

February 24, 1995 Boston, MA

Let Him Have your Cloak as Well

(Response to Yoneq's Letter about Mt 5:38-48)

Dear Yoneq,

On Tuesday evening after the sacrifice the following brothers gathered to give answer to the concerns raised in your letter about Matt 5:38-48: Shores, Daniel, Yonah, Sameach, Ayil, Malachi, Aharon, Keli, and Racham. We began by praying and reading the letter and all the verses aloud. Some of the questions raised in letter we took as meant to provoke thought, others we tried to give direct answer to. This letter attempts to give the sense of the meeting and the conclusions we came to.

At the start we can say that on a number of points we were uncertain how to reconcile the Documentation teaching and this letter. In the course of our discussion we naturally divided our talk about these issues into three time frames: before the trial, at the trial, and now after the judgement has been rendered. In the following pages the first two are mixed in with each other, and after them come our discussion of what to do now.

"So, why call me Lord, if you do not obey Me?"

This strikes at the heart of who we are. All the rest of the concerns stem from this, and it is the public display of our obedience to His words that will serve to set us apart from Christianity and indeed, mark us as God's own people. However, for some of us, this was the first time we had thought about these verses in relation to the lawsuit. It was the supposition (the hope? the possibility?) that we would be found not liable in the courtroom which kept some of us from thinking about most of these issues before your letter came.

The answer to the first question is bound up in the answers to all the rest. Several of the questions basically asked whether we saw these verses applying to an individual, or whether we saw them as equally applicable to us as a people: How do we interpret Matt 5:38-48, individually or corporately? How can all these commands be taken corporately? How can the command, "And if anyone wants to sue you and take your undergarment, let him have your cloak as well." (Matt 5:40) be taken corporately?

Sameach saw that the letter clearly stated, "We must be prepared to pay the penalty for allowing a lawless member to function unchecked," yet he wondered how could every member of the church pay for the offense of one?

Shores said he didn't think the letter could be understood apart from the Documentation teaching. His first response on reading the letter was that of course these commands apply corporately, because the Scriptures are always written to a people. Who is responsible for the loose rug at that cafe? Well, the cafe itself and the government that rules it. Other communities could choose to help if they wanted to.

Sameach said his emma is a member of a rich Presbyterian church in Florida. If an employee gets in an accident and the church is liable beyond what their insurance can pay, she is not going to mortgage her house or look into selling her cars to make up the difference. It is no different with us.

In regards to the letter's reference to the Law of Retaliation in the New Covenant, where we are supposed to give two eyes for the one that was lost, Daniel said, "So, are we supposed to give twice what she asked for as the letter said (two eyes for the one that was lost)? Yet according to the Documentation teaching we can only give to the extent of what we have." (2 Cor 8:12-15) Implied, of course, was the knowledge that these were two very different amounts of money. And, did this mean that we should give her \$2,000,000 instead of \$1,000,000? This was one of

the places where we were lacking confidence we knew what our Master was getting at in Matthew 5:38-48.

Did we resist?

This turned out to be the principle question we talked about. We did not feel that we resisted before the trial. At the trial was another matter. There the question of resistance and its corollary, Did we try to get out of paying what we owed her?, came up over the issue of our strategy in court, and the motive behind that strategy.

Before the trial, Ayil thought resistance would be to flee the country; that is, to somehow do things that would take us out of the realm of being accountable. Yet at the trial, Yonah and others felt uncomfortable a number of times with our questioning of witnesses and the claimant, Katherine Hickel. He thought Havah presented insinuations before the jury about things that may have happened, but which we did not have sure knowledge of. An example of this would be the bone infection Katherine got which led to her second, more costly surgery. There was the possibility that she got it in the hospital.

Whether it happened this way or not, it seemed like the only reason to have raised such an issue, a speculation really, was to produce doubt in the juror's minds as to the legitimacy of the claims against us. Another thing that troubled Yonah was our pointing out of character flaws in Katherine, i.e., her resistance to taking the medication which may have prevented her short term memory loss. Some of us felt this might have been a genuine factor lessening our fault, but as the lawyers for Katherine Hickel pointed out on the issue of the infection, if it hadn't been for the accident, she never would have gotten the infection in the first place.

So, considering that there is no firm medical knowledge that not taking the medication contributed to her memory loss, raising that issue in the way we did (as well as speculations whether she ever really wanted to be a doctor) placed us in the adversarial role of any worldly lawyer. Yonah felt this way also about our questioning of the expert witnesses she produced. He saw it as a fleshly strategy of insinuating things (verging on slander) about her character, for the purpose of lessening the damages that might be awarded against us.

We recognized the courtroom, which is set up as an adversarial environment, is a very difficult one for us to function in. Shoresch said there were times he felt uncomfortable with the way we were proceeding, (so did Daniel) but it was so hard to know which way to go. There was so little time for Hakam and Havah to communicate what they were thinking about the upcoming day. The only thing the brothers had a chance to look at was her opening statement. After the first day of the trial the jury would not let the brothers who were there send notes to Hakam and Havah up front, so there were on their own in this pressure packed situation. With all the tension and stress Havah was under, often not even sleeping the night before, the brothers did not see her closing statement at all. Shoresch said he must have thought 100 times, "This is not our glory."

It was clearly a grueling experience for all those involved. There may still be legal repercussions for Havah from this trial because of some questioning Anak did of the state trooper who was called to give testimony. Anak spoke to him after the trial was dismissed for the day. He had backed him into a corner, so to speak (or perhaps literally). This is an indication of the high pressure, stressful environment the brothers found themselves functioning in.

She may be called before the disciplinary board for lawyers because Anak was seen as acting as her employee.

Yonah felt, and so did Daniel, that at times we gave into this pressure and ended up playing their lawyerly games. Sameach put it this way, "When we did that, we took off the garments of a priest and put on the garment of a lawyer."

(Havah may also face the disciplinary board for an earlier answer — before the trial opened — concerning the assets of the order. She said it had none. This infuriated the lawyers for the other side. On our part we had no problem with and didn't fault Havah for this answer.)

Yonah said that it was Bucky himself who killed whatever chances we may have had. He was so belligerent and obnoxious that no one could believe what he said. Our hopes that he would be affected by the trial as Ishael was — grief stricken at the damage done and the loss suffered by this women — were completely unrealized. It was obvious he resisted at the trial. He made no better a witness for us than he did a disciple. We had to buy him clothes the day of the trial so he could properly represent us. He was going to walk in with no socks on in his shoes and a work shirt. We had to talk him into staying until he could testify because he had appointments to make in Florida.

Did we turn the other cheek?

We were unsure what this would mean before the trial. Sameach said turning the other cheek was one of those things that you know when you haven't done it, but you are not sure when you have. At the trial it bothered us greatly when that lawyer cast aspersion on our character by saying we do not share responsibility. Yonah felt Havah's rebuttal got lost in the medical details and failed to express our heart. He said there was no polished arrow in it to counter what the opposing lawyer said. Malachi thought that might have been from our Father, which Ayil supported by asking, "What would have been the purpose of it, to slap them back for their insult to us?" Malachi asked, "Whose cheek should turn? I think it should be just those in Island Pond."

"Did we just let them take as much as they wanted from us?"

Someone wondered why Yoneq asked that question. Shoresch felt it was to see if we would be obedient to the gospel. Someone else said that people in the Body are wondering about this too. Ayil thought it might be to see if we were doing this out of principle, showing that we didn't really understand what Matt 5 is talking about. Aharon said that up until the trial it was not a financial issue because no liability had been proved yet.

Shoresch said they wouldn't tell us how much they wanted, they merely said, "Make an offer and we tell you whether it is enough." They wouldn't tell us what they wanted apart from us revealing our financial records. We put our stock in the trial.

So, Did we let them take as much as they wanted?

No, but we didn't feel like they had the right to take everything they thought they did (i.e., member's personal property). Your reference to the avenger to whom we give two eyes makes it seem that our Master's words apply to wrong done, not just any spurious lawsuit (which this wasn't).

Also, we said in a meeting before we went to trial that if we won we would go to her with Ishael's and Ayal's property and with the downtown property (some \$200,000) and give it to her. We knew he was spiritually guilty whatever the court said, but we hoped he wasn't according to the law.

How could going to court disobey our Master's commands?

By not settling out of court — but someone said they were playing hardball with us. This meant they wanted to know what we had, but we wanted to know what they wanted. There was no bridging this gap, although Daniel wondered why we just couldn't produce a financial statement for the order and let them know what we had. Aharon said this wasn't as simple as it sounded, since they were (and are) asking for all the assets of the individual members. (And if they were to get a hold of these and place a possessory attachment on our bank accounts, we couldn't even withdraw money to buy groceries with.) Someone also noted that since we pleaded we were not

guilty, until our guilt was proved, there was no point in letting these lawyers know of all our assets scattered around the country.

Malachi said he felt like whatever was in Island Pond in 1989 is hers. He said he was ready to give her the Print Shop.

So, Did going to court disobey our Master's orders for us?

Although Keli thought merely being in court constituted resistance, Yonah felt to not have gone would have accomplished nothing, we would only have lost the case by default. Someone mentioned again that we wanted terms of peace but they wouldn't give us any. Ayil said (I think) that they didn't want to slap our face, they wanted to cut our head off. We felt we had no choice, that we were dragged into court.

Did we go two miles with her?

Sameach said he thought we did. He said we made reasonable efforts to contact her. Perhaps we were not persistent widows. (We wondered how far should we go in a similar situation in the future. It seemed obvious from the way we were received by Katherine Hickel and her family that if we persisted they would have gotten a restraining order to keep us away from them. We wondered whether that would be the sign that we had gone far enough?)

Did she ask us for a certain amount of money?

No, they would not accept an offer from us unless we disclosed our financial records first. (We need to ask Hakam if this is right.)

"How much effort did we put into seeing her before?" (Matt 5:25,26)

Sameach: I know of three serious efforts:

I went the day after the accident while she was in the hospital at Hanover. They told me, "I hope you have a good lawyer." They would allow no contact with her.

They asked me to tell this Isaac who was calling from Island Pond to stop calling (It was Isaac Perault).

Bucky and Khemdah went a few months later. They went after, it turned out, she had returned to medical school. They drove to Oronoco, Maine, where they thought they lived. She wasn't there and they found out from a boarder staying with her parents that she was going to medical school in Burlington, Vermont. (This was sometime into the year of 1990, the first winter after the accident.) She rebuffed them when Khemdah called by politely but adamantly telling Khemdah, "Legal counsel has advised us not to talk to you."

Lastly, when Bucky saw Katherine in court her lawyers immediately cut him off, not letting him talk to her for more than a moment.

Did we try to settle with her on the way to court? (Matt 5:25,26)

Someone answered that we offered her (or perhaps attempted to) \$70,000, which coupled with the insurance payment of \$50,000, would have come to \$120,000. Also, resisting wasn't really an issue before the trial because we didn't go into the trial certain that we were at fault at the intersection.

Would we try to get out of paying the judgement against us? No, we wouldn't.

After the Trial

Aharon brought out that we have talked with a man named Tom McCormick about getting a mediator to come in and look at our financial situation. Then both sides can sit down together and talk, because they will not believe anything we say now. Our financial situation could change in the future as well.

Someone said we are now concerned with two issues — the ownership of private property by members of the order, and the fact that we have an obligation to pay this woman more than we

have to pay. We are not appealing the judgement against us that we are at fault for letting Ayal drive that truck that day.

Keli related your wishes that we were all still in Island Pond and that we could give her everything, which would be all we would have to give, and she would see that we were sincere and that making right the wrong we had done to her was causing us to suffer as she had to. Someone said there was injustice in the courtroom by those slick lawyers of hers. Yonah felt this and said, "I wish we could be free of the legal obligation to help her and have the issue narrowed down to Katherine Hickel and Island Pond, and that we could then just make compensation for the wrong she has suffered because of our negligence.

Who Will Pay?

Shoresh said we have to make the appeal to protect who we are and then we have to give her whatever will satisfy our Master. He said we have to remember what Yoneq said, "We need to let her know we are going to do all we can to meet her need and request..."

This brought us to the monetary issue facing us here, how are we going to pay this woman. Shoresh said that right now we want to protect properties that aren't liable, but we also have to pay the obligation that is on us. Keli felt the inheritance David Bekour may be receiving would not be a righteous way to do it since that would not cost us anything. He said, "Give me 20 men and a year and a half, and I can do it."

Sameach had said earlier in the meeting that he had an offer for them which he believes satisfies righteousness — take the incomes of the three men principally involved, Ayal, Ishael, and Malachi, and give them everything they make over what they need to support their families. These were the only two proposals made as to how we could realistically pay her. Of course the greater weight in a practical sense was given to Keli's proposal, but it was not specified where those twenty men were going to come from.

The Proverbial Lesson

As we talked and considered all this, we were amazed at the situation we have continued to let develop in Florida, where Bucky is running big equipment with young members of the community, passing on that diesel demon which seems to have a powerful motivating effect in his life as well. We decided to immediately recall all the different people living down there who are dependent on the income they earn with Bucky's business. This included Yaiyr and Ishah Nelson and their whole family, Shebat and his new wife, Lavah Shamaiah, Abiyown and M'Susah and their child, and the brother suffering from arthritis, Beqosh (I think we said him as well). We shuddered at the possibility of another lawsuit. So, even though something else will have to be worked out for the physical conditions these people suffer with, we saw that we had to get them away from Bucky, lest we be found liable for another of his lawless, insensitive deeds. The enduring lesson of all of this was well expressed by Keli, the proverbial lesson we have to learn:

"The polished arrow against us at the trial was that we share everything else, but we don't share responsibility. What we have to remember from this is that there has to be responsibility for the actions of people in the church, sin has to be cut off, or the sin, and the consequences of the sin, will spread through the whole camp, like in the case of Achan. This matter should never have gotten out of the hands of the local government in Island Pond, and neither should our liability. The bad thing about the order is that it seems to lump us together."

Shoresh related that the local government in Island Pond was in a shambles for years before and after the accident. He said we have to remember what Documentation teaching said, "But this is

for our betterment as Rom 8:28 says, not our bitterment or bitterness, but a better understanding maybe."

Daniel said that we are starting to see the grave consequences of letting a lawless member function unchecked in the community. Shores said there is so much that could be said. For instance, how Ishael caved in and let Ayal do what no one involved wanted him to do. The members of the woods crew were used to living in dissension. Keli spoke of how the sin spreads from the independent brother to the household head to the elders to the tribe to the nation.

Our Children

After we were done with this discussion we spoke of Joseph Kirby and several other children who have recently left. As we went to bed as our meeting ended at 1:30 a.m., it was plain that if we don't love one another, and that if we don't love our children, we will not survive as a people. It was a very sobering meeting.

Sincerely yours,