

EDITOR'S PREFACE: IN HONOR OF DOUGLAS STURM

As he rises to speak, one can almost imagine oneself as the lone court watcher who realized the folly of King David's distraction as Nathan rose to argue the simple case of two shepherders, one demanding his justice for the theft of his sole possession. Those who know Douglas Sturm mutter to each other or exchange knowing glances as he rises, slowly, unobtrusively as if to ask a simple question. They wonder if the speaker knows what he or she is in for. And then comes the question, or more properly the challenge which ends with a question. It is not so much the challenge of the modern academic, delighting to thrust his dagger into the soft belly of an imperfect argument; it is the deliberate, sharp demand of a prophet for a word that will do justice to justice, a word that will speak more precisely or truthfully what has just been presented as true. No one is immune and no one is treated differently, not the mightiest scholar nor the newest professor, not the dearest friend nor the most severe intellectual foe, not the person who has labored tirelessly over her argument nor the person who rattles off a first impression. Each hears the thrusting word, as if the generations had passed it on to be spoken out of Doug's mouth.

Or perhaps, when one speaks of Doug Sturm, one should rather liken him to one of his own favorites: Amos, the farmer, who rose to speak sharply to a people whose relationship with God was "deadened by formalism and shot through with vicious elements. . ." and whose relationship with each other was unjust, as "influential and powerful rich [people] exploited and oppressed the poor and created bitter divisions within the family of the people of God."¹ For Sturm too has visions, though his are not simply visions of judgment on the nation and the world in which he lives, but also visions of what it might be for moderns to imagine themselves in solidarity, joined as the people of God.

When the editorial board of the *Journal of Law and Religion*

1. Walter R. Roehrs & Martin H. Franzmann, *Concordia Self-Study Commentary* (Concordia Pub House, 1971).

determined to honor its founding chair, Douglas Sturm, near the time of his retirement from Bucknell University with its Achievement Award and this festschrift, it was not only from fondness and familiarity. And it was not only in gratitude for his own shepherding of the *Journal* through its fledgling years, a faithfulness reflected in a richly diverse and dynamic group of people gathered around the *Journal's* work, as readers, authors, referees, Editorial Board and Advisory Committee members, and friends. Doug's award and this volume recognize a lifetime of prophetic claim upon the institutions of justice, the church, the law, political and social organizations of many stripes. His call has been heard in tense popular discussions of local community racism and homophobia as well as in the most respected circles of academia on a host of topics, ranging from process theology to the just demands of children and environmental ethics. Tom Porter's opening essay, a tribute to Doug on the occasion of his retirement, pays homage to both the integrity and the variety of this lifetime of work.

This volume reflects the diversity of concerns for the other pursued by his colleagues, both from Bucknell and from his *Journal* associations. We present Doug himself in a collection of essays reflecting the variety of concerns which have engaged his life, including his acceptance speech at the *Journal* awards dinner, reflecting his current intellectual occupation with the notion of justice as solidarity, a move beyond liberalism, rights-talk and communitarian argument to embrace and re-think an old tradition of human relationship. Doug's realistic optimism for a human future is reflected in his essay on *Human Rights and Political Possibility*, which recognizes both the truth and the error in the return to the subjective self. He explicates a distinctly American view of the possibilities for human justice in his essays on *The Opening of the American Mind* and *A Prospective View of the Bill of Rights*, and the role of religious communities in this struggle in his new review essay on Walter Wink's book, *When the Powers Fall: Reconciliation in the Healing of Nations*.

Doug's colleagues summon his spirit, focused on human struggle in particular contexts, to engage the dimensions of spirituality in a variety of situations. J. Ernest Keen proposes a spiritual model of schizophrenia, suggesting it as a disrupted response to one's moral, social and spiritual world rather than simply a scientific abnormality to be adjusted. William Becker attempts to explore the writing of Vietnam veterans struggling to

understand their experience in spiritual terms, a struggle that puts in tension their conscience, the potential sacrifice of their own identities as moral persons, and the demands of an outside world that would delegitimize spiritual and political questioning. Gene Chenoweth playfully pursues the dynamic of connectedness and disobedience through the metaphor of piracy, exploring whether it demonstrates the interrelatedness of global cultures and interdependencies. Richard Hiers considers the Biblical warrants for an environmental ethics based on reverence for all life, and Emily Albrink Hartigan reviews Doug's new book, *Solidarity and Suffering*.

We also continue the conversation about religious argument in the public square with a provocative proposal by Christopher Eberle. He carefully argues that liberals opposed to religious discourse on public matters cannot provide a principled basis on which to exclude even mystical perceptions of believers from the public discourse on the appropriate shape of the secular law. This article continues on the path forged by intellectuals such as Michael Perry, Kent Greenawalt and our own authors such as Daniel O. Conkle, Yong Huang, Philip Devenish, Steven D. Smith, Glenn Tinder, and many others in previous issues.

We are delighted to honor our colleague and friend, Douglas Sturm, and we have faith that we will be seeing him rise up from his chair to speak a word about justice in many venues for years to come.

Marie A. Failing
Co-editor

By Nature Equal

The Anatomy of a Western Insight

John E. Coons and Patrick M. Brennan

With a foreword by John Witte, Jr.

What do we mean when we refer to people as being equal by nature? In the first book devoted to human equality as a fact rather than as a social goal or a legal claim, John Coons and Patrick Brennan argue that even if people possess unequal talents or are born into unequal circumstances, all may still be equal if it is true that human nature provides them the same access to moral self-perfection.

“A profound and highly original contribution to the literature of philosophy, ethics, theology, and law. . . . *By Nature Equal* is sagely worded, soundly argued, and written in a clear and accessible style. I read it with great enthusiasm.”—John Witte, Jr., Emory University

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