

5. These principles have a living force, and contain in themselves the possibility for further development.
6. The existence of these principles both demonstrates unity and promotes unity within the Anglican Communion.

In addition, it was found that there was broad agreement on forty-four principles, which could be grouped into six sections dealing with church order, ecclesiastical government, ministry, doctrine and liturgy, church property and inter-Anglican relations; and fifteen major problems were agreed upon as common to Churches throughout the Communion.

Professor Doe and Canon Rees reported the results of the Consultation to the Primates' Meeting in Canterbury in April 2002. The Consultation's work was warmly received, and the Primates went so far as to suggest that the canon law of the Churches might constitute a fifth 'instrument of unity'.⁶ After further consideration by the Primates of the propositions, principles and problems identified at the Consultation by their legal advisers, the Primates endorsed the work which had been undertaken in March, and further refined it by prioritising ten principles and five problems for further detailed consideration by a Network of canon lawyers drawn from around the Communion to be established by the Anglican Consultative Council at its meeting in Hong Kong in September 2002.

The work of the Society was particularly noted, both by the legal advisers themselves and by the Primates. Its contribution to raising the profile of the study of canon law was particularly welcomed, and several of those who had taken part spoke of establishing regional groups affiliated to the Society, in the light of their experience.

CHURCHES AND RELIGIOUS COMMUNITIES IN THE EUROPEAN STATES

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In an English context the legal relations between the church, the state and society as a whole are covered by the historic form of establishment of the Church of England. This framework is constantly developing and the Ecclesiastical Law Society's own conference in 2003 will offer opportunity for stock taking at a time when there is great pressure for change from many areas. One such area is Europe. The Society's last residential conference, at Trinity Hall, Cambridge, in 2001, was particularly concerned with the impact of the European Convention on Human Rights following the implementation of the Human Rights Act 1998. The Human Rights Act has perhaps distracted attention from the implications for the Church of the increasingly pervasive body of European Community Law. This was the subject of a colloquium in a round table format held at Perugia between 20th and 23rd March 2002 at which the Centre for Law and Religion at Cardiff University was invited to participate.

⁶ On the 'instruments of unity' generally see J Rees, 'The Anglican Communion—Does it Exist?' (1998) 5 *Ecc LJ* 14. See also D Hamid's article on p 352.

The Perugia colloquium was organised jointly by the Department of Public Law at the University of Perugia and the Council of Roman Catholic Bishops in the European Community (COMECE). COMECE maintains a bureau in Brussels which provides a crucial channel of communication for churches and religious bodies generally with the organs of the European Community. The colloquium addressed the prospect of what was originally an economic community concerned essentially with free trade and movement of goods and services transforming into a European Union increasingly resembling a superstate.

Although it was stressed by the speakers that the European Union would be a new form of legal entity from the old nation state, there was a sense which might rarely be found at events in the United Kingdom of an inevitable move towards very full European integration. One distinguished Spanish speaker went so far as to prophesy that by the end of the 21st Century all that would be left to distinguish existing member states would be differences in folk lore and cookery. More particularly, it was evident that pressure for greater European integration does have considerable implications for church state relations. As the largest and most extensive Christian community the Roman Catholic Church was in the best position to judge the consequences of this, and there was particular concern at vocal secular influences at the heart of the Union, notably in the European Parliament, which considered that religious bodies should be excluded from the political process.

The conference was organised in four sessions. First there was a general review of how religion fits into the overall framework of the European Union, and how it relates with the underlying principles of liberty, democracy and fundamental rights, including concepts of the rule of law. The relevance of subsidiarity to the different religious identities of states was addressed.

The second session considered the different relations between church and state in existing members of the Union, and the third session considered the potential problems with regard to religion arising from applications for membership by candidate states. Here it was significant that the Eastern European candidate states emerging from Communism have a much greater attachment to their religious heritage than do many existing members. Particular attention was drawn to the problems of relating Orthodox states with other Christian traditions and to the huge growth of Muslim populations. This is associated with fears of Islamic extremism which rebound on all religious faiths.

The final session moved to the practicalities of future church state relations at the European level. The idea was floated of a formal concordat with the Union on the lines of the concordats between the Roman Catholic Church and individual states. A key paper by Professor Robbers of Trier concluded that legally this would be a possibility but whether it was desirable or practicable might be another matter. The conference was closely observed by the leader of a special research group advising President Prodi of the European Commission on the future framework for religion in the European Union. It is likely to be followed up by much more discussion by legislators, practitioners and academics throughout Europe.