

THE CAMBRIDGE RESIDENTIAL CONFERENCE

30 March–1 April 2001

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Over a hundred members of the Society met at the end of March for its eighth residential conference which was held at Trinity Hall, Cambridge. As a reflection of the ever-expanding umbrella of the Society's work and appeal, it was a pleasure to see so many churches represented, and the company included the former Archbishop of Oslo, Andreas Aarflot. The topic for the conference was Religious Liberty and Human Rights. As ever, the conference was a warming blend of intellectual stimulation and social conviviality, the balmy Friday evening adding to the welcoming atmosphere on arrival at the Hall, where the accommodation and food were first class. The conference organisers, particularly David Harte and Mark Hill, are to be congratulated on their hard work and organisation, not least in attracting such a balanced array of exceptional speakers from the worlds of practice and academia; indeed, the conference itself was also a fitting climax to Chancellor Hill's own work on human rights and ecclesiastical law as a Church of England-funded research fellow at the Centre for Law and Religion, Cardiff Law School. Having most of the papers, which were to be delivered by the speakers, distributed to the delegates on arrival was the result of a very thoughtful and valuable decision on the part of the organisers; the notes on the distinguished speakers, especially, helped to put the papers in their personal contexts, and those on Trinity Hall (founded in 1350 by the canonist William Bateman, Bishop of Norwich) and its Library were an added bonus.

Following a lively supper in hall on the Friday evening, the conference proper opened with a session chaired by the Revd Dr Robert Ombres OP in which Dr Nicholas Sagovsky (William Leech Professorial Research Fellow at Newcastle University) introduced a theological perspective on human rights, speaking about human rights, divine justice and the churches. In a comparison of secular and Christian ideas about human rights, he spoke about the notion of human rights, its strengths and weaknesses, the reasons underlying it, and changes in approaches in legal philosophy to the notion; he was critical, particularly, of the notion as being too individualistic at the expense of its social dimension. Dr Sagovsky also dealt with Christian understandings of divine justice, and how human rights language was sharper than that of divine justice, the former impersonal, the latter personal. After a short series of questions, the delegates enjoyed Compline in chapel and then refreshment in the oar-studded bar.

Saturday proved to be a day of non-stop activity. Deftly chaired by Sheila Cameron, newly appointed Dean of Arches and Auditor, the first session widened the framework for study with European and US perspectives on religious freedom. Professor Javier Martinez Torron, from the Complutense University, Madrid, delivered a masterful and noble overview of the jurisprudence of the European Court of Human Rights on religion. It provided superbly an insight into the richness and complexity of the developing Strasbourg jurisprudence, particularly the court's attitudes towards the position of the major churches as compared with its approach to minority religious groups, and the individual exercise of freedom of conscience, especially in the context of intolerance. This was followed by Mark Chopko, General Counsel of

the National Conference of Catholic Bishops in the USA, whose paper afforded a stimulating general survey of US constitutional law on religion, covering such topics as the privatisation of religion, efforts to limit religious voices in public debate, the participation of religious entities in public initiatives, and the power of secular government to remake religion in its own image. Above all, the paper conveyed the sophistication of, and the difficulties inherent in, the separationist jurisprudence of the Supreme Court in its interpretation of the anti-establishment and free exercise clauses of the US constitution. Then came a highly informative, pragmatic, and thought-provoking paper from Sir Stephen Sedley, of the Court of Appeal, *ad hoc* judge of the European Court of Human Rights, and honorary professor of law at Cardiff University. His paper, delivered with polish and good humour, and chaired by Sir William Gage, dealt with judicial approaches to human rights questions, and the necessity for training, already under way, which judges and other lawyers receive in developing their understanding of the new human rights culture and jurisprudence.

Following lunch, in the session chaired by Chancellor Collier, the delegates were gently led from these wider perspectives to legal and political aspects of the domestic human rights scene. Ian Leigh, a professor at Newcastle Law School, presented a scholarly and thorough analysis of the likely effects of the Human Rights Act 1998 on religious organisations in the United Kingdom. He dealt with the problems of the classification of bodies, within or associated with religious organisations, as public authorities (including those of the Church of England), their public functions, and the impact of the statute in terms of their duty to act compatibly with convention rights. Of special importance was the balance which will have to be struck with regard to the appropriateness of applying secular legal standards and norms to religious bodies. By way of contrast, the anecdotal presentation of Simon Lee, Rector of Liverpool Hope University, focused on the political aspects of the human rights development in Britain, touching particularly on the practice of third-party intervention by religious leaders in sensitive litigation before the courts.

The Saturday sessions concluded with a plenary forum, with the speakers as the panel for questions from the delegates and debate. Chancellor Hill was chair, and a lively debate ensued with questions which included: is a theological understanding of human rights relevant to the work of ecclesiastical lawyers? (Augur Pearce); is global capitalism taking over the language of human rights? (Roger Ruston); how does the US approach to human rights justify capital punishment? (Eric Kemp); is religious freedom an absolute or a qualified right? (Jeremy Caddick); and, what if both parties to a religious dispute appeal to divine justice? (Lionel Lennox). There then followed a display of ecclesiastical law books organised by Oxford University Press, a fascinating tour of the college library, expertly accompanied by a talk from Robert Ombres OP, said Evensong and, for others, ambling on the banks of the Cam. Chris Rycroft, law editor at Oxford University Press, presided over a genteel reception to launch the second edition of Hill's *Ecclesiastical Law*, followed by a magnificent dinner with speeches from Dr Frank Robson and Graham James, Bishop of Norwich. On Sunday, after the annual general meeting, the Bishop of Guildford, John Gladwin, preached at the Eucharist in Clare College Chapel, with Geoffrey Rowell, Bishop of Basingstoke, presiding. The company enjoyed organ, trumpet, and choir, to settings and anthem by Vaughan Williams, rounding off a truly memorable conference.