

The second section examines the European Union and religion, going beyond an analysis based on the place of fundamental rights so as to assess the wider impact of law on religion. Here it is a question of looking at how the organisation of the Union touches on the religious concerns of individuals and groups, at the level of practice as well as theory. This second section is more novel than the first, and discusses subsidiarity and changing notions of State sovereignty. The analogy with the economic, 'market', dimension is again present, and it will be taken up in the Conclusions.

The third and last section sustains this wide horizon, considering how the religions concerned respond to the European Union. Religious groups adopt different strategies, and for some what is at stake is no less than giving Europe 'a soul'. Ventura rightly identifies a strong and increased involvement by the Roman Catholic Church; he might have added that some Protestants see this as a threatening development. He does, however, raise the twofold question (in a long footnote) of whether or not ecumenism favours European integration and integration favours ecumenism. The theme of the Union's '*laicità*', in its organisation and laws, reappears in considering the different forms of co-operation and involvement with religions. The tension between democratic pluralism and the religious drive to have divine or natural law applied is evident in such important matters as sexual orientation, employment, education, and bioethics. Ventura adopts a rather all-embracing pluralism, but other solutions can be supported.

This book, densely argued and highly conceptual, is a good sample for British ecclesiastical lawyers of the kind of discussion not uncommon elsewhere in Europe. If it sounds unfamiliar and different, then Ventura has established one of his main challenges: progress in Europe must include acceptance of 'the other'. As it happens, Ventura is also involved in editing *Daimon*, the Italian annual periodical launched in 2001, devoted to the presentation and comparison of the laws of the different religions. Relating to Eastern religions is a pressing task for law in Europe, recalling (as Ventura notes) the uneasy relationship of Europe to Asia in ancient mythology. The restrictive dominance of inherited 'Church and State' discussions may be coming to an end.

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LAW AND RELIGION: CURRENT LEGAL ISSUES VOLUME 4.
 Edited by RICHARD O'DAIR and ANDREW LEWIS, Oxford University Press, 2001, xliii + 561pp (Hardback £80) ISBN 0-19-924660-2

The ever-important impact of religion on the law demands constant awareness. Law and religion is a relationship *semper reformandum*. The impressive volume edited by Richard O'Dair and Andrew Lewis contributes immensely to this everlasting process. Outstanding scholars in law as well as in religion make the book a fascinating source of information and ideas. Challenging is the very number of the thirty contributors to the proceedings

of the fourth interdisciplinary colloquium at the Faculty of Laws, University College London, held on 3 and 4 July 2000. The editors manage to centre the contributions around a number of highly controversial and timely issues. Diversity of religion, freedom and tolerance shine through the very set-up of the collection as key structures of the debate.

The volume sets out with contributions about the rôle of the divine in temporary society, by Howard M. Ducharme, Calum Carmichael, Gary Watt and Anthony Bradney. Studies on interpreting the holy follow, by Steven D Smith, Bernard S Jackson, Jeanne Gaakeer, Edward M Andries and Robert Gleave. They point at a common need of law, religion and literature to interpret texts. All of these give a highly international and interfaith approach, as does the part on human rights and pluralism with contributions by Matthijs de Blois, Javier Martínez-Torrón, Malcolm D Evans, Julian Rivers, Ian Leigh, Rex J Ahdar, Sophie C van Bijsterfeld, and Peter Cumper.

The question of autonomy of churches and religious communities can well be regarded as a natural consequence of religious freedom as a human right and is tackled by Steven H Resnicoff, J David Bleich, Michael Freeman, Perry Dane, Mark Hill, and Norman Doe, together with Anthony Jeremy. The rôle of the sacred in society is described by Peter W Edge, Augur Pearce and David Harte with reference to religion and the public sphere, appropriately coming full circle to close this part of the contributions with a reference back to the beginning of the volume. Finally, the view is widened to include the distinctive impacts of various religions and to take in international developments. These are introduced by Danesh Sarooshi, Reid Mortensen, Paul Beaumont, and Piotr Mazurkiewicz.

A lawyer drawing on the broad spectrum of ideas in this book will probably be touched by the strong spirit of the arguments as when Howard M Ducharme claims that the moral identity of persons needs a traditional idea of the soul; reason, ethics, and the law having therein a first principle from which to work. In following the narrative of the bible, Calum Carmichael supports this basic claim in substance by asserting divine sources of the law. Gary Watt's plea for an independent rationality of the state towards religion seems to run somewhat contrary to those basic assumptions, while Anthony Bradney's plea for a sociological study of law and religion that gives a description of the multicultural situation may well show a new solution for the long term to bridge the faith-based frictions in society. Steven D Smith quite convincingly gives a hint where this may lead to: to accepting that secularism, strong as it may be, actually masks much more faith in existing society than is often admitted.

Wonderfully enriching the symphony which all the divers religions in the world should make up, rather than dividing the world, quite a number of constitutions explain how best to interpret and to understand a variety of religions. They do so, whether pointing at specific contexts or in a broad perspective, for Jewish and Christian, Muslim, Baha'i and Melanesian religions. This diversity and wealth of religion finds a core issue in religious

autonomy. That is addressed in the contributions of Mark Hill, Norman Doe and Anthony Jeremy, Perry Dane, Steven H Resnicoff and others. They implicitly relate to one another in showing that, by securing this autonomy, both the freedom necessary for the religion itself to flourish is achieved and it is enabled to contribute to the well-being of the whole of society. Thus public and private find a common guardian in religious freedom as a human right. This is explained in many aspects by Peter Cumper (multifaith challenges), Sophie van Bijsterveld (legal perspectives), Julian Rivers (the collective aspect) and Malcolm D Evans (the universality claim). It is quite convincing, indeed, as David Harte argues, that religion is an area of public importance which is an appropriate subject for public law.

Seen from a continental perspective British establishment of religion, also illuminatingly explained by Augur Pearce and Peter W Edge, gives ample space for religious freedom, while at the same time securing major traditions and structures of belief which underlie society. It is this fruitful combination of openness and strong convictions—for tradition and reform, for their own religion and the religion of others, for freedom and for rules—which makes this book so wonderful to read.

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A HUMAN RIGHTS APPROACH TO COMBATING RELIGIOUS PERSECUTION: CASES FROM PAKISTAN, SAUDI ARABIA AND SUDAN by MOHAMED S. M. ELTAYEB, Antwerp/Groningen/Oxford: Hart/Intersentia, 2001, xii + 260pp (£39.00 paperback) ISBN 90-5095-170-8.

This book is one of the volumes in the 'School of Human Rights Research Series' as published by Intersentia and Hart. It is an amended version of a PhD thesis successfully defended at Utrecht University in 2001. Its central aim is to examine the phenomena of intra-religious persecution through a series of case studies. As the author notes relatively early on, while inter-religious discrimination has been extensively documented and human rights instruments have been interpreted with a view to tackling such behaviour, intra-religious persecution raises issues that have not been the focus of a great deal of legal analysis and commentary. Intra-religious discrimination is of course not unique to any faith. The book under review examines the phenomena of intra-religious persecution in three States where Islam is the predominant faith and argues how religion has been used as a pretext to discriminate and persecute against identifiable groups for other purposes.

Although the book is not formally divided into different sections it is possible to perceive it as being composed of two distinct parts. The first part sets out the analytical framework and prism through which the issues are to be examined. The second part is composed of the actual case studies themselves. The two chapters which form the first part of the book attempt to define religious persecution in international law and also examine the doctrinal tools which have been historically utilised in Islam to exclude certain