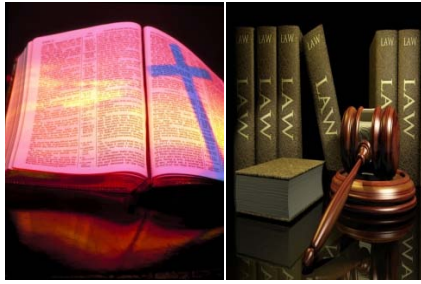


Gospel & Law

The resurrected Newsletter of the Ecclesiastical Law Society



November 2003 saw the publication of the first Ecclesiastical Law Society Newsletter; it aimed to provide brief comment on developments in the public sphere and inform members of the Society's events and activities. Over its lifetime from 2003 to 2008 the newsletter covered events as diverse as Chancel Tax and sexuality, Royal Peculiars, Data Protection and the Ecclesiastical Law collection housed at Middle Temple. Unfortunately, lack of personnel with time to produce it led to a slight hiatus in production. However, the arrival of a new curate on the ELS committee – with all the enthusiasm and energy that implies – led to a decision to revive the newsletter, as an email publication with coverage of a similarly diverse range of issues. This issue considers Synodical matters namely women Bishops and the Anglican Covenant, law reports and forthcoming events. We hope that you will enjoy it, share its joys with others who might be interested and in due course feel moved to write us a brief article!

Catherine Shelley

Synodical Matters: Women Bishops & Anglican Covenant

Can anything beat Cambridge in the Spring?

It has been said that you can wait years for a General Synod measure to be referred to Dioceses and then two come along at once.

Women Bishops – Most Dioceses have now voted on the Measure in Diocesan Synod. The threshold has been more than reached for the legislation to be referred back to General Synod for a final vote and there seems to be clear support for Women Bishops. However, a number of Dioceses have also passed supplementary motions concerning further protection for those who do not support Women's Consecration. This suggests that a 'yes' to the Draft Measure is far from assured at General Synod in 2012 and it remains open to the Bishops to ask for further revision and further referral back to Dioceses. On a lighter note, at one Diocesan Synod debate it was suggested that 'no two lawyers ever agree...' - members may care to discuss!

The Anglican Covenant – Members may be aware of this Covenant from Synod, the Press and Norman Doe's book* yet a Google Search still produces far more references to the Anglican/Methodist Covenant. It is to be hoped that this is corrected as the matter heads towards Diocesan Synods. The Covenant is designed to enhance unity amongst the Anglican Communion by emphasising those beliefs and instruments through which Provinces express our unity. Whilst carefully not trespassing on Provincial autonomy the document also includes processes of dispute resolution which include sanctions for those deemed to act outside the Covenant. A dimension of the Covenant barely touched upon in General Synod's November 2010 debate is the scope for non-Anglican Churches to be Covenant members; fascinating constitutionally if nothing else! It will be interesting to see what Dioceses and Deaneries make of it over the next six months. The deadline for Diocesan votes is 30th April 2012

**An Anglican Covenant: Theological and legal arguments towards a global debate*

The answer is 'no', especially if accompanied by the **Silver Jubilee Day Conference on Saturday 3rd March 2012.**

Dr Julian Rivers (Bristol *The law of organised religion*),
Professor John Witte Jr (Emory University, Centre for the Study of Law & Religion) and
Professor Silvio Ferrari (Professor of Law & Religion, Milan) will address the Society on **‘Church and State: International and Comparative Perspectives.’** Venue: Emmanuel College, Cambridge. The day includes Choral Eucharist and a buffet lunch. Where else can you get a Day Conference in Law for £45 (£60 for non-members) these days?

For further Silver Jubilee events see the next page.



Summary of September Conference Reports:

EU Religion & Discrimination Law

This Conference of **The European Consortium for Church & State Research** was opened by Sir Nicholas Bratza with reflections on religious freedom & rights in Europe. Practical implications of the issues was explored in further papers over the weekend and **Congratulations to Mark Hill** who added election as President of the Consortium to his many other tasks.

Religion & Constitution: The 2nd Conference of the International Consortium for Law & Religious Studies, Chile The keynote address by Professor Cole Durham, current President of ICLARS & from Brigham Young University, focused on religious autonomy within the state, comparing various constitutional models, written and unwritten. Diverse responses were given by delegates from Latin-America to China and Nepal and included reflections on Sharia Law, minorities, reference to God in law and religion versus other rights. (*Fuller reports to come in the ELJ*)

Ecclesiastical Law Society – Events planned for 2012 – our Silver Jubilee Year...

Silver Jubilee Day Conference – Church & State

Saturday 3rd March 2012 - Emmanuel College, Cambridge - **See further details above...**

Evening Reception at Lambeth Palace

Tuesday 29th May 2012 from 7-9pm

Address by the Archbishop of Canterbury

Places are limited and may need to be drawn by ballot; you are urged to respond promptly to the recent email inviting applications both for tickets for members and free places for guests.

16th November 2011 - Rt Revd Christopher Hill, Bishop of Guildford - *Principles of Canon Law: an Ecclesiological Perspective* 5.30pm, Serle Court

The Jubilee Year London Lecture Series begins on **Wednesday 18th January 2012** with a lecture by **Revd Dr Will Adam** on **Legal Flexibility: The forgotten art of dispensation at 5.30pm**

Venue: Winkworth Sherwood Solicitors, Minerva House, 5 Montague Close by Southwark Cathedral

The dates for the Lecture Series for the remainder of the year are as follows (further details in due course)

Wednesday 14th March **5.30pm** **at Winkworth Sherwood**

Wednesday 8th June **5.30pm** **at Serle Court**

Wednesday 17th October **5.30pm at Serle Court**



WANTED...
TWO STRAY CHESTS



St Ebbe's Oxford – In the Oxford Consistory Court – Bursell Ch

A salutary reminder: Before Sale CHECK YOUR INVENTORY

A successful evangelical church with strong pastoral outreach and social involvement decided to rationalise its space and sell a couple of chests thought to be 'useless'. Having been valued at £500-£750 and £250-£350 they sold at auction for £15,500 and £3,800 and were sold on further for undisclosed sums. Only at this point did it occur that a faculty might have been required to sell the chests. A retrospective faculty was sought – to no avail. Faculties can only cure future irregularity; it was not possible to grant a retrospective faculty in these circumstances. In the absence of a faculty the sales were ineffective as title could not be passed. Diocesan censure was averted by sincere apologies and payment of the proceeds of sale to the Diocese. Auctioneers are to be reminded of their duties to check the paperwork when valuing things and arranging for their sale.

BUT the chests are still missing:.. any information about the whereabouts of a Medieval elm-lined chest and a sixteenth century oak chest – believed to have made their way to the USA and Europe respectively – would be much-welcomed by the Parish of St Ebbe's, Oxford Diocese and Chancellor Bursell.

Please could you remember to get the 2012 dates in your diary....