

THE CHRISTIAN AND JUSTICE

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ECCLESIASTICAL JURISPRUDENCE AND CONFLICT RESOLUTION

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1. BIBLICAL BASIS FOR CHRISTIAN EQUITY AND JUDGMENT

Many misuse and misinterpret "JUDGE NOT" as blackmail to be permitted for incorrigible licentiousness. This is subtle but far-reaching deception in the world today. What are the biblical principles for judging what is right or wrong?

(A). When Christ said "*Judge not ...*" and again "*But judge ...*", He meant that when you write-off or approve-of someone by your own opinion (other than God's Word does) you are engaged in futility and adding to things that will be used to judge you in addition to Biblical Standards. Therefore it is NOT A BAN on decision to rebuke sin, discretion to detect what is sinful or godly, and duty for correction or instruction, BUT A CAUTION on the need to ensure judgment is soundly done with biblical principles and equitably done with self examination.

Matthew 7:1-2

(1) JUDGE NOT, that ye be not judged.

(2) For WITH WHAT JUDGMENT YE JUDGE, YE SHALL BE JUDGED: and with what measure ye mete, it shall be measured to you again.

Luke 17:1-4

(1) Jesus said to his disciples, "It is inevitable that temptations to sin will come, but how terrible it will be for the person through whom they come!

(2) It would be better for him if a millstone were hung around his neck and he were thrown into the sea than for him to cause one of these little ones to sin.

(3) "WATCH yourselves! If your brother sins, REBUKE him, and if he repents, FORGIVE him.

(4) Even if he sins against you seven times in a day and comes back to you seven times and says, 'I repent,' you must forgive him."

John 7:24

(24) JUDGE NOT according to the appearance, BUT JUDGE righteous judgment.

Rom 14:13

(13) Let us NOT THEREFORE JUDGE one another any more: BUT JUDGE this rather, that no man put a stumbling block or an occasion to fall in his brother's way.

1Corinthians 11:31-32

(31) For IF WE WOULD JUDGE OURSELVES, we should not be judged.

(32) But WHEN WE ARE JUDGED, we are chastened of the Lord, that we should not be condemned with the world.

(B). That we do not judge people's destinies BY OUR OWN IDEAS seems to be commonly mistaken to mean that we should not judge people's manners, morals, doctrines, decisions, etc BY THE STANDARDS OF THE SCRIPTURES. When you measure issues with God's Word, you are "being sober and diligent" to "test every spirit" and "prove all things" to ascertain what is right from wrong in order TO FOLLOW AS GOOD AND TEACH AS EXAMPLE. We all shall be judged according to God's Word, so we had better begin to judge ourselves by the same.

1Thessalonians 5:21-22

(21) Prove all things; hold fast that which is good.

(22) Abstain from all appearance of evil.

1John 4:1-3

(1) Beloved, believe not every spirit, but try the spirits whether they are of God: because many false prophets are gone out into the world.

(2) Hereby know ye the Spirit of God: Every spirit that confesseth that Jesus Christ is come in the flesh is of God:

(3) And every spirit that confesseth not that Jesus Christ is come in the flesh is not of God: and this is that spirit of antichrist, whereof ye have heard that it should come; and even now already is it in the world.

(C). That we do not judge does not mean we do not exercise DISCRETION about what is biblically right and wrong and DISCIPLINE those who are wrong according to the standards of God's Word. It is not our opinions but the Scripture that was inspired to be used for rebuke, reproof, correction, doctrine and instruction.

2Timothy 3:16-17

(16) All Scripture is given by inspiration of God, and is profitable for doctrine, for reproof, for correction, for instruction in righteousness,

(17) that the man of God may be proficient, having been thoroughly equipped for every good work.

(D). Christians should JUDGE TO TEST/PROVE all things and all spirits in order to make choices of right and wrong BASED ON BIBLICAL PRECEPTS. This is not the same as JUDGING TO CONCLUDE ANYONE'S ETERNAL DESTINY of doom or boon BASED ON OUR OPINIONS. People's actions and choices are not to be misplaced as people's destinies. EVERYONE WILL BE JUDGED BY THE STANDARDS OF GOD'S WORD WHETHER WE JUDGE OR FAIL TO JUDGE, for the one who judges oneself (intentions/actions, choices/decisions, approvals/disapprovals) with God's Word will not be condemned in eternity. So when you judge other people's actions with God's Word, you do them and yourself good not evil.

1Corinthians 11:31-32

(31) FOR IF WE WOULD JUDGE OURSELVES, WE SHOULD NOT BE JUDGED.

(32) But when we are judged, we are chastened of the Lord, that we should not be condemned with the world.

(E). Christians have been GIVEN SPIRITUAL WISDOM, so they OWE ALL THE DUTY to judge and choose issues as well as to teach others to judge and choose issues according to biblical pattern and not according to private and worldly standards.

1Corinthians 10:15

(15) *I speak as to wise men; judge what I say.*

1Corinthians 6:1-5

(1) *Dare any of you, having a matter against another, go to law before the unjust, and not before the saints?*

(2) *Do ye not know that the saints shall judge the world? and if the world shall be judged by you, are ye unworthy to judge the smallest matters?*

(3) *KNOW YE NOT THAT WE SHALL JUDGE ANGELS? HOW MUCH MORE THINGS THAT PERTAIN TO THIS LIFE?*

(4) *If then ye have judgments of things pertaining to this life, set them to judge who are least esteemed in the church.*

(5) *I speak to your shame. Is it so, that there is not a wise man among you? no, not one that shall be able to judge between his brethren?*

1Corinthians 5:9-13

(9) *I wrote to you in my epistle not to associate with fornicators.*

(10) *Yet I certainly did not mean with the fornicators of this world, or with the covetous, or swindlers, or idolaters, since then you would need to go out of the world!*

(11) *But now I write to you not to associate with anyone named a brother, who is a fornicator, or covetous person, or an idolater, or abusive person, or a drunkard, or a swindler--not even to eat with such a person.*

(12) *For what have I to do with judging those also who are outside? Do you not judge those who are inside?*

(13) *But those who are outside God will judge. Therefore "put away from yourselves the evil person."*

(F). Biblical Spirituality is only possible for a heart that is willing and wise enough to judge everything ONLY by its agreement/disagreement with the precepts of God's Word as revealed in the Scriptures. EXTRA-BIBLICAL (PERSONAL AND SCRUPULOUS, CARNAL AND HEATHEN) WORLDVIEWS, PRECEPTS AND PRINCIPLES ARE OF NO VALID JUDGING VALUE SPIRITUALLY AND SO ARE INCONSEQUENTIAL FOR THE SPIRITUAL. There cannot be authentic Christian Faith without necessity to judge what one hears and speaks, sees and does, perceives and imagines.

1Corinthians 2:9-16

(9) *But as it is written, Eye has not seen, nor ear heard, neither have entered into the heart of man, the things which God has prepared for them that love him.*

(10) *But God has revealed them unto us by his Spirit: for the Spirit searches all things, yea, the deep things of God.*

(11) *For what man knows the things of a man, except the spirit of man which is in him? even so the things of God knows no man, but the Spirit of God.*

(12) *Now we have received, not the spirit of the world, but the Spirit who is of God; that we might know the things that are freely given to us of God.*

(13) *Which things also we speak, not in the words which man's wisdom teaches, but which the Holy Spirit teaches; comparing spiritual things with spiritual.*

(14) *But the natural man receives not the things of the Spirit of God: for they are foolishness unto him: neither can he know them, because they are spiritually discerned.*

(15) *BUT HE THAT IS SPIRITUAL JUDGES ALL THINGS, YET HE HIMSELF IS JUDGED OF NO MAN.*

(16) *FOR WHO HAS KNOWN THE MIND OF THE LORD, THAT HE MAY INSTRUCT HIM? BUT WE HAVE THE MIND OF CHRIST.*

(G). It is true we cannot judge the FINAL DESTINY of anybody by what we see outwardly. But it is also true God expects and commands us to judge, watch and

mark our personal and other people's PRESENT MANNERS, MORALS, MESSAGES, in order to DECIDE or MARK what or who we copy, believe, approve, propagate, disapprove, be separate from, avoid, etc. NOT to write-off anybody but to work at converting the sinner and cover (or bring atonement upon) multitude of sins.

Romans 16:17-20

(17) Now I beseech you, brethren, MARK THEM who cause divisions and offenses contrary to the doctrine which you have learned; and AVOID THEM.

(18) For they that are such serve not our Lord Jesus Christ, but their own belly; and by good words and fair speeches deceive the hearts of the innocent.

(19) For your obedience is well known unto all men. I am glad therefore on your behalf: but yet I would have you wise unto that which is good, and innocent concerning evil.

(20) And the God of peace shall bruise Satan under your feet shortly. The grace of our Lord Jesus Christ be with you. Amen.

2Thessalonians 3:13-16

(13) But you, brethren, be not weary in well doing.

(14) AND IF ANY MAN OBEY NOT OUR WORD BY THIS EPISTLE, NOTE THAT MAN, AND HAVE NO COMPANY WITH HIM, THAT HE MAY BE ASHAMED.

(15) Yet count him not as an enemy, but admonish him as a brother.

(16) Now the Lord of peace himself give you peace always by all means. The Lord be with you all.

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2. JUDGE YE NOT but JUDGE YE implies that we SETTLE BY EQUITY RATHER THAN BY LAW

The Scripture says "Judge ye", "Judge ye not", "Rebuke ye", "Reprove ye", "Whose sin ye Forgive", "Whose sin ye Retain", "Whoever ye Bind", "Whoever ye Loose", Show no partiality", and "Do unto others as you would they do unto you". Taking all these commands and teachings together as a whole, it is obvious that the Church has the authority and responsibility to discipline or absolve its members, not by any legalistic principle but by the principles of equity agreeable with the Scriptural principles.

- The "JUDGE YE NOT" (Mat 7:1-5; 1Cor 4:1-5): The Church is neither authorised to judge subjectively to devise what God has not judged according to His Word nor is the Church equipped to judge conclusively to be determinist about people's eternal destinies and inward faithfulness towards God.
- The "JUDGE YE" (John 7:24; Act 15; Rom 14:13; 1Cor 5:11-13; 10:15; 11:31-32; 14:29): The Church is authorised, mandated and equipped to: judge both to discern what is doctrinally the TRUTH and to decide what is jurisprudentially JUST according to God's Word and so dissociate from and denounce unbiblical opinion or conduct which are EVIL.
- The "BIND-AND-LOSE" POWER OF THE KEYS (Mat 16:17-19; 18:17-18; John 20:21-23; 1Cor 5:3-5): The Church also has the responsibility and heavenly backed authority to either BIND i.e. discipline and excommunicate any adjudged sinner who remains recalcitrant or LOSE i.e. deliver from demonic bondages and declare absolution from damnable guilt for any adjudged sinner who becomes penitent.

Discharging these intricate jurisprudential roles require great discernment, discretion and diligence through walking by the Holy Spirit in accordance with the Scriptures. **The purpose of judging to denounce or discipline in the Church is not to satiate our vengeful anger or gloat over the guilty, but to bring the sinner to repentance, remission, reconciliation and**

restoration in order to escape condemnation and live holy lives in good conscience and righteous conduct (Luk 1:73-49; 17:1-4).

To ensure “**righteous judgment**” (John 7:24), Christians should never use their own or the world’s opinions, philosophies, scruples, and conceited preferences to judge themselves or judge others.

- **Judging in the Church must NOT be done with personal and prejudiced scruples BUT ONLY with the precepts of God’s Word found in the Scriptures.**
- **Judging in the Church must be for the purpose of EQUITABLE correction and reconciliation NOT by LEGALISTIC condemnation and retribution.**
- The **CHURCH** judges by **gospel spirituality and moral equity for RESTORATION (reproof and reconciliation)**, the **STATE** and **SOCIETY** judge by **civil legality and cultural philosophy for REPARATIONS (reprimand, remand and retribution)**. Using civil law to judge is too harsh for the Church household brotherhood while using human standards and personal scruples to judge is fraught with “*planks and specks*” (or “*beams and motes*”) of human errors and misconceptions (Mat 7:1-5).

Matthew 7:1-5

(1) Judge not, that you be not judged.

(2) For with what judgment you judge, you shall be judged: and with what measure you measure, it shall be measured to you again.

(3) And why behold you the speck that is in your brother's eye, but consider not the beam that is in your own eye?

(4) Or how will you say to your brother, Let me pull the speck out of your eye; and, behold, a beam is in your own eye?

(5) You hypocrite, first cast out the beam out of your own eye; and then shall you see clearly to cast out the speck out of your brother's eye.

Subjective and vindictive judgments (which are never free from “*plank and specks*” or “*beams and motes*” of human error and misconceptions Mat 7:1-5) **whether condemnatory or commendatory** are unjust and hypocritical discriminations.

“... but judge righteous judgement” (John 7:24).

When judgment condemns with **no willingness to forgive** and no room for pardon, it is of heartless and godless disposition.

“... forgive and you shall be forgiven” (Luke 6:37).

As a whole then, the Gospel teaching is NOT that we lose our sense of watching and examination to discriminate between what is good to emulate and what is evil to abhor, BUT that for our judgment whether condemnatory or commendatory to be righteous, it must be based on the objectivity of God’s Word (which has no “*plank and specks*” or “*beams and motes*”) and must be based on personal willingness to forgive.

Out-of-law or out-of-court **Equity Settlements for Reconciliation** adjudicated jurisprudentially by the Church with heavenly backing, should be preferred by all Christians over **Legal Judgments for Retribution**.

Matthew 5:23-26

(23) Therefore if you bring your gift to the altar, and there remember that your brother has anything against you;

(24) Leave there your gift before the altar, and go your way; first be reconciled to your brother, and then come and offer your gift.

(25) Agree with your adversary quickly, while you are in the way with him; lest at any time the adversary deliver you to the judge, and the judge deliver you to the officer, and you be cast into prison.

(26) Verily I say unto you, you shall by no means come out of there, till you have paid the last penny.

Luke 12:57-59

(57) Yea, and why even of yourselves judge you not what is right?

(58) When you go with your adversary to the magistrate, as you are in the way, give diligence that you may settle with him; lest he drag you to the judge, and the judge deliver you to the officer, and the officer cast you into prison.

(59) I tell you, you shall not depart from there, till you have paid the very last penny.

Matthew 18:15-18

(15) Moreover if your brother shall trespass against you, go and tell him his fault between you and him alone: if he shall hear you, you have gained your brother.

(16) But if he will not hear you, then take with you one or two more, that in the mouth of two or three witnesses every word may be established.

(17) And if he shall neglect to hear them, tell it unto the church: but if he neglect to hear the church, let him be unto you as a heathen man and a tax collector.

(18) Verily I say unto you, whatsoever you shall bind on earth shall be bound in heaven: and whatsoever you shall loose on earth shall be loosed in heaven.

For the **civil law in the State establishments** (though not free from “*plank and specks*” or “*beams and motes*” of human error and misconceptions Mat 7:1-5) is acceptably just with divine backing to judge and acquit or punish (Mat 5:26; 7:2; Rom 13:1-5), because the constitution of State laws derives from divinely instituted authority and commonly shared conscience (Rom 2:14-15). Civil Laws which vary from place to place are usually agreed upon or subscribed to by the societies ruled by them for polity. By such civil laws, societies keep order, seek justice, protection, and reparation.

Rampant out-of-context citation and misuse of “*judge not*” by accused or criticised persons as a means of immunity to criticism is ludicrous, misguided and crooked, because those who use such misquotes are not only judging their critics as offenders but are also refusing to admit guilt for their alleged offences. When Christ said “*judge not*” He was not teaching that it was evil or sinful to decide on what we should approve and emulate or not, but

- that we do not have enough light to judge righteously except by God’s Word and Spirit because our principles and motives for judging is prone to faults, and
- that we shall face the same judgments we pass on others (in addition to the already standard judgment of God’s Word and Spirit).

Everyone complains about corruption and crime today and puts pressure on leaders to bring such perpetrators to justice; how could this be if it were sinful or evil to judge the corrupt and the criminal? Or is it then proper to “*judge not*” and let such evil go unstopped so we would not be judged?

Notice that in Mat 7:1-5, Christ did not instruct us to ***keep the plank/beam in our eyes*** in order that we will ***never have to remove the speck/mote in another’s eyes***, but that the ***principles of our judgement must be justly applicable to those of us who judge*** also (John 8:7; Rom 2:1-5). Christ’s point is that

“one who comes into equity must come with clean hands” and

“one who seeks equity must do equity”.

In other words the Church should resolve conflicts more by biblical equity than by common law.

For our Christian judgment and rebuke (1Tim 5:20; 2Tim 4:2; Tit 1:13; 2:15) to be truly righteous (John 7:24), spiritual (1Cor 2:9-16) and sound, such judgment or rebuke **must be predicated on the infallible Truth of the Word of God revealed through the Gospel of Christ**, which is “plankless and speckless” (or beamless and moteless). The Scripture as God’s Word, is pure (i.e. **Infallible** Psa 12:6; 19:8) and **Inspired** (i.e. God-breathed 2Tim 3:16) and written for the purposes of “**teaching, reproof, correction and instruction**” in RIGHTEOUSNESS (2Tim 3:16; 4:2) and has the **spiritual powers** to enlighten believers for eternal SALVATION (2Tim 3:14-15) and to both sanctify (John 15:3; 17:19) and equip God’s people for every GOOD-WORK (2Tim 3:16-17). Even Angels are subject to the judgment of the Spiritual believer who walks in the Spirit and judges all things according to God’s Word (1Cor 5:1-7; 6:1-5; Gal 1:8-9).

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3. THE CHURCH’S JUDICIAL AUTHORITY AND RESPONSIBILITY

Jurisprudence is all about the principles, policy, procedure and process for best judicial decisions. The Church shall eventually judge the world and even the Angels for their sin against God or their righteousness towards Him; therefore it is a shame if the Church cannot for now judge righteous judgement amongst her members for mere “**tort**” (moral indiscretion and interpersonal wrong doing, defaming and defrauding) offences against one another (1Cor 5:11-13; 1Cor 6:1-8) but not “**crime**” (legal violation and wrong doings against the State and society). As the light of the world, the Church owes the Name of Christ a duty to give soundly dispassionate and righteous judgment better than the civil institutions in every matter (1Cor 5:3-4).

Therefore while the Church presbyters and ministers could judge and resolve “**tort**” cases and disputes on morality, contract, marriage, succession and property **among her members**, it has as yet **no jurisdiction in matters involving non-members and other non-church institutions** (Act 18:12-16; 1Cor 5:9-10; 10:25-27) except with their consent. Nor have the Church presbyters the princely power to deal with offences that may require state defensive and punitive measures such as enforcement of restraint, remedy or relief against an aggressor. Similarly, the Church ministers have no magisterial authority to judge “**crime**” (treasonable subversion and felonious violation **against the State** and harmful misdemeanour **against the society**) that requires imposition of state penal measures such as fine, incarceration, exile, confiscation or sword (Rom 13:1-7).

“In the wider society under the sun, though the Church has mainly got this muddled up, God clearly indicates from the Scriptures, the propriety of the separation of ministerial/pastoral from magisterial/princely powers (2Chron 19:11) between the Church and the State:

- 1. the Christian **Church** (ruled with the **regenerating Word** and spiritual **grace** for godly **PURITY** through justification, pardon, persuasion and ministration to deliver from **INIQUITY**, and for ecclesiastical **communion**, and mission Act 6:3-4), where **pardon is enjoined towards enemies and vengeance against evil is forbidden** so that none is condemned and all are enjoined to live in holiness and righteousness (Rom 12:14-21). Ecclesiastical authority is meant to be occupied by*

qualified Church members (believers only) to guarantee spiritual safety of members; and

2. *the pluralistic State (ruled with the **restraining Sword** and temporal law for orderly POLITY through justice and reprimand, policy promulgation and enforcement to discipline and defend against INEQUITY, and for territorial citizenship and dominion Rom 13:4-6; 1Pet 2:13-17), where punishment, vengeance and wrath against evil and misdemeanor are ordained as the just duties of respected and remunerated officials to ensure there is no offence whether criminal or tort and all are ordered to live peaceably in harmony (Rom 13:1-7; 1Tim 2:1-3). Civil authority is meant to be occupied by full citizens (believers and unbelievers alike) to guarantee social safety of citizens.*

Christians in civil authority should distinguish these two divine ordinances (Act 20:28; Rom 13:1-2) and carry out appropriate duties righteously and strategically, but should neither usurp spiritual authority nor legislate over spiritualities.”

“Christians have dual citizenship rights and responsibilities, one spiritual and eternal in the Church as Priests of Christ’s Ecclesia – meant to witness the Gospel message in the world and the other civic and temporal in the State as Kings of Christ’s Basileia – meant to bring the Kingdom order in the world (Mat 6:10; 22:21; 1Pet 2:9; Rev 5:10). As individuals, Christians are physical as well as spiritual (Mar 14:38) but when the physical is at variance with the spiritual, the spiritual supersedes, however inconvenient (Gal 5:16-26). In the same way, Christians are called for PATRIOTISM in the State as well as PIETISM in the Church but when patriotism conflicts with pietism, pietism prevails even at the cost of shame and suffering (Act 4:19; 5:29).”

(For more details see <http://www.scribd.com/doc/50422299/The-Leadership-Role-of-Christian-Elders-toward-Unity-in-Diversity>)

The first responsibility of fellow believers is to forgive one another to the highest “70x7” extent (Mat 18:21-22) and be reconciled with one another the soonest (Mat 5:23-26). However some wrongs are not resolved by forgiveness or forfeiture either because they are legally implicating or because the erring offender may be too dangerous, life-threatening, persistently oppressive and aggressive, and unwilling to abate, repent or reconcile even when forgiven. This is where the State comes handy as God has ordained it (Rom 13:1-7).

It is expedient to know that “lawsuits” and “civil courts” and “judges” mentioned in 1Cor 6:1-8 and Luke 12:58; 18:1-8 were not lawsuits filed by solicitor lawyers at specialist Church canonical courts or State judiciary courts as we do today. In the time of the Apostles courts or tribunals were not presided over by professional judges (**bench**) nor advocated in by professional attorneys/solicitors (**bar**) as done today. *In the ancient world, legislating, judging and punishing were believed to be directly vested on civil rulers by God (Deut 17:12; John 19:8-11; Rom 13:1-7). Royal and ruling elevated THRONES of ancient authorities also served as their judgment SEATS and their throne-room or audience-room was same as their court-room or tribune. This is the sense in which Christ’s great glorious royal Throne (Mat 25:31; Rev 20:11) is same as Christ’s Judgment Seat of the Great Day of reckoning (John 5:22-27; 2Cor 5:10; Rom 14:10; Rev 20:12). Therefore, modern interpretation of the Bible which distinguishes between Christ’s royal THRONE (Grk=thronos) and His judgment SEAT (Grk=bema) is in error.* The separation of powers into

executive, legislative and judiciary are modern check and balance concepts spearheaded by the Church to ensure fairness in the State.

In ancient times, tribunal and juridical judgments were handled by **civil/political executives** (who doubled as imperial judges) such as Emperors (Act 25:10), Kings (1Kin 3:28; 2Chron 1:10-12), Tetrarchs (Act 12:21), Governors (Act 24:10; 25:6), Procurators (Mat 27:19; John 19:13), Proconsuls (Act 18:12-17), City Magisterial Rulers (Grk=*archon* Luk 12:58); as well as **religious/traditional leaders** (who doubled as religious or common jurors) such as Temple Chief Priests, Scribes and Councils (Mat 26:57-68; John 8:1-11), Synagogue Presbyteries and Rulers (Grk=*archon*), local and appellate system of ruler-judges (Exo 18:13-26; Mark 13:9), etc, even the Saints in Christ's Kingdom will eventually summate such powers (Mat 19:28; Luk 22:30; Rev 20:4).

This means that what the Scriptures called "lawsuits" in 1Cor 6:1-8 were private petitions and protests (on tort, contract, marriage, succession and property disputes) seeking redress and reprieve against adversaries lodged before institutional and ruling **functionaries** (vote trial **juries**) for arbitration. There were also treasonable and criminal charges judged by territorial and civil **authorities** (veto appellate **tribunals**). Scripturally speaking then, petitions or protests submitted to public institutions and civil authorities of ancient times for arbitration are same as lawsuits lodged by lawyers in today's courts for adjudication. It is therefore imperative that before the Church could effectively mediate or arbitrate in matters between her members, **any earlier protests to secular institutions and juries or lawsuits in civil courts and tribunals must first be willingly withdrawn by the petitioning or suing party.**

Well respected, spiritually minded members equipped with virtues of wisdom, sense of equity, discretion and discernment (1Cor 6:5), who are knowledgeable in God's Word and learned in the tenets of justice, mercy, law and jurisprudence, should be approached (or appointed as "**equity tribunal or panel**") to investigate and adjudicate matters amongst members of the Church (1Cor 5:1-7; 1Cor 6:2-4; John 7:24; Acts 6:1-7; 1Cor 2:15). ***To avoid sentimental prejudice and ensure fair hearing and righteous judgment, those adjudicating in a matter should be persons who would not be biased by their involvement and interest in the disputed matter. Adjudicators must be equitable enough to ensure that SENSATIONALIZATION AND SENTIMENTALIZATION ARE NEVER MISTAKEN FOR SUBSTANTIATION; nor do pressure and URGENCY EVER REPLACE DILIGENCE and deliberateness.*** Justice demands that those who ought to be witnesses and beneficiaries in a matter should not sit as jury over the same matter.

Such juridical persons or panels (Ecclesiastical Jury or Tribunal) shall investigate and adjudicate every petition and prosecution based on clearly proven evidence and corroborated collaborate witness, not presumptions, prejudice or muddled pettiness and party sentiments (2Chron 19:4-11; Mat 18:16; 2Cor 12:20-13:1; 1Tim 5:19-21). This will ensure both RIGHT AND RIGHTEOUS judgment (Luk 12:57; John 7:24) that determines the guilty and the innocent, which serves either for reprimand, restraint and remonstrance against the defendant **aggressor** or for remedy, relief and restitution for the **aggrieved** complainant. Beyond this, the Church could either **excommunicate** the guilty and recalcitrant (Mat 18:17-18; 1Cor 5:3-5) or **exonerate** the innocent and compliant. The Church certainly has the duty in the name of Jesus, to judge and discipline members on propriety of conduct in relating amongst believers within **the fellowship and the family** (1Cor 5:1-7; Rom 14:10-13; Mat 18:15-20).

Ecclesiastical excommunication involves delisting the recalcitrant or scandalous from membership with deprivation of all membership protections and privileges – “hand over to Satan” (1Cor 5:5) or “put away from” and “keep no company with” (1Cor 5:11-13) or “regard as a pagan” (Mat 18:17) or “withdraw from” and “have no company with” (2Thes 3:6,14). Excommunication is not done for enmity and banishment and therefore must always include open invitation for restoration to Christ as is given to pagan unbelievers. The excommunicated recalcitrant is re-evangelized with the Gospel and whenever s/he repents, his/her excommunication is reversible by ecclesiastical pardon and restoration with love (Mat 18:18; 2Cor 2:6-11).

The **guilty** must be judiciously and jurisprudentially identified, denounced and disciplined commensurately in defence of the innocent without sentiments or prejudice; this is righteous judgment (John 7:24). Guilty party should be **disciplined in proportion** to their offence such that all offences should not carry the same sentences (Luk 12:47-47; John 9:41; 15:22; 19:11b). Appropriate retribution and redress could be drawn from the precepts, patterns and examples derived from biblical laws.

Broadly speaking, although all laws are inevitably interwoven, yet LAWS (Israelite or Gentile) are always known to be of Ritual, Moral and Civil categories ACCORDING TO THE PURPOSES THEY SERVE (inside or outside the Bible), and this is applicable to the **613 Mosaic COMMANDMENTS and LAWS in the Old Testament Torah:**

- CEREMONIAL “works” or RITUAL laws of feasts, Sabbaths, circumcision, sacrifices, exclusions and cleansings are those **mediated** by the Priests for Tabernacle/Temple WORSHIP, all of which are no longer possible since the 70 AD destruction of Jerusalem and sack of Israel. Such Law with their symbolic and localised temporal means CANNOT offer valid MEDIATORY WORKS or PROPITIATION WORKS for the Eternal Gospel of New Creation and the Universal Christian Church since the death and resurrection of Christ (Act 15; Heb 7-9).
- CIVIL or SOCIAL Laws are those dealing with GOVERNANCE, TORT and CRIME **adjudicated** by the State Judges and Princes (even in Israel, these were further promulgated in addition to the laws in the Torah).
- MORAL or SPIRITUAL laws are those of LOVE for God and neighbour, of good CONSCIENCE and of FAITH in God all of which are independent of the Priests and Tabernacle/Temple or the State and Judges, to be personally **obeyed** by all.

It is important however to note that from the interpretation of the Old Testament and its application to the Gospel by both Christ and the Apostles (e.g. Act 15), Old Testament MORAL LAWS of “loving God and our neighbour” (Mat 22:36-40) are still mandatory on the Christian believer with even greater moral requirement (Mat 5:17-48). Under the New Testament’s SPIRITUAL LAW OF FAITH IN CHRIST’S GRACE (Rom 3:24-31; 8:1-4; 1Cor 9:21), it is more grievous offence deserving more fearfully fiery punishment to sin wilfully and spite the Spirit of GRACE (Heb 10:26-31). The LAW OF CHRIST (1Cor 9:21) is the LAW OF SPIRIT OF LIFE (Rom 8:2) and the LAW OF LOVE (Rom 13:10) or NEW COMMANDMENT KEEPING LOVE (John 13:34-35; 14:15, 21-24) in which true believers always walk and abide as the result and proof (NOT means) of their faith and Salvation (John 15:10-14).

The LAW OF CHRIST is the LAW OF GRACE. Grace is God's free grant of divine investiture on us that must not be defiled and divine investment in us that must yield double dividend to God. Grace is undeserved grant of divine purity with which God endues us and divine power with which God endows us.

The principles of Old Testament CIVIL LAWS are still valid patterns for State Governance and exemplary for Ecclesiastical jurisprudence; but the Old Testament Laws of CEREMONIAL or RITUAL WORKS are already fulfilled and have been superseded in Christ's SAVING WORK for all who believe in Him and now worship God spiritually and morally but no longer ritually (Col 2; Heb 10). Even modern Jewish "Israel" cannot keep much of such LAWS OF RITUAL WORKS because there are no more Priests and Temple but Synagogues which actually evolved from or replaced City Gate congresses.

Even in the New Testament all apostolic injunctions are not the same. For instance in 1Corinthians, St Paul's guiding principles for Christian morality, charity, liberty and unity are derived from COMMANDS (7:10), CONCESSIONS (7:6), and COUNSELS (7:12). COMMANDS require **unity** and compliance, CONCESSIONS require **liberty** and consideration, and COUNSELS require **charity** and consecration. Our **circumstantial considerations** often go contrary to God's commands, concessions and counsels.

Nevertheless, when the guilty is **penitent** or ready for restitution or reconciliation he/she should always be **pardoned** for restoration (2Cor 2:5-11) or reconciliation (1Cor 7:10-11; Mat 5:23-26; Mar 11:25-26). While Church members must be willing to repent and recompense, or remit and reconcile, the Church must ensure proper judicious justice (**righteous judgment** John 7:24) on every matter that is brought before the Church leadership. The Church must not give shabby verdict or shirk from pointing out the guilty in any matter. For the God we serve, though He forgives iniquity, He does not acquit the guilty (Exo 34:5-7). ***Justice requires that the guilt of an offender should first be unequivocally established before forgiveness/forfeiture or repentance/restitution is enjoined.*** This ensures that the guilty knows clearly what he/she is recompensing and repenting of and the aggrieved knows clearly what he/she is forfeiting and forgiving. ***This removes the blur between wickedness and righteousness as well as any future recurrence and confusion of issues.***

In the Church tribunal (as unusual in the civil courts), when the guilty or even the innocent rejects righteous judgment, just restitution and fair reconciliation decided by the Church, he/she runs the further risk of being disciplined by the Church for contempt (Mat 18:17-18, 23-33). **The Church should never pass a judgement which the civil courts or tribunals would find immoral, illegal or unrighteous on appeal. This would be most disgraceful and dangerous for the Church** (1Cor 6:2-5).

Notwithstanding, the Church and Christians should always be subject to (Mat 27; 2Tim 4:14-18), support, pray for and even serve in civil **courts** and tribunals of secular **authorities** or government **establishments**. Christians could also appeal to these courts especially for penal or criminal cases, and extra-ecclesiastical matters (Acts 25). This is because civil authorities are also appointed by God as divine ministries to temporally execute God's righteous wrath and vengeance on the evil offender in defence of the good (Rom 13:1-7; Mat 5:21-26; 1Tim 2:1-3). Even civil systems have non-law and out-of-court equity systems too. ***Christians should prefer to settle their disputes "out-of-court" among the Saints for equity***

adjudication and RECONCILIATION (1Cor 6:1-3), rather than to sue themselves in civil courts for legality adjudication and RETRIBUTION (1Cor 6:6).

The Church Courts depend on biblical principles rather than civil or other laws and should therefore operate their jurisprudence more like a **Chancery Court (or Justice and Equity Tribunal)** than like a **Law Court**. For example:

“In England, there was a distinction drawn between the jurisdiction of the law courts and that of the chancery court. Courts of law had jurisdiction over property and their coercive power arose out of their ability[, on precedence and the legislation of the law,] to adjust ownership rights. Courts of equity had power over individuals. Their coercive power arose from the ability, on authority of the crown, to hold a violator in contempt, and take away his or her freedom (or money) until he or she purged himself or herself of his or her contumacious behavior. This distinction helped preserve a separation of powers between the two courts”. (Wikipedia).

Some Chancery equity principles or maxims (marked up here with their Wikipedia URLs for further details) are these:

- [Equity regards done what ought to be done](#)
- [Equity will not suffer a wrong to be without a remedy](#)
- [Equity delights in equality](#)
- [One who seeks equity must do equity](#)
- [Equity aids the vigilant, not those who slumber on their rights](#)
- [Equity imputes an intent to fulfill an obligation](#)
- [Equity acts in personam](#)
- [Equity abhors a forfeiture](#)
- [Equity does not require an idle gesture](#)
- [One who comes into equity must come with clean hands](#)
- [Equity delights to do justice and not by halves](#)
- [Equity will take jurisdiction to avoid a multiplicity of suits](#)
- [Equity follows the law](#)
- [Equity will not aid a volunteer](#)
- [Where equities are equal, the law will prevail](#)
- [Between equal equities the first in order of time shall prevail](#)
- [Equity will not complete an imperfect gift](#)
- [Equity will not allow a statute to be used as a cloak for fraud](#)
- [Equity will not allow a trust to fail for want of a trustee](#)

*“Two maxims form the primary foundations of equity: **Equity will not suffer an injustice** and **Equity acts in personam**. The first of these explains the whole purpose of equity, and the second highlights the personal nature of equity. Equity looks at the circumstances of the individuals in each case and fashions a remedy that is directed at the person of the defendant who must act accordingly to provide the plaintiff with the specified relief. Unless a statute expands the powers of an equity court, it can make decrees that concern property only indirectly, phrasing them as decrees against persons. It is said that these are the oldest two maxims of equity. All others are consistent with them.”* (TheFreeDistionary <http://legal-dictionary.thefreedictionary.com/%22He+who+comes+into+equity+must+come+with+clean+hands.%22>).

In the Scriptures, God indicates the propriety of separation of powers between the Priests and the Princes or the Church and the State. **Christians have dual citizenship rights and**

responsibilities, one spiritual and eternal in the Church as Priests of Christ's *Ecclesia* – meant to witness the Gospel in the world and the other civic and temporal in the State as Kings of Christ's *Basileia* – meant to wield authority over the world (Mat 22:21; 1Pet 2:9; Rev 5:10). Christians are called for patriotism in the State as well as pietism in the Church but when patriotism conflicts with pietism, pietism prevails even at the cost of shame and suffering (Act 4:19; 5:29). Also as individuals, Christians are physical as well as spiritual (Mar 14:38) but when the physical is at variance with the spiritual, the spiritual supersedes, however inconvenient (Gal 5:16-26).

Though both the Church and State are subject to God, Whose Kingdom reigns in the affairs of humans and spirits (1Kin 22:19-20; Jer 27:5-7; Dan 4:17), the CHURCH LED BY PASTORAL MINISTERS IS NOT THE SAME AS THE KINGDOM OF HEAVEN, for the **Kingdom of Heaven is in godly life ruled by God through the Holy Spirit's fullness** (Rom 14:17-19; Gal 5:22-23). Also the STATE (Kingdoms of the Nations 2Chron 20:6; Rev 11:12) LED BY POLITICAL OR PRINCELY MAGISTRATES IS NOT THE SAME AS THE KINGDOM OF THE DEVIL, for the **Worldly Kingdom of the Devil is in lawless life ruled by the devil through fleshly lust and wickedness** (Eph 2:1-3; Tit 3:1-3; 1John 2:15-16). *The Church is God's ordained agency to reveal and propagate the Kingdom of Heaven and redeem the world, while the State is God's ordained agency to restrain the kingdom of this world.* Christianity and the Gospel of the Kingdom are not merely about **ministerial Regeneration/Revival of souls** but also about comprehensive **magisterial Reformation of societies**. (For synopsis of discussions on "Church and State" during the 16th Century Reformation, see: Roland H. Bainton's "*Here I Stand – A life of Martin Luther*", Chapters XIII, XIV and XV – First published in 1950, now a classic in public domain and published by many publishers).

That is why civil authorities (especially the Christians amongst them) could be approached or appealed to by the Church for their "God ordained sword bearing for vengeance and wrath" duties against lawless criminals, transgressors and oppressors that would require fines, forfeiture, incarceration, corporal and capital punishments. This is why civil authorities have officers for legislative, judicial (tort and crime), security, enforcement, jail and military services to execute justice, vengeance and wrath as ordained by God (Rom 13). **Though the Church needs adjudicatory structure for resolving internal tort conflicts, she does not need enforcement, jail and military officers, nor has she the responsibility for criminal justice, fines, forfeiture, incarceration, corporal and capital punishments.** It is therefore the divinely bounden duty of the Christian to fulfil their civic duties: to be peaceable and law abiding, to pray for and respect civil authorities as well as pay taxes to sustain the State (Rom 13:4-7; 1Tim 2:1-4; Tit 3:1-2; 2Pet 2:13-17).

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4. STAGES OF CONFLICT RESOLUTION FOR CHRISTIANS

Christians should always seek to make peace (Rom 12:18; 1Pet 3:11): whether we have any ***accusation against others***, for which we should offer forgiveness (Mat 11:25) or others have any ***accusation against us*** for which we should seek forgiveness (Mat 5:23).

When a Church member feels offended by another or is felt to be offensive to another, he/she should be quick to settle the conflict in order to either offer or obtain **repentance and restitution, remission and reconciliation**. When ***we are offended*** by others (though every

offender is instantly under divine wrath, woe and judgment Mat 5:22; Luk 17:1-2), ***we should always forgive the penitent offender in order to attain common concord and obtain divine mercy*** (Mat 6:12-16; Mar 11:25-26; Luk 17:1-4; 1Pet 3:9-13).

However,

1. If ***we are the offenders*** against others, we should make quick **personal** move to show penitence in order to obtain forgiveness and settlement (Mat 5:22-26).
2. If the offender in tort, contract, marriage, succession and property matters does not do well (in showing **humility** and **penitence**) to resolve or settle the matter at **personal** level or the offended party is not willing to accept apology to **forgive/forfeit** and reconcile, we should proceed further to involve our close circles (**Friends and Family**).
3. If the close circles settlement also fails, the matter should be taken to the wider Church leadership (**Ecclesiastical Court or Tribunal**) level for more objective and authoritative adjudication. In scandalous matters, at least two witnesses must be involved in bringing the accusation and after due procedure of adjudication, proportionate deterrent discipline should be imposed if the accused is proven guilty (1Tim 5:19-21). **However if the guilty accepts his or her guilt and repents, he or she should be pardoned** (Luk 17:3-4).
4. If the Church is judicious (and not shamefully shabby, inept and unjust 1Cor 6:2-4) and yet the offender fails to comply with the Church's judgment, the Church should sanction, ban or **excommunicate** the recalcitrant offender or implacable offended by divine authority (Mat 18:15-18; 1Cor 5:11-13; 2Thes 3:13-15; Tit 3:10-11).
5. Such banned recalcitrant offender or implacable offended could thereafter be taken to the tribunes of secular **authorities** and government **establishments** or civil **courts** (preferably those headed by Christians) and when indicted or convicted by such civil authorities, institutions and courts, shall have to pay full damages or bear the full wrath for his/her guilt according to any civil sentence (Mat 5:22-26; Luk 12:57-59; Rom 13:2-5).
6. Also in the event one offends against the Church in misdemeanour or scandal, there should be proper inquiry into the merits and the demerits of the matter before appropriate discipline is given, while holding out pardon for penitence (1Cor 5:1-8; 2Cor 2:6-11; 2Thes 3:6,14).

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