

EDITOR'S PREFACE

A couple of years ago, the Editorial Board of the *Journal* had a long conversation about the growing importance of human rights jurisprudence in both domestic and international law-making. The Board commissioned the editors to find a project suitable for exploration of human rights jurisprudence from the perspective of the religious and moral traditions. An opportunity soon appeared on the horizon, the publication of Michael Perry's intriguing new book, *The Idea of Human Rights*, which, among other things, takes up a theme that goes to the heart of the *Journal's* mission of inquiry. As he describes it, the "conviction that every human being is sacred is, in my view, inescapably religious—and the idea of human rights is, therefore, ineliminably religious."

We invited a distinguished group of intellectuals representing several religious traditions who have done some significant interdisciplinary thinking on human rights to engage Michael's book and related themes on human rights and theological inquiry. Those who graciously agreed include Eric Blumenson, Suffolk Law School; Lisa Sowle Cahill, Boston College; Jean Bethke Elshtain, University of Chicago; Natan Lerner, Tel Aviv University; Jean Porter, University of Notre Dame; Max Stackhouse, Princeton University; and George Wright, Samford University. What you will read is a rich, diverse set of perspectives on human rights: these articles directly engage, reformulate or critique Perry's argument that human rights are "ineliminably religious," and mine the rich treasure of religious views on natural law and the dignity of the person. Some also apply these insights to concrete legal problems, such as George Wright's attempt to bring Perry in conversation with Peter Singer on the worth of the disabled. With Michael, we respond in gratitude for these scholars' serious and lively engagement in the topic.

Indeed, we have more to share on human rights, both in this issue and in those to follow. Charles Villa-Vicencio, a central figure in the work of the South African Truth and Reconciliation Commission, poignantly captures the anguish of healing for a nation moving from

violent repression to freedom, the difficult way national leaders must find to respond legally and morally to unspeakable acts by human beings against each other, bearing “the Reek of Cruelty.” He explores a question which all violence raises—whether and when earthly justice and love require retributive responses to torture and murder, and when restorative justice is called for. Robert Cochran, also writes from a restorative justice approach to crime to deftly and thoughtfully explore the role-conflicts which this approach creates for criminal defense attorneys “raised” in the adversary model of justice, who perceive their duty to protect their clients against the power of the state. And finally, Yarina Liston takes us back in time to explore the historical relationship between Buddhism and the Sri Lankan state in the person of Buddhist holy leaders, and the process by which British colonialist interpretations of Buddhist doctrine disengaged religious and national centers of authority.

We hope that these articles will serve as a springboard, along with efforts such as Emory University’s series on religious human rights, to bring the study of the religious traditions and human rights jurisprudence together again. In fact, an upcoming issue of the *Journal* will feature several articles on human rights issues from a variety of Islamic perspectives, one of the first English language volumes published in the United States and devoted solely to Islamic jurisprudence. A major issue reviewing some of the best English language books on law and religion published in the 1990s is also on its way to subscribers in upcoming months. As we believe that these volumes will be standard reference works for scholars serious about law and religion, if you do not subscribe to the *Journal*, now is a great time to get your own.

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