0956-618X VOL 13 NO 1 JANUARY 2011

Ecclesiastical Law Journal

PUBLISHED BY CAMBRIDGE UNIVERSITY PRESS ON BEHALF OF THE ECCLESIASTICAL LAW SOCIETY

Ecclesiastical Law Journal

Editor	Mark Hill QC
Assistant Editor	Will Adam
Book Review Editor	David Harte
Case Notes Editor	Ruth Arlow
Parliament & Synod Editor	Frank Cranmer

EDITORIAL BOARD

Professor Sir John Baker QC University of Cambridge Garth Blake SC Professional Standards Commission, Anglican Church of Australia Professor Ana María Celis Brunet Catholic University of Chile, Santiago Professor Norman Doe Centre for Law and Religion, Cardiff University Right Worshipful Charles George QC Dean of Arches, London Professor Richard Helmholz University of Chicago Sir John Laws Lord Justice of Appeal, London Professor Douglas Laycock University of Michigan Law School Professor Ian Leigh Department of Law, Durham University Professor David McClean QC Chancellor of Sheffield and Newcastle Professor Javier Martínez-Torrón Complutense University, Madrid Dr Robert Ombres OP Dominican Procurator General, Rome Professor Julian Rivers School of Law, University of Bristol Professor Dr Gerhard Robbers University of Trier Mr Stephen Slack Registrar and Chief Legal Adviser to the General Synod Professor Marco Ventura University of Siena Professor John Witte Jr Center for the Study of Law and Religion, Emory University, Atlanta

Subscriptions

The Ecclesiastical Law Journal (ISSN 0956-618X) provides authoritative coverage and incisive commentary upon the laws applicable to Anglican churches and other religions and faith communities from ecumenical, international, social, historical, theological and comparative perspectives. It is published three times a year in January, May and September. Three parts form a volume. The subscription price which includes delivery by air where appropriate (but excluding VAT) of volume 13, 2011, which includes print and online access, is f_{113} (US \$215 in USA, Canada and Mexico) for institutions and individual subscribers. Single parts are f_{42} (US \$74 in USA, Canada and Mexico) plus postage. EU subscribers (outside the UK) who are not registered for VAT should add VAT at their country's rate. VAT registered members should provide their VAT registration number. Japanese prices for institutions (including ASP delivery) are available from Kinokuniya Company Ltd, P.O. Box 55, Chitose, Tokyo 156, Japan.

Orders, which must be accompanied by payment, may be sent to a bookseller, subscription agent or direct to the publisher: Cambridge University Press, The Edinburgh Building, Shaftesbury Road, Cambridge CB2 8RU; or in the USA, Canada and Mexico: Cambridge University Press, 32 Avenue of the Americas, New York, NY 10013–2473.

Copying

This journal is registered with the Copyright Clearance Center, 222 Rosewood Drive, Danvers, MA 01923, USA. Organizations in the USA who are also registered with the CCC may therefore copy material (beyond the limits permitted by sections 107 and 108 of US Copyright law) subject to payment to the CCC of the per copy fee of \$15.00. This consent does not extend to multiple copying for promotional or commercial purposes. Code 0956-618X /10. ISI Tear Sheet Service, 3501 Market Street, Philadelphia, PA 19104, USA, is authorized to supply single copies of separate articles for private use only. Organizations authorized by the Copyright Licensing Agency may also copy material subject to the usual conditions. For all other use, permission should be sought from Cambridge or from the American Branch of Cambridge University Press.

© The Ecclesiastical Law Society 2011

Contents

1	editorial Mark Hill
4	ARTICLES The Contribution of Canon Law to Anglican-Roman Catholic Ecumenism Nicholas Sagovsky
15	The Role of Canon Law in the Ecumenical Venture: a Roman Catholic Perspective Brendan Leahy
26	Religion, Human Rights, Equality and the Public Sphere <i>Christopher McCrudden</i>
39	The Historical Background to the Marriage (Wales) Act 2010 <i>Nicholas Roberts</i>
57	COMMENT Mediation: An Untapped Resource for the Church of England? Mark Hill
65	Mediation in the Church of England: Theology and Practice <i>Stephen Fielding</i>
69	The Regulation of Islamic Finance in the United Kingdom Jonathan Ercanbrack
78	PARLIAMENTARY REPORT Frank Cranmer
	SYNOD REPORTS
84	General Synod of the Church of England
0.6	Stephen Slack
86	General Synod of the Church of Ireland Michael Davey
86 89	General Synod of the Church of Ireland
	General Synod of the Church of Ireland Michael Davey General Assembly of the Church of Scotland
89	General Synod of the Church of Ireland Michael Davey General Assembly of the Church of Scotland Frank Cranmer General Synod of the Scottish Episcopal Church
89 92	General Synod of the Church of Ireland Michael Davey General Assembly of the Church of Scotland Frank Cranmer General Synod of the Scottish Episcopal Church Ivor Guild Governing Body of the Church in Wales Philip Morris
89 92	General Synod of the Church of Ireland Michael Davey General Assembly of the Church of Scotland Frank Cranmer General Synod of the Scottish Episcopal Church Ivor Guild Governing Body of the Church in Wales

BOOK REVIEWS

- 102 Women, Family and Gender in Islamic Law, by Judith E Tucker Review by Rebecca Probert
- 103 Law and Religion in Historical and Theoretical Context, edited by Peter Cane, Carolyn Evans and Zoë Robinson Review by Ian Leigh
- 105 Church, State and Citizen: Christian approaches to political engagement, edited by Sandra F Joireman
 Religious Voices in Public Places, edited by Nigel Biggar and Linda Hogan
 Review by Frank Cranmer
- Divine Justice: Religion and the Development of Chinese Legal Culture, by Paul R Katz Review by John Keischner
- Collected Essays in Law: Abdullahi An-Na'im: Islam and Human Rights, by Mashood A Baderin
 Heaven Forbid: An International Legal Analysis of Religious Discrimination, by Anne-Marie Mooney Cotter
 Review by Malcolm Evans
- 115 Marriage Law and Practice in the Long Eighteenth Century: a Reassessment, by Rebecca Probert *Review by Charlotte Smith*

CASE NOTES

118 Ruth Arlow and Will Adam