

**COLLOQUIUM OF ROMAN CATHOLIC AND
ANGLICAN CANONISTS
IN ROME
30 APRIL–1 MAY 1999
STATEMENT AND MEMORANDUM**

1. BACKGROUND

On 30 April and 1 May 1999, the Pontifical University of St Thomas Aquinas in Rome (the Angelicum) hosted a Colloquium on the subject of the Comparative Law of Church Property, organised in collaboration with the Centre for Law and Religion at Cardiff Law School. It was attended by Anglican and Roman Catholic canonists and a representative of the Eastern Catholic Church. It is believed that this was the first meeting of its type since the Reformation and was a unique opportunity for canon lawyers to engage in ecumenical dialogue. It represented a response by canonists to the welcome given by the Anglican Communion at the Lambeth Conference in 1998 to the encyclical letter of Pope John Paul II *Ut Unum Sint*. Such a meeting would have been unimaginable ten years ago but the substantial common interest which the subject raises coupled with strong friendships forged during the Colloquium has revealed a great potential for events such as these. The Archbishop of Canterbury, who is to chair (jointly with Cardinal Cassidy) a major consultation in Canada in May 2000 reviewing Anglican/Roman Catholic relationships, had expressed his support for the Colloquium and the further initiatives which it might herald. The President of Ireland also sent a personal message of support for the event.

2. PARTICIPANTS

- Norman Doe, Director of the Centre for Law and Religion and author of *The Legal Framework of the Church of England* (1996) and *Canon Law in the Anglican Communion* (1998)
- Brian Hanson, legal advisor to the Archbishops' Council and the General Synod of the Church of England, Associate Member of the Centre for Law and Religion, and co-author of the third edition of *Moore's Introduction to English Canon Law* (1992)
- Mark Hill, barrister and Research Fellow at the Centre for Law and Religion, Deputy Chancellor of the Diocese of Winchester, author of *Ecclesiastical Law* (1995) and co-editor, with Dr Doe and Fr Robert Ombres, of *English Canon Law* (1998)
- Anthony Jeremy, solicitor and Research Fellow at the Centre for Law and Religion
- Joseph Fox, Professor of Canon Law at the Angelicum
- Michael Carragher, Professor of Canon Law at the Angelicum
- Dimitri Salachas, Professor of Canon Law at the Angelicum
- Brian Ferme, Professor of the History of Canon Law at the Lateran Pontifical University
- Aidan McGrath, Professor of Canon Law at the Gregorian Pontifical University and President of the Canon Law Society of Great Britain and Ireland
- Nicholas Cafardi, Dean of the Law School, Duquesne University, Pittsburgh, USA and doctoral candidate in canon law at the Angelicum

- Sr Melanie Di Pietro, partner in the law offices of Buchanan Ingersol, Pittsburgh, USA and doctoral candidate in canon law at the Angelicum

3. THE COLLOQUIUM

The work of the Colloquium was conducted over two days and comprised a series of closed session discussions on particular issues of church property law arising out of the following papers, all of which had been exchanged by the participants in advance:

- Canon Law and Church Property in the Anglican Communion: An Overview
- The Framework for Imposition and Assessment of the Parish Quota in the Anglican Communion
- The Ecumenical Use of Church Buildings
- The Fabric and Contents of Church Buildings in the Anglican Communion
- Ecclesiastical Property: Its Ownership and Trusteeship Schemes
- Papal and Episcopal Administration of Temporal Goods
- Temporal Goods of the Church in the Light of the Oriental Canon Law of the First Millennium as Found in Today's Codex Canonum Ecclesiarum Orientalium
- The Temporal Goods of the Church: Some Historic Notes
- Religious Institutes as Subjects of Economic Capacity according to the Code of Canon Law 1983
- Sources of Diocesan Finance in the 1983 Code of Canon Law
- Public Juridic Persons: Ownership and Trusteeship

4. MEETINGS AND RELATED EVENTS

During the Colloquium and in the days immediately before, a number of meetings took place. The Anglican participants were presented to His Holiness John Paul II at a papal audience on Wednesday 28 April. Fraternal greetings were extended to the Pope on behalf of the Archbishop of Canterbury, and Dr Doe, on behalf of Cardiff University presented the Pope with an engraved crystal bowl.

The participants were received in formal meetings by the Superior Prelates of three dicasteries of the Roman Curia. At the Roman Rota they were received by its Dean, Archbishop Mario Pompedda, and three Rotal Judges, Monsignors Cormac Burke, Joseph Huber and Pio Pinto together with Monsignor Gerard McKay, Defender of the Bond. At the Pontifical Council for Christian Unity, it was Bishop Pierre Duprey, Secretary of the Council, together with a staff official, Fr Timothy Galligan, who met with the group and led a short time of prayer. At the Pontifical Council for the Interpretation of Legislative Texts, its secretary, Bishop Bruno Bertagna received them with Fr Bernard Hebda, staff official at the Council. In each of the dicasteries, warm encouragement was given to the work of the Colloquium.

On Friday 30 April, Her Majesty's Ambassador to the Holy See hosted a dinner for the participants at his residence and welcomed the ecumenical work of the canonists. The law firm Buchanan Ingersoll also provided a dinner and a partial grant to finance the expenses of the meetings. The Angelicum provided further hospitality and particular thanks are due to Fr Angelo Urru, Dean of the Faculty of Canon Law.

5. PUBLICATION

The proceedings of the Colloquium are to be published later this year and will include a paper by Fr Robert Ombres OP of Blackfriars, Oxford, who was instru-

mental in setting up the Colloquium. Copies may be obtained through the Angelicum, the Centre for Law and Religion, Duquesne Law School and the Canon Law Society for Great Britain and Ireland at the address given below.

6. FUTURE COLLABORATION

Due to the success of the Colloquium, it was resolved to reconvene next year and possibly annually thereafter to facilitate similar comparative analyses of different aspects of church law. In the meantime, several of the participants will be taking part in a Conference to be held at Duquesne Law School on 4–5 February 2000 where the law relating to church property will be further considered in a multi-faith context against a civil law background.

It was also decided to establish a Forum on Comparative Canon Law where leading scholars and practitioners can exchange information by means of publication, lectures and conferences. Such a Forum is, as yet, an untapped resource in the ecumenical movement.

7. CONTACT

Further information may be obtained from:

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