



*A Principled Framework for the Autonomy of Religious Communities* offers a new way to try and balance discrimination and equality in order to promote the autonomy of religious communities. While the analysis has some limitations it offers a foundation for further research and analysis. Given the perennial debate about how best to balance the rights of individuals and communities, new approaches to the problem should be welcomed and explored.

doi:10.1017/S0956618X24000061

## Reconciling Theology

**Paul Avis**

**SCM Press, London, 2022, xiv+260 pp (paperback £30),  
ISBN: 978-0-334-06138-0**

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Paul Avis offers the reader a coherent reconciling theology that robustly challenges the current lack of enthusiasm for ecumenism. Ecumenism is not a utopian illusion. Substantial advances have been made. But apathy and ecclesiastical self-sufficiency remain, despite the numerical collapse of the established churches in Europe and the USA. Avis follows T.T. Torrance in claiming that any theology (or ecclesiology) which is faithful to Christ 'cannot but be a theology of reconciliation'. The Church is in essence 'a community of the reconciled'. Christian division fatally undermines the credibility of mission and Avis criticises the complacent acceptance of contemporary 'denominationalism'. Unreconciled Christian communities are a 'counter-sign' of the Kingdom of God.

A significant chapter for readers of the *Ecclesiastical Law Journal* is entitled 'Polity and Polemics'. A shorter version of this had already appeared in the *Journal* (18.1, 2016, pp 2-13). Avis explores the relationship between ecclesiology, polity and their practical outworking in ecclesiastical law. Avis essentially argues that polity, following Richard Hooker, is essentially applied ecclesiology. For him, church polity is the 'conceptual space between ecclesiology and canon law'. Not all canonists adopt this threefold distinction. The distinguished Roman Catholic Ladislav Šrámek SJ does not explicitly speak of polity in a masterly survey of various understandings of the relationship between theology and canon law.<sup>1</sup> Nevertheless, like Avis, Šrámek also starts with brokenness of the one Church of Christ and of the constant need of reform of

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<sup>1</sup> See his summary of this relationship in the opening chapter of J Beal, J Coriden and T Green (eds), *New Commentary on the Code of Canon Law* (New York, 2000).

the Church which itself means canon (and all ecclesiastical) law is in permanent need of review. For Órly, ecclesiology is constitutive, whereas rules and law are regulative and can be critiqued. The term polity is appropriate for Anglicans not only because of its historical use by Hooker for whom the Church is both a political society and a mystical body; the term also enables Avis to distinguish between generally accepted Anglican principles of ecclesiology and the precise details of the canons, constitutions and regulations. Polity is the space between them.

Avis then describes basic Anglican ecclesiology in terms of the 'historic formularies' of the Church of England, that is the Prayer Book, Ordinal and Articles of Religion. But churches also need a polity: 'a stable political order or structure that governs the distribution and uses of authority'. Polity is therefore concerned with governance, with conciliarity, and with synods and councils at various levels.

Here to support Avis' argument it is worth examining *The Principles of Canon Law Common to the Churches of the Anglican Communion*,<sup>2</sup> where the term *polity* is explicitly applied to ecclesiastical government (Principle 15 Ecclesiastical Polity, divided into 14 sub-sections). We have here a concise summary of Anglican polity including provincial autonomy, synods made up of bishops, clergy and laity.

Avis briefly explores what has been called the Anglican Communion's 'somewhat patchy polity' in comparison with the now largely superseded Roman Catholic polity of the '*societas perfecta*'. Understandably Avis does not describe the Anglican Communion as a perfect society! He refers to Ephraim Radner's<sup>3</sup> insistence that the church is thwarted in its mission when it lacks defined 'political' form, arguing this to be the case in Nazi Germany. With Hooker this is a critique of the notion of the 'invisible church'. Finally, Avis briefly explores the conciliar tradition on which he has written substantially; the conciliarist dictum 'what affects all must be approved by all' is appropriately cited.

Paul Avis has already promised a second volume of reconciling theology. I very much hope that it will contain more exploration of the relationship between ecclesiology, polity and ecclesiastical law, and that exponents of church law, academic and practising, will engage ecumenically with this discussion. Ecclesiastical Law is the precipitate of ecclesiology and polity.

In such an engagement a place to begin could be the ecclesiological understanding of the Church as the Body of Christ and that all members of the Church are 'in Christ', manifesting Christ's gifts of teaching, sanctifying and governing. These are derived from the New Testament characterisation of Jesus as teacher (rabbi), high-priest (Hebrews and Paul's teaching that the cross was sacrificial) and king (messiah). Traces of this ecclesiology are found in the Patristic and Scholastic tradition but were more developed by Calvin and were appropriated by Anglicans such as the 17th century bishop John Pearson in his classical exposition of the Creed. This was then developed by Newman from Anglican evangelicals and through him appropriated by the Second Vatican Council.

<sup>2</sup> Anglican Consultative Council, *The Principles of Canon Law Common to the Churches of the Anglican Communion* (London, 2022), 35.

<sup>3</sup> E Radner, *A Brutal Unity: The Spiritual Politics of the Christian Church* (Waco, TX, 2012), 403.

Anglican polity (as reflected in *The Principles of Canon Law*) affirms that bishops, clergy and laity share authority in synodical government (Principle 15.9). Such a polity finds justification in an ecclesiology in which bishops, clergy and laity all share in the ministry of teaching, sanctifying and governing, albeit in different ways. Ecumenical dialogue amongst canonists is relevant here. Despite the Second Vatican Council introducing such an ecclesiology, there remains a view that governance is limited to the episcopate (with the bishop of Rome). The current Roman Catholic synodical process (not a single event) illustrates this current debate. In a chapter in the recently published *The Oxford Handbook of Vatican II*,<sup>4</sup> John Beal<sup>5</sup> argues that although the 1983 Code is structured according to the threefold offices of Christ, its content does not always reflect this, reverting sometimes to the outmoded older ecclesiology. Before Anglicans get too self-satisfied, we should consider our own recent arguments between bishops and synod in the Living in Love and Faith debate. Going back to *Principles*, how does 15.9 work in practice (and law) with the following 15.10 'Episcopacy is fundamental to church polity'. Bishops have the responsibility to discern the common mind of the Church and to articulate it; but what processes of listening to the experience of the wider church are entailed in their discernment? Ecclesiologists and canonists might compare notes and do so ecumenically.

doi:10.1017/S0956618X24000073

## **Autocéphalies. L'exercice de l'indépendance dans les Églises slaves orientales (IX<sup>e</sup>–XXI<sup>e</sup> siècle)**

**Marie-Hélène Blanchet, Frédéric Gabriel and Laurent Tatarenko (eds)**

**École française de Rome, Rome, 2021, 673 pp (paperback €45), ISBN: 978-2-7283-1453-9**

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This book, dedicated to autocephalies (in the plural) in the Eastern Slavonic churches, has been prepared with the aim of studying historical cases of

<sup>4</sup> C Clifford and M Faggioli (eds), *The Oxford Handbook of Vatican II* (Oxford, 2023), 432 ff.

<sup>5</sup> Co-editor of *New Commentary on the Code of Canon Law*, see note 1.