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Articles

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or Antagonistic Servants of Public Justice?

Donald W. Shriver, Jr.

A Seal Pressed in the Hot Wax of Vengeance:
A Girardian Understanding of Expressive Punishment

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JOURNAL OF LAW AND RELIGION

STATEMENT OF PERSPECTIVE

The Journal of Law and Religion was initiated in 1982 as a collaborative effort of the Council on Religion and Law and the Hamline University School of Law. It was born of a sense of historical malaise. The modern age with its strong propensity toward the secularization of all areas of life, while not without merit in its liberating effects, nonetheless has its dark side.

We live, some say, in a time of profound historical crisis. Domestically and globally, we confront massive issues which force us to reconsider, in fundamental ways, the shape and quality of our common life. Yet many of the disciplines of thought and practice that should be a rich resource in such a time are found wanting—among them, law and religion. Law, a discipline presumably devoted to the ways of justice, has all too often become a set of complex, technical tools without concern for higher purpose. Religion, presumably given to the all-embracing promises and prescriptions implied in the sense of the sacred, has all too often become privatized and neglectful of our public life.

The Journal of Law and Religion is dedicated to a fundamental reappraisal of the disciplines of law and religion as they impinge on each other, might instruct each other, and taken in their conjunction, might offer a constructive response to the major issues of our times. As such its concerns are sixfold.

Historical The *Journal* intends to encourage the examination of historical developments, movements, thinkers, and issues to enrich our understanding of how law and religion have, in various ways, been mutually influential.

Theoretical The *Journal* intends to promote constructive work in religious and legal thought about fundamental theological and jurisprudential questions pertaining to professional practice and the structures of our public life.

Ethical The *Journal* intends to support explorations into the foundations of ethical judgment and normative critiques of our social life, particularly as they draw upon resources from the life of law and religion.

Global The *Journal* intends to be encompassing in its reach, seeking out voices from all the religious and legal traditions throughout the world and bringing them into conversations with each other.

Professional The *Journal* intends to stimulate collaboration between jurists and religious leaders given their respective commitments, as professionals, to the common good of all peoples.

Spiritual The *Journal* recognizes that human existence is grounded in the spiritual, which is represented in many forms and expressions.

The *Journal* is thus a forum within which the disciplines of law and religion might together consider with utmost seriousness their joint responsibility for the creation of a civilization of genuine peace and justice. Within the compass of that purpose, the *Journal* intends to be open-minded and non-prejudicial; it is receptive to submissions from all persuasions and perspectives.

ACKNOWLEDGEMENT

The Editorial Board of the *Journal of Law and Religion* gratefully acknowledges the contribution of the Lilly Endowment in supporting the distribution of this issue.

A Letter to New Readers:

With the financial assistance of the Lilly Endowment, we are able to disseminate this issue of the *Journal of Law and Religion* beyond our regular subscribers/readers. We hope that you will be able to use this issue in your research or work, or will pass it on to someone you know will use it.

Our goal for the two issues comprising Volume XVI is to assist scholars in a wide variety of disciplines who want to read and write about law and religion. Volume XVI, No. 1 takes up the important subject of Restorative Justice, which has received so much attention since the completion of the work by the South African Truth and Reconciliation Commission. This issue contains a comprehensive bibliography of the emerging discipline of restorative justice, compiled by the Institute for Justice and Reconciliation, an important public policy research institute which emerged from the Truth and Reconciliation Commission in South Africa. Don Shriver's article addresses the importance of truth telling in service of reconciliation by addressing the forms in which that might take place: truth commissions, trials and other public media. John Steele provides a stimulating excursion into the thought of Rene Girard's analysis of violence and its capacity for participating in the regeneration of communal meaning. Volume XVI, No. 2, devoted to a comprehensive set of book reviews, provides a road map to the most important work in traditional law and religion during the past decade.

The *Journal of Law and Religion* was founded in order to bring scholars and professionals in law and religion back into conversation with each other about the profound crises of our modern world. This conversation is interfaith and interdisciplinary, welcoming persons from all faith traditions including secularists, and all intellectual and scholarly traditions. What we share is the recognition that human existence "is founded in the spiritual" and is essentially ethical, and that serious scholars and professionals can think, write and work on the common good of all peoples out of their faithfulness to their own distinctive traditions. We also share a passion for excellence and critical engagement in important human concerns. If you would like to know more about what the *Journal* is about or what we have published in past issues, see our website at <http://www.hamline.edu/jlr>

If you are receiving the *Journal* for the first time we hope that you will join our community of subscriber/readers for the next issues of the *Journal*. For the modest price of \$25 for two issues (one volume) per year (\$35 for institutional subscribers, and an additional \$15 for foreign postage), you can become involved in this important dialogue. For a three-year subscription, we would even be pleased to enter your subscription at a reduced rate (\$60 for six issues, \$90 for institutional subscribers, plus foreign postage), or alternatively, a complimentary copy of Volume VIII (the Williamsburg issue) so long as supplies are available.

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