

EDITORIAL

As the Ecclesiastical Law Society progresses into the second decade of its existence, it is worth looking back to the moment at the end of the inaugural conference at Corpus Christi College Cambridge, in March 1987, when the decision was taken to launch a new society to study ecclesiastical law.

The fact that the Society was successfully launched and has since established itself in the life of the Church has in no small measure been due to the leadership and encouragement received at that time and since from Bishop Eric Kemp who became our President, Chancellor Garth Moore at whose college we were gathered and Chancellor Graham Routledge, our first Chairman.

Bishop Kemp at Oxford and Chancellor Moore at Cambridge were responsible for encouraging the study of ecclesiastical and canon law in the years following the second world war. In this they were responding to the call of the Canon Law Commission which, whilst recognising that it was now impossible to revive Doctors' Commons, advocated the formation of a society consisting of clergy, professional historians and lawyers for the purpose of studying ecclesiastical law and suggesting ways in which that law should be altered and developed to meet new needs.

The Commission had pointed out that there was 'far too little contact and interchange between the clergy and ecclesiastical lawyers' which, as Bishop Kemp observed in his paper to the Cambridge conference, would continue to be the case until it was appreciated 'that the law of the Church cannot be properly understood without something more than a perfunctory knowledge of theology and church history'.

It was to meet these needs and to fill this gap that the hundred or so bishops, judges, barristers, solicitors, academics, archdeacons and other clergy decided at Cambridge to set up the Ecclesiastical Law Society and became its first members.

The aims of the Society as stated in its Constitution, are to promote education and training among lawyers interested in ecclesiastical law, to seek the enlargement of knowledge of ecclesiastical law among the clergy and laity of the Church and to offer assistance in matters of ecclesiastical law, whether by way of study, research or advice, for the General Synod, the Convocations, individual bishops and other Church leaders by whom it may be approached.

It is for the members of the Society and others to judge how far the Society has succeeded in meeting the needs to which I have referred and in achieving its aims and objects but I would, more than ten years on, like to point to the following matters of which I feel the Society can justly be proud.

In the first place the Society has enjoyed a steady growth in membership over the years with about 530 members at the present time, there being a fairly healthy division between professional lawyers and clergy. The Society owed much in its early days to the fact that most dioceses ensured that at least one of their archdeacons attended the inaugural conference and so became members.

An archdeacon's role in the Church's legal system and as a theologian has provided an invaluable link between lawyers and clergy. With the arrival of a new generation of archdeacons it is important to ensure that they are encouraged to make their contribution to the study of ecclesiastical law within the Society. We also need to ensure that more bishops are attracted to our activities.

Our residential and day conferences have been well attended and have covered a wide range of topics. They have provided a much appreciated opportunity for Christian fellowship among those concerned for the future of ecclesiastical law. Members are encouraged to make suggestions to the Chairman or to the Executive Officer with regard to subjects they feel should be explored or ways in which they

feel the arrangements for conferences could be improved. A booking form for the one day conference in London on 28 March 1998 is enclosed with this issue of the Journal. It is hoped it will be well attended. May I also invite you to note that the next residential conference will be held at York University 19–21 March 1999.

We are hoping that the success of the first Lyndwood Lecture by Professor Brian Ferme (4 Ecc LJ 615), held in conjunction with the Roman Catholic Canon Law Society, to be followed by a second on 7 November 1998 by Dr Norman Doe (see notice on page 4) will enable this to become a regular event.

Working Parties have, as Chancellor Edwards has often pointed out, been the lifeblood of the Society and many of their interesting and varied reports have been published in the Journal and, in appropriate cases, submitted to General Synod to assist those concerned with promoting new law and procedures. It is, however, unfortunate that the proposals for statute law reform which would simplify and modernise so much of the outmoded material in Halsbury's Statutes volume 14, have still not been taken up by General Synod. Working Parties will of course only be formed if members wish to take part and it is to be hoped that pressing and important topics of concern and interest will lead to many who have not yet joined one being able to study and contribute in this way. The Chairman wishes to be informed about the formation of each new Working Party.

The Journal has been an effective means by which members and others have been introduced to many aspects of ecclesiastical and canon law. I and the Editorial Committee are always anxious to receive suggestions for the improvement of the Journal's format and content. Professor Baker's Famous English Canonists were much appreciated and it is good to know that they will shortly appear together in a joint publication by the Society and the Hambledon Press. They are to be followed by a series on Notable Ecclesiastical Trials and I would much appreciate offers to write about such trials. I already have articles on the Colenso Case and the Gorham Judgement and I hope to receive others on the Voysey Heresy Trial and the Trial of Bishop King. Otherwise the field is open. The brief reports of ecclesiastical cases are now referred to generally in consistory courts and in articles. The Journal is now received by subscribers abroad. Indeed there is a Letter to the Editor in this issue from one of our members in Australia. I was also much encouraged to find the latest issue of the Journal on the shelves when I visited Harvard Law School Library!

Other developments for which the Society has been wholly or partly responsible include the establishment of training days in ecclesiastical law for new archdeacons, a forthcoming training day for some 25 recently appointed bishops and the development of training sessions for ordinands and recently appointed clergy about which Bishop Christopher Hill writes on page 46.

The Society is also pleased to record that several of its members have successfully completed the LL.M course directed by Dr Doe at Cardiff Law School. The latest list of graduates and their dissertations appears on page 74.

In addition several members have written books on ecclesiastical and canon law including Chancellor Bursell, Mark Hill and Dr Doe, all of which have been reviewed in the Journal. A flyer is included with this issue of the Journal of Dr Doe's forthcoming publication on canon law in the Anglican Communion.

So the Society is not only concerned with study but also with action and is able to make its contribution to the life of the Church. A sister Society exists in Canada and another is in the process of formation in the United States of America. We would like to hear from any others that exist in the Anglican Communion. It is good to know that the Society is being given an opportunity to participate in a fringe meeting at the forthcoming Lambeth Conference.

As we go forward let us always remember that our interest in ecclesiastical law is but one aspect of our faith in the Risen Christ and membership of his Church.

MICHAEL GOODMAN
Parkside,
Dulwich Common,
London SE21 7EU.

Editorial Committee: Michael Goodman (Chairman), James Behrens, Timothy Briden, Rupert Bursell, Norman Doe, David Harte, Mark Hill, Hughie Jones, Stephen Pix, Peter Moore and Thomas Watkin.

Editorial Advisory Board: Professor Baker, Bishop Kemp, Professor Lyall, Chancellor McClean and Fr Ombres, O.P.

ADVANCE NOTICE LYNDWOOD LECTURE 1998

This will be held on **Saturday, 7th November 1998** at
St Paul's Cathedral. The title will be

**The Principles of Canon Law—a focus of legal unity in
Anglican/Roman Catholic relations**

and the lecturer will be Dr Norman Doe of the
Cardiff Law School,
University of Wales

Book the date now!