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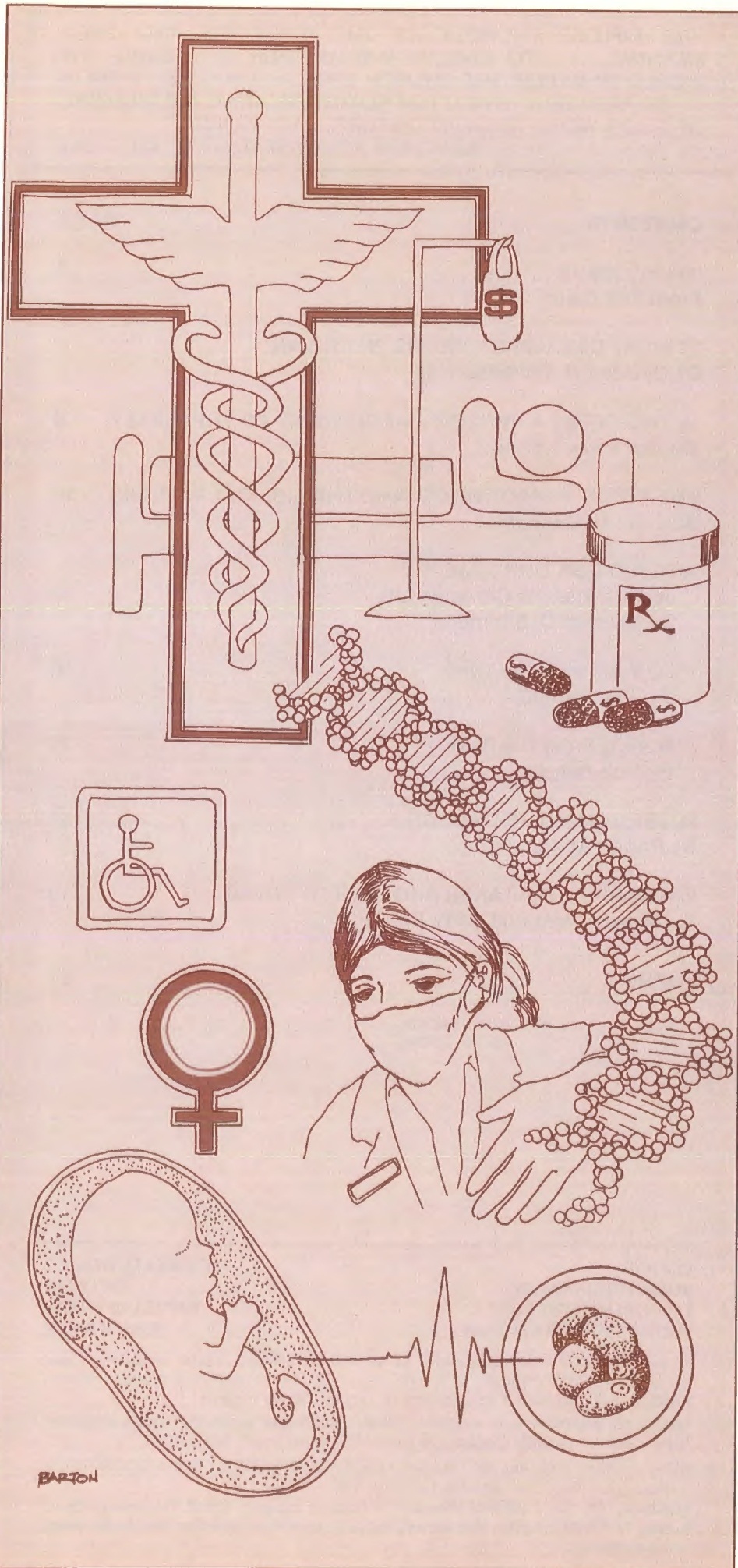
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JANUARY, 1986

MISSIO

JOURNAL



BARTON

**VOLUME 19, NUMBER 7
JANUARY, 1986**

In This Issue

In this issue we are beginning two new columns. "A Word For Our Times" will feature several short editorial/personal reflection articles each month. We solicit contributions for this column from our readers. "Mission and the Church" is launched by Bob Randolph; and as he explains, its purpose is to discuss practical ways in which *Mission Journal* has influenced the life of the church. After discussing something of life in the Brookline Church of Christ, he asks for reports from other congregations.

The major topic of discussion this month is the dilemma in medical ethics, with special attention given to abortion. Quinton Dickerson gives an overview of "increasingly diverse and complex ethical questions" faced by the health care professional. In a debate at Miami University, Oxford, Ohio, Roy Ward and John Hannah focus on a small segment of the difficulties involved in the abortion controversies: According to the Bible, is the fetus a person and therefore should not be aborted? Dr. Ward's basic argument is that there is not a living being (*nephesh*) until there is breath. Dr. Hannah, on the other hand, contends "that the Bible asserts and assumes the personhood of the unborn and that to destroy fetal life is a violation of the sixth commandment."

Finally Angela Laird and Jerry Butler have done a descriptive/comparative analysis of the modes of conflict management between and among the parties involved in the lawsuit between the elders and some of the members of the Sixth and Izard Church of Christ in Little Rock. Not only have they identified the ways each group has dealt with the conflict and the consequences of their strategies, but they have also suggested strategies for dealing with such situations in the future so that resolution is easier and less damage is inflicted. "Future conflicts might be less destructive if both parties were able to adopt a more collaborative style. . . . The strategy of collaboration involves an openness of communication, a willingness to give, and an empathetic understanding which have been absent in the strategies used by the parties in the Sixth and Izard conflict.

We at *Mission Journal* appreciate your continuing support, good will and prayers. Our prayers for you in the New Year are for a peace that truly passes understanding whatever the circumstances of your life may be and for faith to follow wherever God may lead.

—the Editor

"TO EXPLORE THOROUGHLY THE SCRIPTURES AND THEIR MEANING . . . TO UNDERSTAND AS FULLY AS POSSIBLE THE WORLD IN WHICH THE CHURCH LIVES AND HAS HER MISSION . . . TO PROVIDE A VEHICLE FOR COMMUNICATING THE MEANING OF GOD'S WORD TO OUR CONTEMPORARY WORLD."

— EDITORIAL POLICY STATEMENT, JULY, 1967

CONTENTS	PAGE
IN THIS ISSUE	2
From The Editor	
ETHICAL DILEMMAS FOR THE PHYSICIAN	3
By Quinton H. Dickerson, Jr.	
IS THE FETUS A PERSON—ACCORDING TO THE BIBLE?	6
By Roy Bowen Ward	
THE FETUS, PERSONHOOD, AND THE BIBLICAL WITNESS	10
By John D. Hannah	
A WORD FOR OUR TIME	
Justice And The Christian Life	14
By Dwayne D. Simmons	
Do You Enjoy The Trip?	15
By John Wright	
Memos From The Boss	16
By Bob Burgess	
MISSION AND THE CHURCH	17
By Robert M. Randolph	
WHEN BROTHER TAKES BROTHER TO COURT	19
By Angela Laird and Jerry Butler	
FORUM	24

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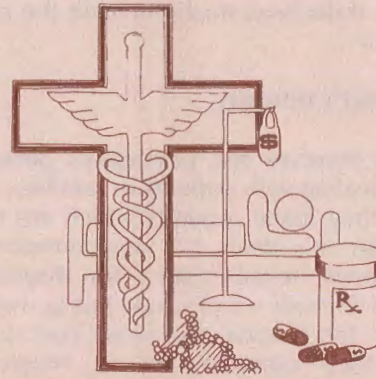
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Ethical Dilemmas For The Physician

Where Is The Church?



"The gift of life, God's special gift, is no less beautiful when it is accompanied by illness or weakness, hunger or poverty, mental or physical handicaps, loneliness, or old age."

By **QUINTON H. DICKERSON, JR.**

The health care professional today is faced with increasingly diverse and complex ethical questions in the care of those who are sick. Newer technology makes possible sophisticated levels of care for critically ill patients, and life support devices now permit patients with very severe but potentially reversible illnesses to recover. This would not have been the case one or two decades ago. Not only can life support measures be used temporarily to permit recovery from reversible illness, they may be continued indefinitely to sustain life even when there is no hope for recovery. Highly technical medical care has come about at the cost of some degree of depersonalization and also at spiraling monetary cost.

Containing Costs of Medical Care

Whereas this was not a consideration in the recent past, physicians are now being besieged with pressures to consider the cost impact of medical care in each individual patient. With the rising costs of medical care in this country and participation by the federal government in paying for medical care, political and social concerns are now being so heavily focused on health care that doctor-patient relationships are influenced adversely. Additionally, our legal climate is one of rising numbers of malpractice suits, leaving the physician feeling constantly exposed and vulnerable.

Let us consider first those issues relating to the

monetary cost of medical care. It has been traditional for physicians to treat without charge those who simply cannot pay. Today, most physicians would continue to do so. Yet, truly indigent patients rarely find their way into the private practice system; and the availability of many social programs including Medicare, Medicaid, and Vocational Rehabilitation provide financial assistance to persons who may have been without it in the past. Because of the rising cost of Medicare, however, the federal government has now instituted a change in the way hospitals are reimbursed for providing care for Medicare patients. This very complex system has resulted in hospital administrators pressuring physicians to utilize inpatient hospital services sparingly and only when very strictly indicated. When a Medicare patient is hospitalized, there is great emphasis on ordering only those tests and procedures which are absolutely needed for the care of that illness and on discharging the patient as quickly as his recovery will permit in order to minimize the number of days in the hospital. Thoroughness is not a consideration.

Other attempts to "contain" the cost of medical care have included the formulation of organizations such as Health Maintenance Organizations, Individual Practice Associations, and now Preferred Provider Organizations. Some of these emphasize illness prevention and also emphasize outpatient care as much as possible to minimize hospitalization costs. There is monetary incentive in some of these systems for the physician to keep people out of the hospital, and this raises a point of potential conflict

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when his medical decision might indicate the need for hospitalization.

Testing the Doctor's Integrity

Another area involves the physician's personal honesty when dealing with patients or families, particularly when they make requests which are contrary to the physician's ideals. It is very common for patients to request hospitalization for diagnostic studies or minor illnesses which could just as well be handled outside the hospital at a lesser cost to the patient's insurance company or to Medicare. Physicians hear patients say, "If you will hospitalize me, my insurance will pay for this, after all I have been paying premiums all these years, etc." Further testing of a physician's integrity occurs when patients request that they be declared disabled on the basis of their illness. The natural desire of the physician to help the patient conflicts with the desire to be honest, particularly when the physician knows full well the patient can work. The patient's desire to obtain disability benefits may be so entangled with

An area of concern which the medical profession is going to have to address in a better fashion in the future is that of internal control and self-policing.

his personal financial situation, especially if he has recently encountered large medical expenses, that it is difficult for him or her to look objectively at the situation. When patients who are not truly disabled want to be declared so in order to receive insurance payments, only a few will overtly lie or malingering; but many will rationalize and convince themselves that the magnitude of their illness far exceeds the actual symptoms which may be present.

The physician is caught in an even more difficult bind when recommending that a patient return to work after an illness but advising a less physically demanding occupation. In this setting, often the patient may say, "My company won't put me in any other work and the only thing left for me is disability." The physician is then placed in this dilemma: If he or she states that the patient can return to work at a less demanding job and the employer refuses to comply, the patient will simply lose the job and income; or the physician may be motivated by compassion and the desire to help the patient and be forced to make statements regarding the patient's illness which exceed the reality of the situation.

Physicians also face difficulties of personal

integrity when the family of the patient request something less than total honesty. For example, the patient may want to know all about the illness and diagnosis, even if the diagnosis is a greatly feared one such as cancer. At the same time the family may request the opposite, that is, that the patient not be told if he or she has a serious, life-threatening illness. This may become increasingly more complex if there are several family members with conflicting requests of the physician. Particularly is this so in situations where family members who have not been together for years are suddenly brought from great distances to the patient's bedside and old lingering family disputes, hostilities, conflicts, or guilt are now focused on either the patient or the physician or nurses trying to take care of the patient.

Although the physician is trained always to preserve and extend life, there are some situations where it is appropriate and ethical to withhold extensive life support measures.

The Lure of Financial Gain

Many questions relate to medical decisions made by the physician which directly result in his own financial gain. Physicians in several specialties make decisions and recommendations to patients concerning surgery or other procedures which directly affect the physician's income. There is always the temptation to loosen one's criteria for recommending procedures or hospitalization. Although I think so-called unnecessary surgery is much less frequent than publicity would lead the general public to believe, many insurance companies now request a second opinion before major surgery is done.

Those industries which provide drugs and medical devices or equipment are a strong part of the national economy; and with more expensive drugs and devices, such as pacemakers, many physicians are besieged with enticements to prescribe or use a particular manufacturer's product. These offers go far beyond traditionally accepted practices such as a salesman taking a physician to lunch to discuss the new product and now extend to elaborate offers of free trips to resort areas or gifts which may be brought to the physician's office. I was recently offered a very attractive and expensive medical textbook by a pharmaceutical manufacturer's representative if I would

agree to prescribe their new drug for at least ten patients within the next month.

Malpractice Threats

The spectre of a malpractice suit constantly hangs over the head of the practicing physician, and in my own state of Mississippi the statistics are that one in five physicians is either currently being sued or is under threat of suit. In states such as California this ratio is even higher. This threat results in physicians being more cautious and suspicious of patients and families, especially when they indicate dissatisfaction or hostility toward the physician. Diagnostic tests may be ordered in larger numbers in order to establish more clearly the diagnosis or to rule out other diagnoses. Clinical judgment alone is usually correct, but the physician must protect himself with more documentation in the form of test results. Almost all physicians carry some form of professional liability or malpractice insurance, since judgments in the six and seven figure range are too great a risk to take. The premiums for this insurance are escalating as there are more suits and higher judgments awarded. It is obvious that the cost of these increasing premiums is reflected in the physician's fees and charges to the patient.

Need For Professional Discipline

An area of concern which the medical profession is going to have to address in a better fashion in the future is that of internal control and self-policing. Physicians have traditionally been reticent to testify in court against another physician in the same community who has been charged with malpractice. Because of this there have arisen professional medical experts who travel about the country giving expert testimony in court. Most physicians are almost as reticent to discipline or reprimand a member of the profession whose competence may be in question or whose fees may be excessive. Even though mechanisms exist within the structure of state and local medical societies for handling these problems, in my experience political considerations are usually of overriding concern.

Issues of Life and Death

The area of medical ethics of greatest attention in the media has been those issues concerned with life and death. Although the physician is trained always to preserve and extend life, there are some situations where it is appropriate and ethical to withhold extensive life support measures, i.e., in terminal illness, the decision not to resuscitate the patient is usually

not a difficult one. Often patients will request that elaborate life-sustaining systems not be utilized when they realize their illness is terminal. However, it is more difficult when a previously healthy person sustains a cardiac arrest. Without knowledge of the extent of the patient's illness physicians and nurses are usually obligated to expend every effort to sustain the life of the individual at least until there can be time to establish more clearly the diagnosis. But I have encountered situations where the family requested that no life support systems such as respirators be used when I thought the illness was reversible and that heroic measures were very much in order.

The issue of abortion is a moral one, and it is unfortunate that this question has become so clouded in the political arena. I believe abortion to be wrong and have written on this subject. I believe the role of the Church should be not in politicizing this question but in moral teaching of our people and those outside the church. In this way, if the moral conscience of the nation is raised, churches can be a force for eradicating this horror in much the same way that teaching from pulpits in our land was a prime factor in the abolition of human slavery in the last century. If one believes that abortion is wrong, then what type of fetal research is permitted? We are truly approaching the era of the "test tube" baby.

The late Francis Schaeffer stated that as our society becomes more tolerant of terminating life in the uterus, we will develop a lower respect for life resulting in a greater acceptance of infanticide and euthanasia of the elderly. Schaeffer's prediction is coming true. Because it costs a great deal to care for an infant born with serious defects, there are now some ethicists and physicians who have argued for allowing many of these children to die by not feeding them at the time of birth. The "Baby Doe" hotline opened at the Department of Health and Human Services has focused national attention on this practice.

On the other end of the spectrum, as better medical care has improved life expectancy, our population is made up of larger and larger numbers of elderly people. Older folks are more frail and have more illnesses, and consequently this improved longevity has resulted in higher medical cost to the society. Already prominent political figures have begun to make statements questioning these vast outlays of government funds to care for chronically ill elderly people. In some European countries the decision to place a patient on the kidney dialysis machine is made on the basis of age because of economic considerations.

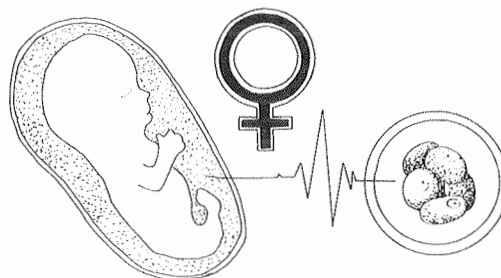
(continued on p. 18.)

In February 1985 the Inter-Varsity Christian Fellowship, Navigators, Campus Crusade for Christ and Oxford Bible Fellowship sponsored a debate—"Abortion: Rights and Wrongs"—on the campus of Miami University in Oxford, Ohio. The debate was narrowly focused on biblical anthropology, specifically the status of a fetus. Data and discussion were limited to biblical evidence.

Opening the debate, Dr. Roy Bowen Ward, Professor of Religion and Professor and Affiliate in Women's Studies at Miami (also a former editor of Mission Journal), drew upon his restoration heritage: "Speak where the Bible speaks. Be silent where the Bible is silent." His central point centered on the word *nephesh*, which was defined as breathing. Commenting on his presentation, Dr. Ward said, "I did not try to argue whether the anthropology is relevant today or not. . . . Although I didn't say so in my article, I happen to think that the biblical anthropology is relevant today, especially because of the holistic view of the person (instead of the Platonic dualism)." He added, ". . . even if the fetus is not a person (as I would maintain), that does not in my view justify abortion in all cases. . . . I think it is a much more complex question." In his article Dr. Ward incorporates material from his rebuttal under the heading "Womb Passages."

Dr. John Hannah, Chairman of the Department of Historical Theology at Dallas Theological Seminary, took what would be characterized as the "pro-life" position, referring to Dr. Ward's concept as "primitive science." Citing numerous biblical references, Dr. Hannah affirmed that life begins at conception and that the fetus is entitled to all the rights and protection of personhood. His rebuttal to Dr. Ward, as included here, is a reconstruction from memory and scattered notes.

Is The Fetus A Person— According To The Bible? "be silent where the Bible is silent"



By ROY BOWEN WARD

One of the reasons that I have chosen to debate the issue of abortion is that I care about the use and misuse of the Bible.

I grew up in the Deep South, where the segregation of the races was a burning issue. Racial segregation was a political question, an economic question, and, of course, a moral question. But the questioning of this issue came to an abrupt halt for me and many others when we were taught that racial segregation was the Will of God, according to the Bible. Once the issue was formulated as a matter of God's Will—with appropriate proof texts from the Bible (Gen. 9:25 *et al.*)—who would question the issue? There were no longer any grey areas for debate. It became merely a matter of doing God's Will, no matter what the consequences might be for black people. As Peter and the apostles once said, "We must obey God rather than men" (Acts 5:29). Of course, we have come to realize that the effort to support racial segregation with the Bible was a clear misuse of the Bible.

Today the abortion debate has reached a similar point: in the media, as well as in countless churches, American people are being told that the Bible con-

demns abortion. This kind of injection of the Bible into what is otherwise a very complex issue tends to simplify the matter. It has become a matter of doing God's Will, no matter what the consequences might be for women, for the potential offspring, or for society.

Before one crusades under the banner of doing God's Will according to the Bible, one ought to be sure beyond a reasonable doubt that she or he knows just what is God's Will, and in the terms of this debate, just what the Bible actually says or doesn't say.

Silence of Bible

One thing that the Bible does not say is "Thou shalt not abort."

Prior to the 1973 Supreme Court Decision, *Roe v. Wade*, most of the anti-abortion books that I can find were written by Roman Catholics; and they readily agreed that the Bible was essentially silent on the subject. John T. Noonan, an anti-abortion Roman Catholic scholar writing in 1970, simply admits, "The Old Testament has nothing to say on abortion."¹ The Jesuit scholar John Connery, in his

history of the abortion issue, writes:

If anyone expects to find an explicit condemnation of abortion in the New Testament, he will be disappointed. The silence of the New Testament regarding abortion surpasses even that of the Old Testament.²

When I went to Bible dictionaries and encyclopaediae, including those I used when I was a student at Abilene Christian College, I could find no entries under "abortion,"³ probably because Noonan and Connery were correct: the Bible does not deal with the subject of abortion.

This silence of the Bible is curious, and one should be careful about arguing from silence. Recently Gleason L. Archer tried to explain this silence by claiming that abortion wasn't even practiced in the ancient world.⁴ But Archer is clearly wrong, historically speaking. Israel's neighbors, the ancient Assyrians, had a law, dating at least from the 12th century B.C., concerning a woman's self-induced abortion.⁵ And by the time of the New Testament, techniques for producing an abortion were varied and sophisticated and widely used, as we may tell from Greek and Roman medical writers.⁶ The fact that neither Old nor New Testament authors condemned abortion was not because abortion had not been invented yet.

Meredith Kline attempts to explain the silence in this way:

The most significant abortion legislation in the biblical law is that there is none. It was so unthinkable that an Israelite woman should desire an abortion that there was no need to mention this offense in the criminal code.⁷

But Kline's conclusion is not persuasive because it was not uncommon for authors of both Testaments to condemn the practices of their neighbors, such as idol-worship, sacred prostitution, and the like. Yet they did not choose to condemn abortion.

What is a Person?

But someone might say, both Testaments contain the command, "Thou shalt not kill" (Ex. 20:13; Matt. 5:21; *et al.*) Since no direct object is supplied for a verb "to kill," does prohibition also cover the case of feticide?

Here we must be careful to look at the commandment in context. Certainly the commandment does not indiscriminately refer to killing anything alive, since the Israelites were expected to kill animals, both to eat and to sacrifice. They were also expected to kill Philistines and others in wars. And whoever cursed father or mother was to be killed (Ex. 21:17).

The command not to kill was certainly not "pro-life" in an unqualified way.

Thoughtful people have drawn a distinction between that which is living, i.e., biological life—which includes plants, animals, tissues, organs, and even a male's sperm—and that which might be a person.⁸ (The "pro-life" movement should really be called the "pro-person" movement.) But according to the Bible, what is a person—or, is the fetus a person?

The initial problem with answering that question according to the Bible is that "person" is an English word derived from the Latin *persona*, but the books of the Christian Bible were written in Hebrew, Aramaic and Greek. Here we have to be careful that we don't import our modern, twentieth-century notions of "person" into the ancient Hebrew, Aramaic and Greek texts, for that would be to beg the question. What we need to do in a more general way is to ask about the anthropology of the Bible. How is a human defined?

If nephesh is the fundamental anthropological term for the living being, the "person" in Hebrew thought, and if nephesh is basically understood as a creature that breathes, then a fetus is not a nephesh, not a living person.

Long before the abortion debate, scholars of the Old Testament agreed that the most important Hebrew word for describing a human being was *nephesh*, a word occurring 755 times in the Hebrew Bible, which, as Edmond Jacob put it, is "the usual term for man's total nature."⁹ And, as Jacob goes on, the deciding mark of a *nephesh* is breathing. In fact, Jacob argues that the etymology of *nephesh* goes back to a root that means "to breathe."¹⁰

The classic text is Genesis 2:7:

*Then Yahweh God formed the earth creature of dust from the earth, and breathed into its nostrils the breath of life; and the earth creature became a living nephesh.*¹¹

The language suggests the image of a potter molding a vessel of clay—the form is made from the dust of the earth. But not until there is breathing is there a *nephesh*—as Hans Walter Wolff puts it, "a living being, a living person, a living individual,"¹²—for that is what a *nephesh* is.

Another text which makes clear the relationship between *nephesh* and breathing is the story of the son of the widow from Zarephath in 1 Kings 17:17-24. The son became ill and we're told that

“there was no breath in him” (vs. 17). Elijah is accused of bringing about the son’s death (vs. 18), whereupon Elijah prays to Yahweh God, asking why He has slain her son (vs. 20). Elijah beseeches, “Let this child’s *nephesh* return to his inward parts” (vs. 21). The prayer was answered; “the *nephesh* of the child returned to his inward parts and he lived” (vs. 22). As Wolff comments, “Living creatures are in this way exactly defined in Hebrew as creatures that breathe.”¹³

It is this interconnection between *nephesh* as the living person and breathing that informs the miraculous vision of Ezekiel—the vision of the dry bones.

And as I looked, there were sinews on them, and flesh had come upon them, and skin had covered them; but there was no breath in them. (Ezekiel 37:8)

Ezekiel calls for breath to come, and we are told that “the breath came into them and they lived . . .” (Ezekiel 37:10).

If *nephesh* is the fundamental anthropological term for the living being, the “person” in Hebrew thought, and if *nephesh* is basically understood as a creature that breathes, then a fetus is not a *nephesh*, not a living person.

Miscarriage

This conclusion seems consistent with the one law in the Bible that refers to miscarriage. When men were fighting and they caused a pregnant woman to miscarry, the penalty was less than if harm came to the mother. If there was a miscarriage, the penalty was a fine; if the mother was harmed, it was life for life (Ex. 21:22, 23). It is generally accepted that this implies that the fetus did not have the same status as the mother in ancient Hebrew law.

Since the 1973 Supreme Court decision, conservative Protestant scholars, attempting to support an anti-abortion position, have called into question the long-standing interpretation of Exodus 21:22, 23 as referring to miscarriage. They attempt to argue instead that it is the case of premature birth. According to this line of interpretation, if the premature child and mother are unharmed, a fine is levied; but if either the premature child or mother is harmed, the penalty is life for life, eye for eye, etc.

But this new interpretation is not plausible. The law in Exodus 21:22, 23 is worded quite similarly to that in the Code of Hammurabi, 209 and 210:

If a seignor struck a(nother) seignor’s daughter and has caused her to have a miscarriage [lit. caused her to drop that of her womb], he shall pay ten shekels of silver

for her fetus. If that woman has died, they shall put his daughter to death.¹⁴

A similar parallel is found in the Hittite Laws, I.17:

If anyone causes a free woman to miscarry [lit. drives out the embryo]—if (it is) the 10th month, he shall give 10 shekels of silver, if (it is) the 5th month, he shall give 5 shekels of silver and pledge his estate as security.¹⁵

E. A. Speiser, writing in 1963—long before the abortion issue clouded the scene—commented on the Hittite clause, “drives out. . .the embryo,” and noted that the force of the Hebrew verb in Exodus 21:22 is practically the same.¹⁶ In other words, when scholars had no axes to grind in the abortion debate, they readily understood Exodus 21:22, 23 to refer to miscarriage, parallel to other ancient Near Eastern laws.¹⁷

Jewish and Early Christian Views

The distinction between the breathing *nephesh* and the fetus continues in Jewish circles through the time that the books of the New Testament were being written and collected. This is illustrated by the rule preserved in the Mishnah concerning therapeutic abortion.

If a woman was in hard travail, the child must be cut up while it is in the womb and brought out member by member, since the life of the mother has priority over the life of the child; but if the greater part of it [the child] was already born, it [the child] may not be touched, since the claim of one life cannot override the claim of another life.¹⁸

The concept of the person embodied in the Hebrew word *nephesh* continued, not only for the Jews, but also for those Jews we call Christians—such as the Apostle Paul. The early Christian proclamation of the resurrection of the body presupposes the holistic view of a person, that is, the *nephesh* concept. For Paul, it was the breath of God which raised Jesus from the dead; and it is the same breath of God which will make us alive in the resurrection to come (Rom. 8:9-11). The Letter of James puts it succinctly: “For just as the body without breath is dead, so faith without works is dead” (James 2:26).

Womb Passages

Conservative Protestant writers, in their attempt to find some passages in the Bible as a basis to argue that the fetus is a person, turn to several texts that refer to the womb, passages such as Psalm 139, Isaiah 49 and Jeremiah 1. However, they fail to take

into account the details of these passages.

The psalmist in Psalm 139 has been accused by enemies (139:19), and he closes with his plea to God to search him to see if there is any wickedness in him (139:23, 24). But leading up to that plea, the psalmist proclaims that God already knows him and his innocence (139:1ff.), his words before he even speaks them (139:4), and would always be with him, even in the grave. Then he claims (139:13, 15, 16):

*It is you who did form my kidneys,
who did weave me together in my
mother's womb.
My bones were not hidden from you
when I was being made in secret
intricately wrought in the depths of the
earth.
Your eyes have seen my embryo.
In your book were written, every one of them,
the days that were formed for me,
when as yet there were none of them.*

This passage really says no more than that God was his creator and therefore knew him before he was born. Indeed, the psalmist refers only to the embryo (or shapeless thing) which God was weaving together. This passage no more supports the notion that the fetus is a person (*nephesh*) than does Jeremiah 1:5 where the claim is made that Yahweh knew Jeremiah *before* Yahweh formed him in the womb.

If one switches the argument to say that one must not abort a fetus because God created it, then one is faced with other difficulties. Should a physician not remove or transplant a kidney? Since God created plants and living creatures, does that mean we may not kill in either category?

None of the womb passages provide the basis for arguing that the fetus is a person (*nephesh*) but only the basis for the faith that God is creator of all and that in his sovereignty He knows people before they exist, even as He knows words before they are uttered or days before they occur.

In Summary

I have tried to show that in the Bible the basic understanding of a person is that of a breathing individual. There is no living person until there is breath; and when breath departs, there is only a corpse. Within this basic concept the fetus is not a person.

The command not to kill is not an unqualified command not to kill biological life, and there is no warrant from the Bible to conclude that terminating the biological life of the fetus was regarded as murder. He who caused a woman to miscarry was

fined; but if he killed the mother, he was a murderer to be executed.

In the final analysis, the Bible is silent on the subject of abortion. As I was taught as a youth, "Speak where the Bible speaks. Be silent where the Bible is silent."

Notes

¹John T. Noonan, "An Almost Absolute Value in History," in *The Morality of Abortion: Legal and Historical Perspectives*, ed. by John T. Noonan (Cambridge, Mass., 1970), p. 6.

²John Connery, S.J., *Abortion: The Development of the Roman Catholic Perspective* (Chicago, 1977), p. 34.

³For example, *The International Standard Bible Encyclopaedia*, ed. by James Orr (Grand Rapids, Mich. 1939).

⁴"Surgical abortion was hardly possible until the development of modern techniques in the operating room; in ancient times the babies were killed in the womb only when their mother was also slain." G. L. Archer, *Encyclopedia of Bible Difficulties* (Grand Rapids, Mich., 1982), p. 246.

⁵"The Middle Assyrian Laws," no. 53, trs. by T. J. Meek, in *The Ancient Near Eastern Texts*, ed. by J. B. Pritchard (Princeton, 1955).

⁶See, *inter al.*, Soranus, *Gynecology*, trs. by O. Temkin (Baltimore, 1956). A good summary of methods is supplied by M. J. Gorman, *Abortion and the Early Church* (Downers Grove, Ill., 1982), pp. 15-18.

⁷M. Kline, "Lex Talionis and the Human Fetus," *Journal of the Evangelical Theological Society* 20 (1977), 193-202.

⁸For example, see H. T. Engelhart, Jr., "Medicine and the Concept of Person," in *Ethical Issues in Death and Dying*, ed. by T. L. Beauchamp and S. Perlin (Englewood Cliffs, N.J., 1978), pp. 271ff.

⁹E. Jacob, "psuche, ktl." *Theological Dictionary of the New Testament*, vol. 9 (Grand Rapids, Mich., ET 1974), p. 620 and *passim*.

¹⁰The basic meaning might have been throat, but as Hans Walter Wolff notes, "This controversy is probably to no purpose, since for Semitic peoples eating, drinking and breathing all took place in the throat; so it was the seat of the elemental vital needs in general." *Anthropology of the Old Testament* (Philadelphia, ET 1974), p. 14.

¹¹Translation by Phyllis Trible, *God and the Rhetoric of Sexuality* (Philadelphia, 1978), p. 75.

¹²*Ibid.*, p. 22.

¹³*Ibid.*, p. 59.

¹⁴Code of Hammurabi, trs. by T. J. Meek in J. B. Pritchard (ed.), *Ancient Near Eastern Texts* (Princeton, 1955).

¹⁵Hittite Laws, trs. by A. Goetze in Pritchard, *op. cit.*

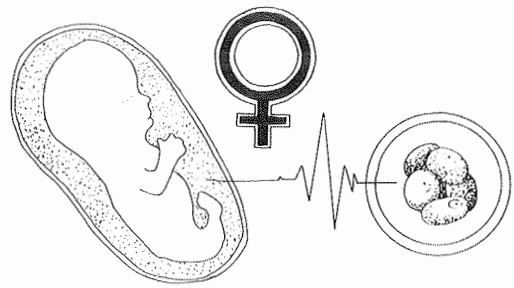
¹⁶E. A. Speiser, "The Stem PLL in Hebrew," *Journal of Biblical Literature* 82 (1963), 303.

¹⁷Even the pro-life Gorman admits that Exodus 21:22-23 refers to "accidental abortion," *op. cit.*, p. 107, n. 1; cf. pp. 40-44.

¹⁸M. Ohalot 7:6, trs. by Herbert Danby, *The Mishnah* (Oxford, 1933). Cf. J. Neusner, *A History of the Mishnaic Law of Purities: Part Four: Ohalot: Commentary* (Leiden, 1974), *ad loc.*

MISSION

The Fetus, Personhood, And The Biblical Witness



“the bible has spoken”

Man is not to be valued merely as a thinking subject but a bearer of the image of God—an image that includes bodily aspects. This consideration of the biblical understanding of man as a psych-physical unity leads to question approaches that define personhood in purely mental or psychological terms. . . . Personness is indisolubly linked to bodiliness. In the Bible, where there is the physical (body), there is also the immaterial inseparably linked.

By JOHN D. HANNAH

INTRODUCTION

One of the most pervasive themes in our culture today is that of individualism and individual rights. Although this emphasis, as any, can be stretched to an extreme, it does assert the worth of personhood and the inalienable rights that are thereby derived. There is a common bond that unites each of the participants in this forum tonight: we affirm that the human species does possess personhood. Although the nature of the defining characteristics of personhood may not be a subject of unanimity, the fact remains that each of us asserts that there is that quality with consequent privileges and protections. To deprive a person of personhood is deplorable.

*Note: It was not this writer's purpose to present original material, but to depend on conservative scholarship. Credit must therefore be given to three very useful sources from which the initial statement in the debate was derived: John Jefferson Davis, *Abortion and the Christian (Presbyterian and Reformed 1984)*; John Warwick Montgomery, *Slaughter of the Innocents (Crossway Books, 1981)*; Michael J. Gorman, *Abortion and the Early Church (IVP, 1982)*.*

The subject before us, however, is of a considerably more narrow focus. It is this: Does personhood extend to the unborn? Does the womb house a mere potential for life or is it prenatally a person? To focus more narrowly Dr. Ward and I have consented to confine our data and discussion to the evidence that can be set forth from the Bible. Does the Bible consider the unborn child a person?

It is my contention that the Bible asserts and assumes the personhood of the unborn and that to destroy fetal life is a violation of the sixth commandment; it is murder. If the denial of the continuance of life is murder, it is my thesis that the biblical witness declares that the abortion of the unborn (except perhaps when the life of the mother is severely threatened) is morally wrong. The difference between us, then, is not whether life entails personhood.

BIBLICAL EVIDENCES

Identity Begins at Conception

In the examination of the biblical data five lines of evidence will be set forth. *First, the Scriptures warrant the assertion that one's personal history begins at conception* (that conception, birth and postnatal life form a natural continuum). In Genesis 4:1 the writer

says that "Adam knew Eve his wife, and she conceived and bore Cain"; Cain's life began before birth. The same continuity is evident when Adam "begat" Seth (Genesis 5:3). A personal continuity between father and son is here linked to bodily existence, sexuality, and prenatal life. This is clearly the case in Job 3:3 where Job, in dreadful agony, curses the day he was conceived. "Let the day perish on which I was to be born, and the night which said 'A boy is conceived.'" The Hebrew word *geber*, a word generally used in a post-natal context (man, husband: Ps. 34:9, 52:9, 94:12 and Prov. 6:34), is here freely applied from the moment of conception.

Though the theological meaning of Psalm 51:5 is subject to debate ["Behold, I was brought forth in iniquity. And in sin my mother conceived me."], the use of this text in the present discussion is important. As Edward R. Dalglish, in *Psalm Fifty-one in the Light of Ancient Near Eastern Patternism* (Brill, 1962), writes, "The Psalmist is relating his sinfulness to the very inception of life; he traces his development beyond his birth to the genesis of his being in his mother's womb—even to the very hour of conception" (p. 121). In the following verse (51:6), the *tehoth* ("inward parts") and *satem*, ("hidden part") refer not to David's body but to his mother's womb. (Behold, thou dost desire truth in the innermost being, and in the hidden part thou wilt make me know wisdom.") Thus the hebraist Dalglish states, "The Psalmist knows full well the divine desire for truth to be a moral imperative even in the formative stages of his being within the mother's womb. . . . and is conscious that even there wisdom was taught him, i.e., in his embryological state . . . the moral law was inscribed within his being" (p. 124). Lastly, the evidence of Psalm 139:13-16 must be brought into focus. Speaking from a post natal perspective the writer says of God, "Thou didst weave me in my mother's womb" (v. 13b) and "I was made in secret" (v. 15b). Here David states that his personal identity and history began in the womb. His language suggests that his personal identity is not restricted to his conscious memory but beyond conscious recollections to God's creative prenatal development.

God's Relationship with the Unborn

Second, several biblical texts assert God's personal relationship with the unborn. If such relationship exist between God and the unborn, that would strongly imply personhood. Both Psalm 139:13-16 (as previously cited) and Job 10:8-12 suggest that prenatal life is not a blind natural process. Job thinks that his present distress is incompatible with God's care from the very beginning of life. He uses two

metaphors to describe God's prenatal care: the figure of the potter and the clay (v. 9) and the process of the curdling cheese (vv. 10-11). Norman Habel (*The Book of Job*, Cambridge Press, 1975) interprets the latter metaphor as follows: "Semen, poured like milk into the mother's womb, is wrapped in flesh and woven together by God in a human embryo" (p. 59).

"The Psalmist knows full well the divine desire for truth to be a moral imperative even in the formative stages of his being within the mother's womb. . . .and is conscious that even there. . .in his embryological state the moral law was inscribed within his being."

Some texts indicate that the unborn can be subjects of God's election and calling. Clearly Jacob, while still in the womb, is given preeminence over Esau (Gen. 25:22, cf. also Rom. 9:10-13). The case of Jeremiah is startling in this connection. "Before I formed you in the womb . . . before you were born I consecrated you" (1:5). In Judges 13:2-7 we read that Samson was consecrated to be a Nazarite to God prior to his birth; and Isaiah says of the prophetic servant of God, "The Lord called me from the womb, from the body of my mother He named me . . . the Lord . . . who formed me from the womb to be his servant" (49:1, 5). The apostle Paul declares that he had been set apart for God's service before he was born (Gal. 1:15). From these texts and numerous others, it is hard to resist the impression that God takes a deep interest in the unborn child.

The Fetus and OT Law

Third, Exodus 21:22-25 has significant importance in the present discussion. This passage clearly demonstrates that *the law perceives no qualitative distinction between life in the womb and life outside of it*; it sheds an unsullied light on the state of the unborn child in Old Testament law. The text states that if a man cause a premature birth through violence of any kind, he is to be fined according to a just settlement for causing duress and mental anguish to the parent; however, if harm is done to either the premature child or the mother, then he must pay to the degree of damage, even to death. Exodus 21:22-25 grants the unborn child a status in the eyes of the law equal to that of the mother's. This passage is consistent with, and even buttresses, the high regard for prenatal life manifested elsewhere in Scripture. In the words of Jack Cottrell ("Abortion and the Mosaic law," *Christianity Today* [March 16,

1973]: "One can no longer find here a biblical justification for liberalizing abortion laws. And if it cannot be found here, then it can be found nowhere in scripture."

Since Exodus 21 does not deal with abortion legislation and since it is the only one that possibly could, Meredith Kline's comment is pertinent.

The most significant thing about abortion legislation in the Biblical law is that there is none. It was so unthinkable that an Israelite woman should desire an abortion that there was no need to mention this offense in the criminal code. ("Lex Talionis and the Human Fetus," *Journal of the Evangelical Theological Society* 20:3 [1977]:193-202)

Importance of Bodiliness

Fourth, *the nature of man is a strong argument for considering the fetus a person*. Religious scholars, as well as secular scholars, recognize that modern intellectual advances in anthropology have been haunted, impeded by dualistic and mechanistic images of man. The Greek tendency to deprecate the body and to disassociate it from man's personality conflicts with biblical thought; man is both *basar* (flesh) and *nephesh* (soul). As John A.T. Robinson observed, "Man does not have a body, he is a

"It was so unthinkable that an Israelite woman should desire an abortion that there was no need to mention this offense in the criminal code."

body. He is flesh animated-by-soul, the whole conceived as a psycho-physical unity" (*The Body*, p. 14). This unitary conception of man is a key to understanding as the "imago dei," image of God. The image of God, in the words of Gerhard von Rad (*Old Testament Theology* 1:145), "refers to the whole man and does not relate solely to his spiritual and intellectual being." Hence in passages that suggest man is soul (Gen. 2:7 "Man became a soul") it is to be understood that the physical, bodily aspect of man is in view. Man is not to be valued merely as a thinking subject but a bearer of the image of God—an image that includes bodily aspects. This consideration of the biblical understanding of man as a psycho-physical unity leads us to question approaches that define personhood in purely mental or psychological terms. For example, Joseph Fletcher's suggestion ("Ethical Aspects of Genetic Controls," *New England Journal of Medicine* 285 [1971]:781) that humanness be defined as self-awareness, memory, a sense of futurity and time, and a certain minimum I.Q. has no warrant). Per-

sonness is indissolubly linked to bodiliness. In the Bible, where there is the physical (body), there is also the immaterial inseparably linked.

"The Fruit of Your Womb"

Fifth, *the personhood of the unborn is demonstrated in the account of the annunciation and Mary's visit to Elizabeth* in Luke 1:26-56. When Mary greeted her cousin Elizabeth who was in her sixth month, Elizabeth's child leaped in his mother's womb (vv. 41, 44) and Elizabeth afterwards spoke. When Elizabeth declared to Mary, "Blessed are you among women, and blessed is the fruit of your womb" (v. 42), she described a *present* state of blessedness enjoyed by Mary. The "is" of this verse indicates the personhood of Mary's child though he was in the earliest stages of prenatal existence, perhaps even prior to the time of implantation in the uterus at approximately two weeks. A further ground of support in this regard is Matthew 1:20, where an angel speaking to Joseph uses the phrase "that which is conceived in her," indicating that a person *is* in Mary's womb.

Abortion is Murder

The Scriptures assert that prenatal existence is human and is to be accorded all the rights and protection of personhood. The essence of personhood is psycho-physical; there is continuum from conception to birth; God sustains relationships with the fetus and Christ sanctified the entire birthing process by coming to us through the womb. His birth was that of every child; yet His conception was unique. Thus, abortion is in fact homicide, for it terminates a genuine human life—a life made sacred by God's creativity.

DR. WARD AND PRO-CHOICE: A REBUTTAL

The Proper Focus

Dr. Ward's assertions require both response and dissection. Several of his statements are not germane to the specific topic of our interaction; others require serious interaction.

First, as to Dr. Ward's statement that interpreters of the Bible use their interpretations as a billy-club, confusing their prejudices with the teachings of the Bible, I heartily concur. However, the subject of the debate is not *how* the Bible has been misappropriated, but *what* the Bible teaches; the issue is teaching, not application or perversion.

Second, I share with Dr. Ward the perception that the issue of fetal rights and paternal rights is a complex issue demanding deep caution and study. Again, though, the issue is not the massive complexities (all the tributaries and eddies of this thunderous

river) but a much narrower issue. What is the witness of the Bible to the issue before us?

Third, as the debate has progressed, the human tendency to deal with issues through oversimplification has served, as it always does, to distort and confuse. Pro-choice advocates often press paternal rights and prerogatives with little concern for fetal rights, thereby suggesting that Right-to-Life advocates care more for the unborn than the anguished adult. I deeply care for the rights of both parties, and I write with tears for the human tragedy of unwanted, often imposed pregnancies. Please do not suppose that I do not deeply struggle in tears for the unwed teenager, the raped business executive, or the over-burdened, under-financed family.

I would like to turn now, however, to issues that are germane to the narrow focus of this debate. Does the Bible speak with an uncertain voice on the issue of fetal rights and parental prerogatives?

Abhorrence Accounts for Silence

Dr. Ward makes the initial point that the Scriptures are silent on the issue and that "this silence . . . is curious." He quotes John Connery and John T. Noonan to press his claim and suggests that one should not argue from silence for a positive prohibition. The question is therefore this: though there is no "thou shalt" in the Bible, how did the Old Testament Jewish community (the New Testament, as well) perceive the issue? The answer is that the fetus was seen as a human being and therefore was protected by the sixth commandment: "thou shalt not kill." (I refer you to Michael J. Gorman's *Abortion and the Early Church: Christian, Jewish and Pagan Attitudes in the Greco-Roman World* [IVP, 1982]). I agree that the people in the Bible knew much about abortion procedures (perhaps Archer notwithstanding); but their silence is born of their utter abhorrence to suggest such things because of their understanding that the Scriptures witness to the integrity of all life, including fetal life. (I would also urge you to consult John Powell, S.J., *Abortion: The Silent Holocaust* [Argus Communications, 1981] for a Roman Catholic understanding of the scriptural witness.) Dr. Ward's assertion is the same as saying that it is legal to crush your neighbor's fingers in the door because the Bible nowhere says, "Thou shalt not." Are not the issues too complex to be decided by a mere phrase? The utter disgust for abortion and its implications for human integrity and worth account for the silence, not ignorance or approbation.

The Fetus and the Sixth Commandment

Dr. Ward's handling of the sixth commandment requires comment because he is unclear. He argues that the commandment to refrain from killing per-

tains to human life though exceptions are made for just war and violations of personhood. This is valid, but more should be said to clarify the issue. The real issue is this: since the commandment prohibits the destruction of life (i.e., humanness), is the fetus a human being? This raises the larger of the Bible's witness to personhood.

Dr. Ward defines personhood (humanness) as the ability to breathe. Can it be argued, therefore, that the characteristic of breath defines the biblical concept of human life? This connection does seem to be observed in Genesis 6:17, Job 34:14-15, Habakkuk 2:19, Zechariah 12:1, Psalm 104:29-30, and Job 33:4. And medical evidence suggests that premature children of less than twenty weeks gestation are incapable of independent breathing. However, several observations are in order:

1. While breathing in the usual sense does not begin until birth, the process of respiration in the more technical sense of the transfer of oxygen from the environment of the living organism occurs from the time of conception. The mode, not the fact, of oxygen transfer changes at birth.

2. It seems hermeneutically illegitimate to use texts with ordinary, nonscientific observations about postnatal life as the basis for judging the value of prenatal life in relation to the scientific details of its physiological development. The Hebrews knew little or nothing of the respiratory system. For example, the word for "lung" does not occur in the Old Testament; and there are no Hebraic equivalents for brain, diaphragm, or blood vessels. Such texts are not the place to start serious reflection on the value of prenatal life. Rather, it is texts such as Psalm 139:13-16 or Jeremiah 1:5 that specifically address the issue.

3. If we take "life and breath" passages literally, then we should take literally the statements concerning the bowels and kidneys as the seats of emotion and the heart (not the brain) as the focus of physical activity.

4. If life is connected to breath in the above passages, is it connected with blood as stated in Genesis 9:4? Are we not dealing simply with phenomenologically oriented primitive science?

5. Beginning to breathe is no more a sign of humanness than a loss of breath is a sign of loss of humanness. If non-breathing is death, then (a) those holding their breath are dead and (b) those who lose breath momentarily are dead. We, therefore, have no obligation to help them. The biblical designation of humanness is *nephesh* (Gen. 2:7). However, *nephesh* is a general term describing the unity of a human being, who is composed of material (flesh) and immaterial parts. To define humanness as breath is simply to miss the full array

(continued on p. 16)

A Word For Our Times

**a column for
opinion and
personal
reflection**

Justice And The Christian Life

By Dwayne D. Simmons

The Bible is an invitation to joy and celebration, to forgiveness and grace. Paul would consider our joy and celebration to flow from our forgiveness and grace. Joy, peace, and righteousness can be ours because of and in response to the graciousness of God and because our faith in GOD (that is, our trust and obedience) sets us free.

Now that we have been put right with God through faith, we have peace with God through our Lord Jesus Christ. He has brought us by faith into this experience of God's grace, in which we now live. . . . God has poured out his love into our hearts by means of the Holy Spirit, who is God's gift to us. . . . All who receive God's abundant grace and are freely put right with him will rule in life through Christ.

Romans 5:1, 2, 5, 17 GNB

I view Christianity as a process whereby we are set free from our own bondage: a progression from being wholly concerned with (preoccupied by) self (EGO/superEGO) to being concerned with self wholly in the context of others (NOS/superNOS). I see our perfection in CHRIST coming as we reach higher and higher levels of understanding how EGO becomes or translates to NOS.

We see in CHRIST the perfection of what I call NOS. In Luke, Jesus proclaims the beginning of his ministry by reading from the prophet Isaiah:

The spirit of the Lord is upon me, because he has anointed me to preach good news to the poor. He has sent me to proclaim release to the captives and recovering of sight to the blind, to set at liberty those who are oppressed, to proclaim the acceptable year of the Lord.

Luke 4:18-19

His life and ministry were other-oriented. Jesus was the Christ who was to establish JUSTICE. He viewed Him-

self as a servant of all people. He viewed Himself as one who gives life. And we of course are beneficiaries of his ultimate gift—He gave us his own life. In response to his giving we are to do likewise.

We read in Matthew 19:16-22 of a young man who approaches Jesus and asks him what good deed must he do to have eternal life. Jesus tells him that he must keep the commandments, including "love your neighbor as yourself." To this the young man replies that he has done so, therefore what more does he need to do? Jesus responds, "If you would be perfect, go, sell what you possess and give to the poor, and you will have treasure in heaven; and come, follow me." In essence, Jesus is saying that being religious or pious is not enough; we must also be concerned for and involve ourselves in the basic, vital interests of others. I hear Jesus saying that we must, as He, transcend EGO (a concern for self) even in the religious dimension of our lives and take on NOS (a concern for self in the context of others).

Love for God is inseparable from love for neighbor. Loving GOD is active and concrete, not merely an abstraction. If we love GOD, then we will love our NEIGHBOR; and such love will take on concrete expression. And who is my neighbor? Jesus said that anyone in need is my neighbor. When He dined at the house of a Pharisee (Luke 14), He told his host when he gave a dinner or banquet, he should not invite his friends or brothers or kinsmen or rich neighbors because they would return the favor.

Instead he should invite the poor, the maimed, the lame, and the blind who will be unable to pay him back. Again the call to NOS—to selflessness!

When Jesus spoke to his disciples of the great judgment (Matt. 26), He pictured the sheep (the righteous) being invited in: "Come, you that are blessed by my Father! Come and possess the kingdom. . . . I was hungry and you fed me, thirsty and you gave me drink; I was a stranger and you received me in your homes, naked and you clothed me; I was sick and you took care of me, in prison and you visited me" (GNB). The righteous will ask, He said, when they did all these things for Him. "I tell you, whenever you did this for one of the least important of these brothers of mine, you did it for me" (GNB). Thus does Jesus link indissolubly love of God with love of fellow human beings.

This love extends beyond just supplying necessities or emotional support into broader areas of human relationships.

Do not steal or cheat or lie. Do not make a promise in my name if you do not intend to keep it: that brings disgrace on my name. I am the Lord your God.

Do not take advantage of anyone or rob him. Do not hold the wages of someone you have hired. . . . Do not curse a deaf man or put something in front of a blind man so as to make him stumble over it. Have reverence for me: I am the Lord your God.

Be honest and just when you make decisions in legal cases;

Speakers of the Word for this issue: Dwayne D. Simmons has recently joined the faculty at Pepperdine University, Malibu, California, and is a Trustee of Mission, is a Hearings Officer for the Division of Disability Determination with the Social Security Administration in Austin, Texas. John Wright ministers to the Burke Road Church of Christ in Pasadena, Texas.

do not show favoritism to poor or fear the rich. Do not spread lies about anyone, and when someone is on trial for his life, speak out if your testimony can help him. I am the Lord.

Do not bear a grudge against anyone, but settle your differences. . . . Do not take revenge on anyone or continue to hate him. . . . I am the Lord.

Leviticus 19:11-18 GNB

Jesus came to establish GOD'S JUSTICE on earth. Justice is part of GOD'S KINGDOM as the CHURCH is part of GOD'S KINGDOM. It is imperative that we work towards Justice, but not in the belief that we are bringing GOD into the world. GOD is already in our midst, and only HE will see to Justice and the completion of the Kingdom.

*Here is my servant, whom I strengthen—
the one I have chosen,
with whom I am pleased
I have filled him with my spirit,
and he will bring justice to*

*every nation. . . .
He will not break off a bent reed
nor put out a flickering lamp....
I, the Lord, have called you and
and given you power
to see that justice is done on
earth. . . .
through you I will bring light
to the nations.
You will open the eyes of the
blind
and set free those who sit in
dark prisons.*

Isaiah 42:1-7

We should do Justice and see that Justice is done because of our love for our neighbor. Wherever Justice is done, we should give praise to our Father, because it is He that is at work. Where there is injustice, we should pray fervently for Justice. I would call all of us both individually and as a body to have a Faith that breathes life and to have a life does Justice!

I condemn our nation for furthering injustice in the world. How can we so easily tolerate our consumption, our waste, our construction, and our ex-

ploitation of the people and resources of the world? Being a part of a society that is responsible for injustice should make Christians feel even greater responsibility for seeing Justice done whenever we can.

Our sense of Justice will be dependent upon our sense of NOS. We will be insensitive to Justice if we cannot transcend self. That Christians (i.e. we) cannot seem to move beyond ourselves constantly perplexes me. For many of us, our problems, our burdens, our trials are all too important; therefore we have difficulty noticing the problems of those close to us, and even more those in need elsewhere. Faith should help us transcend self. We are not being foolish when we say that the Christian experience is one of joy. There should be joy just from knowing that we are under GOD'S grace; but there will only be joy when we transcend self and become committed to others. The Bible is an invitation to joy and celebration—I firmly believe this! Jesus came to establish GOD's Justice on earth—I firmly believe this!

Do You Enjoy The Trip?

By John Wright

One of the sounds commonly heard in the car during vacation is that of children—time and time again—posing the question, "Aren't we almost there yet?" Or perhaps it's their whining and complaining that they're tired or that the trip is too long or boring. However, such is not normally heard in our car. At least, so far. Not at all due to any credit to me, mind you. Actually, it is totally to the credit of my wife Trisha.

You see, in a very special and creative way, Trisha has cultivated within our daughters (and me) an appreciation for traveling. Not just for "the destination" to which we are

traveling. But for the traveling itself. Each year our children, like most children, look forward to vacation time. Whether we are headed for Grandma's or Disney World, it is anxiously awaited. The nice part is that our children also look forward to the trip itself with perhaps just as much excitement. They have learned to enjoy the journey.

Now all this has made me wonder about our pilgrimage as Christians. Each of us anxiously awaits a grand destination which we commonly refer to as "Heaven." But I get the vivid impression that a whole lot of us do not

enjoy the trip very much. Some even seem to have a religious conviction not to enjoy it. Since, however, "joy" is one of the fruits produced by the Spirit in the life of a Christian, I am called to wonder if perhaps such a predisposition to gloom is actually un-Christian. Didn't Jesus say, "I came that they may have life, and have it abundantly?" Was he just talking about a future world? The more I study the Word of God, the more it seems as though God wants us not only to look forward to our destination, but He desires that we "enjoy the trip" as well!

Temporary Change of Address For Mission's Editorial Office

Beginning January 1, 1986, and continuing through May 31, 1986, my address (and that of the editorial office) will be P.O. Box 685, Brevard, NC 28712. The phone number is 704/883-2038.

Bobbie Lee Holley

Memos From The Boss

By Bob Burgess

A friend of mine, a government employee, works in a division of 700 people. He gets a lot of memos from the big boss. He tells me that he has received so many memos that he keeps them in a three-ring binder. He has them crossreferenced and indexed.

Everytime he gets a memo, he reads it carefully trying to understand what the boss wants. He knows the goals, workflow, and trouble-spots within the division. He studies the memos in light of those considerations and what impact the content of the memos will have on his work and that of his colleagues. Once a week his supervisor

has a meeting with all of the people in his unit to make sure everyone has the same understanding of what the boss wants. Sometimes there is a lot of discussion about points that are a little unclear.

Out of his understanding of the memos my friend takes on extra work, runs studies, makes suggestions, works overtime, and performs many other tasks above and beyond the call of duty. He sounds like a very good employee.

One day he said to me, "You know, Bob, that whole division is operated on the basis of those memos from the boss, and I have never met the man."

As a Christian, I reflected on how we study the biblical "memos," meet together once or twice a week, meditate, pray, rededicate ourselves to the goals, work hard together—possibly without knowing the BOSS. Then I reflected on what our SUPERVISOR said. It was something like this: You search the memos because in them you think you have the answers to everything, but the memos serve in the first priority to enable you to know me. I also reflected that our SUPERVISOR said that of people who were quite sure they knew the Boss.

(Fetus, continued from p. 13)

of the biblical data. As the ability to breathe (if defined as the transfer of oxygen) begins from the time of conception, so do the material parts of mankind. For example we know the following: 7th day - implantation of the uterus occurs; 17th day - blood cells and heart are formed; 19-20th day - the foundation for brain and nervous system is formed; 24th day - heartbeat is detectable; 30th day - the fetus has increased 10,000 x's its size with millions of cells; 6th wk. - the nervous system controls the body; 45th day - brain waves are discernible; 7th wk. - all internal organs of an adult are formed; 8th wk. - all external organs of an adult are formed; 9th-10th wks. - the fetus can drink.

Abortion is in fact homicide, for it terminates a genuine human life—a life made sacred by God's creativity.

Fetus - A Fully Human Life?

As to Dr. Ward's interpretation of Exodus 21:22-23, I would argue that he is in a precarious position. Though he suggests that this passage (Ex. 21:22-25) draws a distinction between fully human life (that of the injured mother) and fetal life, does it? If he is correct, then we have a clear differentiation between potential life (prenatal) and postnatal life? Although some believe the Bible makes such a distinction (i.e., the death of a fetus results in only a fine for anguish while any injury to the mother is considered further harm serious enough to invoke

the *lex talionis* [eye for eye, tooth for tooth]), there is no linguistic justification for translating verse 22 as a forced miscarriage. The verb *yatsa* (depart, come out) refers in the Hebrew Scriptures to a live birth from the womb in numerous cases (e.g., Gen. 15:3-4; 1 Kings 8:19; Isa. 39:7 [of a father's loins]; Gen. 25:25-26, 38:28-29; Job 1:21, 3:11; Ecc. 5:15; Jer. 1:5, 20:18). The Hebrews had a word for miscarriage (*shakol*, cf. Ex. 23:26, Hos. 9:14); it is not used here. Also the noun *yeled* (child or offspring) is not the normal designation for the product of a miscarriage; the Hebrew term is *nefel*, one ultimately born (cf. Job 3:16; Ps. 58:8; Ecc. 6:3). What is referred to in verse 22 is the premature birth of a child, not its accidental death. Therefore, the penalty involved, the *lex talionis*, refers to the harm (*ason*) that may come either to the premature child or its mother. This passage asserts the equality of rights and privilege of both the fetus and the parent.

In conclusion, I would argue that the Bible is not silent on the abortion issue, a fact I attempted to argue both in my initial statement and the rebuttal. As far as the Bible's witness is concerned, human life is seen as beginning at the moment of conception. The basis for a pro-choice position on the abortion issue must be found in sources outside the Bible. I would suggest that the only viable grounds for pro-choice is cultural relativism, (i.e., our culture is permissive or latitudinal and as a member of this culture I choose to adopt its values) or personalism (i.e., I choose to do what I please—whatever maximizes my potential for pleasure while minimizing the threat of pain).

MISSION

MISSION

and the Church



By ROBERT M. RANDOLPH

MISSION may well help many of us in our efforts to live as Christians; but, ultimately, the value of the journal must be measured by its impact on the church. By church I mean the churches of the Restoration Movement. They define the context in which we live, and more than ever there is a recognition of our essential unity. Like siblings we fight; but we are of the same family, and we look more alike than we resemble anyone else.

This section of the journal will comment on a regular basis on matters of importance to the church. If we are to do this well, we need to hear from you. Have you used MISSION in a Sunday School Class for discussion? Have certain articles prodded your thinking and turned you to certain books? What were the results of your inquiry? What is unique about your congregation? Your comments and insights need not be lengthy nor in great detail.

The Brookline congregation of the Church of Christ is a group of forty to fifty Christians who have tried to grapple with their world while remaining true to faith, heritage and history. A transient congregation, the church continues to have influence far beyond its members. Over the course of the last fifteen years, Brookline has moved to affirm the place of women in the worshiping community. Since 1970 women have always occupied positions of formal leadership. In the late 1970s, they began to participate more completely in the worship service. The first area of improvement was reading Scripture in the assembly. With the passage of time, women have come to participate in all aspects of public worship. The announcements are given alternately by men and women. The song leader is often a woman. The Lord's Supper may be served by men or women.

The implications of these changes are profound. A new dimension has been added to our worship ex-

perience. Those who argue for the silence of women in worship need to remember that women have in fact never been silent. They sing and participate in public worship with its overtones of prayer, exhortation, and edification. That it is done in the context of the community does not erase the reality of their involvement. We simply have made explicit what has been implicit in all of our churches.

Recognizing the importance of these changes, we found a transition period helpful; and for those who have difficulty with change, it is important to experience women participating in roles consistent with the servant roles they occupy in more traditional congregations. For example, making announcements, the serving of Communion, reading of Scripture, and leading the song service are essential helping roles in worship. They are roles unmentioned in the Bible and do not in theory violate concerns with the exercise of authority if that IS in fact a concern. Those who think there is no precedent for these changes may be surprised to note that C.R. Nichol in *God's Woman* effectively argues for what we have done. The book was first published in 1938 and is still available through ACU Press.

One word of caution: those who find it most difficult to move in this direction will include many women who feel themselves judged to have chosen an inferior role since they often accepted traditional roles in both church and home. It is important that this issue be recognized because many women find themselves sorting out their feelings about these matters now before change has begun in many churches. The reality of their pain and uncertainty has not found its way into the church. The issue, it must be remembered, is not whether a woman should choose a profession or remain in the home; it is not whether she accepts a public role in the worship service or does not. The issue is simply this: do women have a choice? It is not our contention that one conclusion is better than another, but that given a choice women can do what their God-given gifts

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have prepared them to do. We know that in the world beyond the church choice is a reality. It will be a reality in the church one day. I think Brookline is a model that can make a difference.

Discussions in MISSION have influenced our evolution in a modest way. It has been important to share in the conversations precipitated by articles in the journal and to know that other thoughtful men and women were asking similar questions. MISSION has modeled civility and openness in addressing this

issue and others. In our churches where noise and bluster have often overshadowed wisdom and empathy, civility and openness are gifts to treasure.

MISSION

Note: Please send items for "Mission and the Church" to Robert M. Randolph, 550 Memorial Drive, #24A, Cambridge, MA 02139.

(Dilemmas, continued from p. 5)

Who Will Decide?

There are some medical and ethical issues which have implications for the entire population. Not the least of these is the use of nuclear weapons, which is the greatest threat to the public health of our planet. Some physicians concerned about this question and feeling it rightfully belongs in the realm of medical ethics have formed the organization Physicians for Social Responsibility. The questions related to genetic engineering are extremely complex and are understood poorly by most medical professionals and even less so by the general public. Unfortunately, guidelines in this area are probably going to be formulated by governmental bureaucracy and not by the best informed medical and theological minds in our society.

It is now clear that medicine in this country can deliver highly specialized and technical health care at a level and to an extent which far exceeds the ability of society to pay for it. How much health care

do we want? Who is going to pay for it?

While a few religious leaders have spoken out in some of these areas, in general the Church has been silent in the field of medical ethics. Many of these questions have been taken into the social and political arena, and unfortunately the most vocal persons are often extremists. It is time for the Church to address these moral issues and help the health care professionals meet the ethical dilemmas which we face every day.

I would like to close with this quotation from the late Cardinal Cooke:

The gift of life, God's special gift, is no less beautiful when it is accompanied by illness or weakness, hunger or poverty, mental or physical handicaps, loneliness, or old age. Indeed, at this time, human life gains extra splendor as it requires our special care, concern and reverence. It is in and through the weakest of human vessels that the Lord continues to reveal the power of his love.

MISSION

WE NEED TO KNOW IN ADVANCE:

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We want to insure that you get your journal on time and that you don't miss any issues, but we need your help.

When Brother Takes Brother To Court: *styles of conflict management**

By ANGELA LAIRD and
JERRY BUTLER

When Paul says to the Corinthians, "But brother goeth to law against brother, and that before unbelievers" (1 Cor. 6:6), he apparently described situations that were recurring in the early church. It appears that the modern church is now capping the Restoration Movement by restoring legal conflicts as well.

Legal battles surrounding the church, matters of doctrine, discipline, and fellowship were almost unheard of a generation ago. Such suits now occur with regularity. Churches in the restoration tradition have been targeted in several of these suits, but they are not alone. Other religious bodies are also becoming entangled in court. Sam Ericsson, director of the Christian Legal Society's Center for Law and Religious Freedom in Washington, D.C. reported, "Ten years ago there were perhaps 250 church-state or religious freedom cases. Today there are almost 2,000" (Ericsson, 1985). Many of these cases deal with property ownership, employment discrimination, or individual criminal action; but a growing number of them relate to theological and ecclesiastical matters, suggesting a new wave of precedent-setting court decisions. So, not only are there more of these types of suits than ever before, but the impact of them is growing larger.

One of the cases which calls into question the organizational structure typically found in Churches of Christ is now in litigation in Little Rock, Arkansas. (See *Mission Journal*, June 1985, for a discussion of this case.) *Brown v.*

Gipson has not received the national notoriety of the Collinsville incident, but it appears to have created "a more dramatic examination" (Parks, 1985) of matters related to church governance. In this case the eldership of the Sixth and Izard Church of Christ, including John Gipson, who serves as both elder and regular pulpit minister, has been challenged by a former deacon and local businessman, Joe Brown. Brown, the original plaintiff in the case, has been joined in the suit by Tip Nelms, a dentist and former elder, and Bob Scott, an attorney and long-time member of the congregation. Brown filed suit in the Chancery Court of Pulaski County against the elders/directors of Sixth and Izard Church of Christ Inc. asking that the elders be compelled to do the following: (1) hold an election to choose new corporation officers; (2) disclose salaries of church employees; (3) publish savings held by the church; (4) publish revenues from parking lots, interest, and day-care; (5) reveal long-distance telephone records; (6) make available ballots of the previous elder selection; and (7) publish a complete audit of the church's finances. This legal confrontation is only the public part of a smoldering conflict which has existed over a long period of time.

A chronology of some of those key events which seem to have relevance for understanding the conflict are listed on the following page.

After having observed the sequence of these events, we try in this paper to analyze the strategies of conflict management used by the principals.

We do not attempt to assess the biblical merits of their respective positions, nor do we wish to pass judgment upon the legality or morality of their behavior. We do hope to provide insight into how conflicts between Christians were managed in a particular instance, and to suggest what the outcomes might be. In addition we would hope to suggest some strategies which, if they could have been employed, might have directed the disputants toward an acceptable resolution. From a personal point of view, we would simply like to give structure to our own understanding of what is happening in the congregation where we both worship.

METHOD OF ANALYSIS

Hocker and Wilmot (1978) provide a structure for analyzing conflict. They develop a schema of conflict strategies and associated tactics. Strategies are the overall "game plan" a party uses in a conflict, whereas tactics are the individual moves that implement that strategy. We used this schema in categorizing the events and documents associated with the lawsuit against the Sixth and Izard elders. We wanted to see if we could find clear patterns of communication tactics which indicated the strategic focus of each of the parties in the conflict. We hoped as a result of the analysis to see if either or both of the parties could have used more effective conflict management strategies to achieve their objectives.

Two qualifications to our analysis should be noted. First, we analyzed only the public discourse related to the case, such as newspaper interviews, letters sent to all members, and court briefs. We chose to analyze public documents rather than interviewing principals in the case because it was an on-going lawsuit, and we did not want to intervene in any manner to influence the outcome. In addition, the elders in particular were reluctant to discuss the case as defendants in a lawsuit. Our reliance on public statements, however, may have limited to some extent a complete analysis of strategies and tactics. Different tactics may have been used in informal conversations and meetings to which we did not have access.

Both Jerry Butler and Angela Laird are members of the Sixth and Izard Church of Christ and are faculty members in the Department of Speech Communication at the University of Arkansas at Little Rock. *This paper was presented at the Restoration Communication Scholars Conference at Abilene Christian University, July, 1985.

Second, this paper can best be characterized as a descriptive case study. We did not attempt any quantitative content analysis in which independent raters classified statements into categories, which computed reliability ratings. Each of us read documents related to the case, and identified statements made by the two sides as examples of different argumentative tactics and strategies.

Hocker and Wilmot outline four broad strategies which parties may use: 1) Avoidance, 2) Maintenance, 3) Reduction, and 4) Escalation. In a later edition of this book, Hocker and Wilmot (1985) have reduced these strategies to three: 1) Avoidance, 2) Competition, and 3) Collaboration. However, we chose to use their earlier taxonomy since it has more ex-

planatory power when applied to this particular conflict situation. Two strategies were especially evident in the Sixth and Izard conflict: Avoidance and Escalation.

Avoidance is associated with a number of tactics: postponement; controlling the process, or setting procedural rules; resorting to formal rules rather than informal agreements; changing the physical environment; tacit coordination, or preagreed cooperation between parties; precluding, giving enough information prior to the conflict so that the other party knows what to expect; gunnysacking, saving up grievances and "dumping" them all at once; coercive tactics; linguistic manipulation or labeling; refusal to recognize the conflict; and

fogging.

Escalation is associated with a different group of tactics, according to Hocker and Wilmot. They include escalatory labeling, naming the other person or labeling the conflict or relationship; issue expansion, purposefully ballooning the issues; coalition formation; threats; constricting the other in time or access, or limiting escape; and breaking the relational rules.

ANALYSIS

Elders' Tactics

The strategy of the elders in the Sixth and Izard lawsuit seems best characterized by Avoidance. A number of specific tactics indicate this strategy. First, the elders used

April 14, 1975: Sixth and Izard Church of Christ was incorporated. The elders were named as directors of the corporation. Bob Scott acted as counsel.

October, 1982(circa): One of the deacons informed Bob Scott that the elders had removed his name from the list of those eligible to serve communion.

October 24, 1983: Bob Scott began sending a series of letters to the membership at large in which he treated the difficulties he had encountered with the elders.

October 9, 1984: Joe Brown and Scott asked the elders (in a letter) to provide certain financial data or face court action. October 19 was set as a deadline.

November 2, 1984: A suit against the elders was filed in Chancery Court by Joe Brown.

November 11 and 14, 1984: Reelection of elders as directors of the corporation was held at conclusion of evening worship period, and announcement to members about the lawsuit was made.

November 19, 1984: A motion to dismiss the suit was filed by the elders.

November 21, 1984: A brief in response to motion to dismiss was filed by Scott.

December 20, 1984: The elders filed a motion to disqualify Bob Scott as counsel for Brown.

January 9, 1985: Joe Brown was notified of his removal as a deacon.

February 10-March 30: A series of anonymous letters were received by petitioners Joe Brown and Bob Scott and other members of Sixth and Izard dealing with items related to the suit.

March 2, 1985: Judge Munson rejected the motion to dismiss the suit.

March 23, 1985: Brown, Tip Nelms and Scott issued a questionnaire designed to measure congregational attitude regarding the biblical teaching concerning elders and the conduct of church business.

April 16, 1985: The elders were directed to answer interrogatories filed by Joe Brown.

April 26, 1985: The elders filed Notice of Appeal of the judgment in favor of Joe Brown to the State Supreme Court.

April 26, 1985: Brown, Nelms and Scott issued a compromise settlement in response to an unauthorized compromise proposal suggested by Buddy Sutton, the elders' attorney.

June 1985: The elders requested extension of time to file the record of appeal.

July 23, 1985: Elders filed their record on appeal.

September 4, 1985: Bob Scott received copy of the brief filed with the Arkansas Supreme Court. He learned for first time that Elders had entered (on 29 May 1985) an order with the trial court in which court had reversed decision to allow Scott to represent himself. (Such motion and order should not have been filed after the filing of the Notice of Appeal.)

September 9, 1985: Bob Scott petitioned the court to strike from the record the order filed by the elders' attorney on May 29, 1985.

September 25, 1985: The Chancellor set aside the motion and the order of May 29, 1985, on the grounds that they were entered without the knowledge of Intervenor Bob Scott, the Court was not aware that the order had been entered, the Court remains convinced that Bob Scott is entitled to represent himself in the proceedings, and that an obvious error had been made by the Court and the Counsel for Defendants.

November 2, 1985: Elders have until this date to file supplement to their brief—as a result of the striking of the 29 May 1985 order.

Mid-January, 1986: This is anticipated time for oral argument to be scheduled.

postponement. They did not make any public response to the plaintiffs until they were forced to by legal action. They also waited for a month after the suit-threatening letter was sent by Scott before they made the first announcements to the congregation regarding the dispute. Finally, they chose to appeal an injunction to release financial records, further delaying action in the case. Hocker and Wilmot (1978) point out that postponement may be productive as a strategy when it gives both sides a chance to cool off and prepare for conflict resolution. However, it may be unproductive when the other side perceives that they are being put off and ignored and that the postponement is an effort to avoid responding to the conflict situation at all.

A second tactic used by the elders which indicates an avoidance strategy was their use of procedural and formal rules to avoid responding to the substance of the charges brought against them. The elders in their motion to dismiss cited the principle of separation of church and state and first amendment rights, thus charging that any judicial action in the case was inappropriate. This was an attempt to influence the procedure by which the dispute was to be settled. They also filed two briefs, asking for court dismissal of Bob Scott as plaintiff attorney because of conflict of interest, since Scott had originally served as church attorney. This was a procedural attempt to halt the coalition formation which had united Brown and Scott in the case. The elders also objected to a number of the charges brought against them on legal procedural grounds. They claimed that the suit should be dismissed because the case should properly be brought against the church as an organization rather than against the elders as individuals. They argued that the remedies sought in the case were without precedent under Arkansas law on nonprofit corporations. They also said that Arkansas statutes only required financial disclosure for just cause and that the plaintiffs had not provided just cause for the disclosure. All of these arguments were procedural attempts to halt the lawsuit without responding to specific charges, releasing any financial documents, or yielding on the issue of authority of the eldership.

Hocker and Wilmot (1978) write that agreement on procedures often expedites and simplifies conflict; however, when one party in the conflict attempts to influence procedures unilaterally, it is usually an attempt to gain power and dominance.

A third tactic which Hocker and Wilmot describe as an avoidance tactic is *changing the physical environment*. The plaintiffs chose in addition to legal briefs to make their case in mass mailings to all members, in media interviews published in both major city daily papers, and on radio talk shows. It is interesting to note, then, that the plaintiffs used primarily written media and chose as their audience the widest possible dissemination to members and nonmembers of Sixth and Izard.

Both Scripture and custom within the Churches of Christ have dictated that disputes be handled interpersonally between members of the church, and not be aired before unbelievers. By initiating the lawsuits, by mailing letters directly to members, and by taking their case to the public through the mass media, the plaintiffs broke with traditional and scriptural guidelines.

On the other hand, the elders chose to make only oral responses in two announcements to the members. Each of the announcements was made at the conclusion of a worship service, and all non-members were dismissed from the assembly before the announcements were made. No article about the conflict ever appeared in the church bulletin, and the elders declined comment in any published source. Their only written responses were legal briefs, which were compelled by the filing of the case. The elders thus seemed to want to avoid responding to the conflict in any media which would reach further than members who regularly attend services. This group was highly favorable to the elders' position. The elders

avoided any media which would enlarge awareness or discussion of the conflict. They avoided any written responses which could be quoted by the opposition.

A fourth tactic, closely related to the preceding ones, was the elders' *refusal to recognize the conflict*. Several examples illustrate. The elders did not respond publicly to the plaintiffs' letters. They refused to make comments to the press. They were reluctant to release documents to the plaintiffs, the membership, or investigators. Sermons from the pulpit were surprisingly devoid of even a passing reference to the conflict. Comments made to the members regarding the case were delayed, as previously noted, and were also vague. For example, in the first announcement to the congregation, Bill Hefley, one of the elders, read a letter from the plaintiffs to the elders and then said, "Although we wanted you to hear this letter, we wish you to know this letter does not tell the whole story. Other demands have been made. Other aspects are involved." This vagueness seems an appeal for trust in the elders' discretion. In fact, the announcement ended with this statement: "In all matters, we have tried to act prayerfully and scripturally. We have tried not to be dictatorial or arbitrary. When Scripture has not given a specific injunction, we have tried to act with wisdom in the best interest of the church and the individual members." Thus the members were not given particulars of the case. The conflict was deemphasized in this way, even to the church members directly involved.

A fifth avoidance tactic by the elders can be noted. Hocker and Wilmot (1978) point out that *coercion* can be an attempt to avoid a conflict. Even though the coercive action creates its own conflict, it may avoid another conflict. For example, a parent who sends a child to his/her room in refusal to discuss a change in family rules may cause resentment in the child, but may be able to avoid the discussion about rules. The elders' action in disqualifying Bob Scott from public roles in worship and in removing Joe Brown as a deacon were coercive acts employing the power of the eldership. The result was to remove the plaintiffs from within the body so that the conflict did not appear as an internal schism, but

rather a dispute between outsiders and the church family.

The sixth avoidance tactic was *fogging*. Hocker and Wilmot (1978) define fogging as accepting part of the criticism but failing to deal with the rest of it. It might be argued that the elders' position on absolute power of the eldership served as a type of fogging. We do not mean to indicate by labeling this position as fogging that the elders' argument is not a deeply held doctrinal conviction. However, the position taken on the absolute power of the "eldership" allowed the elders to admit that specific charges that they withheld financial records and that they ignored the congregation's wishes in selection of elders, may be true. However, they claimed the elders do not have to follow the will of the membership since they are solely charged with decision-making regarding church policies. In their brief to dismiss, they wrote:

The leadership in the New Testament is the Eldership and they were not elected, but appointed. . . every detail of doctrine and management which can be gleaned from Scriptures is followed by the Church of Christ as nearly as possible and this adherence is central to the practice of the form of Christianity embodied in the Church of Christ. The Church, as a matter of doctrine, neither holds elections nor shares financial management with the congregation as a whole.

The last avoidance tactic used by the elders was *linguistic manipulation or labeling*. Labeling may be an escalatory tactic when name-calling or inflammatory rhetoric is used; however, euphemistic terms may help in conflict avoidance. For example, the elders never "withdrew fellowship" from either Bob Scott or Joe Brown. Rather they "disqualified them from serving on the Lord's Table or leading public prayer." In the legal brief the elders frequently substituted the term "Church" for "elders." For example, in the passage previously quoted in the brief to dismiss, the defendants wrote that "The Church does not hold elections or share financial management with the congregation." The elders made frequent references in public announcements to their leadership of the church fami-

ly, and to Scripture. With these semantic strategies, the elders attempted to avoid the perception that they were engaged in a personal conflict with former members. Rather, they were simply exercising their duties of office.

Plaintiff's Tactics

The overall strategy of the plaintiffs in the case was Escalation. A number of tactics clearly indicate this strategy. First, the plaintiffs *expanded the issues in the conflict*. The precipitating issue in the conflict was the disqualification of Bob Scott from serving communion or leading public prayer without notifying him of the action. However, other issues were added in the lawsuit. These included disclosure of financial records, election of elders, and a financial audit of the church's records. Clearly all these issues fall under the umbrella of the larger issue of authority of the eldership; yet the plaintiffs attack this authority on a number of different fronts. The reason for issue expansion may have been (1) to bolster the legitimacy of individual complaints by showing a pattern of what they identified as abuses of power, and (2) to add issues in the hope of attracting more followers to their cause. If members did not accept one of their complaints as legitimate, they might accept another.

This tactic of issue expansion, then, is clearly tied to another escalatory strategy, *coalition formation*. The plaintiffs attempted to build coalitions in a number of different ways. First, two plaintiffs, Bob Scott and Tip Nelms, joined Joe Brown in the suit. Second, the plaintiffs attempted to gain support of the members of Sixth and Izard through a series of letters mailed directly to members' homes. One letter mailed to members March 23, 1985, was a particularly good example of their attempts at coalition formation. In it they write:

If you believe members have a right to know, that elders should not conduct the business of the church in absolute secrecy and that members select elders, rather than elders selecting elders, YOU DO NOT NEED TO RESPOND TO THIS QUESTIONNAIRE. If you agree with the

position of the elders, that members have no right to know the business affairs of the church, that elders should conduct all business in secrecy and that elders select elders, rather than members selecting elders, please check the blocks provided for your agreement, sign your name, and return the questionnaire. In the event a majority (50% plus one) of the members agree with the positions taken by the elders, we will dismiss the lawsuit and abandon Sixth and Izard.

In this letter, then, the plaintiffs attempted to build a silent majority and to count all those who did not take the effort to respond as supporters of their cause. Plaintiffs also tried to build public support through their use of the mass media. Plaintiffs, especially Bob Scott, were widely quoted in local newspapers and appeared on radio talk shows.

A third escalatory tactic used by the plaintiffs was *threat*. Nowhere is this strategy more evident than in the letter sent by Bob Scott to the elders on November 21, 1984. In this letter he informed the elders that he intended to sue them for damages in connection with their disqualification of Scott in public worship. He told them that if they were planning to "excommunicate" him, he would move forward the date of the lawsuit and increase the amount of the suit. He ended by saying, "In the event you (elders) have any desire to avoid my filing this lawsuit against you, I would suggest that you expedite making whatever proposal you wish to make, in the form of payment of money, either directly or through your counsel." It is interesting that while a number of the letters to the elders contain explicit or implicit threats, the plaintiffs continually tried to explain that they were not threatening. In a letter dated October 9, 1984, Brown and Scott write, "Finally, it should be obvious to everyone, we intend to file suit when you refuse to comply with this formal demand (for financial disclosure). Our purpose is not to threaten you with judicial process, but simply to let you know the consequences of your failure to do what is right."

Fourth, the plaintiffs used the escalatory strategy of breaking relational rules. Both Scriptures and custom within the Churches of Christ have dictated that disputes be handled interpersonally between members of the church, and not be aired before unbelievers. By initiating the lawsuit, by mailing letters directly to members, and by taking their case to the public through the mass media, the plaintiffs broke the traditional and scriptural guidelines.

Finally, the plaintiffs used escalatory labeling. Letters and communication from the plaintiffs were replete with inflammatory language. A few examples will illustrate. Two references to the Catholic Church occur. One reference is to the papacy. They claimed that the unbridled authority that the elders profess is more typical of the papacy than of elders of the Church of Christ. Bob Scott also makes reference to his "ex-communication" rather than using the more common term "withdrawal of fellowship." These references to the Catholic Church serve as an implicit argument that if the members accept the elders' position, they are accepting an authority for policy-making vested in men similar to Catholicism's reliance on the papacy. On a radio talk show the plaintiffs compared those who give blind allegiance to elders to Jim Jones's followers in Guyana. The plaintiffs also refer to the elders' actions as "concealment" and "secrecy," terms that seem to imply coverup and wrongdoing. They enjoin the elders to abide by the laws of Arkansas, "even as the heathen corporations do." These references could clearly be interpreted as personal attacks against the integrity of the elders.

DISCUSSION

In examining the outcomes of the conflict in the Sixth and Izard congregation, thus far, it appears that the strategies of both sides may have achieved some of each side's goals, but also produced many undesirable consequences. The elders, through avoidance, may have averted severe splits within the congregation, and they have defended what they see as their scriptural authority as elders. The plaintiffs have forced a response from the elders through their escalation and have gained some support for their

cause among the general public and among some members of Sixth and Izard.

However, each side has also suffered losses. The elders have given the appearance to some members of the congregation and to the general public of being inflexible in their position. They have appeared to some to be hiding wrongdoing by their unwillingness to reveal information. By avoiding the conflict until it escalated dramatically, they may have found themselves boxed into a corner, where to give at all would be relinquishing authority; thus they could not afford the appearance of compromise on what they had cast as a scriptural issue.

The strategy of collaboration involves an openness of communication, a willingness to give, and an empathetic understanding which have been absent in the strategies used by the parties in the Sixth and Izard conflict.

The plaintiffs through escalation and especially through their breaking of relational rules have forfeited their ability to accomplish change from within. They have foreclosed the possibility of compromise and have forced the conflict into a win-lose situation.

The congregation and the church as a whole have also lost during this conflict. Attendance at worship services has declined during the controversy. Several long-time members have begun worshiping at other congregations, openly stating that the controversy precipitated their departure from Sixth and Izard. Time, money, and resources have been diverted from the ministries of the church and directed toward resolving the conflict between members. The congregation's internal problems have been widely publicized in the community.

The combination of avoidance and escalation as strategies in this conflict was particularly troublesome for two reasons: (1) It is difficult for one side to avoid escalation when the other side is bent on using that strategy. Furthermore, the avoidance in an escalating conflict may produce even more fuel for the fire. The reluctance to disclose information or to respond directly to

the other side may make that other side feel that there is no recourse but to continue in escalatory strategies. (2) The combination of these two strategies also tends to make the conflict irreversible. This is evident in this case. The side which escalates finds it difficult to reverse the pattern of building conflict. Also, many of the avoidance tactics may force the party using them into inflexible positions. The fact that the elders used scriptural authority as a way to avoid direct charges has meant that they could not later back down on these issues, because it would then appear that they were compromising on scriptural issues. The irreversibility of the conflict

makes it very difficult for the conflict to be settled now by interpersonal means. In addition, because the conflict was escalated into a legal confrontation, any settlement or compromise must involve a public loss of face for either side.

We would hope that no other congregation ever suffers the trauma of an internal dispute; yet this is a vain hope. As surely as Christians are also human beings, disputes will arise. However, future conflicts might be less destructive if both parties were able to adopt a more collaborative style, as identified by Hocker and Wilmot (1985). They describe nine behaviors or tactics that are characteristic of a collaborative or integrative conflict style in a list adapted from Sillars et. al. (1982). They include:

1. *Description*—Making non-evaluative statements about observable events without attributing motives, or making judgments.
2. *Qualification*—Stating clearly what are and are not the issues to be resolved.
3. *Disclosure*—Getting thoughts, feelings, intentions, motivations, and past history out into the open and in an honest and nondefensive manner.
4. *Soliciting disclosure*—Soliciting in-

formation from the other party about events related to the conflict that cannot be observed.

5. *Negative inquiry*—Soliciting complaints about oneself, being open to constructive criticism.

6. *Empathy or support*—Expressing understanding, acceptance, or positive regard for the other even when one does not agree with the specific position of the other.

7. *Emphasizing commonalities*—Commenting on shared interests, goals, or compatibilities with the other, despite acknowledgment of a conflict.

8. *Accepting responsibility*—Attributing responsibility for conflicts to self or both parties.

9. *Initiating problem solving*—Initiating mutual consideration of solutions to conflict.

Hocker and Wilmot (1978) add one other tactic: *fractionation*, which is breaking a complex conflict situation into its component parts for easier solution.

The strategy of collaboration involves an openness of communication, a willingness to give, and an empathetic understanding which have been absent in the strategies used by the parties in the Sixth and IZARD conflict. In hundreds of pages of documents concerning the case, neither party ever seemed to acknowledge responsibility, understand the feelings of the other, seek mutually acceptable solutions, or emphasize the commonalities they shared as members of the same body. Secrecy, veiled personal attacks, and

formality have made open communication almost impossible.

Hocker and Wilmot (1978) make the point that strategies are not always chosen and planned in advance. Many times parties in conflicts find themselves carried forward on tides of events that seem beyond their control, and strategic directions are set before conscious choices are made. We would hope that in the future church leaders and members, heeding lessons from the past, could learn to manage conflict in ways that will lessen its destructive impact.

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FORUM



Outstanding issue for October! I appreciated David Sampson's interview with John R.W. Stott which rounded out several impressions received from reading his books and articles. John Stam's "The Challenge of the Gospel in Nicaragua" is just what needs to be read all across the country by folks who are serious about the Bible and the real needs of people.

Larry James
Richardson, Texas

Inasmuch as John Stott is one of my heroes, I was very glad to see the interview in the October issue. I would have liked relatively more on Stott's theories of expository preaching, and how it is to be used. . . to accomplish the relating task. Some would think expository methods provide minimum application, while topical [preaching] gives maximal opportunity, but I think Stott argues well that the right kind of exposition is that which clearly relates and applies the scriptural truth to daily life. His book *Between Two Worlds* is excellent stuff, expanding fully on the themes discussed in this interview.

Thomas A. Langford
Lubbock, Texas

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