that the State is justified in providing for the education of its people. It has a right to protect itself from the dangers arising from ignorance and vice, which breed crime and turbulence'.⁴

McClelland is less convincing when he contends that the Archbishop had always advocated the dual system.⁵ Rather than promoting the dual system, Manning hoped to prevent the secular principle from forcing its way into elementary education by extending and improving the already existing denominational system through increased government grants. He hoped that an increase in State assistance would act as an incentive to the voluntarist effort. 'With the publication of Forster's Bill, however, he came to accept the inevitability of State entry and, realising that financial considerations precluded any real alternative other than acceptance of the dual system, endeavoured to safeguard the Catholic schools against any interference with their religious teaching and management'.⁶ In July 1870, after Manning had read the amendments that had been made to the Bill, he informed Gladstone that 'the Education Bill is decidedly improved. I still believe that the doctrinaire faction prevailed beyond its power and merits over the real desire of the country'.⁷

There is a distinct difference in the tone of Manning's pre-1870 attitude to the Education Act and his agitation in the 1880s to have the Act amended. After the Act had

³ McClelland, *Cardinal Manning*, p. 62.

⁴ H. E. Manning, *Is the Education Act of 1870 a just Law?* in *The Nineteenth Century*, Dec. 1882, p. 4.

⁵ McClelland, *Cardinal Manning*, p. 70.

⁶ Selby, p. 198.

⁷ Quoted, McClelland, *Cardinal Manning*, p. 70.

been put into action, he developed strong reservations about the way in which the Act worked. It has been an underlying premise throughout this work that Ullathorne and Manning were stern adversaries in determining to what extent Catholics should compromise their principles in order to gain financial support from the State towards educating their children. That premise will not be abandoned. Nevertheless, it is the contention of this chapter that Manning's later reservations regarding the Act showed a remarkable similarity to the critique persistently uttered by Ullathorne. In order to compare Manning's and Ullathorne's reactions to the working of the Act, a brief outline of the general implementation of the Act throughout the 1870s and 1880s will now be given.

7.2 The General Implementation of the 1870 Act

7.2.1 The Conflict throughout the 1870s

When Forster was blamed for having failed to bring forward a measure likely to endure at least twenty years, he replied that he would be content even if modifications became necessary within two or three years.⁸ The Birmingham Education League, the Manchester Union and the Central Nonconformist Committee continued to hold meetings, circulate letters and write petitions to Parliament after the Act had been put into action. It was felt among these organisations that since the State had failed to achieve a satisfactory compromise, the final outcome of the Act would depend largely on its interpretation and working.

In March 1872, George Dixon moved a resolution on behalf of the National

⁸ Hansard, vol. CCIII, p. 759.

Education League in the House of Commons stating that the 1870 Act was unsatisfactory 'and its working defective and in consequence provoked religious discord throughout the country and violated the rights of conscience'.⁹ The League wanted to make the establishment of school boards compulsory in all districts, and the secular instruction of existing denominational schools should then fall under the jurisdiction of these boards. Any religious instruction should be provided outside school hours at the Denominationalists' own initiative and expense. The Central Nonconformist Committee announced that 'its aims, *inter alia* would be to secure the amendment of those provisions of the Act which violated the principles of religious liberty'.¹⁰ The Committee also pledged itself to ensure the refusal of State grants to new denominational schools, and to make sure eventually that such grants were completely withdrawn from already existing denominational schools.

The Denominationalist Union sought to limit the number of Board schools as these schools 'were unsatisfactory on religious grounds and likely to become unfair rivals'.¹¹ Although great amounts of donated money were spent on building new schools and maintaining and improving old schools, it was clear that it was a lost battle. Denominational instruction, not to say religious education as such would ultimately be extinct in public elementary schools as the contest with the Board schools was simply too uneven.

At the General Election in 1874 Gladstone's Liberal government was succeeded by Disraeli's Conservative Ministry. Many Nonconformists and Radicals felt betrayed

⁹ Adamson, pp. 361-2.

¹⁰ Murphy, *Church, State and Schools*, p. 65.

¹¹ *Ibid.*, p. 66.

by Gladstone's government, and more than half of the 425 Liberal candidates were pledged to vote for the repeal of the controversial Clause XXV (which empowered school boards to pay the fees of indigent children attending denominational schools from the rates). In 1880 the government transferred the powers formerly held by the school boards to the Poor Law Guardians. This provision worked in favour of the richer schools.

7.2.2 The Intensification of Conflict throughout the 1880s

By the middle of the 1880s the rivalry between Voluntary schools and Board schools had intensified notably. In 1884 the Voluntary Schools Association was founded in order to secure the reform of the 1870 Act, and to campaign for increased government grants.¹² The principle of giving a pound-for-a-pound that had previously been employed in the annual grant given to a certain school had been abandoned. Now it was not possible to give more than a total annual grant of seventeen shillings and six pence per student, unless the school had independent parallel income of the same amount, a condition that penalised poverty. Although, teachers or education boards could remit the fees of poor children attending Board schools, those parents who sent their children to denominational schools had to suffer the indignity of appearing before the workhouse authorities. In an area where a Board school already held sufficient accommodation for local children, no other school could receive a government grant. Consequently, Catholic children often had to travel long distances simply because the

¹² According to McClelland it was Manning who founded the Voluntary Schools Association, McClelland *Cardinal Manning*, p. 83 whereas both Ed. Norman and A. C. F. Beales write that it was Manning's successor, Bishop Vaughan of Salford. Norman, *The English Catholic Church*, p. 174. Beales, 'The Struggle for the Schools', p. 379.

local Board considered that another Catholic school was not needed. The final grievance was the rating of the Voluntary schools.¹³

Between 1880 and 1885 the proportion of the school population attending Board schools increased from a quarter to a third. The Voluntary schools had no hope of keeping pace with the Board schools. By 1885 the average expenditure from the rates for each board school child was around 19 shillings per annum, compared to the voluntary contributions for each child in denominational schools of 8 shillings.¹⁴ The wealthy boards could extend their curriculum by being able to afford to employ specialist teachers, school organisers and inspectors. The Voluntary schools were left behind as they could not afford to buy the high level of teaching power or equipment that the Board schools were capable of, and so they were at a standstill. 'The issue of free education was to bring things to a head'.¹⁵

In the General Election Campaign of 1885, Chamberlain declared himself to be in favour of free schools. His Autumn Manifesto declared that grants, in lieu of fees, were to be paid to Board schools, but no mention was made of corresponding grants to denominational schools. Catholic outrage reached its zenith at this point. Manning urged his fellow Catholics to put the following questions to their Parliamentary candidates:

- i) Will you do your utmost to place Voluntary schools on a equal footing with Board Schools? and ii) Will you do your utmost to obtain a Royal Commission to review the present state of education in England and Wales,

¹³ The local school boards could not themselves levy a rate, but they could require the local rating authority to do it. The rating authorities were many and diverse; in most boroughs these were the local councils and in most parishes the overseers of the poor.

¹⁴ Cruickshank, Appendix C, p. 190.

¹⁵ *Ibid.*, p. 56.

and especially the Act of 1870 and its administration by the School Boards?
Manning concluded, 'As they answer "Yes" or "No", let us decide'.¹⁶

These shrewdly worded challenges invoked an instant response. McClelland writes that they did not call for a re-opening of the 1870 Act as such, nor were they exclusively Catholic oriented but included all denominational schools in their queries.¹⁷ Within a few days the Home Secretary, Sir Richard Cross, announced that if his party were to be re-elected then it would consider appointing a Royal Commission that should enquire into the conditions of elementary education and consider if public grants to denominational schools should be increased.

7.2.3 The Cross Commission

After the Conservatives won the election in 1885, they appointed a Royal Commission under the chairmanship of Richard Cross 'to enquire into the working of the Elementary Education Acts, England and Wales'.¹⁸ The Commission had a large and diverse membership, with the Catholics represented first by Manning, and later by the Duke of Norfolk. When the Liberals came to power in February 1886 their enthusiasm for the Committee was minimal because of its strong denominational composition.

The Committee compared conditions and standards in Board schools to those of Voluntary schools, and not surprisingly they found that the larger Board schools were able to make better provision for their children and teachers than smaller Board schools or Voluntary schools. 'Spacious buildings, libraries, museums, school prizes and certificates, as well as larger and better qualified staffs appealed to parents and children;

¹⁶ Quoted, Cruickshank, p. 56. Cruickshank's source is *The Tablet*, 24 October 1885.

Quoted, McClelland, 'Sensus Fidelium', p. 79. McClelland quotes from *The Tablet*, 3 October 1885.

¹⁷ McClelland, 'Sensus Fidelium', p. 79.

¹⁸ Maclure, p. 128.

higher salaries and superannuation schemes attracted the cream of the teaching profession'.¹⁹

The Commission could not agree on issuing one common report, as the commissioners were divided into a majority and minority group on almost every issue. In the summer of 1888, the Committee issued a majority report, signed by fifteen of the twenty-three members, and a minority report that carried eight signatures. There was wide agreement on pure educational matters (the inspectorate, the teachers, training colleges etc.), but the members could not agree on the religious or financial issues. The majority urged the redressing of the outstanding grievances which had been hampering the Voluntary schools: the limitations of the government grant, the rating of the schools, appeal by indigent parents to the Guardians, and the right foremost of school boards to provide new accommodation. They emphasised that the voluntary system was not merely a part of the whole of national education but also a factor in its own right and so entitled to support on equal terms with the public system. Since the priority of the majority group was to secure the Voluntary schools' assistance that would be of some permanence, they were unassuming in their demands. They merely asked for local authorities to be empowered to provide rate aid in limited amounts calculated not to diminish voluntary effort. Cardinal Manning was among five members of the Commission who wrote notes of reservation. He thought that the report failed to go far enough in its support of the voluntary system and to make adequate provision for its future expansion. For the latter purpose he sought 'some new and larger statute for national education'.²⁰ Manning declared in the Final Report that:

¹⁹ Cruickshank, p. 57.

²⁰ Maclure, pp. 128-130.

the most sanguine friends of the voluntary system cannot believe that it will ever recover the whole population of England and Wales; neither can the most devoted advocates of the board school system believe that it can ever extinguish the voluntary system which...gives freedom to the inextinguishable denominations of our country.²¹

Maclure notes that the denominational tension which had caused the Commission to be set up in the first place, and which led to the two reports, was not in any way resolved in the years after their publication.

In 1895 a Bill was introduced to enable the newly established county and county boroughs to lend pecuniary help to Voluntary schools, and to control secondary education. Voluntary schools were to be relieved of paying rates, and a clause was inserted which would have permitted denominational instruction in Board schools contrary to the Cowper-Temple Clause. The Bill was not carried beyond its second reading, but in 1897 an Act was passed that aided Voluntary schools by removing the limit to the grants they could receive²²; excusing them from rates, and creating a special grant for needy schools. Eventually the Balfour Act in 1902 combined the need to help Voluntary schools with the need to create education authorities for secondary education.²³

²¹ Quoted, Murphy, *Church, State and Schools*, p. 71.

²² See page 144.

²³ Maclure, p. 130.

7.2.3.1 *The Hierarchy's Educational Campaign in the 1880s*

Edward Norman writes that the last two decades of the nineteenth century saw a growing Catholic campaign to secure satisfactory legislation to meet the claims of the Voluntary Schools Association. 'It impelled the Catholics increasingly into public life - following, anyway, Manning's own inclination to participate in public bodies for reforming and philanthropic objectives'.²⁴

In 1885, Manning and fourteen bishops published a series of Resolutions that condemned "mixed education", and reaffirmed their stance on the denominational principle.

While we heartily unite in the universal desire that all children shall be suitably educated we maintain that the State cannot, without violation of the natural and divine law, compel parents to educate their children in a system which is opposed to their conscience and religion; and we declare that the Catholics of this country cannot accept for themselves any system of Education which is divorced from their Religion.²⁵

In April 1888, before the Cross Commission reports had been published, the Catholic bishops gave detailed instructions to their clergy and teachers. Priests should run catechism classes in school hours, and the clergy should 'superintend and test the religious instruction given to Pupil-Teachers by Masters and Mistresses of the Schools'.²⁶ Teachers and pupils should go on annual retreats and attend mass on Sundays. Objects and pious pictures were to be placed in the classrooms.

²⁴ Norman, *The English Catholic Church*, p. 174.

²⁵ *Ibid.*

²⁶ *Ibid.*, p. 175.

7.3 Selected Writings. A Comparison between Ullathorne & Manning

As described in the first part of the chapter, Manning first began to speak out strongly against the working of the 1870 Act around 1880, when the Voluntary schools began to suffer excessively from the consequences of competition with the Board schools. His campaign to re-open the 1870 settlement culminated in the establishment of the Cross Commission in 1886.

In one of Manning's earlier contributions to the debate, *Is the Education Act of 1870 a Just Law?* from 1880, he declared that

to propose the repeal of the Education Act of 1870 would be like proposing the repeal of the Gregorian Calendar. We cannot go back twelve days behind the rest of the world...The Act of 1870 was necessary. The population had outgrown all existing means of education.²⁷

Manning resigned himself to amend the Act, because the principles of the Act were no longer questioned by public opinion, and he knew it would be futile to attempt to have it repealed. Rather, he suggested that 'our duty is to work upon it and to work onward from it for the future'.²⁸

Manning fully endorsed the State's right to levy taxes upon the people to finance education, but emphasised that 'an education rate raised from the whole people ought to be returned to the whole people in a form or in forms of education of which all may partake'.²⁹ The poor were paying for schools in which their children were not taught, 'and the tradesman's children are educated on the rate paid also by the poor'.³⁰ In

²⁷ Manning, *Is the Education Act of 1870 a just Law?* (Burns and Oates: London, 1880), p. 3.

²⁸ *Ibid.*, p. 4.

²⁹ *Ibid.*, p. 5.

³⁰ *Is the Education Act*, p. 7.

Manning's opinion it was difficult to find a more unequal and unjust condition in recent history than the 1870 Act's distinction between Board schools and Voluntary schools, as it punished the Church that had a long history of education and rewarded 'those who desire to exclude religion from the education of the English people'.³¹

In his Pastoral Letter from Advent 1882, Ullathorne spoke of the same 'crying injustice' as Manning:

...religious education is most unfairly weighted as against the Board Schools, and this has entirely arisen from giving to the Board Schools the exclusive appropriation of the taxes raised for educational purposes. Hence the Catholics, the poorest of the population as a body, as well as the other denominations, are excluded from all benefit of the educational tax to which they are compelled to contribute their proportion, and have to support their own Schools, as well as the Board Schools in which they have no interests.³²

Manning suggested that a school rate or tax should be levied over the whole population as a part of the general taxation of the country. All schools, with or without religious teaching, should be able to benefit from this rate.³³ In other words, he asked for compulsory rate aid to denominational schools.

Ullathorne thought that the only way to secure an equitable and fair proportion of the funding was to establish an independent Board or Commission as a link between the managers of all approved schools, whether Board schools or denominational schools.³⁴ Ullathorne and Manning agreed that Catholics should not have to pay for schools to which they could not in conscience send their children.

³¹ *Is the Education Act*, p. 10.

³² Birmingham Dioc. Archives. Ullathorne, *A Pastoral Letter to the Faithful of the Diocese of Birmingham*, Advent 1882, p. 7.

³³ *Is the Education Act*, pp. 13-14.

³⁴ Ullathorne, *A Pastoral Letter*, 1882, p. 7.

A further inequality in the 1870 settlement, according to Manning, was the power of the school board to place a school anywhere. Solely the judgement of the Committee of Council was relevant in an area without sufficient means of education. If a given place had a sudden influx of people of a particular denomination³⁵, these people might not be given permission to found their own school and so their children would virtually be forced into the Board school. 'In this way the "supplement" has the power of continual expansion, thereby preoccupying the face of the country and *blocking out all Voluntary schools*'.³⁶ [My italics]

In February 1883, Manning stated his concern in a grave manner in *the Working of the Education Act of 1870 Unequal: Therefore Unjust*, writing that 'I impeach the unequal and unjust application or misapplication of the Act of 1870 as the peril which is impending over Christian England'.³⁷ He found the form of Christianity taught in the Board Schools to be emphatically sectarian, and

the system itself, a new sect of which schoolmasters are the pontiffs. It is also a propaganda of Christianity without a creed. And the first effect of it will be to break down in the minds of the English people the surviving belief that Christianity is a fixed and definite truth.³⁸

Although Manning saw himself as a 'firm and fearless believer in the future of Christianity in England', he had very little confidence in a doctrinal Christianity without

³⁵ Manning is probably alluding to the great influx of Irish Catholics, although it was decades after the Great Famine had forced them to leave Ireland.

³⁶ *Is the Education Act*, p. 12.

³⁷ Manning, *The Working of the Education Act of 1870 Unequal: Therefore Unjust* (Nineteenth Century, February, 1883), p. 49.

³⁸ *The Working of the Education Act*, p. 37.

creeds.³⁹ In his Mid-Lent Pastoral Letter from 1883 Ullathorne also addressed the question of creeds:

for if we look beyond the mere secular teaching, what can come from them but religious indifference? What will be the future religion resulting from them [the Board schools], but an indifference to all Christian creeds? ⁴⁰

He was adamant that

we have given up everything that we could in conscience give up, accepting the Government hours for exclusive secular teaching, and the books approved by Government, to the sacrifice of our own...We have one hour in the day allotted for Christian education, and with this we should be contented, if only we were placed on an equality with the School Board Schools in the eye of the law.⁴¹

Ullathorne explained that the constitution of Board schools had not been intended to cast aside or supersede the denominational system, but was merely supposed to be a supplement to it. However, the extensive privileges of the Board schools meant that they had overtaken the Voluntary schools, and now they threatened to become the Church of England of the future.

...the schoolmaster may explain the Bible in the sense of doctrinal Christianity. But does the schoolmaster belong to no denomination? And does he so know the peculiarities of all denominations that he can teach a doctrinal Christianity which shall not coincide with any of them?⁴²

In 1886 Manning suggested his amendments to the Act in *To amend the Education Act of 1870*.

³⁹ *The Working of the Education Act*, p. 47.

⁴⁰ Birmingham Dioc. Archives. Ullathorne, *A Pastoral Letter to the Faithful of the Diocese of Birmingham*, Mid-Lent, 1883, pp. 8-9.

⁴¹ Ullathorne, *A Pastoral Letter*, Mid-Lent 1883, pp. 6-7.

⁴² Manning, *The Working of the Education Act*, p. 35.

It would seem therefore that the present condition of the Voluntary Schools, taken at the best, is either precarious or perilous, and prudence seems to dictate that we should use this unprecedented condition of Parliamentary balance which may never return to redress the inequalities created by the Act of 1870, and to place the Voluntary Schools on the broad basis of a Law common to the whole people of the country, which can never be assailed without assailing the interests of all schools alike.⁴³

In one of Ullathorne's last Pastoral Letters to his diocese, namely his Advent Pastoral in 1885, he declared 'that we should rather die than surrender one tittle of our religion'.⁴⁴ This Pastoral Letter is in many ways reminiscent of his *Remarks on the Proposed Education Bill*. It illustrates with clarity that Ullathorne had lost none of his belief in a denominational education as the model education for Catholics. He shared Manning's insistence on amending the status of the Voluntary schools:

...unless Parliament steps in, revises its own acts, and re-establishes the balance of equity between the School Board System and the Denominational system, we shall be left to suffer most grievous injustice; the Board School System will swallow us up, as its projectors intended, the great majority of Denominational Schools, and Christian teaching will be swept away from the hearts of the working people.⁴⁵

As well as illustrating the similarities in Manning's and Ullathorne's arguments, this last quotation also goes a long way to explaining why they had previously differed so intensely in their attitudes to the Act. They virtually expressed the same misgivings about the Act after it had been passed, and they were speaking with one voice in their

⁴³ Manning, *To Amend The Education Act of 1870*, publisher unknown, (London, 1886) paragraph X, p. 4.

⁴⁴ Birmingham Dioc. Archives. Ullathorne, *A Pastoral Letter to the Faithful of the Diocese of Birmingham, On Christian Education*, Advent 1885, p. 4.

⁴⁵ Ullathorne, *A Pastoral Letter* 1885, p. 10.

fear of its devastating implications for Catholic education in the future, if no amendments were to be made to the Act. But where Ullathorne was extremely critical of the Act even before it had been put into practice, Manning's reservations came in the period after the passing of the Act. In 1870 Manning was no less concerned about the future of denominational education than Ullathorne, but he was convinced that a total withdrawal would have devastating effects upon Roman Catholic schools. 'He actively opposed [the Act] only when he found it prejudicial in practice'.⁴⁶ The key sentence illustrating the difference in their positions is given by Ullathorne: 'the Board School System will swallow us up, *as its projectors intended*'. [My italics]

To both Ullathorne and Manning a Christian education was the very basis of a Christian society, and therefore education constituted the focal point of the secularist challenge.⁴⁷

⁴⁶ McClelland, *Cardinal Manning*, p. 86.

⁴⁷ Selby, p. 199.

CONCLUSION

Two predominant elements characterise Ullathorne's educational thinking: his unwavering belief that only an exclusive Catholic education was a true and model education, and his conviction that loyalty to the Holy See precluded any constructive allegiance between English Catholics and the English State. He retained his mistrust of the State's attitude to Catholics throughout his life, and his misgivings about the State and its new unequivocal role as the main provider of elementary education were in many ways instrumental in shaping his educational programme.

Ullathorne's contribution to the education debate has often been described in a somewhat biased way, as the emphasis has been on depicting him merely as a "staunch Tory" belonging to the group of "old English Catholics". He has been perceived as a man who maintained principles that were no longer worth keeping as they thwarted a development that would bring Catholics obvious advantages. Ullathorne was frequently inconsistent in the way he presented his case, and he did not always follow his arguments through to the end; nevertheless his fierce opposition to the State's entry into education was fundamentally rooted in his whole theology, and it should be appreciated in this context.

It is interesting to compare Ullathorne's main thoughts as they have been presented throughout this thesis, with the Second Vatican Council's Declaration on Christian education (*Gravissimum educationis*). The Council proclaimed the inalienable right of all people to education regardless of considerations of race, age, sex or social conditions. True education, according to the Council, 'is directed towards *the formation of the human person* in view of man's final end and the good of his fellow men'. Secondly, 'this inalienable right to education carries with it *the right to a Christian education*, characterised by an unfolding exposé of the mystery of salvation and a growth in appreciation of the gift of faith'. The third principle promulgated the emphasis on '*the rights and duties of parents* in the educative process, stressing their obligation to provide an *integrated, personal and social education* for their children'. Other agencies play important participatory rôles in this process, including society itself and its representative governments, and above all the Church, in her duty 'of proclaiming the way of salvation to all men, of revealing the life of Christ to those who believe, and of assisting them with unremitting care so that they may be able to attain to the fullness of that life'.¹

The similarities between Ullathorne's writings and the Council's Declaration are striking. There are no objectives in *Gravissimum educationis* that Ullathorne would not have subscribed to. The third principle's emphasis on the '*right and duties of parents*' is highly reminiscent of the way in which Ullathorne stressed the same point, and the Declaration's emphasis on society and government playing only participatory rôles in children's education also reflects Ullathorne's educational programme. Neither

¹ McClelland, 'The Concepts of Catholic Education', pp. 3-15, in *Aspects of Education*, Journal of the Institute of Education, the University of Hull, number 46, 1992, pp. 3-4.

condemns the principle that the State should engage in and contribute to the education of its citizens as long as it does not usurp complete responsibility for education.

Ullathorne's visions of a true Catholic education can certainly be said to prevail in an inter-Catholic perspective, but whether they can be nurtured in a highly secular society is questionable. The State has gone from playing a participatory rôle in the education of its people to being the main provider of education, and there are absolutely no indications that this development is likely to be reversed. H. O. Evennett made an accurate observation concerning the nature of the relationship between the State and the Church, after the State had entered the Church's erstwhile domain in 1870: 'the educational issue between the Catholic Church in Britain and the British Government is not yet a conflict between opposing ideologies. It is the inevitable friction between timeless religious principle and immediate political expediency. The State cannot afford to face the underlying religious issues in the educational crisis with either the clarity of vision or the urgency of action which the religious outlook imposes, for the practical complications of which the State must account are many and deep rooted'.² Even though Evennett's diagnosis of the State's predicament was made more than five decades ago, it is highly relevant in a current perspective because the State has still not faced the religious implications of education. It balked at dealing with religious difficulties in 1870, and although it came closer to finding a solution with the passing of the Balfour Act in 1902, it has until this day avoided confronting the deep-rooted practical implications. In this sense, Ullathorne's fears of an education characterised by the lack of coherence between singular elements can be said to have been substantiated.

² Evennett, *The Catholic Schools*, p. 130.

This study's last chapter ends with a comparison of Manning's and Ullathorne's reservations concerning the practice of the 1870 Education Act. Although Chapter VII closes on a conciliatory note, determining that there were actually great similarities in their respective concerns for the future of Catholic education under the 1870 Act, it cannot be denied that they represented two very different and ultimately irreconcilable attitudes as to how a denominational education is to be most effectively protected.

Manning's paramount concern was of a social nature, and he is undoubtedly to be credited as being one of the pioneers of English Catholic social thought. Although Ullathorne appreciated that people's living standards largely determined the kind of education that was obtainable to them, he was not a social reformer in the same way Manning was. Ullathorne tenaciously kept pursuing the Sacred Deposit of Truth, but therein lay also his Achilles heel and his inability to see the larger picture. It also placed him firmly among the ranks of the "old Catholics" whereas Manning with his Anglican background rather belonged to the "new Catholics".

An important contribution towards explaining why education, especially denominational education, became such a source of contention, not only between Catholics themselves, but also between Catholics and other groups has been made by John Whyte. He sees the insistence on denominational education as a significant force in Catholic selfassertiveness, especially in a society where Catholics are a minority.³ He characterises the development from around 1790 until 1870 as the beginnings of a "closed Catholicism", the organisation of Catholics as a distinct sub-culture.

³ J. Whyte, *Catholics in Western Democracies - A Study in Political Behaviour* (Gill and Macmillan: Dublin, 1981), p. 37.

In Whyte's terminology a "closed Catholicism" is characterised by a strong Catholic political party that receives support from all Catholics in a society. This party is linked with Catholic social organisations. Catholics exclusively join these organisations and are under strong clerical guidance. The characteristics of an "open Catholicism" are the opposite: there is no Catholic political party, institutions are organised on a non-confessional basis and the clergy play no part whatsoever in politics. A "closed Catholicism" is only possible in an open society in which there is freedom of organisation, freedom of speech and freedom of the press.

Whyte says that Britain's small Catholic population in the years 1790 to 1870 did not imply weakness, as its clergy was not entirely without influence. In such a sphere 'a denominational education system could be seen as an important underpinning to a "closed Catholicism", because it ensured that Catholics shared an experience which set them apart from the wider society'.⁴ If Whyte's theory is applied to English Catholicism after the Emancipation, one could say that British Catholicism always remained "open" in the sense that British Catholics never attempted to create Catholic unions or political parties. Manning could be seen as a representative for an "open" Catholicism in his concern for the education of children, and his willingness to participate in the work of the school boards to secure such education. Ullathorne, on the other hand, rather belonged to a "closed Catholicism" in his insistence on an exclusive denominational education and his unwillingness to co-operate with the school boards.

The conflicts between the State and the Church arose out of the issue of who should provide the educational facilities that were needed in addition to the State's

⁴ Whyte, p. 65.

provision. Liberals in England in 1870 tended to propose the State, which alone had the financial resources that were needed and which they hoped to be able to control through victory at parliamentary elections. Catholics proposed the Church, which had traditionally provided education to Catholic children. If the Church could not raise the necessary funds unaided, they agreed the solution was that the State should assist, an alternative that Ullathorne supported. 'To Liberals this seemed outrageous. A main reason for extending education was to reduce the power of the Church. To allow the Church to continue its control of education was to undermine the value of change'.⁵ It was the value of this very kind of change that Ullathorne questioned so intensely.

Whyte speculates that education *per se* might not have created such fierce disagreements between Catholics and Liberals, if another issue that was logically completely unrelated to education had not become an issue at the same time, namely the temporal power of the papacy.⁶ The Liberals wished to unify Italy, but the Papal State was in the way of a unity. Although Whyte does not make this point there is no doubt that the sheer symbolic power of the Holy See also played a substantial part in the disagreements between the English government and the English Catholics, and provoked strong Anti-Catholic sentiments in England. Anti-Catholicism continued to be a marked feature of the English society throughout the nineteenth century.

It was not a coincidence that Ullathorne repeatedly insisted that the hierarchy should obtain the Holy See's advice in a "causa majora" or in matters where the hierarchy could not agree. Ullathorne called for Rome's advice as to whether or not Catholics should join the school boards, as he had previously done in the English

⁵ Whyte, p. 37.

⁶ *Ibid.*, pp. 37-38.

Catholics' internal debate on tertiary education. There was a sense in which Ullathorne, although an "old Catholic", was in agreement with Manning, namely in Ullathorne's willingness to supersede his own convictions when they were not in accordance with the Holy See's.

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APPENDIX

1. The Provisions of the Bill.

1.1 A System of Organisation throughout the Country

Forster intended to divide the country up by taking the then present recognised regions and translating them into school districts. Generally speaking these would correspond to boroughs in urban areas and to civil parishes in rural places. In every school district there must be provided 'a sufficient amount of accommodation in public elementary schools...available for all the children resident in such district for who elementary education efficient and suitable provision is not otherwise made'.¹

In places where the inspectors of the Education Department did not find the provision to be adequate, it would be necessary to 'fill up the gaps'. After due enquiry and consideration of any local objections, the Department of Education would issue a final notice indicating what additional accommodation, if any, the Department considered to be required in each district. If, within a period of 'not exceeding six months' thereafter, the necessary accommodation had not yet been undertaken, 'nor is in course of being supplied with due dispatch', the Department would set up a school

¹ Hansard, vol. CXCIX, pp. 444-5.

board that would undertake the necessary provisions.

The initiative to establish a school board might come from those entitled to elect such a board (those whose names were on the burgess roll)² or from the council. Boards could be set up *ad hoc*, and if a board did not provide schools as required, or otherwise contravened the regulations governing the supply and conduct of schools, the Education Department could declare the board in default and then proceed to nominate other people to form a new board.

The powers of the boards were extensive. They could acquire sites for schools by compulsory purchase, build and improve schools, borrow money in order to do this, and 'supply school apparatus and everything necessary for the efficiency of the school.'³ They could establish or assist Industrial Schools. They were permitted, under certain conditions, to accept the transfer of existing Voluntary schools, and to re-transfer these later. An important clause prescribed that

the school board shall...from time to time provide such additional school accommodation as is, in their opinion, necessary in order to supply a sufficient amount of public school accommodation for their district.⁴

'This seemed clearly to imply, *inter alia*, that the decision whether a new Voluntary school was required', and would therefore be eligible for grants if established, would be left entirely to the local school board, 'in a district where one existed (but, manifestly, not elsewhere)'.⁵ This important section was hardly discussed by Parliament.

² The term "burgess" means the inhabitant of a borough with full municipal rights, a citizen.

³ The Elementary Education Act. Powers of school board for providing schools, I (XIX).

⁴ *Ibid.* Maintenance by school board of schools and sufficient school accommodation, I (XVIII).

⁵ Murphy, *The 1870 Education Act*, p. 41.

Section XCVIII of the Act stated that when the managers of a school within a school board district applied for a parliamentary grant for the first time, the Education Department could refuse such an application if they thought that such a school was unnecessary. Both sections left open the question of applications for new schools in districts without a school board. Decisions that were to be made within a school board district were left by one section to the school board and by another section to the Education Department. This confusion led to considerable controversy and legal argument later.

1.2 The Constitution of School Boards

The government had to choose between two policies: it could either make use of the existing broken-down system of vestries,⁶ and select vestries (along with the more representative councils where these were to be found); or it could follow the precedents already set, in relation to legislation concerning paupers, public health etc., and establish *ad hoc* boards for the purpose of carrying out the functions prescribed in the Act.

Initially, Forster chose the first option but the opposition from the Nonconformists and Radicals was so strong that the proposal was abandoned in favour of setting up the school boards where they were needed. It was foreseeable that problems would arise in a district between the local school board and the local government authority as to the nature of their relationship, particularly where the local authority was a powerful borough council.

School boards were to consist of five to fifteen members (in the first suggestion it

⁶ The term "vestry" means the ratepayers of a parish meeting in vestry.

was three and twelve), elected in the boroughs by the burgess and in parishes by the ratepayers.⁷ 'Those who elect the school Board may elect whoever they please, whether they be or be not on the list of managers of existing schools'.⁸ At the elections, that were to be held three times a year, each voter would be allowed to cast as many votes as there were members to be elected, and might 'give all such votes to one candidate, or...distribute them among the candidates, as he thinks fit'.⁹ This meant that minorities could improve their chances of representation by agreeing to throw their combined voting strength in support of only a few chosen candidates.¹⁰

1.3 The Finance of the Board Schools

Board schools and Voluntary schools would have three sources of income if they were to be recognised as "efficient": Local rates or voluntary contributions, school fees, and government grants.

i) Local Rates or Voluntary Contributions

Proposals to finance elementary education from local rates had given rise to great controversy in the past. Apart from a common aversion to paying increased rates, there were continuous objections to doing so in order to promote religious instruction.

⁷ The term "ratepayer" includes every person who, under the provisions of the Poor Rate Assessment and Collection Act, 1869, is deemed to be duly rated.

⁸ Hansard, vol. CXCIX, p. 454.

⁹ *Ibid.*

¹⁰ This very method was employed with great success in the school board election in Birmingham in 1870. It was expected that since the Education League, whose members were amongst the chief opponents of the Act, had its headquarters in Birmingham, the election would result in a victory for the Nonconformist side. But the Conservatives and the Churchmen acted with great skill in nominating only eight candidates and because of the cumulative vote system, they gained the majority on the board by electing all eight who ran.

Whether or not this instruction was unrestricted, limited, or even prohibited, many ratepayers were opposed to any kind of religious instruction, and the use of their payments for this purpose was more apparent than their general contributions to national taxation. There was also the predicament of the degree of control which ratepayers might require over the schools they supported.

The school boards themselves could not ask for voluntary contributions but they could require the local rating authority to do so. This division of power between those who would be authorised to spend the money and those who were responsible for collecting it was the cause of confrontations. In almost all boroughs the rating authorities were the local councils, and in almost all parishes they were the overseers of the poor. The main contention was that the rates would be payable by members of all denominations (as of none), so that justice seemed to demand that Voluntary as well as Board schools should share the benefit. The government did not insist on compulsion; instead the school boards were to be permitted to aid Voluntary schools if they so wished. There was one important stipulation, however:

they may either provide schools themselves, or assist the present schools, or they may do both. But there is this condition, that if they do go on the principle of assisting, they must assist all schools on equal terms. They may not pick out one particular denomination and say - "We shall assist you, but not the others." If they go on the principle of assistance, they must assist every public elementary school.¹¹

The opposition to rate-supported Voluntary schools had in the past caused a number of parliamentary bills to falter. On this occasion the opposition that came from

¹¹ Hansard, vol. CXCIX, p. 456.

the government's own Radical and Nonconformist supporters forced it to change direction. The government decided that rate aid should *not* be given to Voluntary schools, however, an escape was left in the final Act.

Those who were in favour of the Voluntary schools pointed out that supporters of such schools would be obliged to pay rates to maintain schools which they found abhorrent, as well making contributions to the schools they had made a conscious choice to assist. Voluntary schools themselves were rated, and their managers would be compelled to contribute towards the support of rival institutions. Two further departures were made from the declared principle that school boards and the managers of Voluntary schools should receive equal treatment; the boards were empowered to acquire sites for schools by compulsory purchase¹², and to borrow money on the security of the rates. No such powers were given to those who attempted to provide Voluntary schools.

ii) School Fees

Forster declared:

now I come to a very interesting part of the matter. The school Boards are to provide the education. Who are to pay for it? In the first place, shall we give up the school fees? I know that some earnest friend of education would do that. I at once say that the Government are not prepared to do it. If we did so the sacrifice would be enormous. The parents paid in school fees last year about £420,000. If this scheme works, as I have said we hope it will work, it will very soon cover the country, and that £420,000 per annum would have to be doubled, or even trebled. Nor would it stop there. This would apply to the elementary education chiefly of the working classes. The middle classes would step in - the best portion of the working classes would step in and say

¹² The Elementary Education Act, I (XX).

- "There must be free education also for us, and that free education must not be confined to elementary schools"...The cost would be such as really might well alarm my right hon. Friend the Chancellor of the Exchequer.¹³

Forster did not want to relieve the parents of the obligation to contribute towards the costs of education for their children, but he realised that the educational destitution of places such as Liverpool, Manchester and Birmingham could not be ignored.

We give the school Board power to establish special free schools under special circumstances, which chiefly apply to large towns, where, from the exceeding poverty of the district, or for other very special reasons, they prove to the satisfaction of the Government that such a school is needed, and ought to be established. We require the approval of the Government to be obtained, upon the ground that it would not be fair to the existing schools to allow a free school to be set up unless on very special grounds.¹⁴

As a further concession, the Act's section XXV empowered the school board to

...if they think fit, from time to time... pay the whole or any part of the school fees payable at any public elementary school by any child resident in their district whose parent is in their opinion unable from poverty to pay the same; but no such payment shall be made or refused on condition of the child attending any public elementary school other than such as may be selected by the parent; and such payment shall not be deemed to be parochial relief given to such parent.¹⁵

In the early period of the school board history, section XXV of the Act was the subject of greatest controversy surrounding the new Act. The significance of the clause first escaped the attention of the Nonconformists but later aroused bitter controversies.

¹³ Hansard, vol. CXCIX, p. 454.

¹⁴ *Ibid.*, p. 455.

¹⁵ The Elementary Education Act. Miscellaneous Powers of the School Board, payment of school fees,

One consequence of the section was that no such provision would be made in a district that did not already have an existing school board. Another consequence was that (despite earlier decisions) money provided from rates could become part of the income of Voluntary schools: 'yet a school board could refuse to make use of its powers so long as no conditions were overtly expressed'.¹⁶

The conflict flamed between the League and the Liberals, and the Union and the Denominationalists. The clause was only in operation for six years and during that period the payment only came to £18,000.¹⁷ It was, however, a question of principle.

According to James Murphy, the level of the school fee chargeable was important not only because it implied that grant-aided schools were open to children whose parents' incomes differed considerably, but also because it was thought to involve a significant principle. To a large number of people the legitimisation of allowing some State-aided schools to remain, *in praxis*, 'exclusively denominational and largely controlled by the churches, depended on the fact that an appreciable part of the expenditure was met from voluntary contributions made by supporters of particular denominations'.¹⁸ This, in a manner of speaking, "earned" the right to give denominational instruction. However, if the fees paid by parents, who might be of any creed were high enough, 'these, when added to the grants from public sources, might defray the whole annual cost of running the school and weaken the justification for its promoting the beliefs of a particular denomination'.¹⁹

I (XXV).

¹⁶ Murphy, *The 1870 Education Act*, p. 47.

¹⁷ Cruickshank, p. 42.

¹⁸ Murphy, *The 1870 Education Act*, p. 48.

¹⁹ *Ibid.*

Section LXXIX of the Act stated that

such grant shall not for any year exceed the income of the school for that year which was derived from voluntary contributions, and from school fees, and from any sources other than the parliamentary grant.²⁰

iii) Government Grants

a) Building Grants

Since 1833 Parliament had provided funds to pay part of the cost of building some elementary schools. It was now decided that such grants could no longer be given. This decision was initially not a part of Forster's introductory speech, but seems to have resulted from visits made to Gladstone by a deputation from the Wesleyan Methodists, three months after the Bill had been introduced in February 1869. The Wesleyans objected to the building grants on conscientious grounds.

Nevertheless, building grants continued to be paid in respect of new schools for which plans were submitted before the end of 1870, if the plans were approved by the Education Department. This meant that government grants continued to be paid out until 1881. The second concession was concerned with the annual grants, and was of doubtful value.

b) Annual Grants

The amount of the State grant was not specified in the Act, but Gladstone undertook to increase it in order to compensate for the withdrawal of building grants. He thought that an increase of the present grant from the Committee of Council to the

²⁰ The Elementary Education Act. Parliamentary Grants, Conditions of annual Parliamentary grants, II (LXXIX).

Voluntary schools 'which might be taken at its maximum of 50 per cent'²¹ would even out the unfair treatments of the Board schools and the Voluntary schools in the Act. However, Gladstone's arithmetical calculations were confused and they did not show what the actual maximum was. Furthermore, the insistence that the amount of the State grant would depend on 'results' was an obvious hardship to the poorer and less efficient schools. The State not only gave the Board schools a big advantage but 'perpetuated the very principle which Forster had forcibly denounced in his opening speech: that where State help has been most wanted, State help has been least given'.²²

1.4 School Attendance

The government had rejected the claim of the Radicals and the National Education Union that elementary education should be provided completely free; the question now was would it accept their demands that school attendance should be made compulsory?

There was a considerable aversion to compulsory school attendance among the supporters of Voluntary schools. The National Education Union had reluctantly agreed that *indirect* compulsion (requiring evidence of school attendance as a condition of acceptance for some kinds of employment) might be acceptable. Opponents of compulsion claimed that it was morally wrong as it would diminish the freedom of parents, and deprive poor parents of the financial support contributed by their children, an argument Ullathorne employed continuously.

Forster described himself as a new convert to compulsion, who was convinced

²¹ Murphy, *The 1870 Education Act*, p. 52.

²² Murphy, *Church, State and Schools*, p. 56.

that this principle would eventually be accepted as an acknowledged one. He found it a mockery to say that compulsion was 'un-English', as Lord John Russell had done when Fox introduced his faltered Bill.²³

However, until the necessary schools were available, and public opinion had come to accept the policy, the government would leave the matter to the judgement of the individual school board, wherever one was established. The Act empowered, but did not compel, school boards to make bylaws²⁴ concerning the attendance of children at school and if any of these bylaws were breached then the school board could impose a penalty.²⁵

²³ Hansard, vol. CXCIX, pp. 459-60.

²⁴ The term "bylaw" is the regulation made by a local authority.

²⁵ The Elementary Education Act. Attendance at School, as to attendance of children at school, II (LXXIV, iv).

