

Editor's Preface

It has been an assumption of the *Journal of Law and Religion* that the relationship between law and religion is complex and may be examined from a wide variety of viewpoints and through a wide variety of methods. This issue of the *Journal* reflects that assumption, for the articles vary widely in method, viewpoint, and subject. John Simonett expresses eloquently his view that law, while it carries moral values, must not be made the sole source and arbiter of morality. John Morden and Mulford Sibley range broadly over the field, noting and analyzing points of intersection between law and religion. James Lennertz describes a model of the relationship between law and religion in the thought of Alexis d'Toqueville and uses that model to discuss critically the "duty to rescue" doctrine in tort law. William Everett brings explicit religious and ethical values to bear in his criticism of child custody law. Donald Mulcahey makes the case for greater attention to explicitly moral education in law school, drawing upon the thought of Marcel, Buber, and Unger. Edward Gaffney traces very broadly some sources in law for the formulation of central ideas in Biblical religion, particularly the idea of covenant. Focusing much more narrowly, and using the methods of Biblical word study, Stanley Rosenbaum puts forth the thesis that the familiar Biblical concept "enmity" may be related to the Israelite law of homicide. Finally, James Will broadens our perspective through his historical and critical treatment of the relationship between the Polish state and the Roman Catholic Church in Poland, and the implications for human rights of that relationship.

This issue of the *Journal of Law and Religion* includes a new kind of publication which (we hope) will become a regular feature, and which we have entitled "Formal Statements of Religious Authorities Concerning Law." We have in mind to reproduce here those formal pronouncements of religious bodies meeting in conference or synod, or acting through acknowledged authorities, which address explicitly legal or political issues. Often such formal pronouncements are circulated primarily among adherents of a particular religious group, and are not easily accessible to scholars or to those with general interest. We begin with the formal statement of the American Lutheran Church, adopted in October 1984 after an extensive process which included circulation of early drafts to indi-

vidual congregations for comment and revision. The document, entitled "Human Law and the Conscience of Believers," takes rather specific positions on such issues as taxation for military purposes and the offering of sanctuary to seekers of asylum. We intend to publish such statements regularly, and we invite all religious groups to submit such formal statements to the *Journal*.

The next issue of the *Journal of Law and Religion* will be published under the guest editorship of Professor Robin Lovin of the University of Chicago Divinity School. In addition to general articles, Professor Lovin will focus on issues concerning religion and law in the American political sphere, drawing on the University of Chicago Project on Religion and American Public Life.

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