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978-1-107-10543-0 - The Confluence of Law and Religion: Interdisciplinary Reflections on the Work of Norman Doe

Edited by Frank Cranmer, Mark Hill QC, Celia Kenny and Russell Sandberg

Excerpt

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1

Renaissance and re-engagement

Norman Doe's achievement in the discipline of Law and Religion

MARK HILL QC

An obvious risk in co-editing and contributing to a *Festschrift* is the powerful gravitational pull towards unrestrained hagiography. The honouree becomes venerated and the uncritical approbation of outputs grows tiresome. Norman Doe has been a colleague and friend for a quarter of a century: collaboration with him is an enriching, rewarding (and on occasions frustrating) experience.¹ For the originality of his legal thinking and the industry of his analysis, there are few to equal him amongst teachers of law in Britain today. This chapter seeks to introduce an unassuming legal scholar who had the foresight to recognise the potential in the unknown discipline of Law and Religion, and the capability to deliver it to the world by teaching and publication over a quarter of a century.

To understand the discipline, one first needs to understand the man. Unashamedly Welsh, his secondary education in the 1970s was at Porth County School in the Rhondda (where the collapse of the South Wales mining industry was to leave a shattered community) and then at the Howardian High School in Cardiff. Doe's father, a schoolteacher, was a huge influence in his early life. Dedicated and skilled as an educator, he provided an example of the transformative manner in which students can be inspired by raw uninhibited enthusiasm in the classroom. But his father's dominance led to Doe loyally spending his undergraduate years at University College, Cardiff, rather than at Oxbridge where his talents might otherwise have taken him, postponing the delights of Magdalene

¹ For a further example of enrichment, reward and frustration, see Robin Griffith-Jones and Mark Hill (eds), *Magna Carta, Religion and the Rule of Law* (Cambridge: Cambridge University Press, 2015), which includes a very recent example of Doe's unique scholarship: Norman Doe, 'The Still Small Voice of Magna Carta in Christian Law Today', 229–247, examining concepts of due process and the rule of law within the regulatory documents of various Christian Churches.

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[More information](#)

College, Cambridge, for a later period in his life when he was to undertake his doctoral studies.

Called to the Bar by Middle Temple in 1980, Doe's brief flirtation with the practice of the law was desultory. His short pupillage failed to provide sufficient challenge for his intellect and the mundane practice of law offered little reward. Congenitally indisposed to the pragmatism of the practitioner, Doe delighted in the conceptual issues raised in a brief, seemingly oblivious of the commercial interests of the client. Philosophical issues intrigued him: the resolution of disputes between particular parties did not. It was soon apparent that Doe's future lay in the academic world: but the catholicity of Doe's interests could have taken him in any number of directions.

Appropriately, however, it was in the field of legal history where Doe's intellectual lamp first began to shine. His doctoral thesis, supervised by Walter Ullmann² and S.F.C. Milsom (subsequently published as *Fundamental Authority in Late Medieval English Law*),³ became emblematic of all his future work. It was dedicated to his family: wife Heather⁴ and daughters Rachel and Elizabeth. His son Edward was yet to be born⁵ but Edward's later performance at Twickenham in two Varsity Matches was a source of greater pride to his father than any of his publications, notwithstanding that Ed was kitted out in the dark blue of Oxford. The Preface acknowledged Doe's debt to his parents, particularly his father's guidance in French and Latin. But most especially, and as was to become a hallmark of all his later publications, Doe's first book was startling in its originality.

The ambitious work sought to reconstruct the theoretical foundations of late medieval English common law, noting that legal historians

² Ullmann came to England from Austria soon after the Anschluss of 1938, eventually becoming professor of history and fellow of Trinity College, Cambridge. As another distinguished English legal historian has observed: 'trained as a lawyer in his native land, Ullmann lost his taste for the law's intricacies in favour of a rather schematic interest in political theory, using the works of medieval jurists primarily to describe large trends in that subject's history': Richard H. Helmholz, 'William Lyndwood' in Mark Hill and Richard H. Helmholz (eds), *Great Christian Jurists in English History* (Cambridge: Cambridge University Press, 2016) forthcoming.

³ Norman Doe, *Fundamental Authority in Late Medieval English Law* (Cambridge: Cambridge University Press, 1990).

⁴ With whom he was to collaborate in joint publications such as Norman Doe and Heather Payne, 'Public Health and the Limits of Religious Freedom', *Emory International Law Review*, 19.2 (2005), 539.

⁵ Doe's later publication, *The Law of the Church in Wales* (Cardiff: University of Wales Press, 2002), is dedicated to the newborn Edward.

approached contemporaneous documents (the so-called Year Books) by adopting the standpoint of modern legal theory rather than through the discovery and application of a pre-modern theory which would have been prevalent at the time. The boldness of Doe's enterprise is evidenced by one of his doctoral supervisors rejecting his work's underlying hypothesis which Doe proceeded to unearth in his trawl of fifteenth-century sources in pursuit of self-conscious, systematic writing about the nature of the common law. Mundane law, as applied by the judges of the day, reflects divinely ordered moral principle with courts citing reason, equity and conscience as sources of normative authority.⁶ Doe described an earth-bound human law not dependent on transcendent morality.⁷ In the supervening decades since Doe's doctoral study, his novel assertions of an incipient positivism within medieval law have gained currency amongst English legal historians.⁸

Predictably perhaps, upon completion of his doctorate Doe became a teacher of law. And he found himself back in his native land, at the University College of Wales, Cardiff, where he remains today (in its reformulated state as the School of Law and Politics at Cardiff University) as founder and Director of its renowned Centre for Law and Religion. Doe settled into the routine of teaching public and constitutional law, amongst other legal subjects, encouraging successive intakes of students to take a critical and occasionally iconoclastic approach to the legal regulation of civil society. But as he demanded original and challenging thinking by his students, so he became restless himself. A lifelong member of the Church in Wales, albeit never more comfortable than when at the organ console, his inquiring mind alighted upon Church and State affairs in the closing years of the twentieth

⁶ See also Norman Doe, 'Fifteenth-century Concepts of Law: Fortescue and Pecock', *History of Political Thought*, X (1989), 257.

⁷ These arguments were developed in: Norman Doe, 'The Positivist Thesis in Fifteenth-century Legal Theory and Practice', *Journal of Legal History*, 11.1 (1990), 29.

⁸ See, in particular, the study by David Seipp in this volume. Helmholz in his chapter also found evidence to support Doe's thesis when inspecting the notebooks of one particular medieval canon lawyer in Hereford. For discussion of the importance of *Fundamental Authority in Late Medieval English Law*, see also, for example, Richard H. Helmholz, *Natural Law in Court: A History of Legal Theory and Practice* (Cambridge, MA: Harvard University Press, 2013), 87–88; Alan Cromartie, 'The Idea of Common Law as Custom' in A. Perreau-Saussine and J.B. Murphy (eds), *The Nature of Customary Law: Legal, Historical and Philosophical Perspectives* (Cambridge: Cambridge University Press, 2009), 203; Philip Hamburger, *Law and Judicial Duty* (Cambridge, MA: Harvard University Press, 2008); and Jeffrey Goldsworthy, *Parliamentary Sovereignty: Contemporary Debates* (Cambridge: Cambridge University Press, 2010), 23.

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[More information](#)

century just as it had engaged with the intrigue and customs of the medievalists. Encouraged by fellow enthusiast and legal historian Thomas Glyn Watkin, Doe took his first tentative steps into the forgotten world of ecclesiastical law.

At about the same time, in Corpus Christi College, Cambridge, a gathering took place which led to the formation of the Ecclesiastical Law Society.⁹ Doe joined a Working Party established by the Society to address the Future of Education in Ecclesiastical and Canon Law. Convened by the Venerable Hughie Jones, its terms of reference stated, 'the Working Party suspects that there is a total lack of ecclesiastical law options in formal legal education schemes'.¹⁰ Whilst the need for education within the Church was becoming widely recognised in the 1980s, systematic proposals to address the shortcoming were yet to gain traction. The Henrician Reformation had seen the abolition of the canon law faculties at Oxford and Cambridge in 1535.¹¹ Thereafter, canon lawyers emerged from those schooled first in English common law, acquiring knowledge of the procedure and practice of canon law during their subsequent professional development. Notwithstanding the unrepealed prohibitions on the teaching of canon law, and from within the relative safety of the disestablished Church in Wales, Doe introduced an LLM in Canon Law.¹² Its pioneer intake, which included Archdeacon Jones,¹³ became the first to undertake a degree in canon law in Britain since the

⁹ See Christopher Hill, 'The Genesis of the Society: Kemp, Moore, Routledge et al', *Ecclesiastical Law Journal*, 14 (2012), 82.

¹⁰ 'Working Party Updates', *Ecclesiastical Law Journal*, 1 (1987), 21. For a survey of the current (and much improved) situation on the teaching of ecclesiastical law, see Mark Hill, 'Canon Law: The Discipline of Teaching and the Teaching of the Discipline' in Troy Harris (ed.), *Studies in Canon Law and Common Law in Honor of Richard H. Helmholz* (Berkeley: Robbins Collection, 2015), 319.

¹¹ See Christopher N.L. Brooke (ed.), *The History of the University of Cambridge* Vol. 1 to 1546 (Cambridge: Cambridge University Press, 1988), 332–333, and Phillip Hughes, *The Reformation in England*, 3rd edn (London: Burns & Oates, 1963), 239.

¹² The fact that this pioneering step took place in Wales is not without significance: in 1920 the Church of England was disestablished in the Principality in consequence of the Welsh Church Act. The Act made express provision for, 'the ecclesiastical law of the Church in Wales shall cease to exist as law' for the Welsh Church but would continue to apply as the terms of a consensual contract binding upon its members.

¹³ Also included in the original intake were Sir John Owen (Dean of the Arches), the Worshipful George Spafford (Chancellor of the Diocese of Manchester), Oswald Clark (formerly Chairman of the House of Laity of the General Synod) and Dr Brian Hanson (then Legal Advisor to the General Synod). An unknown barrister called Mark Hill somehow succeeded in talking himself onto the course.

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Excerpt

[More information](#)

Reformation. The course lasted two years, with four residential weekends of intensive seminars each year. The syllabus covered the following: conceptual foundations and sources of canon law, historical development, doctrine, liturgy, constitutional government, ecclesiastical persons, church property, and the relationship with civil law.¹⁴ It was an exciting rollercoaster adventure animated by Doe's youthful enthusiasm. In time, those pioneer students and their succeeding intakes formed a cohort of evangelical scholars and practitioners who have overseen the development of the new discipline of Law and Religion from infancy into adolescence.

Today, the academic landscape is very different: Law and Religion has become a recognised discipline in United Kingdom law schools and is the focus of specialist journals and specific research centres and clusters. So it is easy to forget just how novel and innovative a Master's degree in canon law was, and the vision and persistence which Doe needed to demonstrate in order to win over both the Law School and the University. The immediate and continuing success of the LLM marked a watershed in Doe's career and in his academic output. He embarked upon two journeys: one inward into the internal structuring of religious institutions and the other outward into the relationship between faith communities and the increasingly secular State. What marked out Doe's work, in both trajectories, was its methodology.

Doe's inward journey began with the study of the laws of Christian Churches, starting not surprisingly with his beloved Welsh heritage. In 1992 he published a collected volume, *Essays in Canon Law: A Study of the Law of the Church in Wales*. In the opening lines of his Editor's Introduction, he recognised the essential dilemma which was to dominate much of his later research and writing, namely the problematic subject of the role of canon law in a worshipping community: 'The controversy has centred around the simple idea that, in the life of a body governed by the Holy Spirit and whose members live under grace, there is no real place for law.'¹⁵

Undeterred by this seeming paradox, Doe turned his critical attention next to the mother Church out of which the Church in Wales had been carved, producing a deft and forensic study of the constitutional nature of

¹⁴ The subdivision of the LLM into these eight residential weekends remained largely unchanged and has inspired the format of this *Festschrift*.

¹⁵ Norman Doe (ed.), *Essays in Canon Law: A Study of the Law of the Church in Wales* (Cardiff: University of Wales Press, 1992), 1.

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Excerpt

[More information](#)

establishment in *The Legal Framework of the Church of England*.¹⁶ This solid treatise was the first substantive critical analysis of the juridical personality of the established Church of England since the publication of the fourth edition of *Halsbury's Laws of England* in 1975,¹⁷ before which recourse had to be made to much earlier commentaries such as Phillimore¹⁸ or Burn.¹⁹ In contrast with my own more modest work a couple of years earlier,²⁰ which aimed to provide a sourcebook and commentary for practitioners, Doe questioned the very basis upon which the Church of England is perceived to be governed, challenging the received wisdom, for example, of diocesan quotas, the duty to marry, and whether canons bind the laity. As a free-thinking outsider, Doe was able to apply a fresh mind to the governance of the Church and ask demanding questions. The book was well deserving of its sub-title 'A Critical Study in a Comparative Context' and its citation with approval by the English judiciary at its highest level was unsurprising.²¹

Barely was the ink dry on *Legal Framework* when along came *Canon Law in the Anglican Communion*,²² which is perhaps Doe's most under-appreciated work. It is an exhaustive and exhausting study of the collective canon law of the worldwide Anglican Communion, addressing head-on another paradox, namely universal standards of ecclesiastical governance derived from the separate and autonomous Churches of the Communion whose 'federal' structure rests on nothing stronger than bonds of affection. The timing of this work coincided with a fault line which was developing amongst the Churches of the Communion, caused – in part at least – by the consecration as bishop of an openly homosexual priest in the Episcopal Church of the United States. Doe became the first author to explore the canon law of the worldwide Anglican Communion, comparing the laws of Anglican Churches

¹⁶ Norman Doe, *The Legal Framework of the Church of England: A Critical Study in a Comparative Context* (Oxford: Oxford University Press, 1996).

¹⁷ *Halsbury's Laws of England*, Fourth Edition, Volume 14, *Ecclesiastical Law* (Butterworths, 1975).

¹⁸ Robert Phillimore, *The Ecclesiastical law of the Church of England*, 2nd edn (London, 1895).

¹⁹ Richard Burn, *Ecclesiastical Law*, 9th edn (London: Sweet and others, 1842).

²⁰ Mark Hill, *Ecclesiastical Law* (London: Butterworths, 1995). The latest edition is Mark Hill, *Ecclesiastical Law*, 3rd edn (Oxford: Oxford University Press, 2007).

²¹ *PCC of Aston Cantlow v Wallbank* [2003] UKHL 37 at para 61, per Lord Hope of Craighead.

²² Norman Doe, *Canon Law in the Anglican Communion* (Oxford: Oxford University Press, 1998).

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Excerpt

[More information](#)

across the globe. This led to two initiatives on the part of the then Archbishop of Canterbury, George Carey, in both of which Doe played a key part, albeit largely unacknowledged.²³

The first was the Windsor Report, in which Doe worked closely with Lord Eames and his team to address collective governance issues within the Anglican Communion, leading to the production of a draft Anglican Covenant.²⁴ The second, and more lasting, was an exploration to discover the existence of legal principles common to the laws of the component provinces of the Anglican Communion.²⁵ It was perhaps unfortunate that the draft Anglican Covenant overlapped with the *Principles of Canon Law* project, because the stalling of the former cast a long shadow which rather eclipsed the latter.

With generous sponsorship from Westminster Abbey, the *Principles of Canon Law* was published by the Anglican Communion Office and the resultant 'little red book' was distributed to all those bishops from throughout the world who attended the 2008 Lambeth Conference.²⁶ Canon John Rees, Legal Adviser to the Anglican Consultative Council, has spoken highly of the contribution of Doe's study to the Communion commenting on 'how valuable individual bishops in all parts of the world have found it ... for filling gaps in their local constitutions'.²⁷ This achievement was recognised by the conferral on Doe of a Lambeth Doctorate of Civil Law in 2005.

The *Principles* became an invaluable resource. They were utilised in Canon Law Workshops in South Africa in 2006 and again at the founding of the Canon Law Council of the Province of Southern Africa in 2013. Reference has been made to the *Principles* in litigation concerning the Anglican Church in Canada.²⁸ Their utility was not limited to the Anglican Communion. Doe had long ago recognised the importance of

²³ Doe had been invited to address the 2001 Primates Meeting in Kanuga, North Carolina. His lecture, subsequently published as 'Canon Law and Communion', *Ecclesiastical Law Journal*, 6 (2002), 241, first suggested the exploration of shared principles through a meeting with Anglican canon lawyers drawn from all over the world.

²⁴ Norman Doe, *An Anglican Covenant* (Norwich: Canterbury Press, 2008).

²⁵ In a spare moment, Doe returned from the universal to the particular in order to write a short and authoritative volume on the internal laws of the Anglican province to which he belonged: Norman Doe, *The Law of the Church in Wales* (Cardiff: University of Wales Press, 2002).

²⁶ A PDF of the book can be downloaded from the website of the Anglican Communion Legal Advisors Network: www.acclawnet.co.uk/canon-law.php.

²⁷ Letter to Doe dated 21 November 2011.

²⁸ See *Bentley v Anglican Synod of the Diocese of New Westminster* [2009] BCSC 1608.

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Excerpt

[More information](#)

canon law in the ecumenical endeavour,²⁹ and was able to translate theory into practice through the establishment of the Colloquium of Anglican and Roman Catholic Canon Lawyers,³⁰ which has proved to be one of the most fruitful and productive of his projects. Its work has reached a much wider academic audience in consequence of the publication of its proceedings.³¹ The bilateral methodology of systematic comparisons was adapted to form a multilateral analysis of differing Christian legal systems in his work, *Christian Law: Contemporary Principles*,³² but also in a series of perceptive articles.³³

The methodology adopted and refined in the *Principles* exercise has been deployed to good effect in two further projects: *Christian Law: Contemporary Principles*³⁴ and a forthcoming project on comparative religious law comparing Judaism, Christianity and Islam. These projects are neither prescriptive nor theoretical. Instead, and with a beguiling but painstaking simplicity, Doe lays side by side the source materials of the laws and compares their provisions on a subject-by-subject basis. The former deals with mainstream Christian traditions, the latter will expand this technique to the principal Abrahamic faiths. As with the *Principles* project, the search for difference yielded – and is yielding – unexpected similarities.³⁵ Doe's work is characterised by dense referencing indicating from where each component statement of law or practice has been

²⁹ Norman Doe, 'The Principles of Canon Law: A Focus of Legal Unity in Anglican–Roman Catholic Relations', *Ecclesiastical Law Journal*, 5 (1999), 221.

³⁰ See Mark Hill et al., 'A Decade of Ecumenical Dialogue on Canon Law, A Report of the Proceedings of the Colloquium of Anglican and Roman Catholic Canon Lawyers 1999–2009', *Ecclesiastical Law Journal*, 11 (2009), 284.

³¹ Joseph Fox (ed.), *Render Unto Caesar: Church Property in Roman Catholic and Anglican Canon Law* (Rome: Pontifical University of Thomas Aquinas, 2000); Mark Hill (ed.), *Faithful Discipleship: Clergy Discipline in Anglican and Roman Catholic Canon Law* (Rome: Pontifical University of St Thomas Aquinas, 2001); James Conn, Norman Doe and Joseph Fox (eds), *Initiation, Membership and Authority in Anglican and Roman Catholic Canon Law* (Rome: Pontifical University of St Thomas Aquinas, 2005); Norman Doe (ed.), *Marriage in Anglican and Roman Catholic Canon Law* (Cardiff: Centre for Law and Religion, 2009); Norman Doe (ed.), *The Formation and Ordination of Clergy in Anglican and Roman Catholic Canon Law* (Cardiff: Centre for Law and Religion, 2009).

³² Norman Doe, *Christian Law: Contemporary Principles* (Cambridge: Cambridge University Press, 2013).

³³ For example, Norman Doe, 'The Concept of Christian law – a Case Study: Concepts of "a Church" in a Comparative and Ecumenical Context' in Norman Doe and Russell Sandberg (eds), *Law and Religion: New Horizons* (Leuven: Peters, 2011), 243.

³⁴ Norman Doe, *Christian Law: Contemporary Principles* (Cambridge: Cambridge University Press, 2013).

³⁵ This had been precisely the same expectation and outcome as had happened with the Colloquium of Anglican and Roman Catholic Canon Lawyers which had adopted the

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Excerpt

[More information](#)

derived, a clear narrative pulling together all the seemingly disparate strands and then the distillation of the accumulated knowledge into a series of principles (often with derivative micro-principles) which can then be road-tested to ensure that in the process of reduction they remain vital and relevant to each of the Churches studied. This is the type of work normally undertaken by a large multidisciplinary team. The fact that Doe has done it single-handedly is itself remarkable. His initiative will form a foundation for serious scholarship for future generations, and has already provided the basis for the work of a Panel of Experts in Christian Law which met in Rome in November 2013, October 2014 and September 2015.³⁶ The Panel has produced a submission to feed into the World Council of Churches Faith and Order Commission Paper, *The Church: Towards a Common Vision* (2013).

The Law and Religion Scholars Network (LARSN), which Doe helped establish for those who teach or undertake research in the field, now has almost 300 members. As a member, and former president of the European Consortium for Church and State Research, Doe rejuvenated its work with a particular emphasis on young scholars.³⁷ His creation of the Interfaith Legal Advisers Network in 2007 emphasised the need for interaction amongst both practitioners and academics. This informed Doe's outward-facing work on State law and religion,³⁸ including his work on human rights.³⁹ His study of the laws of European States on religion,⁴⁰ published in 2011, has been critically acclaimed for the incisiveness of its

same approach. See Mark Hill et al., 'A Decade of Ecumenical Dialogue on Canon Law', *Ecclesiastical Law Journal*, 11 (2009), 284.

³⁶ A summary of the work of the first meeting may be found in Mark Hill, 'Christian Law: An Ecumenical Initiative', *Ecclesiastical Law Journal*, 16 (2014), 215.

³⁷ Doe hosted a conference of the European Consortium in Cardiff in November 2002, the proceedings of which were subsequently published in Norman Doe (ed.), *The Portrayal of Religion in Europe: The Media and the Arts* (Leuven: Peeters, 2004). The meeting broke with tradition, by inviting participation by young scholars. This initiative by Doe (resisted by certain members of the Consortium) reflects the encouragement and fostering of academic careers which Doe consistently demonstrated.

³⁸ See, by way of example, Norman Doe and Anthony Jeremy, 'Justifications for Religious Autonomy' in Richard O'Dair and Andrew Lewis (eds), *Law and Religion* (Oxford: Oxford University Press, 2001), 421; Norman Doe and Russell Sandberg (eds), *Law and Religion: New Horizons* (Leuven: Peeters, 2009); Mark Hill, Russell Sandberg and Norman Doe, *Religion and Law in the United Kingdom*, 2nd edn (The Netherlands: Wolters Kluwer, 2014).

³⁹ Norman Doe, 'Canonical Approaches to Human Rights in Anglican Churches' in Mark Hill (ed.), *Religious Liberty & Human Rights* (Cardiff: University of Wales Press, 2002), 185.

⁴⁰ Norman Doe, *Law and Religion in Europe* (Oxford: Oxford University Press, 2011).

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Excerpt

[More information](#)

analysis but it displays the key hallmark of Doe's methodology in its extraction of fifty core principles of general application throughout the disparate Church-State systems of the European Union. Much of the volume is derived from the studies of the European Consortium for Church and State Research of which Doe is now a senior member.

Whilst Doe preferred an academic career to practice at the Bar, he never lost sight of law as a practical and pragmatic vehicle for resolution of disputes. He served as Deputy Chancellor of the Diocese of Manchester from 1998 to 2003 and in 2013 was installed as Chancellor of the Diocese of Bangor,⁴¹ and proceeded to produce one of the lengthiest judgments in living memory from any British ecclesiastical court.⁴²

Doe's achievements represent a seismic shift in ecclesiological mindset. Previously, internal religious law, certainly for Anglican Churches, had become divorced from its roots in both history and theology. It was perceived as a negative force: coercive, restrictive and punitive.⁴³ In a trio of early papers, Doe identified the centrality of canon law in its expressed doctrine and identity as an ecclesial community.⁴⁴ There was a tentative tone to many of his observations, not because he was uncertain of his scholarship, but because the ideas were novel: an organist from South Wales was challenging the establishment.⁴⁵ Doe deployed an expression first coined by the distinguished canonist, Robert Ombres OP, describing canon law as 'applied ecclesiology', and this is a theme to which he has constantly returned.⁴⁶ The self-understanding of communities of faith is discernible by many means, but none so concrete, and none so neglected, as their instruments of regulation. In March 2002, for example, an

⁴¹ An atmospheric black-and-white photograph of the twelfth-century church of St Cwyfan near Aberffraw graces the front cover of *Christian Law*. Known as the 'Church in the Sea', the photograph shows the Church being cut off from the shore of southern Anglesey at high tide.

⁴² *Walker v Archdeacon of Bangor*, Diocesan Court of Bangor (27 June 2014, unreported).

⁴³ See Norman Doe, 'Marginalising the Law in the Church of England', *Parson and Parish*, 147 (1996), 8.

⁴⁴ Norman Doe, 'Canonical Doctrines of Judicial Precedent: A Comparative Study', *The Jurist*, 54 (1994), 205; Norman Doe, 'Obedience to Doctrine in Canon Law: The Legal Duty of Intellectual Assent', *Denning Law Journal* (1992), 23; Norman Doe, 'Toward a Critique of the Role of Theology in English Ecclesiastical and Canon law', *Ecclesiastical Law Journal*, 11 (1992), 328.

⁴⁵ But with the passing years his publications grew in confidence and complexity: see, e.g., Norman Doe, 'Ordination, Canon Law and Pneumatology: Validity and Vitality in Anglican-Roman Catholic Dialogue', *Ecclesiastical Law Journal*, 8 (2006), 406.

⁴⁶ Doe even pursued a course of study at Mansfield College, Oxford University, leading to the conferral of a Master of Theology degree in 2007.