



Legal Flexibility and the Mission of the Church: Dispensation and Economy in Ecclesiastical Law

Will Adam

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Legal scholars and authorities generally agree that the law should be obeyed and should apply equally to all those subject to it, without favour or discrimination. Yet it is possible to see that in any legal system there will be situations when strict application of the law will produce undesirable results, such as injustice or other consequences not intended by the law as framed. In such circumstances the law may be changed but there may be broad policy reasons not to do so. The allied concepts of dispensation and economy grew up in the western and eastern traditions of the Christian church as mechanisms whereby an individual or a class of people could, by authority, be excused from obligations under a particular law in particular circumstances without that law being changed. This book uncovers and explores this neglected area of church life and law. Will Adam argues that dispensing power and authority exist in various guises in the systems of different churches. Codified and understood in Roman Catholic and Orthodox canon law, this arouses suspicion in the Church of England and in English law in general. The book demonstrates that legal flexibility can be found in English law and is integral to the law of the Church, to enable the Church today better to fulfil its mission in the world.

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