

Church and State Issues Relating to Jury Duty

Nonresistant Christians who are called to serve as jurors find themselves in a conflict between that call and the principles and teachings of the Word of God. The Bible shows a distinct difference between the purposes of the church and those of the state, and it teaches that Christians are to remain separate from the politics of this world. Let's notice some things the Bible says about the state and the church.

Romans 13:3,4 reads as follows: "For rulers are not a terror to good works, but to the evil. Wilt thou then not be afraid of the power? do that which is good, and thou shall have praise of the same: For he is the minister of God to thee for good, but if thou do that which is evil, be afraid; for he beareth not the sword in vain; for he is the minister of God, a revenger to execute wrath upon him that doeth evil." Here we see the God-ordained purpose of the state: 1) to minister to, or serve, the law-abiding element of society; 2) to create a fear of doing evil; and 3) to punish the evildoer.

Since the beginning, God has recognized a social order and has established government leaders. Daniel 4:17 declares that "the most High ruleth in the kingdom of men, and giveth it to whomsoever he will, and setteth up over it the basest of men." Romans 13:1 echoes, "the powers that be are ordained of God."

The New Testament church is also divinely established. Jesus said in Matthew 16:18, "I will build my church, and the gates of hell shall not prevail against it." The purposes of the church, in contrast to those of the state, are: 1) To serve God and glorify Him; 2) To fulfill the Great Commission of going to all peoples to make disciples, baptizing and teaching those who believe (Matthew 28:19,20); and 3) To administer the church according to the Word of God and maintain its purity.

Much confusion has resulted from the failure to recognize the difference between God's standard for His people in the Old Testament and His standard for the New Testament church. God established the nation of Israel as a theocracy that dealt with spiritual, political, and social issues. The Mosaic Law gave instruction as to how to worship God, as well as how to punish someone who had killed his neighbor. Except for proselytes, one became part of that theocracy because his parents were Israelites.

Jesus came to fulfill the law (Matthew 5:17) and establish a new order, the church. This was to be a body much different from the Israelite nation. One becomes a member of this body, not by natural birth as in Israel, but by having a new birth experience.

At the beginning of His ministry, in the Sermon on the Mount, Jesus used the phrase, "Ye have heard that it was said," or something similar, at least six times, quoting various points of the Mosaic Law. He then gave a much more demanding law dealing with the heart of the issue.

We see one of the changes in Matthew 5:38-40. Instead of "an eye for an eye," followers of Christ are to "resist not evil," and to turn the other cheek when smitten. Jesus is teaching that we should suffer rather than use force or retaliate. He then applies the same principle to lawsuits.

Jesus reinforced these teachings in other incidents. In Luke 12:14 He refused the role of a judge between two brothers in a quarrel over an inheritance. Luke 9:51-56 gives the account of some of His disciples suggesting that the inhospitable Samaritans be punished with fire and brimstone, but Jesus rebuked them and said He was "not come to destroy men's lives, but to save them." He clinched these teachings as He stood before Pilate and said, "My kingdom is not of this world: if my kingdom were of this world, then would my servants fight" (John 18:36). Christ's kingdom is a spiritual kingdom, not a physical one that involves fighting and self-defense. The inspired apostolic writings continue this theme.

I Corinthians 5:12, 13 says, "For what have I to do to judge them also that are without? do not ye judge them that are within? But they that are without God judgeth. Therefore put away from among yourselves that wicked person." The church has the responsibility to judge one as fit or unfit to be a part of the visible church, but God judges those not in the church for their sins.

Romans 12:19 repeats that principle: "Dearly beloved, avenge not yourselves, but rather give place unto wrath: for it is written, Vengeance is mine; I will repay, saith the Lord." And in the next verses, Romans 13:1-8, God delegates authority for vengeance to the "powers that be," that is, the civil authorities.

Philippians 3:20 says the Christian's citizenship is in heaven. Where there is a conflict between government and God's law, Christians have an allegiance

to God by nature of the new birth which requires them to "obey God rather than men" (Acts 5:29).

These concepts have been practiced throughout the history of the church. An early Christian, Tertullian (160-220 A.D.), wrote: "I owe no duty to forum, campaign, or senate. I stay awake for no public function. I make no effort to occupy a platform. I am no office seeker. I have no desire to smell out political corruption. I shun the voter's booth, the juryman's bench. I break no laws and push no lawsuits; I will not serve as a magistrate or judge. I refuse to do military service. I desire to rule [govern] over no one—I have withdrawn from worldly politics [from the life of secular society]! Now my only politics is spiritual— how that I might be anxious for nothing except to root out all worldly anxieties and care." The Schleithem Confession was an early Anabaptist declaration of faith written in 1527 A.D. Part of Article VI says, "... The sword is ordained of God outside the perfection of Christ . . . it will be asked concerning the sword, whether a Christian shall pass sentence in worldly disputes and strife such as unbelievers have with one another. This is our united answer: Christ did not wish to decide or pass judgment between brother and brother in the case of inheritance, but refused to do so. Therefore we should do likewise."

Yes, there is a marked difference between the function of Christians and the function of the state. Christians are to "recompense to no man evil for evil" and "avenge not yourselves" (Romans 12:17, 18). The state is to use the sword, be a terror to evil works, and "a revenger to execute wrath upon him that doeth evil" (Romans 13:4). Christians are to "love one another" (Romans 13:8), and to show mercy. The state is to mete out justice. Christians are concerned with the redemption of men; the state with the retribution of men. How can we serve in both roles?

Some would resolve this problem by reasoning that since the state is acting under the authorization of God, the responsibility for legalized acts of retribution by individual members of the state simply lies with the state. Using that logic, the state, not the executioner, would bear the responsibility for the death of a condemned murderer; the state, not the soldiers firing the guns, would bear the responsibility for the deaths that occur in war.

But there is no Biblical basis for that theory. Contrary to that, the Bible says that each person will be rewarded "according to his works" (Proverbs 24:12; Matthew 16:27; I Peter 1:17; Revelation 20:12; 22:12). Each

accountable person will have to answer to God for his deeds, whether under orders or not.

The principle of separation between church and state needs to be applied consistently. It covers voting, office holding, political involvement, and lobbying. Our testimony is either enhanced by a nonconformed and totally nonresistant lifestyle, or destroyed by the lack of it.

We see jury service for the Christian as crossing the line God has drawn between the church and the state. Involving ourselves in the judicial system is to return evil for evil, to use force, and to become unequally yoked with unbelievers (II Corinthians 6:14).

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