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Abstract

Welsh Anglican jurist Norman Doe has long used law as a fundamental tool to build Christian ecumenism. All Christian churches, he argues, from the sole congregation to the global denomination, have law at their backbone, and these internal church laws are often comparable across the Christian world. This brief foreword introduces a volume that analyzes the internal legal regimes of a dozen global Christian churches and shows their collective convergence around 230 common legal principles of church polity, property, worship, organization, leadership, and ministry.

Keywords: Norman Doe; church law; ecumenism; Christianity; Catholicism; Protestantism; Orthodox Christianity; ministers; clergy; worship

Foreword

Law is the backbone of Christian ecclesiology and ecumenism. That is the central message of this collection of well-written and well-integrated chapters on church law by scholars of a dozen global Christian churches. And that has been the abiding message of the distinguished editor of this volume, Professor Norman Doe, founding director of the Centre for Law and Religion at Cardiff University, the leading such center in Europe.

In a series of brilliant volumes – from his opening 1990 title on *Fundamental Authority in Late Medieval English Law* (1990) to his 2013 masterwork on *Christian Law: Contemporary Principles* – Professor Doe has demonstrated that church law is an important but oft neglected foundation for principled Christian ecumenism. Despite deep theological differences that have long divided Christian churches and denominations – over the Bible, the Trinity, the sacraments, justification, clerical celibacy, women’s ordination, natural law, and so much more -- the church universal has always been united in its devotion to and need for church law. From the earliest instructions of St. Paul and the *Didache* to the elaborate codes of canon law and church discipline in place today, the Christian church has been structured as a legal entity. The church depends upon rules, regulations, and procedures to maintain its order, organization, and orthodoxy; its clergy, polity, and property; its worship, liturgy, and sacraments; its discipline, missions, and diaconal work; its charity, education, and catechesis; its publications, foundations, and religious life; its property, governance, and interactions with the state and other social institutions. Still today, every church, whether an individual congregation or a global denomination, has law at its backbone, balancing its spiritual and structural dimensions, and keeping it straight and strong especially in times of crisis.

The church laws themselves, of course, vary greatly in form and function over time and across the denominations and regions of the world. Some church laws are written, others are customary. Some are codified, others more loosely promulgated. Some are mandatory, others probative or facilitative. Some are universal canons, others are local and variant. Some are drawn from the Bible, others go back to ancient Roman law and the Talmud. Some church laws deal with the essentials of the faith, others with the adiaphora. Some are internally created by the church's own government, others are externally imposed or induced by the state. Some church laws are declared by ecclesiastical hierarchies, others are democratically selected. Some churches maintain elaborate tribunals and formal procedures, others use informal and conversational methods of enforcement. But, for all this variety, church law is a common and necessary feature of church life, and an essential dimension of ecclesiology and theology.

Given its universality, church law is therefore also a powerful foundation for a global principled ecumenism. "Though dogmas may divide," Professor Doe writes in his 2013 monograph on *Christian Law*, "laws link Christians across traditions" around the world today. Indeed, "all denominations of the faith share common principles in spite of their doctrinal divisions." In that earlier pathbreaking volume, Doe extracted a series of common principles of church law from the written canons, constitutions, charters, codes, and cases on record in each of the major denominations, putting these principles under topics and suggesting a common global framework of church laws. Nothing on that order of detail, sweep, and systematization had been done before in the study of comparative church law.

This volume goes further, reflecting a focused effort to foster deliberative ecumenism around church law. In a series of deliberations over the past decade, Professor Doe drew together representatives from several of the major Christian denominations to see how much confluence of opinion there might be on a set of common principles of church law. The group included distinguished scholars from the Roman Catholic, Eastern Catholic, Orthodox, Anglican, Lutheran, Methodist, Reformed, Presbyterian, Pentecostal, and United Churches, together with leadership from the World Council of Churches. In exemplary ecumenical earnest, the group sat together for many days, quietly presenting, listening, and learning about the legal culture of each denomination, with an eye to seeing the points of conflict, convergence, and creative tension in how each conceived and constructed their church law. From this inductive exercise, they slowly worked out "A Statement of Principles of Christian Law Common to the Component Churches." Some 230 common legal principles ultimately won common assent from this group of scholars and the church leaders whom they consulted.

This volume harvests the fruit of those ecumenical labors. Each of the major scholars involved in the deliberations presents here a crisp study of the origin, range, and current uses of church law within their own denomination, and analyzes how their denomination reflects and sometimes refracts the 230 common principles. Many readers will be more familiar with Roman Catholic, Anglican, Methodist, and Presbyterian church law, but these chapters are especially well crafted and authoritative. Many readers will be less familiar with Orthodox, Eastern Catholic, and

Pentecostal church law, but here, too, the chapters provide fascinating insights into the inner legal working and thinking of these denominations. Professor Doe's own sweeping introduction sets this modern ecumenical project into a two-millennium context, and defends ably the concept of *regulae*, maxims, or principles as a suitable trope for building a new "concordance of discordant canons" across the denominations.

It is worth noting that these church laws are not just arcane dusty documents for legal specialists to ponder. They are front page news these days. The Roman Catholic Church has been rocked by grave revelations of widespread pedophilia of delinquent priests and cover-ups by complicit bishops. Mainline Protestants and Evangelicals now face major charges of sexual, physical, and financial abuses by their clergy. Global Methodist and Anglican communities are dividing over questions of same-sex liberty. Pentecostal churches in the Global South are facing massive resistance from local authorities. Orthodox Churches have been decimated by Middle Eastern wars and a return to Soviet-style controls of its clergy. And in Western liberal lands, religious freedom has come under strong academic and political attack. All these challenges test not only the faith of the church and its capacity as needed to repent, recompense, reconcile, resist, renew, and reform itself. These new challenges also test the law of the church and its capacity to hold the local and global church to its most fundamental mission of preaching the Word, administering the sacraments, catechizing the young, and caring for the poor and needy in imitation of Christ.

John Witte, Jr.
Director, Center for the
Study of Law and Religion
Emory University