Issue No 32

7 Ecc LJ

Volume 7

# ECCLESIASTICAL LAW JOURNAL

## January 2003

The Common Law of the Anglican Communion Norman Doe

No Secrets in the Church: The Implications of the Data Protection Act 1998 James Behrens

Church Discipline and the Regulation of Membership in the Mormon Church

Fred Gedicks

Legal Aspects of the History of Church and State Eric Kemp

The Judges and the Jews Gerald Godfrey QC

The Offshore Establishment: Church and Nation on the Isle of Man

Augur Pearce

(For full list of contents, see inside)

## The Journal of the Ecclesiastical Law Society

# ECCLESIASTICAL LAW JOURNAL

#### EDITORIAL COMMITTEE

Mark Hill (*Chairman*) James Behrens Rupert Bursell Frank Cranmer Norman Doe David Harte Lynne Leeder Peter Moore Michael O'Connor Thomas Watkin

### EDITORIAL ADVISORY BOARD

Professor John BakerChanceBishop Eric KempRevd DProfessor Richard HelmholzProfessorProfessor Francis LyallState

Chancellor David McClean Revd Dr Robert Ombres OP Professor Dr Gerhard Robbers

The Ecclesiastical Law Journal is published by the Ecclesiastical Law Society. Decisions on the publication of individual articles are at the discretion of the Editor but are normally made on the advice of referees, chosen by the Editor as expert in the relevant area. General policies of the Journal are developed in consultation with the Editorial Committee and the Editorial Advisory Board.

The views expressed in any article, review or other publication in this Journal do not necessarily accord with those of the Editorial Committee or the Society as a whole.

#### ISSN 0956-618X

#### Items in this issue should be cited 7 Ecc LJ

Typeset in Times Roman on Apple Macintosh and printed by Oxuniprint, Oxford University Press, Great Clarendon Street, Oxford OX2 6DP.

All rights in this publication are reserved. It may not be reproduced or transmitted in whole or in part, for sale or otherwise, in any form or by any means, electronic or mechanical, including photocopying, recording or storage in any retrieval system, without written permission from the Ecclesiastical Law Society.

> Web site: www.ecclawsoc.org.uk © The Ecclesiastical Law Society 2003

EDITORIAL.

7 Ecc LJ

# **CONTENTS**

EDITORIAL	2
ARTICLES	
The Common Law of the Anglican Communion Norman Doe No Secrets in the Church: The Implications of the	4
Data Protection Act 1998 James Behrens	17
Church Discipline and the Regulation of Membership in the	
Mormon Church Frederick Gedicks	31
Legal Aspects of the History of Church and State Eric Kemp The Judges and the Jews Gerald Godfrey QC	47 50
The Offshire Establishment of Religion: Church and Nation on	50
the Isle of Man Augur Pearce	62
CONFERENCE REPORTS	
European-American Law and Religion Consortium Mark Hill	75
Structured Pluralism: A Practical Legal Framework for Faith in the	-
European Union? David Harte	76
SYNOD REPORTS	-
Church of England Church in Wales	78 80
Scottish Episcopal Church	80
Church of Ireland	86
<b>BOOK REVIEWS</b>	
Debating—and Creating—Authority: The Failure of a Constitutional Ideal in Massachusetts Bay by Elizabeth Dale	
Review by Margaret MacClean	88
Worlds Colliding, Conservative Christians and the Law by Rex Ahdar	
Review by James Behrens Twefith Continue English Archidiogonal and Vice Archidiogonal Acto	89
Twelfth-Century English Archidiaconal and Vice-Archidiaconal Acta edited by B.R. Kemp Review by Richard Helmholz	91
Le Droit Ecclesial Protestant edited by Francis Messner and	
Solange Wydmusch Review by John Bell	92
Church Autonomy: A Comparative Survey by Gerhard Robbers	93
Review by Robert Ombres Christian Perspectives on Law and Relationism edited by Paul Beaumont	93
and Keith Wotherspoon Review by John Gladwin	95
God Save the Queen: The Spiritual Dimension of Monarchy by Ian Bradley	
Review by John Rees	96
RECENT ECCLESIASTICAL CASES	99