

EDITORIAL

MARK HILL

It was the distinguished Dominican scholar and member of the Editorial Board of this Journal, Robert Ombres, who first coined the expression ‘applied ecclesiology’ in the context of canon law.¹ In similar vein, James Coriden has asserted that ‘the canons . . . help to create and maintain the metaphors and symbols which influence the faithful subtly but strongly’.² It is therefore not surprising that one finds within canon law a vocabulary and a structure which can serve to promote ecumenical relations. Two substantial articles in this issue collectively provide a historic contribution to the nascent study of canon law and ecumenism as a fused discipline, each informing and enhancing the other.

Pope Benedict XVI’s presence at Westminster Abbey on Friday 17 September 2010, alongside Dr Rowan Williams, was profoundly moving for those privileged to be there. That it happened in a royal peculiar where the Archbishop of Canterbury has no jurisdiction perhaps helped facilitate and deepen the warmth and depth of the fraternal exchange. As the Pope himself said,

I thank the Lord for this opportunity to join you, the representatives of the Christian confessions present in Great Britain, in this magnificent Abbey Church dedicated to Saint Peter, whose architecture and history speak so eloquently of our common heritage of faith. Here we cannot help but be reminded of how greatly the Christian faith shaped the unity and culture of Europe and the heart and spirit of the English people. Here too, we are forcibly reminded that what we share, in Christ, is greater than what continues to divide us.

The Pope spoke, as the Successor of Saint Peter in the See of Rome, of making a pilgrimage to the tomb of Saint Edward the Confessor, and reflected that 2010 marked the hundredth anniversary of the modern ecumenical movement, giving thanks for the remarkable progress made towards ‘this noble goal’ through the efforts of committed Christians of every denomination.

The Church’s unity, in a word, can never be other than a unity in the apostolic faith, in the faith entrusted to each new member of the Body of Christ during the rite of Baptism. It is this faith which unites us to the Lord,

1 See R Ombres, ‘Why then the law?’ [1974] *New Blackfriars* 296.

2 J Coriden, *An Introduction to Canon Law* (London: Burns & Oats, 1991) 6.

makes us sharers in his Holy Spirit, and thus, even now, sharers in the life of the Blessed Trinity, the model of the Church's *koinonia* here below.

The Pope had earlier addressed a rather more secular gathering in Westminster Hall where Saint Thomas More had been condemned to death and, if I may be forgiven the indulgence, where I was presented with my letters patent upon my appointment as Queen's Counsel some eighteen months ago. Pope Benedict began his address to a gathering of senior statesmen by recognising that 'your common law tradition serves as the basis of legal systems in many parts of the world, and your particular vision of the respective rights and duties of the state and the individual, and of the separation of powers, remains an inspiration to many across the globe'.

Particularly significant in the Pope's address, and therefore worthy of reproduction in this Journal,³ was the following:

Britain has emerged as a pluralist democracy which places great value on freedom of speech, freedom of political affiliation and respect for the rule of law, with a strong sense of the individual's rights and duties, and of the equality of all citizens before the law. While couched in different language, Catholic social teaching has much in common with this approach, in its overriding concern to safeguard the unique dignity of every human person, created in the image and likeness of God, and in its emphasis on the duty of civil authority to foster the common good . . .

Each generation, as it seeks to advance the common good, must ask anew: what are the requirements that governments may reasonably impose upon citizens, and how far do they extend? By appeal to what authority can moral dilemmas be resolved? These questions take us directly to the ethical foundations of civil discourse. If the moral principles underpinning the democratic process are themselves determined by nothing more solid than social consensus, then the fragility of the process becomes all too evident – herein lies the real challenge for democracy . . .

The central question at issue, then, is this: where is the ethical foundation for political choices to be found? The Catholic tradition maintains that the objective norms governing right action are accessible to reason, prescinding from the content of revelation. According to this understanding, the role of religion in political debate is not so much to supply these norms, as if they could not be known by non-believers – still less to propose concrete political solutions, which would lie altogether outside the competence of religion – but rather to help purify and shed light

3 The full text, together with that of all other addresses and homilies delivered during the visit, is available at: <www.thepapalvisit.org.uk/Replay-the-Visit/Speeches/>, accessed 26 September 2010.

upon the application of reason to the discovery of objective moral principles. This 'corrective' role of religion vis-à-vis reason is not always welcomed, though, partly because distorted forms of religion, such as sectarianism and fundamentalism, can be seen to create serious social problems themselves. And in their turn, these distortions of religion arise when insufficient attention is given to the purifying and structuring role of reason within religion. It is a two-way process. Without the corrective supplied by religion, though, reason too can fall prey to distortions, as when it is manipulated by ideology, or applied in a partial way that fails to take full account of the dignity of the human person. Such misuse of reason, after all, was what gave rise to the slave trade in the first place and to many other social evils, not least the totalitarian ideologies of the twentieth century. This is why I would suggest that the world of reason and the world of faith – the world of secular rationality and the world of religious belief – need one another and should not be afraid to enter into a profound and ongoing dialogue, for the good of our civilization.

Religion, in other words, is not a problem for legislators to solve, but a vital contributor to the national conversation. In this light, I cannot but voice my concern at the increasing marginalization of religion, particularly of Christianity, that is taking place in some quarters, even in nations which place a great emphasis on tolerance. There are those who would advocate that the voice of religion be silenced, or at least relegated to the purely private sphere. There are those who argue that the public celebration of festivals such as Christmas should be discouraged, in the questionable belief that it might somehow offend those of other religions or none. And there are those who argue – paradoxically with the intention of eliminating discrimination – that Christians in public roles should be required at times to act against their conscience. These are worrying signs of a failure to appreciate not only the rights of believers to freedom of conscience and freedom of religion, but also the legitimate role of religion in the public square. I would invite all of you, therefore, within your respective spheres of influence, to seek ways of promoting and encouraging dialogue between faith and reason at every level of national life.

I make no apology for quoting so extensively from the words of the Holy Father during his visit to Britain. Delivered on a glorious late summer afternoon, his words both in Westminster Hall and Westminster Abbey articulate with precision and sensitivity themes of universal application. As the article by Professor Christopher McCrudden in this issue makes plain, there is room for imaginative thinking when considering the place of religion in the public sphere. I am in no doubt that this Journal will return to the subject more than once in the coming years. The intervention of Pope Benedict XVI is to be welcomed.