

Repeating False Witness in Accusing the Local Churches of “Litigiousness”

A Response to Norman Geisler and Ron Rhodes’ Defense of the “Open Letter” and Critique of the Christian Research Journal’s Reassessment of the Local Churches

For years certain circles within the Christian countercult movement have cultivated the perception that the local churches employ litigation and the threat of litigation to silence critics. As supporting evidence, they rely on a list of purported lawsuits and threats of lawsuits published by the Spiritual Counterfeits Project (SCP) in 1983 to rally support for defense of their book *The God-Men*, which was subsequently ruled to be libelous.¹ SCP’s list appears to be based on a list that was produced in a contemporaneous litigation concerning *The Mindbenders: A Look at Current Cults (Mindbenders)*, which was subsequently retracted with an apology from the publisher in an agreement signed by its author, Jack Sparks.²

Neither Sparks nor SCP provided supporting documentation for the charges in their respective lists. Their compilations should have been suspect, given their obvious bias in the matter. Nevertheless, this list has been accepted as fact by the critics of the local churches and has been subsequently revised and republished in various forms by Jim Moran, the Cult Awareness & Information Center, the Bereans Apologetics Research Ministry, Harvest House Publishers, and Eric Pement. These largely undocumented claims have in themselves sufficed as evidence of the charge of litigiousness among the countercult community. Most recently, Norman Geisler and Ron Rhodes have endorsed Eric Pement’s version of this list, saying:

The Local Church (LC), known for its litigious activity in threatening to sue (and actually suing) individuals and groups that call them a “cult”...

and:

Noted cult researcher Eric Pement has listed numerous examples of Christian groups that were threatened or sued by the LC, most of which CRI [Christian Research Institute] did not even attempt to refute in its Journal articles.³

Nearly all of the authors and publishers on these lists produced works that simply repeated the accusations made in *The God-Men* and *The Mindbenders* without further research. Even John Weldon’s early drafts of what became the chapter on the local churches in the *Encyclopedia of Cults and New Religions* were derived from these sources and exhibited the exact same distortions of context that characterized the two earlier books.⁴ Both *The God-Men* and *The Mindbenders* drew on the same manuscript produced by a young staff member of the pseudo-radical Christian World Liberation Front at the University of California at Berkeley. Thus, what Geisler, Rhodes, Pement, and the others seek to characterize as indiscriminate use of litigation to silence critics was actually an attempt to deal with the propagation of false, libelous accusations concerning unethical behaviors. On April 3, 1984, in a letter to SCP’s leadership, Dr. J. Gordon Melton said that he had, based on his own direct research, concluded that the local churches “have a strong case [against SCP] for libel—including conspiracy and malicious intent.” In that letter Melton also stated that he had discussed these very matters personally with Eric Pement, a fact which Pement neglects to mention.⁵ Geisler and Rhodes’ repetition of the countercult’s mantra of local church “litigiousness” is simply more of the same—uncritical acceptance and spreading of false reports from biased sources without direct research.

Over time Sparks' list of supposed "direct or veiled [sic] threats" has been repeated and expanded into a list that is promoted by some in the countercult movement as authoritative evidence of litigiousness by the local churches. These accusations are lacking in factual basis, as the following documented accounts illustrate:

Christian Research Institute, 1977

Pement claims that the local churches threatened a lawsuit against the Christian Research Institute in 1977. Elliot Miller states in his article:

In response to Pement, I know for a fact that he is wrong about the LC threatening legal action against CRI in 1977 (or in any other year for that matter).

Miller's statement is in accord with the facts and the available documentation. Prior to a conference given by Walter Martin at Faith Lutheran Church in Anaheim early in 1977, some of the Orange County local churches sent letters to CRI, Faith Lutheran Church, and its governing body. There were no threats of litigation in those letters. Transcripts of statements made by both sides during public meetings held on February 8 and 9, 1977, at Faith Lutheran also contain no support for Pement's claim of legal threats.

Those conversations laid the groundwork for a subsequent meeting between Walter Martin and Witness Lee. The tone of that meeting was amicable and its outcome encouraging. However, that promising beginning failed to bear lasting fruit. On October 2, 1977, Walter Martin criticized Witness Lee and the local churches in a public meeting at Melodyland Christian Center. In response, the churches published a series of articles in the *Orange County Register* between October 1977 and March 1978. Although this period was a time of confrontation between the churches and CRI, no legal action was threatened or taken by either party.

James Bjornstad and Regal Books, 1979

In 1979, Regal Books (Regal) published *Counterfeits at Your Door (Counterfeits)* by James Bjornstad. The book claimed that the local churches had a public teaching and a private teaching, that is, that the local churches misled people as to their real beliefs.⁶ Responsible members of local churches wrote a few letters to Bjornstad. Some of the letters did ask the author to retract the book and apologize for his errors. None of the letters contained a threat of legal action. None of the available documentation shows that the publisher or the author ever claimed there was such a written threat.

In 1980 three responsible brothers representing the churches, none of whom were lawyers, visited Bjornstad in the New York law offices of the firm that represented Regal. Regal's lawyer was present, but the brothers representing the churches came without legal counsel. Because of his involvement with SCP, Bjornstad was later deposed during *The God-Men* litigation. When questioned about the meeting at the offices of Regal's legal counsel, Bjornstad admitted that no threats of litigation had been made by any of the brothers.

Salem Kirban, 1980

The first edition of *Satan's Angels Exposed (Angels)* by Salem Kirban (1980) contained a section on "The Local Church" that was highly derivative of Jack Sparks' *Mindbenders*.⁷ On July 12, 1980, the churches in Texas wrote to Mr. Kirban to protest inclusion of the local churches in

Angels and to outline objections to the portrayal of the churches taken from *Mindbenders*. The letter stated that its signers' intent was to establish a dialogue with Kirban as brothers in Christ to resolve the issues with *Angels*. The writers explained that they considered the content of *Mindbenders* to be false and defamatory concerning the local churches and that, after trying to dialogue with Sparks and others (who flatly refused all such attempts), it had become necessary to enter into litigation against the book's author and publisher. Since Kirban relied upon *Mindbenders* as his source concerning the churches, the leading brothers in the churches in Texas considered it their responsibility to inform him of the serious problems involving the book.⁸

In response, Kirban extended an invitation to the brothers to submit more material for his consideration, and he opened the door to dialog via a phone call or other means of communication.⁹ On August 7 four representatives from the local churches traveled to his home. Kirban and his wife graciously received them, and Mrs. Kirban prepared a meal for them. After some fellowship, an agreement was reached that resulted in the chapter on "The Local Church" being omitted from subsequent editions of *Angels* and in *Mindbenders* being deleted from its recommended reading list. There was some subsequent friendly correspondence, and upon the resolution of the *Mindbenders* litigation, the matter was closed. There was never a threat of litigation against Mr. Kirban.

Jerram Barrs and InterVarsity Press, 1983

Jerram Barrs, then a co-director of L'Abri Fellowship in England, wrote *Freedom & Discipleship: Your Church and Your Personal Decisions (Freedom)*, published by InterVarsity Press (IVP) in 1982. The book's treatment of the local churches relied heavily on *The God-men*. Most of the quotes from Witness Lee's writings used in *Freedom* were the same ones found in *The God-Men* and were misrepresented in the same manner.

On April 27, 1983, representatives of the church in Blackpool, England, sent a four-page letter to the author and copied the letter to the British publisher. In it they pointed out the errors and misrepresentations in *Freedom* and protested the false accusations made in it. The letter and the cover letter to IVP were respectful and did not mention legal action. In addition, some letters were written by other individuals to the author and the publisher asking for a retraction.

On April 30, 1983, two other members from Blackpool representing LSM wrote to Barrs in care of IVP in England. This letter stated that if Barrs refused to dialogue with the brothers (which he did), they were prepared to publish a public rebuttal (which they did).

On May 4, 1983, Derek Wood of IVP sent the letter from the church in Blackpool to Neil Duddy, then in Denmark, and asked for his advice in the matter. In his reply of May 16, Duddy recommended that Wood seek legal counsel. This was the first time the matter of litigation or legal representation was brought up in any of the correspondence.

On June 2, Wood responded to Duddy, thanking him specifically for this suggestion. On the same day, Wood wrote a letter to Mr. S. W. Groom, a solicitor (lawyer), asking for a legal opinion about IVP's options. In it, Wood does not claim that the church in Blackpool, Living Stream Ministry (LSM), or any of the individuals who wrote to complain about *Freedom* ever mentioned litigation, only that they asked for a retraction. In fact, he characterized the letters sent to IVP and Barrs as "more in sorrow than in anger." IVP and Barrs decided to remove the references to Witness Lee and the local churches from all subsequent printings of the book.

Similar material was unilaterally removed from Barrs' book *Shepherds and Sheep: A Biblical View of Leading and Following*, which was also published by IVP. At no time were there any threats of legal action by the church in Blackpool, LSM, or anyone else involved.

Moody Press, 1991

In 1991, Moody Press published *A Concise Dictionary of Cults & Religions*, by William Watson. In correspondence with the author on June 27, 1991, Dennis Shere, then a vice-president of Moody Press, stated that Moody had unilaterally decided not to include anything concerning the local churches in the book. There was no contact between the local churches and Moody concerning the matter, and no threats of litigation were made.

Our Standard

It is false to claim that the lawsuits filed by the local churches were motivated by efforts to silence critics' theological disagreements, a fact that Eric Pement should have known from his own experience. When Pement was a leader in Jesus People USA (JPUSA), they published a tract that featured a hideous caricature of a church member. The tract misrepresented and attacked the teachings and persons of Witness Lee and those in the local churches. This prompted a visit to JPUSA in Chicago by two representatives of the local churches, who strongly protested the inaccurate and unfair representation of the local churches in the tract, in a meeting in which Pement participated. JPUSA never changed the tract, and no agreement was reached at that meeting concerning the accuracy or appropriateness of the tract. However, JPUSA was never threatened with legal action, and none was taken against them, even though they continued to publish and disseminate the tract. It is indeed strange that Pement, who had first-hand knowledge of this meeting and its outcome, neglected to mention the meeting in his recounting of earlier rumors.

The same standard has been applied to Geisler and Rhodes, who, though vocal in their criticism of the local churches' theology, have not been sued or threatened with litigation for their grievous misrepresentations of the teachings of the local churches. Rather than passing on unsubstantiated rumors, Geisler and Rhodes should have testified of this fact based on their own experience.

Geisler and Rhodes assert that the churches' claim of seeking redress through dialog was disproved by John Ankerberg and Harvest House. (Geisler and Rhodes do not tell their readers that it was Harvest House that filed suit first at a time when representatives of Living Stream Ministry and the local churches were seeking dialogue with them.) In response to CRI's statement that "the LC always took legal action as a last resort when the parties absolutely refused to meet with them as Christian brothers," Geisler and Rhodes state:

Despite factual evidence provided by Ankerberg and Harvest House to the contrary (which convinced the High Courts), one is hard-pressed to justify these kinds of lawsuits on biblical grounds.

In fact, Ankerberg and Harvest House provided no such factual evidence. They simply reproduced the same litany of false and unsubstantiated accusations in an affidavit submitted by Mary Cooper, Harvest House's Vice President of Administration:

Several organizations that research and report on cults, such as Cult Awareness & Information Centre, Apologetics Index, and The Bereans Apologetics Research Ministry,

have, in the past or presently, publicized and discussed the fact that Living Stream Ministry and/or The Local Church have initiated, at our count, at least 14 legal proceedings, lawsuits, or threats of lawsuits against those who call their teachings into question (Exhibit K).

The list attached to Cooper's affidavit is yet another example of propagating these same false rumors as though they were fact. The purpose of the exhibit was to "prove" the litigious behavior of the local churches, yet half of the 14 examples listed alleged no legal proceedings or even purported threats of any kind. Cooper also included the five cases discussed in this article. As has been clearly demonstrated, these cases involved no legal actions or threats. The only two cases that proceeded to litigation were *The Mindbenders* and *The God-men*. *The Mindbenders* was retracted with an apology,¹⁰ and *The God-Men* was judged by a court to be libelous.¹¹

Furthermore, contrary to the claim made by Geisler and Rhodes, Cooper's affidavit was submitted to the District Court, which rejected the defendants' motion for summary judgment that the affidavit was supporting, not to the "High Courts." There is no evidence that the "High Courts" or even the Texas Court of Appeals read it, much less were convinced by it. Thus, Geisler and Rhodes' attempt to muster support from the "High Courts" to bolster the charge of litigiousness they levy against the local churches is without factual basis.

Conclusion

The five cases examined here demonstrate that the accusation propagated by the countercult movement that the local churches are litigious is not supported by the oft-cited lists of purported threats of litigation first developed by Jack Sparks and SCP. Geisler and Rhodes fault Elliot Miller for not refuting every case in the most recent revision of this list published by Eric Pement, yet they in no way fault Pement for disseminating the list without supplying proof of its charges. Normally the burden of proof rests on the person making an accusation, yet Geisler and Rhodes, among others, have accepted mere unsubstantiated accusations as proof. The cases presented here show the emptiness of Geisler and Rhodes' criticism.

The charge of litigiousness against the local churches has been accepted as axiomatic among countercultists, that is, something of which there is no need of proof. Examined in light of available facts, the propagation of this falsehood is simply rumor-mongering. It exhibits a mentality that is sadly characteristic of some in the countercult apologetics community, that is, that rumors and accusations weigh more than facts. They excuse those who libel others and savage those who have the audacity to point out their errors. They also refuse to police themselves, and they show a propensity to excuse poor scholarship, deceit, and worse among their own. It is encouraging, however, that some such as CRI, Gretchen Passantino, and Fuller Theological Seminary have a greater care for the truth than is evidenced by the work of some countercult apologists. We hope that other responsible scholars from the apologetics community would similarly seek out the truth through careful primary research and meaningful dialogue.

¹ See <http://www.contendingforthefaith.org/libel-litigations/god-men/decision/completeText.html>.

² See <http://www.contendingforthefaith.org/libel-litigations/mindbenders/retraction.html>. Because of their participation in the development of the book, the settlement agreement was also signed by Jon Braun, Peter Gillquist, and Richard Ballew, who were co-founders with Sparks and others of the New Covenant Apostolic Order and the Evangelical Orthodox Church.

³ This criticism of the CRI article is unfair. The stated goal of Elliot Miller's article was to address in a balanced fashion the accusations made against the local churches in an open letter published on the Internet by a group of "evangelical scholars and ministry leaders." His article presented the most broad-based assessment of the teachings

of the local churches available to date. To document the falsity of the claims made in Pement's chart would have skewed the article from its stated goal and would have been overly burdensome to CRI's readership.

⁴ For examples of this, see Dr. J. Gordon Melton's *An Open Letter Concerning the Local Church, Witness Lee and The God-Men Controversy* on this site.

⁵ Letter from Dr. J. Gordon Melton to Brooks Alexander and Bill Squires, April 3, 1984.

⁶ Even at the time *Counterfeits* was published, Living Stream Ministry was publishing as much of the ministry of Watchman Nee and Witness Lee as possible in audio, video, and print media. Today there are over 700 titles in print in the English language and over 4000 audio and 3000 video tapes (see LSM's Audio/Video Tape Catalog at <http://www.lsm.org/lsm-catalogs.html>). In addition, there are over 1700 radio broadcasts available for downloading free of charge from the Internet (see "Life-study of the Bible with Witness Lee Radio Broadcast" at <http://www.lsmradio.org>). To maintain a private teaching that was different from such an extensive public record would be impossible.

⁷ *The Mindbenders* was subsequently withdrawn by the publisher, and a retraction with an apology was printed in major newspapers across the United States (see the first paragraph of this article).

⁸ Although some might characterize this as a veiled threat, that is a purely subjective interpretation that should not be advanced as factual evidence. The goal was to cause the author to reevaluate the credibility of the sources he had relied upon.

⁹ Letter from Salem Kirban to the church in Dallas, July 25, 1980.

¹⁰ See note 2.

¹¹ See note 1.