

## EDITORIAL

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MARK HILL QC

It is with a heady mix of pleasure and relief that I come to write my last Editorial. Pleasure because it has conventionally become the last piece of the jigsaw, written when the text for each issue has been copy-edited, in the knowledge that an exciting, broad and balanced edition has been accomplished. But there is also relief that the triannual cycle of drudgery – alleviated in recent years by the appointment of an assistant editor – is drawing to a close.

I cannot now recall precisely when I succeeded Michael Goodman as Chairman of the Editorial Board (the grand title then current for Editor) but the final issue over which he presided was number 30 and marked his fifteen years as editor. The transition was seamless. Michael gave me a pile of papers in no particular order, heavily annotated in turquoise ink with important comments, all of which were completely illegible. While the paperwork may have been unpromising, the legacy was immense. Michael had created an informative scholarly journal serving the needs of the embryonic Ecclesiastical Law Society as well as the wider church. Two issues were mailed out every year at reasonably predictable intervals. An enthusiastic amateur – in the very best sense of that word – he wisely surrounded himself with experts, not least David Harte, who became and remains book review editor, and Peter Moore, whose experience as a professional publisher ensured high standards of accuracy long into my own editorship. With an eye to ecumenism, he brought Bob Ombres into the fold, who has been a dynamo of fresh ideas ever since, voiced with the quiet confidence that someone else will bring them to fruition.

I anticipated holding the Chairmanship of the Board for a five-year term, after which it would rotate to others for similar periods. But things rarely turn out as planned. There were changes afoot. First, to improve the production process, the format changed from the stapled ‘pamphlet’ style to a hard spine with what is known as ‘perfect binding’. Then came an even more significant transition to the negotiated partnership with Cambridge University Press, recently renewed. The quality of the publishing increased overnight and the reach of the *Journal* internationally similarly grew. With three issues a year, the *Journal* was able to comment more authoritatively on topical issues. The financial arrangements with the Press also proved most propitious for the Society. Of course there were tensions, teething problems and occasional difficulties but these were resolved with the detached serenity to be expected of an editor.

Somewhat unexpectedly therefore, I have found myself in the editorial chair for a little over a decade. This tour of duty reached its height with the twenty-fifth anniversary of the founding of the Society, celebrated with the commissioning of some of the finest writing in the field of ecclesiastical law for its Silver Jubilee volume and a hugely stimulating conference at Emmanuel College, Cambridge. It would be otiose for me to attempt a retrospective analysis of the past years: this task has been admirably undertaken already by both Stephen Slack<sup>1</sup> and Charles George.<sup>2</sup> However there are certain resonances with other events over the past ten years that merit mention. My editorship coincides almost exactly with the span of the tenure of Lord Williams of Oystermouth as Archbishop of Canterbury. He attracted much criticism in the media but will be remembered as the most scholarly of archbishops in recent years and a man of deep spirituality. Specifically, his much-derided comments on accommodating other belief systems<sup>3</sup> will undoubtedly prove prophetic.<sup>4</sup> Equally the period neatly matches the decade given to parochial church councils to register chancel repair liability after which it ceases to be an overriding interest,<sup>5</sup> following the historic decision in *Aston Cantlow Parochial Church Council v Wallbank*.<sup>6</sup> Slightly less exact, but significant nonetheless, is the first ten years in the life of the Human Rights Act 1998, which came fully into force on 1 October 2000. The refocusing of legal thinking on freedom of religion is now widely discussed, not least in the very recent decision of the European Court of Human Rights in Strasbourg in *Eweida and Others v United Kingdom*.<sup>7</sup> In addition, the past ten years have seen the tide ebb and flow on the consecration of women as bishops; the engagement of churches in legislation for civil partnerships and, latterly, same-sex marriage; radical rethinking of the role of worship and religious education in state schools; and the removal of the presumption of public benefit for charities. For the Church of England, this period has witnessed a wholly new system of clergy discipline, as well as simplified procedures for pastoral reorganization to include the merger of dioceses. Issues of disestablishment have also become more current. The faculty jurisdiction remained active throughout the decade, and its determinations are now more systematically reported. These include the application of the *Bishopsgate* questions, which have come and gone. We live in interesting times, and it has been fascinating to have been at the helm of this *Journal* during such a period.

1 S Slack, 'Synodical government and the legislative process', (2012) 14 *Ecc LJ* 43–81.

2 C George, 'The ecclesiastical common law: a quarter-century retrospective', (2012) 14 *Ecc LJ* 20–42.

3 R Williams, 'Civil and religious law in England: a religious perspective', (2008) 10 *Ecc LJ* 262–282.

4 See R Griffith-Jones (ed), *Islam in English Law: rights, responsibilities and the place of sharia* (Cambridge, 2013).

5 Land Registration 2002 (Transitional Provisions) (No 2) Order 2003, SI 2003/2431.

6 [2004] 1 AC 546.

7 *Eweida and Others v The United Kingdom*, App Nos 48420/10, 59842/10, 51671/10 and 36516/10 (ECtHR, 15 January 2013).

This issue sees my transition from Editor to contributor. And as I slide gently from the editorial chair, I want to record my thanks – both personally and on behalf of the entire readership – to Dr Hester Higton, copy-editor, and to Kirsten Purcell (who is moving to pastures new), Mark Talbot and Ella Colvin of Cambridge University Press; to the members of the Editorial Board (past and present), who have been unstinting in their support, largely by email but especially in the corporate fellowship of meetings that now occur every eighteen months; and to the inner circle of sectional editors: David Harte (book reviews), Frank Cranmer (parliament and synod) and Ruth Arlow, recently elevated to the Chancellorship of Norwich (cases). Without their unremitting commitment the *Journal* would not be what it is today.

Finally, and especially, I must thank the incoming Editor and congratulate him on his appointment (while gift-wrapping the poisoned chalice). The Reverend Dr Will Adam will be well known to readers for the articles he has had published in the *Journal*, for his other publications and for the increasing workload that he has latterly taken on as Assistant Editor. As the hymnodist might have said, he has been the still small voice of calm that has spoken through the earthquake, wind and fire of the Editor. Showing a surprising willingness to be ‘second fiddle in a one man band’, he has been industrious and methodical in dealing with the technical aspects of production and has rapidly learned the alchemist’s art of flattering and cajoling to bring the best out of contributors. Both the Editorial Board and the General Committee were unanimous in proposing him as the next Editor and I am supremely confident that the *Journal* will go from glory to glory. I am also honoured to accept the post of Consultant Editor, where I can act as a sounding board and, at Will’s direction, promote the *Journal* and the commissioning of high-quality work in the international academic world.

In my decade of writing editorials they have changed from being the anodyne introduction of the upcoming content to pieces of whimsy, lovingly crafted on the off-chance that they might occasionally be read. Many have been written abroad. This one was penned in Kenya, as the sun gently set over the Masai Mara and a pleasing zephyr tickled the edges of my tent flap. Below me hippo and elephant bathe in the river while crocodiles complete their basking. Gazelle and topi stand at a distance, grazing yet attentive for the cheetah and lion who prey on them. During the day all these creatures will pass by the watering hole seeking refreshment. Similarly my hope is that the increasingly diverse readership of this journal will continue to quench their thirst on what remains the leading periodical in its field, and be informed, challenged and inspired by what they find within its pages.