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Power Over the Body, Equality in the Family by Charles J.
Reid, Jr. (review)

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The Jurist: Studies in Church Law and Ministry, Volume 67, Number 1,
2007, pp. 267-268 (Review)

Published by The Catholic University of America Press

DOI: <https://doi.org/10.1353/jur.2007.0044>

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canonists. It will be a very valuable asset in the libraries of academic institutions, chanceries, and tribunals.

Finally the reviewer hopes that someone or a group of persons expert in Eastern law will provide a comparable set of companion studies of the drafting of the Eastern code from 1972 through roughly 1988. Such studies of the various Eastern code schemata and their discussion by the commission members and the consultors of the various *coetus* especially in *Nuntia* would contribute greatly to a more sophisticated analysis of the mind of the legislator underlying that significant text.

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POWER OVER THE BODY, EQUALITY IN THE FAMILY by Charles J. Reid, Jr. Grand Rapids: Erdmans, 2004. Pp. Vii-335. \$35.00.

The question of origins once engaged some of the most prominent medievalists of the day. One thinks of Geoffrey Barraclough's *The Origins of Modern Germany*, Carl Erdmann's *Die Entstehung des Kreuzzugsgedankens*, the work of Joseph Strayer on the modern state, and that of Brian Tierney on conciliar theory and papal infallibility. Although nearly eclipsed by more fashionable lines of inquiry, books such as Tierney's latest study of the idea of natural rights as well as the volume under consideration demonstrate the enduring potential of the approach.

Power over the Body, Equality in the Family, subtitled *Rights and Domestic Relations in Medieval Canon Law*, builds on Tierney's investigation into the origins of the Western rights tradition. It traces the foundations of a rights-based model of marriage and family relations back to juristic writing of the twelfth and thirteenth centuries. Posited on the notion that marriage involved a durable and interlocking set of rights and duties, it is a model which long served both ecclesiastical and secular law, and which still informs secular legal thinking with reference to parental support of children.

Power over the Body consists of four chapters devoted to different aspects of the marital relationship, including the right to freely contract marriage, paternal rights, conjugal rights, and the right of children to inherit parental property. Because medieval canonists and theologians

were heavily indebted to the Roman law, each chapter initially presents classical and post-classical thought on the topic. Examination of the additions, subtractions, and elaborations of twelfth and thirteenth century jurists follows and clearly shows that, if in some cases these writers merely nuanced developed rights-oriented arguments, in others they markedly departed from antecedent reasoning.

Charles Reid Jr. has produced a well-conceived, thoroughgoing investigation of the origins of a model of marriage that presupposed an irrefragable bond with concomitant privileges and duties. It is also a very balanced one, since the author points up the problems encountered by canonists who followed a rights-based line of reasoning to its logical conclusion. Nor does he allow readers to forget the chasm that might divide theory from practice—arguments for the enduring nature of a leper's conjugal rights, for example, standing in sharp contrast to customary segregation of a diseased spouse.

Power over the Body will make an admirable addition to the specialist's library; and because of its lucid approach, it can be used to advantage as a textbook in upper-division and graduate courses whether in history, law, religion, or ethics.

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CODE OF CANON LAW ANNOTATED. Second Edition revised and updated of the 6th Spanish language edition. Woodridge, IL: Midwest Theological Forum, 2004. Pp. 2066.

In his review of the CLSA *New Commentary on the Code of Canon Law* published in *America*, November 25, 2000, Rev. James J. Conn, S.J. described it as "The Big Green Book." Perhaps it would not be indecorous to refer to the second edition of the *Code of Canon Law Annotated* as "The Little Red Book." Since the first edition published in 1993, two dedicated scholars responsible for the editing of the former edition, Jean Thorn and Michel Thériault, have gone to their eternal reward. The text profits from the revisions of the sixth edition of the Spanish Language Commentary and the second edition of the French edition, "*le Code bleu*." The purpose of the project remains the same: the text is "... not