

EDITOR'S PREFACE

For the practicing lawyer, and especially for the trial lawyer, the problem of truth-telling is confronted daily and starkly. Ethically sensitive lawyers search for an answer to the question, "How, if at all, can I put my client's case in the most favorable light, while at the same time I scrupulously tell the truth?" Professor Robert Burns reflects his indebtedness to Kant in the way he frames the question in the lead article of this issue of the *Journal of Law and Religion*. "Is there a viable understanding of legal practice which a lawyer can, with practical reasonableness, embrace?" He purports explicitly to "explore the philosophical terrain relevant to the kind of truthfulness which is appropriate specifically to the context of litigation, and thus to the kind of honesty to which a lawyer may aspire." The service that Burns performs for us in this article is most valuable. He lays open the complexities of moral argumentation and points the way toward resolution in practice of apparently conflicting ethical demands. Thus Burns accomplishes more than the descriptive task which he modestly sets forth as his objective: he suggests a way to avoid the cynicism about lawyering which is all about us.

Bruce Ledewitz, too, lifts up a way to avoid more cynical conclusions about law. For Ledewitz, "This world of law can use re-exposure to a very different faith: the faith of Edmond Cahn." Academicians are used to the occasional rather forlorn attempt in journals such as this to revivify the thought of persons whose ideas have been invalidated or, for one reason or another, discarded. This is not such an attempt. Rather, it is a thorough explication and an impassioned plea to listen again to the humane and hopeful voice of the well-known believer in "natural justice," Edmond Cahn. Reading Ledewitz's persuasive reintroduction to Cahn's thought, one is struck by its contemporary relevance and wisdom. In his admiring conclusion, Ledewitz states his objective: "I hoped . . . to remind the academic community of the inauthenticity of abstraction. The grandest theme in Cahn's thought is the centrality of the human to law. The search for natural justice has often looked outside people. Cahn restores the study of man to the study of law by linking the nature of the law to the nature of man."

The remaining articles in this issue carry forward the task of exploring in scholarly fashion the relationship between law and religion.

Professor Jerome Hall sets forth a view of the Christian apostle Paul, and of some of his more puzzling utterances, which emphasizes Paul's training in Jewish law. Noor Mohammed explores the roots of the concept of "jihad" in Islamic law. In his book review essay, Peter Walshe contrasts two recent writings on the situation in South Africa, speaking from a critical perspective informed by moral sensitivity. Leslie Griffin writes similarly of two recent books on affirmative action.

In Volume II, Number 1, of the *Journal of Law and Religion*, we introduced a new section in the *Journal* on the social policy statements of major religious denominations. Our plan for that section was to publish once a year the formal policy statements on social, political and legal issues taken by one of the national religious bodies. Our hope was that the journal would become a ready resource for such policy statements—statements that would be of obvious interest to those interested in the interaction of law and religion, but that are often unavailable in regular library collections. The first publication in this series was that of The American Lutheran Church, entitled *Human Law and the Conscience of Believers*. In this issue we are publishing the statements of *The United Church of Christ* entitled *Social Policy Actions of the United Church of Christ: General Synod 15, 1985*. We have included both the Pronouncements and Resolutions of the UCC's national governing body.

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