

## SILVER JUBILEE BIBLIOGRAPHY

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### Ecclesiastical Law Publications 1987–2011

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The invitation by the Editor to compile a list of books published during the lifetime of the *Ecclesiastical Law Journal* seemed not only an apt way to mark the 25th anniversary but also a straightforward task. However, this initial assumption proved to be incorrect. Deciding what was to be included and excluded was difficult, since it is impossible to include everything that has been written on ecclesiastical law or law and religion more generally and, moreover, there is no consensus as to where the boundaries of these terms lie.<sup>2</sup> It was important, therefore, to adopt a number of rules to determine the content of this list; but these have been applied flexibly in order to facilitate the purpose of the list, which is to catalogue the main works that have impacted upon this area of study in the United Kingdom. The list is therefore limited to works in the English language but includes works concerning other jurisdictions where of particular relevance. Only the latest editions of books have been cited (the period in question, for example, saw no fewer than three editions of Professor Mark Hill's magisterial treatise on *Ecclesiastical Law*) and a separate list has been made for edited collections. Space has also dictated that only books about law are included: although our subject has often benefitted from insights from a range of related disciplines (most notably theology, religious studies, history, politics and the social sciences), those works are not cited here. The list also excludes legal works that do not focus upon religion alone: this has meant that a number of books on ethnic minority studies and the law and theoretical works on legal pluralism have been excluded. Moreover, while a small number of books on non-Christian systems of religious law (such as Islamic law and Jewish law) have been included, these provide just a flavour of the

- 1 I am grateful to Anna Mahoney, a third-year law student at Cardiff University, for her invaluable assistance in compiling this list. I am also indebted to members of the Law and Religion Scholars Network (LARSN) who made many helpful suggestions.
- 2 For further discussion of this see R Sandberg, *Law and Religion* (Cambridge, 2011) chs 1 and 10.

scholarship that has blossomed in those areas. In short, while apologies are made for any significant omissions, it needs to be remembered that determining significance is a subjective test; the present list comprises those books that I feel have shaped this area of study over the last 25 years.

The unscientific nature of my endeavour means that any analysis of the contents of the list must proceed with a significant degree of caution. However, one tentative observation may be made: there seems to have been a significant growth in the number of books published. Organising the list into chronological order shows that, whereas during the first ten years of the society (1987–1997) there were on average two to three books published per year, this figure has grown significantly in recent years. Between 1997 and 2000 an average of six books were published each year; by 2007 the average had increased again, with ten books becoming the annual norm.<sup>3</sup> This seems to suggest a rise in interest in the subject matter towards the end of the 1990s, which has been bolstered yet again in recent years. Although several explanations can be put forward for this,<sup>4</sup> it is probably the case that it points to the development of a community of scholars who are interested in this subject. While the nineties experienced a number of individual academic endeavours (which prompted the first rise), the establishment and deepening of the academic world through the development of courses and conferences has probably led to the more recent rise. The sterling work of the Ecclesiastical Law Society in supporting such courses (in particular through the Eric Kemp prizes) and in fostering intellectual exchange (via its conference and seminar programmes and through the pages of this *Journal*) is a key contributing factor to the increase. This means that, although the original assessment of the straightforwardness of compiling the list had to be revisited, the reflection that such a list would prove an appropriate way of celebrating the Society's 25th anniversary year required no such reassessment. It did, however, merit one final thought: that the likely size of an equivalent list for the 50th anniversary celebrations may well necessitate a special issue of the *Journal* in its own right.

- 3 Interestingly, reference to the edited books list underscores this trend in a more dramatic way: organising that list into chronological order shows that, up until 1997, there were hardly any such books, but in the years surrounding the turn of the millennium an average of five books a year were published. Although there was something of a lull in the period 2003–2006, in which only eight edited collections in total were published, there has been a significant increase since then with no fewer than five edited collections being published in 2010.
- 4 For instance, wider political and social trends have clearly played a role. The original increase in interest would have coincided with the time in which the secularisation thesis began to be questioned and the place of religion in the public sphere started to become a matter of debate. The continued increase in the last couple of years can be linked to further concerns that have arisen about the accommodation of religious difference, particularly in relation to religious dress and symbols, and fears surrounding religious courts.

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