

BOOK REVIEWS

The Principles of Canon Law Common to the Churches of the Anglican Communion (London: Anglican Consultative Council, 2nd edn, 2022), pp. 167. ISBN 978-1911007364

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A helpful preface to this second edition of *The Principles of Canon Law Common to the Churches of the Anglican Communion* covers the genesis of the first edition, its reception and use, and an account of the revision. There is an archepiscopal foreword and Bishop Vincentia Kgabe of Lesotho concludes with a perceptive reflection in which she speaks of the actual use of *Principles* in the Church of the Province of Southern Africa. She quotes the 2008 foreword by Archbishop Rowan Williams: ‘law, properly understood, is not an alien imposition on a grumbling public but a way of securing two things for the common good . . . the first is consistency . . . the second is clarity about responsibility.’ Rowan Williams’s original foreword offered in three paragraphs a beautifully clear and economic summary of equity and responsibility. This edition could usefully have included the whole of the original foreword.

There is a full index and an invaluable table recording which principles have been revised. It is here that ecumenists and ecclesialogists as well as canon lawyers will be able to consider the extent and significance of any diminishment in what we have in common as Anglicans globally.

A few changes are largely linguistic; others, such as ‘may’ or ‘should’ frequently replacing ‘is’, ‘shall’, or ‘must’ reflect a more accurate description of the actual laws of the churches. Other changes may be more significant. At 2.2 law should not only reflect the revealed will of God but (in revision) ‘not be inconsistent’ with it. Though seemingly uncontroversial, is this revision an oblique criticism of how some churches have interpreted marriage?

The role of the Archbishop of Canterbury has been subject to some revision. In 2008 the Preamble on the Anglican Communion included a paragraph on the role of the Archbishop as *the focus* of unity assisted by the three other ‘instruments of unity’. This is now replaced by the statement that the Churches of the Anglican Communion remain in communion with the See of Canterbury, this communion

being ‘served’ by the four ‘instruments’ of communion. Principle 11.4 now also omits a reference to the Archbishop of Canterbury as the focus of unity, repeating what is said in the preamble about the four ‘instruments’.

At 15.10 and 15.11 episcopacy remains fundamental to polity but ‘leadership’ is omitted. Episcopacy is also to be exercised ‘personally, collegially and communally’ rather than ‘collegiality’ alone being fundamental to polity. This is an improvement as it avoids the inaccurate ‘trope’ of episcopal leadership and synodal government and uses the well-founded ecumenical understanding of *episcopate*. Nevertheless, at Principle 50 the earlier provision that no new doctrinal formulation may be approved without the consent of the bishops is omitted. This indicates that there are some churches where this is not stipulated, despite it being the case in many parts of the Communion. Further at 61.5, bishops are now omitted as the minister of baptism (if present). This omission certainly does not reflect the explicit provision in *Common Worship* or the Canons of the Church of England, which reflect the Patristic tradition of the bishop as the chief minister of Word and Sacrament in the diocese.

Part IV on Ministry records in its preamble that the first edition included a principle that special episcopal provision may be made for conscientious dissent to the ministry of a particular bishop. This (Principle 38.5) is now omitted: ‘There was insufficient legal commonality to include this in the current iteration.’ Though some Churches made such provision, such as the Church of England, others have considered provision and consciously rejected it on the principle that those whom the Church intends to ordain are those the Church has ordained.

Part VI on Ecclesiastical Rites provides the most significant example of revision. The preamble has been extended, drawing attention to additions on nullity, divorce and marriage covering more accurately the relationship between Church and civil law. A new Principle 77.1 affirms the seal of the confession as ‘inviolable save when the law of the church *expressly* [my emphasis] provides for disclosure’. This is the case, for example, in Australia, as also of course the opaque provision of the unpealed proviso of Canon 113 of 1603 of the Church of England.

The major change is on marriage. All revisions except the omission of Principle 70 (2008) on marriage were agreed by consensus. This omission was agreed by majority vote. It is worth quoting the explanation in full:

As stated in the preamble to Part VI, the working groups operating under the auspices of the Ecclesiastical Law Society, as part of the revision process worldwide to this second iteration of the principles, reported significant changes in some church laws with regard to whether two persons of the same sex may marry. As a result there are now differences between the laws of the churches of the Communion on this point. Some churches provide only for marriage between one man and one woman. Some churches also provide for marriage between people of the same sex.

Mindful of this difference, and the principle of autonomy, it has not been possible to discern a common principle of canon law on who may marry whom.

The canonists’ task was not to resolve this issue, as if that were currently possible when the Lambeth Conference (2022) itself has spoken of ‘differing well’.

The canonists' task was to revise the earlier edition and then to ask whether all the principles there formulated were still common to the Churches of the Anglican Communion. Ecclesialogists and ecumenists will ponder on the significance of the changes on marriage for communion between the churches of the Anglican Communion. While for canonists the question of communion is usually binary, for ecclesialogist and ecumenists there are degrees of communion. Even imperfect or impaired communion is still communion.

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Paul Avis (ed.), *Neville Figgis, CR: His Life, Thought and Significance* (Anglican-Episcopal Theology and History, 7; Brill: Leiden, 2022), pp. xviii + 260. ISBN 978-9004503113.

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Coming just over a century after John Neville Figgis's death, this is a welcome volume (there is only one other book-length study of Figgis, by Maurice G. Tucker in 1950). It demonstrates that Figgis's instincts resonate with political and cultural analyses that today describe themselves as postliberal and postsecular.

His pluralism – marked by an insistence that persons are formed in community, that associations have corporate personality, and that we participate in the state not as individuals but as members of these intermediate associations – offers an alternative to contemporary solidarities on the right that are monocultural and defined against an Other and, on the left, to an adversarial and fissiparous politics of identity.

Mark Chapman's opening essay describes the life and death of Figgis, drawing out the dialectical seriousness of Figgis's attack on conventional and Liberal religion and yet the vitalist impulse that recognized the world as the theatre of revelation. Andrew Grosso summarizes Figgis's critique of and riposte to Nietzsche, whose artful and passionate philosophy described best the fearful shape of life without redemption. Both Chapman and Grosso show that Figgis was no mere triumphalist but suffered the costliness of cruciform faith even as he clung to hope. The final essay by Thomas Seville, CR, presents a complementary account of Figgis *qua* monk at Mirfield, in which we glimpse a little more of his essential personality and spiritual conviction.

Peter Sedgwick's intriguing piece looks at Figgis as the public intellectual, situating him among pluralists, as an heir of Burke, and within an idealist frame in which perfectible human personhood and liberty is found in society. While other pluralists (Cole, Laski) substitute idealism for pragmatism and other theologians more openly embraced modernism, Sedgwick wonders if Figgis may have followed suit. But is it