

EDITORIAL

There seems to be an irreconcilable opposition between the spiritual message of religions and the external and socio-political organization of life by law; between the Gospel and Faith, on the one hand and law, tradition and beliefs, on the other, between the pneumatic community of believers and the juridical structure. When religions create laws and impose rules, regulations and customs on their followers they seem to be imitating the temporal power of the State and arrogating to themselves its role and functions. Man, however, is not a pure spirit, and religion which expresses the ultimate concern and meaning of his life should include him wholly, body and soul, as an individual and member of a community. Worship, which is the most specific act of religion, when God encounters man and man encounters God and his fellowmen is also the fountainhead of juridical organization. Even Revelation and Scripture, which represent the self-disclosure of the divine in human words, indicate a juridical structure, and salvation itself has to be conceived in the juridical perspective of man's openness to total humanity and the ultimate meaning of his being.

Hence the crucial question that has to be studied in examining the moral and legal aspects of human life in the context of religions is how the same basic concerns give rise to both intuitive personal experience as well as visible social structure and harmonize their opposing demands. Religion naturally tends towards reification of experience and hence religious authorities are tempted to adopt a clear-cut legal system dealing with persons, things and actions. Then religion itself degenerates into an agency to administer spiritual goods like a huge Red Cross organization.

Even in law there is distinction between private law, which regulates the relation between individuals, and the public law which is primarily devoted to the art of government, though actually they not only co-exist but also interpenetrate. Religions are primarily concerned with the private law, since they are meant principally for the guidance of the conscience of their followers. But in all traditions religion has exerted great influence in the formulation of the public law and controlled the precepts and mode of administration of rulers.

Private law has intimate relation to the moral sense of individuals and has its source in love that binds man to man. Dr. Robert Johann explores this basic legal dynamism of love, and Fr. Alfred Wilder

O.P. examines the way Max Scheler, the German Phenomenologist, deals with the problem of morality. Robert L. Fastiggi explains the classical approach to the same problem in the light of the philosophy of Plato and Aristotle.

But Empiricism, Rationalism and Deontology of the last century created a split between the inner and the outer in man, the spiritual realm of moral values and the outer realm of law and external coercion. But contemporary psychologists have broken down this artificial and arbitrary separation and tried to bridge the gap between the two areas. Dr. T. M. Thomas examines how far this approach of psychologists to moral values is legitimate and valid.

It is in the light of this view of private law and morality that the legal approach of religions can be examined. My article on Law and Religions discusses the different patterns in which religions have conceived law and morality. Dr. T. M. Manickam studies the specific Hindu approach in this respect in greater depth. Owing to limitation of space we could not take up for a similar examination other religions. We hope to do this in another issue of the Journal. Plurality of religion accounts for the plurality of ethics. Can there be different styles of ethics or Morality? If a plurality of ethics is possible, what is the value of the moral judgements or laws? Prof. Michael H. Mitias in his article discusses these problems from the point of view of Philosophy of Religion. Law expresses a religious reality but it is more than any particular law or judgement.

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