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Law and Theology in Dialogue: Historical Roots, Jurisprudential Influence, and Global Perspectives

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Abstract

This study explores the enduring and multifaceted relationship between law and theology through a systematic literature review (SLR) of scholarly works published between 2006 and 2024, sourced exclusively from the Scopus database. It identifies six key thematic areas: historical intersections, theological influence on jurisprudence, comparative law and theology, theological normativity in legal frameworks, the Indonesian context, and contemporary challenges. Special attention is given to Indonesia as a unique case of legal pluralism, where Islamic theology plays a prominent role. Yet, Christian theological influences persist indirectly through Dutch colonial legal transplants, most notably in the KUHP, KUHPer, and KUHD. The finding reveals that law and theology, while distinct in methodology, are interdependent in their pursuit of justice, human dignity, and moral order. This study underscores the relevance of theological insights for enriching legal systems and calls for more excellent interdisciplinary dialogue to address ethical, social, and legal complexities in pluralistic societies.

Keywords: canon law; colonial legacy; Indonesian law; legal pluralism; theological normativity

INTRODUCTION

The intersection of law and theology represents one of the oldest and most profound relationships in the intellectual history of human civilization.¹ While law is typically associated with formal rules, state authority, and the regulation of social order, theology engages with divine revelation, moral truths, and spiritual meaning.² At first glance, these domains may appear distinct, one secular and institutional, the other sacred and transcendent. Yet, across centuries and cultures, they have continuously informed, challenged, and shaped one another.

In the Western tradition, this relationship is especially evident in the formation of canon law, the Church's legal system, which codified theological principles into judicial norms.³ As Christianity spread and shaped medieval European institutions, theological doctrines influenced foundational legal concepts such as justice, human dignity, mercy, and the moral limits of state power.⁴

The effects of this influence endure in modern legal systems, which often bear theological imprints in areas ranging from human rights to ethical jurisprudence.

The engagement between law and theology remains vital and contested in contemporary settings.⁵ Globalization, religious pluralism, secularism, and legal reform have brought new dimensions to this dialogue.⁶ Questions about the role of spiritual values in public law, the accommodation of religious practices within secular legal systems, and the ethical responsibilities of legal institutions continue to provoke scholarly, political, and societal debate.

This Systematic Literature Review (SLR) seeks to synthesize the state of scholarship on the interplay between law and theology. Drawing on 2,584 peer-reviewed documents retrieved from the Scopus database published between 2006 and 2024, this review identifies six key thematic areas: historical intersections, theological influen-

¹ G.R. Evans, *Law and Theology in the Middle Ages* (London: Routledge, 2002).; Diego Quaglioni, "The Miracles between Theology and Law," *Rivista Di Storia e Letteratura Religiosa* 42, no. 3 (2006): 495 – 505.

² Joshua Neoh, "Political Theology and Legal Theory," in *Research Handbook on Interdisciplinary Approaches to Law and Religion*, 2019, 305-21, <https://doi.org/10.4337/9781784714857.00027>.

³ Giacomo Canobbio, "Theology and the Study of Canon Law: Notes towards Overcoming Division," *Ius Canonicum* 60, no. 120 (2020): 529 – 546, <https://doi.org/10.15581/016.120.010>.; Carlo Fantappiè, "Interdisciplinary Canon Law. Ideas for an

Epistemological Renewal," *Ius Canonicum* 60, no. 120 (2020): 479 – 504, <https://doi.org/10.15581/016.120.009>.

⁴ Irena A Balzyk et al., "Christian Theological Grounds of Jurisprudence: Historical and Contemporary Aspects," *Pharos Journal of Theology* 104, no. 1 (2023), <https://doi.org/10.46222/PHAROSJOT.1045>.

⁵ Balzyk et al.

⁶ Daniel P S Goh and Jaclyn L Neo, "Christianity and Law in Southeast Asia Today," in *The Oxford Handbook of Christianity and Law*, 2023, 331-43, <https://doi.org/10.1093/oxfordhb/9780197606759.013.24>.

ce on jurisprudence, comparative approaches between law and theology, theological normativity in legal frameworks, regional case studies, and ongoing contemporary challenges. The objective is to provide a comprehensive overview of how legal and theological discourses intersect in their conceptual foundations and practical implications for modern legal systems.

By mapping this interdisciplinary terrain, the paper aims to offer clarity and critical insight into how theology contributes to the moral foundation of law and serves as a lens through which the legitimacy and purpose of law may be assessed, especially in pluralistic and evolving societies. This research builds upon prior scholarship that highlights the theological roots of legal norms and emphasizes the necessity of interdisciplinary dialogue between law and theology in addressing contemporary legal and ethical challenges. These foundational works provide the background and justification for conducting a systematic literature review to synthesize existing knowledge and identify new directions for inquiry.

RESEARCH METHOD

This study employs a Systematic Literature Review (SLR) approach to explore the intersections between law and theology, with particular attention to their historical

roots, normative frameworks, and contemporary applications. To enhance methodological rigor, this review incorporates the PICO framework, commonly used in systematic reviews, to define its scope: ‘P’ refers to the Population of scholarly works related to law and theology; ‘I’ indicates the Intervention as the use of theological analysis in legal discourse; ‘C’ involves Comparison across traditions (e.g., Christian vs. Islamic jurisprudence); and ‘O’ stands for Outcomes, referring to the influence of theological insights on legal systems and practices. The SLR method provides a structured and transparent means of collecting, analyzing, and synthesizing existing scholarly knowledge across multiple disciplines.

Data Source and Selection Criteria

This review exclusively used one academic database, Scopus, as the sole source of literature. All primary literature for this review was sourced from the Scopus database, one of the most comprehensive and reputable repositories of peer-reviewed academic publications. The search was conducted using keywords such as *law and theology*, *canon law*, *jurisprudence and religion*, *comparative theology*, *legal pluralism*, *theological normativity*, and *religion and human rights*. The time frame was limited to works published between 2006 and

2024, ensuring historical depth and contemporary relevance. The inclusion criteria included: (1) peer-reviewed journal articles, book chapters, and academic reviews; (2) works explicitly addressing the interaction between legal and theological concepts; (3) Thematic relevance. Exclusion criteria included duplicate records, non-peer-reviewed sources, or materials lacking a clear analytical focus on legal or theological dimensions.

Thematic Coding and Analysis

Following data collection, the literature was thematically coded using qualitative content analysis. Each source was analyzed for its contribution to core themes, which were inductively derived and refined through an iterative reading process. This approach draws on established qualitative methods as outlined in Braun and Clarke⁷ and Thomas and Harden,⁸ which emphasize inductive coding, constant comparison, and synthesis of themes across diverse sources.

These themes were then organized into six key analytical categories: (1) Historical Intersections Between Law and Theology, (2) Theological Influence on Jurisprudence, (3) Comparative Law and Theology, (4) Legal Frameworks and Theological Normativity, (5) Law and Theology in the Indonesian Context, and (6) Challenges and Contemporary Debates.

Conceptual Mapping

A conceptual map (see Figure 1) was constructed to visualize and synthesize the complex relationships across these categories. This map illustrates the multidirectional flow of influence between theology and law, historically, normatively, and geographically. The map also highlights key sub-themes, such as canon law, theological ethics, civil religion, and legal pluralism, which emerged repeatedly throughout the review. The conceptual map was a guiding framework for organizing findings and structuring the thematic analysis.

⁷ Virginia Braun and Victoria Clarke, "Using Thematic Analysis in Psychology," *Qualitative Research in Psychology* 3, no. 2 (2006): 77–101, <https://doi.org/10.1191/1478088706QP063OA>.

⁸ James Thomas and Angela Harden, "Methods for the Thematic Synthesis of Qualitative Research in Systematic Reviews," *BMC Medical Research Methodology* 8 (2008): 1–10, <https://doi.org/10.1186/1471-2288-8-45>.

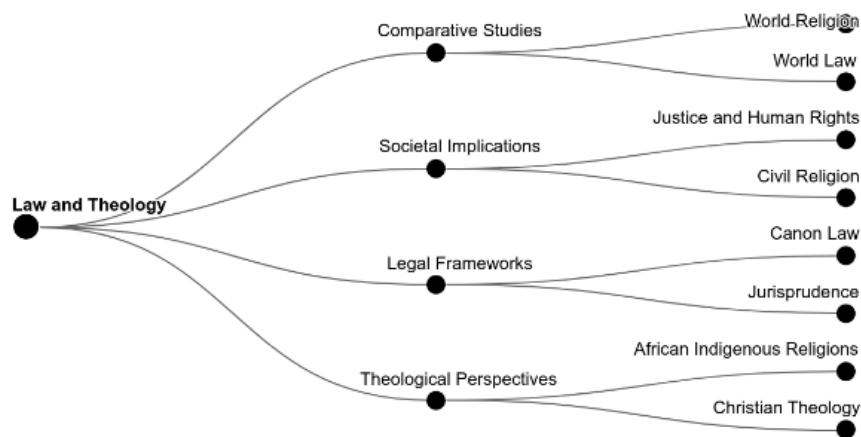


Figure 1. Conceptual Map of the Intersections Between Law and Theology
Source: Scopus Database

RESULT AND DISCUSSION

Historical Intersections Between Law and Theology

The discussion of the historical relationship between law and theology must be understood as a descriptive account and as a theological testimony to how divine revelation has historically shaped legal structures. Canon law, for example, is not only a legal system but a reflection of ecclesial theology that sees law as a means of shepherding souls (*cura animarum*). The historical relationship between law and theology is deeply entrenched in the development of Western legal traditions. From the medieval period onward, Christian theology played a critical role in shaping jurisprudence, with

the most prominent example being the emergence of *canon law*—a legal system developed within the Roman Catholic Church to regulate ecclesiastical affairs. This body of law was not merely administrative but reflected deeper theological commitments, embedding doctrinal truths into normative frameworks.⁹

Canon law exemplifies the institutionalization of theological principles, operating at the nexus of spiritual authority and legal regulation. It provided a comprehensive structure for church governance, influencing ecclesiastical courts and laying foundational concepts that would permeate civil legal systems.¹⁰ Over time, canon law's integration of theological ethics—such as the pursuit of justice, the sanctity of

⁹ Paul Babie, "Theology, Law, and the Australian Legal Academy," *Religion and Education* 39, no. 2 (2012): 172–188, <https://doi.org/10.1080/15507394.2012.684022>.

¹⁰ César Izquierdo, "Theology and Canon Law. Reflections from Theology," *Ius Canonicum* 60, no. 120 (2020): 547 – 564, <https://doi.org/10.15581/016.120.011>.

marriage, and moral accountability, contributed to broader legal notions of due process, equity, and communal responsibility.

Moreover, the medieval era's theology and law synthesis were not confined within ecclesiastical boundaries. Theological reflection influenced the evolution of jurisprudence itself, prompting early legal scholars to consider divine law as a source of moral authority. With its dialectical method and scholastic rigor, the canonist tradition helped formalize legal reasoning and interpretive practices that continue to shape Western jurisprudence.¹¹

Essentially, the historical intersections between law and theology reflect more than a shared history, they reveal an ongoing dialogue between moral vision and legal structure. This foundational interplay laid the groundwork for many principles still central to legal discourse today, particularly in contexts where justice is tethered to values derived from theological traditions.

Theological Influence on Jurisprudence

Beyond its historical foundations, theology has continued to profoundly influence jurisprudence by infusing legal thought with ethical and metaphysical dimensions. Christian theology, in particular, has contributed enduring values such as human dignity, mercy, and the sanctity of life, principles that form the moral architecture of many modern legal systems. These theological underpinnings are evident in the evolution of legal doctrines surrounding justice, rights, and the common good.¹²

Theological insights have often challenged legal positivism by asserting that law cannot be divorced from morality.¹³ In this context, jurisprudence becomes a field of rules, procedures, meaning, and purpose, engaging with questions of what ought to be rather than merely what is. This is particularly visible in debates on capital punishment, war crimes, restorative justice, and human rights, where theological voices advocate for compassionate justice and preserving human worth.¹⁴

¹¹ Carlos José Errázuriz, "The Idea of Law as a Basis for Interdisciplinary Dialogue between Theologians and Canonists," *Ius Canonicum* 62, no. 123 (2022): 9–31, <https://doi.org/10.15581/016.123.017>.

¹² John Witte and Frank S Alexander, "Christianity and Human Rights: An Introduction," in *Christianity and Human Rights: An Introduction* (Cambridge University Press, 2010), <https://doi.org/10.1017/CBO9780511761713>.

¹³ Aleksandra Horowska, "The Nature of Similarity between Jurisprudence and Theology in G. W. Leibniz's *Nova Methodus...* (1667)," in *The Labyrinths of Leibniz's Philosophy*, 2022, 189–239.

¹⁴ Jonathan Rothchild, Matthew Myer Boulton, and Kevin Jung, *Doing Justice to Mercy: Religion, Law, and Criminal Justice*, 2012.; Christine Schliesser, "Human Rights - On the Contribution of Theological Ethics to the Current Human Rights Discourse,"

Furthermore, Christian theological thought contributes to the conceptualization of justice as retribution, deterrence, restoration, and reconciliation. This perspective encourages legal systems to embrace mercy and forgiveness as virtues compatible with justice, especially in rehabilitation, transitional justice, or truth commissions. Such approaches underscore the potential for theology to critique and enrich legal processes by offering alternative visions of social harmony and moral accountability. Ultimately, the influence of theology on jurisprudence reveals a more profound aspiration within the law: to serve not merely as a regulatory mechanism but as a means of cultivating a just and humane society grounded in shared moral commitments.

Comparative Law and Theology

Comparative studies in law and theology open a rich interdisciplinary field for exploring how different religious and le-

gal traditions conceptualize justice, morality, and authority.¹⁵ At the heart of this approach lies the recognition that law and theology are not universally uniform but are shaped by cultural, historical, and doctrinal contexts. Comparative theology, for instance, examines sacred texts and theological principles across religious traditions,¹⁶ not for harmonization but to deepen understanding of one's faith through the lens of the other.¹⁷

Similarly, comparative legal studies investigate the structural and normative dimensions of diverse legal systems,¹⁸ including those rooted in religious laws. Islamic law (*Sharia*) is a prominent example, which differs significantly from Western secular legal frameworks due to its theological foundations and eschatological objectives. This presents both a challenge and an opportunity for comparative legal scholars, requiring methods sensitive to the spiritual and moral claims embedded within such systems.¹⁹

Zeitschrift Fur Evangelische Ethik 65, no. 4 (2021): 261–272, <https://doi.org/10.14315/zee-2021-650405>.

¹⁵ Burkhard Josef Berkmann and David E Orton, "The Internal Law of Religions: Introduction to a Comparative Discipline," in *The Internal Law of Religions: Introduction to a Comparative Discipline*, 2020, <https://doi.org/10.4324/9781003005322>.

¹⁶ Lynn Hofstad, "The Challenges of Comparative Theology: An Assessment of Kärkkäinen's Doing the Work of Comparative Theology," *Dialog* 59, no. 4 (2020): 344–347, <https://doi.org/10.1111/dial.12602>.

¹⁷ Marianne Moyaert, "Theology Today: Comparative Theology as a Catholic Theological Approach," *Theological Studies* 76, no. 1 (2015): 43–64, <https://doi.org/10.1177/0040563914565298>; Betül

Avci, "Comparative Theology: An Alternative to Religious Studies or Theology of Religions?," *Religions* 9, no. 3 (2018), <https://doi.org/10.3390/rel9030083>.

¹⁸ Łukasz Jan Korporowicz, "Teaching Comparative Law In Eighteenth-Century England: Thomas Bever As A Comparative Lawyer As Exemplified By His Lectures On Polish Law And The Constitution," *Acta Universitatis Lodzensis. Folia Iuridica* 99 (2022): 123–35, <https://doi.org/10.18778/0208-6069.99.09>.

¹⁹ Hamid Harasani, "Islamic Law as a Comparable Model in Comparative Legal Research: Devising a Method," *Global Journal of Comparative Law* 3, no. 2 (2014): 186–202, <https://doi.org/10.1163/2211906X-00302002>.

The convergence of comparative theology and law fosters a dialogue that maps similarities and differences and uncovers how religious traditions generate their own legal epistemologies. For instance, canon law within Christianity, *Halakha* in Judaism, and Islamic jurisprudence reflect distinct theological premises about divine authority, human responsibility, and communal order. Examining these systems offers insights into how religious communities internalize and enforce moral obligations.

Moreover, comparative perspectives help expose the limitations of secular legal paradigms, which may overlook the embeddedness of law within religious worldviews, particularly in non-Western contexts.²⁰ By bringing theology into the comparative legal discourse, scholars can better appreciate how law functions not merely as a societal contract but as a covenant with transcendent significance.

Legal Frameworks and Theological Normativity

The development of legal frameworks across societies has often drawn

upon theological concepts to define norms, values, and authority structures. Theological normativity, the idea that moral and ethical directives derived from religious doctrine can shape the foundation of legal systems, remains a powerful undercurrent in both historical and contemporary jurisprudence. This normativity operates doctrinally through theological constructs such as the *imago Dei*, which affirms the inherent dignity of every person as a legal subject; the concept of natural law, which posits an order rooted in divine reason accessible through human rationality; and the covenantal paradigm, which frames law not merely as regulation, but as a moral relationship grounded in divine justice. These theological ideas have historically guided legal interpretations of justice, obligation, and authority and continue to inform debates on human rights, restorative justice, and the moral legitimacy of law in pluralistic societies.²¹

One key area where this integration is most evident is the codification of moral imperatives into legal obligations. For instance, theological affirmations of human dignity, stewardship, and justice have direct-

²⁰ Catherine Cornille, "Six Theses on Comparative Theology," *Revue Theologique de Louvain* 55, no. 1 (2024): 38–60, <https://doi.org/10.2143/RTL.55.1.3293291>; Jaakko Husa, "Conclusion," in *A Research Agenda for Comparative Law*, 2024, 217–19, <https://doi.org/10.4337/9781035317509.00016>.

²¹ Michael Welker, "What Makes Theology Theology?," *Theology Today* 72, no. 2 (2015): 160–69, <https://doi.org/10.1177/0040573615581549>; Nicholas Aroney, "Christianity and Constitutional Law," in *The Oxford Handbook of Christianity and Law*, 2023, 363–76 <https://doi.org/10.1093/oxfordhb/9780197606759.013.26>.

ly influenced constitutional principles such as the right to life, equality before the law, and religious freedom. In many contexts, especially those emerging from colonial or theocratic histories, the law does not merely regulate behaviour, it embodies a vision of the good life rooted in theological anthropology and divine command.²²

Modern legal theorists and theologians increasingly advocate for interdisciplinary approaches that bridge legal science with theological ethics. This movement emphasizes that law is not value-neutral and must engage with the more profound questions of human purpose and communal responsibility. Theological frameworks offer critical tools for evaluating legal systems within a broader ethical and metaphysical horizon, challenging legal reductionism while proposing holistic visions of justice, reconciliation, and peace.

Furthermore, institutionalizing theological principles within legal education and practice, such as the theology of canon law in Catholic universities, illustrates how law can function not merely as a technical field but as a moral vocation. In this way,

theological normativity continues to shape how legal actors understand their roles as interpreters, judges, and guardians of justice.

Law and Theology in the Indonesian Context

Indonesia presents a distinctive case study on the relationship between law and theology, shaped by its pluralistic society, constitutional framework, and the central role of religion in public life. As the world's largest Muslim-majority country, Indonesia operates under a model of legal pluralism in which state law (*hukum negara*), Islamic law (*hukum Islam*), and customary law (*adat*) coexist in dynamic tension. This complex legal mosaic reflects a broader theological and cultural synthesis that continues to evolve.²³

Unlike Western secular models that often attempt to separate religion from the public legal sphere, Indonesia's foundational philosophy, *Pancasila*, explicitly affirms belief in God as a guiding principle of state identity. This ideological commitment allows for a nuanced interaction between theology and law: religious values are respected and embedded in the legal system, particularly in family law, education, and morality.²⁴

²² Rafael Domingo, "Christianity And Law: Ten Enduring Contributions," in *The Routledge Handbook of Christianity and Culture*, 2024, 214-25 <https://doi.org/10.4324/9780429260490-18>.

²³ Ahmad Yasa, "The Development of Indonesian Islamic Law: A Historical Overview," *Journal of Indonesian Islam* 9, no. 1 (2015): 101–22, <https://doi.org/10.15642/JIIS.2015.9.1.101-122>;

F. Von Benda-Beckmann and K. Von Benda-Beckmann, "Beyond the Law-Religion Divide: Law and Religion in West Sumatra," in *Permutations of Order: Religion and Law as Contested Sovereignties*, 2016, 227-46.

²⁴ Suparto, "The Relationship between Religion and State According to the Constitution of the Republic

Theological frameworks, particularly within Islamic jurisprudence, play a central role in shaping legal reform and ethical discourse in Indonesia. The concept of *maqashid sharia*, the higher objectives of Islamic law, is increasingly employed to guide progressive interpretations that balance religious fidelity with modern challenges. These include human rights, gender justice, anti-corruption efforts, and social harmony; all pursued to preserve public welfare and align the law with moral values.²⁵

While Islamic theology plays an increasingly visible role in shaping legal discourse, primarily through frameworks like *maqashid sharia* that guide progressive interpretations of Islamic law, the legacy of Christian theology also persists, albeit indirectly, through the Dutch colonial legal system inherited by Indonesia. Many of Indonesia's foundational legal codes, including the KUHP (Criminal Code), KUHPer (Civil Code), and *Kitab Undang-Undang Hukum Dagang* (Commercial Code), are adaptations of the Dutch *Wetboek van Strafrecht*, *Burgerlijk Wetboek*, and *Wetboek van Koophandel* respectively. European Christian mo-

ral and legal traditions deeply shaped these Dutch legal instruments, particularly those stemming from Roman Catholic canon law and Protestant legal theory.

For example, the concept of individual moral responsibility in criminal law (KUHP), protections for private property and contractual obligations (KUHPer), and ethical expectations of fairness and trust in commercial transactions (*Kitab Undang-Undang Hukum Dagang*) reflect Christian theological values embedded in European legal culture. These values emphasize personal accountability, covenantal obligation, and moral order, concepts rooted in Christian doctrines of sin, justice, and human dignity.

Although these codes have been increasingly reformed to align with local customs and religious practices, their foundational logic retains the imprint of Christian-influenced European jurisprudence passed down through colonial law. Thus, in addition to Islamic theology, Christian theology, mediated through legal transplants, continues to shape Indonesia's legal consciousness and institutional frameworks.

of Indonesia 1945,” *International Journal of Innovation, Creativity and Change* 10, no. 5 (2019): 148–59.; Muchamad Ali Safa'at, “The Roles of the Indonesian Constitutional Court in Determining State-Religion Relations,” *Constitutional Review* 8, no. 1 (2022): 113–50, <https://doi.org/10.31078/conrev815>.

²⁵ Nasruddin Yusuf et al., “Examining the Basis of Maqashid Sharia in Renewal of Islamic Law in Indonesia,” *Petita: Jurnal Kajian Ilmu Hukum Dan Syariah* 9, no. 1 (2024): 357–75, <https://doi.org/10.22373/petita.v9i1.258>.; Khairuddin and Idzam Fautanu, “Institutionalization of Islamic Law In Indonesia,” *Al-'Adalah* 18, no. 1 (2021): 1–16, <https://doi.org/10.24042/adalah.v18i1.8362>.

This dual theological heritage places Indonesia in a unique position: its legal system embodies the Islamic tradition's spiritual jurisprudence and the Christian tradition's ethical-legal legacy, filtered through colonial modernity. As legal reforms continue, especially around the recent ratification of the new Indonesian Criminal Code (*KUHP Baru*), the interaction between indigenous values, Islamic principles, and Western-Christian legal norms remains a dynamic and significant field of inquiry.

At the same time, Indonesia's legal-theological landscape is not without friction. Inter-religious tensions, differing interpretations of sacred texts, and constitutional debates reflect the challenges of maintaining unity amidst diversity.

Nevertheless, the Indonesian experience illustrates a robust example of how theological principles can be integrated into national law without entirely subsuming legal authority under religious dogma. It reveals a model in which law and theology continuously negotiate, shaping one another to pursue a just and cohesive society.

Challenges and Contemporary Debates

In contemporary contexts, the relationship between law and theology remains highly relevant and often contested, particularly as legal systems grapple with integrating religious principles into frameworks that prioritize the rule of law, human rights, and social justice.²⁶ Depending on how theological norms are interpreted and applied, this integration can enrich or complicate legal discourse. For example, theological insights are increasingly invoked in addressing modern ethical dilemmas, such as those surrounding bioethics, human dignity, and the moral status of life, areas where secular legal reasoning often benefits from deeper moral reflection.²⁷ The ongoing dialogue between theology and law thus plays a crucial role in shaping responses to complex issues, highlighting both the potential and the tensions inherent in their interaction within pluralistic and evolving societies.

Despite the rich history and ongoing integration of law and theology, their relationship remains tense, especially in contemporary contexts marked by legal secu-

²⁶ Andrii Kovalenko et al., "Theology-Legal Value of Human Rights through the Prism of Modern Types of Legal Understanding," *Pharos Journal of Theology* 104, no. 3 (2023), <https://doi.org/10.46222/pharosjot.104.33>.

²⁷ Alfons Brüning, "Orthodox Theology in Dialogue with Human Rights: Some Considerations on Current Themes, Problems, and Perspectives," *Exchange* 45,

no. 4 (2016): 382–98, <https://doi.org/10.1163/1572543X-12341415>; Martin Birkhäuser, "Ethical Issues in Human Reproduction: Protestant Perspectives in the Light of European Protestant and Reformed Churches," *Gynecological Endocrinology* 29, no. 11 (2013): 955 – 959, <https://doi.org/10.3109/09513590.2013.825716>.

larism, religious pluralism, and shifting moral landscapes. One persistent challenge lies in the uneasy relationship between pastoral theological concerns and the structural rigor of legal systems. This is particularly pronounced in canon law, where theological interpretations may prioritize mercy and spiritual care, while legal frameworks demand procedural consistency and institutional justice.

Such tensions often lead to mutual misunderstandings: theologians may critique legalism as overly rigid or impersonal, while legal practitioners may view theological flexibility as undermining legal certainty. This dialectic reflects more profound questions about the nature of authority, interpretation, and the function of law in religious communities. Bridging these divides requires sustained dialogue and recognition of the complementary, rather than competing, roles these disciplines play in shaping human experience.

In broader society, debates surrounding civil religion, religious freedom, and the

role of theology in public law further complicate the picture. For example, legal systems incorporating civil religion, the sacralization of national identity, can blur the boundaries between state neutrality and ideological imposition. While civil religion may foster unity, it also marginalizes minority beliefs and restricts genuine religious expression.²⁸

Contemporary debates also revolve around the limits of religious influence in pluralistic legal systems. Questions of religious freedom, equality, and the state's secular nature often conflict with theological claims about moral truth and divine authority. This is evident in controversies over marriage laws, bioethics, and religious dress, where legal rulings may reinforce or constrain theological convictions.²⁹

Ultimately, the ongoing engagement between law and theology demands attentiveness to both historical legacy and present realities. While the challenges are significant, they also present opportunities for deeper collaboration, mutual correction,

²⁸ Elizabeth A Clark, "Civil Religion and Religious Freedom in the Russian-Ukrainian Conflict," in *Religion during the Russian-Ukrainian Conflict*, 2019, 15-31, <https://doi.org/10.4324/9780429288463-2>; Rhys H Williams and Todd Nicholas Fuist, "Civil Religion and National Politics in a Neoliberal Era," *Sociology Compass* 8, no. 7 (2014): 929-38, <https://doi.org/10.1111/soc4.12187>.

²⁹ Peter W Edge and Graham Harvey, "Law and Religion in Contemporary Society: Communities, Individualism and the State," in *Law and Religion in*

Contemporary Society: Communities, Individualism and the State, 2017, <https://doi.org/10.4324/9781315250694>; Molly Manyonganise and Lillian Mhuru, "Beyond the Sacred Text: Examining the Confusion, Conflicts and Complications at the Intersection of Religion and Law in Zimbabwe," *Religions* 13, no. 3 (2022), <https://doi.org/10.3390/rel13030240>.

and the cultivation of legal systems that are not only just in procedure but also rich in moral substance.

Implications

The intersection of law and theology reveals a dynamic and enduring relationship that shapes legal thought, ethical reasoning, and societal structures. One key implication of this dialogue is recognizing that legal systems are not morally neutral; theological worldviews and metaphysical commitments explicitly or implicitly inform them. From the formulation of human rights to conceptions of justice and mercy, theology provides a foundational moral grammar that informs legal norms and public discourse.

This review highlights how theology serves as a source of normative vision and a critical lens through which legal systems can be evaluated. In contexts where law becomes overly procedural or technocratic, theology reintroduces questions of meaning, purpose, and the common good. It encourages legal institutions to consider what is legally permissible and what is morally responsible.

Conversely, law plays a vital role in operationalizing theological ideals. Through legal codification, abstract moral principles, such as the person's dignity, the pursuit of justice, and care for the vulnerable, can be translated into enforceable rights and pro-

tections. However, this process requires ongoing reflection and adjustment to avoid the ossification of theological insights into rigid legalism.

The interdisciplinary engagement between law and theology also opens space for inclusive and pluralistic dialogue. In a globalized world marked by religious diversity and competing moral claims, this dialogue offers tools for navigating ethical complexity and fostering social cohesion. Comparative studies further enrich this process, allowing legal and theological systems to learn from one another while maintaining their distinctiveness.

Lastly, the challenges explored, ranging from legal-theological tensions in canon law to broader debates on religious freedom, underscore the importance of cultivating legal frameworks that are both critically self-aware and open to theological perspectives. The implications of this relationship are not only academic but deeply practical, informing policies, judicial reasoning, and societies' broader moral culture.

CONCLUSION

This review highlights how Christian theology has shaped foundational legal traditions such as canon law and continues influencing modern legal thought, including human rights and justice. Law, in turn, provides the structural means to express theo-

logical values in governance and society. Both disciplines, though distinct, share a common goal of pursuing justice, dignity, and the common good. This dialogue becomes increasingly vital in navigating competing moral claims in pluralistic societies. Strengthening interdisciplinary engagement between law and theology will enrich scholarly discourse and contribute to more ethically grounded legal systems.

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