

# The Penal Laws

From the beginning of their occupation of Ireland, the English were continually frustrated in their attempts to strip the Irish of their identity and assimilate them into an Anglicized Great Britain. It is in efforts to combat these persecutions that the AOH traces its earliest roots. Attempts to legislate out of existence Irish culture began with the 14<sup>th</sup> century Statutes of Kilkenny and for the next four centuries become increasingly brutal and oppressive. Elizabeth I would outlaw the Catholic Church. Cromwell would attempt to send the native Irish “to hell or to Connacht”. Charles II would execute St. Oliver Plunkett, as a result of fraud and treachery. Yet, the persecution of Irish Catholics reached its most cynical expression by attempting to hide its discrimination in the trapping of legality in the “Penal Laws” that were enacted at the conclusion of the Williamite Wars in 1695, when the English Parliament broke the treaty of Limerick and its promises of religious toleration and replaced it with some of the most repressive laws that have ever been known to history.



A prayer rock, where mass was said in secret in defiance of the Penal Laws.

These laws stated that:

1. Catholics were barred from all political activity, including voting.
2. It was illegal to teach the Catholic Religion, no Catholic might teach school nor send children abroad to be educated.
3. All Catholic Bishops were exiled, resident Priests registered and forbade their replacement 'under pain of death' (since a Bishop is required to ordain a Priest, this was an attempt to have the clergy “die out”). Anyone aiding the Clergy could be imprisoned at “the King’s Pleasure”
4. Mixed marriages were forbidden, and children might forcibly be brought up Protestants.
5. A Catholic could not act as guardian, and all wards of the court were to be brought up as Protestants.
6. The son of a Catholic landed owner might by converting to Protestantism dispossess his father.
7. When a Catholic died, his estate was divided equally among his sons, unless the eldest son converted to the protestant faith whereby he could inherit all the land. (The net effect to make Catholic estates so small as to make them no longer self sufficient and cause the owners to sell)
8. A Catholic could not lease land for longer than 31 years.
9. If a Catholic inherited property he could be ousted by the closest Protestant heir.
10. No Catholic might have arms in his possession nor enter the army (though often ignored when England was at war). A Catholic could not be an officer.
11. If a Catholic owned a good horse, any Protestant might claim it on tendering 5 pounds.
12. No Catholic could be admitted to the bar, nor could sit on a jury.

Despite the trapping of legality and religion, these laws had one true purpose: to justify the dispossessing the native Irish from their land. To his goal they were effective, by 1778 the land of owned by native Irish Catholics in Ireland was 5%. The great orator Edmund Burke would famously described the penal laws as: “a machine of wise and elaborate contrivance, as well fitted for the oppression, impoverishment and degradation of a people and the debasement in them of human nature itself, as ever proceeded from the perverted ingenuity of man.” Yet, despite this “perverted ingenuity”, the Irish people would eventually triumph. Their courage and dedication to their faith and culture should be an inspiration to all Hibernians and Irish-Americans.

## **Did you know that...**

A continuing problem during the English attempts to control Ireland was that appointed officials often adopted Irish customs and sympathies, leading to the Latin phrase *Hiberniores Hibernis ipsis*, “More Irish than the Irish Themselves”

The 1705 Test Act expanded the Penal Laws to include Presbyterians, this would lead them to find common cause with Catholics and to the formation of the United Irishmen who would rebel in 1798.

The Penal Laws did not just apply to Ireland. At the time of the American Revolution, laws restricting the freedom of Catholics were enacted in all 13 Colonies, even Maryland which was originally chartered as a Catholic sanctuary.

St. Oliver Plunkett, Archbishop of Armagh was the last Catholic martyr to die in England. In 1975 he became the first new Irish Saint in 700 years.

In 1992, 17 other Irish Martyrs, among hundreds who died for their faith between 1537 and 1714 were beatified by John Paul II