

oneness of humanity and the particularity of the individual. The separateness of Jewish ritual was essential for preserving that idea of the unique God. In Buber's thinking, that led on to advocacy of Zionism as a means of facilitating the idea's full cultural expression. Within that came a distinction between law and commandment, particularly God's commandment to love Him being itself an expression of God's love for the individual, a better articulation of Kantian morality's connection between duty and freedom.

The final section of the book explores the relationship between Judaism and law first in pre-state Palestine and now in Israel, together with what it means for that state to be 'Jewish'.

Understanding these shifts in argument and practice is an increasingly important exercise in a nation wrestling with multiculturalism and assimilation, and with what accommodation to the nation's laws can reasonably be demanded from minority cultures and faiths. Issues to do with circumcision, same-sex marriage, food preparation and schooling will become more, not less, challenging in the coming years for lawyers and clergy alike.

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## The Legal Architecture of English Cathedrals

NORMAN DOE

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Norman Doe's ambitious book *The Legal Architecture of English Cathedrals* surveys the regulatory framework inhabited in various ways by all 42 Anglican cathedrals of England. His purpose is to 'describe, explain and evaluate' (p 1) the norms applicable to them. The description is imaginatively structured using the topography of cathedrals and their precincts as headings under which various legal elements are considered in turn; so, for example, the episcopal throne introduces the appointment and functions of the bishop, while the nave and crossing are construed more metaphorically to cover the cathedral community, hospitality and outreach. The range of Doe's concern stretches from the role of the college of canons in the appointment of a new diocesan bishop to the arrangements for cathedral security, now largely contracted out.

Doe's method is to compile documentary evidence from the various cathedrals, often making the basic distinction between those which at the

Reformation needed to be re-founded on secular lines and those which did not, although his final conclusion is that this distinction does not lead to a great difference in the legal architecture of today's cathedrals. Quite rightly, Doe finds the core tradition of every cathedral's current constitution and statutes to be the one that stretches just from the *Heritage and Renewal* report of 1994 through to the Cathedrals Measure of 1999. The history of any cathedral is often reduced to the preamble of a modern piece of legislation, though it may have more sway over local customs and practices.

Collating the legal paperwork of all the cathedrals and drawing out relatively small variations among them gives a sense of the organic coherence of a widespread field. The accurate representations from many sources lead to a reflection based on interviews with the custodians of these laws and practices, the deans and acting deans, again accurately reported and judiciously selected. Their views give a sense of what for them was working well at the time of asking – for example, the laws regulating the administration of the sacraments – and what was not – the parish/community roll.

The legal architecture of cathedrals revealed by the book is wide-ranging and varied, but the work of evaluating the norms, promised at the outset, is lacking. This is partly because the written sources rarely provide a rationale against which to evaluate their own impact or significance, but partly also because of the author's method. The survey is not unlike a Google map. One is at a certain height and can zoom in to an extent through the footnotes and the deans' commentaries, but everything appears as important as everything else, and this sometimes fails to reflect the view from the ground.

One example of a ground's-eye view would be on planning. In a historic cathedral, dealing with the Cathedrals Fabric Commission for England inevitably involves dealing with and through them with many secular stakeholders, most notably the Society for the Protection of Ancient Buildings. Any encounter with human remains will incur the attention of the Advisory Panel on the Archaeology of Burials in England. Neither of these bodies is mentioned, though Scheduled Monument Consent, which needs to be sought for even the slightest use of a shovel, is. It distorts the architecture of cathedrals, therefore, to separate ecclesiastical and secular regulation; these buildings occupy spaces that are at once historical and cultural as well as religious. Planning any major funded project will also inevitably involve continual collaboration with the Heritage Lottery Fund, with its own complex and constantly evolving processes.

This is not merely an argument about a book. This debate is currently playing out nationally, unfortunately after the book's publication, provoked by financial mismanagement at two cathedrals. After the episcopal visitation at one of them, Peterborough, the bishop called for a review of the *Cathedrals Measure*. A working group was set up on behalf of the Archbishops' Council to investigate

whether the legal architecture of cathedrals was sufficiently robust, to protect against the reputational damage that would be caused by one of these national icons becoming insolvent.

Financial planning is another area in which secular standards and practices raise the ecclesiastical game. These standards are set in frameworks of accountability which are far more stringent than the body corporate established by the Cathedrals Measure, comprising the cathedral chapter, the cathedral council and the college of canons. History has proved that it is fairly easy to circumvent real regulation by *in camera* discussion among a limited circle of those in power. The dean's own accountability, most obviously to the bishop, is therefore on the table, and it should be said that in the area of safeguarding the dean is already working entirely under the disciplines of the national Church and the oversight of the local bishop.

The report from the working party, led by the Bishop of Stepney, a former dean, has, after a period of consultation with many in the world of cathedrals and considerable revision, been submitted to Archbishops' Council. The prospect of chapter no longer being the executive has receded but, as governance and management functions are separated, the dean is likely to be burdened with more managerial oversight as the one tasked to hold the organisation together.

The measured tone of Doe's book belies the urgency and heat of this discussion. The key issue at present is to what extent the relative autonomy of cathedrals within their dioceses enables them to fulfil their primary mandate under the Cathedrals Measure 'to be the seat of the bishop and a centre of worship and mission'. Should collegial governance be replaced by something that is more hierarchical, making it easier to deal with poor performance? How can a cathedral be structured to respond best to the multiple demands of its stakeholders, many of which are not ecclesiastical?

Evaluation of the architecture of English cathedrals cannot therefore be carried out effectively from a neutral and inductive standpoint. Throughout their long history, the architecture of cathedrals, literally or legally, has eloquently stated who is in charge and whose interests have been represented centrally and peripherally. One hopes that in subsequent editions of this useful text the world of cathedrals outside their precincts will be more fully included and that there will be more explicit discussion of the competing values they seek to address and serve.

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