

EDITORIAL

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For a number of reasons, the year 2008 will be significant for those with an interest in ecclesiastical law. First, it marks the twenty-first anniversary of the formation of the Ecclesiastical Law Society and the establishment of this *Journal*. Much has been achieved over the past two decades, and the expectations of the founders have been surpassed in terms of reviving the study of ecclesiastical law. In March 1987, Robert Runcie sent a message to the inaugural conference of the Society, held at Corpus Christi College, Cambridge, stating ‘there has never been such a need as there is today for the law of the Church to develop, and to develop soundly in the light of consistent and distinguished scholarship’. The flourishing of the Society and of this *Journal*, is testimony to the prescience of the archbishop.

However, the Society is a relative youngster in comparison with its Roman Catholic equivalent, the Canon Law Society of Great Britain and Ireland, which is currently celebrating half a century of existence. Representatives of the Ecclesiastical Law Society were pleased to share in a Mass to mark the Canon Law Society’s fiftieth birthday, celebrated in Westminster Cathedral by Cardinal Cormac Murphy-O’Connor. Ecumenical collaboration between the two Societies, exemplified by the biennial Lyndwood Lecture, is evidence not merely of the recovery of the history and tradition of Anglican canon law, but also of the practical ecumenism that may be lived out through a fuller understanding of the similarities in the legal regulation of the two Churches.

But beyond the two Societies, the Anglican Communion will be faced in 2008 with challenges and opportunities at the Lambeth Conference, as heralded – to some degree at least – at the Ecclesiastical Law Society’s residential conference in Liverpool in January 2007. Much attention focuses upon a draft Anglican Covenant, part of a rolling process of consultation and reflection which is taking forward the recommendations articulated in the Windsor Report. The true nature of reflection cannot be overstated, because modern and immediate means of communication are anathema to meditative self-examination and respectful consideration of the views of others. In an era where e-mail exchanges and briefings on the world wide web tend to dominate, the need to slow the pace seems overwhelming. There seemed to be far more harmony in the Anglican Communion when correspondence took weeks to reach its intended recipient. By the time a reply had been composed and sent back, the problem had generally resolved itself.

The canon law of the Anglican Communion has a part to play in this process of reflection. The canons, laws and regulations that govern component provinces are an expression of self-understanding for particular Churches. They represent, as Ombres has said, an ‘applied ecclesiology’,¹ whereby the life of the Church through its law is given specific embodiment and is structured in its institutions as is thought pastorally appropriate for its sacramental making present of Christ’s life, death and resurrection. We must recognise the law, not as an oppressive agent or the dead hand of restraint, but as a facilitative instrument designed to express the manner in which the mission of the Church is to be lived out. The work of Professor Norman Doe in compiling a systematic comparative analysis of the laws of each province of the Anglican Communion² reveals the level of homogeneity that currently exists. The tenth anniversary of his founding of the Centre for Law and Religion at Cardiff University is another cause of celebration in 2008, and will be marked in the next issue of this *Journal*. His article in this issue, specifically unfolding a global common law, is revealing. It may well be novel in terms of specific scholarly treatment, but analysis of historic documents reveals that it has been discoverable for as long as the Communion has been in existence. Dr Colin Podmore provides a comparative critique of the ecclesiologies of the Church of England and The Episcopal Church in the USA, whilst the concept of membership in relation to the Church of Ireland is unpacked by Bishop Paul Colton. His analysis and conclusions will be equally of interest to those of other provinces.

The task for Anglicans as the 2008 Lambeth Conference approaches is to move the debate away from the language of division, fomented by overtly secular coverage in the media, and to concentrate upon what unites the worldwide Anglican Communion in terms of its commonality of structure and governance, and specifically in relation to its accommodation of difference. The community of the faithful, whether ordained or lay, can look to the *ius commune* to provide a framework for the restrained articulation of a wide spectrum of views, and to proclaim the gospel of Christ, with all its diversity, in a spirit of charity, conviction and respect. Canon law and canon lawyers can lead the way.

1 R Ombres, ‘Why then the law?’, (1974) 55 *New Blackfriars* 296.

2 N Doe, *Canon Law in the Anglican Communion: a worldwide perspective* (Oxford, 1998).