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An Old Catholic Anglican: Bishop Arthur Cleveland Coxe's Positioning as an Old Catholic in Episcopal–Roman Catholic Polemic

PETER-BEN SMIT

The emergence and development of the so-called Old Catholic movement shortly before and immediately after the First Vatican Council received a significant amount of attention among Anglicans, not least among Episcopalians.¹ This paper focuses on a representative of the Hobartian (high church) synthesis,² Arthur Cleveland Coxe, bishop of Western New York, especially on the way in which he positioned himself vis-à-vis remarks made in a lecture by the Roman Catholic bishop Stephen Vincent Ryan

¹ Robert Fitzsimons, "The Church of England and the First Vatican Council," *Journal of Religious History* 27 (2003): 29–46; John Pinnington, "The Longing for Latter-Day Reformations: Anglican Preoccupation with 'Catholic Reform' in Europe before Vatican I," *The Heythrop Journal* 11 (1970): 17–31.

² For a brief outline of Hobart's position in his own words, see John Henry Hobart, *The High Churchman Vindicated: In a Fourth Charge to the Clergy of the Protestant Episcopal Church in the State of New-York. At the opening of the Convention of the said Church, in Trinity Church, in the City of New-York, on Thursday, Oct. 17, 1826, by John Henry Hobart, D.D. Bishop of the Protestant Episcopal Church in the State of New York* (New York, 1826). For a brief contextualization of Hobart's position, see Robert W. Prichard, *A History of the Episcopal Church* (rev. ed., 1999), 120–21. Central to the "high" view were the baptismal covenant, the church's apostolic succession, and with that also the legacy of Christian tradition.

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of Buffalo in 1874, reacting to Coxe's publication *The Corporate Witness*, published in Buffalo in the same year.³ In his response to Ryan, Coxe identified himself as an "Old Catholic" and, on this basis, argued for the legitimacy of Anglican ecclesiology. This paper will contextualize and analyze Coxe's response and argue that his claim to be an Old Catholic can indeed be substantiated from his work—and is therefore more than a mere tactical ploy—and was based on considerable familiarity with the work of Old Catholic theologians, as was probably mediated by the Anglo-Continental Society of which Coxe was a member. As this paper deals with an analysis of an Anglican self-identifying as an Old Catholic, it is helpful to outline at the outset what the nineteenth century Old Catholic program looked like.⁴

The Declaration of Utrecht, expressing the faith of the Old Catholic bishops uniting with their churches into the Union of Utrecht in 1889 post-dates Coxe's writing, however, it does paraphrase the concerns of the Old Catholic movement well as they had been expressed in earlier statements:⁵

³ Published in: *The Catholic Union* of 26 February 1874. Stephen Vincent Ryan (1825–1896) was bishop of the Roman Catholic diocese of Buffalo from 1868 until his death in 1896; see his obituary in the *New York Times* of 11 April 1896, 3.

⁴ For more extensive discussions of the origins of the Old Catholic Churches and for literature, see Urs von Arx, "The Old Catholic Churches of the Union of Utrecht," in Paul Avis, ed., *The Christian Church. An Introduction to the Major Traditions* (London, 2002), 157–85; Urs von Arx, "Vorwort," in Urs von Arx and Maja Weyermann, eds., *Statut*, 3–11; and Jan Visser, "The Old Catholic Churches of the Union of Utrecht," *International Journal for the Study of the Christian Church* 3 (2003): 68–84.

⁵ Such as the 1871 Munich Pentecost Declaration, Johann Joseph Ignaz Von Döllinger's open letter to Archbishop of Munich Gregor Von Scherr ((*Augsburger Allgemeine Zeitung, Außerordentliche Beilage* 90, 31 März 1871, 1557–1560), the statements produced by the Bonn Conferences on Church Union (1874–1875), for which, see Günter Eßer and Matthias Ring, eds., *Bericht über die 1874 und 1875 zu Bonn gehaltenen Unions-Conferenzen. Herausgegeben von Heinrich Reusch. Neudruck der Ausgabe in zwei Bänden von 1874 und 1875 mit einer Einführung von Günter Eßer* Geschichte und Theologie des Alt-Katholizismus A.2 (Bonn, 2002); and the body of statements and theses produced by the series of (International) Old Catholic Congresses, meeting from 1871 onwards, as well as the canonical literature of the Old Catholic Church involved, i.e. the canon law of the German, Swiss, and Austrian Old Catholic Churches (the canon law of the Old Catholic Church of the Netherlands was to a lesser extent codified). For this documentation see Urs Kury, *Die Altkatholische Kirche. Ihre Geschichte, ihre Lehre, ihr Anliegen* Die Kirchen der Welt 3 (rev. Christian Oeyen; Stuttgart, 1978), 443–88.

1. We adhere to the principle of the ancient Church laid down by St Vincent of Lérins in these terms: “Id teneamus, quod ubique, quod semper, quod ab omnibus creditum est; hoc est etenim vere proprieque catholicum.” Therefore we abide by the faith of the ancient Church as it is formulated in the ecumenical symbols and in the universally accepted dogmatic decisions of the ecumenical synods held in the undivided Church of the first millennium.

2. We therefore reject as contradicting the faith of the ancient Church and destroying her constitution, the Vatican decrees, promulgated July 18, 1870, concerning the infallibility and the universal episcopate or ecclesiastical plenitude of power of the Roman Pope. This, however, does not prevent us from acknowledging the historic primacy which several ecumenical councils and the Fathers of the ancient Church with the assent of the whole Church have attributed to the Bishop of Rome by recognizing him as the *primus inter pares*.⁶

Thus, the Old Catholics take as their point of departure the faith of the church pre-1054. This is the reason for their disagreement with the Church of Rome.

Within contemporary Anglicanism, a spectrum of attitudes towards the Old Catholic movement existed, consisting of the following positions. 1. Attitudes ranging from disinterest to suspicion and rejection, which would be the most common among those Anglicans/Episcopalians identifying themselves either as evangelicals or as belonging to the low church part of the church;⁷ 2. a similar attitude of suspicion and partial rejection was taken by those Anglo-Catholics who held a high view of the particular

⁶ Urs von Arx/Maja Weyerermann, eds., *Statut der Internationalen Altkatholischen Bischofskonferenz (IBK)*, 40.

⁷ For sketches of this attitude, see: Martien F. G. Parmentier, “Evangelical Anglicans and Old Catholics in 1931,” in: C. van Kasteel, P. J. Maan, and M. F. G. Parmentier, eds., *Kracht in Zwakheid van een kleine wereldkerk* (Amersfoort, 1982), 125–44; Andrew Atherstone, “Anglican Evangelicals, Old Catholics and the Bonn Agreement,” *Internationale Kirchliche Zeitschrift* 97 (2007): 23–47, who shows how the evangelical party in the Church of England had major hesitations about the Bonn agreement, precisely concerning the Old Catholic theological program with its orientation towards the early church. See for the discussion of the question of ecclesial tradition between Anglicans and Old Catholics also: Harald Rein, *Kirchengemeinschaft. Die anglikanisch-alkatholisch-orthodoxen Beziehungen von 1870 bis 1990 und ihre ökumenische Relevanz. Band 1. Allgemeine Einführung. Die anglikanisch-orthodoxen Beziehungen* EHS 23.477 (Bern, 1993), 168–79, 215–52, 322–51, 364–65, 369–71; C. B. Moss, *The Old Catholic Movement* (London, 1977), 340–51.

Western theological tradition and feared that Old Catholics might be too willing to give it up in favor of a (relatively unclear) concept of the “faith of the early church”;⁸ 3. an appreciative attitude, represented by Anglo-Catholic Anglicans, who, however, did not so much identify with the Old Catholic program for ecclesial reform on the basis of the early church, but were much rather interested in the “validity” of Old Catholic orders (and sacraments) in the eyes of Rome;⁹ 4. an attitude represented by those associating themselves with the Hobartian synthesis of “apostolic truth and apostolic order,”¹⁰ high church Anglicans who did not follow the more radical Anglo-Catholic orientation towards the particular tradition of the Western Church and with that the Roman Catholic Church,¹¹ and viewing both Old Catholics and Anglicans as representatives of a Catholic Christianity that had been renewed on the basis of the *ecclesia primitiva*.¹²

⁸ Consider Edward Pusey’s critique of the Bonn Conferences on Church Union (1874–1875) for not regarding the Roman Catholic Church as viable ecumenical partners anymore, and for undervaluing the theological tradition of the West, specifically with regard to the *filioque*. E. B. Pusey, *On the Clause “and the Son” in regard to the Eastern Church and the Bonn Conference* (Oxford, 1876).

⁹ Charlotte Methuen: “The Bonn Agreement and the Catholicization of Anglicanism: Anglicans and Old Catholics in the Land Papers and the Douglas Papers 1920–1939,” *Internationale Kirchliche Zeitschrift* 97 (2007): 1–22, esp. 15–17. Methuen shows how some Anglicans were at least as much interested in validating their own orders (in the eyes of Rome) as they were in the Old Catholic theological program.

¹⁰ Coxe knew and cherished this shorthand; Arthur Cleveland Coxe, *Recollections of Bishop Hobart* (Hartford, 1895), 8.

¹¹ For an overview of like-minded voices in the Church of England, see Fitzsimons, “Church of England and the First Vatican Council.” See esp. the 1870 resolutions of the Convocation of Canterbury: “1. That the Vatican Council has no just right to be termed an Oecumenical or General Council; and that none of its decrees have any claim for acceptance as canons of a General Council. 2. That the dogma of Papal Infallibility now set forth by the Vatican Council is contrary to Holy Scripture, and to the judgement of the ancient Church Universal. 3. That the assumption of supremacy by the Bishop of Rome in convening the late Vatican Council contravenes canons of the Universal Church. 4. That there is one true Catholic and Apostolic Church founded by our Lord and Saviour Jesus Christ; that of this true Catholic and Apostolic Church the Church of England and the Churches in communion with her are living members; and that the Church of England earnestly desires to maintain firmly the Catholic faith as set forth by the Oecumenical Councils of the Universal Church, and to be united upon those principles of doctrine and discipline in the bonds of brotherly love with all the Churches in Christendom”; Fitzsimons, “Church of England and the First Vatican Council,” 41–42.

¹² Jan Visser, *Het ideaal van de ecclesia primitiva* Publicatieserie Stichting Oud-katholiek Seminarie 8 (Amersfoort, 1980).

Arthur Cleveland Coxe (1818–1896),¹³ having grown up as the son of a well-known Presbyterian minister, Samuel H. Cox,¹⁴ converted to the Episcopal Church later in life and trained for the priesthood at the General Theological Seminary in New York City between 1838 and 1841. After a series of rectorships, he was from 1865 until his death in 1896 the bishop of Western New York. In spite of his initial Anglo-Catholic sympathies,¹⁵ he distanced himself later from this movement within the Episcopal Church, especially because of his profound dislike of the ritualism and Anglo-Papalism of some prominent heirs to the Oxford Movement.¹⁶ However, he remained faithful to the “high” ecclesiology because of which he had become an Episcopalian in the first place. This can be illustrated with reference to his discussions with Protestants, such as the debate that he had from 1873 onwards with the Calvinist theologian John Williamson Nevin,¹⁷ and also with reference to his discussion with Edward Pusey, whose orientation towards the Western (Roman Catholic) tradition of Christianity Coxe found less than satisfying. Coxe’s own position stood out because of its patristic orientation. Correspondingly, Coxe served as the editor for the North-American edition of the Ante-Nicene and Post-Nicene Fathers (2 volumes, 1885–1886); in the preface of this work, Coxe expressed repeatedly

¹³ Richard W. Pfaff, “Anglo-American Patristic Translators 1866–1900,” *Journal of Ecclesiastical History* 28 (1977): 39–55, 44–46; George E. DeMille, *The Catholic Movement in the American Episcopal Church* (Philadelphia, 1950), 43, 77, 104, 113, 115–17, 121, 194; Friedrich Wilhelm Bautz, “Coxe, Arthur Cleveland,” *Biographisch-Bibliographisches Kirchenlexikon* I (1990), 1147.

¹⁴ The additional “e” in “Coxe” was of A. C. Coxe’s own making; he added it later in life.

¹⁵ On the atmosphere at General Theological Seminary shortly after Coxe’s studies there, see Scott MacDougall, ‘Hidden Jesuits? “Romanizing” and Inquest at the General Theological Seminary, 1845,’ *Anglican and Episcopal History* 76 (2007): 89–118.

¹⁶ A. C. Coxe, *Ritualism: A Pastoral Letter, including an Exposition of the Declaration of Bishops* (New York and Buffalo, 1867); George F. Seymour, ed., *Assault of the Bishop of Western New York upon the Dean of the General Theological Seminary, and the Dean’s Reply* (New York, 1875).

¹⁷ John F. Woolverton, “John Williamson Nevin and the Episcopals: The Debate on the ‘Church Question,’ 1851–1874,” *Historical Magazine of the Protestant Episcopal Church* 49 (1980): 361–87, 376–80. For Coxe’s contribution see Arthur Cleveland Coxe, *Apollos or the Way of God: A Plea for the Religion of Scripture* (Philadelphia, 1873).

his admiration for the scholarship of the doyen of the first generation of Old Catholic divines in Germany, Ignaz von Döllinger.¹⁸ Thus, Coxe was well aware not only of the Old Catholic movement as such, but also of the work of its prime theologians.

As a theologian, bishop, and scholar, Coxe therefore should be located in the high church and primitivist tradition of John Henry Hobart, and represented what may be called the Hobartian synthesis, after Bishop John Henry Hobart of New York (1775–1830; bishop of New York, 1816–1830).¹⁹ In an address to the Anglican Society,²⁰ historian Robert Mullin paraphrased this synthesis as follows:

In works such as *An Apology for Apostolic Order* Hobart emphasized that the true church was determined not by size or power, but by fealty to the order and practice of the apostolic church. Judged from this criterion all of the other Protestant denominations were merely aggregates of individuals and could not be determined churches. As he famously wrote, “I . . . have the consolation of having faithfully borne my testimony to the principles of the Apostolic and primitive Church; to principles which ‘the noble army of martyrs’ confessed in their writings, in their lives, in the agonies of those cruel deaths to which their persecutors hunted them; to principles which in every

¹⁸ “Introductory Notice to Hippolytus,” in: Alexander Roberts and James Donaldson, eds., *The Ante-Nicene Fathers* 5 (New York, 1885), 6: “The testimony of Dr. Döllinger, considering the extent of his theological learning, and in particular his intimate acquaintance with the apostolic period in church history, virtually, we submit, decides the question.” See also Coxe’s “Introductory Notice,” Alexander Roberts and James Donaldson, eds., *Ante-Nicene Fathers* 3 (1885), 3–15, 4–5: “Since the later Council of the Vatican, essential Montanism has become organized in the Latin Churches: for what are the new revelations and oracles of the pontiff but the *deliria* of another claimant to the voice and inspiration of the Paraclete? Poor Tertullian! The ad influences of his decline and folly have been fatally felt in all the subsequent history of the West, but, surely subscribers to the Modern Creed of the Vatican have reason to ‘speak gently of *their father’s* fall.’ To Döllinger, with the ‘Old Catholic’ remnant only, is left the right to name the Montanists heretics, or to upbraid Tertullian as a lapsing from Catholicity.” On Johann Joseph Ignaz von Döllinger (1799–1890), see Victor Conzemius, “Döllinger, Johann Joseph Ignaz,” *Theologische Realenzyklopädie* 9 (1993): 20–26.

¹⁹ Robert Bruce Mullin, “John Henry Hopkins and the American Debate Over Ritualism,” Annual Lecture, Anglican Society, General Theological Seminary, 2007 (typescript courtesy of the author), 1–6.

²⁰ An Anglican Society founded in New York in 1932 in order to “to promote and maintain the Catholic doctrine, discipline, and worship of the Episcopal Church in accordance with the principles and contents of the Book of Common Prayer” (www.anglicansociety.org).

age have ranked among their advocates some of the brightest ornaments of science, and intrepid champions of divine truth." The primitive church was the ideal image for the Hobartians. It witnessed a church small in number, surrounded by a hostile environment, in which fealty to the apostolic faith was crucial. Indeed, Hobart in two important addresses claimed that the Episcopal Church, because of its independence from the state, was in fact closer to the model of the early church than was the established Church of England.²¹

Standing in this tradition, but now also taking a position vis-à-vis the Roman Catholic Church, Coxe reflected many sentiments current in the Episcopal Church of the mid-nineteenth century. Had this church formerly seen various other protestant denominations as its main competitors,²² substantial immigration from Roman Catholic areas of Europe and the building up of a threatening Roman Catholic presence in the United States—seven hundred thousand Episcopalians joined the Roman Catholic Church in the course of the nineteenth century—led Episcopal theologians to view the Roman Catholic as a significant competitor too. Bishop Ryan, Coxe's interlocutor, stood in the tradition of the later archbishop of Baltimore, Francis Patrick Kenrick (1796–1863), who not only carried on a vigorous debate with John Henry Hopkins (1792–1868), bishop of Vermont—not by chance also on the subject of the latter's book *The Primitive Church* of 1835—but also invited all the members of the House of Bishops of the Episcopal Church to join the Roman Catholic Church in 1838, urging them to do so, before all their faithful would do so.²³ The notion of standing between two fronts is captured well by the title of a best-selling tract, *Double Witness of the Church*, by William I. Kip (1811–1893), bishop of California from 1853, who was roughly of the same age as Coxe.²⁴

With these considerations, Coxe's own theology as well as its place in the tradition of the Episcopal Church have been outlined. There is another context, however, into which Coxe should be placed: the so-called Anglo-Continental Society, which operated

²¹ Mullin, *John Henry Hopkins*, 5.

²² Prichard, *History of the Episcopal Church*, 139, 156–57.

²³ *Ibid.*, 139–40.

²⁴ *Ibid.*, 157.

on a very similar theological basis and was deeply interested in the ecclesial developments on the European continent. Coxe was a member of this society.

COXE, OLD CATHOLICISM, AND THE THEOLOGICAL PROGRAM
OF THE ANGLO-CONTINENTAL SOCIETY

Even though Coxe presided over a commission of the Episcopal Church that was concerned with groups of Catholics in Italy that aimed at reforming the church in 1871,²⁵ his interest in the Old Catholic movement, or reform-oriented groups of Catholics on the European continent in general, probably dates from much before this time. At least since the mid-1860s, Coxe had been a member of the Anglo-Continental Society, which, on the basis of a theological program that was oriented towards the faith of the early church, promoted the knowledge of the Church of England, especially among those interested in ecclesial reform on the European continent.²⁶ No full overview of the activities of this society can be given here (its history still needs to be written), but its importance for Anglican–Old Catholic rapprochement should be noted,²⁷ as

²⁵ William Chauncey Emhardt, “The Old Catholic Movement—Our Attitude Toward It,” *American Church Quarterly* 30 (1931): 134–39. Emhardt also offered a helpful overview of various earlier decisions of the General Convention of the Episcopal Church and published part of the early correspondence between the Episcopal Church and leading European Old Catholics.

²⁶ Pinnington, “Longing for Latter-day Reformations,” 23–28.

²⁷ From the point of view of the society’s founder, Frederick Meyrick (1827–1906), in a letter to Ignaz von Döllinger of 6 September 1875: “we threw the whole force of our organization into your support at the very first moment possible, and have steadily maintained that support since, as without that organization no knowledge of Old Catholicism would have been spread in England and no interest in it awakened, as without it you would have had no one from England to meet you at Cologne and not more than a few persons uninfluential (excepting Liddon), to be present at Bonn in 1874 and 1875, as in short you owe wholly the friendly relations of the Anglican Church towards yourself and your object to the action of the Anglo-Continental Society and to some of our members having devoted their whole time and energies to the question”; *Doellingeriana II*, 894.10, trans. Hubert Huppertz, vol. 10, 140. At the same time, it may be maintained with Urs von Arx, *The Historical Background to the Bonn Agreement* (paper presented at the 2005 Anglican–Old Catholic Theologians’ Conference, typescript, courtesy of the author), 3, that the Old Catholic movement was in fact the only instance in which the Anglo-Continental Society was able to assist a movement for reform and renewal in the Church on the continent that would have a long lifespan. On the latter see also Fitzsimons, “Church of England and the First Vatican Council,” 42.

well as Coxe's association with it.²⁸ As far as the Anglo-Continental Society's orientation is concerned, a brochure published by the founder and longtime secretary of the society, Frederick Meyrick, in 1875, outlined the principles of the Anglo-Continental Society and also related these to Old Catholicism.

Meyrick sketched the principles of the society, published at its founding, as follows:

1. To make the principles of the English Church known in the different countries of Europe, and throughout the world.
2. To help forward the internal reformation of national Churches, and other religious communities, by spreading information within them, rather than by proselytizing from them.
3. To save men, whose religious convictions are already unsettled, from drifting into infidelity, by exhibiting to them a purified Christianity, which they may be able to embrace.²⁹

Furthermore, the theological principles of the society Meyrick outlined as follows, drawing on the society's first prospectus, which stated that

It is the belief of the Society that, if unity is ever to be restored to the whole body of divided Christians, it will be on the basis of the faith of the Primitive Church, which is likewise the faith of the Anglican Church. There is a Primitive School in Germany, France, Italy, and Scandinavia; and there are in Spain and South America many who have learnt to disbelieve in the Papal theory of Unity. With the former the Society is anxious to cooperate; to the latter it desires to point out what it believes to be the more excellent way. At the same time it wishes it to be understood that its object is not to proselytize individuals, but to help towards the reformation and revivification of Churches and communities.³⁰

Having stated this, Meyrick continued in his brochure to sketch the early contacts of the society with various Old Catholic

²⁸ Also Coxe's activities for this society cannot be reviewed here, but for example, in 1865, Coxe was co-signatory to the "Memorial of the Rev. Wm. Chauncey Langdon, on the Subject of the Italian Reform Movement," (Philadelphia, 1865), which was not an official publication of the Anglo-Continental Society, but was largely drafted and supported by its members.

²⁹ Frederick Meyrick, *The Old Catholics and the Anglo-Continental Society. An Address made in St. Paul's Cathedral, October 27, 1874* (London, 1875), 2.

³⁰ *Ibid.*, 2–3.

movements, which to him were a specification of theological primitivism. Here he took notice of the 1870 Munich Pentecost declaration, drafted under the leadership of Von Döllinger, and especially of the declaration of the First Old Catholics' Congress of 1871. Both of these declarations agreed fully with the vision that the Anglo-Continental Society had outlined in its declarations of purpose and principles.³¹ As Coxe was a member of this society, he presumably shared its vision and principles, and his knowledge of Old Catholicism may well be explained by this membership.

COXE'S OWN THEOLOGICAL PROGRAM AS OUTLINED
IN HIS *CRITERION*

In order to appreciate Coxe's theological position, it is worthwhile to turn to a work that he published in 1866, the *Criterion*, which, as its name already indicates, aims at finding a criterion, specifically one "by which to divide between those claiming the name of Catholics, and by which the true men may be easily known from the false."³² Coxe outlined his criterion in the following way:

Here, then, we have found our Criterion. Table No. I is the touchstone by which we discover the whole counter-system of Table No. II.; and now let us set them one over against the other, that we may see how antagonistic they are and ever must be.

<p>I.</p> <ol style="list-style-type: none"> 1. Catholic. 2. Primitive. 3. Vincentian. 4. Episcopal. 5. Liturgical. 6. Anglican. 7. Nicene. 	<p>A</p> <hr style="width: 100%; border: 0.5px solid black;"/> <p>Ω</p>	<p>II.</p> <ol style="list-style-type: none"> 1. Occidental. 2. Mediaeval. 3. Isidorian. 4. Papal. 5. Ritualistic. 6. Gallican. 7. Trentine.
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³¹ *Ibid.*, 6–7.

³² A. Cleveland Coxe, *The Criterion: A Means of Distinguishing Truth from Error, in Questions of the Times. With Four Letters on the Eirenicon of Dr. Pusey* (New York, 1866), 5.

Now let us look at the two tables, and observe that the line A Ω represents a gulf deep as that of Hades, between two sets of men, measures, sympathies and practical principles.³³

Thus, Coxe called upon the tradition of the early church, and, only as far as the opposition of Anglican and Gallican was concerned, upon specifically Anglican tradition, in order to be able to state what it means to be indeed Catholic. Thus, the *Criterion* presents Coxe's position as a primitivist catholic in the Anglican tradition, unwilling to give in to either Protestants or Roman

³³ *Ibid.*, 11–12, where the author continues to state that: 'You cannot read one of our old divines, Cosin, Bramhall, Taylor, Pearson, or the like, besides those already mentioned, without seeing that they are absolutely represented by Table No. I. (...) The line once drawn there is no longer any difficulty in distinguishing men and measures, if the terms be understood: and nobody can be on both sides of the line, except those peculiar people who believe equally in the Copernican and the Ptolemaic systems of Astronomy. Here, however, it may be well to explain terms even for some who 'ought to be teachers.'

1. *a. OEcumenical* ideas are those which include impartially the Greek and the Latin Churches, and the Faith as professed by both, before the schism.

b. *Occidental* ideas are those which practically ignore the Catholicity of the Orientals, and which tacitly allow the claims of the Latins to be the essential part of Catholic Christendom.

2. *a. Primitive* ideas are those derived from Holy Scripture and ancient authors.

b. *Mediæval* ideas are those which are taken from Western writers, since the establishment of the Papacy.

3. *a. Vincentian* principles are those of the Primitive Church, as recorded by the great Vincent of Lerins, and which allow nothing to be Catholic that is novel, though all the world should adopt it, but define that as Catholic which was universally accepted from the beginning, though only a single Church should be faithful to it.

b. *Isidorian* maxims are those of the false Decretals, forged under the name of Isidore of Seville, and imposed on Western Christendom by Nicolas I., making communion with the See of Rome the test of Catholicity, and authorizing any novelty accredited by the Pope.

4. *a. Episcopal* principles are simply those of Scripture and of the Cyprianic age, that the Unity of the Church hinges on the solidarity of the Episcopate.

b. *Papal* principles are those which make the Papacy a divine Institution and the base and centre of Unity to all Christians.

5. *a. Liturgical* ideas are those which seek to bring out the beauty and majesty of our Common Prayer, and other Services, in all their rubrical and Scriptural fulness, so as to edify and instruct, as well as to animate the worshipper.

b. *Ritualistic* ideas are those which aim at pageantry and ceremony, with an effort to introduce Romish rites and illegal, discarded observances, into our worship, and to reduce the reading of the Prayers and Lessons as nearly as possible to an unintelligible performance.

Catholics. On this basis, it is possible to turn to Coxe's 1874 brochure *Catholics and Roman Catholics*, where he would equate Catholics and Old Catholics and make this his own position.

BISHOPS COXE AND RYAN: *CATHOLICS AND
ROMAN CATHOLICS* (1874)

Coxe's brochure appeared with the author identifying himself on the title page only as "An Old Catholic."³⁴ In the preface, Coxe clarified this anonymous self-designation and presented himself as the author.³⁵ Coxe gave two reasons for the *nom de plum* "Old Catholic." First, he wanted to avoid a personal controversy by presenting himself as the representative of a particular theological program. Second, he hoped to clarify through the self-designation "Old Catholic" that he based his considerations upon the faith of the early church.³⁶ As he stated:

Though I here subjoin my name as author of this review, two reasons have influenced me to withhold it from the title page. First, I desire to avoid all appearance of personal controversy, and second, I wish to make prominent my position as an OLD CATHOLIC, for my criticisms are based on ancient Catholicity.³⁷

It does not take a reader long to discover what Coxe hoped to achieve with this particular tactic. After he had expressed his

6. *a. Anglican* ideas are those which have been known as such for three hundred years, and which are familiar in the sermons and teachings of all our great divines.

b. Gallican ideas are those imported from the French moderate Papists; and which, in the Exposition of Bossuet, for example, approximate to reformed principles, yet admit all that was absolutely exacted by the Papacy, before the late Dogma.

7. *a. Nicene* principles are those recognized by the Council of Nicea and the other General Councils; as in the Nicene Creed, and in the Canonical regulation of the patriarchates.

b. Trentine principles are those set up by the Western Council of Trent, only 300 years since, in defiance of the Nicene Canons, and anathematizing all Christians who fail to accept its decrees."

³⁴ [Arthur Cleveland Coxe], *Catholics and Roman Catholics. By an Old Catholic. Being a Review of the Lecture, Lately Delivered in Buffalo, by the Rt. Rev. Dr. Ryan, Etc., Etc., Etc.*, (Buffalo, 1874).

³⁵ *Ibid.*, 4.

³⁶ *Ibid.*

³⁷ *Ibid.*

displeasure over Bishop Ryan attacking him from the pulpit, Coxe expressed his pleasure with both the polite tone of Bishop Ryan's statements in general and their well-intentioned outlook.³⁸ For the latter, the well-intentioned presentation of what Coxe thought was a misguided view, Coxe offered the following explanation:

I think it proceeds from sincerity and from that kind of ignorance which the Old Catholics in Germany assure us is common among otherwise accomplished men, who have received their education in Roman Catholic Seminaries. Learned in what is Roman, they are left mere children in all that is Catholic.³⁹

With this, Coxe made a programmatic statement, namely that there is a difference between Roman Catholicism and Catholicism as such. Coxe continued to clarify what one would need to know and to take into account in order to be not only Roman but also Catholic. In order to do so, he drew heavily on the witness of German Old Catholics, specifically Johann Friedrich von Schulte⁴⁰ and Von Döllinger:

Of the ancient Catholic Constitutions they know nothing, because they are not even permitted to learn that such Constitutions exist. The brilliant von Schulte, who was so long the favourite Canonist of the Pope himself, has inflicted a deep wound upon the Papacy, by joining the "Old Catholics;" and he is reported to have said that he was honestly enslaved to the Vatican till he woke up to the fact that the whole system he had been supporting is based upon forged Decretals and other spurious documents which he had always been taught to accept as genuine.⁴¹

Subsequently, Coxe honored Von Döllinger and those around him for the discovery and the exposure of the various forgeries as forgeries:

³⁸ *Ibid.*, 3.

³⁹ *Ibid.*

⁴⁰ On the canonist Johann Friedrich von Schulte (1827–1914) e.g. Daniel Schwenzer, Schulte, Johann Friedrich von, *Biographisch-Bibliographisches Kirchenlexikon* 19, 1263–70. Von Schulte was professor of (canon) law at the universities of Prague and Bonn and widely regarded as the leading canonist of the 19th century. Following the First Vatican Council he joined the Old Catholic movement and church.

⁴¹ Coxe, *Catholics and Roman Catholics*, 3.

This discovery and the exposure of these facts, by Döllinger and his associates, has lighted a spirit of REFORMATION in Germany, which is extending to other countries of Europe and will not long be kept down in America.⁴²

Coxe then addressed the point of controversy between him and Bishop Ryan, and which served as the springboard for his entire treatise:

The main point in this (Ryan's) lecture seems to be a charge of inconsistency against the Bishop of Western New York. The author admits that the Bishop has produced a conclusive argument, from the Scriptures, for the Corporate Witness of the Apostles, as designed for all lands and for all time, and as continued in the Catholic Episcopate. But he assumes that such a doctrine can only be consistently maintained in the Roman Communion: and that in order to sustain it effectively a Christian Bishop should be recognized as such by the Papacy.

On the contrary, I propose to show in few words, that nobody is allowed to maintain the doctrine of the Corporate Witness in the Roman Communion. Hence, the Bishop of Western New York is consistent in his position, and Dr. Ryan has admitted in words what he is forbidden to support in practice. He forgets that, in his Communion, the Episcopate is no longer, even nominally, "the teaching body of the Church."⁴³

As an "Old Catholic," Coxe demonstrated his thesis in the rest of his brochure. He did so by showing that the dogmatic definitions of the First Vatican Council were an innovation when compared both to the witness of the Old Catholic tradition (the tradition of the early church) and to the witness of representative Roman Catholic theologians.⁴⁴ The hermeneutical principle that Coxe used in this context was a "test of catholicity" that he had culled from the work of Vincent of Lérins,⁴⁵ who had argued "that we are to bring the

⁴² Ibid.

⁴³ Ibid., 7.

⁴⁴ Ibid., 9–20.

⁴⁵ Ibid, 14. The text of this canon as Coxe quotes it is: "The true and genuine Catholic is he who purposes, for his part, to hold and believe that alone which he shall have ascertained the Catholic Church to have held *universally and from of old.*" This is a paraphrasing translation of the text of ch. 20 of the first Commonitorium of Vincent of Lerins.

Bishop of Rome himself and all Christian bishops to the test of the Holy Scriptures, according to the universal Primitive Faith, and not to make the doctrine of any one bishop, or any one See, the test of the Catholic Faith."⁴⁶ Having thus established that adherence to the bishop of Rome cannot be a test for one's catholicity, Coxe went a step further, arguing that the bishops of Rome had not always been orthodox.⁴⁷ On this basis, Coxe concluded: "It follows that nobody is the less Catholic, when, like Athanasius, one is condemned by the Bishop of Rome, for adhering to Orthodoxy. This is what the 'Old Catholics' have discovered to their infinite relief."⁴⁸

Next, Coxe turned to a defense of the rights and theological significance of the local church, especially in view of the Church of England and the fact that Anglicans constitute a minority vis-à-vis the Roman Catholic Church.⁴⁹ In doing so, he again returned to Vincent of Lérins, of such central importance for Old Catholics, noting that his witness also showed that the Christian truth may at certain times only be preserved by a small minority.⁵⁰

Having established this, Coxe again questioned Ryan as far as the historical canonical precedent for a universal papal jurisdiction *iure divino*. In this context, following a line of thought that he shared with the (German) Old Catholics, Coxe stated the following:

[W]here does Pius the Ninth, who claims *divine authority*, base his authority on the Canons? When he does, let Dr. Ryan inform the "Old Catholics," and the restoration of Catholic Unity will be nigh at hand.⁵¹

⁴⁶ Coxe, *Catholics and Roman Catholics*, 16.

⁴⁷ Naming the examples of Honorius, anathemized by the sixth ecumenical council (third council of Constantinople), and Liberius, who, as an Arian, anathemized Athanasius in 357 (or at least agreed to his anathematization).

⁴⁸ Coxe, *Catholics and Roman Catholics*, 18.

⁴⁹ *Ibid.*, 19–22. This means that Coxe implicitly addressed the question of papal universal jurisdiction as well.

⁵⁰ *Ibid.*, 19: 'St. Vincent teaches not only that true Catholicity *may be confined* to a very small body adhering to antiquity, while the rest of Christendom falls away: but he asserts that it actually was so, once, in the times of the Arians, when he says, 'The poison infected almost the whole world, so that *nearly all the bishops of the Latin tongue were misled.*' What has happened once, may happen again. Liberius and almost all the bishops who belonged to the West, were misled. We merely assert the same of Pius IX., and 'nearly all the bishops of the Latin tongue,' in our own times.'

⁵¹ *Ibid.*, 20.

Subsequently, Coxe continued to outline and demonstrate the ancient rights of the national church as they were taught and practiced by the early church. In as far as, the question of theological and ecclesiological principle was concerned, he wrapped up this part of argument against Ryan as follows:

England, then, in rejecting a usurping Papacy, fell back on her ancient Catholic rights, and began to renew and to regain, as her old law, all her primitive relations with all the Apostolic Sees. She is not in Communion with Pius IX., for his new dogma rends him from Communion with all his own predecessors, and from all antiquity. But she is in Communion with all the Orthodox bishops of Rome that ever lived; and that is the reverse of Dr. Ryan's position, who, in this point of Infallibility, has only a single one of all the Popes to sustain his faith. All the Councils too are against him.⁵²

On this principle, Coxe next considered the particular case of the Church of England, its origins, the validity and character of its orders, and its character as an autonomous national church, refuting various theses of Bishop Ryan on this subject in the process.⁵³ Detailed discussion of this part of Coxe's argument is superfluous at this point. However, there is an interesting "lapse" in his self-identification. When countering Ryan's claim that Anglican orders were of questionable validity, Coxe drew attention to the problematic character of the orders of the first Roman Catholic bishops for the United States. The two men that he refers to are Charles Walmsley OSB, apostolic vicar of the Western District in the United Kingdom between 1763–1797 and John Carroll, who was consecrated by the former to be the first Roman Catholic

⁵² *Ibid.*, 21. Later, Coxe made a very similar statement: "Has Dr. Ryan yet to learn that all the Churches of Europe, before the Council of Trent, existed as National Churches, in communion with the Papacy, but with constitutions as widely differing as possible from that of the modern Roman Catholic Church? In a word, then, before Queen Elizabeth's time, the Church of England was at different periods, more or less, under the illegal, foreign dominion of the Papacy and shared many of its corruptions. Since then, the same Church has been free from the Papacy and has returned to the original purity of the Church. She is the same Church, though reformed, that she was before, preserving her own historical succession of bishops, unbroken" (42).

⁵³ *Ibid.*, 22–50.

bishop in the United States in 1790. Coxe's refers to the ecclesiastical status of both men as follows:

1. Dr. Walmsley, a roving Vicar Apostolic, bearing the empty title of "Bishop of Rama," undertook to consecrate Dr. John Carroll in England, without Canonical assistants, and with none besides to lay hands that even pretended to be a Bishop. The Pope had ordered him to procure the assistance of "two Ecclesiastics, *vested with some dignity*, in case that two bishops cannot be had."⁵⁴

The second example Coxe cited is of lesser importance as it does not pertain to the number of bishops present at a consecration. What Coxe was not aware of, or at least he does not give any indication of having been aware of it, is that the order of the Old Catholic Churches had a very similar origin, namely in the consecration of Archbishop Cornelius Steenoven in 1724 by the Roman Catholic Bishop Dominique Maria Varlet, who was at that point for all practical purposes in much the same situation as Bishop Walmsley, to whom Coxe referred. At the point of the consecration of Steenoven, Varlet had not only been suspended by Rome, but also before that his ministry had been that as bishop of Ascalon *in partibus infidelium* and coadjutor to the bishop of Babylon.⁵⁵ This put him in a situation similar to that of Walmsley, if not worse. Furthermore, the consecration of Steenoven took place only by this one bishop, without episcopal assistance.⁵⁶ This situation was at odds with what Coxe himself viewed as a regular episcopal consecration.

One last instance where Coxe touched upon Old Catholicism, even though it is unclear whether he is aware of it, can be found in the second note appended to Coxe's treatise. Here reference is made to the forged pseudo-Isodorian Decretals as discussed by

⁵⁴ *Ibid.*, 23.

⁵⁵ On the developments leading up to and surrounding the consecration of Steenoven, Dick J. Schoon, *Van bisschoppelijke Cleresie tot Oud-Katholieke Kerk. Bijdrage tot de geschiedenis van het katholicisme in Nederland in de 19e eeuw* (Nijmegen, 2004), 18–30.

⁵⁶ Jan J. Hallebeek, "Questions of Canon Law Concerning the Election and Consecration of a Bishop for the Church of Utrecht: The Casus Resolutio of 1722," *Bijdragen* 61 (2000): 17–50. The "casus resolution" contained in a nutshell the ecclesiastical and canonical legitimization for the election of a bishop for the Church of Utrecht.

a certain "Janus."⁵⁷ What Coxe may well have been aware of, even though he gave no indication of this being the case, is that this "Janus" was no one else but Ignaz von Döllinger, the leading German church historian and opponent of *Pastor Aeternus*, whose work published under his own name Coxe knew and highly valued.

With this, an overview of the instances in Coxe's pamphlet where he touched upon Old Catholicism is given. This makes it possible to turn to drawing general conclusions at this point.

CONCLUSIONS

Coxe's *Catholics and Roman Catholics*, in which the Episcopal bishop identified himself as an "Old Catholic," constituted more than just a tactical ploy. The opposite was the case. The analysis of Coxe's own theological program, on its own, in the context of his place in the tradition of Hobartian churchmanship and his affiliation with the Anglo-Continental Society, and in the way in which it came to the fore in his 1874 brochure, shows that it was fully in line with the Old Catholic program as this had been articulated a few years earlier under the leadership of Von Döllinger in Germany. As a number of references in *Catholics and Roman Catholics* and in Coxe's United States edition of the Ante-Nicene and Post-Nicene Fathers indicate, Coxe was to a large extent familiar with the scholarship of those involved in the German Old Catholic movement. In his debate with Bishop Ryan of Buffalo, the self-designation "Old Catholic" allowed Coxe not only to present the various arguments for his case under a comprehensive title, but also to make clear from the start that Catholicism and Roman Catholicism are anything but the same thing, and that his side had the witness of the faith and order of early church on its side. In doing so, Coxe stood in the tradition of the "Hobartian" ecclesiological synthesis, but also represented a different generation, given that for him not (only) Protestant theologians were competitors, but also, and especially, Roman Catholic ones.

⁵⁷ The reader is referred to a work by "Janus," namely *The Pope and the Council* (London, 1869).

However, Coxe did not seem to have been fully familiar with the history of another “Old Catholic” tradition in Europe, namely that of the Church of Utrecht; the arguments that he presented to question Bishop Ryan’s orders would have led him to question Old Catholic orders as well, something which would not have suited his rhetorical strategy well.

When returning to the typology of Anglican attitudes towards Old Catholicism around and after the First Vatican Council, it becomes apparent that Coxe belongs among those Anglicans who took a positive stance towards Old Catholicism, not only for reasons of ecclesial expediency, i.e. to have a natural ally against Rome or to be able to find a way of obtaining orders of an unquestioned “quality,” but also out of a recognition that both Anglicans and Old Catholics stand on the same ground in terms of their theology, namely the ground of the faith of the early church.