

hand, provisions of statutes and statutory instruments are helpfully set out in many places and connected by a sound and practical commentary. Included also is some material which might not easily be found elsewhere, for example the guidelines, issued by the Institute of Burial and Cremation Administration, enabling decent and reverent disposal of foetal remains of less than twenty-four weeks gestation.

The book deals fully with cremation procedures and the provision and management of crematoria. Cremation now follows almost seventy per cent of deaths in the United Kingdom. An appendix of statistics indicates that, of the mostly non-Asiatic countries listed in the appendix, this percentage is exceeded only in Japan. The text includes the Code of Practice of the Federation of British Cremation Authorities, which establishes standards of conduct and care. The book does not depart far from the practical aspects of administering burial and cremation. There is for example a brief discussion of the responsibilities of employers and employees under the Health and Safety of Work Act 1974. The details go far beyond the scope of this review; but perhaps it should be in the realm of general knowledge that cremation may be refused if a cardiac pacemaker has not been removed: the heat can cause it to explode, possibly resulting in a radioactive incident. It seems that other implants do not have to be removed: any metal found among the cremated remains should be disposed of in aggregate in accordance with the directions of the Cremation Authority.

The present law of cremation is relatively modern. According to Stephen J. in *R v Price* (1884) 12 QBD 247 disposal of bodies by burning was discontinued in this country and in other parts of Europe many centuries ago as being opposed to Christian sentiment. The defendant before him at Cardiff Assizes was an eccentric and litigious octogenarian surgeon who claimed to be the last of the druids. The indictment against Dr Price was that he had attempted on a hill overlooking Llantrissant to burn the body of his deceased five-month old son, whom he had named Iesu Grist. After consulting Lord Justice Fry, Stephen J. concluded that the burning of a dead body was not a misdemeanour, unless done so as to cause a public nuisance. At common law, the way was then clear for the first crematorium to be opened in Woking in 1885 under the auspices of the Cremation Society. Dr Price himself was cremated on the same hill in 1893 in the presence of a crowd of over 20,000. The fire was lit after the parish curate had read a service adapted, with the approval of the bishop of diocese, from that appointed for the burial of the dead at sea.

This edition consolidates the reputation of "Davies". Those concerned with the legal practicalities of burials and cremations will wish always to have a copy available.

CHURCH, STATE, MORALITY AND LAW

by PATRICK HANNON

Professor of Moral Theology, St Patrick's College, Maynooth

Gill and Macmillan Limited, Goldenbridge, Dublin 8

1992. Three impressions. 159 pp.

(Paperback £10.99)

A review by Chancellor George Spafford

This lucid work modestly claims to be concerned simply with how a (Roman) Catholic is expected to vote on issues involving morality and law. It does

this, but does much more. It sets out distinctions between church law, state law and moral law, and offers a Christian approach when they overlap and seem to conflict.

The author's analysis is so balanced and fair that his book could and should be a basic reference work on the subject for all denominations, particularly if a major flaw was rectified in future editions. This flaw is the lack of an index. What, if anything, does the author say, for instance, on the 'love commandment' or on 'freedom from coercion'? (In fact he deals with both). But in order to trace such an item, does the publisher expect one to re-read the whole work? At the end of the book in the author's Notes are 335 source references, but these Notes are no substitute for an index.

Chapter one goes to the heart of the matter by way of example. Divorce is forbidden by the Irish Constitution. He asks 'Should it be available to those who have no conscientious objection to it and in fact consider that they are morally entitled to it?' The remainder of the book could be treated as his answer, considering the matter from the viewpoint of a churchman, of a legislator and of a moralist. He realises that those who are in favour of making lawful, or of retaining as lawful, divorce or abortion or contraception may be in the minority, but minorities have rights.

The author goes on to discuss what being moral means in a community and why one should be moral even to the extent of disobeying state law. (Obeying immoral orders was not accepted as a defence at the Nürnberg war crimes trials.) Another problem tackled by the author is whether there is anything new in Christian moral teaching. He touches on the place of Christian revelation, Christian motivation and the Christian model in leading a moral life, whilst stressing as primary the Christian proclamation of the message of salvation.

Professor Hannon accepts the autonomy of the secular, provided that those wielding secular power, for instance as Members of Parliament, have properly informed consciences, preferably by a church that should be authoritative but not authoritarian, a servant of the gospel and of the world, and a body which recognises the value of lay experience.

At the time of writing this review, the encyclical 'Veritatis Splendor' has not been published. When it sees the light of day, Professor Hannon's passages on the magisterium and morals, and his Note 27 on page 151 might well need re-drafting. (Professor Hannon believes that restriction of discussion brings about the death of theology.)

The role of the law-maker is stressed. Morality can proclaim that crime should be punished. The law lays down the ways in which this may be done for the common good.

Turning to Vatican 2, the author cites its 'Declaration on Religious Freedom' and suggests that this principle logically applies also in the sphere of morals, subject to no one being forced to act against their religious beliefs, the requirements of public order and the common good of all. Freedom in moral matters should be curtailed only in cases of such necessity, since such personal freedom is a human right, part of the common good.

There is a fairly extensive discussion on the enforcement of morals, in the light of the Devlin-Hart debate on the question.

Finally the author discusses 'How is a (Roman) Catholic to vote' in a pluralist society, particularly if there is a conflict between personal conscience and duty as an office-holder. (I regret that none of the references on pages 9, 14 and 116 to President John F. Kennedy include what he actually said on this issue.) He also summarises the right and duty of the church both to teach and to persuade on matters of moral judgment, the church being an agent of divine grace for promoting social justice.

Professor Hannon hopes that his book may be of use to anyone interested in the themes which he discusses. I share that hope. The book is both learned and clear. It shows that Christians can justify their conduct, where appropriate, by sound yet compassionate reasoning.

*A HISTORY OF THE GLOUCESTER DIOCESAN ADVISORY
COMMITTEE 1919-1922*

By JONATHAN MACKECHNIE-JARVIS

Alan Sutton Publishing Ltd., Stroud, 1992, x + 86 pp. (Paperback £5.00)

A review by June Rodgers
Chancellor of the Diocese of Gloucester

Until reading Jonathan MacKechnie-Jarvis's book, I had not had much cause to consider what I now see to be the very real advantages of an Official Secrets Act. With mounting horror, I realised just what could be gleaned by an experienced church administrator from the minute books, correspondence and the scribbled marginalia of notes between the Chancellor, the members of the D.A.C. and what can only be described, when fighting its corner on Faculties, as the church militant. The freshness of the ill-concealed vituperation in letters, the appreciation of the really "sound" committee man at work, and the communal (well, most of the time) efforts of the D.A.C. to defeat predatory raids by the Diocesan Board of Finance will strike a deep chord with many readers.

The fascination of seeing how individual secretaries and chairmen influenced, cajoled and carried the Gloucester D.A.C. from 1919 is made the more interesting when set against the growth and development of its work.

A general introduction to the book deals with the late nineteenth century need for reform, the efforts made by the Society for the Protection of Ancient Buildings and the report of Sir Lewis Dibdin, Dean of the Arches, in 1914 which proposed that each diocese should have "an honorary advisory body . . . to assist the Court, at the request of the Chancellor . . . in architectural, historical and artistic matters."

The First World War hastened rather than hindered the introduction of these Diocesan Advisory Committees, first in Oxford in 1916, as with emotional parochial enthusiasm, the war memorials of Britain were being built, many unsuitable and ill-considered for their surroundings.

By 1919 the Gloucester D.A.C. was set up, and within a short time they were advising on all applications, and not just war memorials. There was certainly a need. The Society for the Protection of Ancient Buildings report of 1914 cites a Cotswold rector: