

EDITOR'S PREFACE

The articles in this issue of the *Journal of Law and Religion* vary widely in method and approach, reflecting perhaps the richness and variety of the ways in which law and religion are related. Daniel F. Rice, whose presentation and study of the correspondence between Reinhold Niebuhr and Felix Frankfurter (1 J. LAW & RELIG. 325) evoked a great deal of appreciative response from JLR readers, has put together a most insightful summary and analysis of the meaning and nature of law in Reinhold Niebuhr's thought. John Witte, recently appointed Director of the Law and Religion Program at Emory University, offers us a thorough, lucidly written, and fascinating account of the transformation of marriage law in sixteenth century Germany. He then contrasts the Lutheran reformers' approach to marriage law reform with that of contemporary marriage law reformers, and finds the moderns wanting; they proceed with "historical myopia," and with "primitive notions of individual autonomy, sexual privacy, gender neutrality, and parity." Douglas Sturm argues convincingly that A. N. Whitehead stands in the tradition (by "connotation") of Aquinas, Locke, and Tawney on the question of property. Bringing to bear the methods and concepts of Whitehead and process thought, Sturm constructs a model for understanding "property" that is comprehensive and clear, and that should prove most helpful for those who seek a moral basis for property in our time. David Cobin addresses a troublesome problem with implications for formal relationships between law and religion in America, namely that of the refusal of a Jewish husband to grant a religious bill of divorcement (a "get") to his estranged wife upon civil divorce. Cobin suggests a judicial remedy by way of the tort of intentional infliction of emotional distress. Carl Esbeck, who contributed a well-received survey of religious liberty in the courts during 1985 to Volume IV, No. 1 of this journal, has augmented that effort by a similar survey for 1986. Book reviews by Millard Lind, Robert O'Neil, and Robert Spaeth round out the issue.

Stephen Young's resignation from the deanship at Hamline University School of Law is an appropriate occasion to acknowledge and express appreciation for his efforts in founding and supporting the *Journal*. The idea for such a publication was his, and it is clear that without his sponsorship and imaginative leadership the idea would

not have been realized. All we who labor in these vineyards owe him thanks.

*Michael Scherschligt
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