

LAWSUITS AND THE SCRIPTURES

On three occasions, twice in 1980 and once in 2001, some of the local churches and others filed lawsuits to obtain relief from defamatory writings, all coming from the same source but disseminated nationally and even internationally. Some have wrongly claimed that these lawsuits were filed to silence critics of our teaching. Others have claimed that the New Testament prohibits a Christian from appealing to a secular authority to adjudicate any issue with another believer. These two important issues deserve careful examination of facts and of the Scriptures.

Facts Concerning the Nature of the Lawsuits

Not one of these lawsuits was filed over points of biblical truth, even though each of the books grossly misrepresented our teaching. Secular courts are not the place to adjudicate doctrinal disputes, and they will not do so. Disagreements over the meaning of the Bible belong in the public arena, and much effort has been made in that arena to correct misrepresentations of our teachings and to demonstrate that those teachings are in accord with both the letter and the spirit of the biblical revelation. The complaints filed in each lawsuit concerned unfounded accusations of sociological evils and crimes. These accusations were consistently shown to be not only false but also made with malice and without a shred of evidence.

Those who have made much of the fact that the complaints sought monetary recompense for damages should have understood two things. First, such damages are the only remedy American law allows and the only effective deterrent against reckless republication of libelous accusations. Second, the damages collected were far less than the cost of the lawsuits, but the goal was to stop the libelous activity; it was not monetary profit.

The Scriptures and Lawsuits

Deciding to take a brother to court is a serious matter and should be governed by careful consideration of principles laid out in three portions of the New Testament:

- The Lord's instruction to His disciples in Matthew 18:15-17;
- Paul's charge in 1 Corinthians 6:1-8; and
- Paul's appeal to Caesar in Acts 25.

In Matthew 18:15-17 the Lord Jesus gave His disciples the way to deal with offenses between believers. There He said, "Moreover if your brother sins against you, go, reprove him between you and him alone. If he hears you, you have gained your brother. But if he does not hear you, take with you one or two more, that by the mouth of two or three witnesses every word may be established. And if he refuses to hear them, tell it to the church; and if he refuses to hear the church also, let him be to you just like the Gentile and the tax collector." Here the Lord made clear the goal of going to the brother: "If he hears you, you have gained your brother." Each step has the same goal—to restore fellowship. If the matter is brought to the elders as the representative authority in the administration of the church, and the brother refuses to hear them also, he is considered to be like an unbeliever, outside the fellowship of the church. This is simply an acknowledgement of that fact, since he refuses to hear the fellowship of the church. Today the final step—"tell it to the church"—is made much more difficult outside the scope of the local churches by today's divided situation among Christians. Nevertheless, the steps in Matthew 18 were carried out as much as possible, but our attempts at reconciliation were rejected out of hand.

Concerning 1 Corinthians 6:1-8, there are three important factors to consider. First, what the apostle Paul rebuked was the practice of an individual believer bypassing the steps in Matthew 18 and, instead of first seeking Christian reconciliation through fellowship, taking another brother directly to the law court. Second, the word *defrauded* indicates that the issue between the two brothers was a private financial dispute and that the lawsuit was motivated by self-interest. Third, the Scriptures are silent as to whether the matter can then be taken to court by the wronged believer once fellowship and reconciliation are rejected, if the circumstances warrant it.

On three occasions—in Acts 16:35-38; 22:23-29; and 25:10-19—Paul appealed to secular authority based on his rights as a Roman citizen. Such an appeal must be reconciled with both 1 Corinthians 6 and Paul’s telling the elders in Ephesus, “But I consider my life of no account as if precious to myself” (Acts 20:24a). Similarly, in 21:13 he testified that he was willing “to die for the name of the Lord Jesus.” The second part of 20:24 gives us one half of the reason for Paul’s appeal—“in order that I may finish my course and the ministry which I have received from the Lord Jesus to solemnly testify of the gospel of the grace of God.” The second half is evident in Philippians 1:23-24: “But I am constrained between the two [to live or to die], having the desire to depart and be with Christ, for this is far better; but to remain in the flesh is more necessary for your sake.” These verses show that Paul’s goal in appealing to secular authority was not related to his personal interest but to the interest of God and of the saints, so that Paul through his ministry could continue to supply and perfect the saints.

Were the Scriptures Followed?

The three libel lawsuits all had the same goal. Those who served the Lord in and among the local churches were willing, even joyous, to bear the Lord’s reproach (Matt. 5:11; Heb. 11:26; 1 Pet. 4:14). However, they felt a responsibility to the Lord and to all of His children not to allow reckless, unfounded lies to continue to stumble those who otherwise would receive great profit from the riches of the ministry in the Lord’s recovery. Moreover, they felt a responsibility toward those among the local churches who were suffering kidnappings, assaults, and, in other countries, imprisonment and execution. In each case the stated intent of the authors of the libelous books was to damage and even destroy the ministry and the churches and to turn seekers away from them.

In all three cases exhaustive attempts were made to engage the authors and publishers of the books in Christian fellowship. Extensive documentation was provided to show the books’ errors and misrepresentations. In one case, over four hundred saints and churches wrote letters to the publisher and authors. All attempts to initiate fellowship were ignored or rebuffed. Instead, the publishers proceeded with additional printings, furthering the damage being caused by the libel. In the last case the publisher, having rejected all requests for fellowship, initiated the use of litigation by suing one of the churches, claiming that the letters requesting fellowship constituted harassment. The publisher’s claim was quickly rejected by the court. All jurisdictions impose a statute of limitations that requires a libel action to be filed within a certain period of time after publication. In each case those in the churches delayed until it was evident that further attempts to engage the authors and publishers directly would be fruitless and until they felt they could wait no longer lest they forfeit the opportunity to seek the court’s protection within the time constraints afforded by law, thus allowing the libel to stand unchallenged.

Those who are most vociferous in criticizing the filing of these lawsuits are conspicuously silent when it comes to criticizing the aggrieving parties for false witness (Exo. 20:16; 23:1; Prov. 6:19; 12:17; 14:5; 18:5; 25:18). Seemingly, these critics believe that those who engage in defamation in the name of Christian apologetics should not be held accountable for the damages that they cause. Elliot Miller, late editor-in-chief of the *Christian Research Journal*, described this as “suppressing truth for the sake of a common cause and camaraderie among colleagues” (*Christian Research Journal* 32:6 (2009), 42). Moreover, in many cases the critics themselves have filed lawsuits against fellow Christians, often over financial matters such as those proscribed in 1 Corinthians 6, making their complaints hypocritical.

Conclusion

The decision to appeal to the secular courts to stem the lawless behavior of those whose stated intention was to damage and even destroy the local churches was a last resort taken only after much prayer and fellowship and after attempts to engage the offending parties in fellowship that went far beyond what is described in Matthew 18. Our appeals to the courts were necessary to enable the ministry the Lord has given His recovery to go forward. These were not cases of using the secular courts for personal gain, as in 1 Corinthians 6, but were in the pattern of Paul’s exercise of his rights as a citizen in Acts 25 to continue his God-given ministry.