

antinomian excesses had shown religion could not countenance a legal vacuum in the name of Christian freedom. He also argues that Lutheran thinking was responsible for the penetration of equity into German temporal justice, Oldendorp in particular taking credit for the notion that a strict law still needed the moderating effect of the judge's conscience, which princely courts could provide no less than mediæval clerical judges had done.

But even where canonical rules continued in force, the *basis* for law might well have changed and new implications be drawn out. In separate chapters on marriage and education law, Witte describes how radically novel concepts of marriage and ministry found legal expression through the Lutheran jurists' work.

Witte's book is not for the 'pure ecclesiastical' lawyer. The structures and rules of public religion in individual German principalities and free cities are not its concern. But for the general legal historian, and for those reflecting on how far religious conviction still finds an echo in modern law, *Law and Protestantism* renders impressive service. It is not, perhaps, a light read: but its arguments are developed gradually and recapitulated at the end of almost every chapter, in such a way as to get the author's viewpoint across to readers irrespective of background knowledge. Only its title irritates: Lutheranism is the *only* branch of Protestantism of which the book treats. This was, admittedly, the only Protestant tradition Germany knew in the era in question; but still for the modern reader (especially in Britain, where Protestantism shows a Reformed rather than a Lutheran face) the primary title can mislead when severed from the subtitle.

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*A DICTIONARY OF CHRISTIAN DENOMINATIONS* by PETER DAY, Continuum, 2003, 528pp (hardback £45) ISBN 0826457452

Canonists who venture outside the confines of their own jurisdictions into the wider world of ecclesiology are likely to come across organisations of which they were previously unaware. The first question that one asks oneself in such circumstances is 'Precisely what *is* the "Purified Orthodox Church of the Inner Hebrides"?' or whatever; and Peter Day's book attempts to provide notes on the multiplicity of churches, denominations and sects on offer. Given that Day is himself Orthodox, it is no surprise that his book is strongest in that area. It also offers helpful notes on the multiplicity of small churches that stemmed from the legitimate, if unfortunate, consecration of Arnold Harris Mathew by the Dutch Old Catholics. Perhaps the choicest of these is on page 345: the Old Catholic Orthodox Church, founded (and presumably funded) by 'the Most Reverend James Bartholomew Banks, affectionately known to his friends as *Piggy* on account of the happy conjunction of his surname and his vast inherited wealth'.

However, Day is much less authoritative on the Reformed churches. Though he includes a helpful entry on the Dutch Remonstrant Brotherhood of 46 congregations and about 8,000 members, he ignores their Irish cousins: the Non-Subscribing Presbyterian Church of Ireland (of 34 congregations) which grew out of the 'New Licht' theology of the late eighteenth century and rejected the *Westminster Confession of Faith*. More seriously, there is no mention of the Free Church of Scotland (Continuing) that emerged from the schism in the Free Church of Scotland in 2000, nor is the split noted in the entry for the Free Kirk itself.

It is almost inevitable in a work of this nature that no reviewer will agree with every one of the author's judgments. For example, to describe the Hicksite Quakers of America as 'a split from the more orthodox Quakers' might seem fair enough to an American, but most British Friends would take precisely the opposite view: across the spectrum of American Friends the liberal Hicksites (who eschew dogma, paid pastors and 'programmed' worship) are much the closest in spirit to Britain Yearly Meeting. Similarly, whether the Scottish Episcopal Church was 'disestablished and disendowed' in 1689 depends on one's perspective; Presbyterians would claim that all that happened was that the Kirk returned to Presbyterian government, with the result that those who wanted to retain episcopacy had to leave. But minor criticisms apart, Day has produced a very useful *Rough Guide* to a wide range of exotic ecclesiastical fauna: without it I might have imagined that the Plumstead Peculiars were a cricket side.

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*INTERNATIONAL HUMAN RIGHTS AND ISLAMIC LAW* by MASHOOD A BADERIN, Oxford University Press, 2003, xxi + 278 pp (hardback £60) ISBN 0-19-926659-X.

The book under review is the latest addition to the long running 'Oxford Monographs in International Law'. Among international lawyers, this is widely regarded as one of the most prestigious series in which academic work can be published. As with a number of the previous books in the series, Dr Baderin's study is based upon a PhD thesis supervised by Professor David Harris at the University of Nottingham. Two of those books, the studies by Dominic McGoldrick on the International Covenant on Civil and Political Rights and by Matthew Craven on the International Covenant on Economic, Social and Cultural Rights, are widely regarded as being among the most authoritative texts on their subjects. While only time will tell if this monograph will achieve the same exalted status, it is, in the opinion of this reviewer at least, a well-written and researched analysis of a very important issue.

The book is composed of two main substantive parts sandwiched between the introduction and conclusions. Chapter Two, which comprises the first