

change them to suit the compilers' own designs. Professor Bray suggests, however, that these changes may not have been quite so radical as has sometimes been assumed, at least with the exception of matters of doctrine, where the needs of the English Reformation made for change, and in the area of marriage and divorce. Professor Bray's introduction revisits his fascinating account of the history of the *Reformatio* written as his contribution to *English Canon Law*, the *Festschrift* for Bishop Eric Kemp edited by Norman Doe, Mark Hill and Robert Ombres (Cardiff, 1998). Having been rejected by Lord Protector Northumberland at the close of Edward VI's reign, the work was unsurprisingly shelved under the Catholic regime of Mary, and achieved little more popularity under her sister Elizabeth. Despite a brief revival of the work's fortunes at the start of the Commonwealth period, when many of its perspectives found favour with the Puritans, it failed to find favour once again after the Restoration. After being passed off somewhat as an authority of convenience by Edmund Gibson when it suited his purposes in his *Codex Iuris Ecclesiastici Anglicani* (1713), it became the *bête noire* of opponents of the secularisation of the marriage laws and the introduction of civil divorce in the middle of the nineteenth century. Professor Bray does much to restore the balance between the rather sensational manner in which its matrimonial content has been received and the many other merits which deserve recognition within the work as a whole.

The introduction is interestingly and entertainingly written, dealing with the manuscript tradition, the history of the respective works in English canon law and reviews of their contents. Regrettably, the editor persists in refusing to refer to statutes by their short titles, preferring regnal year and chapter number, and is at his least happy, surprisingly given his subject, when relating matters concerning classical and medieval civil law. It is odd in the extreme to read that study of the *Corpus Iuris Civilis* revived in the fifteenth century, albeit that that title for the Emperor Justinian's compilations became current about then, and it is equally odd, in a book which refers to the works of the civilian commentators of the fourteenth century, to read that the reception of Roman law was a post-1450 phenomenon. In writing of divorce in Roman times, Professor Bray does not distinguish between repudiation of one spouse by another, which the Church sought to limit, and divorce which was by consent, a distinction which is germane to his arguments. It is decidedly odd to read that for the Romans adultery was a crime 'like any other felony' and that for them divorce was 'just the dissolution of a marriage and was more about the restitution of the dowry than about punishment in the usual sense', a statement the conclusion of which baffles your reviewer. Likewise, protection of the family's right to inherit under Roman law is confused with the Falcidian quarter, which was introduced to protect the inheritance of heirs, who might be persons completely unrelated to the deceased.

Despite these worrying aberrations, the publication of this edition of the Henrician canons and the *Reformatio* is greatly to be welcomed. It and its predecessor will become indispensable aids in the library of Anglican canonists and historians of canon law. Professor Bray is once more to be congratulated on the fruit of his labours.

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*CHURCH, STATE AND ESTABLISHMENT* by PAUL AVIS, SPCK, 2001, xii + 100 pp (£8.99) ISBN 0281054045

One hundred and seventy years have passed since Thomas Arnold pleaded for a Church that is 'thoroughly national, thoroughly united, thoroughly Christian'. It is

a vision that is taken up by Paul Avis as he makes *mission* and *unity* the key concepts in his study of *Church, State and Establishment*.

Here is a thoughtful and well-reasoned book which takes the reader behind the fantasies that attach themselves so easily to words such as ‘establishment’ and ‘dis-establishment’. Avis explores the situation in which Church and State find themselves today as they wrestle with pressures that are local, national and global; the evolving network of relationships that constitute all that we mean by the establishment of the Church; the questions that relate to the sovereign, the Church and the constitution; the biblical and historical ideas concerning the relation of Church and State, and especially the thinking of the primary expositors within the Anglican tradition; the perceptions and judgments of other Christian Churches in the light of their experience of establishment in England; and the hope that there might be a greater sharing of the Church-State relationship.

There are inevitably some questions that have only been touched upon briefly within the compass of this book. I had hoped to find a fuller critique of the secular society; of the things that an established *and tolerant* Church can make possible for other faith communities; of the damage that is done to the Church’s mission by attitudes that are unashamedly pietistic or sectarian; of the difficulty of sustaining the Church’s historic relationship with its community in areas where numbers are unacceptably low and Church life is fragile.

But these things should not distract from what seems to me to be the book’s great merit. Paul Avis is a scholar-priest who stands in the mainstream Anglican tradition. It is not the least of the book’s virtues that it asks us to rediscover the language that has been forgotten where Church and State are concerned. Avis is right to insist that ‘there are substantial theological principles, grounded in the nature of Church and state, that ... form the basis of a solid case for establishment’ (p 12). The two-way relationship—mutual recognition and mutual responsibility—for which Avis pleads may well be characterised by a tradition of critical solidarity, but let there be no doubt that ‘the idea of a national church belongs to the essence of historical Anglicanism’ (p 13).

Establishment—the establishment of the Church—continues to intrigue and perplex and provoke. Here is a timely study that asks us to go back to our roots—theological and historical—and to rediscover in co-operation with our ecumenical partners a tradition of involvement and service at all levels and in all places.

John Moses, Dean of St Paul’s