

SCRIPTURE, SATAN, AND THE SACRAMENT: THE CLIFTON EXCOMMUNICATION CASE OF 1874–1876

ANDREW ATHERSTONE

Wycliffe Hall, Oxford

andrew.atherstone@wycliffe.ox.ac.uk

Abstract

In 1874 Flavel Cook, the evangelical vicar of Christ Church, Clifton, barred one of his parishioners, Henry Jenkins, from receiving holy communion after a dispute over the personality of Satan and the reality of eternal punishment. Jenkins sued Cook through the courts, and eventually won his case in 1876 on appeal to the judicial committee of the privy council, leading to Cook's resignation. The controversy stimulated wide debate on church discipline, the rights of the laity, and whether Christians are obliged to obey the civil law. It also revealed deep disagreements over the relationship between reason, moral conscience, and biblical revelation, and the nature of 'inclusion' and 'exclusion' in a comprehensive Church of England.

THE historiography of the Church of England in the 1870s is dominated by the ritualist controversies. The prosecution of Anglo-Catholic clergy by their evangelical parishioners is a story often told, in triumphalist Victorian biographies of the clerical protagonists and more recent scholarly analyses.¹ The standard narrative is of litigious evangelicals, ideologically committed to the use of legal process to constrain their theological opponents, or preferably to drive them from the field. Yet the Clifton excommunication case provides an important but neglected counter-example of an evangelical clergyman sued through the courts by his broad church parishioner. The evangelical vicar was seen in some ways as a model and example to the ritualists, by his defiance of legal judgement. It was a *cause célèbre*, generating widespread commentary in the contemporary pulpit and press, but then disappeared almost completely from view in the

¹ James Bentley, *Ritualism and Politics in Victorian Britain: The Attempt to Legislate for Belief* (Oxford: Oxford University Press, 1978); Nigel Yates, *Anglican Ritualism in Victorian Britain, 1830–1910* (Oxford: Oxford University Press, 1999).

historical literature.² This article provides a fresh, contextual analysis of the dispute, and its broader implications for the doctrinal comprehension of the Church of England.

COMMUNION AND CONSCIENCE

Anglicanism in Clifton, Bristol's most salubrious suburb, was pervaded by evangelicalism. John Hensman, one of Charles Simeon's protégés, was the leading evangelical personality in the city, ministering in Clifton for over half a century until his death in 1864. As the population boomed, so did evangelical ministry. The parish church and its offshoots at Holy Trinity, Christ Church, St Paul's, St Peter's, and Emmanuel (consecrated between 1830 and 1869) were all in the gift of Simeon's patronage trust.³ Tractarianism had a solitary foothold at All Saints, Clifton (consecrated in 1868), under the ritualist R. W. Randall who attracted Protestant litigation and endured a frosty relationship with Charles Ellicott, bishop of Gloucester and Bristol.⁴

In February 1872 a new evangelical vicar was inducted at Christ Church, Flavel Smith Cook (1828–1900). Educated at Trinity College, Dublin and ordained in 1853, he had served parishes in his native Cornwall before moving to Bristol with his wife and three children. The vicarage, no. 19 Vyvyan Terrace, was situated on Clifton's most prestigious row of properties. Just a few doors down, at no. 3 Vyvyan Terrace, lived Cook's parishioner and nemesis, Henry Jenkins (1831–81), a Welshman, former ironmaster, and wealthy landed proprietor, with a large household of ten children and five domestic staff.⁵ They moved to Clifton from Pembrokeshire in 1867 and were regular attenders at Christ Church, where their youngest four children were baptized.⁶ At

² For recent summaries of the Clifton case, after a century of neglect, see Duncan Henderson, 'The Devil's Law Cases', *Ecclesiastical Law Journal* 15 (2013), pp. 44–56; Neil Patterson, *Ecclesiastical Law, Clergy and Laity: A History of Legal Discipline and the Anglican Church* (Abingdon: Routledge, 2019), pp. 88–92.

³ W. D. Balda, "'Spheres of Influence': Simeon's Trust and its Implications for Evangelical Patronage' (PhD thesis, University of Cambridge, 1981).

⁴ J. F. Briscoe and H. F. B. Mackay, *A Tractarian at Work: A Memoir of Dean Randall* (London: Mowbray, 1932), pp. 120–51.

⁵ The National Archives, census returns for no. 3 Vyvyan Terrace, Clifton: 1871 (RG10/2545, fo. 91) and 1881 (RG11/2483, folios 127–8).

⁶ Christ Church, Clifton, baptism register 1844–1903, Bristol Archives, P. CC/R/1/a. Baptisms of the Jenkins children, Catherine (1869), William (1870), Arthur (1871), Maurice (1872).

the point of their public controversy, both men were in their mid-forties, and both were stubborn.

In July 1874, Cook preached a pair of sermons defending the doctrine of everlasting punishment from 'rationalist' attacks, especially the popular notions of universalism and annihilation.⁷ After arguing the case, Cook addressed his congregation personally. Such denials were 'not quite unknown here among us', he warned, so 'take heed'. With remarkable prescience of Jenkins's private opinions, the preacher continued:

Begin by saying 'everlasting' does not mean everlasting and you will go a little further some day, and say there is no devil! Or, if you are obliged to admit that the Bible does teach everlasting punishment you may go on to say that it is so much the worse for the Bible, and you must give the Bible up if it teaches that God will damn any creature! If you begin by denying everlasting punishment, I solemnly warn you that this may come, for it has come to some, and they have closed the Bible and said, My conscience is my Bible!

Cook warned that deniers of eternal punishment were guilty of 'horrible misrepresentations of the character of God'.⁸ Jenkins, sitting in the congregation, thought Cook's sermon was 'disgusting and impious'.⁹ The next day he wrote to the vicar 'to protest most emphatically' at the 'irreligious tendency' of his preaching. Conscience, Jenkins asserted, was 'the voice of God within him', and church dogma must not 'stifle what is imprinted in every man's breast by his Maker, that is to say the knowledge of right and wrong'.¹⁰

Jenkins had previously published *Selections from the Old and New Testaments* (1865), an abridged Bible designed for family reading, and had gifted a copy to the vicar.¹¹ Affronted by Jenkins's insults, Cook began to examine the volume and

⁷ Flavel S. Cook, *Universalism; Annihilation: Notes of Two Sermons Preached at Christ Church, Clifton ... on the Evenings of Sundays, July 5 & 12, 1874* (London: Hamilton, Adams and Co., 1876), p. 9.

⁸ *Ibid.*, pp. 9–10.

⁹ Jenkins to Ellicott, 6 September 1874, in *Before the Judicial Committee of Her Majesty's Most Honorable Privy Council, on Appeal from the Arches Court of Canterbury ... Henry Jenkins, Appellant, Versus The Reverend Flavel Smith Cook, Clerk, Respondent: Appendix* (London: W. Kirkman, 1876), p. 35 (copy at Lambeth Palace Library [LPL], H5155.C6; hereafter *Jenkins vs Cook: Appendix*).

¹⁰ Jenkins to Cook, 6 July 1874, in *Jenkins vs Cook: Appendix*, p. 30.

¹¹ Henry Jenkins, *Selections from the Old and New Testaments* (London: James Blackwood, 1865).

discovered the depth of his parishioner's heterodoxy. Jenkins omitted most passages of a violent or sexual nature, of which there are many in the Bible. From the Old Testament he left out 215 chapters altogether (almost a quarter of the whole), while abridging others dramatically. The books of Ruth and Esther were entirely removed, Judges was reduced to three short samples, and the Song of Solomon to just three verses. From the New Testament, the opening chapters of Matthew and Luke concerning the virginal conception of Jesus were deleted, and Jenkins was forced to explain in the *Bristol Times* that this was not because he doubted the divinity of Christ but merely to protect the innocence of his children.¹² However, he confessed that some passages were indeed omitted for doctrinal reasons, especially those which taught eternal punishment or the existence of Satan and evil spirits. To take Matthew's Gospel as an example, of 28 chapters only five 'escaped mutilation'.¹³ Jenkins deleted from chapter 3 the judgement preached by John the Baptist, from chapter 4 Christ's temptation by the devil, from chapter 6 the warnings about being thrown into hell, from chapter 7 the broad road that leads to destruction, from chapters 8 and 9 the healing of the demon-possessed, from chapter 13 the parable of the tares in the field sown by the devil, and the whole of chapter 25 concerning the sheep and the goats. In many instances Jenkins cut out the very words of Jesus. When challenged by Cook, Jenkins averred that these parts of the Bible were 'quite incompatible with religion or decency' and he had deleted them on purpose.¹⁴ The vicar saw this as 'terrible evidence of how far you have allowed yourself to go in mutilating the Word of God', and warned that unless Jenkins retracted these 'perversions and denials', he would no longer receive holy communion 'at my church'.¹⁵ Jenkins retorted that he would nonetheless continue to come to the Lord's Table as usual, 'at "your church" which is also mine'.¹⁶ When Mary Jenkins visited Cook to plead her husband's defence, she was informed, 'let him tell me that he believes in the devil and I will give him the sacrament'.¹⁷

¹² Letter from Henry Jenkins, *Daily Bristol Times and Mirror*, 10 December 1874.

¹³ *Jenkins vs Cook: Appendix*, p. 46.

¹⁴ Jenkins to Cook, 20 July 1874, in *Jenkins vs Cook: Appendix*, p. 31.

¹⁵ Cook to Jenkins, 24 July 1874, in *Jenkins vs Cook: Appendix*, p. 32.

¹⁶ Jenkins to Cook, 25 July 1874, in *Jenkins vs Cook: Appendix*, p. 32.

¹⁷ Quoted in Jenkins to Ellicott, 14 August 1874, in *Jenkins vs Cook: Appendix*, p. 35.

During the late summer of 1874, Cook was absent from Clifton on an extended holiday, so the parish was left in the care of his evangelical curate, Grant Ellcock Thomas (1843–94), a graduate of Wadham College, Oxford and son of the president of the Legislative Council of Barbados. He had some legal training as a Bachelor of Civil Law, though not of canon law. At the monthly communion service, on 2 August and 6 September, Jenkins approached the Lord's Table but was both times refused. Just as Jenkins had appealed to conscience, so did the curate. Thomas spoke of 'my *jealousy* for the inspired Word of God' and informed Bishop Ellicott, 'I could not conscientiously administer the Holy Communion to a man who dares handle the word of God thus.'¹⁸ Thomas continued:

although I may thereby have rendered myself amenable to the law of man, yet there is the far higher law of conscience implanted in me, jure divino which I cannot and I dare not disregard, and to vindicate which . . . I am both ready and willing to suffer the extremest punishment that either civil or ecclesiastical jurisdiction can impose upon me.¹⁹

To this would-be martyr, the bishop answered, 'That you have acted conscientiously there is no doubt, that you have acted legally may not be equally clear.'²⁰ Nevertheless, the legal scrutiny fell upon the incumbent not the curate. Ellicott warned Cook of his 'serious doubts' that this excommunication would be 'sustained by a Court of Law'.²¹ Jenkins, meanwhile, was distressed at the bishop's inaction and urged him 'to check such unjustifiable and scandalous proceedings on the part of your subordinates'.²²

After the summer recess, the stakes were raised. As required by the *Book of Common Prayer* rubrics, Jenkins formally announced his intention to attend the next communion service on Sunday 4 October.²³ Cook replied that he was 'conscientiously bound' by the canons to exclude Jenkins, but to avoid the public scandal he urged his parishioner 'to respect the consciences of others and the general peace of the church' by voluntarily withdrawing from the

¹⁸ Thomas to Ellicott, 10 August 1874, in *Jenkins vs Cook: Appendix*, p. 38.

¹⁹ Ibid.

²⁰ Ellicott to Thomas, 11 August 1874, in *Jenkins vs Cook: Appendix*, p. 39.

²¹ Ellicott to Cook, 2 August 1874, in *Jenkins vs Cook: Appendix*, p. 33. For the bishop's original draft, see LPL, Court of Arches, H966/28.

²² Jenkins to Ellicott, 6 September 1874, in *Jenkins vs Cook: Appendix*, p. 35.

²³ Jenkins to Cook, 28 September 1874, in *Jenkins vs Cook: Appendix*, p. 40.

congregation.²⁴ It later transpired in court that this reply had been drafted for Cook by the bishop himself, although Ellicott asked for his role in the affair to be 'suppressed', since he would be at greater liberty to assist if 'you can keep me out of it'.²⁵ While Cook and Jenkins dug in their toes, the bishop meekly refused to pronounce in the case and continually vacillated between the two sides. Jenkins nicknamed him 'Double Gloucester'.²⁶ When the moment of communion arrived at Christ Church, with Jenkins kneeling at the rail, the vicar with the bread intentionally passed him over, and the curate with the wine did likewise.²⁷

RUBRICS AND CANONS

Jenkins initiated legal proceedings against Cook under the Clergy Discipline Act 1840. An episcopal commission in November 1874, presided over by the archdeacon of Bristol, concluded that the vicar had a *prima facie* case to answer,²⁸ so the charges were sent up to the Court of Arches in London, presided over by Sir Robert Phillimore. The case hinged upon the rubrics and canons governing excommunication.

In the 1662 *Book of Common Prayer*, the liturgy for holy communion was prefixed by a rubric ordering that any 'open and notorious evil liver' be excluded until he had 'truly repented and amended his former naughty life'.²⁹ Cook argued that 'evil living' was a broad category, a reference not only to immoral conduct (of which Jenkins was guiltless) but also to corrupt doctrine. Otherwise anyone could receive communion irrespective of their orthodoxy. The liturgy itself exhorted: 'if any of you be a blasphemer of God, an hinderer or slanderer of his Word, an adulterer, or be in malice, or envie, or in any other grievous crime; Repent you of your sins, or else come not to that holy Table'.³⁰

²⁴ Cook to Jenkins, 2 October 1874, in *Jenkins vs Cook: Appendix*, p. 41.

²⁵ Ellicott to Cook, 23 November 1874, in *Jenkins vs Cook: Appendix*, p. 42. For the bishop's original pencil draft, intended for Cook to copy in his reply to Jenkins, see LPL, Court of Arches, H966/17.

²⁶ Henry Jenkins, *Jenkins v. Cook, with Notes* (London: James Blackwood, 1879), p. 251.

²⁷ *Jenkins vs Cook: Appendix*, p. 8.

²⁸ 'Singular Action Against a Bristol Clergyman', *Daily Bristol Times and Mirror*, 9 December 1874.

²⁹ Brian Cummings (ed.), *The Book of Common Prayer: The Texts of 1549, 1559, and 1662* (Oxford: Oxford University Press, 2011), p. 389.

³⁰ *Ibid.*, p. 396.

By his mutilated Bible and explicit denial of biblical doctrine, Jenkins had shown himself to be a 'hinderer and slanderer of God's Word'. The parishioner replied that, on the contrary, belief in Satan and eternal torment was not a doctrinal essential. Indeed, the Nicene Creed, recited at holy communion, was silent on such topics, permitting variety of belief in the Church of England.

The Canons of 1603 offered a long list of valid reasons for excommunication, including living in notorious sin without repentance, malicious contention against neighbours without reconciliation, adultery, fornication, incest, drunkenness, swearing, ribaldry, usury, 'and any other uncleanness, and wickedness of life'.³¹ Jenkins was guilty of none of these moral failures. But Canon 27 added another category, that holy communion must not be administered 'to any that are common or notorious depravers of the book of common prayer and administration of the sacraments, and of the orders, rites and ceremonies therein prescribed', or of anything contained in the Thirty-Nine Articles of Religion.³² Cook's case was that by denying eternal punishment and the existence of Satan, Jenkins was a depraver of the Prayer Book. The devil was frequently mentioned in the Church of England's liturgical texts, including some of the set readings at holy communion. The litany prayed for deliverance from 'the crafts and assaults of the devil', and that the church might 'beat down Satan under our feet'.³³ The visitation of the sick prayed against 'the fraud and malice of the devil'.³⁴ The evil one was named in the catechism, the collects, and the exhortation before communion. At baptism, the rite of admission into the church, sponsors promised on the child's behalf to 'renounce the devil and all his works', while the baptized were exhorted 'manfully to fight under [Christ's] banner, against sin, the world, and the devil'.³⁵ Jenkins mockingly observed that he was indeed eager to 'renounce the devil', which put a rather different complexion on that baptismal promise!³⁶ In the Thirty-Nine Articles, the devil was named in Article 17, while Article 8 affirmed the Athanasian Creed as part of Church of England doctrine, which referred to

³¹ Canons 26 and 109, in Gerald Bray (ed.), *The Anglican Canons 1529–1947* (Woodbridge: Boydell, 1998), pp. 297, 409.

³² Canon 27, in Bray, *Anglican Canons*, p. 299.

³³ Cummings, *Book of Common Prayer*, pp. 260, 262.

³⁴ *Ibid.*, p. 445.

³⁵ *Ibid.*, pp. 411–12.

³⁶ Jenkins, *Jenkins v. Cook, with Notes*, pp. 196, 258.

the everlasting fires of judgement (quoting the words of Jesus from Matthew 25 that Jenkins had eliminated). Jenkins's answer was that, far from being a depraver, he valued the Prayer Book very highly, 'only second to the Bible itself',³⁷ and indeed had published a small collection of prayers and collects as an aid to family devotions, drawn from the liturgy.³⁸

The judgement of the Court of Arches, delivered in July 1875, went in Cook's favour. Phillimore concluded that Jenkins's persistent denial of the existence of the devil and the eternity of punishment constituted him an 'evil liver' and a 'depraver of the Prayer Book', and thus the vicar was within his rights to bar him from the Lord's Table until Jenkins disavowed his 'heretical opinion'.³⁹ *The Spectator* thought the ruling was 'simply monstrous', placing the consciences of communicants in 'dogmatic fetters'. Clergy would now be able to insist on 'absolute assent' to any number of difficult doctrines 'on which nine-tenths of educated laymen have never made up their minds'.⁴⁰ One of those appalled at the judgement was the fashionable London preacher Stopford Brooke, who confessed that this interpretation of the law would render his position in the Church of England 'wholly untenable'. 'It is the vile superstition of the thing that revolts me', he wrote to his brother; 'it is the utter and entire contradiction in it of all the principles of liberal theology. . . . Practically speaking, half my congregation are subject to excommunication.'⁴¹ Brooke eventually resigned from Anglican ministry in 1880 and moved into Unitarian circles.

On appeal to the judicial committee of the privy council, in February 1876, the judgement was overturned. Omitting parts of the Bible was not itself an offence, they confirmed; otherwise, the Church of England's own lectionary would be guilty of the same charge. Although they did not pronounce on whether Jenkins's opinions were consistent with the Anglican formularies, they restricted 'evil living' to mean moral behaviour, not doctrinal

³⁷ Jenkins to Ellicott, 6 September 1874, in *Jenkins vs Cook: Appendix*, p. 35.

³⁸ Henry Jenkins, *Prayers for a Week* (London: James Blackwood, no date).

³⁹ *Jenkins vs Cook: Appendix*, p. 60. Also published in Robert Phillimore, *The Principal Ecclesiastical Judgments Delivered in the Court of Arches, 1867 to 1875* (London: Rivingtons, 1876), pp. 394–415.

⁴⁰ 'The Dean of Arches on "Jenkins v. Cook"', *The Spectator*, 24 July 1875, pp. 943–4.

⁴¹ Stopford Brooke to William Brooke, 17 July 1875, in Lawrence Pearsall Jacks, *Life and Letters of Stopford Brooke* (2 vols.; London: John Murray, 1917), vol. 1, pp. 322–4.

belief. Nor was he a 'depraver' of the *Book of Common Prayer*, in the sense of despising, reviling, or treating it with contempt. Furthermore, the rubric referred to an '*open and notorious* evil liver' who had offended the congregation, and the canon to '*common and notorious* depravers'. Since Jenkins had not openly publicized his views, but expressed them privately to his vicar, they could not be deemed 'notorious' or 'common'. Although the privy council acknowledged that Jenkins had started the controversy by his 'uncalled for' and 'uncourteous' rebuke of Cook's evangelical preaching, they nevertheless decided in the parishioner's favour and ordered his vicar to pay all legal costs.⁴² The force of the judgement to some interpreters seemed to be that any doctrine could be held in the Church of England provided it remained hidden from public view, a recipe for widespread 'hypocrisy'.⁴³ Parishioners now retained the 'precious privilege' of eating and drinking their own damnation at holy communion, ridiculed the satirist and secularist James Thomson, no matter what they believed and taught in private, and would only forfeit access to the sacrament if their heterodoxy was 'repeatedly published in a newspaper, or persistently proclaimed by the town-crier'.⁴⁴

DEFYING THE COURTS

At Christ Church, Clifton, on the Sunday morning after the judgement, the congregation was packed despite heavy rain, with standing room only. Jenkins and his family were conspicuously present, as Cook read the prayers and entered the pulpit. One admirer described the scene: the vicar's 'voice was firm and distinct, and he never wavered, never was embarrassed. And he did all this in front of a congregation most of them pale like himself with strong feeling, his opponent in full view, and the pencils of the reporters busily at work.'⁴⁵ Cook took for his sermon text, 'the Church of the living God' (1 Tim. 3:15), arguing that the Church of England was older than the English state or constitution or

⁴² *Judgment of the Lords of the Judicial Committee of the Privy Council on the Appeal of Jenkins v. Cook, from the Arches Court of Canterbury; delivered 16th February, 1876*, p. 13 (copy at LPL, H5155.C6).

⁴³ 'The Devil and the State Church', *Christian World*, 25 February 1876, p. 133.

⁴⁴ 'The Devil in the Church of England', *The Secularist*, vol. 1 (26 February 1876), p. 142, republished in James Thomson, *Satires and Profanities* (London: Progressive Publishing Company, 1884).

⁴⁵ 'The Rev. Flavel Cook and the Recent Judgment', *York Herald*, 26 February 1876.

crown and ultimately traced its 'spiritual pedigree' back to God himself.⁴⁶ Therefore its doctrine must be free of state control, not subject to judicial interference. He proclaimed:

The Church receives her life, her inspiration, her laws, her strength, her chastisements, her triumphs, from 'the living God'. She draws not her breath from human inspiration, nor are her laws amenable to the laws of man. There is one Lawgiver. If she is in doubt as to the will of her Lord, *here* [the Bible] is her statute book; here she is to seek and find, by the light and blessing of the Holy Ghost, what her duty is.⁴⁷

It was God who told clergymen how to behave, not the courts: 'The laws of God are immutable, the laws of man are ever variable.' But what then were Christians to do, when they found themselves 'placed between two laws—the law unchangeable of God, and the changeable law of man?'⁴⁸ Cook gave the examples of Daniel defying the laws of Nebuchadnezzar, and the martyrs of the early church willing to face the lions rather than submit to the laws of pagan sacrifice. He exhorted his flock:

Brethren, if you take not good heed, the spiritual life in you will be choked with this world's dust. Wake and remember where you are; be content to suffer the loss of all things, if need be, for Him . . . And if the judgment of this world should be against us, remember it is written that we are to commit our cause 'to Him who judgeth righteously'.⁴⁹

His sermon was likened to Martin Luther's declamation at the diet of Worms, 'Here I stand; I have nothing to alter; God is with me.'⁵⁰ That evening, Cook returned to the same theme, concerning the power of the law: 'Brethren! between you and me at present there is a new fact, an iron lever set up, and called "Law"; it is very strong; the purpose of it is to compel me to do what I cannot'. He warned that if the lever were to be pressed, if the privy council judgement were to be insisted upon, it would 'instantly part asunder pastor and people . . . cause unnumbered tears to flow, many hearts to ache', and 'give sorrow to Christ's servants,

⁴⁶ Flavel S. Cook, *Notes of Three Sermons Preached at Christ Church, Clifton . . . on the Morning and Evening of Sunday, Feb. 20th, and on Wednesday Morning, February 23rd, 1876* (London: Hamilton, Adams and Co., 1876), pp. 6–7.

⁴⁷ *Ibid.*, p. 5.

⁴⁸ *Ibid.*, pp. 8–9.

⁴⁹ *Ibid.*, pp. 12–13.

⁵⁰ 'The Rev. Flavel Cook and the Recent Judgment', *York Herald*, 26 February 1876.

and triumph to Christ's foes'. The law was powerful, but not sufficient to break the pastor's integrity: 'How long I may abide here I know not; I am at my Master's disposal.'⁵¹

Distressed by Cook's determination to resign, a petition signed by 562 parishioners and members of the Christ Church congregation (146 men, 416 women) begged Jenkins 'not to press your advantage and insist upon your right by law', but to retire to another congregation for holy communion.⁵² There were many other congregations in Clifton from which to choose. However, Jenkins refused to budge, expressing disappointment that his vicar would rather resign than comply with 'the law of the land', to which the petitioners retorted, 'there is a law of much higher authority'.⁵³ At the next monthly communion service on Sunday, 5 March 1876, Jenkins received the sacrament from the new curate, Lorraine Kenyon-Stow, while Cook was deliberately absent in Torquay.⁵⁴ It was rumoured that the Christ Church congregation would build him a proprietary chapel in Clifton where they could continue under his ministry,⁵⁵ but instead he transferred to London as chaplain of Paddington's Lock Hospital, a famous evangelical pulpit.⁵⁶ Some saw Cook's resignation as 'an act of petulance'.⁵⁷ 'This is a bad ending on both sides', observed *The Spectator*, 'showing a want of magnanimity in both the victor and the vanquished.' Jenkins should have 'waived the personal triumph' having won the legal principle; Cook should have hesitated before identifying divine law with 'the infallibility of his own judgment' and playing the part of 'a persecuted saint'.⁵⁸ The chaplain of the Clifton College mission, Hardwicke Drummond Rawnsley (later founder of the National Trust), was critical of both protagonists, urging that their mutual suspicions be overcome by the divine law

⁵¹ Cook, *Notes of Three Sermons*, pp. 17–18.

⁵² 'The Clifton Case: Resignation of Mr Cook', *Western Daily Press*, 23 February 1876.

⁵³ *Ibid.*

⁵⁴ *Church Times*, 10 March 1876, p. 120.

⁵⁵ 'The Clifton Case', *Church Times*, 25 February 1876, p. 96.

⁵⁶ The Lock chaplaincy had just been vacated by Cook's successor at Christ Church, William Hay Chapman (1832–1903). The two evangelical preachers, in effect, swapped places.

⁵⁷ *North Devon Journal*, 24 February 1876.

⁵⁸ *The Spectator*, 26 February 1876, p. 263; 'The Upshot of the Jenkins Judgment', *The Spectator*, 26 February 1876, p. 267.

of love. In his first volume of poetry, *A Book of Bristol Sonnets*, Rawnsley appealed:

There is one Judge of all the Courts Above,
And for one end His Statutes are decreed,
Our conscience only at that Bar can plead,
Our heart is lawyer, and the Code is Love!

...

Man is not Minos, Cook, that he should send
A soul to Heaven or a soul to Hell!
Say, Jenkins, hast thou broached th' invisible,
That thou deniest person to the Fiend?
God shall discern; His Love shall legislate;
And each one day forgive the other's fancied hate.⁵⁹

On his departure, Cook was presented by 160 members of his congregation with a gift of 24 valuable books, including a 'handsomely-bound' copy of Samuel Bagster's *Comprehensive Bible* (1827). A silver plate attached to the Bible's cover expressed their admiration for Cook's 'self-sacrificing vindication of God's truth and honour' and their confidence in the fulfilment of God's promise, 'them that honour me I will honour, and those that despise me shall be lightly esteemed' (1 Sam. 2:30).⁶⁰

IN PRAISE OF LIBERTY

Some saw the Clifton judgement as a vindication of the rights of the English laity against clerical oppression. Although Jenkins was a man of 'aggressive obstinacy' and 'bluff independence' who had merely 'dabbled in theology', *The Spectator* nevertheless praised him as 'the victorious champion of laymen's rights'.⁶¹ The theistic preacher Charles Voysey, who had been excluded from Church of England ministry in 1871 on account of his heterodoxy, likewise celebrated:

⁵⁹ 'Flavel Cook v. Jenkins' (1 April 1876), in H. D. Rawnsley, *A Book of Bristol Sonnets* (London: Hamilton, Adams and Co., 1877), p. 32.

⁶⁰ 'Testimonial to the Rev. Flavel Cook', *The Record*, 17 July 1876.

⁶¹ 'The Upshot of the Jenkins Judgment', *The Spectator*, 26 February 1876, p. 267. See also, 'The Laity and the Judgment in "Jenkins v. Cook"', *The Spectator*, 19 February 1876, pp. 233–4.

A great triumph has been gained by freedom of thought over traditional dogmas; by Protestant right of conscience over Sacerdotal arrogance; by an Erastian Church over the encroachments of an insidious Ecclesiasticism . . . [M]ark it down in our annals in letters of gold as one of the most hopeful signs of the times.⁶²

Voysey deliberately linked the evangelical Cook with the Anglo-Catholic ritualists because of his attempt to exercise priestly control over the laity. He mockingly thanked Cook for 'letting the British public see a good specimen of what they might reasonably expect from an unchecked, unbridled, priesthood' and for enabling 'the limits of Ecclesiastical tyranny to be legally defined'.⁶³ The judgement was a hopeful sign, he explained, that the courts intended 'to make the game of priestcraft and heresy-hunting very costly indeed'. It was time for the British state to say to the clergy: 'We don't care about your old Dogmas, and we will not allow you to force one of them down the throats of your reluctant or heretical flocks.' Although the doctrines of hell and the devil might be taught on every page of the Bible, it was 'all to no purpose. The law of the Church is against you.'⁶⁴ In Liverpool, the *Daily Post* protested that the laity should not put up with acts of 'clerical intolerance', and welcomed the judgement as 'another vigorous blow against sacerdotal pretensions'. Where would it have ended? If Cook had won his case,

every chancel in England may be made the court of an irresponsible theological inquisition, enforced under the pain of a public repulse from the Sacraments. One man may be punished for not believing in the Mosaic cosmogony, and another for entertaining heterodox opinions on the authorship of the Epistle to the Hebrews.⁶⁵

It would have granted every Church of England minister 'a dangerous and arbitrary power', agreed the *Stroud Journal*, nothing less than 'inquisitorial tyranny'.⁶⁶ This question also divided evangelicals, Cook's natural allies, some of whom were glad the judgement went against him lest it set a troubling precedent. *The*

⁶² Charles Voysey, *The Devil: A Sermon, Preached at the Langham Hall . . . February 20, 1876* (London, 1876), p. 1 (copy at St Edmund Hall, Oxford). See further Garth Turner, 'A Broad Churchman and the Prayer Book: The Reverend Charles Voysey', in R. N. Swanson (ed.), *Continuity and Change in Christian Worship* (Studies in Church History, 35; Woodbridge: Boydell, 1999), pp. 374–83.

⁶³ Voysey, *The Devil*, p. 2.

⁶⁴ *Ibid.*, p. 7.

⁶⁵ *Daily Post*, 18 February 1876.

⁶⁶ *Stroud Journal*, 19 February 1876.

Rock, an Anglican evangelical newspaper, was quick to 'utterly repudiate' Jenkins' theology, but believed that 'any other verdict would have struck an infinitely more serious blow against the truth'. It was a doubled-edged sword. If evangelical clergy were allowed to excommunicate parishioners for denying the personality of Satan, what would stop ritualist clergy from excommunicating those who denied the real presence of Christ at the eucharist? 'In short', *The Rock* averred, 'the clergy would have had their foot on the neck of the laity if the right which Mr Cook claimed had been conceded.'⁶⁷

Others, however, saw the significance of the legal struggle not as concerning the freedom of the laity from clerical control, but the freedom of the church from state control. Cook's principled stand won him widespread favour, not only among many evangelical friends but especially among the Tractarians, who shared his abhorrence of secular interference in church affairs. George Anthony Denison (archdeacon of Taunton and vicar of East Brent, 23 miles south of Clifton) had himself been sued through the courts in the mid-1850s by evangelical opponents of his eucharistic doctrine, but now he came to Cook's defence. Denison presented a *gravamen* at Convocation, declaring that the Clifton judgement brought 'dishonour to God, and to His Word, and to His Church': 'nothing could be devised of man tending more powerfully to destroy belief in the Catholic position of the Church of England, and to reduce it in the eyes of men to the position of a creature and a tool of the civil power.'⁶⁸ 'The position is as bad as it can possibly be', he lamented to his wife.⁶⁹ To H. P. Liddon, Denison spoke of the 'deadly character' of the judgement, 'a deadly assault upon the Church, upon the Bible, upon our Lord Himself'. He believed that Cook set a good example to 'high churchmen' and 'ritualists' who for thirty years

have not stood fast upon the principle of principles for which they have contended and are contending, with so many words and some feeble expenditure of money. There are plenty of meetings, speeches, memorials, petitions, some subscribing, and a great deal of declamation and flourish. But after all, it has remained for a 'Low Churchman' to be the first to

⁶⁷ *The Rock*, 25 February 1876, p. 132.

⁶⁸ Lower House, 17 February 1876, *Chronicle of Convocation*, vol. 3 (1876), p. 92.

⁶⁹ G. A. Denison to Georgiana Denison, 17 February 1876, in Louisa Evelyn Denison (ed.), *Fifty Years at East Brent: The Letters of George Anthony Denison, 1845–1896* (London: John Murray, 1902), p. 186.

make a great sacrifice for 'conscience sake', and I wait, I cannot say hopefully, for something like this on the High Church side.

But, tactically, Denison would not have resigned as Cook did, but would have 'gone on ministering and repelling Mr Jenkins' until this recalcitrance led to deprivation of his living. 'I should have required the actual arm of the officer of the Court to remove me from my Church and house. Anything short of this would be to admit the authority of the Courts.'⁷⁰ Over the next few years, five ritualist clergy were imprisoned for contempt of court, after successful prosecutions by evangelical agitators under the Public Worship Regulation Act, beginning with the incarceration of Arthur Tooth (vicar of St James's, Hatcham, southeast London) in January 1877.⁷¹ Yet, in Denison's analysis, it was Cook as an evangelical who modelled the way forward by his sacrificial and stubborn resistance to the secular law. Cook 'put the Ritualists to the blush', according to one commentator.⁷²

This common cause across theological party lines was demonstrated in other ways too. For example, 44 members of Convocation, including eight archdeacons and two cathedral deans, published a letter to Cook expressing sympathy with his 'severe trial . . . in the conscientious performance of what you conceived to be your duty'. Among the signatories was John Cale Miller, a prominent evangelical, but promoters of Tractarianism were more numerous like William Butler of Wantage, Robert Gregory (later dean of St Paul's), Evan Lewis (later dean of Bangor), Sir George Prevost, and Michael Ferree Sadler.⁷³ In the ritualist *Church Times*, Cecil Wray (incumbent of St Martin's-in-the-Fields, Liverpool) decried the Clifton judgement as 'an invasion on the part of the State of the liberties of the Church in her most sacred functions', and likely to provoke disestablishment. Many clergy, he announced 'will sooner lose their right hand than betray their trust at the bidding of the State; especially when a State Court over-rides the decisions of a Church Court'.⁷⁴

⁷⁰ G. A. Denison to H. P. Liddon, 10 March 1876, in *Fifty Years at East Brent*, pp. 187–8.

⁷¹ Joyce Coombs, *Judgement on Hatcham: The History of a Religious Struggle, 1877–1886* (London: Faith Press, 1969); Bernard Palmer, *Reverend Rebels: Five Victorian Clerics and their Fight Against Authority* (London: Darton, Longman and Todd, 1993).

⁷² *Kerry Evening Post*, 26 February 1876.

⁷³ Lower House, 18 February 1876, *Chronicle of Convocation*, vol. 3 (1876), pp. 145–6.

⁷⁴ Letter from Cecil Wray, *Church Times*, 3 March 1876, p. 104.

Another *Church Times* correspondent praised Cook as 'a brave and faithful man. He had a clear choice before him between God and Caesar, and he did not hesitate.'⁷⁵

Donations totalling over £5,000 flooded in from Cook's friends and supporters, to defray his legal costs.⁷⁶ For example, the evangelical Church Association sent him £105 from its 'Anti-Rationalistic Fund'.⁷⁷ But the ritualist English Church Union (ECU) also donated £100 as a token of their sympathy.⁷⁸ The ECU president, Charles Lindley Wood (later Viscount Halifax), declared that the judicial committee of the privy council were 'arrogating to themselves a position which the clergy alone can occupy as ministers of the Mysteries of God'. 'Inasmuch as Mr Cook is a very Low Churchman', he continued, 'I am sure that the English Church Union will feel a double pleasure in helping him', a surprising sentiment which was met with cheers by the ECU members.⁷⁹ At the ECU's Bristol branch, Cook was lauded for his 'noble stand' in defence of 'the inspired Word of God' and for his demonstration that it was 'the duty of Christian men to obey God rather than the decisions of civil courts'.⁸⁰ In a febrile atmosphere of antagonism between evangelicals and ritualists, which dominates historical writing about the Victorian Church in the 1870s, here was an important but forgotten symbol of friendship and commonality between the two sides in defiance of the law.

DOCTRINAL COMPREHENSIVENESS

Some felt that despite its close attention to the canons and rubrics of the Church of England, the judicial committee of the privy council had dodged the theological issues at the heart of the Clifton controversy. The real doctrinal questions, in the view of *The Record* (an Anglican evangelical newspaper), had been 'evaded by a resort to pure technicalities'.⁸¹ It was therefore left

⁷⁵ Letter from 'G. de H.', *Church Times*, 5 May 1876, p. 225.

⁷⁶ 'Testimonial to the Rev. Flavel Cook', *The Record*, 17 July 1876; 'The Clifton Fund Cook Testimonial', *The Record*, 31 July 1876.

⁷⁷ 'Jenkins v. the Rev. Flavel Cook', *Church Association Monthly Intelligencer*, vol. 9 (February 1875), p. 47.

⁷⁸ *Church Times*, 31 March 1876, p. 163.

⁷⁹ 'English Church Union', *Church Times*, 25 February 1876, p. 97.

⁸⁰ 'The English Church Union on the Judgment', *Bristol Mercury*, 26 February 1876.

⁸¹ *The Record*, 18 February 1876.

to preachers across the country to argue the case about Satan and Scripture.

'Monsieur Beelzebub' had suddenly risen to prominence, quipped the *National Reformer*, a freethinking journal edited by leading secularist Charles Bradlaugh.⁸² Many took the opportunity in spring 1876 to preach on Satan, and his non-existence, holding the doctrine up to ridicule. Voysey's chosen text was James 4:7, 'Resist the devil and he will flee from you.' He hoped that by Cook's advocacy other 'hobgoblins' from childhood religion would also be 'happily exposed and exploded'.⁸³ Hugh Reginald Haweis (incumbent of St James, Marylebone) remarked: 'it is strange indeed to see the Foul Fiend . . . dragged from the seclusion of theological repose, and brought face to face with the modern world, which has certainly of late somewhat neglected his claims to real sovereignty.' He accepted the existence of 'bad influences' in the spiritual realm, but not as organized under 'one particular Arch-Fiend, the king of devils'.⁸⁴ Other clergy tried to reinterpret the traditional doctrine for the modern commercial age. John Griffith (rector of Merthyr Tydfil) acknowledged that 'the old devil is dead', St Dunstan's medieval antagonist with 'horns, hoofs, and long tail'. And yet the devil was 'never more active, never more full of life than he is now'; his agents

wear gold-rimmed spectacles, black coats, top hats, smoke cigars, take snuff, and walk to and fro about the Exchange seeking whom they may devour . . . They set up all sorts of wicked schemes, and float them about the Stock Exchange—cooperative banks, fictitious gas companies, swindling silver mines—and fill Europe, Asia, and America with their lies. These are the devils of the nineteenth century.⁸⁵

Preaching at Salterhebble, near Halifax, James Fraser (bishop of Manchester) insisted it was perfectly possible for someone to 'be saved and yet not believe in the Devil', though he argued for the probable existence of a hierarchy of angels and demons unknown to modern science. His application was moralistic, however, warning that the demons of intemperance and lust must be resisted. 'Let them not say it was the Devil that bound us in his chains', the bishop concluded. 'It was we ourselves who wrapped those

⁸² Charles C. Cattell, 'The Rector of Merthyr and the Devil', *National Reformer*, vol. 27 (19 March 1876), p. 177.

⁸³ Voysey, *The Devil*, p. 8.

⁸⁴ 'The Devil', in Hugh Reginald Haweis, *Current Coin* (London: Henry S. King and Co., 1876), pp. 51–2.

⁸⁵ 'The Clifton Sacrament Case', *Gloucester Journal*, 11 March 1876.

chains around us.’⁸⁶ Meanwhile orthodox clergy attempted to defend the traditional doctrine, including James Sweet in *Christ and Satan* (1876), though his address verged towards dualism. The connection between the works of the devil and the ministry of Jesus, or between the Fall and Restoration of humanity, was so close, he argued, ‘that the Destroyer and the Saviour must be accepted or rejected together’.⁸⁷ The most extensive evangelical defence was James Ormiston’s *The Satan of Scripture* (1876), a detailed exposition. He spoke of the Clifton judgement as ‘a solemn epoch in the history of God’s truth in this land’, which had perplexed and disturbed ‘the minds of many true-hearted people of God’.⁸⁸ Yet *The Spectator* could not understand the fuss, and mocked: ‘Evangelicals have a weakness for Satan, and dislike heresy about him even more than heresy about God.’⁸⁹

From Flavel Cook’s perspective, however, the central theological issue at stake was not the existence of Satan or hell, but the authority of Scripture. In his July 1874 sermons against universalism and annihilationism, which sparked the whole controversy, the Bible’s authority and the preacher’s obligation were his reiterated themes. Universalism might suit ‘the temper of the times’ or the ‘soft indulgence’ of modern Christians, ‘but God’s word cannot be changed to suit the times; it is fixed as the stars of heaven.’⁹⁰ He continued:

I solemnly say that if I could find universal restoration in the Bible, gladly would I preach it. It is awful to think and speak of eternal punishment; but what can I say but what God has written? how dare I tell you what is not given to me in plain words to tell? . . . But for us who are dust, for us frail messengers, there is but one thing to do—to hear, preach, believe, and obey, the Word before us.⁹¹

And again the following Sunday: ‘though my heart be wrung and ought to be so, I cannot say what the lips of God have not said; and if I dare to say what is not written, my own name may be blotted out of the book of life.’⁹² Cook concluded:

⁸⁶ ‘The Bishop of Manchester on Belief in Devils’, *Manchester Guardian*, 18 July 1876.

⁸⁷ J. B. Sweet, *Christ and Satan* (London: SPCK, 1876), p. 8.

⁸⁸ [James Ormiston], *The Satan of Scripture. By a Clergyman* (London: Smith, Elder and Co., 1876), p. v.

⁸⁹ *The Spectator*, 24 July 1875, p. 934.

⁹⁰ Cook, *Universalism*, p. 9.

⁹¹ *Ibid.*, p. 11.

⁹² *Ibid.*, p. 17.

Not to conciliate the nearest and dearest, not for any seeming advantage spiritual or temporal, dare we depart one jot or tittle from what is written in God's Word. If I speak contrary to it, you have right to say to me, Come down from that pulpit. I am here to set forth what I can reverently gather from God's Word, not to please men but God.⁹³

On the eve of his resignation from Christ Church in February 1876, Cook wrote to a supporter: 'I am much troubled in trying to maintain the supremacy of God's Holy Writ . . . The days are dark, but if we walk by the light of His Word we shall see the way.'⁹⁴

In his later teaching ministry, Cook returned frequently to these motifs. At Lent 1878 he delivered *Righteous Judgment*, a series of six lectures at the Lock Chapel on eternal punishment, expanding upon his earlier expositions in Clifton. They were also in part a riposte to Archdeacon Frederic Farrar's provocative sermon series at Westminster Abbey in Advent 1877 which queried the classic portrayals of hell, published as *Eternal Hope* (1878).⁹⁵ Cook's detailed and wide-ranging argument was peppered with frequent affirmations of biblical authority: 'Keep close, very close, to the words of Holy Scripture . . . Bow every thought and wish in lowliest submission to the Divine word and will.'⁹⁶ And on his responsibilities as a clergyman: 'I must not allow my reason, no, nor my conscience, to impose on me anything not in keeping with the oracles of God . . . I must not be ashamed nor afraid to declare what the Lord has declared, nor shrink from repeating any word which He has uttered.'⁹⁷ Those who chased after 'men-pleasing doctrines', more suited to 'the softness of the self-indulgent age in which we live', were on 'the slippery brink of atheism' and guilty of 'insulting the majesty of Divine Truth'.⁹⁸ Cook's repeated attacks in the Lock Chapel pulpit upon reason and moral conscience as false guides to truth had previously been evident in his clash with Jenkins. *Righteous Judgment* was recommended by

⁹³ Ibid., p. 18.

⁹⁴ Cook to Cecil Wray, 18 February 1876, LPL, MS 1604, fo. 74.

⁹⁵ Frederic W. Farrar, *Eternal Hope: Five Sermons Preached in Westminster Abbey, November and December, 1877* (London: Macmillan, 1878). See further, Geoffrey Rowell, *Hell and the Victorians: A Study of the Nineteenth-Century Theological Controversies Concerning Eternal Punishment and the Future Life* (Oxford: Clarendon Press, 1974), pp. 139–52.

⁹⁶ Flavel S. Cook, *Righteous Judgment: Six Lectures on Future Punishment, Preached in the Lock Chapel, During Lent, 1878* (London: Seeley, Jackson and Halliday, 1878), p. 102.

⁹⁷ Ibid., pp. 138, 140.

⁹⁸ Ibid., pp. 99–100, 142.

evangelical heavyweight J. C. Ryle (bishop of Liverpool), who ranked it alongside Matthew Horbery's *An Enquiry into the Scripture-doctrine Concerning the Duration of Future Punishment* (1744, republished 1878) and R. B. Girdlestone's *Dies Irae* (second edition 1877) as 'far sounder, and more Scriptural' than Farrar's *Eternal Hope*.⁹⁹ Another evangelical supporter, G. T. Fox (vicar of St Nicholas', Durham), welcomed *Righteous Judgment* because it placed the authority of Scripture as the key question in these doctrinal disputes. 'The only protection against the ceaseless tide of error now running so strong in its many devious channels', Fox proclaimed, 'is to cling with unflinching loyalty of heart to "God's word written"'.¹⁰⁰ Four times during the 1880s Cook was a keynote speaker at the Islington Conference, the flagship annual gathering of Anglican evangelical clergy, where again he urged his ministerial colleagues in January 1881 to undertake 'a systematic, living, and reverent preaching of all revealed truth'.¹⁰¹ Likewise, preaching at St Matthew's, West Kensington, in Lent 1882, he declared:

We have nothing to do with justifying the ways of God. God will justify His own ways. Our charge is to deliver to souls that which God delivers to us, and to say, not what we think, but, what God has spoken, and not to try to commend ourselves to the changing opinions of men, but to charge them in God's name Him to hear, that, hearing, their souls may live . . . What God has said—what He has caused to be written for our instruction—that, and that only is our guide.¹⁰²

This principle was foundational throughout Cook's ministry, and, in his view, it lay at the heart of the Clifton dispute and the reasons for his resignation.

These doctrinal disagreements had wider ecclesial implications for the boundaries and comprehensiveness of the Church of England. The issues at trial between Jenkins and Cook were 'immense', said one clerical observer, for all who regarded the Bible as divinely inspired. Was the Church of England willing to comprehend 'those who openly blaspheme the Word of God'?

⁹⁹ J. C. Ryle, *Practical Religion: Being Plain Papers on the Daily Duties, Experience, Dangers, and Privileges of Professing Christians* (new edition, London: National Protestant Church Union, 1897), p. 488.

¹⁰⁰ Letter from G. T. Fox, *The Record*, 15 July 1878.

¹⁰¹ 'Islington Clerical Meeting', *The Record*, 14 January 1881.

¹⁰² Flavel S. Cook, 'Can Sincerity Save?', in *Burning Questions of the Day; or, Plain Truths on Certain Fatal Errors* (London: James Nisbet, 1882), pp. 12–13.

But surely the question is of vital importance to the Church of England, as a witness for God's truth. For if the ministers of that Church are to be compelled to recognise everyone, whatever heresies and blasphemies he may utter, as a fit recipient of the Lord's Supper, the very foundations of that Church will be overthrown.¹⁰³

Likewise a correspondent in the *Church Times* lamented, *reductio ad absurdum*, that 'After this judgment it is doubtful whether it would be possible to repel Mr Bradlaugh himself.'¹⁰⁴ Others, however, welcomed looser doctrinal boundaries. The Clifton judgement, cheered the *North Devon Journal*, was 'conceived on the principle of inclusion, instead of that of exclusion'.¹⁰⁵ In Oxford, liberal clergyman Carteret J. H. Fletcher (rector of Carfax) preached a sermon on 'Clerical Caste Feeling' in which he alluded to the Clifton case and appealed for a broader view of the Christian faith. 'Paul did not lengthen his creed and shorten his love', he pointedly observed, 'as some of our ecclesiastics are doing'.¹⁰⁶

CONCLUSION

The Clifton excommunication case was far more than a clash between two stubborn individuals in a local parish. Although it might have been quickly smoothed over by greater pastoral diplomacy or more decisive episcopal action, its public progress through the courts revealed a number of major fault lines running through the Church of England in the late-Victorian period.

First, the Clifton case demonstrated the unresolved tensions over the role of law in the life of the church, which have been evident in every generation.¹⁰⁷ This was particularly apparent when a secular court (the judicial committee of the privy council) overruled the judgement of the highest ecclesiastical court (the Court of Arches). Cook and his Anglo-Catholic allies insisted that it was beyond the competence of the state to determine ecclesial policy, even in a church by law established. In this, Cook's role as an

¹⁰³ Letter from 'A Clergyman of Forty Years' Standing', *The Record*, 8 January 1875.

¹⁰⁴ Letter from 'A.', *Church Times*, 3 March 1876, p. 104.

¹⁰⁵ *North Devon Journal*, 24 February 1876.

¹⁰⁶ 'A Liberal Minded Clergyman', *Trowbridge and North Wilts Advertiser*, 26 February 1876.

¹⁰⁷ For recent case studies, ranging from the early church to the twentieth century, see Rosamond McKitterick, Charlotte Methuen, and Andrew Spicer (eds.), *The Church and the Law* (Studies in Church History, 56; Cambridge: Cambridge University Press, 2020).

evangelical is an important counterpoint to the standard historiography which focuses upon Victorian evangelicalism's willingness to use the power of the secular law to restrain ritualism. Anti-Catholic campaigning organizations like the Church Association are often portrayed as litigious Erastians, happy to hide behind the secular law if it helped them to win a theological argument against their enemies. But Cook took a different approach by defying the courts and was therefore praised even as a pioneer and model for Anglo-Catholics to follow. The famous ritualists 'martyrs' like Arthur Tooth were, in that sense, walking in evangelical footsteps though they took their protests even further by refusing to resign their benefices and were jailed. Although the judicial committee of the privy council numbered the archbishops of Canterbury and York among its members, Cook likened its judgement to the laws of pagan Babylon or Rome, which must be defied by every true believer for whom loyalty to Christ came first. He believed that the church must look for its statutes, not to parliament, but to the Bible, and was confident of vindication at the highest tribunal on the ultimate Day of Judgement. The laws of the land must not be allowed to shape the doctrines of the church, Cook insisted—a recurrent debate in subsequent decades as English state law and church law progressively diverged (over the doctrine of marriage, for example).

Second, the Clifton excommunication case brought to the fore the perennial tug-of-war over the locus of power in the Church of England at a parochial level. Just as Cook fought for the church to be free from secular control, so Jenkins fought for the laity to be free from clerical control. The late-Victorian period was marked by increasing power for the laity in shaping local church decisions, both through formal synodical representation and through rising levels of lay theological literacy. Jenkins was representative of that growing class of self-made Victorian businessmen who had the theological confidence to publish works of divinity, such as his edited Bible and book of prayers. Cook's use of excommunication as a tool to control his congregation therefore seemed to some like a bid to reassert clerical power. It was revealed in his unguarded description of Christ Church as 'my church', which brought Jenkins's sharp riposte that it was in fact 'also mine'. A persistent Protestant trope, since the Reformation, depicted the laity as a bulwark against the pretensions of a priestly caste, and therefore many evangelicals refused to endorse Cook's methods even while they applauded his doctrine. They saw the dangers of ceding power to the clergy which might in other parishes lead to

an anti-evangelical purge. Thus they unwittingly helped to prepare the ground for the twentieth-century trend which saw excommunication almost vanish from Church of England practice. Although evangelicals in a later generation looked back wistfully to the power of excommunication as the best way to restore moral and doctrinal discipline to a lax church, their co-religionists in the 1870s viewed this power as a double-edged sword with which the clergy should not be trusted.

Third, the Clifton case sheds fresh light on the contested nature of Anglican identities. Although Cook appealed to conscience against the laws of the state, Jenkins likewise appealed to conscience against the dogmas of the church. Their dispute centred upon the appropriate limits to freedom of belief in the Church of England, and to what extent lay opinions, in particular, should be circumscribed. Was the Nicene Creed sufficient as a summary of orthodox doctrine? Were Reformation formularies like the *Book of Common Prayer* and the Thirty-Nine Articles of Religion still binding upon modern Anglicans? Although arguments over the personality of Satan and the reality of eternal punishment loomed large in public commentary, beneath them lay more foundational questions of the authority of Scripture and the role of reason in formulating modern Anglican doctrine. Most fundamental was the question of how God speaks. Cook believed his ministerial duty was to announce 'what God has spoken' in the Bible, whereas Jenkins instead cherished his own moral conscience as 'the voice of God within him'. As soon as Cook raised the stakes by turning their quarrel into an argument about Scripture's place in the Church of England, he left himself no room for manoeuvre. Having publicly committed himself to the supreme authority of 'God's word written', as a matter of personal integrity and theological principle, he could not back down even at the threat of legal action and the loss of home and livelihood. It was around this call to arms, of the supremacy of Scripture in the face of rationalistic advances in the Church of England, that evangelicals flocked to Cook's side. Access to the sacrament in suburban Bristol thus became a symbolic marker in a nationwide contest over the nature of Anglican identity. The language of 'inclusion' and 'exclusion', rhetorically powerful in later Anglican controversies, began to emerge during the Clifton case. Jenkins's allies portrayed him as the freedom-loving hero of a broad, tolerant, liberal Anglicanism, who by refusing to be excluded from the Lord's Table, despite his departure from traditional Christian orthodoxy, thus helped to promote a more capacious Church of

England. Jenkins's clash with Cook was far more than a local pastoral crisis. It was a significant test case in the ongoing struggle between their competing and incompatible visions for a comprehensive Church.