

## EDITORIAL

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Professor Norman Doe, who has almost single-handedly revived the study of Anglican canon law in the last 25 years has been steadily working his way up to the publication of his latest major work *Christian Law: contemporary principles*.<sup>1</sup> His earlier works, dating from the late 1990s and early 2000s, concentrated in turn on the Church of England and Church in Wales and the Anglican Communion.<sup>2</sup> He played a central role in the development of the Principles of Canon Law Common to the Churches of the Anglican Communion.<sup>3</sup> More recently, he has taken his unique comparative approach onto the wider stage through such projects as *Religion and Law in the United Kingdom* and *Law and Religion in Europe* to the worldwide scope of *Christian Law*.<sup>4</sup>

This latest work is timely as it comes at a time when the largest ecumenical organisation, the World Council of Churches, has published an important convergence document *The Church: towards a common vision*, in which the Faith and Order Commission (which, unlike the WCC itself, includes the Roman Catholic Church as a member) seeks to set out a vision of the Church to which the majority of Christians may assent.<sup>5</sup> There is little in the document about law or about the practical application of the principles it describes. However, we are well used now to the description of church law as applied ecclesiology and so, if we are looking to test out the common vision of the Church, looking into how churches apply the doctrine of the Church and then looking at how churches order their common life is a useful tool.

This issue of the *Journal*, dedicated in no small part to Norman Doe's remarkable feat in the publication of *Christian Law*, begins with a substantial article by Doe himself. He has taken *The Church: towards a common vision* and examined it in the light of his discoveries published in *Christian Law*. Also in this issue two very different scholars give their response to Doe's work. Lady Hale, Deputy President of the Supreme Court, applies the methodology of the uncovering

1 N Doe, *Christian Law: contemporary principles* (Cambridge, 2013).

2 N Doe, *The Legal Framework of the Church of England* (Oxford, 1996); N Doe, *The Canon Law of the Anglican Communion* (Oxford, 1998); N Doe, *The Law of the Church in Wales* (Cardiff, 2002).

3 *The Principles of Canon Law Common to the Churches of the Anglican Communion* (London, 2008).

4 M Hill, R Sandberg and N Doe, *Religion and Law in the United Kingdom* (Alphen aan den Rijn, 2011); N Doe, *Law and Religion in Europe: a comparative introduction* (Oxford, 2011).

5 World Council of Churches, *The Church: towards a common vision*, Faith and Order Paper No 214 (Geneva, 2013).

of principles in relation to decisions of the House of Lords and the Supreme Court in religious cases since 2004 and then goes on to engage with some of the claims made by Doe about the relationship between secular and religious law. Professor Leo Koffeman, a long-time member of the Faith and Order Commission, looks at *Christian Law* through the lens of *The Church: towards a common vision* and from his own Continental, Protestant perspective. These three articles, held together, show both the importance of the work done by Norman Doe over the years and (despite Lady Hale's misgivings about the relationship between the internal rules of churches and the administration of the law of the United Kingdom) the continuing importance of Christianity for law and law for Christianity. In the conclusion to *Christian Law*, Doe states that 'The principles of Christian law provide an obvious resource for dialogue between Christians themselves, between Christians and the State, and between Christianity and other major world faiths.'<sup>6</sup>

This *Journal* has, over the years, provided a vehicle for such dialogue, continued in this issue. The articles and comments published here bear this out in their different ways. As well as the major articles mentioned above, we have comments by Professor M H Ogilvie (examining disputes adjudicated in the Canadian courts linking religion to the place and status of the Crown in Canadian law) and Sir Tony Baldry (taking the reader on a tour of the relationship between Parliament and the Church from both a historical and a contemporary perspective). Sir Tony steps down from Parliament and from his role as Second Church Estates Commissioner this month.

In her concluding sentence Lady Hale suggests that there is more work to be done on the relationship between church law and secular law. Anyone with an interest in law and religion will know that this is the case. And this should keep the *Ecclesiastical Law Journal* in business for many years to come.

6 Doe, *Christian Law*, p 386.