

# Going To Law

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Question: *“Does Paul teach in I Corinthians 6 that we can never take a brother to court for any reason?”*

Paul’s admonition is not without limitations. If there could never be an action at law between members of the church, then (a) the innocent party could never get a divorce against the guilty party if both were members of the church; yet, we know the Lord gives that right. This is sufficient to show that Paul’s statement was not meant to be universal; (b) elders or members could not defend church property against a hostile takeover, where false teachers might move in and try to take the building. Elders are stewards of the church and of the Lord, and they have an obligation to preserve the facilities of the congregation. This might necessitate civil action which would be in keeping with their duty as stewards. If this were not so, false teachers could confiscate the church property, and the church would be powerless to do anything about it.

First Corinthians 6 must be viewed within its context. In chapter 5, Paul discusses the immorality of the incestuous brother; he returns to questions of immorality and misconduct in 6:12-20. In the midst of these discussions, he speaks of a brother having a matter against another (6:1) and going to law over the “smallest matters” (6:2). The Gentile courts were largely heathen courts, and Paul admonishes the Corinthians against taking these matters before unbelievers when there were those among them who could judge these matters in some form of Christian arbitration. Given the context, I take Paul to refer to personal differences, disputes between brethren (sometimes over insignificant matters), attempts at revenge, misbehavior, and ill conduct among brethren, even attempts to defraud one another (6:8), all of which could be resolved better by fellow Christians than by heathen judges. This instruction presumes, of

course, that the “matters” between them are such that Christian “wise” men could decide (6:5).

There are some matters beyond the jurisdiction of Christian advisors and counselors, and Paul is not barring the use of civil courts to dispose of these matters. Paul himself said that civil government is the minister of God (Rom. 13:1-4); he appealed to Caesar (Acts 25:10). He made use of civil government for proper purposes (see Acts 23:12-35). Christians do not have jurisdiction over technical matters of the law. They cannot prosecute one for murder, theft, or destruction of property. They cannot make an equitable division of property or declare a marriage dissolved. All of these are matters for the civil courts, and a study of I Corinthians 6 indicates these are not the type of “matters” which Paul says not to take before appropriate legal authorities. Even an unbelieving judge can decide technical matters of law or afford remedies for civil or criminal wrongs. The types of matters that Paul condemns before worldly courts are matters that Christians could and should resolve among themselves, even with the help of other Christians with wisdom and maturity when necessary. (*Spiritual Sword*, 39:1, October 2007, pp. 47-48).

*NOTE: The foregoing discussing from brother Highers from the “From The Woodlands” section of the Spiritual Sword has provided biblical and professional insight into a much needed area of practical application. While instances of sinful litigation may arise between brethren that is an embarrassment to both themselves and to the church, some today are guilty of harshly and unjustly condemning their own brethren for rightly defending their lawful personal interests. Both errors should be avoided – Gary McDade.*