complex thinker, is being increasingly studied as a jurist in Anglo-American literature as well as in France and Spain. Isaiah Berlin has brought Vico into prominence, and he may prove fruitful in an age of legal post-modernity.

Having read these chapters on 27 Italian jurists, one can reflect again on John Witte's Foreword. The biographical approach adopted is not intended to deprecate institutional, doctrinal, social or intellectual histories of law, nor will it devolve into a new form of hagiography or hero worship of dead white males. It is instead designed to offer a simple method and common heuristic to study the interaction of law and Christianity. This latest publication fits successfully into the project. The pursuit of legal history by means of the study of individual jurists is familiar to readers of this journal through the writings over several years of Sir John Baker, Richard Helmholz and now Norman Doe.

This biographical approach has scope for vivid glimpses, a reminder that tradition requires the personal involvement of individuals and that Christianity has its challenges. Thus Cino Sinibuldi da Pistoia poetically regretted his neglect of the law written by God in human hearts, Baldo degli Ubaldi da Perugia struggled to resolve his own internal moral conflict through the medium of *consilia*, Arturo Jemolo felt acutely the tensions of being a Catholic and a liberal, and Francesco Carnelutti at the end of his life reaffirmed his love for the law although one must go beyond its borders truly to understand it.

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The Anglican Eucharist in Australia: The History, Theology and Liturgy of the Eucharist in the Anglican Church of Australia

Brian Douglas

Brill, Leiden, 2022, Anglican-Episcopal Theology and History 8, 360 pp (paperback €65), ISBN: 978-90-04-46928-0

A comprehensive survey of the development of Eucharistic liturgy and theology across the history of a national church from its beginnings to the present day is an ambitious undertaking. Brian Douglas' *The Anglican Eucharist in Australia* sets out to do just this through a broadly narrative account of Eucharistic doctrine and practice as it has in various times and places been understood in the Anglican Church of Australia. The undertaking alone is an important contribution as the story of liturgical reform particularly in the second half of

the twentieth century has not otherwise been brought together with such detail. Douglas also draws in insightful new sources of reflection by way of previously unpublished correspondence between the English liturgist Colin Buchanan and member of the Australian Liturgical Commission Donald Robinson (who would become Archbishop of Sydney).

Douglas' thesis is that there is an inherent 'multiformity. . . at the heart of the history, theology and liturgy of the Eucharist' in Australian Anglicanism and this is in common with Anglicanism more broadly (p 4). Douglas defines this 'multiformity' principally through the acceptance or rejection of what he calls 'sacramentality' in understanding the nature of the Eucharist's operation within the economy of grace.

Its rejection he identifies with Zwinglian 'memorialism' or philosophical 'nominalism', which 'involves a denial of the idea of a sacramental universe. The result in terms of sacramental theology is that it becomes impossible in a nominalist analysis to discern a sacramental character in the created order as a divine imperative' (p 11). This view, at times although not exclusively, is 'associated with a more evangelical or reformed Anglican understanding of the Eucharist' (p 10).

In contrast, an acceptance of 'sacramentality' opens up a spectrum of Eucharistic understanding from 'moderate realism', encompassing both receptionist and more objectivist understandings of Christ's spiritual and mystical presence in the Eucharistic act and elements, to 'immoderate realism' to describe a 'physical presence of Christ in the Eucharist, a concept rejected by all Christian traditions as a corrupt version of sacramental theology' (p 10).

It is through this lens that Douglas attempts to chart a narrative of 'multiformity' which avoids the binaries 'in party spirit and rivalries' that have otherwise characterised bitter debates of churchmanship (p 8). However, it is not always clear that these characterisations are avoided through the book, and particularly the first six chapters, or that the dominant categories of 'sacramentality'–or not–and 'moderate realism'–or not–are not just standing in for the old and well-worn arguments over the nature of Christ's presence and the operation of grace in and through the Eucharist. These alternative labels are not always as helpful as what they purport to replace; and at times lack the latter's clarity of precision in language (for example, the outright rejection of a 'physical' presence by which it is assumed is encompassed 'corporal', 'carnal' and 'local'). Similarly, the nuances within Evangelical understandings of the Eucharist are not always represented with accuracy or even the fullest measure of charity (see for example the rather gloomy picture painted of the Evangelical outlook personified in the early colonial chaplains Richard Johnson and Samuel Marsden, p 39).

The book makes claim to a significant insight in the identification of an enduring 'sacramentality' in Australian indigenous spirituality which

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pre-dated European contact in Australia and indeed may have influenced an early embrace of 'sacramentality' (and thus some form of 'moderate realism' in Eucharistic appreciation) amongst some Anglicans in the early colonial era: 'Sacramentality, it seems, was not absent in the early days of settlement in New South Wales, it was however secret and known to just a few, other than [sic] the evangelicals whose buttressed immanence had occluded the transcendent reality in the relationships that were before their eyes' (p 46). The substantiation and development of this strong claim is disappointingly weak. It rests entirely on a speculative interpretation of a kindred spirituality that drew together in friendship, at least, a young lieutenant, William Dawes, and a 15-year-old Aboriginal girl, Patyegarang, as recorded in Dawes' own notebooks of 1790–1791 and later interpreted in works of historical fiction and cultural commentary. Douglas' own interpretation veers too easily into a fanciful gnosticism made respectable by appeal to an 'inherent and deep Aboriginal spirituality' that 'already knew the secret of signs participating in spiritual and dynamic realities' (p 43). Tellingly, no work of scholarship on Australian indigenous spirituality is drawn upon, nor are the voices of any indigenous people heard directly, the bold claim relying entirely instead on suppositions made from third-hand white-European accounts of a single eighteenth century liaison.

Douglas' research is undoubtedly strongest in the valuable contribution the book makes in chapters 7 to 15 in drawing together a meticulously detailed account of the road to liturgical revision in the second half of the twentieth century which produced *An Australian Prayer Book* (1978) and *A Prayer Book for Australia* (1995), as well as their antecedent trial liturgies and their subsequent reception on a diocese-by-diocese basis, characteristic of Australian Anglicanism's 'diocesanism'. The importance of this work goes beyond just local interest and highlights the impact of both Communion-wide and ecumenical efforts toward liturgical innovation. The detail is at times a little dense in the book's narrative style but it is nevertheless an invaluable reference drawing together in one place a range of sources and offering an insightful commentary on the motivations and machinations that shaped the 'multiformity' of liturgical expression in relation to the Eucharist which now characterises the Anglican Church of Australia.

The intersection of the book's treatment of Eucharistic history, theology and liturgy with Canon Law is admittedly limited: the 'Red Book Case' is sketched out briefly more for its liturgical rather than legal implications; and there is some fairly straightforward explanation of the constitutional and canonical structures which supported, and at times curtailed, various liturgical innovations. Two contemporary and ongoing controversies, lay and diaconal presidency of the Eucharist and 'virtual Eucharists', are given discrete attention in two brief chapters which sketch out some of the legal and

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constitutional issues involved. However, in the case of the former this analysis is restrained largely to a very brief summary of the 1997 and 2010 opinions of the Appellate Tribunal on the subject and, in the latter, is confined to a discussion of the impossibility of adherence in 'virtual Eucharists' to the rubrics of the 1662 *Book of Common Prayer*. Perhaps what will be most valuable to those with an interest in Canon Law is the detail of description Douglas offers elsewhere of the fundamental ecclesial sensibilities that have shaped both belief and practice in the Anglican Church of Australia and continue to inform (or indeed threaten, as in the recent case of the establishment of the 'Diocese of the Southern Cross') our polity and accepted norms.

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The Slaves of the Churches: A History

Mary E Sommar
Oxford University Press, Oxford, 2022, 263 pp (hardback £22.99),
ISBN: 978-0-19-007326-8

As counsel for the objectors is recorded as submitting in a recent, controversial consistory court case: 'Nowadays it is a Christian truism that slavery is abhorrent and to be condemned; but in the past, Christian churches around the world failed to condemn slavery, thereby covering themselves in shame.'[2]

This book by a distinguished American mediaeval historian has a narrower focus, being 'an investigation of the Christian church as a slave owner' and 'a survey of the church's own regulations about how to deal with its own unfree dependents and those of ecclesiastical personnel from the earliest Christian centuries until the beginning of the Atlantic World' (p 240). But it is much more than this, for it also covers a great swathe of political and social history from the New Testament writers through to the end of the thirteenth century. This broad contextualising of the specific investigation is executed with a sureness of touch and range of sources that make for a compelling read, albeit, as R. H. Heimholz comments on the back cover, the book will for many be 'the source of disappointment or unease'.

Key themes that emerge from the book are that ecclesiastical slaves were part of the *res ecclesiae*, treated (as were slaves owned by the laity) very much as other possessions, whether animals, buildings or chattels, although over time their

2 *Re Rustat Memorial, Jesus College, Cambridge* [2022] ECC Ely 2, para 98.