

ARTICLE

Anti-Reredos Cases and the Fight against Idolatry in the Late Victorian Church, c. 1860–c. 1900

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Abstract

This article considers attacks on reredoses in the late Victorian Church of England with the objective of placing such controversies within the context of anti-idolatry and anti-ritualism campaigns of the period. By doing so it seeks to rectify the lack of focus in the historiography on how the ritualist controversy affected discussion of changes to church architecture. In particular, by using local newspapers, it extends consideration of the reredos issue beyond the two main cases, namely those of Exeter and St Paul's cathedrals. It argues that the reredos cases provide a powerful tool for considering how the Church of England moved towards a more 'catholic' position on ornamentation during this period, showing how it became impossible for the more Protestant members of the Church to prevent what they saw as the 'Romanization' of ecclesiastical spaces. This was part of a broader process by which ornamentation was coming to be accepted on purely aesthetic terms, and not as a challenge to the theology of the Church of England. It further assesses the significance of the Public Worship Regulation Act 1874 in relation to cases involving church fabric, arguing that the introduction of the bishops' veto had only limited practical effects on such disputes.

Keywords: anti-ritualism, Church Association, Public Worship Regulation Act 1874, reredos, Victorian Church

Introduction

The last decades of the nineteenth century were a period of considerable theological turmoil within the Church of England. There were significant concerns among the more Protestant members of the Church over the increased use of ritual in churches, and agitation in some quarters for moves against it.² In 1874 Parliament passed the

¹Hugh Pattenden is an independent scholar. He would like to offer his thanks to Dr Luke Blaxill, Fr Christopher Johnson, SSC, and Dr Hugh Reid for their advice and support in the writing of this article.

²For a discussion of the different parties within the Church during this period, see M.A. Crowther, 'Church Problems and Church Parties', in G. Parsons (ed.), *Religion in Victorian Britain*. IV. *Interpretations* (Manchester: Manchester University Press, 1988), pp. 4–27; J. Shelton Reed, *Glorious*

Public Worship Regulation Act, a controversial piece of legislation directed against 'ritualist' clergy. At the same time, church architecture was also changing in response to the ideas of both the Tractarians and the Ecclesiological Movement, both of whom had pushed for a more 'catholic' church, more in touch with its mediæval roots.³ One piece of church architecture that made a return was the reredos, the ornamental screen behind the altar. Many of these were erected across the country, often depicting images of the life of Christ, or else images of saints. Usually they were accepted uncontroversially for their aesthetic quality, becoming a significant part of church fabric. In a number of cases, however, new reredoses created significant controversy on the grounds that they were idolatrous. Sometimes this took the form of local unrest or complaint; in other cases major litigation took place, most notably in the cases of Exeter and St Paul's cathedrals. This article looks at a number of these disputes, and considers their significance in the context of theological conflict within the late Victorian Church. The next section will reconstruct the disputes, after which the historiography of the issue will be considered. Further sections will then engage with the arguments deployed against the new reredoses as well as the significance of the cases. The paper will argue that reredoses were often seen by 'Protestants' as conspicuous examples of the 'Romanization' of the English Church.⁴ It will show, however, that the government and church hierarchy had, by the later Victorian era, accepted ornamentation for its aesthetic qualities and effectively abandoned the Reformation theology on idolatry. And, although the establishment had to take these cases seriously, the anti-reredos faction were never strong enough to enforce their will for any significant length of time.

The Reredos Cases of the Late Victorian Era

In 1871 the Chancellor of Exeter, Archdeacon William Phillpotts, launched a legal campaign against the Dean and Chapter of the diocesan cathedral. He petitioned the Bishop of Exeter, Frederick Temple, to order the removal of a recently constructed reredos under the auspices of the XXII Article of Religion, suggesting that such an image invited idolatry. The reredos, designed by Sir George Gilbert Scott, and made of alabaster, depicted the Ascension with the Apostles looking on. It had been introduced as part of a wider scheme of work to 'Victorianize' the Cathedral. Temple, as

Battle: The Cultural Politics of Victorian Anglo-Catholicism (Nashville: Vanderbilt University Press, 1996), ch. 6. Useful discussions of the composition of the 'High Church' party can be found in R. Strong, 'Introduction', in R. Strong (ed.), *The Oxford History of Anglicanism. III. Partisan Anglicanism and its Global Expansion, 1829–c.1914* (Oxford: Oxford University Press, 2019), pp. 1–23 (6–7), and K. Hylson-Smith, *High Churchmanship in the Church of England: From the Sixteenth Century to the Late Twentieth Century* (Edinburgh: T&T Clark, 1993), esp. ch.10. There is also much debate about the precise relationship between the Tractarians and Ritualists. It is unclear whether the latter should be seen as a direct development of the former. On this see G. Herring, *The Oxford Movement in Practice: The Tractarian Parochial Worlds from the 1830s to the 1870s* (Oxford: Oxford University Press, 2016), ch. 11.

³A. Symondson, 'Theology, Worship, and the Late Victorian Church', in C. Brooks and A. Saint (eds.), *The Victorian Church: Architecture and Society* (Manchester: Manchester University Press, 1995), pp. 192–222; W. Whyte, *Unlocking the Church: The Lost Secrets of the Victorian Sacred Space* (Oxford: Oxford University Press, 2017), p. 11; N. Yates, *Buildings, Faith and Worship: The Liturgical Arrangement of Anglican Churches, 1600–1900* (Oxford: Oxford University Press, 2000), ch. 8.

⁴This is how they often referred to themselves. An alternative name might be 'evangelicals'.

visitor of the Cathedral, asserted his right to judge the matter, and assembled a court in the Chapter House, meeting before a busy crowd between 7 and 9 January 1874. The bishop had appointed Sir Henry Singer Keating as his assessor, and, after a recess of several months, the final decision was announced in court on 15 April. The judgment was that the reredos be removed, and was made on two grounds: first that the images themselves were unacceptable, and secondly, because they had been introduced without a faculty, that is to say, without permission to do so.⁵

The case was appealed to the Court of Arches, the judicial body of the Province of Canterbury, opening on 3 July 1874 before Robert Phillimore, Dean of Arches, much against the protestations of William Phillpotts, who questioned the right of the court to hear the case. Sir James Parker Deane, QC represented the Dean and Chapter of Exeter Cathedral.⁶ The court heard arguments for three days until Phillimore retired to consider his judgment, which was finally given on 6 August.⁷ There were two key elements to the case: the first was whether the Bishop of Exeter had the power to make a judgment on this issue, and second, whether the reredos was in itself illegal. On the former matter he decided that the bishop did in theory have the power to conduct a visitation, but that his order that the reredos be removed on the grounds that it had no faculty was illegal, especially since a previous reredos had been erected at Exeter in 1823 without a faculty or objection. On the second, more important, matter of idolatry, he felt that the images were essentially harmless. Although he acknowledged that any images found to be illegal would have to be removed, he did not believe that the Exeter reredos contained any such items. The case ended with Sir James declining to press for costs.⁸

On 29 June 1888 a new reredos was unveiled at St Paul's Cathedral. Designed by George Frederick Bodley in conjunction with Thomas Garner, it was part of a scheme spearheaded by Canon Robert Gregory to create a focal point for the interior of the building, and thus to 'complete' the cathedral.⁹ The firm of George Frederick Bodley, noted for its collaboration with Anglo-Catholic clerics, seems largely to have been chosen out of appreciation for the reredos that he had designed for the chapel at the country house of Temple Newsam.¹⁰ The design was itself the work of Thomas Garner, and consisted of a semi-circular marble screen with a central monument of the same incorporating a figure of Christ crucified in the gothic style. The choice of Bodley's firm seems to have been the decision of Richard Church, Dean of

⁵F. Temple to E. Sandford, 21 April 1874, in E. Sandford (ed.), *Memoirs of Archbishop Temple by Seven Friends* (2 vols., London: Macmillan, 1905), I, p. 531.

⁶*The Times*, 'Law Report: Arches Court, July 3', London, 6 July 1874, p. 13; Lambeth Palace Library, MSS Arches Aaa50, Arches Ff66,67, Arches H 959/1-43. Note: Robert Phillimore was the father of Walter, who also appears in various cases. Both were lawyers who took an interest in ecclesiastical matters.

⁷*The Times*, 'The Exeter Reredos Case', London, 7 August 1874, p. 11.

⁸*The Times*, 'The Exeter Reredos Case', p. 11.

⁹T. Sladen, 'Embellishment and Decoration, 1696-1900', in D. Keene, A. Burns and A. Saint (eds.), *St Paul's: The Cathedral Church of London, 604-2004* (New Haven: Yale University Press, 2004), pp. 233-57 (249-50, 252).

¹⁰Sladen, 'Embellishment and Decoration', p. 252.

St Paul's, and a known Tractarian, although not a ritualist.¹¹ A high altar was added in 1891 to complete the scene.

Much as Dean Church and Canon Gregory may have been thinking of the aesthetics of the cathedral, in order to add glory to their worship (as they saw it), this construction hit one of the most important fault lines in the Victorian Church. The Church Association raised serious objections to the piece. It was, for them, 'illegal, and, being used in Roman Catholic churches as a necessary adjunct to the service of the mass . . . a direct and ever-present incentive to idolatry'.¹² In April 1888, even before the reredos had been officially dedicated, the Church Association had approached Frederick Temple, Bishop of London, with a petition of 9,000 signatures demanding action against the clergy of St Paul's under the Public Worship Regulation Act 1874.¹³ This act of Parliament had been passed the previous decade as an attempt by the then Archbishop of Canterbury, A.C. Tait, to limit the growth of ritualism within the Church of England.¹⁴ It allowed for the prosecution of clergy for the erection of 'any decoration forbidden by law', which meant, so surmised the lawyer William Brooke, that '[a] crucifix with an image of the Saviour thereon, it would appear, is unlawful as an ornament or decoration of a church'.¹⁵ There was, however, provision within the Act for the diocesan bishop to veto the case within 21 days of the petition being put to him, providing his reasons for doing so in writing.¹⁶ Bishop Temple chose this option on the grounds that, in his opinion, the issue had already been decided in the Exeter case of 1874.¹⁷ At this point there began a war of words followed by a protracted legal battle between the Church and the Church Association to decide on the legality of the reredos. This battle started in the Queen's Bench Division (which issued a writ of *mandamus* ordering the bishop to initiate proceedings), before moving on to the Court of Appeal, who supported the bishop, reversing the lower court's decision.¹⁸ Eventually the case reached the House of Lords, which, in 1891, also decided in favour of the bishop and the case was finally dropped.¹⁹

Neither the Exeter nor the St Paul's case developed in a vacuum. Although they are by far the most famous legal cases relating to church ornamentation, there were many other controversies, not all of which ended up in court. One early incident

¹¹Sladen, 'Embellishment and Decoration', p. 252; (G. Murphy) 'Oxford Dictionary of National Biography: Church, Richard William (1815–1890), dean of St Paul's', <http://www.oxforddnb.com/view/10.1093/ref:odnb/9780198614128.001.0001/odnb-9780198614128-e-5389> (accessed 15 August 2020).

¹²*The Times*, 'Church Association – Special Appeal for Funds', London, 12 July 1888, p. 8.

¹³Sandford, *Memoirs of Archbishop Temple*, II, pp. 112–13.

¹⁴W. Brooke, *The Public Worship Regulation Act, 1874: With Introduction, Notes, and Index* (London: Henry S. King & Co, 1874); J. Bentley, *Ritualism and Politics in Victorian Britain: The Attempt to Legislate for Belief* (Oxford: Oxford University Press, 1978); G. Graber, *Ritual Legislation in the Victorian Church of England: Antecedents and the Passage of the Public Worship Regulation Act, 1874* (San Francisco: Mellen Research University Press, 1993); N. Yates, *Anglican Ritualism in Victorian Britain* (Oxford: Oxford University Press, 1999), ch. 5.

¹⁵Brooke, *Public Worship Regulation Act, 1874*, p. 36.

¹⁶Section 9, Public Worship Regulation Act, 1874.

¹⁷Sandford, *Memoirs of Archbishop Temple*, II, pp. 112–13.

¹⁸*The Times*, 'Law Report, June 1. Queen's Bench Division', London, 3 June 1889, pp. 11–12; *The Times*, 'Law Report, Dec. 17. Supreme Court of Judicature. Court of Appeal', London, 18 December 1889, p. 3.

¹⁹*The Times*, 'Law Report, July 20. House of Lords', London, 21 July 1891, pp. 3–4 (4).

took place in 1864 when the Bishop of Exeter refused to consecrate the reredos at St John's, Torquay. Henry Phillpotts, concerned that services there had 'long excited grave suspicion in the minds of moderate men, and . . . provoked . . . bitter complaints of those who are most sensitive to every indication of Romanism'.²⁰ The defection to Rome of a cleric associated with the church also concerned Phillpotts, who felt that, given the circumstances, it was necessary to prevent a reredos bearing figures being installed there.²¹ Phillpotts was known for being stringent on his requirements for clergy. Although himself comfortable with some ornamentation and, indeed, often associated with the Oxford Movement by his opponents, he was not willing to allow practices or ornamentation that went beyond those allowed by church law.²² It is notable that in the Torquay case Phillpotts claimed to have been acting to prevent the annoyance of 'the feelings of any numerous portion of those who would wish to attend upon . . . [the clergy of St John's] . . . ministry'.²³ The parish priest acceded to the wishes of his bishop, and the work was altered in such a way that Phillpotts no longer considered it unacceptable.²⁴

In August 1867 the Church Association's *Monthly Intelligencer* raised concerns about the erection of reredoses at a number of churches in the Oxford diocese. A new 'alabaster slab' depicting 'an elaborate representation of the crucifixion' had been erected in St Mary's, Bloxham, near Banbury.²⁵ The Church Association felt it improper to introduce a 'romish' [*sic*] symbol right above the altar, where the communion service was held.²⁶ The next month the Association criticized the reredos at St Philip and St James, Oxford. The college chapels were also censured in a general fashion.²⁷ There seems to have been no further action taken, but the arguments made against the Bloxham reredos set the tone for later cases.

Four years later a complaint was made by a churchwarden against the new reredos at St Mary-the-Virgin, Lynton, Devon. This led to a judgment in favour of its removal in the Exeter Consistorial Court on the grounds that the placing of figures in an 'attitude of adoration' beside a crucifixion scene might encourage the laity to engage in idolatry.²⁸ No appeal was lodged in this case and the offending items were replaced with a large brass cross.²⁹ In 1873 the *Spectator* reported that the Revd Thomas Price, Vicar of St Augustine-the-less, Bristol, spoke out against the new

²⁰*Church Times*, 'The Bishop of Exeter on the Reredos at St. John's, Torquay', London, 17 December 1864, p. 406.

²¹*Church Times*, 'The Bishop of Exeter on the Reredos at St. John's', p. 406.

²²(A. Burns), 'Oxford Dictionary of National Biography: Phillpotts, Henry (1778–1869), bishop of Exeter', <http://www.oxforddnb.com/view/10.1093/ref:odnb/9780198614128.001.0001/odnb-9780198614128-e-22180> (accessed 15 August 2020).

²³*Church Times*, 'The Bishop of Exeter on the Reredos at St. John's', p. 406.

²⁴*Church Times*, 'St John's Church, Torquay', London, 8 April 1865, p. 105.

²⁵Church Association, 'Romanising and Ritualistic Practices in the Diocese of Oxford', *Monthly Intelligencer* VI, August 1867, pp. 53–56 (54).

²⁶Church Association, 'Romanising and Ritualistic Practices', VI, p. 54.

²⁷Church Association, 'Romanising and Ritualistic Practices in the Diocese of Oxford', *Church Association Monthly Intelligencer* VII, September 1867, pp. 80–84 (80–81).

²⁸*Trewman's Exeter Flying Post or Plymouth and Cornish Advertiser*, 'District News: Lynton', 3 May 1871, p. 7.

²⁹*Trewman's Exeter Flying Post or Plymouth and Cornish Advertiser*, 'District News: Lynton', 14 June 1871, p. 7.

reredos at Gloucester Cathedral, writing the bishop a letter in which he quoted the homily 'Against Peril of Idolatry', and asserting that the decoration was against the Second Commandment. Bishop Ellicott is reported to have written back 'tersely' against this 'silly' letter, the *Spectator* questioning:

why do our religious teachers so seldom explain what the idolatry is, against which the Second Commandment is directed in our own days, since the worship of graven images it certainly is not,—if it ever was? We take the real sin of idolatry to have been the merging of the moral and spiritual attributes of God in those physical, sensuous, or sensual qualities of which all ancient, and especially all Oriental sculpture, was most likely to preserve the traces.³⁰

Early the following year, the Bishop of St Asaph, Joshua Hughes, refused to consecrate the church of St Mary, Denbigh on the grounds that the figures in the centre of the reredos contained a rood, or crucifixion scene, recently declared illegal in the Exeter cathedral case.³¹ The next year it was decided that the centre panel was illegal.³² This case, a minor *cause célèbre*, reached the Court of Arches, where, in June 1877, Lord Penzance decided that the case of idolatry had not been proven, and therefore a fresh application for a faculty to install the reredos in its entirety should be allowed.³³ A similar case, this time relating to the new reredos at All Saints, Daresbury, had been taken to the Chester Consistory Court in 1875. This item featured an image of (amongst other things) the *Agnus Dei* considered by some to have been 'idolatrous, and not consistent with the doctrines of the Established Church of England'.³⁴ Ultimately, this case was as much about the fact that no faculty had been sought as it was about the design of the reredos, which was judged to be within the law.³⁵

November 1881 saw Lieutenant Colonel Godfrey Rhodes, the owner of seven acres of land in the parish of St Luke and All Saints, Darrington, Yorkshire, complain to the churchwardens that the images on their new reredos were illegal. He felt that the offensive item should be removed. His complaint had come over a year after the reredos had been installed, and was slightly puzzling as he was not actually himself resident in the parish. Nor could Rhodes explain why the images on the reredos were against the law. The case was dismissed in the York Consistory Court, it being felt that 'those ugly and bad pictures of a ladder and a sponge, nails and hammers, scourges and ropes, a skull, tunic, and a bag could hardly be supposed likely to provoke idolatry; and the cross was well known to be legal in painting or architecture'.³⁶

Eccles, then a village near Manchester, was the scene of 'tumultuous proceedings' in 1883 when a parish meeting on the matter of a new reredos turned violent.³⁷ A

³⁰*Spectator*, 'News of the Week', London, 14 June 1873, p. 751.

³¹*Western Mail*, 'A Reredos Difficulty in North Wales', Cardiff, 17 February 1874, p. 5.

³²*Church Times*, 'Summary', London, 19 November 1875, p. 575.

³³*Wrexham Guardian*, 'The Denbigh Reredos Suit: Central Compartment to be Restored', 23 June 1877, p. 3; Lambeth Palace Library, MSS Arches Ff 68, Arches H 985/1-26.

³⁴*Liverpool Mercury*, 'Chester Consistory Court: Daresbury Reredos Case', 16 October 1875, p. 7.

³⁵*Cheshire Observer*, 'Chester Consistory Court: Daresbury Reredos Case', 6 November 1875, p. 8.

³⁶*Sheffield Daily Telegraph*, 'Reredos dispute at Darrington', 29 April 1882, p. 3.

³⁷*Manchester Weekly Times*, 'The Reredos Question at Eccles', 24 March 1883, p. 7.

rumour had gone round the village that the proposed new reredos for the parish church was 'intended to have a figure of the Virgin Mary on one of the panels of the ornament', and that plans were afoot to 'erect a piscina, and to raise the steps to the communion table'.³⁸ In a speech lasting almost an hour, the vicar was at pains to explain that he had no intention of making any such changes, and that his only 'aim and desire was to erect a beautiful reredos in the parish church . . . to replace in alabaster that which already existed in wood'.³⁹ An attempt was made to force a motion against a new reredos, which was unsuccessful, at which point someone raised a banner with the text 'Vote for the amendment'. It was at this point that, in attempting to take the flag, proponents of the reredos began a brawl.⁴⁰ As reported by the *Manchester Evening News*, '[t]he tattered flag was afterward carried through the village by an excited crowd of the vicar's opponents'.⁴¹ By the end of March a petition of 1,400 signatures had been put to the Chancellor of Manchester, demanding that it be refused a faculty.⁴² Petitions notwithstanding, a faculty was granted in the Manchester Consistory Court on 6 April on the grounds that there was nothing ritualistic about the proposed design.⁴³ Just as that case was ending, elsewhere a meeting was being held to discuss opposition to the new images in Christ Church, Bristol, considered by some to be unacceptable to 'the Protestant Reformed Religion established by law'.⁴⁴ The objectionable images consisted of a crucifix between statues of St John and St Ewen. At a fairly raucous meeting it was decided to pass on a complaint to the bishop. No further action seems to have been taken and as of the time of writing the images remain.

Despite the conclusion of the St Paul's case, conflict continued into the 1890s. In 1895 a faculty was refused at the Manchester Consistory Court to a reredos in the form of an opening triptych at St John's, Pendlebury. The decision was made on the grounds that the central figure of Christ was 'more prominent in the design than any of the painted figures in the panels', meaning that it might, given its proximity to the communion table, be at risk of abuse. This case is unusual in that no one had actually objected to the plans: the Chancellor of Manchester, although himself not overly concerned about potential sin, felt that the law laid down in the Exeter case should be observed. The design was duly changed and a faculty was granted with the proviso that the triptych should also be open during communion, so that the Christ figure was clearly seen as part of a wider scene.⁴⁵ Objections were also raised to the new reredos at Manchester Cathedral in 1895 during the annual vestry meeting, and again in 1897. Concerns about ritualism occurred again in 1899, and there was an attempted resolution against, among other things, the 'idolatrous and obnoxious reredos' containing statues of Christ,

³⁸*Manchester Weekly Times*, 'The Reredos Question at Eccles', p. 7.

³⁹*Manchester Weekly Times*, 'The Reredos Question at Eccles', p. 7.

⁴⁰*Manchester Weekly Times*, 'The Reredos Question at Eccles', p. 7.

⁴¹*Manchester Evening News*, 'The Eccles Reredos Dispute', 19 March 1883, p. 2.

⁴²*Manchester Evening News*, 'The Eccles Reredos', 28 March 1883, p. 2.

⁴³*Manchester Evening News*, 'The Reredos Question at Eccles', 6 April 1883, p. 3.

⁴⁴*Western Daily Press*, 'The Reredos at Christ Church', Bristol, 7 April 1883, p. 3.

⁴⁵*Manchester Courier and Lancashire General Advertiser*, 'Ecclesiastical Intelligence: Manchester Consistory Court', 2 February 1895, p. 11.

the Blessed Virgin Mary, St Denys, and St George.⁴⁶ Similar attacks were made in 1900, as well as in 1901, 1902, and 1904.⁴⁷ A further incident occurred in 1897 when accusations were made relating to the new interior of St Mark's, Marylebone. This had recently refitted in a very ornate style, perhaps best described as 'Anglo-Catholic'. There was a particular focus on the Stations of the Cross, but the reredos also formed part of the complaint. Dr Thomas Tristram, Chancellor of London, citing the Exeter case, ruled that the reredos was legal, upon the proviso that 'a box in the centre of the reredos was never used for the purpose of placing the sacrament or any other purpose'.⁴⁸

The Historiography of Anti-ritualism

While the prosecutions of individual clerics under the Public Worship Regulation Act have been discussed by historians, especially in the context of Ritualistic Anglicanism and the Oxford Movement, very little has ever been written about attacks made upon the installation of new ornamentation in the same period.⁴⁹ The passage of the Act is the focus of James Bentley's book on *Ritualism and Politics*, although he does not discuss it in the context of church fabric.⁵⁰ Likewise, G.I.T. Machin's investigation of anti-ritualism in the 1890s and 1900s focuses on the human element.⁵¹ This article seeks to rectify that omission, and to look in detail at the various reredos disputes which occurred then. It will investigate the legal arguments surrounding them, as well as perceptions of the issue both amongst clergy and the public at large, and will argue that this prosecution formed part of a key turning point in the development of the Church of England, a time at which it became impossible to enforce the Protestant identity of the Church through the law in the face of pluralistic challenges. It will show that this was a time at which there was a key development in ecclesiastical law in that the legislation of the sixteenth century was now to be viewed in the context of its time, and not universally applicable.

⁴⁶*Manchester Guardian*, 'The Easter Vestries. Manchester Cathedral. A Stormy Meeting', 6 April 1899, p. 10; J.E.C. Welldon, *Recollections and Reflections* (London: Cassell and Company, 1915), p. 371.

⁴⁷*Manchester Guardian*, 'The Easter Vestries. Manchester Cathedral. Stormy Proceedings', 19 April 1900, p. 9; *Manchester Guardian*, 'The Easter Vestries. Manchester Cathedral. An Exciting Meeting. Churchwardens Elected', 11 April 1901, p. 7; *Manchester Guardian*, 'Easter Vestry Meetings. Manchester Cathedral. Election of Churchwardens. Protest against "illegalities"', 3 April 1902, p. 7; *Manchester Guardian*, 'Easter Vestries. Manchester Cathedral. More Protests against Ritualism', 7 April 1904, p. 6. On Manchester Cathedral and ritualism, see: H. Pattenden, 'The Manchester Cathedral Ritualism Controversy, c.1873-c.1906', *Northern History*, 58.1 (2021), pp. 86–108.

⁴⁸*The Times*, 'Consistory Court of London', London, 8 December 1897, p. 5; *Church Times*, 'Consistory Court of London', London, 10 December 1897, p. 683.

⁴⁹For prosecutions see Bentley, *Ritualism and Politics in Victorian Britain*, ch. 5; B. Palmer, *Reverend Rebels: Five Victorian Clerics and their Fight against Authority* (London: Darton, Longman and Todd, 1993); J. Whisenant, *A Fragile Unity: Anti-Ritualism and the Division of Anglican Evangelicalism in the Nineteenth Century* (Milton Keynes: Paternoster Press, 2003).

⁵⁰J. Bentley, *Ritualism and Politics in Victorian Britain: The Attempt to Legislate for Belief* (Oxford: Oxford University Press, 1978).

⁵¹G.I.T. Machin, 'The Last Victorian Anti-Ritualist Campaign, 1895–1906', *Victorian Studies* 25.3 (1982), pp. 277–302.

Existing historiography on anti-reredos cases themselves is fairly limited. Owen Chadwick discussed the St Paul's case briefly in the second volume of his *The Victorian Church*, arguing that the 'vindication of the veto was of the first importance' in that '[i]ts existence lessened the danger that the tensions of the establishment would end in schism, averted strife in many parishes, secured the Church of England from a measure of public scandal, stopped conscientious clergymen being imprisoned, and became the anchor of Anglican liberty and comprehensiveness'.⁵² More recently James Whisenant has outlined the events surrounding the St Paul's reredos in the context of nineteenth century British evangelical anti-ritualism, although again it gets only brief coverage.⁵³ Both the Exeter and St Paul's cases are also briefly mentioned by Peter Hinchliff in his biography of Archbishop Temple, the focus being on the prelate's own personal religious views.⁵⁴ The issue of idolatry in the Church of England in the first half of the Victorian era has been investigated by Dominic Janes. Although this study ends in 1860, it forms an important background to the reredos cases of the last quarter of the century.⁵⁵

The Exeter and St Paul's cases are particularly illustrative in that they straddle the passage of the Public Worship Regulation Act, and show that this important piece of legislation did little to ease the challenge facing anti-ritualists. It will show that the introduction of imagery into churches remained controversial until the 1890s, but that the cases brought were exceptions, rather than the rule. Much of the concern over these decorations stemmed from their close association with the communion table, and highlights fears of a return to 'Popery' and 'Romish' doctrines. As will become apparent, anti-ritualists interpreted England's Tudor and Stuart anti-imagery laws narrowly, and believed that the new reredoses were visibly undermining the Protestant character of the Church of England. Most importantly, anti-ritualists did not have control of the state legal apparatus (to which the Act transferred ultimate authority over such cases) necessary to successfully resist the ornamentation of churches. What is more, it will show that sentiment amongst the informed ecclesiastical classes had decisively turned against seeing church decoration as 'Romish', even going so far at times as to view opposition to reredoses as being wholly negative, and associated with the worst excesses of the Reformation. Thus, it will become clear that attempts to prevent the construction of reredoses were sporadic, often centring on the activities of Bishop Henry Phillpotts of Exeter (in office 1830–69) and his son William, Archdeacon of Cornwall (in office 1845–88). Yet, despite this, such challenges were taken seriously, since the legal precedents that they could set were significant.

Arguments Deployed in Reredos Cases

What were the key arguments deployed by both sides in reredos cases, and on what grounds were judgments formed? What will become clear in this section is that

⁵²O. Chadwick, *The Victorian Church* (2 vols.; London: SCM Press, 1992), II, pp. 352–53.

⁵³Whisenant, *A Fragile Unity*, p. 409.

⁵⁴P. Hinchliff, *Frederick Temple, Archbishop of Canterbury: A Life* (Oxford: Oxford University Press, 1998), p. 154, ch. 9.

⁵⁵D. Janes, *Victorian Reformation: The Fight against Idolatry in the Church of England, 1840–60* (Oxford: Oxford University Press, 2009), esp. chs. 6–9.

aestheticism came to be seen as an important argument in favour of ornamented reredoses, even so far as to trump concerns about illegal adoration. By the 1870s it was clearly the case that concerns about idolatry did not hold water in church courts, which had come to see the legislation of the Tudor period as peculiar to the events of the Reformation itself.

The principal charge brought in all of the reredos cases was that they were idolatrous, although what this meant in practice was ambiguous. Petitioners (who wished the various reredoses removed) tended to challenge the proximity of images to the communion table, suggesting that they would encourage idolatry when in combination with the Lord's Supper. The main point on which William Phillpotts thought that the Exeter case should turn was whether the images in the reredos gave 'undue honour to the Lord's Table . . . and as such came within the definition of the word "ornament" in the rubric'.⁵⁶ He argued that it was similar to a baldacchino, recently declared illegal in the case of St Barnabas, Pimlico as it was not considered 'necessary or subsidiary to the service of the Church'.⁵⁷ This mirrors the concerns of Henry Phillpotts during the Torquay dispute a decade earlier: 'it is part of – or immediately connected with – the holy table, and the whole . . . has the appearance of belonging to the holy table, when seen at a distance'.⁵⁸ In the case of St John's, Pendlebury the fact that the image of Jesus formed a 'prominent feature in proximity to the Holy Table' was an issue 'since it was a presumption of the law that such a figure in such a situation involved a risk of abuse'. Such unease was, of course, intertwined with the theological issue of transubstantiation.⁵⁹ This was, as Martin Wellings has shown, a period in which the question of the Eucharist formed a central part of the conflict between ritualists and their evangelical opponents.⁶⁰ The Anglo-Catholics were developing their views on Holy Communion, and the ornamentation of the area around the communion table would have done much to develop it into something more akin to an altar. The Church Association were concerned about the ritualists' ideas on the real presence, publishing a tract attacking transubstantiation during the 1860s.⁶¹ Canon J.C. Ryle, writing for the Association, made clear that one of their principal objections to the ritualists was that they sought to 'pervert the communion table into an altar, the Lord's Supper into a sacrifice, and encourage the idea of a real material presence of Christ's body and blood'.⁶² The danger was, presumably, that such images so close to the communion table might encourage worshippers to become more Catholic in their conception of the consecrated bread and wine. Thus, one correspondent during the Denbigh dispute used the controversy over the reredos to launch into a discussion of the

⁵⁶*Church Times*, 'The Reredos in Exeter Cathedral', London, 16 January 1874, pp. 32–34 (33).

⁵⁷*Manchester Guardian*, 'Judgment in the St. Barnabas Baldacchino Case', 16 December 1873, p. 6.

⁵⁸*Church Times*, 'The Bishop of Exeter on the Reredos at St. John's', p. 406.

⁵⁹*Manchester Courier and Lancashire General Advertiser*, 'Ecclesiastical Intelligence: Manchester Consistory Court', 2 February 1895, p. 11.

⁶⁰M. Wellings, *Evangelicals Embattled: Responses of Evangelicals in the Church of England to Ritualism, Darwinism and Theological Liberalism 1890–1930* (Carlisle: Paternoster Press, 2003), pp. 30–36; See also P.T. Marsh, *The Victorian Church in Decline: Archbishop Tait and the Church of England 1868–1882* (London: Routledge & Kegan Paul, 1969), ch. 5.

⁶¹W.F. Taylor, *The Real Presence* (London: Church Association, n.d.).

⁶²J.C. Ryle, *Reasons for Opposing Ritualism* (London: Church Association, n.d.), p. 2.

unacceptableness of the doctrine of transubstantiation. One of his objections was how the vicar had tried to '[prejudice] the unsophisticated minds of the Welsh peasantry against the church of their forebears'. A church, he noted, that had been 'vehemently denouncing' transubstantiation for over three hundred years.⁶³

The Chancellor of Chester, adjudicating in the Daresbury case, questioned where the carvings were located, suggesting that, since they were of 'small size and low relief . . . [i]t is only on near approach that the design of the figures can be made out'.⁶⁴ Such a judgment was surely to counter any concerns about images behind the altar. Already, in the Lynton case, it had been decided that '[t]he object of the law was to prevent "peril of idolatry," which at least would not be lessened by such figures being placed in the attitude of adoration beside the figure of our Lord'.⁶⁵ Position within the church was also considered important in the Denbigh and St Paul's cases, as well as (outside the courtroom) at Bloxham, and Christ Church, Bristol.⁶⁶ A distinction was also made between a crucifix, a set of unrelated figures, and a crucifixion scene (or rood). William Phillpotts, adjudicating the Lynton case, did not consider that 'the placing of other figures on either side of the figure of our Lord on the cross – called in the pleading a "Calvary" – rendered the figure of our Lord, so placed, lawful'. In his view, '[s]uch figures were often so placed on the rood-lofts, which were ordered to be removed [in the sixteenth century]'. He also felt that a previous dispute, *Westerton v. Liddell* (1855–57), had made it clear that crucifixes, as opposed to plain crosses, were illegal.⁶⁷

The location of the images had to be made significant by petitioners in these cases if they were also to sidestep the complex issue, raised inevitably by the defendants' lawyers, of whether churches should be completely plain. It was questioned in the Exeter case '[b]ut why did Bishop Jewel not destroy the boss in the roof of the cathedral representing the Crucifixion, if his orders were to destroy all images?'⁶⁸ The judgment issued by the bishop also asked 'whether it was intended to render illegal all images of living things of any kind still to be found in parts of the Cathedral of Exeter, which have escaped the hand and possibly the observation of the spoiler in times past'.⁶⁹ This matter had previously been raised in 1871, when Walter Phillimore, arguing for the Lynton reredos, had contended that 'if Mr [William] Phillpott's view was a correct one, the painted images in windows, gargoyles, or any figures in a church were also illegal'.⁷⁰ In his judgment at the Chester Consistory Court, the Revd Chancellor Thomas Espin highlighted that 'from the emphasis, which is in the pleadings more than once, laid on the figures being "graven," it would appear as if the petitioner regarded that fact as of itself

⁶³G. Apooee, 'Ritualism', letter to the editor, *Wrexham Guardian and Denbighshire and Flintshire Advertiser*, 26 February 1876, p. 7.

⁶⁴*Cheshire Observer*, 'Chester Consistory Court', 6 November 1875, p. 8.

⁶⁵*Trewman's Exeter Flying Post*, 'District News: Lynton', 3 May 1871, p. 7.

⁶⁶*Cambrian News and Merionethshire Standard*, 'The Denbigh Reredos Case', 22 June 1877, p. 3; *Church Times*, 'The St Paul's Reredos Case', London, 23 November 1888, pp. 1035–37 (1036); Church Association, 'Romanising and Ritualistic Practices', VI, p. 54; *Western Daily Press*, 'The Reredos at Christ Church'.

⁶⁷*Trewman's Exeter Flying Post*, 'District News: Lynton', 3 May 1871, p. 7.

⁶⁸*Church Times*, 'The Reredos in Exeter Cathedral', p. 33.

⁶⁹*The Times*, 'The Reredos at Exeter Cathedral', London, 16 April 1874, p. 12.

⁷⁰*Trewman's Exeter Flying Post*, 'District News: Lynton', 3 May 1871, p. 7.

momentous; as if at once determined to be idolatrous, and therefore unlawful'.⁷¹ Likewise, when the St Paul's case reached the Queen's Bench in 1888 the Attorney General questioned whether 'if the Crucifixion is a forbidden subject, can the court stop there? Would not every work of art similarly placed and circumstanced containing the figure of our Saviour form the subject of similar inferences and the ground of similar fears?'⁷² At the 1883 Bristol meeting, one joker asked '[i]f you put up the lion and the unicorn in the church, is that devotion or respect?', a facetious comment referring to the royal coat of arms found in all churches.⁷³

In a number of these cases there was a clear attempt to associate 'idolatrous' reredoses with the Roman Catholic Church. In the Denbigh case, for example, those opposed to reredoses saw Roman Catholic furnishings as virtually synonymous with idolatry and expressed concerns that the English Church was becoming more 'Roman'.⁷⁴ Certainly it was reported in one newspaper that the petitioners felt that the reredos at Denbigh tended 'to Popery and superstition'.⁷⁵ In judging the case at the Court of Arches, Lord Penzance accepted that the main issue was whether the reredos was 'decoration, or an adjunct to a Roman Catholic altar'.⁷⁶ In the Exeter case, William Phillpotts is reported to have objected along the lines that the reredos 'might be considered an ornament to a Romish altar'; he felt that 'images came in with Popery and went out with Popery'.⁷⁷ When pronouncing judgment on the initial case in the chapter house, the bishop distinguished between images found generally in the cathedral and 'images of Our Saviour and His Apostles placed over the holy table in the position used in Roman churches for honouring the altar of sacrifice supposed to exist there'.⁷⁸ In a more general sense, the Bishop of Exeter had been very much concerned with 'indication[s] of Romanism' at St John's, Torquay in 1864, especially since 'more than one of the clergy immediately connected with that church having at no very distant period seceded to the Church of Rome'.⁷⁹ At Daresbury, the inclusion of 'the hammer, pincers, crown of thorns, nails, sponge, and spear' were perceived to be 'not in accordance with the doctrine of the Protestant church', the alternative being, presumably, the Church of Rome.⁸⁰ Cries of 'Popery' and '[t]hey are Romish, too' could also be heard at the Christ Church, Bristol protest meeting in 1883.⁸¹ Similarly, the concern that the Eccles reredos might contain an image of the Virgin Mary was probably anti-Catholic in origin. And, whilst not primarily directed at the reredos, there were significant concerns about the use of 'Catholic' prayers at Marylebone in 1897.⁸²

⁷¹*Cheshire Observer*, 'Chester Consistory Court', 6 November 1875, p. 8.

⁷²*Church Times*, 'The St Paul's Reredos Case', p. 1036.

⁷³*Western Daily Press*, 'The Reredos at Christ Church', p. 3.

⁷⁴*Wrexham Guardian*, 'Denbigh Reredos Suit', p. 3.

⁷⁵*Cambrian News*, 'The Denbigh Reredos Case', p. 3.

⁷⁶*Cambrian News*, 'The Denbigh Reredos Case', p. 3.

⁷⁷*The Times*, 'The Reredos at Exeter Cathedral', p. 12; *The Times*, 'Arches Court, July 24', London, 25 July 1874, p. 11.

⁷⁸*The Times*, 'The Reredos at Exeter Cathedral', p. 12.

⁷⁹*Church Times*, 'The Bishop of Exeter on the Reredos at St. John's', p. 406.

⁸⁰*Liverpool Mercury*, 'The Daresbury Reredos Case', 24 September 1875, p. 7.

⁸¹*Western Daily Press*, 'The Reredos at Christ Church', p. 3.

⁸²*The Times*, 'Consistory Court of London', p. 5.

A fundamental legal question in these cases related to the difference between what constituted an architectural feature, not used in services, as opposed to an image with an active role in worship, or which encouraged 'superstition'. This was an important distinction made by the Judicial Committee of the Privy Council in their judgment in the Exeter case.⁸³ The idea that images 'tended to encourage ideas and devotions of a superstitious character' was a primary accusation made in the St Paul's case in 1888.⁸⁴ The Attorney General, defending the reredos at St Paul's, keenly argued that 'the disputed sculpture is unquestionably in its general character an architectural decoration'. Umpiring for the bishop of St Asaph in the Denbigh case of 1875, Dr James Deane, although sympathetic to the reredos, accepted that 'it may be argued that the Cross and the image of our Saviour have been and still may be used as objects of adoration for superstitious purposes'. He also felt that 'the cross itself is not illegal, when simply used as an ornament, or for the mere decoration of the church'.⁸⁵ In the Daresbury case the petitioner believed that the reredos 'may have the effect of encouraging superstitious worship'.⁸⁶

Most significantly, it was to the laws of the sixteenth and seventeenth centuries that the petitioners appealed. The Tractarians had already set a precedent in this during the 1850s and 60s when they sought to use laws and practices from the Tudor and Stuart periods as a means of justifying their own innovations.⁸⁷ For those opposing the new reredoses, Tudor and Stuart legislation and canons were the key laws in any question of idolatry. In the Lynton case it was upon legislation from the reigns of Edward VI, Elizabeth I, and James I, as well as Elizabeth's injunctions and visitations articles that William Phillpotts based his arguments. He further quoted from the writings and actions of bishops and writers of the Early Modern period, including Jewell, Parker, Grindall, Cosin, and even John Evelyn, to establish that, according to precedent, 'the crucifix, or other ornaments not on monuments or painted windows, is not a lawful decoration in a church'.⁸⁸ Such texts of the 'fathers of the Reformation' were further quoted at the Christ Church, Bristol meeting in 1883.⁸⁹ At the Bishop of Exeter's inquiry into the cathedral reredos in January 1874 he again sought Tudor legal precedent, asserting that the 'Act of Edward VI, followed by the injunctions of Elizabeth, ordered the destruction of all images, pictures, and paintings'.⁹⁰ This was in addition to a lengthy discussion of Tudor law and practice which had formed part of the initial judgment in the bishop's court.⁹¹ He continued to cite the personal views of Elizabethan bishops before the Privy Council, despite the judges' assertions that 'such private documents were quite inadmissible for the purpose of construing the law in operation at that time, and could

⁸³*The Times*, 'The Exeter Reredos Case', London, 26 February 1875, p. 11; *The Times*, 'Law Report, Dec. 12', London, 13 December 1889, p. 3.

⁸⁴*Church Times*, 'The St Paul's Reredos Case', p. 1036.

⁸⁵*Wrexham Guardian*, 'The Reredos in Denbigh Church Declared to Be Illegal', 13 November 1875, p. 5.

⁸⁶*Cheshire Observer*, 'Chester Consistory Court', 6 November 1875, p. 8.

⁸⁷Herring, *The Oxford Movement in Practice*, pp. 203-209; Shelton Reed, *Glorious Battle*, pp. 41-43.

⁸⁸*Exeter and Plymouth Gazette*, 'Consistorial Court', 5 May 1871, p. 6.

⁸⁹*Western Daily Press*, 'The Reredos at Christ Church', p. 3.

⁹⁰*Church Times*, 'The Reredos in Exeter Cathedral', p. 33.

⁹¹*The Times*, 'The Reredos at Exeter Cathedral', p. 12.

not possibly possess any official weight, sanction, or authority'.⁹² When the Denbigh case was debated at diocesan level, both the assessors felt obliged to engage with the contents of the Edwardian and Elizabethan injunctions relating to images in churches.⁹³ Certainly the statutes passed in these earlier periods remained in force, and those opposing imagery interpreted them (and their associated injunctions) very strictly. William Phillpotts himself seems to have seen the Edwardian Reformation as an attempt to return the Church to its ancient roots.⁹⁴

Differing perceptions of the current legal status and original purpose of Tudor legislation formed a large part of the conflict in these cases. For the defence counsel, making the case for the reredoses, such legislation had to be viewed in the context of its time, and therefore not necessarily applicable in a Victorian setting. To take such a position was, essentially, to negate the Edwardian and Elizabethan Reformation settlement. In the Exeter case, much debate hinged on two questions. The first was the legal status of the injunctions, proclamations and homilies of the reign of Edward VI. William Phillpotts saw the injunctions as law, and the homilies as being explanatory of what constituted idolatry. The defence questioned whether the 1548 proclamation against images had any legal validity on the technical grounds that it was authorized under the 1537 Proclamations Act, itself repealed in 1547. Were this the case then it was the first proclamation on images to which they should now look for instruction, this only banning images used for superstitious purposes.⁹⁵ Phillpotts maintained that, given that clerics were by law required to read the homilies in their parishes, it would have been absurd if the very images proscribed in those texts were to have remained in place. By contrast, the defence denied that the homilies had any statutory authority whatsoever.⁹⁶ A second key question was whether laws and homilies from the sixteenth century were still relevant three hundred years on. Writing in the context of the St Paul's case, Frederick Temple felt that 'necessary as it was, at a time when many had but just escaped from the errors of Rome, and many were still entangled in these errors, to remove what was bound up with recent superstition, there is not now the slightest danger that any Christian in this country would be tempted to idolatry by any work of art'.⁹⁷ The *Morning Post* argued in 1875 that '[t]he period of the Reformation was stormy and excited, and called for strong measures. Hence statutes of great severity were not only passed, but put in force'.⁹⁸

Another argument deployed in the Exeter case was that a display of the Decalogue behind the altar was required by the 82nd canon of 1603. This canon required that 'the Ten Commandments be set up on the East end of every

⁹²*The Times*, Law Report: Judicial Committee of the Privy Council, Jan. 20', London, 21 January 1875, p. 10.

⁹³*Wrexham Guardian*, 'The Reredos in Denbigh Church Declared to Be Illegal', p. 5.

⁹⁴*Exeter and Plymouth Gazette Daily Telegram*, 'Archdeacon Phillpotts on the Reredos Case', 4 June 1874, p. 3.

⁹⁵*The Times*, 'The Exeter Cathedral Reredos', London, 9 January 1874, p. 7.

⁹⁶*The Times*, 'The Exeter Cathedral Reredos', p. 7.

⁹⁷Frederick Temple to the Church Association, April 1888, reproduced in Sandford, *Memoirs of Frederick Temple*, II, pp. 113-14.

⁹⁸*Morning Post*, 'The Exeter Reredos Case Went . . .', London, 27 February 1875, p. 4.

Church and Chapel, where the people may best see and read the same'.⁹⁹ William Phillpotts argued that 'if the law was binding . . . and the petitioner asked, as he did, to have the Commandments put up in their proper place, there was no possibility of refusing his application'. He also claimed that *Westerton v. Liddell*, and *Liddell v. Beal* (1855–57) had reinforced this requirement.¹⁰⁰ These cases had led to the decision that '[t]he Ten Commandments were . . . to be set up at the East end of chancel, there being "no discretionary power to substitute the end of the nave for the end of the chancel"'.¹⁰¹ This (somewhat desperate) argument was swept aside by Deane, who pointed out that the Privy Council had elaborated that the Commandments could go up 'As nearly as the structure will permit' to the East end, and that there was 'a clear authority that the Ten Commandments need not be placed over the Table'.¹⁰² There was a certain amount of pedantry here also – since Exeter cathedral had an ambulatory behind the altar the reredos was not actually on the East wall, and so a discussion took place as to where exactly the Ten Commandments should go – William Phillpotts pointing out that if they were put on the actual East wall then worshippers would be unable to read them. Deane argued that 'the east wall, which certainly must be the east wall of the church, could not be that which was no wall at all, but which but for the reredos would be a blank open space'.¹⁰³ Phillpotts was willing to appeal back to the early Jacobean church for authority; Deane and Walter Phillimore used semantic arguments in an attempt to evade the spirit of the ancient legislation, that is, that the Ten Commandments should be visible to the congregation by the table at which the communion service was to be held (since that was the inevitable implication of the 1603 canon). A desire to have the Ten Commandments, along with the Lord's Prayer, and Apostles' Creed, returned to the East end was also voiced during the Daresbury case in 1875.¹⁰⁴ The Church Association had also noted the missing Lord's Prayer and Commandments at St Philip and St James, Oxford in 1867.¹⁰⁵

The defence case in most of these instances was that similar reredoses already existed elsewhere without complaint, establishing a precedent. As Walter Phillimore put it at the Chester Consistory Court in 1875, the Daresbury reredos 'was in accordance with many others in various parts of the country which had been approved of'.¹⁰⁶ Indeed, while accepting that 'it did not appear that such emblems were to be found on any reredos', the defence gave the example that 'such emblems as the scourge, thorns &c., were to be seen . . . at Stanton Harcourt, in

⁹⁹*The Constitutions and Canons Ecclesiastical, (Made in the year 1603, and amended in the year 1865) to which are added the Thirty-Nine Articles of the Church of England* (London: SPCK, 1865[?]), pp. 45–46.

¹⁰⁰*Church Times*, 'The Reredos in Exeter Cathedral', p. 33; For *Westerton v. Liddell*, see Janes, *Victorian Reformation*, ch. 3.

¹⁰¹C.Y. Sturge, *Points of Church Law and Other Writings Illustrative of the Law of the Church* (London: Macmillan & Co., 1907), p. 114; *The Times*, 'Judicial Committee of the Privy Council, Feb. 9', London, 10 February 1857, p. 9.

¹⁰²*Church Times*, 'The Reredos in Exeter Cathedral', p. 33.

¹⁰³*Church Times*, 'The Reredos in Exeter Cathedral', p. 33.

¹⁰⁴*Cheshire Observer*, 'Chester Consistory Court', 16 October 1875, p. 8.

¹⁰⁵Church Association, 'Romanising and Ritualistic Practices', VII, p. 81.

¹⁰⁶*Crewe Guardian*, 'Chester Consistory Court', 16 October 1875, p. 5.

Oxfordshire'.¹⁰⁷ The new reredoses at All Souls and Magdalen Colleges in Oxford, as well as those at Durham, Ely, Lichfield, St Asaph, Gloucester, Worcester, Salisbury, Chichester, Rochester, Winchester, and Hereford cathedrals, and that at St George's, Windsor were all cited in the Exeter case as evidence that such items were widespread.¹⁰⁸ In giving judgment on the Denbigh case, Lord Penzance noted that 'such pictures and delineations [behind the altar] have been certainly not infrequent in our churches from even distant periods of time', citing a window at St Margaret's, Westminster as an example.¹⁰⁹ The defence were arguing that since it was now common practice to construct reredoses containing images, the precedent was for it to be legal. William Phillpotts disagreed, arguing in the Exeter case that 'the greater part of the respondents' argument had been to show that other people held the same views as the canons of the cathedral', his complaint being based rather on the illegality of their actions.¹¹⁰ He further pointed out that the introduction of reredoses elsewhere was a recent development, and that ecclesiastical law had not been changed to accommodate them.¹¹¹ The vicar of Christ Church, Bristol pointed to 'images at St. Mary Redcliff, Emmanuel (Clifton), the parish church of Bedminster, the Cathedral, and many other buildings' in defence of his new reredos.¹¹² These cases therefore hung on the question of whether early modern law had been overwritten by modern practice.

What these cases therefore show is the extent to which aestheticism had become an important part in the thinking of both clerics and laymen by the later decades of the nineteenth century. *The Times*, discussing the Exeter case, explained that 'a certain amount of sculpture in Churches is harmless, and to prohibit it would be to disfigure gratuitously numbers of our best Churches and Cathedrals'.¹¹³ Deane had argued earlier in the year that, in removing images, 'the Church would be in great peril of falling into that state of deadness, apathy, and indifference to all things appertaining to the honour of God which disgraced the early part of this and nearly the whole of the eighteenth century', a comment which was met with applause in court.¹¹⁴ The *Morning Post* was jubilant that the Privy Council had 'virtually [set] at rest the question of sculptured decoration in churches, and is therefore, on aesthetic grounds, most welcome to all lovers of Christian art'.¹¹⁵ The fact that even some clerics of a decidedly non-ritualist, and even evangelical character were introducing reredoses highlights the extent to which inhibitions over images had dissipated in the Victorian Church, and how far there was cross-party support for the reintroduction of art into worship. For example, despite claiming to have 'not a spark of sympathy with ritualistic practices . . . and being a member of the evangelical

¹⁰⁷*Liverpool Daily Post*, 'The Daresbury Reredos Case', 15 October 1875, p. 5.

¹⁰⁸*Church Times*, 'The Reredos in Exeter Cathedral', p. 33; *The Times*, 'Law Report: Judicial Committee of the Privy Council, Jan. 21', London, 22 January 1875, p. 10.

¹⁰⁹*Wrexham Guardian*, 'Denbigh Reredos Suit', 23 June 1877, p. 3. This was presumably a reference to that church's East window, which dates from the reign of Henry VIII.

¹¹⁰*Church Times*, 'The Reredos in Exeter Cathedral', p. 33.

¹¹¹*The Times*, 'The Reredos at Exeter Cathedral', p. 12.

¹¹²*Western Daily Press*, 'The Reredos at Christ Church', p. 3.

¹¹³*The Times*, 'It Is Seldom that a Judgment Is More Completely . . .', London, 8 August 1874, p. 9.

¹¹⁴*Church Times*, 'The Reredos in Exeter Cathedral', p. 33.

¹¹⁵*Morning Post*, 'The Exeter Reredos Case Went . . .', p. 4.

party in the Church', the vicar of Eccles wanted to 'erect a beautiful reredos in the parish church'.¹¹⁶

The Significance of the Reredos Cases

Why did these reredoses cause such controversy when so many others were being erected without issue?

Because of the precedents they set, these cases held considerable importance despite their limited number. This was a fact known to both ritualists and those who generally favoured increased decoration in churches. As William Phillpotts pointed out in 1874, the fact that a wave of new reredoses had appeared around the country in the 1860s and 1870s did not in itself make them legal, and the laws ecclesiastical remained at best ambiguous on the matter.¹¹⁷ What is more, Phillpotts's judgment in the Lynton case had been the basis for his petition in the Exeter controversy.¹¹⁸ And it was the initial judgment in the Exeter case that had given Hughes the precedent necessary to reject the reredos at Denbigh.¹¹⁹ The Privy Council's decision in the Exeter case was a major blow for the iconoclasts, acting as an important precedent for later decisions in favour of images. The failure of the suits against the Daresbury, St Paul's, and Marylebone reredoses can be largely put down to this decision.¹²⁰ In 1879 the final Exeter and Denbigh decisions were cited as evidence to support a decision in the Court of Arches on the construction of a new reredos at the chapel-of-ease of All Saints, Llanelly.¹²¹ The Consistory Court decision in the St John's, Pendlebury case (1895) was also rooted in the Exeter case precedent.¹²²

The St Paul's case was very much driven by the vigorously anti-ritualist and anti-Rome Church Association, ever vigilant towards what they perceived as idolatry or 'Popery'.¹²³ In this case the focus was on two things, at least as far as the Church Association was concerned: first, the bishop's veto powers, and second, the legality of the cross upon the reredos. It is likely that they sought to use this high-profile case to test the 1874 Act, to see if the veto was airtight. The episcopal veto had only been used twice before: once in 1876 by the Bishop of Gloucester and Bristol, and once in 1886 by the Bishop of Exeter. It had, however, the potential to prevent any meaningful prosecutions for ritualism, even so far as rendering null and void legislation

¹¹⁶*Manchester Weekly Times*, 'The Reredos Question at Eccles', p. 7.

¹¹⁷*The Times*, 'The Reredos at Exeter Cathedral', p. 12.

¹¹⁸*Church Times*, 'The Reredos in Exeter Cathedral', p. 33.

¹¹⁹'A reredos difficulty in North Wales', *Western Mail* (Cardiff, February 17, 1874), p. 5.

¹²⁰*Liverpool Mercury*, 'Chester Consistory Court: Daresbury Reredos Case', p. 7; *The Times*, 'Law Report, July 20', p. 3; *The Times*, 'Consistory Court of London', p. 5; *Church Times*, 'Consistory Court of London', p. 683.

¹²¹*Cambrian News and Merionethshire Standard*, 'Application for a Reredos at Llanelly', 13 December 1878, p. 3; *Church Times*, 'Application for a Reredos', London, 7 February 1879, p. 91.

¹²²*Manchester Courier and Lancashire General Advertiser*, 'Ecclesiastical Intelligence: Manchester Consistory Court', 2 February 1895, p. 11.

¹²³*Spectator*, 'The Church Association's Last Move', London, 21 July 1888, p. 8; Sandford, *Memoirs of Archbishop Temple*, II, pp. 112-15.

from before 1874, a fact noted in Lord Coleridge's High Court judgement in 1889.¹²⁴ As Coleridge acknowledged, this case had the potential to set important precedents, so the stakes were high. In choosing the St Paul's reredos the Church Association may also have believed that they could sidestep the 1875 Exeter judgement: the focus of the idolatry charge was on the crucifix that the reredos contained, an item not present at Exeter. The Church Association also released a tract on this matter, focusing on the dangers of graven images of Christ upon the cross.¹²⁵ So to some extent this case was as much about the crucifix as it was the totality of the reredos. Crucifixes had been declared illegal in the Ridsdale and Denbigh judgments of 1877, so this reredos would have been seen by anti-ritualists as very much against the law, who may have felt that they had a strong case. It is unclear, however, what would have been the broader implications of a victory in this case: were they expecting the removal of other reredoses, or merely the crucifix at St Paul's?

The Exeter diocese was very much the centre of reredos controversies in the 1860s and 1870s, and the driving force behind this seems to have been two men: Henry and William Phillpotts. It was as Bishop of Exeter that Henry Phillpotts had attacked the reredos at St John's Torquay, mainly, it seems, as an attempt to calm what he saw as the Romish tendencies of that parish. He had swept ornaments from the altar there during a service in 1847, later appointing a court of inquiry into their ritualist tendencies.¹²⁶ Despite the fact that he was broadly seen as a high churchman, he was keen on uniformity within his diocese, saw the law as supreme, and was keen not to be seen as a Tractarian or ritualist.¹²⁷ Yet the Torquay case was relatively insignificant in that, since the parish backed down without a legal contest, no precedent was set in law. The later actions of Phillpotts's son, William, were of vastly greater importance. His judgment on the Lynton case set the precedent for the Exeter case, which, of course, he also spearheaded. William Phillpotts seems to have been vigorously anti-Rome, and to have had a strong belief both in the danger of images and the need to tackle both the weak and powerful within the Church. The *Western Times* reported him as telling an 1874 public meeting that '[h]e maintained that throughout the history of mankind, wherever images of the character of that now under discussion had been permitted in churches, the worship of them, sooner or later, invariably followed'.¹²⁸ In the three hundred years after Christ, he argued, images had been banned in churches; the English Reformation had been an attempt to return to this purer time.¹²⁹ Again, his speech as reported:

If such men as Bishop Jewel and Bishop Cox, leaders of our English Reformation, scrupled [*sic*] as they did to celebrate the Holy Communion in the royal chapel with the image of Christ on the cross lying on the Lord's table, am I not justified in trying to expel the like image of our Lord

¹²⁴*The Times*, 'Parliament: House of Lords', London, 10 February 1899, p. 6; *The Times*, 'Queen's Bench Division', London, 3 June 1889, p. 11.

¹²⁵J.T. Thomlinson, *The Crucifix at St Paul's* (London: Church Association, n.d.).

¹²⁶Burns, 'Oxford Dictionary of National Biography: Phillpotts'; Shelton-Reed, *Glorious Battle*, pp. 36-37.

¹²⁷Burns, 'Oxford Dictionary of National Biography: Phillpotts'; J.A. Thurmer, 'Henry of Exeter and the Later Tractarians', *Southern History* 5 (1983), pp. 210-20 (214).

¹²⁸*Western Times*, 'Visitation of Archdeacon Phillpotts', Exeter, 5 June 1874, p. 6.

¹²⁹*Western Times*, 'Visitation of Archdeacon Phillpotts', p. 6.

on His ascension from the reredos in Exeter cathedral erected over that same table?¹³⁰

Without Phillpotts there it seems unlikely that the Exeter case would have occurred at all. He argued that he had to bring it because otherwise people might have said: ‘Ah, you are ready enough to pass sentence against a poor private incumbent, but against a wealthy, influential body like the chapter you dare not interfere.’¹³¹ He believed that he had thus also duty to prevent ‘the law and its administrators . . . [falling] . . . into contempt’.¹³² Arguably it was William Phillpotts who was the key figure in the entire phenomenon of anti-reredos legislation. One journalist criticized his pluralism and enjoyment of sport, painting him as ‘no zealot for the faith as far as his parish is concerned’.¹³³ He was, the writer continued, ‘by no means a High Churchman’, with a personal ‘doctrine not unlike that heard in many a Methodist chapel’, who fought throughout the Exeter case with ‘an ultra-Protestant zeal’.¹³⁴ Another contemporary represented him as a man seeking publicity at any cost, simply to step from the shadow of his father.¹³⁵ More recently, however, one historian has suggested that, like his father, he merely had an inflexible belief in the law.¹³⁶ Whatever his precise personal motives, he represented a Protestant desire to prevent any overt decorative movement towards Roman practices.

Thus a number of these cases represent a struggle between firm Protestants and ‘Romanizing’, ‘catholic’, or ‘ritualist’ elements within the Church. The vicar of Lynton, Revd William Lepsett Lawson, had been accused of ritualistic practices and of preaching doubtful doctrines in 1867. In the reredos case the defence was supported by the Anglo-Catholic English Church Union.¹³⁷ Further, Canon Robert Gregory, who spearheaded the creation of the St Paul’s reredos, was associated with ritualism, and the ECU were very supportive of Frederick Temple’s firm response to the petitioners.¹³⁸ Dean Maclure of Manchester, who oversaw the introduction of the new cathedral reredos, was accused of ritualism at various points, and it is certainly true that his predecessor had been sympathetic to it.¹³⁹ And there can be no doubt that St John’s, Torquay, and St Mark’s, Marylebone, were within the Anglo-Catholic orbit. It is also true that in a number of instances it was the Protestant Church Association driving the litigation forward. That said, others responsible for the installation of reredoses could not realistically be called

¹³⁰*Western Times*, ‘Visitation of Archdeacon Phillpotts’, p. 6.

¹³¹*Western Times*, ‘Visitation of Archdeacon Phillpotts’, p. 6.

¹³²*Western Times*, ‘Visitation of Archdeacon Phillpotts’, p. 6.

¹³³*Royal Cornwall Gazette*, ‘The Ven. Archdeacon Phillpotts’, 30 September 1876, p. 6.

¹³⁴*Royal Cornwall Gazette*, ‘The Ven. Archdeacon Phillpotts’, p. 6.

¹³⁵*Royal Cornwall Gazette*, ‘Religious Intelligence’, 31 October 1874, p. 7.

¹³⁶Thurmer, ‘Henry of Exeter’, p. 219, n. 20.

¹³⁷*North Devon Journal*, ‘Lynton: What our Protestant Church Is Coming to!’, 15 August 1867, p. 5; *John Bull*, ‘Miscellaneous Church Intelligence’, London, 18 February 1871, p. 107.

¹³⁸(A. Buckland and H. Matthew), ‘Oxford Dictionary of National Biography: Gregory, Robert (1819–1911), dean of St Paul’s’, <https://www.oxforddnb.com/view/10.1093/ref:odnb/9780198614128.001.0001/odnb-9780198614128-e-33557> (accessed 15 August 2020); Hinchcliff, *Frederick Temple*, pp. 220–21.

¹³⁹W.A. Shaw, *Manchester: Old and New* (London: Cassell and Company, 1894), I, pp. 51–52.

'ritualists' or 'Anglo-Catholics'. The Vicar of Eccles took pains to emphasize his evangelical credentials, and there was also no sense that the Pendlebury reredos was introduced by anyone with a ritualist agenda. In that case the illegality of the design was accidental and immediately corrected. The Daresbury reredos had been funded by donations from the parish, and it was in fact one of the (disgruntled) donors who brought the case.¹⁴⁰ Reredoses were being introduced across the country during the second half of the nineteenth century: there was no single theological reason for it. Indeed, in most places they were accepted without a protracted legal battle.

It is tempting to argue that the Public Worship Regulation Act decreased the ability of critics to raise complaints against 'illegal' imagery in churches, but this is perhaps not so. It is true that the Act did, by giving the diocesan bishop the power to choose whether to investigate an abuse, create a veto. In 1891 this was upheld by the House of Lords in the St Paul's case.¹⁴¹ Yet this is misleading: while the Act did enhance the formal legal powers of the bishop, all previous cases had anyway required his support to proceed. The Denbigh case came about precisely because of the fastidiousness of Joshua Hughes, an act which created some ill-feeling towards him within the diocese.¹⁴² Likewise it was Henry Phillpotts who was the driving force behind opposition to the reredos at St John's in Torquay. In the Exeter Cathedral case it was the diocesan Chancellor (William Phillpotts) who led the petitioners, but Frederick Temple was willing to allow the case to proceed because, it is reported, 'his own record, and lifelong view were in favour of leaving the settlement in such cases to the law, as ultimately the surest security for liberty'.¹⁴³ Although Temple was willing to exercise his veto at St Paul's in 1888, and was applauded by his biographers for doing so, this perhaps says more about the man himself than the legislation under which he was empowered.¹⁴⁴ What is more, the lack of a veto did not stop Bishop Charles Ellicott from openly rebuffing Thomas Price's attack on the Gloucester reredos in 1873.¹⁴⁵ One might also add that the Exeter case ended favourably for the dean and chapter despite going to trial. So the 1874 Act formalized bishops' powers without transforming them.

Conclusion

The nineteenth century was an important period for the redevelopment of the institutional identity of the Church of England. The extensive, although by no means total, spread of catholic ideas led to significant changes in the way in which religion was practised within the established church, much to the chagrin of its more Protestant-minded members. Reredoses were of particular significance within this process, associated as they were with images, the altar and Holy Communion. It was a fear of the intrusion of a 'Roman' style of worship, and of the doctrine of

¹⁴⁰*Cheshire Observer*, 'Chester Consistory Court: The Daresbury Reredos Case', 10 April 1875, p. 5.

¹⁴¹*The Times*, 'Law Report, July 20', p. 3.

¹⁴²*Church Times*, 'Schism', London, 22 May 1874, p. 253.

¹⁴³Sandford, *Memoirs of Archbishop Temple*, I, p. 528.

¹⁴⁴Sandford, *Memoirs of Archbishop Temple*, I, pp. 528-59.

¹⁴⁵*Spectator*, 'News of the Week', London, 14 June 1873, p. 751; *Church Times*, 'Gloucester Cathedral', London, 13 June 1873, p. 272.

transubstantiation, which in some cases precipitated action by Protestant anti-ritualists, who looked back to a perceived iconoclasm of the Reformation to prosecute their cases. What they also show is the extent to which aesthetic tastes had changed by the latter decades of the century, and how far those in authority had accepted the principle of ecclesiastical ornamentation. Further, while some cases do represent direct conflict between ‘ritualists’ and ‘anti-ritualists’, not all disputes represent this dynamic in action. It is noticeable that, although such cases had to be taken seriously, the Victorian state was no longer willing to prevent the spread of images behind the altar. These cases also suggest that the Public Worship Regulation Act of 1874 had a limited impact either to enable or to prevent cases involving church fabric: the bishops’ veto was of less significance here than might be assumed. The reredos disputes of the 1860s, 70s, 80s and 90s were thus a significant challenge to developments within the Church, while also reflecting a decline in the power of the anti-ritualists in this period.