

Consolidated List of Contents for Volume 26

EDITORIAL

Benjamin Harrison 1

ARTICLES

Aston Cantlow v Wallbank: a twenty-year retrospective
Mark Hill KC 6

Voidable marriages
Sir Nicholas Mostyn 20

Man shall not live by bread alone? Freedom of worship, COVID-19 and the Courts
Marco Galimberti and Tania Pagotto 41

'Juristecture' and the regulation of normative space
Morag Ellis KC 129

Bishops in the House of Lords: fit for the future?
Mark Hatcher 147

When a doctrine is not a doctrine: understating the intersection of civil and canon law and the 'doctrine' of marriage in the Anglican Church of Australia
Renaë Barker 181

Free election in the age of Erastianism: the case of *R v The President and Chapter of Exeter Cathedral*
Jason Loch 245

Power and its exercise in the Vatican City State
Konrad Dyda 259

Faith in school: balancing no establishment and free exercise of religion guarantees in American education
John Witte, Jr 276

COMMENT

Episcopacy, law and government
Martin Warner 56

In defence of the Chancellor: a personal perspective
David Etherington KC 195

How not to announce changes to the Immigration Rules
Frank Cranmer 209

Revisiting the *Rustat* case
Mike Higton 298

An exceptional burial in a closed churchyard: <i>St Mary and St Eanswythe, Folkestone</i> <i>Frank Cranmer</i>	313
Reflections on a theory of law in the addresses of Ecumenical Patriarch Bartholomew I <i>P T Babie</i>	317
REDISCOVERING ANGLICAN PRIEST-JURISTS VI: Francis Mason (1566/7–1621) <i>Norman Doe</i>	66
SYNOD REPORTS	
General Synod of the Church of England <i>Edward Dobson</i>	82
Governing Body of the Church in Wales <i>Matthew Chinery</i>	84
General Synod of the Church of Ireland <i>Cate Turner</i>	86
General Synod of the Scottish Episcopal Church <i>John F Stuart</i>	87
General Assembly of the Church of Scotland <i>Jason Lingiah</i>	91
PARLIAMENTARY REPORT	
<i>Frank Cranmer</i>	96
October 2023 to January 2024 <i>Frank Cranmer</i>	213
February to May 2024 <i>Frank Cranmer and Simon Stanley</i>	322
CONFERENCE REPORTS	
The Ecclesiastical Law Society's 35th Annual Conference: Sacred Space <i>Maira Astin</i>	102
Porvoo Communion Church Law Symposium <i>Russell Dewhurst and Andreas Henriksen Aarflot</i>	329
Colloquium of Anglican and Roman Catholic Canon Lawyers <i>Luke Beckett OSB and Charlotte Wright</i>	331

BOOK REVIEWS

- A Handbook for Churchwardens and Parochial Church Councillors:
New Revised Edition, by Timothy Briden and Kenneth MacMorran
Review by Rebecca Chapman 104
- The Language of Canon Law, by Judith Hahn
Review by Luke Beckett 106
- Theology and the Enlightenment: A Critical Enquiry into Enlightenment
Theology and its Reception, by Paul Avis T and T Clark
Review by Charlotte Smith 108
- The Cambridge Companion to the Council of Trent, edited by Nelson H. Minnich
Review by Fr Gary Dench 110
- Political Theology and Law, by Geminello Preterossi
Review by Matthew Bullimore 112
- The Visitation of Hereford Diocese in 1397, edited by Ian Forrest and
Christopher Whittick
Review by Neil Patterson 114
- Marriage, Separation, and Divorce in England, 1500–1700,
by K. J. Kesselring and Tim Stretton
Review by Charles George KC 219
- A Principled Framework for the Autonomy of Religious Communities,
by Alex Deagon
Review by Renae Barker 222
- Reconciling Theology, by Paul Avis
Review by Christopher Hill 224
- Autocéphalies. L'exercice de l'indépendance dans les Églises slaves
orientales (IX^e–XXI^e siècle), edited by Marie-Hélène Blanchet,
Frédéric Gabriel and Laurent Tatarenko
Review by Astrid Kaptijn 226
- The Cambridge Companion to the Council of Nicaea, edited by Young
Richard Kim
Review by Russell Dewhurst 228
- Law and Religion in a Secular Age, by Rafael Domingo
Review by Paul Avis 335
- Unity in Christ: Bishops, Synodality, and Communion, by Archbishop
Anthony Fisher OP
Review by Bradly S Billings 338
- The Sacraments of the Law and the Law of the Sacraments, by Judith Hahn
Review by Benjamin Earl OP 340

British Islam and English Law: A Classical Pluralist Perspective,
by Patrick S Nash
Review by Rebecca Riedel

342

CASE NOTES

Edited by David Willink

117, 230, 345



Cambridge Core

The new home of
Cambridge Journals

cambridge.org/core

Cambridge **Core**



CAMBRIDGE
UNIVERSITY PRESS

Law

Books and Journals from Cambridge University Press

Cambridge have an established and ever expanding academic law list in public and private law subjects crossing books and journals aimed at a global readership.

Particular strengths lie in international law, human rights and transitional justice, transnational and comparative law, jurisprudence, and legal history.

We also publish a growing number of titles with an inter-disciplinary and socio-legal approach.

For further details visit:
cambridge.org/core-law

Cambridge
Core

 CAMBRIDGE
UNIVERSITY PRESS

Ecclesiastical Law Journal

The *Ecclesiastical Law Journal* is published by Cambridge University Press on behalf of the Ecclesiastical Law Society. The views expressed in any article, comment, review or other publications in this *Journal* do not necessarily accord with those of the Editor, the Editorial Board, or the Society as a whole.

Submission of Articles and Comment

The *Ecclesiastical Law Journal* covers all aspects of ecclesiastical law, with a particular emphasis on the legal regulation of the Church of England and the worldwide Anglican Communion. Its range of coverage also includes comparative studies of the laws of other faiths and of the interface between law and religion in United Kingdom jurisprudence and worldwide. General policy is developed by the Editor in collaboration with the Editorial Board.

The *Ecclesiastical Law Journal* is peer reviewed and operates (for submissions which have not been formally commissioned) a double anonymous refereeing process using members of the Editorial Board together with others expert in the particular field concerned. Authors should therefore take care not to identify themselves within the text of the manuscript which they submit. Articles should generally be between 7,000 and 10,000 words and Comment pieces should not usually exceed 6,000 words. All submissions of articles, comment pieces, and general inquiries, should be addressed to the Editor: Benjamin Harrison, Ecclesiastical Law Journal, Serjeants' Inn Chambers, 85 Fleet Street, London EC4Y 1AE; E-mail: editor@ecclawsoc.org.uk.

Authors are reminded that they must follow the format set out in 'House Style', copies of which may be downloaded from <http://journals.cambridge.org/elj>.

Book Reviews

Proposals for book reviews should be sent to the Reverend Russell Dewhurst; E-mail: bookreviews@ecclawsoc.org.uk.

Case Notes

Matters relating to case notes should be addressed to: David Willink, Ecclesiastical Law Journal, Lamb Chambers, Lamb Building, Temple, London EC4Y 7AS; Tel 020 7797 8300; E-mail: casenotes@ecclawsoc.org.uk.

Parliamentary Report and Synod Reports

Matters relating to synod reports and parliamentary activities should be addressed to: Frank Cranmer, 34 Marsham Court, Marsham Street, London SW1P 4JY; Tel 07774 981988; E-mail: parliamentaryandsynod@ecclawsoc.org.uk.

Ecclesiastical Law Society

Inquiries with regard to all matters relating to the Ecclesiastical Law Society, including membership and matters relating to the educational function of the Society, should be addressed to: The Rt Rev'd John Ford, Executive Secretary, Ecclesiastical Law Society, Flat 4, 33 Rushams Road, Horsham RH12 2NU; E-mail: execsec@ecclawsoc.org.uk.

Cambridge Core

For further information about this journal please go to the journal's web site at: cambridge.org/elj

ISSN 0956-618X

Ecclesiastical Law Society

The Ecclesiastical Law Society puts on a number of lectures and conferences in support of its educational priorities.

Details of conferences, lectures and other events may be found at www.ecclawsoc.org.uk

Contents

ARTICLES

- 245 Free election in the age of Erastianism: the case of *R v The President and Chapter of Exeter Cathedral*
Jason Loch
- 259 Power and its exercise in the Vatican City State
Konrad Dyda
- 276 Faith in school: balancing no establishment and free exercise of religion guarantees in American education
John Witte, Jr

COMMENT

- 298 Revisiting the *Rustat* case
Mike Highton
- 313 An exceptional burial in a closed churchyard: *St Mary and St Eanswythe, Folkestone*
Frank Cranmer
- 317 Reflections on a theory of law in the addresses of Ecumenical Patriarch Bartholomew I
P T Babie

322 PARLIAMENTARY REPORT

329 CONFERENCE REPORTS

335 BOOK REVIEWS

345 CASE NOTES