

0956-618X | VOL 25 NO 1 | JANUARY 2023

Ecclesiastical Law Journal

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

Ecclesiastical Law Journal

Editor **Benjamin Harrison**
Consultant Editor **Mark Hill KC**
Book Review Editor **Russell Dewhurst**
Case Notes Editor **David Willink**
Parliament & Synod Editor **Frank Cranmer**

EDITORIAL BOARD

Garth Blake AM SC Professional Standards Commission, Anglican Church of Australia
The Reverend James Bradley JCD Catholic University of America
Professor Ana María Celis Brunet Catholic University of Chile, Santiago
The Reverend Stephen Coleman Centre for Law and Religion, Cardiff University
Professor Norman Doe Centre for Law and Religion, Cardiff University
The Right Worshipful Morag Ellis KC Dean of the Arches and Auditor
Professor Silvio Ferrari University of Milan
Charles George KC Former Dean of the Arches and Auditor
Dr Nazila Ghanea UN Special Rapporteur on Freedom of Religion or Belief
Professor Richard Helmholz University of Chicago
Professor Douglas Laycock University of Virginia School of Law
Professor David McClean KC Former Chancellor of the Diocese of Sheffield
The Reverend Alexander McGregor Registrar and Chief Legal Adviser to the General Synod
Professor Javier Martínez-Torrón Complutense University, Madrid
The Reverend Dr Robert Ombres OP Blackfriars Hall, University of Oxford
Professor Julian Rivers School of Law, University of Bristol
Professor Dr Gerhard Robbers University of Trier
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 on 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 25, 2023, which includes print and online access, is £229 (US \$424 in USA, Canada and Mexico) for institutions and individual subscribers. Single parts are £82 (US \$152 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,

University, Shaftesbury Road, Cambridge CB2 8BS; or in the USA, Canada and Mexico: Cambridge University Press, One Liberty Plaza, New York, NY 100060.

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 /19. 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 2023

Printed in the UK by Bell and Bain Ltd, Glasgow

Contents

- EDITORIAL
- 1 *Benjamin Harrison*
- ARTICLES
- 5 The Definition of an Archdeacon: Legal, Pastoral or Neither?
Clive Hogger
- 19 Reflections on the Workings of General Synod
Pete Broadbent
- COMMENT
- 32 Response to 'Reflections on the Workings of General Synod'
Alison Milbank
- 38 The Case of the *Rustat* Memorial: Does *Duffield* Pose all the Right Questions?
Araba Taylor
- 52 All Mouth and No Trousers? Observations Arising from the Decision on
Jurisdiction in *Re Evans*
Neil Patterson
- 60 The 2022 Revision of *The Principles of Canon Law Common to the Churches of the
Anglican Communion*
Russell Dewhurst
- REDISCOVERING ANGLICAN PRIEST-JURISTS: V
- 66 Ralph Lever (c. 1530–1585)
Norman Doe
- SYNOD REPORTS
- 81 The General Synod of the Church of Ireland
Cate Turner
- 82 The General Assembly of the Church of Scotland
Jason Lingiah
- 86 The General Synod of the Scottish Episcopal Church
John F Stuart
- 89 The General Synod of the Church in Wales
Matthew Chinery
- 91 The General Synod of the Church of England
Edward Dobson
- PARLIAMENTARY REPORT
- 94 *Frank Cranmer*
- BOOK REVIEWS
- 98 Law and the Christian Tradition in Italy: The Legacy of the Great Jurists, edited by
Orazio Condorelli and Rafael Domingo
Review by Robert Ombres OP
- 100 The Anglican Eucharist in Australia: The History, Theology, and Liturgy of the
Eucharist in the Anglican Church of Australia, by Brian Douglas
Review by Alexander Ross

- 103 The Slaves of the Churches: A History, by Mary E Sommar
Review by Charles George KC
- 106 A Treasure to be Shared: Understanding *Anglicanorum coetibus*, edited by
Walter Oxley and Ulrich Rhode SJ
Review by W Becket Soule OP
- 108 Crown, Mitre and People in the Nineteenth Century: The Church of England,
Establishment and the State, by GR Evans
Review by Charlotte Smith

CASE NOTES

- 112 *Edited by David Willink*

OBITUARY

- 126 Metropolitan Pavlos Menevissoglou (1935–2022)
Dimitrios Nikiforos