

Editor really perform that task. Is there an emerging ethical method on which the contributors are agreed? What summary there is concentrates on better personal relationships in the different areas of concern; that is indeed part of the picture, but there is much more to be said about Christian ethics of principle and/or Christian ethics of consequence when applied to law.

Teresa Sutton starts the collection with a clear historical survey of mainly well-known Christian attempts to reform the law: Wilberforce, Fry and the like. She points out how Seebohm Rowntree provided indisputable factual information which eventually led to reform; that, joined with personal commitment, was the key.

Julian Rivers examines the degree to which a Bill of Rights is desirable for the United Kingdom. At times I found the chapter too technical, but it is nevertheless fascinating and includes discussion of the extent to which excessive concentration on rights makes for a selfish and litigious culture. What arrangements encourage and assist people to live morally valuable lives and who defines moral value? Older Bills of Rights tend to concentrate on protection from an over-intrusive state, but recent ones may go as far as rights to self-determination for minority groups. In the end, the author concludes that a Bill of Rights is undesirable because it would be hostile to duty, virtue and the common good.

David Harte provides a useful summary of recent environmental legislation. As with the previous section, he emphasises duties as well as rights, thus the principle of 'making the polluter pay'. Is there a distinctively Christian perspective? Answer: it should certainly 'be possible to determine whether secular solutions are at least compatible with Christian imperatives' (p 69). And there can not only be realism about human sin, but also a vision both of saved individuals and of the world itself redeemed.

The chapter by John Warwick Montgomery on suicide and assisted suicide uses material from Brian Clark's play *Whose Life is it Anyway?*, although he omits to mention the send-up of the chaplain in the play, who is pictured calling the patient 'God's chosen vessel into which people could pour their compassion'. Lord protect us from banal religion! He quotes the very moving reflection by Lord Hailsham on the suicide of his brother and concludes that if we err, we should always do so on the side of preserving life.

The book ends with a longer chapter on Corporate Governance by Stephen Copp. How do the various stakeholders have influence on a company and how can it serve 'society as a whole'? He rather too briefly strays into William Temple and into liberationism, but spends most of the chapter describing the various concerns (chief executives paid thirty-three times that of the average industrial worker in the UK etc) and the way in which Christian theology may contribute to thinking. The keynotes are good relationships, justice and the interests of society at large. Would the companies still make money for their shareholders? The author seems to believe that they would.

I am not sure whether it is lawyers or Christians who have an authority problem, but the notes are excessive in number and length, making the reader's task more difficult. It is, however, a good collection and a very welcome balance to all the personal piety which gets churned out these days.

The Very Revd Christopher Lewis, Dean of St Albans

*THE ANGLICAN CANONS 1529–1947* edited by GERALD BRAY, Church of England Record Society Vol. 6, in association with the Ecclesiastical Law Society, Woodbridge, Boydell Press, 1998, cxii (including introduction) + 990 pp (£95 .00) ISBN 1-08511 5-557X. [Copies are obtainable by members of the Ecclesiastical Law Society from the Treasurer at £24].

During the eighteen years in which your reviewer acted as Legal Assistant to the Governing Body of the Church in Wales, one of the problems which he regularly

experienced was that of ascertaining the condition of the ecclesiastical law which the Welsh Church had inherited from the Church of England at Disestablishment in 1920. The greatest difficulty always concerned the extent to which pre-Reformation canons had been binding upon the Church of England in modern times, but problems also arose from time to time regarding the precise canonical position within the provinces of Canterbury and York during the post-Reformation centuries. More than once, voices were heard lamenting the lack of an accessible collection of both the statute law and canons which governed the Welsh dioceses prior to their Disestablishment.

Gerald Bray's *The Anglican Canons 1529–1947* is the welcome answer to at least part of that problem, and both he and the Church of England Record Society are to be congratulated upon its production. It is a considerable tome, running to almost a thousand pages, but it is sturdily bound and attractively produced, and is in no way cumbersome to use or to read whether at a desk or in a chair. Its purpose is to provide a scholarly edition of all the canons promulgated by the Church of England between the opening of the Reformation Parliament and the 1947 report of the Archbishops' Commission on Canon Law. The result is a work of great historical interest to the Church of England and of practical use to those Churches which have adopted English canon law as a foundation of their ecclesiastical order and have not entirely abandoned the provisions they have inherited.

The principal texts collected are those from the sixteenth and seventeenth centuries, beginning with the canons of the convocation of 1529. The legatine constitutions proposed by Cardinal Pole during the Marian counter-reformation are usefully included, indicating how the Tridentine Reforms might have been accommodated within the English Church. The canonical innovations of the reign of Elizabeth I are also given, prior to the two hundred pages which inevitably are devoted to the 1603/4 Canons, which in your reviewer's experience is where the knowledge of many ecclesiastical lawyers has for some time virtually begun and ended. These, as with all other texts which demand such treatment, are given in both English and Latin, the latter version being accounted the authoritative text for legal purposes. As the work purports to provide not merely the canons of the Church of England during its chosen period, but Anglican Canons, both the Irish and Scottish canons produced during the reign of Charles I are included. After the 1640 English canons, however, there is a jump to the nineteenth century, to the deposited canons of 1874 and 1879 before the main texts close with a full presentation of the proposed canons of 1947. The intervening gap reflects the eclipse of the Convocations during the eighteenth century and for the first half of the nineteenth.

The texts are accompanied by extensive scholarly footnotes which relate their content to the preceding canonical provisions of the western catholic Church, as well as providing much useful background information and references to secondary sources. Given the extent of the cross-referencing which this volume provides, it is perhaps remarkable that more attention was not given to citing the Scriptural basis for many of these canons. The work does however contain what can only be described as a magnificent set of appendixes, setting out *inter alia* the chapter headings of the thirteenth-century legatine constitutions of Otho and Othobon, of Lyndwood's *Provinciale* and the *Reformatio legum ecclesiasticarum*; indexes to the principal sources of the canons and thematic indexes, the last most usefully presented in tabular form. There is also an extensive section devoted to supplementary texts, which provide invaluable historical background to the main collection.

The volume commences with a hundred-page introduction to canon law and the Anglican church. This contains an extended commentary on the development of the canonical tradition since the Reformation which appears somewhat slanted in the direction of political rather than ecclesiastical history. It includes an excellent assessment and account of the 1529 Convocation and a fascinating overview of the

influence of the counter-Reformation councils at Mainz, Trier and Cologne upon Cardinal Pole's provisions. There is also a useful section outlining the development of ecclesiastical courts in England and a brief account of the origin and development of canon law.

Without in any way detracting from the scholarly achievement and usefulness of this volume, it must be said that there are some weaknesses, particularly in the introduction. Perhaps inevitably, the editor sees canon law as being something enshrined in his texts rather than a living system into which life was breathed by the writings and practice of jurists. Little attention is given to English canon law as part of the European *ius commune*, and even the 1917 Roman Catholic Code is presented as a substitute for the *Corpus Juris Canonici* rather than of the entire system based upon it. The end result therefore reads like an attempt to describe English law in terms of statutes only while ignoring the importance of case law. Nor is the editor consistent in his mode of citing statutes, sometimes using short titles (which are irritatingly given in lower case, e.g., 'ecclesiastical courts act') and sometimes simply by chapter and regnal year. Who, one wonders, readily recognises the statute cited as 15–16 George V, c. 23 as the Administration of Estates Act 1925? Cases are cited from the *English Reports*, giving a false impression of the uniformity of this collection in terms of the standards and reliability of reporting. Convention as well as caution demands that the original reference to the nominate reports be given as the essential minimum to which the *English Reports* citation might if wished be added. There are also a substantial number of minor errors; for example, the index references to statutes in the introduction are regularly one out, probably as the result of the late inclusion of an extra footnote.

Despite such blemishes, the editor is overall to be congratulated on having produced a substantial work which will undoubtedly prove to be an invaluable asset to many concerned with the promotion and practice of Anglican canon law.

The Revd Thomas Glyn Watkin, Reader in Law, University of Wales, Cardiff

*DISCIPLINE AND JUSTICE IN THE CHURCH OF ENGLAND* by G. R. EVANS, Gracewing, 1998, xi + 163 pp (£12.99) ISBN 0-85244-470-2.

Cases involving the discipline of clergy, particularly in the established church, attract publicity out of all proportion to the number of cases that actually take place. An examination of the list of authorities in this work reflects that fact; the vast majority are more than a half century old. No one can pretend to have very much experience in cases of clergy discipline; the numbers are too small. From the point of view of the clergyman charged with misconduct the situation is even worse because those who have even some experience are likely to be in the service of the church; registrars or chancellors. As the author says: 'There is a need for study, education, training to bring all those who may be involved in the administration of discipline up to a standard and to "raise consciousness" about the kinds of problems addressed in this book'.

That is just what the book sets out to do. It is an excellent book on a subject which although of some substantial public interest has been ignored for many decades. Interestingly, it is written not by a lawyer but by a lecturer in Medieval Theology at Cambridge, with practical experience of the contemporary church, for example, as a member of the Faith and Order Advisory Group of the General Synod. The book deals with principles under the headings of jurisdiction, procedure, the purpose of clergy discipline and what is properly expected by way of behaviour of those in orders. It covers the ground carefully in an efficient and very readable style and is priced at a level which is affordable by anyone who is likely to be involved in the administration of discipline or wishes to understand the topic.