

## *EX AFRICA SEMPER ALIQUID NOVI:* COLENZO REVISITED

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This paper had its origin in an *excursus* to the dissertation offered in part requirement for the University of Wales LL.M degree in Ecclesiastical and Canon Law.<sup>1</sup> Like all work on Colenso, it is indebted to the magisterial investigations of the late Peter Hinchliff,<sup>2</sup> in whose biography of Colenso will be found an extensive bibliography to 1964. Later sources are itemised in this paper.

### THE STORY IN OUTLINE

In 1853, John William Colenso, former Cambridge fellow, author of mathematical textbooks, schoolmaster and then Norfolk vicar, was appointed Bishop of Natal. In the same year, Robert Gray, former Bishop of Cape Town, was re-appointed to his see, but as metropolitan responsible also for the two new sees of Natal and Grahamstown. Colenso made an immediate exploratory visit to his territory<sup>3</sup> and took post, accompanied by his family, in 1855. Over the first few years he mastered the Zulu language and issued grammars, dictionaries and Biblical texts. He decided against requiring polygamous converts to divorce their wives, set up a diocesan council and opposed the ‘be firm with the Kaffirs’ attitude of the white settlers.

In 1861 he began the publication of Biblical commentaries<sup>4</sup> which, though novel in their approach, were at the time by no means alone in questioning traditional views of authenticity, historical accuracy and doctrine. In 1863, at the instigation of some of Colenso’s own clergy, Archbishop Gray delated his suffragan for heresy, eventually deposing and excommunicating him. After much acrimony and many machinations, Colenso appealed to the Judicial Committee of the Privy Council against both sentence and the removal of his temporalities. In both cases his appeal was successful. He returned to his diocese, but Gray did not cease his attempts to have him overthrown. Although Colenso continued to the end, a rival bishop was consecrated in 1869. Colenso found dwindling support for his ecclesiastical position, turned increasingly to political activity on behalf of the Zulus and died on 20 June 1883. He is buried before the altar in his cathedral.

### DRAMATIS PERSONAE

*Robert Gray.* The first Bishop of Cape Town was the son of a Bishop of Bristol. His father, opposed to the Reform Bill, had seen his palace burnt by a mob and his own life in jeopardy. Courageous and obstinate, he had responded to advice not to attend public services by saying ‘I am to regard my duty to God and not the fear of men’.<sup>5</sup> His son was no academic and over-reliant on those he thought better scholars than himself. One such was James Green (see below). Consecrated in 1847 at the age of thirty-seven, Gray junior was one of the first beneficiaries of the newly established Colonial Bishops Fund. His diocese was enormous, though confined to that part

<sup>1</sup> T H Jones, ‘Law and the Suppression of Heresy in the English Church: an Historical Survey’ University of Wales LL.M dissertation (Cardiff, 1994).

<sup>2</sup> P Hinchliff, ‘John William Colenso: A Fresh Appraisal’, *Journal of Ecclesiastical History* XIII (a paper originally read to the John Mason Neale Society, 7 February 1962); P Hinchliff, *The Anglican Church in South Africa* (London, 1963); P Hinchliff, *John William Colenso: Bishop of Natal* (London, 1964).

<sup>3</sup> J W Colenso, *Ten Weeks in Natal* (London, 1854).

<sup>4</sup> J W Colenso, *Commentary on the Epistle to the Romans, newly translated and explained from a missionary point of view* (London, 1861) (hereafter cited as *Romans*); J W Colenso, *Critical Examination of the Pentateuch and the Book of Joshua* (London, 1862–79) (hereafter cited as *Pentateuch*).

<sup>5</sup> P Hinchliff, *The Anglican Church in South Africa*, p 27.

of South Africa over which Great Britain claimed to rule—Cape Colony, British Kaffraria, Natal, the Orange River Sovereignty and the island of St Helena. He went about his task with caution and some wisdom. He probably did not deserve the contumely brought about by his later dealings with his suffragan of Natal.

*James Green.*<sup>6</sup> Green was the first priest sent by Gray to Natal and, though the bishop was ready to reprove him for impetuosity, he relied greatly on him in matters of scholarship. It was Green, by then Dean of Colenso's cathedral, who demanded Gray's trial of his diocesan.

### THE WRITINGS

To understand the shock produced by Colenso's attempts at Biblical criticism, it is necessary to remember the times in which he wrote. *Essays and Reviews* (1860) had agitated the world of orthodoxy,<sup>7</sup> the more so as it was the work of six clergymen and one layman, including a future Archbishop of Canterbury and a Master of Balliol College, Oxford. Darwin's *Origin of Species*, published in the previous year, had produced, in 1860, the famous encounter between Wilberforce and Huxley. From within and without, traditional beliefs were being assailed, but not until Colenso had a bishop been the agent of seeming disbelief and heresy.

His *Romans*, published first, contained, in fact, a far greater challenge to the Christian faith than the later essays on the Pentateuch. Its sub-title, 'newly translated, and explained from the missionary point of view', indicated both the intention and, by implication, the content of the work. Arising from lectures delivered by Colenso to his mission workers, it was an honest attempt to expound the faith to be rehearsed to the heathen Africans of his diocese. There has to be some sympathy with Hinchliff's observation 'One might have thought that Romans was the least likely of all the books of the New Testament, to serve as a basis for the liberal and universalist teaching of the bishop'.<sup>8</sup> But liberal and universalist it undoubtedly was. Reliant to a great extent on the work of F D Maurice, a long-time friend not yet as fully estranged from Colenso as he would later be, the latter out-liberalised Maurice, denying that God has any righteous anger, or, therefore, need for a propitiatory sacrifice to placate Him. Redemption is a past and accomplished event; the Zulu, or any other living in spiritual unawareness, only needs to have his existing status and privileges in Christ made known to him. The implications are vast and consequential. Conversion is hardly necessary; baptism is secondary; the distinction between the Church and the world is meaningless; the sacraments carry no intrinsic significance. Strong stuff, and strong the reaction it aroused. Unlike an earlier initiative (over Colenso's view of the sacraments), the second request by Green for a formal delation for heresy was this time successful. Gray referred the matter to Canterbury, having failed to persuade Colenso into withdrawing the book. The English bishops met in 1862, while Gray was on his way to England, followed shortly by Colenso himself. By then, a new controversy had erupted over the publication of the first part of the *Pentateuch*.

To describe the work as hasty, superficial and a slight contribution to Old Testament scholarship is misleading and unfair. True, Colenso had no formal training in the field, though throughout the intermittent and lengthy publication period of the work (1862–79) he read extensively, in German and Dutch as well as in English, the works of some leading scholars. It was as a result of facing his Zulu friends and converts that he was challenged, as with *Romans*, to consider the Hexateuch 'from a missionary point of view'. When asked point blank whether he

<sup>6</sup> A T Wirgman, *Life of James Green* (2 vols, London, 1909).

<sup>7</sup> I Ellis, *Seven Against Christ: a study of 'Essays and Reviews'* (Leiden, 1980); S M Waddams, *Law, Politics and the Church of England: The Career of Stephen Lushington 1782–1873* (Cambridge, 1992), pp 310–47.

<sup>8</sup> P Hinchliff, *John William Colenso: Bishop of Natal*, p 79.

believed either the historical accuracy or, perhaps more importantly, the morality, of some of the Old Testament narratives, his own long-standing uneasiness on these and related matters could not any longer be contained. The translations for his people of Genesis and Exodus raised problems such as the impossibility of accommodating all species of the animal kingdom in a vessel with the given dimensions of the ark, along with the question whether a universal flood ever took place at all. The Mosaic laws regarding slavery also became a cause of bewilderment to natives asked to believe in an all-loving god.

Colenso's mathematical training led him to a methodology of criticism relying heavily on statistics provided by the Pentateuch which could be shown to be absurd and impossible in their implications; for example, if the end of the tabernacle, containing the door, was some eighteen feet in width (Exod 26), in order for 'all the congregation', even of adult males, to gather before the door, as enjoined in Lev 8:3–4, they would have been required to stand in ranks extending for nearly twenty miles!

Such an approach, however stringent arithmetically, lends itself to charges of nit-picking and a lack of understanding. Matthew Arnold ridiculed the approach more than once,<sup>9</sup> while Owen Chadwick, in more recent times, described Colenso as having 'no sense of history, no idea how to criticize documents, no wide reading, and no profundity of mind'.<sup>10</sup> Numerous illustrations of both the telling accumulation of such arithmetical facts and their arousal of antagonism to Colenso for exposing them are given in the latest full study of the bishop.<sup>11</sup> Guy states the dilemma for the contemporary supporters of Colenso in the form of questions:

'Was it necessary for [him] to swamp the religious foundations of his thought with his arithmetical demonstrations? Did he have to ignore middle class prejudice or was he oblivious of it? Did he have to offend the ears of his contemporaries with the noise as he tore the whole story to pieces? Did the message he had for those who thought seriously about the crisis in religious thought in the mid-nineteenth century fail to reach them because of the manner in which it was delivered? Was his failure essentially one of tactics?'<sup>12</sup>

### JUDICIAL PROCESSES

As already stated, both Gray and Colenso proceeded to England in 1862 to settle the matter of the latter's commentary on *Romans*. The English bishops, led by Wilberforce, Hamilton and Sumner for the attack, Tait and Thirlwall for deferment, sought to 'open personal communication' with Colenso. The hope was that they might persuade him of the error of his views and secure a withdrawal of the book. While Wilberforce's invitation was conciliatory, Gray gave Colenso the impression that he was being tried before a bench of bishops. It was clear that Colenso regarded the role of the bishops as communicating a judgment already reached—that *Romans* was a heterodox work. Negotiations broke down, Archbishop Sumner died, Longley succeeded him at Canterbury and, to compound offence, Colenso published the first part of his *Pentateuch*. Reaction was swift and almost universally condemnatory, though the book sold 8,000 copies in the first three weeks. Maurice and Stanley, former allies, rounded on Colenso for a wholly negative approach, Stanley also writing

<sup>9</sup> M Arnold, 'The Bishop and the Philosopher' in F Neiman (ed) *Essays, Letters and Reviews by Matthew Arnold* (Cambridge, 1960), pp 46, 50, 51.

<sup>10</sup> O Chadwick, *The Victorian Church* (2 vols, London, 1966–70), vol II, p 91.

<sup>11</sup> J Guy, *The Heretic: A Study of the Life of John William Colenso 1814–1883* (Pietermaritzburg, 1983), Pt 2, *passim*. Like Hinchliff, Guy had access to South African sources not easily obtainable by those not based in the Republic. Disclaiming biographical status, this is nonetheless the best current conspectus of Colenso material.

<sup>12</sup> J Guy, *The Heretic: A Study of the Life of John William Colenso 1814–1883*, p 181.

of Colenso's seeming 'willingness to write himself down as a heretic'.<sup>13</sup> With the English scene unpropitious, Gray determined to take action himself. In November 1863, back in Cape Town, exercising powers he believed himself to have, though he knew full well that they had been denied in an earlier judgment,<sup>14</sup> he sat in his cathedral to try Colenso on 'certain charges of false, strange and erroneous doctrine and teaching', according to a citation issued earlier in the year. Colenso was not present. He was represented by his friend, Dr Bleek, son of one of the Old Testament scholars upon whose work Colenso had relied for his Pentateuch. The diocesan registrar having read all the formal documents, Dr Bleek rose and read a formal protest against the jurisdiction of the Bishop of Cape Town:

*The Bishop:* The Bishop of Natal tells me he has instructed you to read a certain letter. Are you reading that letter?

*Dr Bleek:* I am instructed first to protest, and then, if your Lordship assume jurisdiction, to read the letter.

*The Bishop:* Will you produce the authority of the Bishop of Natal to protest.

Dr Bleek then read the following passage of Colenso's letter:

I have instructed Dr Bleek of Cape Town to appear before your Lordship on my behalf for the following purposes:

- (i) First, to protest against your Lordship's jurisdiction.
- (ii) Secondly, to read this letter (of which I have sent him a duplicate) as my defence, if your Lordship should assume to exercise jurisdiction.
- (iii) Thirdly, if you should assume jurisdiction and deliver a judgment adverse to me, to give you notice of my intention to appeal from such judgment.

*The Bishop:* It is a letter, as I understand, that you are instructed to read. First read the letter.

*Dr Bleek:* Then does your Lordship assume jurisdiction?

*The Bishop:* Will you read the letter if you please? That is your business.<sup>15</sup>

For three weeks the court heard evidence and on 14 December 1863 the assessors declared their opinion, condemnatory of the doctrines propounded by Colenso.

Two days later, Gray delivered his judgment. Having first found himself competent to try the case, he next laid down the criteria on which his judgment would be based, namely, 'the language of the Articles and Formularies, including . . . the whole Book of Common Prayer [together with] the decisions of those Councils which the Church of England regards as Oecumenical'. By such tests Gray found Colenso guilty on nine charges:

- 1 denying substitutionary atonement;
- 2 maintaining the justification of all, whether aware of such justification or not;
- 3 maintaining that all are regenerate from the moment of natural birth and denying any special efficacy to the sacraments;
- 4 denying the doctrine of eternal punishment;
- 5 maintaining that Scripture contains, but is not intrinsically, the Word of God;
- 6 denying special inspiration to Scripture;
- 7 denying the authenticity, genuineness and truth of some Scriptures;
- 8 maintaining the ignorance and error of Jesus on some matters, thereby denying him to be both God and man;
- 9 depraving and impugning the book of Common Prayer, thus violating the law of the United Church of England and Ireland.

<sup>13</sup> R P Prothero and G C Bradley *Life and Correspondence of A P Stanley* (London, 1893), vol II, p 100 (Stanley to Jowett).

<sup>14</sup> *Report of the Case of the Reverend Mr Long* (London, 1861), and Bishops court Archives, Cape Town, Folio I. The judgment is also printed in an appendix to C N Gray *Life of Robert Gray, Bishop of Cape Town and Metropolitan of Africa* (London, 1876). The judgment of the Privy Council was not delivered until 24 June 1863: *Long v Bishop of Cape Town* (1863) 1 Moo PCCNS 411.

<sup>15</sup> *Report of the Trial of Bishop Colenso*, pp 38 ff.

Gray then proceeded to pass sentence, declaring 'the said Bishop of Natal to be deposed from the said office as such Bishop, and to be further prohibited from the exercise of any divine office within any part of the Metropolitan Province of Cape Town'. Colenso was given four months' grace within which to recant, in which case the sentence would be null and void. Bleek, Colenso's friend and representative, was present to hear the judgment and sentence and again protested against the illegality of the proceeding and the sentence. He gave notice that Colenso would appeal and resist, by process of law, any attempt to carry out the sentence. Gray stated that any appeal must be to Canterbury and made speedily.

Sir Robert Phillimore, the Queen's Advocate, had been Gray's adviser on procedure, and his recommendation was followed that the South African bishops should meet in synod and confirm the sentence. This they did, adding that if Colenso continued in contumacy he should be formally excommunicated.

'Colenso thought that the whole thing had been a travesty of justice . . . His bitterest enemy, Green, had had a hand in framing the rules of the court. Gray, the judge, had at an earlier stage been Colenso's accuser to the Archbishop of Canterbury. He had also been at least partially responsible for choosing the 'prosecuting counsel' and for briefing them. He had tried to force Colenso to enter a defence and thus recognise the court. The judges had virtually decided upon their judgment before the case was heard. They had met again in another capacity and, without evidence, defence or opportunity of protest, had retried the case. The ninth article of accusation had specifically alleged a violation of the law of the Church of England, but no appeal was allowed to the courts of England. The only appeal was to the archbishop personally in a quasi-patriarchal character'.<sup>16</sup>

It was this last point which Colenso took up, strengthened in his resolve not only by the 1864 judgment of the Judicial Committee of the Privy Council in the *Essays and Reviews* case, which found in favour of the essayists and against the Church's supreme court, the Court of Arches,<sup>17</sup> but more particularly by the case involving Gray's jurisdiction already referred to.<sup>18</sup>

In 1856, Gray summoned both clergy and laity to what he intended to be a diocesan synod. There was, for reasons which need no place here, great opposition to the summons and three clergymen of the diocese appeared at the synod only to object to their summons and then withdrew. One of the three, William Long, grounded his objection on the innovatory nature of synods, postdating his ordination and licensing; on their illegality unless authorised by the Crown (Gray's synod was not so authorised); and on the injustice of attempting to force them on those opposed, as a limitation on the rights of Church members. At this stage, Gray ignored Long's protest, but a year later, in the so-called 'Eton College Case', it was held in Queen's Bench, by Lord Campbell, that the Church of England could have no legal status in the colonies, *particularly where there was a separate legislature*. This had obvious and serious implications for affairs in Cape Province. Phillimore advised Gray that the Church courts in South Africa were no part of the system of Church courts in England and that no automatic appeal could lie from Gray's courts to the Court of Arches in the province of Canterbury. Gray called a second synod in 1860 and Long again refused to attend. He was summoned to appear before the bishop's court on 4 February 1861. Sitting with five clerical assessors, Gray found Long guilty of disobedience and sentenced him to three months' suspension, without loss of stipend. Long appeared only to protest against the court's jurisdiction, refused to accept its sentence, and this time was deprived of his benefice for persistent contumacy. Long

<sup>16</sup> P Hinchliff, *John William Colenso: Bishop of Natal*, p 138.

<sup>17</sup> *Williams v Bishop of Salisbury* (1864) 2 Moo PCCNS 375; G W Cox *The Life of John William Colenso*, DD, *Bishop of Natal* (2 vols, London, 1888), vol 1, pp 252, 257.

<sup>18</sup> See note 14 above.

appealed to the [secular] Supreme Court of the colony for an interdict to restrain the bishop from evicting him from his church. The Chief Justice held that Long owed obedience to Gray by accepting the bishop's licence and that Gray's sentence should hold. He also added a rider, to be of great significance for Colenso, that the legal position of colonial bishops holding office by letters patent was extremely complex. Long was not finished. He appealed to the Privy Council, broadly the final appellate court for overseas causes, and on 24 June 1863, by which time the Colenso case was well advanced, the Judicial Committee reversed the Cape Colony judgment.<sup>19</sup> The distinction was made between the episcopal authority of properly consecrated bishops and their coercive jurisdiction in particular territories. Some colonial bishops had been given the latter authority by Act of Parliament; Gray had not. His first letters patent of appointment had been superseded by the second issue, creating him metropolitan, and those letters were *ultra vires*, because by the time of their issue the Crown had already granted representative government to the colony. Gray had spiritual authority over Long, but the latter could not be punished for refusing recognition to Gray's synod. Gray accepted the advice of Wilberforce to deal gently with Long. He restored him to his cure. Wilberforce also, but mistakenly, believed that the Judicial Committee judgment supported Gray in his dealings with Colenso. 'To apply this [judgment] to the Colenso case seems to me easy and direct. He has taken the oath of canonical obedience to you;—this being a voluntary act he cannot question your jurisdiction'.<sup>20</sup> Colenso, however, thought he knew better, and he did. Convinced, though perhaps unfairly, that he could expect no justice from Gray or the systems he controlled, he appealed directly to the Crown-in-Council, that is, the Judicial Committee.

It should be remembered, though there is no room here to develop the point, that the Judicial Committee, sitting as a final appellate court in causes ecclesiastical, was a fairly new phenomenon. It had acquired its authority as the result of a report<sup>21</sup> commissioned on the workings and inadequacies of the Court of Delegates,<sup>22</sup> itself having a complex and long history of interaction with the Court of High Commission.<sup>23</sup> Though equally vulnerable to some of the charges levelled against its predecessors—fluctuating membership, no guarantee of specialist competence in its judges—the Committee attempted and in large measure appears to have succeeded in dealing equitably and prudently with the cases brought before it.<sup>24</sup> Some indication of the support for Colenso is given by the opening of a subscription list to help him with the costs of his appeal. Among subscribers were Anthony Trollope, Dean Stanley, Sir Joseph Hooker and Sir Charles Lyell, the latter two being, of course, protagonists in the current conflicts between scientists and rear-guard theologians.

Colenso's petition came before the Judicial Committee on 27 June 1864. He was present; Gray was not, having returned to Natal on the day (16 April 1864) Colenso's sentence was to take effect. On that day Green, inveterate enemy of his diocesan, read the order of deposition in the cathedral, at the same time as it was read in all other churches of the diocese. A month later the see was formally declared vacant, Gray being asked to appoint a successor to Colenso. Events in London and South Africa, therefore, were proceeding apace, though in different directions. In December 1864 the Judicial Committee sat, with both Dr Lushington, Dean of the Arches, and Lord

<sup>19</sup> *Long v Bishop of Cape Town* (1863) 1 Moo PCCNS 411.

<sup>20</sup> G W Cox *The Life of John William Colenso, DD, Bishop of Natal*, vol 1, p 279.

<sup>21</sup> *Practice and Jurisdiction of the Ecclesiastical Courts in England and Wales* R Com Rep 1831–32 (190) XXIV.I. The statutes creating the new jurisdiction were the Privy Council Appeals Act 1832 (2 & 3 Will 4, c 92) and the Judicial Committee Act 1833 (3 & 4 Will 4, c 41).

<sup>22</sup> G I O Duncan, *The High Court of Delegates* (Cambridge, 1971), ch 1.

<sup>23</sup> R G Usher, *The Rise and Fall of the High Commission* (Oxford, 1913).

<sup>24</sup> I understand that a fellow-member of the Ecclesiastical Law Society, Professor S M Waddams, is preparing a major work on the Judicial Committee. We eagerly await its appearance.

Romilly MR, as members. Proceedings were completed within a week, though judgment was not given until 20 March 1865.<sup>25</sup> As expected, the judgment was concerned with jurisdiction, not with theology (for this reason no bishops sat). This meant, of course, that the question whether Colenso was a heretic was not raised, therefore not answered. The Lord Chancellor reviewed the status both of the bishops and of their respective territories. The metropolitan jurisdiction of Gray over Colenso was declared defective on two grounds. Firstly, the see of Cape Town was technically vacant at the time of Colenso's consecration and appointment, Gray's second letters patent being signed one week later. Secondly, as in the *Long* case, the Crown could not by a prerogative act confer coercive jurisdiction on a bishop in a colony which already had its own legislature. The various occasions were rehearsed when such jurisdiction *had* been granted to newly created bishops. Each time, this had been done either by the Crown confirmed in an Act of Parliament or by the appropriate colonial legislature. Gray's letters patent, therefore, claimed to confer on him an authority they were incapable of conferring. As with Long, a distinction was made between 'coercive authority', which was lacking, and 'spiritual authority' which undoubtedly existed, but deposition was held to be a matter of the former and therefore invalid. It is of some interest that Colenso's petition had been referred to Phillimore and Roundell Palmer (later Lord Selborne) as law-officers of the Crown and that they had concurred in believing that the Judicial Committee should not have assumed jurisdiction.<sup>26</sup> Meanwhile, in London, Colenso's troubles were not over. Neither were Gray's. The Society for the Propagation of the Gospel (SPG), a grant supporter of both bishops, had removed Colenso from among its vice-presidents, directed that he was to have no control of SPG missionaries, and given his grant into the hands of a Natal committee. It also reduced its grant to Gray. Both bishops were also losing income from the Colonial Bishops' Fund. Colenso's had been stopped on the grounds that he had been deposed by a church court, but after the Privy Council's reversal of the deposition, Gray's income was also stopped, though Colenso's was not restored. Colenso filed a bill in Chancery for the restoration of his stipend—*Bishop of Natal v. Gladstone* (Gladstone was one of the treasurers of the Colonial Bishops' Fund). The action was decided in his favour in November 1866,<sup>27</sup> so again, the state had overruled the church.

Colenso had returned to Natal a year earlier, but despite the bunting displayed in Durban harbour and the cheering of a large crowd, the homecoming was both sad and disappointing. Green controlled the cathedral church in Pietermaritzburg and remained implacably opposed to his bishop; the diocese and the Colensos were financially straitened; the Anglicans were divided and torn by the rift; and even Colenso himself began to wonder what future there was for him in the colony.<sup>28</sup>

On 13 December 1865 Gray formally promulgated the sentence of excommunication passed on Colenso two years earlier, allowing him appeal only to 'the Bishops of the Church'. Colenso, of course, would have none of it, but offered to have his orthodoxy tested by the law of England. It will be remembered that the Judicial Committee had not pronounced on the heresy issue; only on the legality of the proceedings by which Colenso had been pronounced a heretic. Such a course, while long advocated by Tait and Gladstone, would have been bitterly opposed by such as Gray, Wilberforce and Pusey, who could not accept the right of a secular court to try causes of faith and doctrine. The matter remained unresolved. Colenso continued to preach, drawing great crowds to hear sermons increasingly heterodox. Their

<sup>25</sup> *Re Lord Bishop of Natal* (1865) 3 Moo PCCNS 115.

<sup>26</sup> Lord Selborne, *Memorials, Family and Personal* (2 vols. London, 1896), vol II, p 482; Lord Selborne, *A Defence of the Church of England Against Disestablishment* (London, 1887), pp 205 ff.

<sup>27</sup> *Bishop of Natal v Gladstone* (1866) LR 3 Eq 1.

<sup>28</sup> 'He seems to have hinted to Stanley that an English canonry might be the best niche for him to retire to': P Hinchliff, *John William Colenso: Bishop of Natal*, p 129, note 3.

author's view of our Lord was revealed by an attack on that bastion of orthodoxy, *Hymns Ancient and Modern*, an attack which raised hackles throughout England.<sup>29</sup> The possession of the cathedral was granted to Colenso by the Natal Supreme Court at much the same time as the Chancery victory over the Colonial Bishops Fund, but was a cause of embarrassment to the law officers of the Crown, as revealing something of an anomaly in the validity of Colenso's letters patent.<sup>30</sup>

Two lasting consequences of Colenso's turbulent and chequered career remain to be highlighted. The confusion over his, and Gray's, constitutional status, based on letters patent of at least dubious quality, led to a clarification of the colonial bishoprics in general and the creation of the Church of Africa in particular. Further, the almost consuming concern of the first Lambeth Conference with the Colenso affair began the long process by which the present strength of the world-wide Anglican Communion became a reality.<sup>31</sup>

Colenso himself must be left for the assessment of those who have here learned at least a part of his story. His rôle in the political affairs of Natal, and his championship of his beloved Zulus, corporate and individual, is a story worthy of its own rehearsal, but elsewhere.<sup>32</sup>

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<sup>29</sup> J W Colenso, *Natal Sermons, Second Series* (London, 1868), pp 144 ff.

<sup>30</sup> S C Carpenter, *Church and People 1789–1889* (London, 1933), pp 145, 146.

<sup>31</sup> For some parallel material on Colenso, particularly in the light of the Lambeth Conference, see E Kemp 'Legal Implications of Lambeth' (1989) 1 *Eccl L J* (5) 15–23.

<sup>32</sup> Eg in N Herd, *The Bent Pine (The trial of Chief Langalibalele)* (Johannesburg, 1976).