

Arthur's identified principles will no doubt help this task but his constant backward-looking stance may hinder progression. The author concludes with a wish that each of the churches will 'find both encouragement and challenge' in his work (p 198). His work will also be of considerable use to the academic community: although it is by no means an easy read, Arthur has produced a fine work of comparative religious law within an interdisciplinary framework. It is also to be hoped that other academics will follow his innovative example and contribute to the growing literature on religious law.

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Religion and Law: An Introduction

PETER W EDGE

Ashgate, 2006, 168 pp (hardback £50.00) ISBN: 978-0-7546-3047-0; (paperback £16.99) ISBN: 978-0-7546-3048-7

Law and Religion is still finding its way as a distinctive area of study within the legal and theological syllabus of England and Wales – a process long overdue and yet dependent on the gradual overcoming of a perception that theology and religion do not have much in common with law. This perception has been gradually rejected through the writings of a number of Anglican ecclesiastical lawyers (N Doe, M Hill), international lawyers (M Evans, C Evans), canonists (L Örsy, E Corecco), and historians of canon law (C Gallagher, S Kuttner, W Ullmann, B Tierney, M Brett, P Landau); through the comparative law studies published by the European Consortium for Church and State Research; and through a growing number of studies in the field in Europe, Australia and the US. These studies have emphasised the importance of the study of the interaction between law and religion now and as part of our own past in order to understand the complex interaction between theology and religion and the political community. These studies have changed the landscape of law and religion and yet there have been very few texts that could serve the purpose of an introduction to the subject, with a necessarily broad range.

No prior attempt has been made, at least not in the English speaking world, to outline law and religion as a distinct academic discipline, to map the field and to present it as a plausible syllabus for the law student of today or, indeed, for all those who are interested in the subject but do not know where to begin. Peter Edge's book is one such daring attempt. The author steps back from the format of a collection of articles, which has been the dominant form in the field, and calls his text an introduction. Indeed, it is a brief and systematic

way of presenting the key themes within the study of law and religion and their place within broader fields of law.

Designed as a textbook, Edge's study is an original and serious reflection on issues deriving from the interaction between law and religion, and informative for those who wish to enter this new field of legal studies with its uncertain, overlapping and sometimes confusing demarcation. While the book is primarily focused on common law jurisdictions, it also provides a useful guide to the interaction between law and religion in the context of international human rights protection, with a particular focus on the mechanisms developed by the UN systems and the protection under the European Convention of Human Rights. Edge also explores the difficult relationship between law and religion in the context of international law (UN, ECHR) and in the context of a number of Anglo-American jurisdictions. In pursuing his objective, to provide a guide to the perplexed, he focuses on the areas of law in which law and religion meet – ranging through employment, discrimination, associations, etc. In so doing, Edge makes a strong case to those who are yet to be convinced that we can no longer afford to ignore the emergence of such relations in the context of traditional areas of law or, indeed, law in traditional areas of theology and religious studies.

Edge thus sums up the main points of his enquiry by relating the two areas of enquiry and the reason their relationships should be studied. Law can be used to keep order, resolve disputes, respond to social problems, regulate broader social relationships, control state power or empower individuals. Law matters to religion because of the extent to which it can impinge on individuals, communities and organisations. Religion matters to law because of its role in providing part of the context to a legal discussion; because of the distinct place to be given to religious interests in legal analysis, whether because of the taxonomy of rights in international and constitutional law, the profundity of religious interests, their cultural and communal life, or their role in society as a whole; and because of the special problems posed to any liberal legal discourse that seeks to develop a legal pluralism in response to a growth in religious plurality. Having presented his thesis to the wider audience in this way, Edge then illustrates it with a careful study of re-emerging themes and relevant cases.

The book is divided into five sections. The first section maps the field as a conceptual framework, sources and bibliography. The second section presents a well-researched picture of the protection of religious interests in the context of international law (UN, ECHR and other regional instruments) and in the context of key common law jurisdictions (UK, New Zealand, USA, Canada and South Africa). The author then systematically addresses central topics such as the relationship between the political community, the individual (Part Three) and the religious organisations (Part Four) and how they emerge in contexts such as generally applicable prohibitions, conscientious objection, proselytism, registration and charitable status of religious communities,

employment law, claims against religious organisations and community rights in relation to sacred places. In this respect, the book guides the reader through a series of case studies, which identify the most typical examples of tensions between law and religion emerging in the above areas in a number of common law jurisdictions (and Russia, which, in the context of the book, is used as a particularly striking contrast of registration regime). Finally the book provides a systematic bibliography on the topics discussed.

Edge's style is focused, informative and well illustrated with cases without being too technical or 'visionary', which makes the work appealing to a larger audience. He makes a convincing pragmatic case about the reasons the relationship and tensions between law and religion have to be taken on board, without adopting a particular worldview within which this relationship is to be accommodated. His main focus is on where these tensions and interactions occur and why we should watch for such occurrences and take them seriously for what they are rather than pretending that they are something else.

This book will be an extremely helpful tool for lawyers, journalists, human rights advocates, policy makers and scholars with backgrounds in humanities and social sciences who wish to learn about the interaction between religion and law and its impact on their own disciplines. The book does not develop a particular thesis on the relationships between law and religion; rather it introduces the different ways we think about categories such as law and religion and how such categories are employed in legal, political and theological discourse.

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El Reino Unido: Un Estado de Naciones, una Pluralidad de Iglesias

JAVIER GARCÍA OLIVA

Comares, Granada, 2004, xxviii + 371 pp (€22.00) ISBN 978-84-8444-862-4

This work examines the relationship between the state and the churches in the United Kingdom from the perspective of a Spanish lawyer who has studied the subject whilst developing an academic career in British law schools. Dr García Oliva considers this relationship in terms both of the *established* churches in England and Scotland, and of the *disestablished* churches in Wales and Northern Ireland. He approaches the subject by examining ecclesiastical law from the perspective of British public law and, in particular, from the angle of British constitutional law. As he demonstrates, the legal, social and historical development of the British churches makes their study an essential component