

LA LIBERTÉ DES CONGRÉGATIONS RELIGIEUSES EN FRANCE by Jean-Paul Durand OP *Les Editions du Cerf*, Paris, 1999, 3 vols, I pp.xvii+497, 340F; II pp.843, 440F; III pp.709, 420F all pbk.

The appearance is monumental, the contents wide-ranging, the scholarly apparatus thorough, and the presentation orderly. Such are the first impressions in leafing through this massive trilogy by the dean of the faculty of canon law at the *Institut Catholique* of Paris. Prolonged reading confirms these impressions of an important study which covers canon law and civil law as they bear on religious bodies and organisations in France, with particular reference to consecrated life.

Durand's direct concern is with France, with its legacy from the Revolution and the bitter polemics at the beginning of the 20th century. His subject matter, however, applies much more widely and concerns every modern, pluralist society respectful of human rights. The Church/State relations and problems inherited from the medieval period were given a new dimension by the denominational divisions arising out of the Reformation, and are changing yet again with the need to recognise and regulate faiths other than Christianity. The massive presence of Islam in France and other parts of Europe is the most obvious example of changing realities. From its point of view, especially since Vatican II and the subsequent revision of canon law, Catholicism is revising its self-understanding and its claims towards civil society and other denominations and religions. It has also recast substantially its theology and canonical regulation of religious life in its broadest sense.

France, like several other European countries, has a long familiarity with the organised presence of different Christian denominations as well as of Jews and Muslims, but a milestone was reached in 1988, when legal recognition was first given to a Buddhist group. Volume I is devoted to this aspect of the general theme, giving prominence to demographic evidence and historical analysis concerning what is now known in canon law as consecrated life and related concepts. It is an occasionally dramatic tale narrated at great speed. Durand rightly underlines the significance of canon 605 of the 1983 Code of Canon Law with its positive encouragement of novelty. Diocesan bishops are now to endeavour to discern new gifts of consecrated life which the Holy Spirit entrusts to the Church. Durand is himself most attentive to new developments, ferments, and questions not easily contained within even the latest juridical categories (see pp.338-367).

Over all, there emerges in France a nationalist emphasis, evidenced by the liking for the concept of 'French congregation' and a certain caution towards foreign attachments including to Rome, where several religious 'mother houses' came to be located. One of the latest manifestations of this evolving scene is the concern to gain commercial protection abroad for goods produced in French monasteries. In this first volume, of particular interest to Dominicans is the account of the establishment in 1988 of the Fraternity of St Vincent Ferrer as an institute of consecrated life of pontifical right (p.333f), an account presented in terms of traditionalism and (fateful word) '*intégrisme*'. The reaction of the French Dominican provincials was trenchant. The trilogy demonstrates repeatedly how neither Church nor state regulates static categories, although novelty can paradoxically take

the form of a return to the past.

In this review, there is no opportunity to examine volume II as it deals in great detail with aspects of French civil law, with a good deal of historical information. For all its '*jacobinisme*', the administration of French territories at home and overseas has not been juridically monolithic.

As for volume III, there Durand turns to the evolution of freedom of religion and of association in France, once more giving a strongly historical account. 1901 is a pivotal year, the concept of a '*congrégation déclarée*' is a crucial term. The author might have made his sketch of significant developments in Catholic thinking in the decades leading to Vatican II less like a bare list with very lengthy references (p.239f). The origins of these volumes in a doctoral thesis mean that there are few concessions to the nonspecialist reader. It should be said that the bibliography of 168 pages constitutes a valuable research tool in itself.

Durand is quite correct in noticing a certain unfinished quality about contemporary theology in this area. The notion of 'the people of God' does not offer, unlike that of 'the perfect society', the same juridical resources needed to transform into institutions the doctrinal principles renewed by Vatican II. The subsequent revision of the universal canon law witnessed to this difficulty, and it is not only in France that the Church has had to cope as best it can in negotiating with the state over the civil regulation of religious groups.

In all these shifts and negotiations, from time to time chronicled in great detail by Durand, we can see how both Church and state are concerned to regulate what can broadly be called consecrated life, but for different purposes. Durand is also concerned with future possibilities and improvements within the framework of French civil law, and this not just for Catholics. To the accompaniment of some surprisingly lyrical phrases for such an erudite work, the general conclusion to this trilogy recalls a passage in *Lumen gentium* so as to counter any unduly restrictive understanding by Church or state. Vatican II taught there (n.39) that through the inspiration of the holy Spirit the practice of the evangelical counsels has been undertaken by many Christians, either privately or in some condition or state authorised by the Church, and provides in the world, as it should, an outstanding witness and example of holiness.

European countries, let alone governments worldwide, show a great diversity of approaches to religions and their organisation. An eminent British ecclesiastical lawyer recently spoke of the '*laïcité*' of the French Republic as an oddly compromised one. Durand would say it is '*laïcité à la française*'.

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EMPRESS AND HANDMAID: ON NATURE AND GENDER IN THE CULT OF THE VIRGIN MARY by Sarah Jane Boss *Continuum International Publishing Group, London, 2000. Pp x + 253, £19.99 pbk.*

This excellent book appears when domination and subjection are at the forefront of the ecological and theological debate, and when our relation to God's created world and to each other is coming under increasing scrutiny. In *Empress and Handmaid* Boss addresses the links between particular and different perceptions of the Virgin Mary and their historical context. Using Weber's concept of domination, an account of which she sensibly