

The God-Men Case & The Encyclopedia of Cults Case – the Same or Different?

Early in 2006 a Texas court threw out a Living Stream Ministry's \$136M lawsuit against Harvest House, the publishers of the *Encyclopedia of Cults and New Religions*. Is Living Stream Ministry (LSM) about to quit? It doesn't look like it. "We are determined to continue this fight," says a recent statement¹. LSM has applied for a re-hearing before the same court. "If they decline to hear it, we then will take it to the Texas Supreme Court," the statement says. Nor will they stop there, "If they choose not to hear it, we can then appeal to the US Supreme Court."

This is not the first litigation involving people and writings related to LSM. In November, 1980, a suit² was filed over the publication of *The God-Men*. In that case, the Judge ruled that *The God-Men* was "in all major respects false, defamatory and unprivileged, and, therefore, libelous" and awarded \$11.9M in damages³.

An obvious question arises: Are these two cases -- *The God-Men* case and the *Encyclopedia of Cults* case – essentially the same or substantially different? This question has a broad scope. We cannot hope to answer it in full. We are not lawyers. We hesitate to venture into the legal complexities of either case. However, we are saints within the Lord's recovery, meeting in typical local churches. So we are affected. In fact, less than 100 local churches, out of the 300+ US churches, directly participated in this lawsuit. Churches in the Mid-west area were notably under-represented. Yet all the local churches are influenced by its outcome. Many believers in the wider Christian community know us only through this litigation. It significantly affects how we are perceived. Hence, we are impacted by LSM's litigation against the *Encyclopedia of Cults* and the public debate which surrounds it. Because of this, we wish to register our response. We have three major points:

- *The God-Men* book was wholly devoted to portraying the local churches as a 'cult.' In contrast, only a small portion of the *Encyclopedia of Cults* is devoted to the local churches. This makes the latter legal case harder to win.
- *The God-Man* case was initiated by Brother Lee to defend his **active** ministry. The *Encyclopedia of Cults* case was launched after Brother Lee's departure. Therefore it involves the **legacy** of Brother Lee, rather than his active ministry. The Apostle Paul's appeal to Caesar may provide a Scriptural basis for the former. However, does it provide a Biblical basis for the latter – the **posthumous** defence of Brother Lee's **legacy**?
- At the end of his course, Brother Lee had a "**deep repentance before the Lord**" because of "**past mistakes**" which "**offended the Body of Christ and many brothers and sisters in the Lord.**" Our lawsuits against Christian authors and publishers are a major cause of offence to the Body of Christ. In the light of Brother Lee's "repentance," shouldn't we ask: **If Brother Lee were alive today, would he do things differently?** Would Brother Lee proceed with this litigation or terminate it?

The Whole vs. a Part

An obvious difference exists between the two legal cases. *The God-Men* was focused on the single subject -- portraying the local churches as a 'cult.' In contrast, only a small portion of the *Encyclopedia of Cults*— less than 2 pages out of 700 -- is devoted to the local churches. This simple fact makes the latter case harder to win. Why? Because the "offending passages" appear in the *Encyclopedia's* introduction, not the specific passage about the local churches. Therefore a crucial element of LSM's legal case appears to rest on a "guilt-by-association" argument. Immoral, illegal and offensive behavior was attributed to "cults" in the book's introduction. LSM argued that the local churches' inclusion in the book's main body, 'painted them with the same brush,' implicitly attributing offensive behavior to them. However, the Texas court, in its

opinion, specifically rejected that argument. A major US newspaper⁴ high-lighted this aspect of the Texas judges' decision: *"Nothing in the book singles out the church as having committed the 'immoral, illegal and despicable' actions alleged in its petition. **Simply being included in a group with others** who may have committed such 'immoral, illegal and despicable' actions **does not give rise to a libel claim.**"* [*The Washington Post*]. The Texas court rejected LSM's "guilt-by-association" argument. To date we have not found this point acknowledged in LSM's public statements, This fact, adds an "extra hurdle" to the present case, as compared to *The God-Men*. Only time will tell if this "extra hurdle" is an insurmountable obstacle.

Appealing to "Caesar"

In justifying this lawsuit, LSM frequently cites of Paul's appeal to Caesar as a Scriptural precedent. Hence LSM says⁵, *"We consider the appeal to the courts by Living Stream Ministry, The Local Church and the local churches to be similar to Paul's in Acts 25 - a necessary step for God's interests, to continue the ministry the Lord has entrusted to us."*

We note in passing the striking phrase, **"The Local Church."** A basic outline of our beliefs, [*Beliefs and Practices...*,] clearly states, *"The term "local church" is not a name; it is a description **To print the words "local church" with capital letters is a serious mistake, for this gives the impression that our name is 'local church.'**"*⁶ Hence, LSM's statement contains a **"a serious mistake."**

More than this, the mistaken term *"The Local Church"* appears in conjunction with "the local churches,"--- *"The Local Church and the local churches."* This is perplexing. It suggests that there is some entity, called *"The Local Church,"* which differs from, yet co-exists with, *"the local churches"*? What is this entity? Frankly, we have no idea! Is this some association or federation of churches? If so, it is contrary to the apostles' teaching.⁷ Is there an organization, "The Local Church Inc." which has been registered and/or trademarked by LSM? If so, how can we teach one thing [*"local church" with capital letters is a serious mistake*] and yet violate our own teaching? This could lead skeptics to question, "Are these brothers clear about the truth concerning the local church?"

Paul's Active Ministry vs. Brother Lee's Legacy?

Returning to the main point – does the Apostle Paul's appeal to Caesar in Acts 25 provide a Biblical basis for LSM's lawsuit? LSM says⁸, *"We believe that our appeal to the law courts ... is in the category of Paul's appeals in the book of Acts."* They explain, *"Paul's appeal [was] ...to defend and preserve the existence of the ministry the Lord had given him."* There is, however, a major difference between Paul's case and the current one. Paul's was aimed at preserving his life and hence his **active** ministry. The present case deals with **the legacy** of Brother Witness Lee, who passed away in 1997. LSM acknowledges this when they state⁹: *"We remain steadfast in our commitment to ... protecting... **the legacy of a godly Christian ministry...**"*

Concerning Paul's appeal to Caesar, Brother Lee's exposition of Acts says¹⁰, *"Without this appeal, [Paul] would have been killed... and he would not have been able to write his last eight Epistles."* According to Brother Lee, Paul's appeal prolonged both his life and his active ministry, because *"Without such an appeal, the Apostle Paul might have been killed... and thus his life might not have been preserved for the finishing of the course of his ministry."*¹¹ We can agree with this and grant that Brother Lee had the right to defend his active ministry via the law courts, as he did against *The God-Men*¹². However, **this does not necessarily mean that LSM's present lawsuit can also be justified based upon Paul's appeal to Caesar.**

The God-Men Case vs. the *Encyclopedia of Cults* case

Some may regard the case against the *Encyclopedia of Cults* as materially different from the earlier *God-Men* case, because of Brother Lee's departure. *The God-Men* case was filed by Brother Lee himself¹² to defend his active ministry. Hence it corresponds more closely to the Apostle Paul's appeal to Caesar. In contrast, the case against the *Encyclopedia of Cults*, was filed by LSM to protect "*the legacy of a godly Christian ministry,*" to defend Brother Lee's legacy. Like the Apostle Paul, Brother Lee has finished "his course and the ministry he received from the Lord Jesus" (Acts 20:24). During his life-time, Paul appealed to Caesar to prolong his life and active ministry. However, following Paul's departure, we know of **no posthumous** appeal to Caesar on behalf of his ministry. In the same principle, after Brother Lee's departure, it is no longer a question of defending his **active ministry**, but rather his **legacy**. Some may find in Scripture no basis for defending the latter via the law courts.

Watchman Nee referred to the difference between active ministry and legacy, as an "important principle" – the Lord's servant can only serve his own generation, in terms of his active ministry. He says¹³, "**David 'served his own generation,' and slept (Acts 13:36). He could not serve two! Where today we seek to perpetuate our work by setting up an organization or society or system, the Old Testament saints served their own day and passed on. This is an important principle of life. ...Men pass on, but the Lord remains. ...God Himself takes away His workers, but He gives others. Our work suffers, but His never does. Nothing touches Him. He is still God.**" It seems that Brother Nee saw no need to defend a minister's legacy – "to perpetuate our work," after his departure. Wouldn't that include appeals to the courts? This raises the intriguing question: **Does Watchman Nee's teaching justify using litigation to protect the legacy of his own ministry or Brother Lee's ministry?** The selection just quoted, suggests the answer is "No."

Brother Lee's Active Ministry vs. his Legacy?

Some may regard Brother Lee's active ministry and his legacy as essentially the same. These ones may dismiss the distinction between the two as merely "splitting hairs." Others, (along the lines of Watchman Nee), may see this as a crucial difference, placing LSM's case against the *Encyclopedia of Cults* in a different category from the earlier, *God-Men* case. Therefore the question arises: **Does Acts 25 provide an adequate Scriptural basis for LSM's lawsuit to protect the legacy of Brother Lee's ministry?** Many saints and local churches in the recovery supported the earlier, *God-Man* case, during Brother Lee's active ministry. However, some of these saints and churches may not find adequate Biblical support for continuing the present litigation in defense of Brother Lee's **legacy**. This latter viewpoint should **not** be interpreted as an attack on Brother Lee's ministry. Neither does the different stance these saints adopt towards the two cases imply that they have changed their position on the underlying issues. Rather, it reflects their understanding of how Acts 25 (as interpreted by Brother Lee) should be applied in the present context, following Brother Lee's "departure."

If Brother Lee were alive today, would he do things differently?

At the end of his course, Brother Lee expressed a "**deep repentance before the Lord**" because of "**past mistakes**" which "**offended the Body of Christ and many brothers and sisters in the Lord.**"¹⁴ The context clearly refers to the wider Christian community, our attitude and actions towards believers not currently meeting in the local churches. Our lawsuits against Christian authors and publishers are a major cause of offence to the Body of Christ. This is reflected in a recent *Christianity Today* editorial which says¹⁵, "*the Local Church implicitly sabotages its argument—that it is a legitimate member of the body of Christ—when it treats fellow members as if they were not, by taking them to court.*" In the light of the "deep

repentance” expressed by Brother Lee, in his final public conference, may we ask: **If Brother Lee were alive today, would he do things differently?** Would Brother Lee proceed with this litigation or terminate it? If we take Brother Lee’s final speaking seriously, we cannot assume that today he would do things exactly as he did during his life-time. Shouldn’t we ask, what would he do differently, especially related to the entire Body of Christ? Isn’t it conceivable that Brother Lee would handle litigation differently, that he would not proceed with the present legal case?

“Concerned Brothers”
April, 2006

NOTES:

1. Quotes in this paragraph from “**Why Are We Continuing in the Present Litigation?**” posted on both Contendingforthefaith.com and localchurch-vs-harvesthouse.org web-sites 27 Feb. 2006. The author(s) of articles on these sites are not identified by name. For simplicity, we attribute them to LSM.
2. In more detail: In November, 1980, Brother Witness Lee, together with William [Bill] Freeman, and the Church in Anaheim, successfully filed suit against author, Neil Duddy, and the Spiritual Counterfeits Project (SCP), over the publication of *The God-Men*.
3. Another case should be noted. In 1980 local churches in California, Georgia, Ohio, and Texas and several individuals filed suits against Thomas Nelson, Inc., Jack N. Sparks, et al over the publication of *The Mindbenders: A Look at Current Cults* by Jack Sparks. These suits were later consolidated into a single litigation, which was resolved when Thomas Nelson, Inc., issued a public retraction. To keep this article simple, we focus on *The God-Men* case and contrast it with the present case.
4. *The Washington Post*, Jan., 14, 2006, p. B09, *emphasis added*
5. “**Is our Appeal to the Courts in Accordance with Scripture?**” posted on both Contendingforthefaith.com and localchurch-vs-harvesthouse.org web-sites February 27, 2006
6. “The Co-workers in the Lord’s Recovery,” *The Beliefs and Practices of the local churches*, Anaheim, CA, Living Stream Ministry, (1978) p. 15
7. “Any teaching concerning the Church in the sense of organization is absolutely wrong, and we must abandon it. It is deceiving, misleading, and of the evil one. Both autonomy and federation are outside of the biblical revelation according to the teaching of the apostles.” [Witness Lee, *The Body of Christ*, Anaheim, CA, Living Stream Ministry, 1988, p. 17)
8. “**Is our Appeal to the Courts in Accordance with Scripture?**” Contendingforthefaith.com web-site
9. The quote reads: “We remain steadfast in our commitment to establishing the truth and protecting from defamatory accusations the legacy of a godly Christian ministry and the reputations of countless Christian churches and believers.” LSM “*Statement on the Court of Appeals Decision*,” (16 Jan. 2006) [www.contendingforthefaith.com] (*emphasis added to quote in the main text*)
10. Witness Lee, *Life-study of Acts*, Anaheim, CA, Living Stream Ministry, p. 577
11. Witness Lee, *Life-study of Acts*, Anaheim, CA, Living Stream Ministry, p. 577
11. Neil Duddy, *The God-Men*, Spiritual Counterfeits Project (SCP),
12. In November, 1980, Brother Witness Lee, William [Bill] Freeman, and the Church in Anaheim, successfully filed suit against author, Neil Duddy, and the Spiritual Counterfeits Project (SCP), over the publication of *The God-Men*.
13. For this quote and its entire context, see: W. Nee, *The Collected Works of Watchman Nee*, Vol. 40, Anaheim, CA, Living Stream Ministry pp. 84-85 (*emphasis added*)
14. In the published message, Brother Lee is quoted saying: “We have much to learn concerning receiving people according to God and according to His Son. **Because of our negligence in this matter in the past, we have offended the Body of Christ and many brothers and sisters** in the Lord. For this reason, **I had a deep repentance** before the Lord. Brothers and sisters, **I hope that we can see our past mistakes...**” W. Lee, *The Experience of God’s Organic Salvation Equaling Reigning in Christ’s Life*, Anaheim, CA, Living Stream Ministry, Chp. 6. This is the edited English translation of the Chinese spoken message (*emphasis added*) Feb/Mar. 1997. An English translation of the Chinese transcript contains the words: “I admit that in the past we have all made mistakes, including myself. For this I repented before the Lord in tears. I am sorry to the Body of Christ, and I am sorry not only to the brothers and sisters who are among us, but even to the people in the denominations. I am sorry toward them.”
15. “**Loose Cult Talk**” editorial in *Christianity Today*, March 2006, Vol. 50, No. 3, Page 27