

IN THE CONSISTORY COURT OF THE DIOCESE OF BRISTOL

In re Redcliffe St Mary

JUDGMENT

1. Elizabeth Hewitt, Chairman of the North Transept Window project petitions for:

(1) a confirmatory faculty for the removal of the four stained glass panels in the North Transept window containing the Colston family motto 'Go thou and do likewise', a dedication to and shield of Edward Colston;

(2) an application for the permanent removal of those panels;

(3) the installation of four modern stained glass panels in place of the removed panels;

(4) the relocation of a plaque on the wall to the bell tower which marks an occasion when the bells were rung to commemorate the 200 year anniversary of the abolition of slavery to beneath the window;

(5) the installation of an interpretation board beneath the window to explain the removal of the panels and how the new panel designs were arrived at; and

(6) the installation of a stainless steel (powder coated black) protective grill on the outside of the window.

2. The PCC unanimously support the petition. The DAC recommended the petition be granted subject to consulting the Church Buildings Council (CBC), Historic England (HE), Society for the Protection of Ancient Buildings (SPAB) and the Victorian Society (VicSoc). The colouring of the panels is to match as closely the rest of the window and the works are to be carried out under the close supervision of the architect. The amenity bodies were contacted as suggested and those that replied advised as follows.

Historic England:

Historic England considers that where elements of a historic building are of historic or architectural interest, but are contested, the most appropriate solution is to retain them in situ, and to explain and place them in their historic context through engaging interpretation. Historic England understands the pain that Colston's role in the transatlantic trade in enslaved people has caused, and we recognise the church's desire to respond to this. We consider, though, that the retention and explanation of artefacts such as the glass panels, if thoughtfully effected, can achieve this end.

In this case, it is not proposed to reinstate the original panels. We note, however, that the church proposes to retain the original panels, and eventually display them with associated interpretation to explain their context and history. This would preserve some of the historic context of the window, as it would allow an important element of its significance to continue to be understood.

Historic England considers that the proposals would cause a minor degree of harm to the significance of the Grade I listed church. It will be for the chancellor to determine whether that minor harm is outweighed by any wider public benefit

The CBC:

The committee noted the low heritage impact for high missional benefit...

The Committee considered the permanent removal of the Colston dedication. Relating the inscription to Edward Colston gives ground to remove this specific instance but is not a commentary of the wider Colston family. It agreed that the case for removal was made.

The Petitioner's case in summary

3. Whilst it is acknowledged that Edward Colston was a great philanthropist locally and nationally, his wealth derived in part from the slave trade and his active participation in the Royal Africa Company and the South Sea Company. His role in these organisations was not acknowledged after his death in 1721. In 1870 a window sacred to his memory was installed in the Church. It was not until 1920 when Rev H.J. Wilkins published *Edward Colston 1636-1721 A.D. A Chronological Account of His Life and Work* that his involvement in the Slave Trade became clear. Since that time his involvement with the slave trade has been excused by the Church and others. St Mary's now feels it is time that the false narrative of Colston's life be corrected. The family motto 'go thou and do likewise' in a memorial window which sets out the seven corporal acts of mercy and images of the Good Samaritan is wholly incongruent with his life. The uncritical memorialisation of Colston is a stumbling block for the work and mission of the Church. They propose removing the four panels that commend Colston and replacing them with modern stained glass, with an interpretation board installed by the windows.

Opposition

4. On 17 June 2020 Christopher Cooper wrote to me personally in an email headed 'Colston Memorial windows & St Mary Redcliffe and Bristol Cathedral' within the email he wrote:

I write in regard to the window removal (and possibly other iconoclasm) at Bristol Cathedral and St Mary Redcliffe under the apparent authority of Vivienne Faull.

I am pursuing separate legal action against Bristol City Council in re: Colston's statue

How may I proceed (Restoration Order) in regard to becoming a party legally to reverse the actions of removal of parts of windows &c?

My interest is as a fellow bellringer at Redcliffe (last time I attended, last year I also attended Choral Evensong at Redcliffe) but if necessary I will seek to find a party to advance the Order who is a member of Redcliffe congregation. I understand that there is a fee these days to apply for an RO; please can you send details.

If other action is in hand by other parties on this, please would you notify me: I would be pleased to be enjoined to any action.

Yours faithfully

Christopher J. Cooper (resident in the Diocese of Canterbury and a weekly - often twice a Sunday - worshipper in ordinary times)

PS - I understand that Cathedrals are outwith the Faculty Jurisdiction Measure? If so, please could you direct me as to how to approach a Cathedral Council as a complainant

5. On the 21st June 2020 Mr Cooper wrote to all the Diocesan Registries in the country in an email headed 'Iconoclasm/Cultural Marxism/Cowardice'. This was forwarded to me. In the email he wrote:

TO: THE DIOCESAN REGISTRIES OF ALL 42 DIOCESES OF THE CHURCH OF ENGLAND

Dear Sirs,

Having already become aware of loopholes in Ecclesiastical Law which are cheerfully being employed by a coalition of iconoclast barbarians, Cultural Marxists, covert Communists, SJW's and appeased by cowards in re the following:

- Colston windows (removal/proposed removal amounting to historical-revisionism) and possibly other Colston items (or anything else not suiting the radical-liberal agenda of those within purview) at Bristol Cathedral & St Mary Redcliffe

- Removal of Sir John Cass' statue at St Botolph, Aldgate

I can see where this is all leading without some serious checking-in!

May I respectfully remind all that the Church of England's Ecclesiastical Exemption only exists while we the people have confidence in it.

Following my being made aware of the above matters I have brought these matters to the attention of the Home Office.

I am separately pursuing action against Bristol City Council and Somerset and Avon Police in re: Colston's statue. In passing I should note that the thuggery (whilst Plod st

ood idly by) perpetuated upon worthy Son of Bristol Edward Colston's statue has already seen a revenge attack (this is how the lower-functioning beings tend to react in blind rage if they do not possess the legal resource and patience to put right what is amiss, as most 'we commoners' do not) on the beautiful tombstone of an African in Bristol. Does the Church of England really want to join so blatantly with Liebour, and fake-news Blair's Beastly Communists and Sly News in assisting the fomentation of a race-war, and planting itself forever firmly on the wrong side of history?

Those one or two of you who know me personally will know that although I am normally a friendly man, I will always seek unrelentingly to defend all the built heritage of the glorious (when properly understood from history books which don't gaslight with treasonous Marxism) British Empire with the utmost vigour.

I shall be pleased if a united response to this message by all Chancellors can be effected.

The only difference between rioting mobs of vandalising brainwashed white over-privileged Marxist thugs and legal-eagles who employ clever legal loopholes to dispense with pieces of heritage from our churches and Cathedrals which don't suit their personal selective prejudices (possibly copied from the current House of Bishops & Bishopesses selective approach to biblical truth) is a suit (and perhaps a wig and gown).

I appreciate that those who have risen high in their profession will take great exception to a knuckle-dragging commoner calling them out on the foregoing, but as someone who has been involved previously in attempts (one lost, one won) in my own Diocese to protect the interiors of Greater Parish Churches from the Cultural Marxist agenda which the above actions to my mind clearly plainly reveal, I have every right to pursue these matters, as all articles in a Church as by Law, Established, belong morally to all the people of the land and we patriots expect them to remain. In ordinary times I am also a regular worshipper (usually twice a Sunday, bellringer at 6 different churches each week and a member of one of the few remaining Parish Church boy and men choirs not expunged by the CofE radicals over the past few decades; with continuous service therein for 30 years this October)

In order perhaps to remove the question mark over the future of the Ecclesiastical Exemption (at least for the time being) perhaps confirmation that the actions of removal of supposed slavers (blah blah blah!) statues and all other furnishings by emergency faculties on trumped-up claims will now be stopped and in the above mentioned cases reversed, or else I shall continue to pursue these matters.

For those too scared to speak out, perhaps you may find my message useful as you are welcome to hide behind my representations herein and use me as a whipping-boy: I enjoy being hated by the intruder CofE syncretists which have infested my National Church!

Best thanks

Yours faithfully

Christopher J. Cooper (Canterbury Diocese - lucky them!)

6. The Registry at the Diocese invited Mr Cooper to say whether he intended to maintain his objections. On the 10th May he emailed the Registry:

Dear Mrs Reynolds,

Thank you for contacting me.

I respond as follows:

Clearly, in looking at whether this should pass the seal, pastoral need and especially with regard to the Duffield questions will be very much within the Court's purview. The Colston matters are wholly POLITICAL and DIVISIVE. They are part of a culture-war being waged by hardline-Marxists under the badge of 'love is love', 'kinder gentler politics' etc. I would therefore find it hard to see that the Duffield questions could be asked and answered in such manner as to account this pastorally needful; quite the reverse. The Parish System is there to cater to ALL the people of that area, and to take such a 'positive' (as opposed to neutral - status-quo) step such as this, immediately throws the Court into the culture-wars as it will no doubt receive press coverage as did the Rustat case. Despite the obvious politicking of much of the CofE hierarchy, I should have thought that the Consistory Courts would want to remain above such things as their job is to look at law, not at emotional arguments, or bow to pressure groups (as the secular courts did with the Colston trashers) as it might be further ammunition to those who would like to see the exemption abolished, if the Court were seen to be taking a positive action in confirming the removal of heritage for culture-war reasons (as I think was the agenda of those trying to move the Rustat Memorial).

No doubt the Chancellor will also have due regard to the Rustat Memorial case, though of course every case turns on its own particular set of circumstances.

The thugs and criminals got away scot-free with criminally-damaging a wonderful memorial to Edward Colston, famous son of Bristol, whose philanthropy was a direct attempt to offer hearty repentance for his part in a slave trade which ALL races took a hand in, and he did this LONG BEFORE SLAVERY WAS ABOLISHED.

CRT-activists are as usual, at every turn, seeking to rewrite history into their own narrow-minded divisive race-baiting narrative. It would be, I think, as well if the Court draws a mature line in the sand here, looks at historical fact and the law alone, keeping emotional browbeating arguments entirely at bay, refuses to grant such a Confirmatory Faculty, and orders that the window be reinstated.

These are my views; as I understand it, I do not have enough of an interest in St Mary Redcliffe, Bristol, to become a Party Opponent, but as the Chancellor has requested my input (for which I thank him) I am confident that he will give due weight to the points I have raised, in reaching his determination.

For clarity, I therefore suggest that items 1, 2.1, 2.2 & 2.4, should all fall. The Colston windows should be in their historical positions, fully visible, and steps such as 2.5, and possibly further, should be taken to protect them from divisive, anti-British, hateful, race-baiting, historical-revisionist activists. Anyone who claims to be an Anglican who finds them 'offensive' is 'worshipping' the god of 'woke', not the God of the Book of Common Prayer, XXXIX Articles and AV Bible. If they do not subscribe to the doctrine of the Church of England (which the King quite clearly was heard to swear an oath that he would uphold the CURRENT doctrine of the CofE at his Coronation last Saturday in the Abbey) they should leave. It is time to proscribe the entryism of syncretists in the CofE.

'Sufficient interest'

7. A person can only become a party opponent if they have 'sufficient interest' in the petition. Rule 10 of the Faculty Jurisdiction Rules 2015 is clear:

Interested persons

10.1.—(1) For the purposes of this Part "interested person" in relation to a petition for a faculty means—

- (a) any person who is resident in the ecclesiastical parish concerned;
- (b) any person whose name is entered on the church electoral roll of the ecclesiastical parish concerned but who does not reside there;
- (c) the parochial church council;
- the archdeacon;
- (d) the local planning authority;
- (e) any national amenity society;
- (f) any other body designated by the chancellor for the purpose of the petition;
- (g) any other person or body appearing to the chancellor to have a sufficient interest in the subject matter of the petition.

...

(3) If any question arises as to whether a person is an interested party it is to be determined by the chancellor.

Objection by interested person

10.2.—(1) An interested person may object to the grant of a faculty in respect of all or some of the works or other proposals to which a petition relates in accordance with this rule.

(2) An objection is made by sending a letter of objection to the registry, addressed to the registrar.

(3) A letter of objection must state—

(a) the basis on which the person objecting is an interested person; and (b) the grounds on which objection is made.

...

(5) An interested person who sends a letter of objection in accordance with this rule is referred to as an "objector".

Procedure following receipt of letter of objection

10.3.—(1) Following receipt of a letter of objection the registrar must send a written notice to the objector which states that the objector may—

- (a) become a party opponent to the proceedings by serving the petitioner and sending the registrar particulars of objection in Form 5 within 21 days of receiving the written notice from the registrar; or
 - (b) leave the chancellor to take the letter of objection into account in reaching a decision without becoming a party to the proceedings.
- 8. To decide whether a party has 'sufficient interest' I am assisted by an analysis of the parallel jurisdiction of the Administrative Court which has considerable learning on the meaning of what constitutes 'sufficient interest' to have standing.

- 9. The current test is set out in the Senior Courts Act 1981

Application for judicial review.

S31

(3) No application for judicial review shall be made unless the leave of the High Court has been obtained in accordance with rules of court; and the court shall not grant leave to make such an application unless it considers that the applicant has a sufficient interest in the matter to which the application relates.

- 10. Lord Fraser stated in *R v Inland Revenue Commissioners ex p. National Association of Self-Employed and Small Businesses Ltd* [1982] AC 617:

On what principle, then, is the sufficiency of interest to be judged? All are agreed that a direct financial or legal interest is not now required, and that the requirement of a legal specific interest laid down in *Reg. v. Lewisham Guardians* [1897] 1 QB 488 is no longer applicable. There is also general agreement that a mere busybody does not have a sufficient interest. The difficulty is, in between those extremes, to distinguish between the desire of the busybody to interfere in other people's affairs and the interest of the person affected by or having a reasonable concern with the matter to which the application relates.

- 11. Of particular relevance to the submissions of Mr Cooper is the judgment in the case of *McCourt* [2020] EWHC 2320 (Admin):

50. It was suggested to us by Mr Little that the enhanced procedural rights accorded to victims and relatives in Parole Board proceedings may themselves help to justify a conclusion that victims and relatives should be accorded standing to challenge Parole Board decisions. This seems to us to be putting matters the wrong way round. To our mind, the procedural rights are a reflection of the victim's or relative's interest in the outcome of the proceedings; but the interest would subsist even if the procedural rights were absent. We would also reject the suggestion that Mrs McCourt's work campaigning for "Helen's Law" assists in establishing a "sufficient interest". In our view, her interest is established by the effect of the decision on her and her family, and by a consideration of what the rule of law requires in this

context, not by her campaigning activities and certainly not (as was at one stage suggested) by the public and Parliamentary support which those activities have attracted. Successful campaigners do not, by virtue of their success as campaigners, acquire standing to challenge public decisions with which they disagree; conversely, popularity or a high profile in the media or in Parliament is not, and must not be allowed to become, a precondition of access to the court.

12. The test therefore is one of fact. In the McCourt case the petitioner had 'sufficient interest' as she was the mother of the victim of a murderer applying for parole. In my judgment Consistory Courts the test for 'sufficient interest' require a similar level of interest or engagement
13. Mr Cooper himself appears to accept that he does not have 'sufficient interest' to become a party opponent. I agree. He is not resident in the parish and appears to have visited the Church only once. He appears to fall squarely into the category of person that Lord Fraser identified in the case cited above as being specifically excluded from having sufficient interest. I am therefore satisfied that he does not have sufficient interest to become a party opponent in this case.
14. If I am wrong in finding that Mr Cooper has sufficient interest, for the sake of completeness I am prepared to assess whether I should give the matters he raises any weight. Mr Cooper states in his email to the Registry that I had 'asked for his input'. I did not. I asked if he wanted to maintain his objections. He also states that he understands in the circumstances that I will give 'due weight' to the points he has made. Although I have read and re-read Mr Cooper's emails, I do not understand most of the objections Mr Cooper makes. Some of them are factually inaccurate. He states, for example that Colston made his philanthropic donations to 'offer hearty repentance' for his involvement in the slave trade. There is no evidence to support that assertion. I simply do not understand the rest of his assertions. I give them no weight at all.

The Church

15. In my Judgment 2017 Ecc Bri 1 I described St. Mary's in this way:

'The church is a magnificent grade I building built between the twelfth and fifteenth century preserved with love, care and substantial financial assistance. It was famously described by [Queen Elizabeth I](#) as "the fairest, goodliest, and most famous parish church in England." It is well heated and ventilated. In any other City this church would be the Cathedral.'

16. I stand by that assessment.
17. The listing of the Church is as follows:

Church. Late C12 inner N porch; c1294 lower part of tower and W wall; c1325 outer N porch; c1335 S porch, transept and aisle and upper tower; mid C14 nave, N aisle, transept and chancel; mid C15 E bay of Lady Chapel and library; spire damaged 1446 and rebuilt 1872; restoration by G Godwin 1846-72; undercroft by G Oatley 1941. Limestone ashlar and leaded roof. PLAN: fully aisled cruciform plan with E Lady Chapel, N library, hexagonal N porch, S porch and W tower. Early English Gothic inner N porch and lower tower and W end, Decorated Gothic outer N porch, Perpendicular Gothic the rest. EXTERIOR: Lady Chapel: shallow gabled E end with a parapet of half-blind trefoils, containing a 6-light E window with panel tracery in an almost flat-sided arch, flanked by angle buttresses, with the triple plinths that run round the whole building except the W end; the 2-bay N elevation is divided by an octagonal 3-stage turret with cinquefoil panels and a crocketed ogee dome with an elaborate finial, has C15 E bay with a 4-light, 2-centred arched window, above a wide 4-centred arched doorway, and C14 W bay with a 5-light window in a flat-sided arch, the E light concealed by a projecting buttress, with pierced quatrefoils in the spandrels above. Chancel: E gable has a large 7-light window with alternate tracery, unpanelled above, with buttresses to thin crocketed pinnacles. Apart from the S transept, all the aisles have half-blind quatrefoil parapets, divided by deep buttresses with water tables which rise above the parapets, with richly crocketed pinnacles, and flying buttresses to the clerestory; above the clerestory is a parapet of open cusped triangles with thin crocketed pinnacles over the flying buttresses; chancel aisles of 4 bays, transept of 2 bays and nave of 3, each of 4-light windows under flat-sided arches; the aisle gables have rounded-arched windows with 4 lights; the clerestory has tall 6-light windows with alternate tracery, and Perpendicular panelled spandrels to the 5-bay chancel, 3-bay transept and 5-bay nave. The N end of the transept has a tall, narrow window divided by Y-tracery and 2 transoms, with reticulated tracery in the arch head and below the transoms, flanking buttresses and panelling up to the shallow parapet. Filling 2 chancel bays and 1 bay of the N transept, the 2-storey library has mullioned windows with trefoil heads, transomed on the E second-floor, and a wide chimney breast to the N side. Crypt has 2-light windows in flat-sided arches that cut the plinth to both sides of the library and the 3 sides of the N transept. The much-restored 3-storey c1325 outer N porch is hexagonal in plan with 5-sided turret buttresses to square pinnacles: the main doorway has a cinquefoil-arch in a frame of 3 richly carved reverse-cinquefoil orders, with a restored door with scrolled strap hinges; smaller but similarly enriched E and W doorways have crocketed hoods, carved tympana, attached, diagonally-set steep gable pinnacles with rich finials either side, and doors with scrolled strap hinges; the buttresses have niches on plinths with good carved figures, nodding cusped ogee canopies and crenellated hoods; 4 also to each face of the ground and first floors, in front of 3-light first-floor windows with reticulated tracery; second-floor has 2 plain 4-light mullion windows below a parapet of open quatrefoils; SE octagonal stair turret with niches. Inside, the 4 sides have arcades of 4 cinquefoil-headed arches and a frieze of heads and fleurons, below a C20 concrete remodelling of the second storey; the SW side opens back to a small chamber; the arch to the inner porch has side ogee niches with plinths supported by fine human-faced beasts, and has a 2-light plate tracery window above. The doorway from the inner porch to the church has a cusped cinquefoil

arch with hollow moulding with square flowers and a crocketed ogee hood, and canopied niches on angel corbels to the sides and above; arcades of 5 deeply-moulded lancets on Purbeck marble shafts and stiff leaf capitals to the sides, and semicircular quadripartite vault; the arch to the outer porch is of 5 orders with Purbeck marble shafts and stiff leaf capitals. To the N extends the 1941 undercroft with a central flight of steps up, sides with 3 plinth mouldings and triple stepped lancet windows to the E and W. The 3-stage tower has angle buttresses and an octagonal spire: 3-light N and 4-light W windows have Geometrical intersecting tracery to the C13 bottom stage, below an arcade of trefoil-headed niches with stiff-leaf capitals and gable hoods containing C19 statues of the Apostles; the wide buttresses have bowtell mouldings to the corners and 2 niches one above the other with crocketed hoods to the centres of projecting trefoil heads; a band of quatrefoil panels runs round the tower below the elaborate C14 upper stages, 3 arches with Y-tracery in gable hoods, the middle one to the N glazed above a clock; similar arches to the buttresses, with good animal and human hood stops. The belfry has 3 tall louvred cinquefoil-headed lights separated by narrow blind arches, all with crocketed ogee hoods and ball flowers; cinquefoil-headed panels to the tops of the buttresses, which end in crocketed pyramids in front of a parapet of open triangles with gargoyles, and tall octagonal panelled pinnacles inside the parapet; 3-stage spire with flowered ribs divided by bands of traceried panels, with cross-window lucarnes with ogee heads to the principal faces at the base and middle, and a foliated capstone. The S elevation differs from the N in the Chancel aisle doorway beneath the transom in the bay second from the E, which has 3 gable hoods, taller in the middle, with blind tracery and crocketed pinnacles, above a depressed-ogee doorway, and in the mid C14 S transept: this has gabled buttresses and unsupported flying buttresses with crockets, and is unpanelled above the clerestory windows, which have a central arch of 3 lights surrounded by a band of glazed quatrefoils. 2-storey S porch c1335 has a shallow gable and angle buttresses with richly crocketed tops and pinnacles, a 2-centred arch with open cusping, 2 orders with small foliate capitals and an ogee hood, flanked by niches with openwork cusped heads and hoods and crocketed pinnacles; above is a central statue niche with narrow windows either side with steep, gabled heads on shoulders, crocketed gable hoods, and outer gable hood panels, separated by attached pinnacles; SE octagonal stair turret. W elevation is 2 bays of cinquefoil-headed cross windows blind below the transom; inside, the church entrance is the same as that of the porch, the sides have important early 4-centred arches with mullions to the arch and a central canopied niche, unrelated to the windows outside, and a lierne vaulted roof as the Lady Chapel E bay. Early C13 W nave gable has a weathered plinth, a renewed early C14 deeply splayed doorway with a cusped arch and a 2-leaf ridged door, and either side, slender attached pinnacles linked to larger attached diagonal buttresses by flying buttresses in relief; W window has 5 lights with ogee heads, bowtell mouldings with small capitals between the lights, and a traceried transom; the top of the gable is Perpendicular, panelled with a large octagonal pinnacle to the S stair turret; S aisle has a restored 4-light window with intersecting tracery. INTERIOR: C14 lierne vaults of varied designs with over 1100 fine bosses. The 2 bays of the Lady Chapel are divided by a narrow arch with trefoil-headed panels, and the doorways to the turrets have

crocketed ogee hoods. The 5-bay Chancel vault has 2 parallel ribs to the ridge rib, carried on continuous mouldings to the ground, and the arcade and transverse aisle arches have small foliate capitals; the mullions of the clerestory windows are carried down to the arcade to form cinquefoil-headed panels, there are deep trefoils above the Lady Chapel arch, and the aisle window mullions are carried down to side benches; the doorway to the Library has an ogee head with Tudor flowers, flanking pinnacles and 2 canopied statue niches above with C19 statues; in the S aisle the external doorway is mirrored on the inside. The 3-bay transepts are divided by transverse arches and have trefoils to the arcade spandrels; the lierne vault in the N transept is copied from the S porch; S transept has ogee-headed panelling below the clerestory. 7-bay nave has cusped lozenges along the ridge; the arcade does not extend into the 2 W bays below the tower, in which the line of the C13 vault can be seen, and the nave vault is carried on a good Early English corbel with 3 shafts on an octagonal pedestal. The early C14 N entrance has a square doorway flanked by pairs of ogee panels with crockets and pinnacles below a frieze with fleurons, and 4 cinquefoil panels set back to the window behind with a similar frieze; the S aisle vault has a hexagonal central cell with concave ribs, and 3 fine stellate memorial niches, concave crocketed hoodmoulds with large finials to a 4-sided niche with pierced cusping. The base of the tower has a narrow arch to the E and a net vault. The late C13 W window is set back from the W wall, with a parapeted passage at the bottom, and cusped ogee-arched panels from the passage doorways upwards to the soffit; the archivolt has nodding, cusped ogee arched panels as on the Outer N Porch. Beneath the Library is a 2-bay crypt with chamfered ribs and foliate bosses, and a 3-bay crypt under the N transept without bosses. FITTINGS: an oak chest inscribed ST MARY REDCLIFFE 1593 with caryatids; a fine C18 brass candelabrum; three C17 chairs with ram's head arm rests and leather backs; C19 open traceried screen with a 4-centred arch to the Lady Chapel and round the choir; C18 gilded wrought-iron gates to the choir and to the aisles; C15 choir stalls with poppy heads and Perpendicular bench ends; a brass eagle lectern by James Wathe, 1638; a C19 oak pulpit by William Bennett, a shafted base with ogee niches and figures of the Apostles; C19 pews with gates; Stuart Royal Coat of Arms in an aedicule with caryatids over the S door; C18 wrought-iron gilded gates and screens with leaves and urn finials to the W end of the S aisle; gates to the base of the tower topped by a heraldic cartouche and an arm holding scales and a snake, originally for the Chancel, by William Edney 1710; a C13 stone font with trefoil panels and a padlock clasp built into the S aisle W pier, with above it a gilded dove from the C18 three-decker pulpit; and a 1755 octagonal marble font by William Paty. MEMORIALS: an effigy of John Lavynghton died c1411 in one of the stellate niches; a wall tablet to Sarah Harris d.1675, a brass plate set in a painted aedicule with a ramped broken pediment and an apron with swag; a wall tablet to Sarah Harris d.1674, brass plaque set in a painted aedicule with a broken pediment and figures leaning on skulls, with a winged hourglass below; effigy of William Canynghes, d.14? as a civilian with a dog; dresser tomb to William Canynghes the Younger made c1460-65, a panelled base, octagonal shafts to the sides with a crested top and cusped 4-centred arch with fleuron frieze, containing effigies of a man and wife; alabaster effigy of William Canynghes d.1479 as a priest with a bearded man at his feet; black marble tablet to

Bridget Ambrose d.1734; a tall wall memorial to Harriet Wild d.1830, a marble tablet in an ogee arch with cusping, crockets, finials and buttress pinnacles; a wall memorial to Nathaniel Bridges d.1834, 3 ogee niches with crockets, cusping, finials and buttress pinnacles; chest tomb to Robert de Berkeley, C13, has effigy in Crusader's mail; brass to Sir John Inyn d.1439, inscribed with a figure; double dresser tomb to Phillip Mede d.1475 and family, a base of narrow trefoiled panels, diagonal piers to a brattished frieze, with a screen below of angels between crocketed finial tops to ogee arches to a fully panelled recess containing an effigy of Mede and his wife to the W and a brass to the E to Richard Mede depicting a kneeling man and 2 wives; brass to John Jay d.1480 with wife, figures with canopy over and kneeling children below; brass to John Brooke d.1512 and wife; wall memorial to Richard Sandford d.1721, by Ian Paty, a marble aedicule with Corinthian columns on brackets and a skull apron, below an urn and cartouche; wall memorial to Matthew Morgan d.1726, a large cartouche on a slate background; wall memorial to Giles Bachelor d.1683, a cartouche with a winged skull, cherubs and a shield; wall memorial to John Tilley d.1658, an aedicule with panelled pilasters and a ramped top to a shield and urn; painted wooden statue of Queen Elizabeth, C16, purported to be ship's figurehead; whale bone brought back by John Cabot in 1497, on a corbel with the head of a green man; wall memorial to William Penn, d.1670, a bowed aedicule with an apron of clouds and a cartouche above, his armour and flags. Stained glass: C19 and C20, eight large C15 figures in tower W window, and figures by Ninian Comper, 1914, to S window of S transept. The important N porch with its unusual hexagonal plan and rich ornamentation, the net vault, and the stellate niches in the nave, are by the same workshop as contemporary work at St Augustine's Priory (qv); one of the finest medieval parish churches in England, and of a remarkably unified design. (Gomme A, Jenner M and Little B: Bristol, An Architectural History: Bristol: 1979-: 19; The Buildings of England: Pevsner N: North Somerset and Bristol: London: 1958-: 395; Harvey J: The Perpendicular Style: London: 1978-).

Listing NGR: ST5912972316

I note that there is no mention of the North Transept window at all.

18. In their statement of needs the Petitioner says:

The vision of St Mary Redcliffe is that the whole created order would be “singing the song of faith and justice”. We have four key themes by which we express that vision in our life together as:

- a thriving, inclusive Christian community
- a church that makes a difference in the parish and beyond
- a recognised, welcoming heritage destination, and
- animated by a progressive, sustainable organization

They go on to say:

We are progressive about what we believe about God, Jesus and the church. The current generation of SMR is, as we say on our website, “diverse: old and young, rich and poor; Bristol-born and migrants to the city; Redcliffe through-and-through and newcomers to the church; diverse in ethnic background & cultural identity and in relationships & family circumstances; with varying levels of physical, mental health, ability and understanding of gender and expression of sexual identity. We are all God’s people, equally valued, equally loved and equally welcomed at St Mary Redcliffe”.

...

We feel that panels of glass that commemorate a slave trader are inconsistent with the church’s mission and therefore inappropriate. For this reason, in our view, the need is that the concept of an appropriate replacement should preclude the reinstatement of the historical glass.

It is in this context that they petition for a Faculty to remove the stained glass panels that commemorate Edward Colston.

Statement of Needs

19. The background:

On Sunday 7 June 2020, in the aftermath of the death of George Floyd on 25 May 2020 and the Black Lives Matter protests around the world, including Bristol, the statue of Edward Colston was pulled down from its plinth in the city centre, rolled towards the harbour and tipped in. In the immediate aftermath of this incident there was very real concern that the North Transept Window at St Mary Redcliffe was at risk of damage by the protesters.

The strength of feeling against the memorialisation of Edward Colston had been growing for a number of years within Bristol, with groups such as Countering Colston staging regular protests and campaigning for all memorials to be removed. In 2017 Countering Colston staged a protest at St Mary Redcliffe during the now discontinued annual Colston Day service, during which placards were held in front of primary school children asking “Why do you worship mass murderers?”

On Wednesday 10 June 2020, in conversation with the diocesan communications officer, Rev Dan Tyndall learnt that the cathedral was taking immediate action to protect elements of the Colston Window which were believed to be at risk.

Following that conversation, Rev Dan Tyndall spoke with Archdeacon Neil Warwick and called an emergency meeting of the PCC Standing Committee for Thursday 11 June.

By the time the committee met in the evening of Thursday 11 June 2020, Rev Dan Tyndall had received two emails; one from Neil Warwick at 1403:

Justin Gau, Chancellor of Diocese of Bristol, has just given an oral permission for an Emergency Faculty for the relevant parts of the window at SMR that refer to Colston. This is on the basis that the artefact is in imminent danger of being vandalised and as such, lost as an artefact. The relevant pieces should be removed by a suitably qualified glazier, placed on a board and stored safely. Please could you be in touch with the Registrar to advise them of this course of action and apply in written form for the Emergency Faculty. Simon Pugh-Jones is aware and affirms this course of action.

The meeting of the PCC Standing Committee affirmed its desire to seek permission for the immediate removal of elements of the north transept window that was at risk of damage by a unanimous vote.

The window

20. The whole window displays the seven Corporal Acts of Mercy and images of the Parable of the Good Samaritan.
21. Those of us of a certain age were catechised that the Corporal Acts of Mercy gave us a model for how we should treat all others, as if they were Christ in disguise.
22. The statement of significance quotes the following:

GENERAL DESCRIPTION OF THE WINDOW

The stonework of the Perpendicular-style window in the north transept consists of four tall lights, arranged in three tiers, with quatrefoils, trefoils and other shapes forming the three sets of tracery lights. The two principal subjects chosen for the 1870 Colston memorial window were the Corporal Acts of Mercy, occupying the upper and lower tier of lights, and the Parable of The Good Samaritan in the middle tier. Clayton & Bell's design also includes four demi-figures of Angels, bearing scrolls inscribed with the text 'Blessed are / the Merciful / for they shall / obtain Mercy' at the heads of the lowest tier of lights. The tracery lights of the middle tier are of simple ornament; those at the top of the window contain foliate and floral ornament with crowns. The main scenes are framed within elaborate gothic canopy-work.

...

The sequence of Corporal Acts of Mercy, the canonical form of which is usually listed as six (or sometimes seven), is augmented to eight in Clayton & Bell's version of the

subject-matter. Here the charitable acts depicted in the upper tier of lights comprise (from left to right): Giving Shelter to the Homeless; Visiting or Ransoming the Prisoner; Giving Instruction to the Young; and Helping the Infirm. In terms of its composition and imaginary historical setting, each scene is portrayed in the manner of a late-medieval altar-piece; the characters shown wear a version of medieval dress (such as the armour worn by the prison-guard), as was the convention in most Gothic Revival pictorial and sculptural art, following late-medieval precedent. The lower sequence of charitable acts (in the bottom tier of lights) depicts: Feeding the Poor; Giving Drink to the Thirsty; Clothing the Naked; and Attending to the Dying. The subjects are apparently derived from Jesus's Parable of the Sheep and the Goats, as recounted in St Matthew's Gospel (chapter 25, verses 35-36). The text inscribed on the scrolls borne by the tracery Angels of the lowest tier of lights is one of the Beatitudes (Matthew 5:7). The central tier of the window's lights tells the story of The Good Samaritan (Luke 10:25-37) as a narrative sequence, depicting from left to right: The Priest and the Levite pass by; The Samaritan takes Pity on the injured man; The Samaritan puts the man on his donkey; and The Samaritan pays the innkeeper to look after him. As in medieval art, the perspective is schematic rather than naturalistic, and elements such as landscape and architecture are similarly represented symbolically.

23. Below the images of the Acts of Mercy and the Parable of the Good Samaritan are four small, rectangular stained-glass windows. These are the ones that are the subject of the petition. They bear a dedication to Colston himself and quote the Colston family motto 'Go thou and do likewise'. The motto is taken from Luke 10.37, the parable of the Good Samaritan. The proposal is to replace these four windows.

24. The Church used the Church Building's Council Contested Heritage Matrix to come to the decision to replace the windows with new images and instal an interpretation board placed beside the window. They held a competition to decide which new images should be used. The brief was to design images that reflected the question 'And who is my neighbour?'-the question asked by the lawyer of Jesus that prompted the Parable of the Good Samaritan to be told (Luke 10 25-37). The stated purpose of the exercise was:
 - 'to help us remember and reconcile with our past
 - To enable everyone to encounter the gospel
 - To promote a sense of hope in our shared future'

25. The creator of the proposed replacements explained them in this way in a submission to a judging panel:

The four panels each depict a crucial aspect of our shared Bristolian history as neighbours, and reference a relevant aspect of the character of Christ:

- The first panel depicts a Bristol ship traversing the raging seas of the Middle Passage during the Transatlantic Slave Trade, and references the story of Jesus calming the storm.
 - The second panel celebrates the Bristol Bus Boycott, which paved the way for the Race Relations Act of 1965, with Jesus as a fellow protester and radical.
 - The third panel portrays the current refugee crisis, and Jesus as a child refugee fleeing to Egypt.
 - The final panel shows a diverse group of 'neighbours' facing the future in a display of hope and togetherness.
- Jesus is depicted as multiple ethnicities to counter the anglo-centric narrative of 'white Jesus', and running water flows between the panels to centre the designs in the sea-port city of Bristol.

...

The resplendent aesthetic of the North Transept window is derived from its use of came glasswork, where each different hue of stained glass is surrounded by lead came. This technique relies heavily on the subjects being of Caucasian descent (as white skin can be depicted by clear portions of otherwise coloured glass, thereby limiting the need for lead came), but I have overcome this challenge to create a diverse and inclusive design through strategic use of golden and orange hues. I have also ensured that the exquisite Gothic architecture of the church, as depicted in the sides of the existing windows, continues downwards into my designs and is used to tie all four panels together in celebration of the heritage of the church itself.

Underneath the four panels runs an uncompromising and powerful call to 'Love your neighbour'. The design references the style of the removed panels, acknowledging without erasing. However, instead of Colston's hypocritical motto, this is now a call to gospel in triplicate, blending together the original Hebrew and Greek scriptures along with modern English translation in an acknowledgement of the geographic origins of our faith.

The design is studded with blue hydrangea flowers, a symbol of unity and togetherness. The simplicity of the referenced bible verse can be appreciated by new and old alike and powerfully underscores the message of the design.

The original proposed windows have been amended to match the colour of the bus with the colour of buses in Bristol at the time of the strike. There will be scholarly input into the correct language used for the quotation.

Edward Colston

26. The petitioner submitted a document titled 'Edward Colston and the Transatlantic slave trade'. The author, I have been informed is Rhys Williams, St Mary Redcliffe's Heritage Development Manager. The information '*...was the result of extensive research by various members of the working party and the volunteer church archivist.*' It is not in the form of an expert report, or an expert statement,

but it appears to be an extremely well researched document which I am happy to give weight to. I attach it as an appendix to this judgment. I summarise relevant matters below.

27. The document submitted by the petitioner was drafted using not just the biography from 1920 written by Revd Wilkins, but also more recent research from Dr Roger Ball and others. In 1920 Wilkins spoke about the difficulty in writing an objective biography:

It is a thankless task to try to form a just estimate of the character of Edward Colston, when for so many years that has been distorted by fulsome adulation and his personality obscured by endless eulogies, which have little in them that has any relationship to historical accuracy. Yet this task is more than necessary if we are 'to see the man' as he really was.

28. Colston was born in 1636 to a wealthy merchant family. In 1680 he became a member of the Royal Africa Company (RAC). The RAC held a monopoly on the slave trade between 1672 and 1698.
29. There were already family connections with the slave trade. Colston's father William had had major trading contracts with the company including selling more than £3,000 of textiles to the RAC in 1674. The sale of textiles is, I am satisfied, directly connected to the trade in slaves. He was also a significant investor in the 1670s, holding £400 in shares in the RAC. In 1679 Edward Colston's deceased brother's firm traded with the Company and provided beads for the purchase of slaves.
30. Colston served on the court of Assistants to the RAC for three periods from 1681-1683, 1686-1688 and in 1691. He was Deputy Governor from 1689-1690.
31. Records indicate that Colston, like his father, was trading in 'sletias' (cloths used in the trade for slaves) using the RAC's vessels in 1687 and 1689. In his biography from 1920 Revd Wilkins quotes from an undated record:

Edward Colston was present at the Courts held on August 16th, 18th [when it was resolved " that the Committee of Goods be desired to report Cargoes for the Shippes Hired by the Committee of Shipping being approved of by the Court ; the Charles to receive her Negroes from the Gold Coast and the Swallow for Two hundred and Tenn Negroes from New Callabar. Supply for Two hundred and Eighty Negroes from Old Calabar, and Good Hope for Three Hundred and Twenty Negroes at Angola], August 23rd, 25th, 30th [when " warrants for Divident at 10 Guynies p. Cent were ordered to be issued and to Mr. Edward Colston 70 guynies "], September 1st, 6th [when " the Court approved of ye Transferrs now read vizt :—of Mr. Thomas for his stock vizt. to Mr. Edward Colston £100], September 13th, 24th, 27th, October 4th, 6th ["on which

day Colston was present at the sales," and "Edward Colston (received) Divident Warrant Guynies £70 ", October 11th, 13th [when the transfer of £10 by Mr. Nicholas Hayward to Mr. Edward Colston took place], October 10th, 25th, 27th, November 3rd, 8th, 10th, 15th, 17th, 22nd.

32. A record from 1687, the year that Colston became an Assistant of the company and a member of the Committee for Shipping reads, chillingly:

Whereas the Companie doe find greate prejudice by paying freight for Sick Negroes that many times are not worth halfe the freight. That it is to the Committee of Shipping to consider and endeavour to ease the Company of that burthen.

33. Wilkins reports that in 1689 Colston became Deputy Governor of the RAC. This meant that his presence, along with that of the Sub-Governor, was required on all company committees, giving him significant oversight of company affairs. He also sold £1000 of company stock (£177,504.28 today) to the new King and *de jure* Governor of the Company, William of Orange. In June 1689 company records show that the "Treating with the Spanish Assiento for Negroes be referred to the Deputy Governor [Edward Colston]." The Papal Bull of Demarcation of 1493, forbade the Spanish from acquiring territory in West Africa, forcing them to trade with other European powers to supply their American possessions with slaves. This much sought-after contract was of great value and involved the transport of 4800 slaves per year to the Spanish Americas.

34. Dr Roger Ball of The University of the West of England has used modern comparative tools, including the Trans-Atlantic Slave Trade Database to quantify the impact of RAC activities; how many slaves were transported during this time, how many died, how much profit was made by the company and to what extent Colston benefited financially from the trade during his involvement as investor, Assistant and Deputy Governor from 1680-92.

The conservative figure of approximately 84,500 Africans embarked and 65,200 disembarked produces a death toll in the region of 19,300 over the twelve-year period. This equates to a mortality rate of 23% on RAC voyages.

35. It is estimated that the value of the RAC transactions during Colston's tenure was:

A monetary estimate of the value of the 65,200 Africans sold in the Caribbean and mainland America yields more than 1 million pounds sterling which equates to somewhere between 2 and 35 billion pounds today. (Ball, 2020)

36. Ball has calculated the approximate gain Colston made through the RAC:

In the period when Edward Colston was an active member of the Company (1680-91) he received at least seven...dividends amounting to 70 guineas or just over £75 per £100 share. From the recorded dividends paid to Colston it is possible to back calculate his stock holdings in the RAC. The dividends alone were very significant, being worth in total somewhere between £2.5 million (per capita GDP) and £26.5 million (as a share of GDP) in 2016...Colston's investment in the RAC grew over the years to the sum of £1600, in today's terms around £5 million pounds (per capita GDP) or £50 million (as a share of GDP).

37. In 1691 Colston resigned his position as Deputy Governor.

38. Colston became enormously wealthy and was an enormously generous philanthropist both in life and death. In his will Colston bequeathed £100,000 to his relatives and some £71,000 to public charities: the latter having an equivalent value of between £11,620,000.00 and £1,871,000,000.00 today (Measuring Worth, 2022).

39. During his life Colston was a High Churchman who held Dissenters in contempt. His support for the established Church is relevant when it comes to assessing his knowledge of any opposition to the slave trade articulated in his lifetime.

40. In 1852 Thomas Garrard published *Edward Colston, the Philanthropist, His Life and Times*. As the authors of the document submitted to this Court put it:

An indication of how little early biographies have to say about the detail of Colston's mercantile career is given by the fact that in the 500-plus pages of Garrard's monumental work, the words 'Africa' and 'African' do not appear, and there is no reference to Colston's Deputy Governorship of the Royal African Company. Instead, we read that:

From the record of Colston's enrolment as a member of the Society of Merchants; we learn that he was a West India merchant, meire signifying the ancient name of the Island of St. Christopher, — or, as commonly abbreviated, St. Kits. Bristol held an important position in the commercial world at this

period. Its trade, more especially with the West Indies, was flourishing, its prosperity was increasing, and its merchants were rich. These considerations probably influenced Colston to embark here.

41. It is clear that the conclusions of the research undertaken from 1920 onwards into the life of Colston was not available when the memorial window was installed in 1870. Instead a wholly inaccurate narrative had been propagated about his life, as evidenced above. It appears that, until 1920 there had been no chance to access the records now available. The authors of the report also identify an unwillingness and a marked incuriosity in researching his interests in the slave trade by his biographers. Regrettably during the twentieth century, even after Wilkins' biography which made clearer his financial interests in the slave trade, the Church, in the form of sermons preached at the Colston Day Service repeatedly excused Colston's involvement in the slave trade, on the basis that his trading merely reflected the mores of the time.

The slave trade

42. As Deputy Chancellor David Hodge QC stated in his judgment in *The Rustat Memorial*, Jesus College Cambridge 2022 Ecc Ely 2:

‘...slavery and the slave trade are now universally recognised to be evil, utterly abhorrent, and repugnant to all right-thinking people, wherever they live and whatever their ethnic origin and ancestry. They are entirely contrary to the doctrines, teaching and practices of the modern Church.’

43. What the petitioner's research has shown, however, is that there were also small but high profile and articulate condemnations of the slave trade during Colston's life by members of the established Church.
44. In 1685, five years after Colston joined the RAC, Morgan Godwyn preached a sermon at Westminster Abbey with the permission of the Bishop of London entitled and later published under the title '*Trade preferr'd before religion*'. It was a fierce attack on the slave trade. The petitioner has quoted from the sermon which is published in full on the University of Maryland website¹.

45. Godwyn prefaced his sermon:

I Cannot but foresee, that I shall fall under no small danger of Censure, as well for my first preaching, as now publishing this Discourse.

He went on to say:

¹ <https://blog.umd.edu/slaverylawandpower/morgan-godwyn-trade-preferred-before-religion-1685/>

. . . It is a dishonour and that in an especial manner to our English Nation. It both was and will be the Eternal Reproach, no less than the unpardonable Sin of those Styges of Filthiness, Babylon and Nineveh, that the first, among her variety of Merchandises, had [...]; not only Bodies, but Souls of Men; and that the other (for it seems they were both great trading places) did postpone God's Glory to her Traffick; . . . magnifying, or preferring, her Traders (or Merchants) above the Stars of Heaven. And certainly, it will be no great Credit for us to have thus exactly written after those beastly Copies; that we have as it were conspired with Satan, and entred into a confederacy with Hell itself, upon the same account: That we have exceeded the worst of Infidels, by our first enslaving, and then murdering of Mens Souls. For, how can it be endured that a Nation once so famous for Zeal and Piety, should now at last become infamous for Irreligion? That she should prostrate herself to that foul Idol Mammon, and worship Trade?

The petitioner postulates that Colston must have been aware of the sermon, as it was a direct attack upon the RAC made in Westminster Abbey. I have insufficient evidence to make any findings of fact about that and I do not do so. I am, however, satisfied that the slave trade was not universally supported in the seventeenth century, in particular it was powerfully condemned by elements of the established church of which organisation Colston was a staunch defender.

The law

46. In dealing with 'Contested heritage' I am assisted by Chancellor Hill KC's judgment in *Re St Margaret, Rottingdean (No 2)* [2021] ECC Chi 1:

"The term contested heritage is a somewhat euphemistic expression applied to memorials and other structures associated with individuals from the past whose conduct is considered abhorrent and inimical to contemporary values and, of particular relevance in faculty cases, to Christian theology and standards of behaviour. Most commonly, the issue arises from property memorialising slave traders or erected on the profits of slave trading."

47. Each case on 'contested heritage' must be decided on its own facts. There have, to date been only a few such cases. In the case cited above Chancellor Hill allowed the re-carving of two headstones which used offensive language about two music hall artistes.
48. In the Rustat memorial case mentioned above Deputy Chancellor Hodge QC refused to allow the removal of a memorial in Jesus College Chapel saying, in his opening summary of the case:

However, on the evidence, I am satisfied that the parties opponent have demonstrated that the widespread opposition to the continued presence of the Rustat memorial within the College Chapel is indeed the product of the false narrative that Rustat had amassed much of his wealth from the slave trade, and that it was moneys from this source that he used to benefit the College. The true position, as set out in the historians' expert reports and their joint statement, is that Rustat's investments in the Company of Royal Adventurers Trading into Africa (the **Royal Adventurers**) brought him no financial returns at all; that Rustat only realised his investments in the Royal African Company in May 1691, some 20 years after he had made his gifts to the College, and some five years after the completion of the Rustat memorial and its inscription; and that any moneys Rustat did realise as a result of his involvement in the slave trade comprised only a small part of his great wealth, and they made no contribution to his gifts to the College. I recognise that for some people it is Rustat's willingness to invest in slave trading companies at all, and to participate in their direction, rather than the amount of money that he made from that odious trade, that makes the Rustat memorial such a problem. I recognise also that it does not excuse Rustat's involvement in the slave trade, although it may help to explain it, that, in the words of L. P. Hartley (in his 1953 novel, *The Go-Between*), "The past is a foreign country: they do things differently there." I also acknowledge that there is no evidence that Rustat ever repented for his involvement in the slave trade, unlike, for example, the reformed slave ship captain, the Reverend John Newton, whose hymn 'How Sweet the name of Jesus Sounds' was sung at the beginning of the service of Choral Evensong which I attended at the College Chapel and whose history I had to consider in the context of the creation of an educational area dedicated to his life and work in my judgment in *Re St Peter & St Paul, Olney* [2021] ECC Oxf 2. However, I would hope that, when Rustat's life and career is fully, and properly, understood, and viewed as a whole, his memorial will cease to be seen as a monument to a slave trader. Certainly, I do not consider that the removal of such a significant piece of contested heritage, representing a significant period in the historical development of the Chapel from its medieval beginnings to its Victorian re-ordering, has been sufficiently clearly justified on the basis of considerations of pastoral well-being and opportunities for mission in circumstances where these have been founded upon a mistaken understanding of the true facts.

8. I am also persuaded that the appropriate response to Rustat's undoubted involvement in the abomination that was the enslavement and trade in black Africans is not to remove his memorial from the College Chapel to a physical space to which its monumentality is ill suited, and where that involvement may conveniently be forgotten by many of those who attend the College Chapel, whether for worship or prayer, or for secular purposes, but to retain the memorial in the religious space for which it was always intended, and in which Rustat's body was laid to rest (on 23 March 1694) and his human remains still lie, where, by appropriate interpretation and explanation, that involvement can be acknowledged and viewed in the context of his own time and his other undoubted qualities of duty and loyalty to his King, and his considerable charity and philanthropy. In this way, the Rustat memorial may be employed as an appropriate vehicle to consider the imperfection of human beings and to recognise that none of us is free from all sin; and to question our own lives, as well as Rustat's, asking whether, by (for example) buying certain clothes or other consumer goods, or eating certain foods, or investing in the companies that produce them, we are ourselves contributing to, or supporting, conditions akin to modern slavery, or to the degradation and impoverishment of our planet. I acknowledge that this may take time, and that it may not prove easy; but it is a task that should be undertaken.

49. In the case of *Dorchester, St Peter, Holy Trinity and All Saints* 2022 Ecc Sal 4 Chancellor Arlow granted a Faculty for the removal of a memorial to a slave overseer who had put down a rebellion by slaves in brutal fashion. The Chancellor was satisfied that the 'moderate harm' caused by the removal of the memorial was outweighed by the pastoral and missional harm caused. Chancellor Arlow stated:

This memorial is quite different to Tobias Rustat's memorial in Jesus College Chapel. On its face it celebrates in language of acclamation the violent quelling of a rebellion by enslaved people against a status which is now universally acknowledged as morally repugnant and contrary to Christian doctrine. That status was imposed upon them largely because of their race. Its continued presence in the building implies the continued support, or at least toleration and acceptance, of discrimination and oppression. Such a position could be said to be uncomfortable in any public building, but presents a particularly striking discord with the purpose of this building as a house of God. It is entirely inconsistent with the message of the universality of God's love which this church community seeks to share. The fourth Mark of Mission of the Anglican Communion is of particular relevance: To transform unjust structures of society, to challenge violence of every kind and pursue peace and reconciliation.

....

I have concluded that, even with careful and sensitive contextualization of its history, the tone and content of this memorial is so explicitly and fundamentally contrary to the message of inclusion and welcome at the heart of the Mission Action Plan for this church that this option [retention of the memorial in situ with an explanatory text] would not adequately address the needs of the petitioners to proclaim afresh the Gospel in this generation. This conclusion is fortified when I consider the alternative proposal which has been put forward.

It is clear from the diversity of decisions in these cases that any grant of a Faculty is fact specific.

50. The test that I have to apply is set out in the case of *St Alkmund, Duffield* together with the Church's statutory duties under S 35 Ecclesiastical Jurisdiction and Care of Churches Measure 2018.

Re *St Alkmund, Duffield* [2013] Fam. 158 at paragraph 87 (with editions):

(1) Would the proposals, if implemented, result in harm to the significance of the church as a building of special architectural or historic interest?

(2) If the answer to the question (1) is 'no', the ordinary assumption in faculty proceedings 'in favour of things as they stand' is applicable, and can be rebutted more or less readily, depending on the particular nature of the proposals (see Peak v Trower (1881) 7 PD 21, 26-28, and the review of the case law by Chancellor Bursell QC, in In re St Mary's, White Waltham (No.2) [2010] PTSR 1689 at para 11). Questions 3, 4 and 5 do not arise.

(3) If the answer to question (1) is 'yes', how serious would the harm be?

(4) How clear and convincing is the justification for carrying out the proposals?

(5) Bearing in mind that there is a strong presumption against proposals which will adversely affect the special character of a listed building (see St Luke, Maidstone [1995] Fam. 1 at 8), will any resulting public benefit (including matters such as liturgical freedom, pastoral well-being, opportunities for mission and putting the church to viable uses that are consistent with its role as a place of worship and mission) outweigh the harm?

In answering question (5), it is well established that the more serious the harm, the greater will be the level of benefit needed before the proposals should be permitted. This will particularly be the case if the harm is to a building which is listed Grade I or II*, where serious harm should only be exceptionally allowed.

Ecclesiastical Jurisdiction and Care of Churches Measure 2018

35 Duty to have regard to church's purpose

A person carrying out functions of care and conservation under this Measure, or under any other enactment or any rule of law relating to churches, must have due regard to the role of a church as a local centre of worship and mission.

51. The balancing exercise using the Duffield framework is helpfully set out as follows at paragraph 87:

Bearing in mind that there is a strong presumption against proposals which will adversely affect the special character of a listed building [...], will any resulting public benefit (**including matters such as liturgical freedom, pastoral well-being, opportunities for mission, and putting the church to viable uses that are consistent with its role as a place of worship and mission**) outweigh the harm? (emphasis added)

52. It is the section in bold that is of most importance. It lists examples of possible justifications for change. It is clearly intended to be non-exhaustive, as it starts with the word 'including'. It may be that there are certain objects in churches, such as memorials or their inscriptions, which are so closely associated with slavery or other forms of oppression and marginalisation of people on the basis of race or otherwise, as to be theologically unacceptable to the Christian faith. This will be a question of fact and degree in each case. But in every instance the burden of proof will be on the proponents of change.

Possible options

53. Removal is not the only option where this piece of contested heritage is concerned. One option is to do nothing, but it should be a positive decision to leave matters as they stand, reached after discussion and consideration, rather than the outfall of inertia and non-engagement. Other options include interpretation, contextualisation or the addition of explanatory text. Alternatively, an item could be altered in some way or relocated to a different position in the building. Removal to storage, disposal to a third party, or destruction are more extreme options for which the justification must be stronger.

As Chancellor Hill KC put it in the case cited above:

Any discussion of changes to contested heritage ought to begin with the least invasive option and progressively move through the more interventionist alternatives in sequence. Ideally, the object in question should be retained and explained through interpretation, dissociating the current custodians of the item from the attitudes prevalent at the time of its introduction. A rush to remove an offending object risks creating sterility and an airbrushing of history. We need to be honest about past wrongs. None of us is without fault. Ours is a fallen world in which sinners are continually called to repentance. The risk in rewriting our history, is that lessons from the past may be forgotten.

Facts found proved

54. I am satisfied, on the balance of probabilities, that:

- a. Colston was an investor in the RAC as his father and brother had been
- b. Colston was an Assistant in the RAC from 1687
- c. Colston used his connections with the RAC to trade in goods used for the purchase of slaves
- d. During meetings of the RAC when Colston was present there were discussions about the purchase, transport and sale of slaves,
- e. In 1687 the RAC discussed and recorded, with regret, the financial cost to the RAC of transporting ill slaves,
- f. Colston became Deputy Governor of the RAC in 1689 a position requiring his presence, along with that of the Sub-Governor, on all company committees,
- g. Colston obtained substantial financial benefit from his investments in the RAC
- h. The views of the Church during Colston's life were not wholly supportive of the slave trade
- i. When the window in question was introduced in 1870 neither the Church nor wider society were aware of his involvement in the slave trade
- j. From his death until 1920 there was little or no information about his involvement in the slave trade
- k. From 1920 until 2017 the Church attempted to justify Colston's behaviour as reflecting the morals of his day

55. With those facts in mind I turn to the Duffield framework and S 35 Ecclesiastical Jurisdiction and Care of Churches Measure 2018.

Accordingly the questions I have to ask myself are as follow:

1. What is the heritage significance of the windows?

I am satisfied that the four small portions of the huge North transept window are of little or no heritage significance, particularly in the context of this ancient Church. The window as a whole is a good example of Victorian stained glass, but not of the first order. I note also that the proposal is to replace the stained glass with glass of strikingly similar colouring and of good artistic quality.

2. What is the justification for any change?

In direct contradistinction to the Rustat case, this is an attempt to correct a false narrative of the life of Edward Colston. The memorial window urges those who

contemplate to reflect on his life and 'Go thou and do likewise'. Now that the extent of his involvement in the slave trade is clear, it is entirely inappropriate for that to be the exhortation. Even accepting that we are all sinners, the contrast between his own life and the seven Corporal Acts of Mercy is too jarring to be acceptable in a church.

I also accept that in a multi-cultural and diverse parish the apparent acceptance or celebration of such a life, even with an explanatory board would be offensive and, arguably impossible.

3. What are the options?

- a) The option to do nothing is clearly inappropriate. The petitioner and her team have researched assiduously the life of Edward Colston and have discovered evidence that makes the doing nothing wholly wrong. To leave it as it is will be perceived as the Church's support for the memorial.
- b) To leave it in place with an explanatory board is inappropriate for the same reasons.
- c) To leave the blank windows in place would draw attention to the window but would also, in my view, suggest that the Church either supported the original window or was not attempting to use this as a missional opportunity.
- d) To replace the windows with the proposed alternatives appears to me to be entirely consonant with S 35 Ecclesiastical Jurisdiction and Care of Churches Measure 2018.

Conclusion

56. There is no indication that the introduction of the windows will cause anything but slight harm to the significance of the church as a building of special architectural or historic interest. I am also satisfied that the work and mission of the church are being hindered by the presence of the window and their replacement would assist pastorally in this multi-cultural and diverse parish.

57. I am satisfied that the Faculty should pass the seal for the reasons set out above. The conditions of the grant of the Faculty are:

- (a) The colouring of the panels is to match as closely as possible the rest of the window, and

(b) the works are to be carried out under the close supervision of the architect.

58. The Church of England and the historical behaviour of this parish Church in excusing the life of Colston have a journey of repentance to make. To excuse or ignore the slave trade is a sin. As Morgan Godwyn said in his sermon in 1685, to trade in human beings is the murder of men's souls and an example of the sin against the Holy Ghost and, as Jonathan Tran said in 'Living God's Future Now': ²

'The base of all creaturely existence is the Trinitarian life of God. All creatures exist in ecologies within that larger ecology. If the baseline ecology of all existence is God's grace, and if the terms of that grace in the context of sin are justice and mercy, then the most natural thing in the world is justice and mercy. They are natural to the world because they are natural to God, because God as a God of justice and mercy created and sustained the world.'

To encourage parishioners to look at a memorial to a slave trader and to be encouraged to 'Go thou and do likewise' is not only grotesque but entirely contrary to the Gospel command to love one another and flies in the face of the model of life set out in the Seven Corporal Acts of Mercy that Colston's life was stated to exemplify.

June 2nd 2023

Justin Gau,
Chancellor

² Canterbury Press 2022

Appendix one

Colston Biography

Edward Colston and the Transatlantic Slave Trade

Edward Colston (1636-1721) was a merchant, slave trader, moneylender, politician, charitable benefactor, Anglican, moralist and paternalist whose career and legacy cast a long shadow over Bristol society during the three centuries following his death. For most of that time, Colston was admired for his establishment credentials, celebrated for his mercantile prowess, worshipped for his munificence, and revered as a secular city saint. His legend became woven into the fabric of city life through the activities of the many charities associated with his name; his benevolence referenced in church services and festivals; his influence reflected in the naming of streets, schools, businesses, and cultural institutions. In 1870 and 1890 stained glass windows were erected in St Mary Redcliffe Church and Bristol Cathedral, and from 1895 the city looked up to a bronze likeness of Colston, raised on a plinth in the heart of the city. Colston was, for three centuries, the sainted personality at the heart of Bristol society and a wellspring of civic pride.

During the last century, however, academic research into Colston's involvement in the Royal Africa Company and, later, the South Sea Company, has promoted greater understanding of his mercantile activities, transforming knowledge of the extent and nature of his involvement in the slave trade, the impact of this involvement on enslaved people and the personal wealth that was generated by Colston from their enslavement. In the early 21st, this knowledge has precipitated a shift in moral thinking about Colston and informed what has become a prevailing counterview, which questions the morality of commemorating benefactors who profited from slavery.

The Black Lives Matter protests of 2020 - during which the Colston statue was forcibly removed from its plinth by demonstrators – followed a century-long process of analysis and reappraisal that was begun by Rev H.J. Wilkins in 1920 and which has been documented in Bristol Radical History Group's *Timeline of Dissent and Protest 1920-2020* (Ball et al., 2021). It is in this context that St Mary Redcliffe PCC removed four panes of glass that were dedicated to Colston. The glass, which contained Colston's family motto - *go thou and do likewise* (Luke 10:37) – was felt to be inappropriate in-light of Colston's career as a slave trader and incompatible with the church's values of faith, inclusivity, and justice.

This essay provides a biography of Colston, including information about his background, mercantile career, charitable activities and beliefs. It looks at Colston's involvement in the slave trade - in particular his membership and deputy governorship of the Royal African Company - and examines the political and religious context, both of Colston's life and its commemoration.

The paper analyses traditional views of Colston and his charitable work, and summarises the findings of recent academic research, which has looked in detail at Colston's mercantile career and the source of his wealth. Its purpose is to provide a clear account of Colston's life and commercial activities, an assessment of his career, and, finally, an account of the stained-glass commemorating Colston at St Mary Redcliffe.

Edward Colston (1636–1721)

Edward Colston, the eldest child of William and Sarah Colston, was born in Bristol on November 2, 1636 and baptised in the Weaver's Chapel in Temple Church. The Colstons were a wealthy merchant family, which had settled in Bristol during the mid-1300s. Members of the family had occupied important civic positions in Bristol – a status reflected in the family coat of arms, with its familiar insignia of two Dolphins (Morgan, 1999). Colston's father, had served his apprenticeship with Robert Aldworth, the wealthiest Bristol merchant of the early Stuart period, and had subsequently prospered as a merchant (Morgan, 1999), having “held a high pre-eminence among the merchants of the city” (Garrard and Tovey, 1852). During the turbulent years of the civil war, William, “an active member of the Church of England and a staunch Royalist” (Morgan, 1999) had proven himself to be “a consistent and unbending loyalist” (Garrard and Tovey, 1852). Consequently, following Prince Rupert's surrender of Bristol to the Parliamentarians in 1645, William was, “deprived of his offices as alderman and sheriff in 1645” (Morgan, 1999) and, shortly after, the Colston family moved to London.

In London, Edward received his education, possibly as a private pupil at Christ's Hospital in the city of London, and in 1654 began an apprenticeship with Humfray Aldington, a member of the Mercer's Company of London. In 1661, following the restoration of the Stuart monarchy, William Colston had returned to Bristol and resumed his career as a successful merchant with extensive interests in the

trade of oil and wine from Spain and Portugal, and in sugar from the new world. Edward Colston's apprenticeship ended in 1662 when he was aged 26 (Wilkins, 1920), but little else is known of his activities at this time, although it seems likely that, following his apprenticeship, he would have had some commercial interest in his father's trading concerns. Edward soon set up his own merchant enterprise, and from 1672 port records indicate that he was trading on his own account in wine, fruits and textiles, mainly in Spain, Portugal and other European ports. In 1673, he joined the Mercers' Company, after paying a fine for late enrolment following his apprenticeship.

In 1680 Colston became a member of the Royal African Company (RAC), "the leading purveyor of slaves in English vessels from the west coast of Africa to the Americas in the latter half of the seventeenth century." (Morgan, 1999), which held a monopoly on the slave trade between 1672 and 1698. Morgan provides a short summary of Colston's career at the RAC below:

Over the next dozen years, in addition to his other business activities, he served on the Court of Assistants of the Royal African Company (1681-3, 1686-8, 1691), attending meetings in London and sitting on various committees. He was deputy governor of the Royal African Company in 1689-90. Many of the meetings he attended discussed the goods needed to purchase slaves in Africa, the wages paid to ship captains, the dispatch of the Company's ships, the quality of sugar sent back to London by West Indian factors, and commercial conditions in west Africa and the Caribbean.
(Morgan, 1999)

In 1691 at the peak of his career, Colston resigned his position as Deputy Governor. According to Ball, "This was unusual as typically the sitting Deputy Governor went on to serve a two-year term as Sub-Governor, the leading active role in the RAC" (Ball, 2020). Analyses of the company's trading history, shows that while Colston's tenure coincided with the most successful period in the RAC's history, his resignation, soon after an unprecedented 300% dividend, immediately prefigured the company's decline. (Scott, 1903)

Following the death of his father in 1681 and an absence of thirty years, Colston began to take a more active interest in the city of his birth. On December 10, 1683, he was "admitted to the freedom of the city, being the son of William Colston deceased." (Wilkins, 1920) In 1683, following the death

of his brother Thomas, Edward became a free burgess of the city and was elected a member of the Society of Merchant Venturers - an influential trading fellowship which had campaigned for RAC's legal monopoly of the slave trade to be broken – of which his father had been elected Governor in 1643 (Wilkins, 1920). For a period during the 1680s, Colston lived in Bristol, becoming a member of St Werburgh's Church Vestry. As a freeman of the city, he was able to trade locally, importing goods in ships that had once belonged to his father and brother, and taking advantage of local property and business interests, which he had inherited from them:

William Colston's will left Edward £1,000 in cash, one third of the rents and profits of two houses in Bristol, a warehouse in St Peter's parish, a cottage in Hambrook, south Gloucestershire, and one third of William's goods and chattels after the death of his wife. Thomas Colston bequeathed his brother a house in Small Street and apparently a mercantile business. In addition to these inheritances, Edward Colston became for a time a partner in a sugar refinery at St Peter's churchyard, Bristol. (Morgan, 1999)

By 1689, Colston had taken up residence in Cromwell House, Mortlake, Surrey, which was his home for the rest of his life, however, his involvement with Bristol during this period increased significantly. During the 1680s, Colston provided loans to the Bristol Corporation before demanding repayment, possibly due to a disagreement in principle relating to laws promoting religious tolerance (Morgan, 1999) with which Colston disagreed. From 1694 he began his career as Bristol's greatest benefactor, making a £100 donation to the Corporation of the Poor following the sale of his sugar refinery business to the same organisation for use as a workhouse. Thereafter, Colston became increasingly involved in charitable giving and the provision of almshouses to the poor.

From Mortlake, Colston continued his overseas trading activities in London ventures before retiring in 1708 at the age of seventy-two. However, his interest in finance and commerce survived his retirement and "in 1711 he was a commissioner taking subscriptions for the South Sea Company." (Morgan, 1999)

Following his retirement in 1708, "Colston was mainly preoccupied with furthering his charitable benefactions to institutions in Bristol and with ensuring that he left his mark on future generations."

(Morgan, 1999) However, in 1710, at the advanced age of 74, with a degree of personal reluctance due to his age, he was elected Tory MP for Bristol. Colston served as MP until 1713 and in 1711 presented a petition on behalf of his constituents requesting that the trade to Africa should be open to all her majesty's subjects; a shift in position from his days as Deputy Governor of the RAC; an organisation that had fiercely defended its monopoly under the Stuarts.

Colston died in 1721 and was buried at All Saints Church, after being carried in state from London to Bristol. In the following years, a tomb and recumbent effigy of Colston were erected in the church. A funerary tablet was inscribed with the following epitaph:

To the memory of Edward Colston, Esq., who was born in the City of Bristol, and was one of the representatives in Parliament for the said City, in the reign of Queen Anne. His extreme Charity is well known to many parts of this kingdom, but more particularly to this City, where his benefactions have exceeded all others, a list of which is on his monument as followeth. He lived 84 years, 11 months, and 9 days, and then departed this life 11th October 1721, at Mortlake, in Surrey, and lieth buried in a vault by his ancestors, in the first cross alley under the reading desk of this Church. The great and pious Benefactor was known to have

done many other excellent Charities, and what he did in secret is believed to

be not inferior to what he did in public. (Morgan, 1999)

In his will Colston bequeathed £100,000 to his relatives and some £71,000 to public charities: the latter having an equivalent value of between £11,620,000.00 and £1,871,000,000.00 today (Measuring Worth, 2022)

Colston as benefactor

From the 1680s, Colston commenced the programme of benefactions that defined his reputation in Bristol, and which – following his death - inspired members of the political and social elite to found charities that celebrated Colston's life and sought to emulate his charitable activities in support of local people and establishments.

The following list summarises the account of Colston's benefactions provided by Kenneth Morgan in the Bristol Historical Association pamphlet, *Colston and Bristol* (Morgan, 1999):

- *In October 1695 he proposed maintaining six poor sailors in the Merchant Venturers' almshouse in King Street, provided the Society built rooms to house them.*
- *In the same year, Colston paid £2,500 for the building of the St Michael's Hill almshouse for twelve men and twelve women (Morgan 7)*
- *In 1695 he paid for six boys to be added to Queen Elizabeth's Hospital, the city's main school for orphan boys. In 1702 he added four more boys. He offered to convey houses and some land in Yatton and Congresbury, Somerset, to the governors of the school to help the education, lodging and apprenticeship of these pupils. (Morgan 7)*
- *In 1702 he sketched an elaborate scheme for rebuilding and increasing Queen Elizabeth's Hospital and donated £500 for this purpose. He also secured donations from the city Corporation worth £1,400. In 1705 he offered to increase the number of endowed places at the school from forty-four to ninety if the Corporation would pay for suitable accommodation (NB this offer was refused)*
- *In 1706 Colston approached the Society of Merchant Venturers with a new offer... a new city school for fifty poor boys. Colston thought this would cost £600 per year. In 1707 Colston bought a site, the Great House on St Augustine's Back, for £1,300; He increased the number of boys intended for the school to 100, and the establishment, called Colston's Hospital, duly opened in July 1710.*
- *In 1710 Colston donated money to found Temple School for Boys. This opened in December 1711. In 1715 Colston secured an endowment for the school, to be spent clothing forty poor boys from the parish.*
- *In 1703 he donated £100 for the seating and embellishment of WHICH church, and in 1713 subscribed £250 towards the cost of rebuilding its tower.*

- *In addition to churches and schools mentioned above that benefited from Colston's generosity, his extensive public charities and benefactions in Bristol included gifts to the workhouse run by the local Corporation for the Poor at St Peter's churchyard; money for the repair and beautifying of many of the city's churches, such as St Michael, St Mary Redcliffe, St Werburgh, St James and Bristol Cathedral; and bequests to support the reading of sermons and prayers at Newgate, the city gaol, and All Saints'.*
- *In his will, Colston bequeathed...some £71,000 to public charities. Among the latter was money for the maintenance of 100 poor boys to be educated in his hospital on St Augustine's Back and modest sums for the support of seventeen charity schools throughout the country.*
- *Colston's Hospital took pride of place; around £40,000 out of the £63,940 worth of benefactions given in his lifetime went to that school.*

Colston's munificence in endowing almshouses and charities is undisputed and has been celebrated by Bristolians for generations. Less well-known is the sometimes partial and exclusive quality of his charitable giving. Noting his willingness to enforce political and religious beliefs though the threat of not giving, Wilkins comments that Colston "never hesitated to refuse to use 'the power of his purse.'" He was a pronounced Tory and High Churchman, to whom Low Churchmen, Dissents and Roman Catholics were equally displeasing." (Wilkins, 1920)

Colston's loathing of Christian Dissenters is evident in his 1718 letter to the Master of The Merchant's Hall, which stipulates the conditions of his support for boys in his school on St Augustine's Back:

...That I was not induced to endow my Hospital only for the bare Feeding of the One Hundred Boys, that at present and futurely are to inhabit there, but chiefly that they should be educated under such Overseers and Masters as will take care that they shall be bred up in the Doctrine of our present Established Church of England ; therefore I conjure, as well all the present as future Governors of your Hall that they take effectual care as far as in them lieth, that the Boys be so educated, as afore-said; and that none of them be afterwards placed out, or Apprenticed, to any men that are Dissenters; from said Communion, as they will be answerable for a breach of their trust at the last and Great Tribunal, before which we must all appear. (Copies of the settlements..., 1839)

However, he was equally vehement in his condemnation of Church of England ministers with whom he disagreed, such as the low church Whig, Rev Arthur Bedford, who - as Vicar of Temple - had benefited from Colston's charitable benefactions, but who declined to support Colston in a subsequent election because his political affiliations lay elsewhere. It is worth quoting in full a passage from Wilkins to demonstrate Colston's uncompromising personality, as well as the expectations that attended charitable giving:

At the time of this General Election a painful incident occurred, which cannot be passed over if a right estimate of Colston's character is to be formed. Colston personally differed

from the Rev. Arthur Bedford, Vicar of Temple, Bristol, who was a Whig and Low Churchman, and wrote thus to the Trustees of Temple School, complaining that their "Minister had given the Clergy of the City, that are well-affected to the Established Church, an occasion of much scandal, as was to be found in the Gloucester election, heading some of the violent sectaries and enemies of it ; whereby he hath confirmed them in their former opinion, that he is no sound son of the church, but rather inclined to, and a favourer of fanaticism; and I cannot but be of the same judgment because it is not the first time that he hath sided with them, but constantly upon the like occasion hath joined with them against those that are truly in the church interest, therefore I decline all further correspondence with him, he may easily guess at the occasion of it."

A clergyman and friend thus also wrote to the Vicar:—

"I was in Bristol twice in the time of the late election, and expected to have seen you there, not doubting but your obligation to Mr. Colston, and his exemplary zeal for the Church of England, would have engaged you not only to have given him your vote, but also to have used your utmost interest to have promoted the interest of so excellent a person, but to my astonishment and surprise, I had an account of all ranks (many of whom I know to be your friends) of your conduct at the election for the County of Gloucester, and your wilful absence from that at Bristol, as hath given me no small trouble."

The report was that "Mr. Bedford had joined the Dissenters, the enemies of the Church, in promoting the election of the same persons, the late member for the County of Gloucester, and had also withdrawn himself from Bristol that he might not vote for Colston."

In his reply of November 10th the Vicar admits the impeachment, but adds that he had told Mr. Colston of his intentions, who was satisfied. Whatever impression Colston conveyed to the Vicar, and which may have been misunderstood by the latter, it is clear that no correspondence afterwards passed between them... (Wilkins, 1920)

This passage is interesting, not only because it provides further evidence of Colston's intolerance of dissenting Christians whom he characterised as "fanatics", but also because it demonstrates the contemporary conflation of religious and political interests, and the belief that it was legitimate for charitable benefactions to influence or force the beliefs and actions of charitable beneficiaries. In Colston's case, this expected conformity was political as well as religious: "He insisted that the school books of Temple School children should have in them 'no tincture of Whiggism.'" (Wilkins, 1920) In Colston's world, Rev Bedford was not allowed his low church practices, his Whiggish political affiliations, or his liberal attitude to dissenting Christianity.

For Wilkins, Colston "shows an unbending, harsh spirit: because he has helped the Vicar of Temple in his work, he will not tolerate that this clergyman should venture to think and to differ from him in politics. Claiming the right to his own opinion, he denies that right to others." (Wilkins, 1920)

Colston's charitable gifts inspired the formation of the various Colston charities – including the Colston Society, The Dolphin Society, The Grateful Society and The Anchor Society: influential, establishmentarian organisations that raised money for charitable purposes in Colston's name and protected, managed and sustained his reputation for three centuries.

In his 1920 account of Colston's life and career, Rev Wilkins states that political concerns – along with charitable sentiments – were, from their inception, a central feature of a number of these organisations:

From November 2nd, until the old style of reckoning gave place to the new style, and then on November 13th, Colston's birthday has been observed and great gatherings for dinners and

speeches—mainly political—have been held and made almost each year since, excepting that during the Great War 1914-19 and during 1919 such gatherings were in abeyance. Although it is for the most part a time of political yet friendly contention, the charitable side of these Societies has never been forgotten or overlaid. (Wilkins, 1920)

Wilkins, who had been elected President of The Anchor Society in 1919 and was, therefore, well-acquainted with the culture of Colston veneration, goes further by stating that “It must also be admitted that the prominence of Colston in Bristol is due very largely to the political rivalry and charitable efforts of the Colston Societies, and not mainly to the absolute merit of him whom those Societies commemorate.” (Wilkins, 1920)

Following the foundation of the Colston (or Parent) Society, which was focused on the church of St Mary Redcliffe and charitable activities within its parish, The Dolphin Society was established as a conservative organisation by the Tories. Later the Anchor Society, which adhered to the Liberal party was founded. Regardless of political stripe, Colston was claimed by the political elite as a bastion of moral decency; a figure worthy of celebration and emulation. In 1918, the objects of the Grateful Society include the provision, “to make grants to such benevolent objects as would have appealed to the kindly heart and philanthropic views of Edward Colston.” (Wilkins, 1920)

This reverential spirit suffuses the first detailed biography of Colston, Thomas Garrard's *Edward Colston, the Philanthropist, His Life and Times (1852)* which - being primarily concerned with celebrating Colston's as benefactor - has the quality of hagiography, rather than that of biography. In his introduction, Garrard writes:

It is the especial duty of an historian, says Pliny, "not to allow the memory of those men to sink into oblivion who have by their deeds merited an immortality of fame." That immortality has seldom been awarded to the lot of a nobler Philanthropist than Edward Colston. (Garrard and Tovey, 1852)

An indication of how little early biographies have to say about the detail of Colston's mercantile career is given by the fact that in the 500-plus pages of Garrard's monumental work, the words

‘Africa’ and ‘African’ do not appear, and there is no reference to Colston’s Deputy Governorship of the Royal African Company. Instead, we read that:

From the record of Colston's enrolment as a member of the Society of Merchants; we learn that he was a West India merchant, meire signifying the ancient name of the Island of St. Christopher, — or, as commonly abbreviated, St. Kits. Bristol held an important position in the commercial world at this period. Its trade, more especially with the West Indies, was flourishing, its prosperity was increasing, and its merchants were rich. These considerations probably influenced Colston to embark here. (Garrard and Tovey, 1852)

This lack of knowledge about Colston’s life and mercantile activities prior to his career as a benefactor is admitted by Tovey in his 1852 introduction to Garrard’s work:

In developing the character of Colston, or in adding to existing knowledge, little has been done: — some new facts have been discovered, — some obscure passages elucidated. But there still remain many bye-ways unexplored, — many years of his early life yet darkly-shadowed. (Garrard and Tovey, 1852)

One of the subtitles for the Garrard’s work is *The result of a laborious investigation into the archives of the city*, which goes some way to explaining its factual deficiencies: the details of Colston’s career in the Royal African Company were not available in the city archives. Having said this, the author displays a puzzling unwillingness to find out about Colston’s career, especially considering the attention to detail applied to almost every other aspect of his life and background.

Commenting on the uniformity of opinion about Colston In his 1920 study, Wilkins stated:

It is a thankless task to try to form a just estimate of the character of Edward Colston, when for so many years that has been distorted by fulsome adulation and his personality obscured by endless eulogies, which have little in them that has any relationship to historical accuracy. Yet this task is more than necessary if we are ‘to see the man’ as he really was. (Wilkins, 1920)

Colston and the slave trade

Perhaps surprisingly, given the esteem with which Colston was held in Bristol, there were relatively few biographies of him published during the C18th, C19th and C20th, and even fewer that looked in detail at the nature of Colston's business dealings.

The first systematic analysis of Colston's mercantile activities was carried out by the Rev H.J. Wilkins in his 1920 work, *Edward Colston 1636-1721 A.D. A Chronological Account of His Life and Work*. This production of this work was driven by the author's realisation that, while Colston was universally celebrated for his benefactions, very little was known about his life or career. Wilkins' stated intention in studying historical trading records was to "reconstruct" the life of Edward Colston so we might, "see the man." (Wilkins, 1920)

Wilkins pieced together the detail of Colston's mercantile career through minute examination of C17th and C18th port books, and – crucially - the records of the Royal African Company. His entry for 1680 is as follows:

On March 26th, 1680, Edward Colston became a member of the Royal African Company, and took an active part in the slave trade. (Wilkins, 1920)

The Royal African Company had been established in 1660 by the Stuart family and City of London merchants to trade along the west coast of Africa. For a number of years, the company held a monopoly and dominated the Atlantic slave trade. Sarah Pruitt writes that: *"From 1680 to 1686, the company transported an average of 5,000 slaves per year, most of which were shipped to colonies in the Caribbean and Virginia. Thousands of slaves arrived in the New World with the company's initials branded on their chests."* (Pruitt, 2018)

Wilkins notes that Colston was not the first member of his family to be connected with the Royal African Company (Wilkins, 1920). His father, William had "had major trading contracts with the company selling more than £3,000 of textiles to the RAC in 1674 alone. He was also a significant

investor in the 1670s, holding £400 in shares in the RAC." (Ball, 2020). In the 1679 company records note a warrant for "Beads. M r. Thomas Colston 127 8s.," (Wilkins, 1920) showing that Edward Colston's deceased brother's firm traded with the Company and provided beads for the purchase of slaves. This information is significant because it demonstrates that the Royal African Company's business was not limited to trade in people, and that a trading economy involving all types of goods had developed to facilitate the transport of human beings.

Ann Carlos, in her article *Agent Opportunism and the Role of Company Culture: The Hudson's Bay and Royal African Companies Compared* shows that, under RAC management slave and commodity trading interests were interlinked:

The RAC conducted a barter trade along the west coast of Africa. This trade had two distinct parts. First, there was the triangular slave trade in which goods sent from England were exchanged for slaves. The slaves were shipped to the West Indies, where they were sold and the proceeds, either in bills of exchange or sugar, were sent to London. Second, there was the trade in commodities. Trade goods were exchanged for redwood (a dye), ivory, gold, wax, and malaguetta (a pepper), which were shipped directly to London for sale. Here again, the head office had to organize the purchase and shipping of trade goods and their subsequent sale. (Carlos, 1991)

Wilkins shows that Edward Colston benefited from this triangular and commodity trade through the interplay of personal and company business interests: a company record from January 1689 shows that Colston's non-company trade benefited from his privileged position within the Royal African Company:

Resolved, "That Mr. Edward Colston be permitted to send on the Companies' Ships to Gwynie for his own Account ye Coarse Sletias he hath lying in this house." (Wilkins, 1920)

Earlier, in 1687 RAC courts records note that:

That to gratify Mr. Edward Colston it is left to the Committee of Goods to take from him 100 fine sletias that are in time and shipp them aboard the Maynard Capt. Gold and Deliver Mr. Colston 110 sletias of ours of like goodness. (Wilkins, 1920)

Since the Royal African Company held a monopoly on the African slave trade at this time, we can deduce that Colston personally benefited from this monopoly, undermining claims made by historians in the decades following Wilkins' study, that Colston's wealth could be attributed to normal trading activities that were not associated with the slave trade: there is strong evidence to suggest that his personal business interests were heavily intertwined with the trade and fortunes of the RAC.

Wilkins goes on to provide evidence of Edward Colston's involvement in the transport of slaves, using records of his attendance at Royal African Company courts to discuss the finer details of trading activities. One example reads:

Edward Colston was present at the Courts held on August 16th, 18th [when it was resolved " that the Committee of Goods be desired to report Cargoes for the Shippes Hired by the Committee of Shipping being approved of by the Court ; the Charles to receive her Negroes from the Gold Coast and the Swallow for Two hundred and Tenn Negroes from New Callabar. Supply for Two hundred and Eighty Negroes from Old Calabar, and Good Hope for Three Hundred and Twenty Negroes at Angola], August 23rd, 25th, 30th [when " warrants for Divident at 10 Guynies p. Cent were ordered to be issued and to Mr. Edward Colston 70 guynies "], September 1st, 6th [when " the Court approved of ye Transferrs now read vizt :—of Mr. Thomas for his stock vizt. to Mr. Edward Colston £100], September 13th, 24th, 27th, October 4th, 6th ["on which day Colston was present a t the sales," and "Edward Colston (received) Divident Warrant Guynies £70 "], October 11th, 13th [when the transfer of £10 by Mr. Nicholas Hayward to Mr. Edward Colston took place], October loth, 25th, 27th, November 3rd, 8th, loth, 15th, 17th, 22nd. (Wilkins, 1920)

The Royal African Company's attitude towards slaves as sub-human is brought into sharp focus in a record from 1687, the year that Colston became an Assistant of the company (in modern language an Executive Director) and a member of the Committee for Shipping:

Whereas the Companie doe find greate prejudice by paying freight for Sick Negroes that many times are not worth halfe the freight. That it is to the Committee of Shipping to consider and endeavour to ease the Company of that burthen. (Wilkins, 1920)

1689 was a significant year in Colston's career: he became Deputy Governor of the RAC— meaning that his presence, along with that of the Sub-Governor, was required on all company committees, giving him significant oversight of company affairs - and sold £1000 of company stock (£177,504.28 today) to the new King and *de jure* Governor of the Company, William of Orange, following the Glorious Revolution, which ousted James II. In June company records decision that the "Treating with the Spanish Assiento for Negroes be referred to the Deputy Governor [Edward Colston]." (Wilkins, 1920) The Papal Bull of Demarcation of 1493, forbade the Spanish from acquiring territory in West Africa, forcing them to trade with other European powers to supply their American possessions with slaves. The much sought-after contract was of great value and involved the transport of 4800 slaves per year to the Spanish Americas. (Lowery, 1960)

Wilkins' work is crucial in providing the detail of Colston's activity as a merchant and member of the Royal African Company. However, his work, which according to Morgan, wasn't followed up for another 70 years (Morgan, 1999), had little impact on Colston's reputation for philanthropy. This is partly because Colston's activity as a slave trader was seen to be only one part of his mercantile career and because it was deemed impossible to pick apart Colton's wealth to discover what proportion of it had derived from slavery.

In 1999 Morgan had the following to say:

To what extent Colston received money from the sale of slaves in the New World is unknown. He was undoubtedly remunerated for his work on the committees of the Royal African Company, but whether this money was the basis of his fortune remains conjectural. It is feasible that he accrued most of his wealth from the normal commodity trades with Europe mentioned above, which he had conducted successfully for several years before his involvement with the Royal African Company. Colston had inherited a modest legacy from his father, but this was insufficient to account for his own wealth. It is likely that he made profits out of careful financial dealings and accumulating savings,

and he certainly gained income through money lending...It is likely that he made shrewd investments to augment his capital, but he has left no personal papers and so it is impossible to estimate, even roughly, what proportion of his wealth was gained from different business and financial ventures...the historical record of his activities does not allow us to pin down for certain the sources of his wealth, although his membership of the Royal African Company was indubitably one significant channel. (Morgan, 1999)

This view, which strains credulity in light of Wilkins' work, is disputed by more recent academic work that has built on Wilkins' analysis by This research

Dr Roger Ball of The University of the West of England has used modern comparative tools – including the Trans-Atlantic Slave Trade Database - to quantify the impact of RAC activities - how many slaves were transported during this time, how many died, how much profit was made by the company and to what extent Colston benefited financially from the trade - during Colston's involvement as investor, Assistant and Deputy Governor from 1680-92.

The conservative figure of approximately 84,500 Africans embarked and 65,200 disembarked produces a death toll in the region of 19,300 over the twelve-year period. This equates to a mortality rate of 23% on RAC voyages. (Ball, 2020)

Using the Measuring Worth website, Ball estimates the value of the RAC transactions during Colston's tenure:

A monetary estimate of the value of the 65,200 Africans sold in the Caribbean and mainland America yields more than 1 million pounds sterling which equates to somewhere between 2 and 35 billion pounds today. (Ball, 2020)

While the death toll alone should condemn those involved in managing RAC affairs, these figures alone do not tell us to what extent Colston benefited from RAC activities. To provide this

information, Ball uses Scott's work on dividends, and Wilkins' detailed research on financial transactions, alongside financial comparison tools, to estimate Colston's personal gain from slavery:

...in the thirteen years from 1680 to 1692 eight dividends were paid and apparently a substantial reserve fund was formed...There is reason to believe that the company had accumulated a considerable reserve out of profits over and above the 10 or 20 guineas per cent paid annually as dividend. The assistants in speaking of these early years mention "the great and extraordinary success with which the trade had been carried on." Houghton, too, stated in 1682 that "the Guinea Company was as safe as the East India Company." (Scott, 1903)

In the period when Edward Colston was an active member of the Company (1680-91) he received at least seven of these dividends amounting to 70 guineas or just over £75 per £100 share. From the recorded dividends paid to Colston it is possible to back calculate his stock holdings in the RAC. The dividends alone were very significant, being worth in total somewhere between £2.5 million (per capita GDP) and £26.5 million (as a share of GDP) in 2016...Colston's investment in the RAC grew over the years to the sum of £1600, in today's terms around £5 million pounds (per capita GDP) or £50 million (as a share of GDP). (Ball, 2020)

Defending Colston

Rev Wilkin's analysis of Colston started a debate about commemoration in Bristol – the author suggesting that the celebration of Colston was disproportionate and exclusive:

for the inspiration of the citizens and especially of the rising generation it is a distinct loss that the other great "benefactors and worthies," who in their day and generation did so much for the city, and whose uplifting influence still remains, are almost completely overshadowed or lost sight of. Many of them are not even "names" to most of the present inhabitants. (Wilkins, 1920)

The authors of *Edward Colston: A century of dissent and protest*, state that, “Wilkins’ revelations about Colston’s involvement in the transatlantic slave trade were now being discussed as a potential ‘problem’ for his iconic status. The effect of this debate in the city is reflected in the Church of England’s repeated defence of his involvement in slavery in sermons given on Colston Day celebrations in the Cathedral.” (Ball et al., 2022)

In November 1927, the Western Daily Press reported that – during the annual Colston Day service - the Dean of Bristol had, “laid special emphasis upon the necessity of placing Colston’s connection with the slave-trade and money lending against the historical background of his day.” (Ball et al., 2022)

In 1930, Rev. G. W. L. Wynne “refuted the claim that Edward Colston had been tarnished by his association with the slave-trade” stating that:

everyone who could made money from the slave-trade in those days, and anyone who did not was regarded as a freak (Ball et al., 2022)

During the 1937 Colston Day service, Canon Fitzgerald argued that “if he [Edward Colston] did make much of his money by the slave-trade it was unfair to blame him for not being in advance of his time.” (Ball et al., 2022)

During the C20th, this initially ecclesiastical line of defence was repeated by academics who felt moved to respond to the growing call for a moral reassessment of Colston: in his 1968 essay *Bristol and the Slave Trade*, Professor C.M MacInnes of Bristol University offers the following vehement defence of those involved in the slave trade:

In the course of the eighteenth-century mayors of Bristol, sheriffs. aldermen, town councillors, Members of Parliament, the Society of Merchant Venturers and, indeed, men of the highest repute in the place were engaged in this traffic. These were not wicked men but pillars of society in their own time and there seems to be little justification for that macabre self-satisfaction which some

Bristolians appear to derive from the recollection of the presumed moral depravity of their forbears. If these men are to be judged, then it should be by the moral standards of the time in which they lived. Since the nation as a whole at that time condoned their activities and applauded them for their enterprise, there would appear to be no special reason why they should be selected for particular condemnation. Many of them honestly believed that though negroes looked like men they were not really human. Furthermore, condemnation of these merchants of a bygone age comes strangely from a generation that is more familiar with violence, cruelty and massacre on the grand scale than any since the Dark Ages. Wrong they undoubtedly were and their trade was one of the most barbarous and cruel that has disgraced the human story, but "man's inhumanity to man" still "makes countless thousands mourn!" Who are the inventors of poison gas, the hydrogen bomb and other devilries to judge? (MacInnes, 1968)

While MacInnes' defence is more a personal diatribe than reasoned historical assessment, his view is representative of C20th opposition criticism of Colston commemoration. Thirty years later, Morgan - echoing MacInnes - writes that Colston's career was consistent with the moral standards of his time and should not, therefore, be condemned for his role in the slave trade:

The fact that he was linked to slave trading casts a shadow over his philanthropic reputation, but he was following what many other merchants did at a time when slavery was generally condoned in England - indeed, throughout Europe - by churchmen, intellectuals and the educated classes; no less a figure than John Locke, the philosopher of liberty, Was a shareholder in the Royal African Company. (Morgan, 1999)

Problems with the C20th defence of Colston

The various defences of Colston were broadly successful in countering criticism of Colston and reasserting establishment principles and beliefs: it has taken 100 years for the implications of Wilkins' research to be properly considered and understood.

However, at least in part because of their inherent weakness, it is difficult to understand traditionalist arguments in defence of Colston other than as revanchist attempts to deflect criticism

of Colston and his legacy and maintain the status quo. Many of the statements that defend Colston on the basis that many of his contemporaries were also slave traders, rest entirely on the following logically and morally fallacious contention: because Person A carries out an immoral act, Person B should be exculpated from blame for carrying out the same immoral act. There is also a whiff of disingenuity in the willingness of those who, having lauded him for his singular moral excellence and exalted him as Bristol's outstanding citizen, are eager to relegate Colston to membership of the herd when discussing one of the great moral issues of his time.

While it is true that many others were engaged in the slave trade, it is difficult to see this as a strong moral defence for Colston. In part, because very few engaged as successfully in, or were as influential in propagating, sustaining and expanding the slave trade as Colston, but also because Colston was a staunch moralist and self-appointed defendant of Christian values, who considered it part of his calling to provide moral instruction to others.

A further weakness of the arguments made by Colston apologists during the C20th is that contrary to their stated belief that *"the nation as a whole at that time condoned their (slave traders') activities and applauded them for their enterprise"* (MacInnes, 1968), vociferous anti-slavery views had been expressed from within the Church of England. Thomas Clarkson, a leading abolitionist and campaigner against the slave trade, in his *The History Of The Rise, Progress, And Accomplishment Of The Abolition Of The African Slave-Trade By The British Parliament* (Clarkson, 1808) provides an authoritative history of anti-slavery dissent in England from the time of Elizabeth I onwards.

Among other notable examples of anti-slavery sentiment, Clarkson refers to the career and writings of Anglican churchman Morgan Godwyn (1640–ca. 1686), whose sermon *Trade Preferr'd Before Religion* (1685) was preached at Westminster Abbey in February 1685 - with the permission of the Bishop of London - shortly before the death of Charles II.

Morgan's florid and fiery sermon condemned the practice of slavery in vitriolic language:

... It is a dishonour and that in an especial manner to our English Nation. It both was and will be the Eternal Reproach, no less than the unpardonable Sin of those Styes of Filthiness, Babylon and Nineveh, that the first, among her variety of Merchandises, had [...]; not

only Bodies, but Souls of Men; and that the other (for it seems they were both great trading places) did postpone God's Glory to her Traffick; . . . magnifying, or preferring, her Traders (or Merchants) above the Stars of Heaven. And certainly, it will be no great Credit for us to have thus exactly written after those beastly Copies; that we have as it were conspired with Satan, and entred into a confederacy with Hell itself, upon the same account: That we have exceeded the worst of Infidels, by our first enslaving, and then murdering of Mens Souls. For, how can it be endured that a Nation once so famous for Zeal and Piety, should now at last become infamous for Irreligion? That she should prostrate herself to that foul Idol Mammon, and worship Trade?

The following analysis of Godwyn is taken from the University of Maryland's *Slavery Law and Power Project* website:

Godwyn began the sermon by acknowledging the great risk he was taking by outwardly condemning a practice that was protected and promoted by the royal family. This is evident by the fact that James, Duke of York, who was the director of the Royal African Company, would soon be crowned king...Godwyn continued by condemning those who practiced slavery in pursuit of wealth from trade ("mammonists"), instead of practicing religion and, in so doing, had signed a bargain with the devil. He also condemned those in England who were content to let the institution continue. After preaching at Westminster, Godwyn repeated the sentiments in several other churches before publishing the sermon. He died two years later in 1687.

Though it is not known for sure what Godwyn's fate was after publishing the seditious document, surviving evidence indicates that Godwyn might have been imprisoned (without habeus corpus) and died as a result: certainly that was then happening to many others, as well as to Godwyn's patrons, including not only Newdigate, but also Locke, and Bishop Compton. James II revived the old court of High Commission (abolished, along with Star Chamber, in 1641) in order to try Bishop Compton and other judges. He gave it a new name: The Commission for Ecclesiastical Causes, but it used precedents from those earlier courts. (Edmonston and Fischer, 2022)

It seems unlikely that a sermon preached in Westminster Abbey by an Anglican clergyman on the issue of slavery, five years into Colston's membership of the Royal African Company – and delivered

under the auspices of the Bishop of London, remembering that Colston lived in London at this time – would have escaped his notice. That Godwyn appears to have fallen foul of legal processes revived by James II, the Governor of the Royal African Company during Colston's membership, suggests that anti-slavery views within the established church – the church of which Colston was such a vociferous advocate - were suppressed by the organisation of which he was very soon to become Deputy Governor.

Clarkson provides a further example of Christian anti-slavery sentiment in the life and works of another contemporary of Colston and one of the most famous Puritan churchmen of the C17th, Richard Baxter, whom Dean Stanley called, "the chief of English Protestant Schoolmen" (The Encyclopaedia Britannica, 1875). In 1673, the year Edward Colston was admitted to the Mercer's Company, Baxter published *A Christian Directory* which has been referred to by Dr Timothy Keller as "the greatest manual on biblical counselling ever produced." (John, 2022) In this monumental work, Baxter directly addresses and condemns the practice of slavery:

To go as Pirats and catch up poor Negro's or people of another Land, that never forfeited Life or Liberty, and to make them slaves, and sell them, is one of the worst kinds of Thievery in the world; and such persons are to be taken for the common enemies of mankind; And they that buy them and use them as beasts, for their meer commodity, and betray or destroy or neglect their souls, are fitter to be called incarnate Devils than Christians, though they be no Christians whom they so abuse.
(Baxter, 1673)

He follows this with an imagined dialogue between a slaver and a moral foil (representing his own view), which unequivocally condemns the purchasers of slaves:

Quest. But what if men buy Negro's or other slaves of such as we have just cause to believe did steal them by Piracy, or buy them of those that have no power to sell them, and not hire or buy them by their own consent, or by the consent of those that had power to sell them, nor take them Captives in a lawful War, what must they do with them afterward?

Answ. It is their heynous sin to buy them, unless it be in charity to deliver them.

Having done it, undoubtedly they are presently bound to deliver them: Because by right the man is his own, and therefore no man else can have just title to him.

Quest. But may I not sell him again and make my money of him, seeing I leave him but as I found him?

Answ. No: because when you have taken possession of him, and a pretended propriety, then the injury that is done him is by you; which before was only by another: And though the wrong be no greater than the other did him, yet being now done by you, it is your sin. (Baxter, 1673)

Like Godwyn, Baxter was imprisoned during the reign of James II, refusing to pay a fine for his release. As a 70-year-old, he spent 18 months in prison and died at 74 shortly after his release.

Godwyn and Baxter, both English protestant contemporaries of Colston, were unequivocal in their opposition to slavery. It is significant for any moral assessment of Colston, that from his early trading career though to his membership of the Royal African company, there existed well-documented Christian anti-slavery tracts whose authors railed against the institution of slavery and condemned those that participated in the slave trade. Advocates of this position were imprisoned and died through adherence to a moral position that other Christians such as Colston were unwilling to adopt. In this context, and considering his character, Colston's continuing engagement in the trade that Godwyn and Baxter abhorred can be considered a conscious rejection of their position. While traditionalist arguments in favour of celebrating Colston's legacy seem to discount the possibility of a morally objective examination of the slave trade being undertaken during the C17th, these men showed that such an analysis was possible. They also showed that strong arguments could be made for the incompatibility of slavery with Christian belief.

Rather than follow Rev. G. W. L. Wynne's view of Colston as a necessarily adhering to an unexamined vocational path, it seems more reasonable to accept that Colston,

the self-determining merchant par excellence, chose to put trade and the fruits of trade before a moral self-examination that might have damaged his commercial interests.

Colston, St Mary Redcliffe and memorialisation within the parish

Edward Colston was a generous benefactor to the Church of England, giving money to several parishes in Bristol, including St Mary Redcliffe. During his lifetime he donated money for the beautification of the church building and, in his will, made provision for good works in the parish after his death.

A chronology of the church, included in *A Short Guide to St Mary Redcliffe Bristol* (1921), lists an entry for the year 1709, which contains the following information:

After many years of neglect the Parishioners made an effort to restore the Church, and at their request a Brief or Royal Mandate was issued for raising £5,000, but this only produced, with private subscriptions, about £1,400, Edward Colston, the Bristol merchant and philanthropist, subscribing £200. This was spent in erecting high pews and galleries, and in general repairs. (Madan, 1921)

The 'Royal Mandate' referred to is Queen Anne's Bounty, which has recently been the subject of an apology by the church of England due to links with slavery:

Queen Anne's Bounty was set up in 1704 with the aim of tackling the most extreme examples of poverty amongst beneficed Church of England clergy. It was awarded the income from the 'First Fruits and Tenths' taxes collected from clergy (this made up over 50% of Queen Anne's Bounty income from 1708 to 1793 - the period for which the ledgers were available) and used this money to supplement the incomes of poorer clergy. Additionally, individuals made donations, known as benefactions, usually for the benefit of specific parishes, through Queen Anne's Bounty. (Church Commissioners, 2022)

Colston's benefactions also benefited St Mary Redcliffe after his death. In his will, he made provision for, "ye Repair and Beautifying of Churches" (Wilkins, 1920), leaving

£100 to St Mary Redcliffe Church. While this gift was generous, it should be seen in the context of larger local gifts to All Saints (£250), Bristol Cathedral (£160), Temple (£160) and St Werburgh's (£160) (Wilkins, 1920). Colston's bequests demonstrate his greater affiliation with parish churches with which he had a personal or family connection, as well as the Cathedral.

In his will, Colston also, "ordered sermons to be preached in some of the parish churches, in the city of Bristol, every Wednesday and Friday during Lent, yearly-upon several subjects relating to the primitive discipline and usage of the Church of England" (Colston, 1839), leaving £20 for this purpose. While this was not a direct gift to Redcliffe, it is relevant here because it contained an additional stipulation that, "Should the Ministers neglect their duty, the £20 per annum to be paid to the Church wardens of Redcliff; and St. Thomas parishes, towards the maintaining of a Charity School, in each parish." (Colston, 1839) A charity commission report from 1890, states that, "we are given to understand, that the lent sermons were discontinued about the year 1732; and it appears, that since the year 1747, the Pile-street school has been in the regular receipt of this annuity of 20l." (Lord Brougham's Commission, 1890)

Colston's many benefactions built a legacy of good will towards his memory; a legacy that influenced the activities of Redcliffe parishioners following his death.

Tovey, in his celebratory biography tells us that, "In so especial a manner had the parishes of Bristol felt the benefit of the charities established by Colston throughout his life, that the citizens could not withstand any appeal whereby they might express their regret at his loss." (Garrard and Tovey, 1852) He illustrates the strength of feeling for Colston at Redcliffe by referring to the church's still extant benefaction table, the wording of which, he says:

exhibits this appreciation of his excellence, and further testifies the regard in which his memory was esteemed: - "1724. This year, by the voluntary contributions of some of the parish, was raised the sum of £20, the profits thereof to be paid for ringing the

bells in memory of the late Edward Colston, Esq., on the 2nd November yearly, for ever." (Garrard and Tovey, 1852)

Redcliffe parishioners seem to have been eager celebrants of Colston's legacy: in 1726, St Mary Redcliffe gave birth to the first society to honour Edward Colston following his death in 1721 when The Colston Society (for a time known as The Parent Society) was formed by members of the church Vestry. Wilkins tells us that during the first meeting in November of that year:

twenty-three individuals subscribed i34 4s. od. " for a sermon to be preached in St. Mary Redcliff " [where a muffled peal is rung at midnight on November 12th (new style)] " on November 2nd (old style) yearly for ever; and the interest of the surplus money, if if any, shall be paid for the use of the charity school of the said parish for ever." (Wilkins, 1920)

In 1771, a church faculty record describes Redcliffe parishioners as:

Being possessed of a large plot of Ground lying on the Southside of Saint Mary Redcliff Church yard whereon they intend Building several commodious Dwellinghouses but having no way whereby carriages may get access there the said petitioners are apprehensive that the same when built will not be inhabited by the persons of Distinction they would wish for want of such way. That the said petitioners are desirous of making a carriage way through the said church yard from Redcliff Hill to Cathay of the breadth of eleven feet in the room of the present foot way and walling out the same from the said church yard for the benefit of the said intended houses. (St Mary Redcliffe Vestry, 1771)

This carriage way, was named Colston Parade, again reflecting – 50 years after his death - the esteem with which Colston's memory was held by Redcliffe parishioners. An entry in *Gloucestershire Notes and Queries* (1890) refers to a large room at 1 Colston Parade, referred to as Colston's Room, noting that, "A portrait of Edward Colston hangs on the wall, and his arms are on the ceiling." (Blacker (Ed), 1890) According to Canon Cartwright in his *Memories of Redcliffe*, Colston Parade was originally known as Mr Colston's Parade and "The Colston Room with two fine glass chandeliers was

used for dinners and other Vestry gatherings. The PCC also met here.” (Cartwright, 1993) Parish life was suffused with the influence of Colston.

The Colston Window

During the later C19th, St Mary Redcliffe was again in the vanguard of Colston commemoration, as members of the church began to imagine how Colston could be physically memorialised as part of the great restoration that had begun in the 1840s.

The medieval stained glass of St Mary Redcliffe had been mostly lost during the various depredations of the C17th. However, “The church in 1842 still contained a small amount of medieval glass, mostly in the central window of the North Transept... in a very fragmentary condition (Cobb, 1994).

Following the removal and resetting of the medieval fragments in the windows of the base of the tower, the main North Transept Window was filled with plain glass. In 1865, a change of Vicar, precipitated a discussion about how to address the deficiency. Peter G. Cobb, in his essay, *The Stained Glass of St. Mary Redcliffe, Bristol* relates the development of the Colston Window.

The re-siting of the Handel Window left an unfortunate blank in the middle of the north wall of the North Transept. There was no alternative but to fill it with plain glass. In 1865 the vicar, Canon George Madan, resigned and his place was taken by Henry Goldney Randall, who seems to have been a very forceful character. In his first speech at the annual meeting of the Canynoges Society in 1866 he reported that he had been present at the last meeting of the Colston Parent Society and had suggested that as there was no monument to Colston in Bristol except the one in All Saints, City, there was an opportunity in the restoration of St. Mary Redcliffe to complete the spire or put in a window as a memorial to the great philanthropist. Not surprisingly those present opted for a memorial window and contributed £80 on the spot. At the next meeting of the Restoration Committee in December 1866, which had been reformed with himself as chairman to restore the tower and spire and refurbish the interior of the Church, he pursued the subject, suggesting that if the Colston Parent Society did not raise sufficient funds then the present and past Presidents of the Dolphin, Grateful, and Anchor Societies might jointly subscribe the rest. For some reason progress on this particular window was very slow. It was not until March 1870 that the Committee accepted 'a

beautiful design' by Clayton & Bell subject to any alteration in detail suggested by the architect. The design appropriately depicts the Good Samaritan and the Corporal Works of Mercy. It was hoped to have the window in place for the Canynge Society meeting on 21 April 1870 but it was not in fact erected until Whitsunday. The cost was £400.64 (Cobb, 1994)

Problems with memorializing Colston

In light of Rev Wilkin's ground-breaking work in the 1920s, and more recent research that has built on his findings, the commemoration of Edward Colston in stained glass panels that include the words, *Go thou and do likewise* is inappropriate.

This is not intended as a condemnation of those who installed the Colston Window. This paper has demonstrated that, prior to Rev Wilkins' ground-breaking research in the 1920s, 50 years after the Colston Window was installed, there was no serious attempt to analyse Colston's mercantile career and the source of his wealth. The biographies that did exist – by Garrard, Tovey and others - were hagiographic, adulatory and idealising. Rather than challenge perceptions, these works sought to consolidate and embellish received views that had been passed down through generations. Consequently, the available information about Colston at this time was limited and mono-dimensional, sustaining the spirit of universal admiration that extended well into the C20th. While the issue of slavery was a live political issue well into the nineteenth century – the Slavery Abolition Act was passed in 1833 - the connection of slavery with Colston would not necessarily have been made.

However, in light of Wilkins' work and the work of those who have built on his findings, C21st Bristolians have access to significantly more information about Colston than was available to the Victorians. This knowledge has had a transformative effect, not only on how we view Colston, but also how we interpret memorials to him. With reference to the Colston Window at St Mary Redcliffe, the command to 'Go thou and do likewise' is extremely problematic: in the context of a memorial to one of the leading slaver traders of his time - whose Deputy Governorship of the RAC caused untold misery and brought about the deaths of thousands of Africans – the intended meaning is distorted, becoming a travesty of the Good Samaritan message.

Richards, in his essay *Historical Revision in Church: Re-examining the "Saint" Edward Colston*, provides an explicit refutation of Colston's credentials as A Good Samaritan figure, this time referring to the partial and exclusionary nature of his charitable giving:

The window given in memory of Colston depicts Jesus' Parable of the Good Samaritan. This illustrates the parable recorded in the Gospel of St. Luke, but it also reflects the Colston family motto, "Go and do thou likewise," from St. Luke 10:37, the concluding line of the Good Samaritan parable. In the nineteenth century, it also encouraged views that Colston was a Good Samaritan. This ignored Colston's refusal to help "the other," especially religious dissenters who did not conform to his Tory politics and High Anglicanism, rendering the Good Samaritan comparison applicable only if one views him as either the priest or Levite.

He was not the Good Samaritan. (Richards, 2020)

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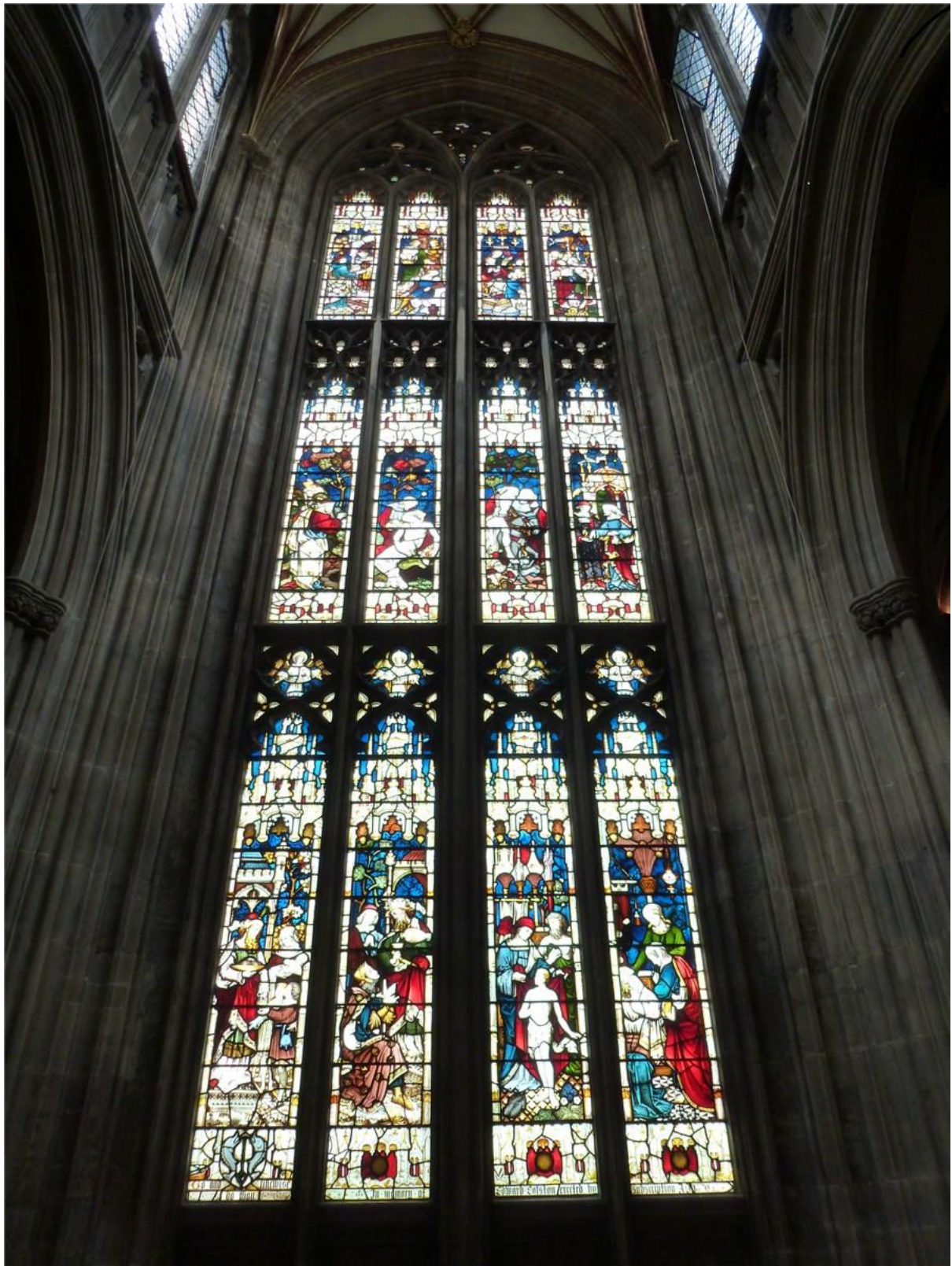
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North Transept full window

North Transept with proposed replacement windows

