

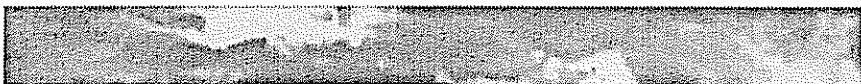
THE ADVOCATE

A Biblical Approach to Legal Ethics

by Mary S. Läuchli



CHRISTIAN LEGAL SOCIETY



The Advocate

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*He has shown you, O man, what is good.
And what does the LORD require of you?
To act justly and to love mercy and
to walk humbly with your God.*
—Micah 6:8—

Introduction

“Trust in the Lord with all your heart and lean not on your own understanding; in all your ways acknowledge him, and he will make your paths straight.”

Proverbs 3:5

This Bible study series is an introduction to legal ethics from a biblical perspective. As law students and lawyers, we can come to the Scriptures for guidance and instruction. More importantly, however, we come to God’s Word for the sustenance that we need not only as Christian believers, but as professionals who have been called to serve the Lord in law. God’s Word is our food and life.

The Lord blesses not only our individual worship and Bible study, but group study and reflection. By participating in this Bible study with fellow law students and lawyers, we take hold of the body life that Scripture commands and encourages. Becoming a Christian lawyer should not be a lonely journey. Rather it can and should be a group enterprise as we grapple and struggle with common concerns and burdens. Christ’s burden is light. Through our common struggle we can also fashion common solutions.

Often it seems that lawyers face tough ethical issues—e.g., representing guilty defendants, positing defenses that are technically correct but apparently morally wrong, not disclosing information protected by the attorney-client privilege and counselling clients with different values. There appears to be a conflict between what is legally permissible and morally appropriate.

This series will allow us to step back from these specific questions and to critique the system from which they arise. We must first ask, what is law and what is a lawyer? Is the biblical concept of law different from what we learn in law school? What are the goals of the Christian lawyer?

According to Scripture, our answers must first stem from an understanding of the world God has created. Whether or not we live in a created universe determines our understanding of the nature of reality—its inherent connectedness and priority of relationships. We must consider the nature of sin and its devastating effects on us and our relationships. Then we must cling to the radical redemption that is promised in Christ and ministered through the Holy Spirit. By definition, our approach to law and ethics is Christ-centered and only possible through the Holy Spirit. It is also only possible after we have adopted the mind of Christ. Scripture teaches that law and ethics emanate from hearts submitted to God. Having pure hearts will enable us to see the right priority of often seemingly competing and conflicting legal values and zones of interests.

Introduction

This series will allow us to search for general principles; it will not attempt to answer specific applications, which is possible only after much prayer, discussion and additional Bible study. Each Bible study session involves meditating on several passages of Scripture together, then focusing on their relevance to legal ethics and occasionally formulating action plans for your law fellowship. Spend time in each session reflecting on your prior discussions. Also, spend time in prayer to consecrate each study and plan of action. The last study is a time to reflect and pray on all that you have discussed together. All Scripture quotations are taken from the New International Version.

As you begin this Bible study together with fellow believers, covenant to pray for each other and to fashion answers to questions that apply to your law school fellowship, local legal community and the world at large (to believers and nonbelievers). An additional resource for group study, especially with regard to counselling clients, is *Lawyers, Clients, and Moral Responsibility* by Thomas L. Shaffer and Robert F. Cochran, Jr. (West Publishing Co. 1994).

Ask the Lord to bless your time together with much fruit—demonstrated victory in your law studies and concrete aspirations for law practice for years to come. Let us come to the table for fellowship and life!

—Mary Läuchli
Pepperdine University
June 1995

Study One: Thinking like a Christian

"In the beginning God created the heavens and the earth."

Genesis 1:1

Scripture Readings

Romans 12:1-2; Genesis 1-3

In law school, we are taught to "think like a lawyer." Particularly in the first year, we find ourselves discovering the world of legal issues. We learn to "spot" them (especially on exams). We learn to use them in arguments for both sides of a proposition. We begin to see legal remedies for actions taken by plaintiffs against defendants. Whether we want to or not, we adopt a new vocabulary and way of analysis.

This call to a new way of thinking is not unlike the transformation that every Christian undergoes in our process of sanctification, or becoming Christlike. However, unlike law school, the Bible demands the most radical change in our thinking possible. Romans 12 states clearly,

Do not conform any longer to the pattern of this world, but be transformed by the renewing of your mind. Then you will be able to test and approve what God's will is--his good, pleasing and perfect will.

How, then, do we discern God's will in the area of legal ethics?

Romans 12 states that there are several prerequisites: first, in view of God's mercy we must (1) offer our bodies as living sacrifices; (2) we must not conform any longer to the world's pattern; and (3) we must be transformed by the renewing of our minds. In other words, as believers we put on the mind of Christ. During the course of this Bible study series we will be contrasting the mind of Christ with the world's pattern.

The doctrine of creation is paramount to this contrast. The world's pattern assumes an uncreated world where self-interest and broken relationships are normative. However, the biblical pattern assumes a created whole reality, which then fell into disobedience from its Creator. In this fallen world, God's grace and love overcome brokenness and doing God's will surpasses self-interest. We live in God's world. He has created, redeemed and will consummate it for his glory.

The implications for a biblical understanding of law are profound. God created law to govern his world. His laws reflect how the world is connected.

Study One: Thinking like a Christian

This includes the relationship between human beings and God (we are created in his image); the significance of marriage (which God instituted at creation); the notion of the cultural mandate (we were created to be stewards of God's earth) and the Sabbath rest (the rhythm of work, rest and worship). All the components of God's creation were intended to be harmonious with each other. God's people, institutions and physical universe are part of one scheme. They were created "good." Before sin entered the world, competing and conflicting interests did not exist. For example, balancing work and family was not an issue.

Unfortunately, the entrance of sin into the world changed all that. Twisting God's words and blaming others became commonplace. Read Genesis 1-3 carefully. Although these are familiar passages, search them now for the ethical framework of God-created wholeness and connectedness, which is the starting point for our discussion.

Discussion Questions

1. How does the fact of creation influence our view of human nature and law?
2. What is the primary allegiance that human beings have? What other relationships and obligations do human beings have within God's created order? What human institutions did God create?
3. What was the nature of Satan's temptation to Adam and Eve? What were the immediate results of their disobedience? How did sin distort their relationship and the created order? What does it mean that man now knows "good and evil" (Genesis 3:22)?
4. Discuss how law school has changed your way of thinking. How does this change compare with biblical norms? Is legal thinking compatible with a biblical worldview?

Study One: Thinking like a Christian

5. What areas of legal ethics puzzle you? Try to come back to these over the next few weeks as you further study Scripture together.

6. List 3-5 ways in which your law fellowship can begin to think and act biblically in your studies. Prepare to put these methods into action before your next study and to discuss them next time.

Prayer:

Heavenly Father, help us to see reality as we should. Forgive us for forgetting that this is your world. Although it is now a fallen world, help us to cling to the redemption that you have provided in Christ. Help us to be ambassadors of healing and messengers of peace and truth. In Christ, Amen.

Study Two: Kingdom Ethics

"But seek first his kingdom and his righteousness, and all these things will be given to you as well."

Matthew 6:33

Scripture Readings

Colossians 1; Ephesians 2; 4:17-5:21

In our last study, we considered how the doctrine of creation frames our worldview. We discussed how God created a wonderful world with covenantal relationships first of all to Him, then among each other and to the physical world. We also considered the destruction of the fall and the introduction of sin. Sin introduced falsehood and blame-shifting. The covenant of redemption is the good news that Christ redeems individuals, institutions and, ultimately, the world. This good news also states that *without* Christ, healing of relationships and institutions will not occur. The Christian ethical framework, therefore, is not complete without understanding the nature of redemption.

In the Old Testament, redemption was dramatically portrayed by the Exodus and God's rule over Israel. In the New Testament, the salvation of believers is of course accomplished by Christ's death and resurrection. Parallel to God's rule over Israel, Christ rules the hearts of believers. This rule is called the kingdom of God, or the kingdom of heaven. Christ heralded the kingdom when he began his public earthly ministry.

How is the kingdom of God made manifest?

Christ's redemption will not be fully apparent to everyone until his second return. However, the kingdom of God is present in the life of Christ's body, the church. In fact, as believers we live in a dual reality--we are seated with Christ in the heavenly realms while we dwell on earth! Therefore, as believers, our legal ethics must be kingdom ethics.

Kingdom ethics is exemplified by the act of redemption. Colossians 1 and Ephesians 2 both describe how we enter the kingdom of light: it is only through the physical death of our Lord Jesus Christ. In fact, Christ saves us while we are yet enemies of God! He redeems us to become children of God who, by the power of the Holy Spirit, can live lives pleasing to God. The war against sin is only resolved by Christ giving his life for us. However, once we enter the kingdom of light, our lives are marked by peace.

Because redemption defines the kingdom of God, kingdom ethics center on the themes of justice, mercy, sacrifice and forgiveness. In fact, we can never separate "right living" from the redemptive work of Christ. In kingdom ethics

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we model Christ, not because we are “good people” in and of ourselves, but because His Spirit enables us to.

Ephesians 4:17-5:21 details specific commands for living as children of light. Meditate on these commands. How do they model Christ? How do they compare with the themes that were evident in the creation account in Genesis? How is the kingdom of God a new creation? What is the relationship between the church and other institutions?

As Christian law students and attorneys, our ethical system must be based on not only a created reality but a redeemed one. The decisions and choices we make must be based on redeemed norms that promote the kingdom of God. Often these choices will involve sacrifice, healing, peacemaking and conciliation. This is the only way to overcome blame-shifting and the perversion of the truth.

Discussion Questions

1. Discuss any reactions to the last study. Especially discuss your action list for biblical thinking. How did it influence your law studies?
2. Now focus on today’s study. Formulate a statement of redemptive ethics. What is the role of reconciliation? Healing? Forgiveness? The church?
3. Contrast redemptive ethics with nonbiblical notions of ethics.
4. Does the Bible mention a special class of people that we have a heightened duty to? Why?
5. Is there a difference between how redemptive ethics is reflected within the body of believers and to those outside the kingdom?

Study Two: Kingdom Ethics

6. Action plan--list ways your group can demonstrate redemptive ethics in the law school.

Prayer:

Precious Lord, thank you for ushering us into the kingdom of light. Forgive us for hiding in darkness and for not relying on your saving grace to live holy and salty lives. For your sake, Amen.

Study Three: The Law of Love

"... 'Love the Lord your God with all your heart and with all your soul and with all your mind.' This is the first and greatest commandment. And the second is like it: 'Love your neighbor as yourself.' All the Law and the Prophets hang on these two commandments."

Matthew 22:37-40

Scripture Readings

Exodus 20, Matthew 5-7

The last two Bible studies gave us an overview of the biblical worldview and kingdom ethics. As we examine the building blocks of Christian legal ethics, we turn now to the foundation of biblical law, which is outlined in the Ten Commandments, and to the Sermon on the Mount, Christ's explication of the law.

Just as we have contrasted a biblical worldview from a nonbiblical worldview and kingdom ethics from non-kingdom ethics, we need to study what the biblical concept of law is. Our study of creation reminds us that laws are ultimately divine in origin. God's created order contains laws which govern the universe and human interaction. Moreover, our study of kingdom ethics reminds us that God's laws are redemptive in character. This is revealed in Exodus. After Israel's liberation from Egypt, God reveals his law on Mount Sinai. In fact, redemption is synonymous with God's grace, and the Sermon on the Mount boldly highlights this aspect of God's law.

In these two passages we see that God's law is only understandable within the context of love and grace. We must first of all love God and our neighbor. Love is the end of the law.

Secondly, only by God's grace can we understand the absolute requirements of righteousness and purity that God's law demands. Only by God's grace can we approach any semblance of obedience to God's law, although we will never obey it perfectly in this life.

In the Sermon on the Mount, our Lord beautifully shows that God requires obedience from the heart. He opposes the false understanding that compliance with the law need only be outward. He masterfully shows that God's law begins with a person's heart and thoughts. Moreover, obedience requires anticipating others' hearts and thoughts. If we think that someone else may be offended by our actions, then we must go and be reconciled with that person before we can offer a sacrifice to the Lord. If someone asks for our tunic, then we should offer our cloak as well. If we are forced to walk one mile, then we

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should walk two.

These requirements are amazing--they are sacrificial, giving and selfless. What is their relationship to positive law, that is, legislation by human governments? Is God's law entirely unrelated to positive law?

The notion of positivism, which pervades most legal education, states that positive law lies within the realm of rules and legal reasoning. This realm need not make reference to religious or moral notions. However, as law students and lawyers, can we disregard God's law? Is our practice of law supposed to be set apart from Biblical notions of justice, morality, righteousness and holiness? Does the Bible make such distinctions?

Contrast the legal scheme found in these two passages with that found in your law studies.

Discussion Questions

1. Review your redemptive ethics action plans. What doors is the Lord opening for witness and love?
2. What fundamental categories of obligations does Scripture lay out for us? Does the biblical concept of law differ from positivism?
3. To what extent does the Anglo-American tradition rely on the biblical scheme of law? To what extent does it differ? Identify recent cases/class examples to support your answers.
4. What role should biblical law play in directing decisions made by Christian lawyers? What role should it play in counselling clients? Does it make a difference if your clients are Christians or not?

Study Three: The Law of Love

5. How does you love your client as yourself? Your adversary?

6 Action plan--list 3-5 ways in which you can express the law of love (1) within your law fellowship and (2) within your law school.

Prayer:

God of love, thank you for your precious laws. Thank you for your infinite righteousness and perfection. Forgive us for trespassing your laws daily. Help us to walk in your ways of love! In your Son, Amen.

Study Four: Christ's Wisdom

*"Then you will understand what is right and just and fair--every good path.
For wisdom will enter your heart."*

Proverbs 2:9-10

*"The purposes of a man's heart are deep waters, but a man of understanding
draws them out."*

Proverbs 20:3

Scripture Readings

1 Kings 3:16-28; Proverbs 8:22-36; 1 Corinthians 1:18-31; James 1, 3:13-18, 4

In our previous Bible study, we discussed the biblical law of love. Biblical law is defined by a heartfelt submission to God to please him and to love our neighbors. It goes far beyond any earthly standard of righteousness and justice. In fact, without God's grace, God's laws would be impossible to comprehend. How do we begin to apply God's law to concrete situations today? The Biblical law of love cannot be applied without spiritual wisdom.

In Scripture, wisdom is not an abstract concept. It is grounded in the person of Jesus Christ. This same Wisdom was present at creation, rejoicing in God's presence, His world and mankind (Prov. 3:19, 8:30-31). Proverbs 8 reminds us that blessed is the person who watches daily at Wisdom's doors. Whoever finds Wisdom finds life and receives favor from the Lord (Prov. 8:35).

In our daily decision-making and especially in our practice of law, we must call upon the person of Christ in us for Solomonic wisdom. First, we call upon the Spirit of Christ, the Holy Spirit, to give us insight into the Scriptures. The wisdom of God may be foolishness to the world but the foolishness of God is wiser than man's wisdom. Christ is wisdom from God--our righteousness, holiness and redemption (1 Cor. 1:30).

Secondly, we call upon the Lord for insight into the true nature of situations and problems that face us. This includes legal disputes. Secular views of law would have us believe that law is a closed system, hermetically sealed from human personalities and divine requirements. However, this is contrary to the biblical views of law and human nature. Very often, legal disputes have spiritual roots. For example, the book of James asks us to consider our motives and the motives of others. Do we harbor envy or selfish ambition? Envy and selfish ambition lead to disorder and every evil practice (James 3:16). Fights and quarrels come from wrong motives and unfilled, warring desires. In contrast to worldly wisdom, which promotes envy and selfish ambition,

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heavenly wisdom is pure, peace-loving, considerate, submissive, full of mercy and good fruit, impartial and sincere (James 3:17).

Biblical wisdom, or the application of biblical truth to concrete situations, is therefore our path to discerning true justice and mercy in every situation. It is creative, discerning and peace-loving. Without it we will have incomplete evaluations and solutions.

How does one obtain biblical wisdom? The fear of the Lord is the beginning of wisdom. God opposes the proud but gives grace to the humble. Therefore, Proverbs asks us to guard our hearts. In our law studies and practices, we must be attentive to God's Word, our hearts and the hearts of those around us. God gives wisdom to those who ask.

Discussion Questions

1. Review comments from the last study. What were reactions to the law of love in your fellowship and law school?
2. How does one obtain biblical wisdom?
3. How does biblical wisdom differ from the world's wisdom? Does it conform to a positivist view of law? An adversarial system? What is the role of peacemaking? Can you think of examples when the foolishness of God was wiser than man's wisdom?
4. How should biblical wisdom affect the counselling of clients? Does it matter if clients are believers or not? What does it mean not to judge others (James 4:12)? Can you think of examples of wise and creative problem-solving in the law?

Study Four: Christ's Wisdom

5. How should biblical wisdom affect our study of law? Action plan--list steps how biblical wisdom can be nurtured in your law studies.

Prayer:

Lord of wisdom, guard our hearts and minds in Christ Jesus. Fill us with your discernment and discretion. Help us to see the spiritual reality of all legal matters that we will handle. Give us humility and gentleness in dealing with our classmates, clients and adversaries. In Christ, Amen.

Study Five: Christ's Advocacy

"Speak up for those who cannot speak for themselves, for the rights of all who are destitute. Speak up and judge fairly; defend the rights of the poor and needy."

Proverbs 31:8-9

"For the kingdom of God is not a matter of talk, but of power."

1 Corinthians 4:20

Scripture Readings

Acts 25-26; 1 Corinthians 6; 2 Timothy 2; Hebrews 4:14-5:10

Our next building block in examining legal ethics is considering the role of advocacy. What is the place of the adversarial system and zealous advocacy? Are lawyers hired guns? These questions go to the heart of the state of the profession. The general populace has mixed feelings about lawyers. On the one hand, some clients want lawyers who will battle for them, apply strong-arm tactics and use every technical loophole available to them. On the other hand, these same clients may resent other people's lawyers doing the same to them. Individual lawyers may feel pressure to apply tactics that other lawyers use in an effort not to lose clients who pay their rent.

As we consider the adversarial system as a whole, can we be gladiators, hopeful that our legal system will win out and that justice will be done, despite individual actions that we may be uncomfortable with? Will the system correct itself? Does truth win out because the adversarial process promotes vigorous representation? Or do the disadvantages of the adversarial process outweigh its benefits? Is there any biblical basis for the adversarial system?

Beginning in law school, our legal culture prides winning—whether it's moot court, earning law review or graduating with honors. Often we begin to think that there have to be winners and losers. Only the top of the class can win lucrative job offers. If we aren't in the top ten percent, then we are obviously losers in law school. After we enter the profession, winning remains critical—whether it's a law firm partnership, a personal injury case or a criminal prosecution.

What type of advocacy is taught in Scripture? Is winning everything, regardless of the cost? On the other hand, are Christians called to be doormats?

Biblical advocacy stands apart from worldly advocacy. First of all, it is distinguished by its goals. Our goals are kingdomly. Our gains are for heaven and not for worldly prestige or financial achievement. God does not honor selfish gain. However, God does require us to speak on behalf of the truth and

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on behalf of those who cannot speak for themselves.

Secondly, biblical advocacy is distinguished by its tactics. We are representatives foremost of God's justice. Our advocacy must be patterned after Christ's advocacy. Our weapons are not the weapons of this world. Moreover, there is a time to fight and a time to retreat. There is a time to win. However, there is also a time to lay aside victory.

Discussion Questions

1. Review--what comments does anyone have on biblical wisdom?
2. Now discuss advocacy. Discuss the nature of Christ's advocacy. Discuss his earthly and eternal priesthood.
3. Describe the Apostle Paul's advocacy. Why was he so adamant? What were his goals? What was his strategy?
4. On what occasions are Christians to be advocates? When is it inappropriate to be an advocate? What does it mean to be defeated by lawsuits (1 Cor. 6:7)? Are there different standards for conflicts between Christians and between nonbelievers?
5. What are the weapons of Christian advocacy?
6. Consider the American adversarial system. To what extent is it biblically justified? To what extent might it be excessive? What reforms can Christian lawyers be involved in?

Study Five: Christ's Advocacy

7. List ways in which our actions as advocates can lead our clients to see Christ as their true advocate.

Prayer:

Heavenly Father, thank you that Christ is our mighty advocate at your throne of grace. Give us boldness to speak the truth in love and to stand up for the rights of others. Also show us when to give up our rights for the sake of others. In Christ, Amen.

Study Six: Christ's Justice

"Do not say, "I'll pay you back for this wrong!" Wait for the Lord, and he will deliver you."

Proverbs 20:22

"When justice is done, it brings joy to the righteous but terror to evildoers."

Proverbs 21:15

"Evil men do not understand justice, but those who seek the Lord understand it fully."

Proverbs 28:5

Scripture Readings

Deuteronomy 16:18-20, 27:19; Amos 5; Zechariah 7; Matthew 12:15-21; Romans 3:21-31, 13:1-7

In our last study, we considered biblical principles of advocacy. There is a time to speak out and a time to remain silent. There is a time to assert one's rights and time to give them up. We now turn to several passages on Christ's justice and in particular, the biblical requirements for a judicial system.

Biblical justice must be understood within the covenants of creation, redemption and consummation. As we have already studied, within God's created order, there are justice ordinances relating to our Lord, each other and our world. These are explicitly outlined in the Ten Commandments. If we obey God's laws, we receive love and life. Breaking them leads to spiritual, and eventually, physical death. We know that the fall of creation has disabled us from achieving biblical justice without the grace of God. Believers and nonbelievers (by God's common grace), however, can achieve a temporal justice in our lifetimes. Ultimately, full justice will not be achieved until the consummation, that is, Christ's return and the establishment of a new heaven and new earth.

During this period of temporal justice, God has authorized human judicial systems which administer justice. What should characterize this man-administered justice? It should still model Christ's justice. In particular, the Lord warns against depriving the poor of justice or turning a blind eye to the alien and the widow—these are the least privileged within society. There are also special warnings about accepting bribes and false testimony. God will not tolerate these perversions of justice—in fact they led to Israel and Judah's eventual exile. Therefore, justice embodies being fair to all people, regardless of their social standing. It also honors the truth, whether or not the truth ends up incriminating or vindicating the poor or the rich.

Study Six: Christ's Justice

The Bible is clear that God will judge societies on their conformity to biblical justice. Societies that oppress the poor and deny justice to all its members cannot stand. Ultimately they will be toppled.

The ultimate example of justice, of course, belongs to the Lord. In Romans, the Apostle Paul explains that by shedding Christ's blood, God punished sin. Therefore, the ultimate act of justice is also God's ultimate act of mercy because Christians by no means deserve this atonement for their sins.

What an awesome task to be a minister of justice. But that is exactly what Christian lawyers are called to do! How can we be mediators of temporal justice in such a way that our work honors God's eternal justice?

Discussion Questions

1. Christian lawyers are called upon to administer Christ's justice. How does this differ from the world's standards?
2. How does the Lord judge a judicial system? Consider today's present judicial system, domestic and international. How does it measure up to biblical standards? What obstacles lie in justice's way?
3. What steps can we take to promote justice in our law schools? Consider admissions policies, grading decisions, etc. What obstacles lie in the way?
4. What steps can we take in our law practice not to pervert justice? What steps can we take to promote justice for all members of society? Who are the orphans, widows and aliens in today's society?
5. How can we promote the non-corruption of judges? Truth-telling?

Study Six: Christ's Justice

Prayer:

God of justice, forgive us for the perversion of justice in our hearts and in our courts. Help us to be ministers of justice in our legal studies and law practices. Grant wisdom and impartiality to all who are advocates and judges in our legal system. For your name's sake, Amen.

Study Seven: Christ's Truth

"An honest answer is like a kiss on the lips."

Proverbs 24:26

"If you hold to my teaching, you are really my disciples. Then you will know the truth, and the truth will set you free."

John 8:31

Scripture Readings

Joshua 2; Psalm 119:25-32; Zechariah 8; John 8:31-47; John 14; Ephesians 4:17-25

There are numerous jokes about how lawyers distort the truth. In fact, this appears to be one of the prime accusations against the legal profession. Lawyers are supposed to be zealous for the pursuit of justice. The judicial system has been designed to ferret out the truth. Ironically, however, lawyers are often perceived as hiding truth, promoting falsity or distorting reality.

Part of this perception comes from learning how to argue both sides of an issue. We may learn this for the first time on the first day of law school, but this ability to switch roles follows us throughout our careers. One day an attorney may represent large corporations that create unsafe cars. The next she may represent plaintiffs who have been injured due to these products. To outsiders, the only principle that has remained constant is loyalty to the client who pays the bills. On this level, lawyers are salespeople. They can sell any product because they have mastered the art of persuasion. Law is technique. And it often appears available to the highest bidder.

Another area in which the pursuit of truth is questioned is the judicial system itself. To outsiders, and sometimes insiders, it appears injurious to the pursuit of truth. Crime victims feel victimized again by tedious and arduous proceedings. Indigent clients may feel that because they cannot afford a pricier lawyer, their claims are ignored or treated unfairly. Even wealthy clients may feel that they are overpaying for litigation proceedings and that their claims are buried in documentation. Labyrinthine evidence and procedural rules are often baffling to laypeople. They appear to obscure the truth, not unveil it.

The roots of the phenomena described above are very complex and can be analyzed from theological, historical, philosophical and sociological angles. Nevertheless, Christian lawyers must ask themselves if their profession is merely a craft. Is being a lawyer like selling shoes? Or do we have a special calling to the pursuit of truth? What is our definition of truth? Is legal truth different from moral truth?

Study Seven: Christ's Truth

Within the context of God's kingdom, Christian wisdom and justice, truth is not an abstract concept. It is embodied in Jesus Christ. Therefore, truth, love and life cannot be separated.

God desires truth from our hearts. Zechariah 8 paints a beautiful portrait of a restored Zion which is called the City of Truth. Essential to this society is truth-telling and sound court judgments. God's people love truth and peace. This society begins with the coming of the kingdom of God because the King has arrived.

When Jesus the King confronted the religious leaders of his day, they accused him of lying. But they could not have been further from the truth. Jesus is the way, the truth and the life. In contrast, the devil is the father of lies. Jesus sends believers the Holy Spirit, who is the Spirit of truth. Therefore, Christians must embody truth as Christ does. We must speak the truth in love. However, just as our King was accused of lying, we will too if we proclaim God's truth. We will not always be understood. If we follow Christ's teaching, however, the truth will set us free.

Discussion Questions

1. What standard does the Bible give for truth-telling? What are the goals for telling the truth? Is it ever appropriate for a Christian to not disclose the truth? What are the consequences for lying?
2. How does this standard relate to the world's? Does the lawyer-client privilege promote truth? The adversarial system?
3. How should Christian lawyers counsel their clients to testify? Does it matter whether they are believers or not?

Study Seven: Christ's Truth

4. Discuss instances when Christian lawyers and/or their clients will face opposition for telling the truth. How does the truth liberate us?

5. How can we promote truth within our law fellowship? The legal profession?

Prayer:

Lord of truth, help us to love truth and peace. Forgive us for our deceitful hearts. Help us to promote the truth in our law practices. Help us to endure suffering for telling the truth to our foes. In Christ, Amen.

Study Eight: Christ's Mercy

"He who is kind to the poor lends to the Lord, and he will reward him for what he has done."

Proverbs 19:17

"He has showed you, O man, what is good. And what does the Lord require of you? To act justly and to love mercy and to walk humbly with your God."

Micah 6:8

Scripture Readings

Deuteronomy 4:15-31; Micah 6; Luke 10:25-37; 1 Peter 2:1-12

By now, we've learned that the characteristics of Christian legal ethics are intertwined. This is because God's nature is such. His love, justice, righteousness, goodness, mercy and truth are equally ultimate. This is a profound mystery, especially as we ponder our salvation. As we develop as mature Christian attorneys, we seek to imitate our Lord. The Lord gives us wisdom into seeing how justice, righteousness and mercy can be demonstrated in our practice of law, beginning with how we live as law students. We cannot have one without the other. In this study we focus on God's mercy.

Our God is a God of mercy. By His grace, he doesn't hold our sins against us. Moreover, God's promise is that even if we fall away, He will hear us if we cry out to Him with all our hearts. Mercy, therefore, defines the people of God. Like the Israelites, we have been freed from bondage. Like the Israelites, we need to continually come before God's throne of grace for mercy as we fall time and time again.

The passage from Micah demonstrates that God is not interested in only outward compliance with his laws. He requires our obedience in our hearts and, in particular, that we act justly, love mercy and walk humbly with him. What does it mean to love mercy? How does this comport with legal ethics?

Our legal system addresses wrongs committed against other persons and the State. It metes out, as best it can, just compensation and punishment. Does mercy have a role within man-made laws? Has it already been legislated in our laws or is it incompatible with the law? Do Christian lawyers have to leave mercy behind in their legal work and decisions?

In the New Testament, there are fresh stories of God's mercy. The most obvious one, of course, is of our Lord Jesus Christ. Jesus, in turn, illustrated God's mercy with parables. The parable of the Good Samaritan is a familiar one to Christians and non-Christians alike. Jesus tells this story in response to the questions, "What must I do to inherit eternal life?" and then, "Who is my

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neighbor?" In other words, what is the true meaning of obeying God's law? To whom do I owe a duty? And what is that duty? It recounts the seemingly impossible example of mercy of a foreigner to a Jew after "upright" fellow countrymen have passed him by. The parable is contrary to every natural human instinct we have to help others only when it is convenient for us and useful for our reputations. It reveals, again, the impossible task of obeying God without his grace.

As future Christian lawyers we may expect to be held in high regard by our communities. We may expect to have the opportunity to perform many public acts of charity. However, are we willing to devote ourselves to private acts of charity? Are we willing to show mercy to strangers, even our enemies and to make sacrificial gifts because God demands us to? To what extent does the Lord want us to lay down our lives for our clients, adversaries and colleagues? To what extent will we devote ourselves to causes and clients that are not popular or financially lucrative? Christian lawyers indeed have wonderful opportunities to show mercy to our neighbors.

Discussion Questions

1. How do we learn to love mercy?
2. How is mercy compatible with justice?
3. Has mercy been legislated into God's laws? Give examples that you can think of.
4. Has mercy been legislated into man-made laws? Give examples that you can think of from criminal law and civil law.
5. Is it ever inappropriate for a Christian attorney to display mercy? Is it

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inappropriate for a Christian attorney to counsel others to be merciful?

6. What types of private acts of mercy may a Christian attorney expect to perform? Public acts? To whom do we owe mercy? How will this affect the clients we represent or the work that we choose? Do Christian attorneys have a heightened responsibility to help the indigent, the alien and the alienated?

7. Give examples of how the legal profession as a whole is supposed to demonstrate mercy.

Prayer:

God of mercy, thank you that you took pity on us. Thank you for the mercy that we have received as a people of God. Help us as Christian law students and lawyers to act justly, love mercy and to walk humbly before you. In Your Son's name, Amen.

Study Nine: Christ's Power

"The wicked man flees though no one pursues, but the righteous are as bold as a lion."

Proverbs 28:1

"For God did not give us a spirit of timidity, but a spirit of power, of love and of self-discipline."

2 Timothy 1:7

Scripture Readings

1 Corinthians 1:18-2:16; 2 Corinthians 12:1-10; Ephesians 1:1-23, 6:10-18; Philippians 4:4-13

As we near the end of our survey of principles of Christian legal ethics, we address the question of Christ's power. This is because we may feel overwhelmed by the demands of God's Word. It is impossible, in fact, to follow Christ without His power. Therefore, just as our studies have emphasized the necessity of biblical wisdom, we also need to discuss the necessity of the power of Christ. This power is antithetical to worldly power, wisdom or knowledge. In fact, Christian power often appears weak or foolish to our worldly counterparts. However, Christ's wisdom and power is discernible to the spiritually mature.

The Apostle Paul models how God's power is often contrary to the world's conceptions. His speeches demonstrated the Spirit's power. He boasted only in the Lord. Ultimately, God's power was made perfect in his weakness.

The passages from Ephesians explain that God's power in the believer is the same power which raised Christ from the dead; it is the power which gives new life to the world. This power is part of our spiritual blessings in Christ. It accompanies our hope in our glorious inheritance. The passage on the armor of God is also familiar to many Christians. It describes spiritual weapons, which we must use in our battles against evil--truth, righteousness, peace, faith, the Word of God and prayer. It exhorts us to be strong in the Lord and to recognize that our true adversaries are not earthly. Philippians 4 explains that contentment comes only from relying on the Lord's strength.

In our law studies and practices, we may view ourselves as powerful people. Media images often depict lawyers as such. Very often, when we first enter law school we are mystified by the legal subculture. We feel weak and insecure. Then, gradually we adopt new jargon, argumentation...even clothing styles. We may then learn to rely on our new-found powers of persuasion and

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massive legal documentation. We feel that the more hours we put into a legal outline, brief or job the more we will achieve our goals and be rewarded. We may develop a reliance on our own abilities. By the time we graduate from law school, we may feel empowered to mystify laypeople with our wise learning. However, is this the type of power that we must wield?

As Christian law students and lawyers, we know that our power does not come from our ability to shepardize or read legalese. Our power comes from the Lord, who gave up his position in heaven to lay down his life for us. We must be willing to lay aside our preconceived notions of power in order to become truly powerful advocates and counsellors. All who are willing to follow the Lord's commands will find God's grace and power to do so. When we are weak--then we are strong.

Discussion Questions

1. Discuss spiritual power. Why is it antithetical to worldly notions of power? How do we nurture Christ's power in us?
2. Who are our opponents? How do Christians "disarm" their opponents?
3. Discuss the application of spiritual power to adversarial practice. Does it differ from tactics you might learn in a litigation practice or trial advocacy class?
4. Discuss the application of spiritual power to counselling clients.
5. What particular situations do you need the Lord's power for this week? What situations do you anticipate in the near future that you will need the Lord's strength for? After graduation? During practice?

Study Nine: Christ's Power

6. What concrete steps can your law fellowship take to strengthen each other in the Lord?

Prayer:

Father, forgive us for trying to wield worldly weapons of power. Help us to be weak in ourselves and strong in your Son's resurrection power. In His name, Amen.

Study Ten: Reflections & Conclusions

"There is no wisdom, no insight, no plan that can succeed against the Lord."

Proverbs 21:30

"Above all else, guard your heart, for it is the wellspring of life."

Proverbs 4:23

In this brief series, we've studied God's Word concerning the nature of reality, law and legal ethics. Hopefully, through our study of general principles, we've laid the foundation for a life's work of dialogue, struggle, exploration and ultimately, victory in Christ. Right living and counsel is a matter of humility, truth-seeking, love, justice, mercy and power. We do not do this in isolation, but in fellowship with one another as we seek to grow in Christ. As Christians, we can be assured that our Lord will give us wisdom to discern justice, mercy and truth in all situations. We do this by committing our hearts to the Lord and to others and by not conforming to the world's pattern. We have the mind of Christ so that we may be His servants. As kingdom citizens, we practice the law of love. We know that our decisions will often involve sacrifice and suffering on our parts. However, we bring peace and healing to a broken world.

Devote this last meeting to reflection and prayer.

Discussion Questions

1. Summarize the insights and spiritual truths that you have discovered together from God's Word during these studies. State what covenant your group will vow to keep. Commit growth areas to the Lord.
2. Think about ways in which these truths can be shared in the law school. Sponsor a forum? Write a column for the school paper?
3. List questions that need to be explored further by your fellowship of

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believers. Discuss resources that you can use to explore them. Consider research projects and law review article topics that you may write.

4. Write out prayers that you can use during your law school years and in future years of practice. Pray not only for yourselves but for the legal profession as a whole. Pray for those who have especially critical roles in legal ethics, e.g., judges, bar associations, etc.

5. Most of all, praise the Lord for the strength he provides to serve him in all situations and to bring glory to his name!

Prayer:

Lord, thank you for the opportunity to study your Word together. Please protect us as we continue our studies. Especially protect our profession. Help us to be godly advocates and counsellors. In Christ, Amen.

About the Author

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Mary Läuchli is associate professor of law at Pepperdine University School of Law in Malibu, California, where she teaches contracts, jurisprudence and Chinese law. She is a graduate of Westminster Seminary and Columbia Law School and is a member of the board of directors of the Christian Legal Society.



Notes:

This is what the Lord Almighty says: "Administer true justice; show mercy and compassion to one another."

— Zechariah 7:9



Notes:

Speak up for those who cannot speak for themselves; for the rights of all who are destitute. Speak up and judge fairly; defend the right of the poor and needy.

— Proverbs 31:8-9

*He has shown you, O man, what is good.
And what does the Lord require of you?
To act justly and to love mercy
and to walk humbly with your God.*

MICAH 6:8-9

The Advocate: A Biblical Approach to Legal Ethics, one in a series of studies from Christian Legal Society's Law Student Leadership Project, equips the reader to critique the ethics system from which tough moral questions arise and provides a scriptural basis for prioritizing seemingly conflicting legal values. This Bible study series is funded by the Mark Chapin Johnson Foundation.

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CHRISTIAN LEGAL SOCIETY

ISBN 0-944561-27-6