

**Lying in Court and Religion:  
An Analysis of the Theocratic Warfare Doctrine of the  
Jehovah's Witnesses**

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**Reprinted from:  
Cultic Studies Review:  
An Internet Journal of Research, News, and Opinion  
2002, Vol. 1, No. 2**

**[www.culticstudiesreview.org](http://www.culticstudiesreview.org)**

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# **Lying in Court and Religion: An Analysis of the Theocratic Warfare Doctrine of the Jehovah's Witnesses**

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## **Abstract**

This review of the problem of religious justified lying in court focuses on the **Jehovah's Witnesses** and their theocratic war doctrine. The history of the development of this doctrine and the problems of lying in society are reviewed. Also discussed are examples of the use of this doctrine in court and a survey of active and former Witnesses designed to determine the awareness level of this doctrine among the average Witness. It is concluded that the longer someone is a Witness, and the higher the attained rank in the Watchtower, the more likely the person is to understand and to use the doctrine.

## **Introduction**

Honesty is a central Western value, and so important that fully 95% of Americans agree with the statement, "a primary goal of schools is to teach honesty and the importance of telling the truth" (Johnson and Immerwhr, 1994, p. 24). Honesty is also critical for the court process to function properly, and one of the most common impediments to determining truth is lying by court witnesses. In Judge Schwelb's (1989, p. 3) words, "if witnesses lie successfully, the blindfold over the eyes of Justice will not serve its intended benign purpose." Judge Schwelb stated he has encountered "many hundreds of instances of perjury or deception" in his thirty years as a lawyer (1989, p.3). He found that lying is especially common in domestic cases and if the deception is not exposed, liars can profit from their fabrications.

Cases involving other motivations for lying are more complex, such as when lying defined as a violation of the oath to tell "the *whole* truth and nothing but the truth" occurs because of deeply held religious convictions. Even lying that is exposed requires evaluating a variety of issues, such as whether so-called white lies, stretching the truth, or exaggerations constitute perjury (Stewart, 1986, p. 84). Lying also normally includes employing words "to obscure communication" so as to "manipulate" others for one's own advantage (Wolk and Henley 1970 pp. 90-94, 232). The whole truth and nothing but the truth requirement in court was historically designed to avoid the problem of a court witness, for example, claiming that he honestly "didn't steal" from his employer when in his mind he meant he "didn't steal" from him *yesterday*, but to listeners he implied that he never stole because the yesterday remains unsaid. The *whole truth* is that he has stolen from his employer in the past (Bok, 1978).

## **The Case of Jehovah's Witnesses**

Until recently the Jehovah's Witnesses were one of the fastest growing religions in the world. Their ruling body, the Watchtower Society, claims that almost 15.4 million people are now associated with the church (Watchtower, Jan. 1, 2002, p. 22), and according to their Dun and Bradstreet report (a credit report available only from Dun and Bradstreet by request), their American income in 1992 alone was over 1.2 billion dollars. Founded in 1879 by C. T. Russell, they are best known for their legal conflicts over the flag salute and other government requirements.

Among the unique Watchtower doctrines is a prohibition against blood transfusions and a teaching called **theocratic war strategy** that justifies "lying" in court and elsewhere. Only

three religions could be located that openly teach this doctrine. One is the Aryan Brotherhood, a white supremacist group that teaches it is appropriate to lie in order to further its interests (W. Caughey, personal interview, Feb. 3, 1991). Another is the Unification Church, which critics claim practices a similar doctrine they call Heavenly Deception (Levine, 1980; Elkins, 1980). Boettcher claims that

One of the central tenets of the [Unificationists] faith is the Doctrine of Heavenly Deception. Good must deceive evil. The non-Moon world is evil. It must be lied to so it can help Moon take over. Then it can become good **under Moon's control. In the Bible, Jacob lied to Isaac.** God rewarded Jacob by making him the father of the nation of Israel. (Boettcher, 1980, pp. 343-344)

The third is the Watchtower Theocratic War doctrine, which teaches that it is appropriate to **withhold the truth from "people who are not entitled to it" if it will further the Watchtower's interests** (Reed, 1992; Reed, 1997, p. 129; see also Franz, 1971, pp. 1060-1061, and Raines, 1996c). **In the Watchtower's words, Witnesses are required to "use Theocratic War Strategy" against any and all persons who have a "wolf-like disposition," defined as anyone who does not accept the Watchtower as God's organization and the head of God's people.** All other religions are defined as evil and of Satan (Franz 1991; *Watchtower* May 1, 1957, pp. 285-286 and p. 288 – this latter article was censored in new Watchtower reprints).

Reed defines Theocratic War Strategy as "hiding truth from persons not entitled to it—i.e., lying to outsiders when deemed necessary" (Reed, 1995, p. 40). He adds the Watchtower defines lying as ". . . deceiving outsiders to advance the organization's interests. Falsehoods presented to God's enemies are not considered lies, due to the state of war existing between God's forces (the JW's) and Satan's (the rest of the world)." In the words of Kotwall (1997, pp. 1-2) the Watchtower's teaching "to lie and deceive in the interest of their religion is Scripturally approved. They call such lying theocratic war strategy." Wilson says:

**although a basic belief of Jehovah's Witnesses is that liars will receive eternal death with no hope of a resurrection, exception is made when it comes to lying or pretending to be someone one is not if the purpose is for the good of the organization.** An example of this sort of deception that I had personally experienced was the time a Witness friend invited me and several other Witnesses to her house when a Witness missionary was visiting her, as he was **to give a slide presentation about his work in Israel ... To protect the facility and the other Witnesses who were to live there, the Society instructed this missionary to pose as an eccentric millionaire who has a fetish about being clean, and to inform any inquirers that this was his own house that was being built.** This story was fabricated to cover up the real purpose of the building—that of being a Watchtower factory having bedrooms with sinks in them to house the factory workers. This incident was another example of theocratic war strategy (Wilson, 2002, p. 249).

Jehovah's Witnesses do not always lie outright, but they often lie according to the court's definition—not telling "the whole truth and nothing but the truth," which means the court requires the *whole* story, not half-truths or deception. The Watchtower claims to condemn lying, but *only* lying as they define it, namely "saying something false to a person *who is entitled* to know the truth and doing so with the intent to deceive or to injure him or another person" (Franz, Vol. 2, 1988, p. 244, emphasis mine). The purpose of the oath is to discourage evading the truth by being truthful only in a narrow way. In a popular discussion designed to define lying to the lay public, Savant explains that when witnesses are asked to tell "the truth" in court, it means that they are not to lie and are also required:

... to tell "the whole truth." ... For example, if a governor says that "in my state, we've moved 17,000 people from welfare to work" and omits adding the fact that in his state, 25,000 other people moved from *work* to *welfare* at the same time, he has told "the truth" but he hasn't told "the whole truth." That is, the net effect was that 8,000 *more* people were on welfare, not 17,000 *fewer* ... Third, witnesses are asked to tell "nothing but the truth." This is yet another concept. For example, if a person tells the truth in response to a question and then adds a lie, he or she has told "the truth" but hasn't told "nothing but the truth." And although none of this will stop truly dishonest people, at least it gives us good ammunition to charge them with perjury. (Savant, 1996, p. 12)

In the words of Raines, theocratic warfare *in practice* means "deceiving" or misdirecting the "enemy" with untrue and misleading information to protect and advance the interests of "God's people" and his "organization" (1996, p. 20). Magnani added that the Watchtower

has a special policy towards outsiders. Those who question its teachings are considered "opposers" and are treated in a special way. The Watchtower actually teaches Jehovah's Witnesses to cover up or LIE about certain facts. This tactic is called THEOCRATIC WAR STRATEGY. (1979, p. 1, emphasis his).

The Watchtower tries to clarify its stand by adding that, although

malicious lying is definitely condemned in the Bible, this does not mean that a person is under obligation to divulge truthful information to people who are **not entitled to it** ... **Jesus on certain occasions refrained from giving full information or direct answers to certain questions when doing so could have brought unnecessary harm** (Matt 15:1-6; 21:23-27; John 7:3-10). Evidently, the course of Abraham, Isaac, Rahab, and Elisha in misdirecting or in withholding full facts from nonworshippers of Jehovah must be viewed in the same light—Gen 12:10-19; chapter 20; 26:1-10; Josh 2:1-6; Jas 2:25; 2 Ki 6:11-23 (Franz, 1971 p. 245).

An example of how this doctrine is in fact applied is explained by Reed as follows:

When a Witness knocks at a door, gives a brief sales pitch, and sells a small book for a dollar, local laws may require him or her to collect sales tax. (A credit report on the Watchtower of New York, Inc., revealed \$1.25 billion corporate sales figures for 1991, up from just over \$1 billion in 1990.). To evade this obligation the organization instructs JWs to say they did not sell the book; rather, they *placed* it. They did not receive the dollar in payment; rather, the money was received coincidentally as an unrelated donation. Another illegal activity covered by cloaking expressions relates to violating child welfare laws and ignoring court orders regarding medical treatment. When taking such drastic steps to prevent blood transfusions for sick or injured children JWs commonly refer to their actions as keeping integrity or **putting God first** ... **Cloaking expressions [with] obscure words ... to conceal information from outsiders unfamiliar with the sect.** Witnesses resort to such devices when organizational instructions require them to violate tax laws, refuse military conscription, evade child welfare laws, and so on. Falsifications on these matters are not considered lies, but theocratic war strategy (1997, pp. 22, 28).

Yet another assessment of this doctrine by a long-time, once high-ranking Witness:

**They [the Watchtower] adamantly teach that it is okay to "hide the truth from your enemies," since they are in "Theocratic warfare," which is taken as**

permission to lie. And who are their enemies? Everyone but themselves...Lying has been described in their literature as permissible, especially to your "enemies" (which is everyone except the elitist governing body). It depends on whom you're lying to. They give the example of Abraham, in a life threatening situation, misrepresenting his wife's status, calling her his sister instead of his wife. So, do they reason it is a little thing for us to lie to the "other sheep," to tell them that they are "Christians," and can preach, that Holy Spirit will protect them, etc? What difference does it really make? (Ford, 1996, pp .7, 84)

The Watchtower teaches that lying to "God's enemies" is not really lying but theocratic "war strategy" and that:

God's Word commands: "Speak truth each of you with his neighbor" (Eph. 4:25). This command, however, does not mean that we should tell everyone who asks us all he wants to know. We must tell the truth to one who is entitled to know, but if one is not so entitled we may be evasive. (*Watchtower*, June 1, 1960, pp. 351-352)

The Watchtower then adds "we may not tell a falsehood," but this again refers to their definition of a falsehood. This *Watchtower* (1960, p. 352) also states that if a Watchtower adherent takes the witness stand in court and swears "to tell the truth, then, if he speaks at all, he must utter the truth." This "truth," though, is what the court defines as truth, but it is overshadowed by the focus on "hiding the truth" from God's enemies. Other articles and the actual practice of Witnesses both show that this latter advice is not strictly followed. For example, the May 1, 1957, *Watchtower* adds:

Lies are untruths told for selfish reasons and which work injury to others. Satan told a lie to Eve that worked great harm to her and all the human race. Ananias and Sapphira told lies for selfish reasons. But hiding the truth, which he is not entitled to know, from an enemy does not harm him, especially when he would use such information to harm others who are innocent ... So in time of spiritual warfare it is proper to misdirect the enemy by hiding the truth. It is done unselfishly; it does not harm anyone; on the contrary, it does much good. (pp. 284-285).

As William Blake once said " the truth that is told with bad intent beats all the lies you can invent." The doctrine is best summarized by, *The Measures Taken*, a play by Bertolt Brecht:

Whoever fights for communism must be prepared to fight or not to fight, to tell the truth or not to tell the truth, to give his services or to refuse them, to be recognized or to be disguised. Who fights for communism, has only one single virtue, that he fights for communism (Quoted in Perutz, 1989, p. 139).

Wilson gives an example of how the doctrine is used today:

the elders asked this young man to call our daughter and fabricate a reason to get her to come over to the house. Under the guise of "theocratic warfare," lying was acceptable if it served the needs of the organization. Consequently, the truthfulness of the reason he gave her to get her to agree to meet him at the house was insignificant. He feigned helplessness about some aspect of taking care of things at the house, asking her to meet him there at a specified time so she could help him out. Trusting that he would never betray her, she agreed (2000, p. 118).

That the Watchtower specifically teaches their followers to lie as the word is normally used in English is illustrated by their discussion about when Abraham told Sarah to "hide the fact"

that she was his wife (*Watchtower*, Feb. 1, 1956, p. 78). The Watchtower notes that years later when Abraham was in the Philistine country of Gerar, Abraham repeated the lie about Sarah, **blatantly claiming that his wife "is my sister."** This, the Watchtower Society concludes, is not lying because Abraham represented Sarah as his sister for a laudable reason, namely:

to prevent violent controversy over his wife. Sarah recognized Abraham as **her Lord and agreed to the arrangement, willing to take the consequences ... She was willing to do her part to preserve the life of Jehovah's prophet ...** But critics ... view Abraham wholly as a lying, prevaricating, weakling coward. (Feb. 1, 1956, p. 79)

Ironically, this example that the Watchtower Society uses to justify lying backfired **because of lying. The Pharaoh, thinking Sarah was Abraham's** unmarried sister, took her for his wife, causing a plague on "Pharaoh and his house." When Pharaoh found out about Abraham's lie and returned Abraham's wife, he protested to Abraham, stating that what happened would have been prevented if only Abraham had told the truth (Gen. 12:10-20). Thus, instead of being an example that justifies lying, this scriptural example actually condemns lying by showing that it can seriously backfire. Abraham also lied about his wife to Abimelech and as a result nearly caused him a disaster (Genesis 20). The latest discussion appeared in the Feb. 8, 2000 *Awake!*, which, under the title "Cautious as Serpents," notes:

Of course, being truthful does not mean that we are obligated to divulge all information to anyone who asks it **of us. "Do not give what is holy to dogs,** neither throw your pearls before swine, that they may never ... turn around and rip you open," warned Jesus, at Matthew 7:6. For example, individuals with wicked intent may have no right to know certain things. Christians understand that they are living in a hostile world. Thus, Jesus advised his disciples to be "cautious as serpents" while remaining "innocent as doves." (Matthew 10:16; John 15:19) Jesus did not always disclose the full truth, especially when revealing all the facts could have brought unnecessary harm to himself or his disciples. Still, even at such times, he did not lie. Instead, he chose either to say nothing or to divert the conversation in another direction.—Matthew 15:1-6; 21:23-27; John 7:3-10 (Feb. 8, 2000, p. 21).

The Watchtower Society claims that they condemn direct lying and advocate only hiding the truth. But their **using Abraham's case as an example to emulate in situations where doing so can protect the Watchtower** indicates that they in fact advocate direct lying. Reed comments on this doctrine:

By instructing Witness kids to testify in court to say the opposite of what they are really taught to believe, the Watchtower Society requires them to engage in a form of double-talk that most people would consider lying. And unless the youngsters are to consciously see themselves as liars, they must also engage **in doublethink, the mental gymnastics described in George Orwell's novel ...** where people are forced by a totalitarian society to be conscious of complete truthfulness while telling carefully constructed lies. (1996, pp. 230-231)

Yet another example shows that the application of the doctrine involves open lying:

While doing this research ... I met a woman who showed me a scar on her upper arm that she said was caused by an acid burn. She explained that **bribing a doctor to produce a scar on a child's arm that mimicked the scar left from a smallpox vaccination, and then signing a certificate of vaccination [certifying that they were vaccinated] to enable the child to go to school, was a common practice among the Witnesses during the years of the Society's ban**

on vaccinations. One can only imagine how many Witnesses or their children died of smallpox due to this practice of theocratic warfare to avoid vaccinations (Wilson, 2002, p. 180).

A detailed discussion of the doctrine and how it is applied was included in the court testimony in the case *Gouvitsa v. Gouvitsa* in which the sworn expert witness said, in answer to the question "What is within Jehovah's Witness' theocratic war strategy?":

Theocratic war strategy is very common among Jehovah's Witnesses. It's on different levels . . . first, one has to understand the definition of what a lie is. And because it's so important, I'd like to just read it ... "In the Aid to Bible Understanding," which is their encyclopedia, it says, "Lying generally involves saying something false to a person who is entitled to know the truth."

... Now, the reason I emphasize the word "entitled" is because Witnesses ... look at the world in two types of people ... the sheep and the goats ... the Jehovah's Witnesses, and the non-Christians being the rest of the world ... God's people and Satan's people ... The only people that are entitled to know the truth 100 percent of the time are Jehovah's Witnesses. The people that are opposing God's Word, according to the Jehovah's Witnesses, are people in Christendom ... They are in opposition, so consequently they are not entitled to know the truth all the time ... We have met people in our own work and heard of many cases, the one that comes to mind is a gentleman who had written a pamphlet exposing the Watchtower organization as a cult. And he met up with a Jehovah's Witness. And somehow they got into a dialogue on this particular pamphlet ... And the Jehovah's Witness was downing the pamphlet as being totally false, and not only that he was claiming that he knew the writer of the pamphlet and that the writer of the pamphlet was immoral and he had been kicked out of the Jehovah's Witnesses, was an apostate and so forth, and the information in the pamphlet could not be reliable.

Then this individual told the Jehovah's Witness that he was, in fact, the writer of the pamphlet ... That is an example called theocratic war strategy. In other words, the Jehovah's Witness [felt] ... what was important was to downgrade the information to make the organization look better. Theocratic war strategy is basically a method employed in many, many different ways. Not just outright lying, but sometimes evading the truth, sometimes telling half truths ... the organization employs it [theocratic warfare] not only to the general public, but also on Jehovah's Witnesses (*Joy Hutton Gouvitsa Arnold plaintiff, v. Gus Konstantine Gouvitsa*, Testimony of Duane Magnani, pp. 109-113).

### **The History and Development of the Doctrine**

The earliest printed reference to the Theocratic Warfare doctrine in official Watchtower publications dates from 1936 in a book titled *Riches* (Rutherford, 1936):

A lie is a false statement made by one to another one who is entitled to hear and to know the truth, and which false statement tends to work injury to the other. A false statement made for the purpose of deceiving and working injury to another is a deliberate and malicious lie. (Rutherford, 1936, p. 177)

Raines concludes that the quote above implies some people are not "entitled" to

... know the truth and that if a person makes a false statement without intending to "work injury" to another, it isn't a lie, but what Goodrich called a

**"Rahab technique." Otherwise, why didn't Rutherford simply say a lie is a knowingly false statement, period? Goodrich viewed it this way and this is the way the Society has since defined lies versus using "theocratic war strategy." (Raines, 1996, p. 20).**

An early example of the use of theocratic warfare by one Witness on another Witness that occurred in the early 1940's involved Roy Goodrich, a former science teacher and for many years a congregation overseer. Goodrich sent a letter to a Mr. M. A. Howlett at the Watchtower world headquarters expressing his concern about the Watchtower's use of the E.R.A. machine to treat illness. E.R.A. is an "oscilloclast machine" invented by Dr. Abrams, a notorious quack well known to historians of science quackery (Warner, 1941). Goodrich was concerned because he concluded the E.R.A. technique involved demonism. For this reason he wrote Howlett to determine if the rumors he heard about the E.R.A. machine still being used at Bethel (the Watchtower headquarters) were true.

Howlett answered Goodrich as follows "You have evidently been misinformed regarding my connection with E.R.A. I know nothing of it and have never used it. There is none such in Bethel" (Goodrich, 1944). Goodrich knew that Howlett's claim was erroneous because he possessed firsthand knowledge that a Chester Nicholson was "treated" with the E.R.A. machine by Howlett. Goodrich also knew that the E.R.A. had been used by a "Dr." Work at Bethel since 1922. Furthermore, since Howlett started working at Bethel before 1922, Goodrich knew Howlett's claim about not having "even heard of the ERA" was absurd because Howlett was a Bethel doctor. Consequently, "Goodrich therefore believed that Howlett lied to him" (Raines, 1996, p. 20).

In response to Howlett's letter, Goodrich wrote a lengthy letter to both the Watchtower board of directors and Watchtower's president, Nathan Knorr. Goodrich, who was then a Witness in good standing, wrote specifically about what he believed was Howlett's misuse of theocratic war strategy (in the 1940s the doctrine was called the Rahab technique, after Rahab who lied to protect the spies). Raines notes this technique involved "misdirecting" someone with "false information," a response that "most people would call ... lying" (Raines, 1996, p. 20). Goodrich was nonplused because, as he explained to Howlett

the one possible import of those words [from Howlett] conveys an impression entirely contrary to the fundamental facts as I know them. I must believe, however, that your motive in writing them is the highest—a desire to honor Jehovah's name. Remembering Rahab's approval and the statements at the top of Page 177 in RICHES, you have seemingly clear and logical justification, no doubt, in your own mind [to lie]. (Goodrich, 1944, p. 1)

What Goodrich was concerned about was that the doctrine justifies lying *only to those who are not entitled to know the truth*, and Goodrich felt as a fellow Jehovah's Witness, and for many years a presiding overseer, he *did* have a right to know the truth in this matter. Raines comments that the Theocratic War doctrine

implies there are some who are simply not "entitled" to know the truth and that if a person makes a false statement without intending to "work injury" to another, it isn't a lie, but ... a "Rahab technique." Otherwise why didn't Rutherford simply say a lie is a knowingly false statement, period? Goodrich viewed it this way, and this is why the Society has since defined lies according to their "theocratic war strategy" doctrine. (Raines, 1996, p. 20)

Goodrich responded charitably, concluding that Howlett

did in fact intend a faithful Rahab technique ... in all kindness then, Bro. Howlett, the inescapable logic of fact is that your postal to me, must be one or the other of the two following things, to wit: (1) A potentially malicious lie;

or (2) an admission before the Lord that you have been practicing demonism and "fibbing" out of it. (Goodrich, 1943, p. 1)

Goodrich's efforts to bring his concerns to the Watchtower's attention eventually resulted in his disfellowshipping (forced expulsion from the Watchtower Society, which denied him almost all contact with members in good standing). Interestingly, a decade later *The Watchtower* drew the same conclusion about E.R.A. for which Goodrich had been disfellowshipped (Raines, 1996, p. 20). Some details on the development of this now infamous Watchtower doctrine were related in a study by Frakes:

In his Sunday-morning discourse on "Cautious as Serpents among Wolves," ... Franz interpreted certain Old Testament passages as proving that when it meant preservation of his own, Jehovah approved lying to **one's enemies**; hence, such lying is not to be condemned so long as it is addressed to outsiders. Thereupon the chairman thanked him as the agent of the **Watchtower Society for the "new light" he had brought.** (1955, p. 819)

In Sherrill's words this new doctrine meant that "Lying is part of 'theocratic war strategy.' A JW can lie to someone if they are not entitled to know the truth" (1995, p. 56). The Watchtower teaching that "the truth should be told" only to those who have "a right to know," means that Watchtower "opposers" (the term the Watchtower uses for knowledgeable critics; see Reed, 1997, p. 101) and critics do not have a right to know the truth:

As a soldier of Christ [a Witness is] ... in theocratic warfare and he must exercise added caution when **dealing with God's foes.** Thus the Scriptures show that for the purpose of protecting the interests of God's cause, it is proper to hide the truth from God's enemies. ... This would come under the term "war strategy," ... and is in keeping with Jesus' counsel that when among wolves we must be as "cautious as serpents." Should circumstances require a Christian to take the witness stand and swear to tell the truth; then ... the mature Christian will put the welfare of his brothers ahead of his own, remembering Jesus' words: "No one has greater love than this, that someone should surrender his [life] in behalf of his friends"—Matt. 10:16; John 15:13. (*Watchtower*, June 1, 1960, p. 352 See also Feb. 1, 1956, p. 78)

All critics and opposers of the Watchtower are considered "wolves" who have declared war on the Watchtower, all of whose followers are labeled "sheep." Furthermore, it is "proper for the inoffensive 'sheep' to use war strategy toward the wolves in the interests of God's work" (*Watchtower*, Feb. 1, 1956, p. 86).

The case of Elsa Abt (see *Watchtower*, May 1, 1957, p. 285) is a good example of how the Watchtower teaches more than hiding the truth, namely, openly lying. According to the Watchtower account, when she was questioned by the police about the whereabouts of a mimeograph machine and "the identity of the one taking the lead in carrying on the underground preaching work," she answered contrary to the truth and "pretended not to know anything." Her openly lying here is provided as a *good* example that Witnesses are to emulate. In an entire chapter title "Justified Lying," Thomas concluded that Witnesses

... are permitted by the Society to lie ... in the interest of their religion. The JWs, of course, do not call this lying. ... [the Watchtower leadership has] invented a new name for this kind of deception, they call it practicing "Theocratic War Strategy" (Thomas, 1972, p. 95).

Thomas then quotes the *Watchtower* (May 1, 1951), which he claims "clearly shows that JWs do indeed lie whenever it suits their purpose." This article discusses a Witness who, while going from house to house to proselytize, met a Watchtower opponent:

... Knowing at once what to expect she changed her red blouse for a green one in the very next hallway. No sooner had she appeared on the street than a Communist officer asked her if she had seen a woman with a red blouse. No, she replied, and went on her way. Did she tell a lie? No, she did not. She was not a liar. Rather, she was using theocratic war strategy, hiding the truth by action and word for the sake of the ministry. (p. 285)

Thomas concludes that in this case the Witness "lied to save her own skin" and

the Watchtower's bold attempt to use this incident as an excuse for all JW's to deceive and lie in the interest of their religion [should be condemned]. Instead of feeling sorry for one of their own kind, who lied about the fact that she was the JW in the red blouse, the Watchtower congratulates her for acting wisely! (1972, p. 95).

Explaining who a proper target for theocratic war strategy is, *The Watchtower* (April 15, 1957 p. 256) specifically states **any enemy of "God's organization"** (meaning the Watchtower Society) and those who "hate what it teaches" and "want to stop others from learning (about the Watchtower) ... to keep the 'wolves' from hindering efforts to aid sheep like people who are hungering for knowledge of truth and righteousness. Upon meeting 'wolves' Christians will use [war] strategy, being wise as serpents yet innocent as doves." In other words, a Witness is justified in using theocratic war strategy against **anyone** who **interferes with the Watchtower's work, including Watchtower critics who are themselves Witnesses**, as the Goodrich example above shows.

That the Watchtower openly teaches lying is proper as a deception to defend their interests is indicated in the following exchange that occurred between Watchtower attorney Carolyn Wah and Duane Magnani, who was being deposed in the case of Marcus Reyes (Case 6939-C. Abilene, TX. In the District Court of Taylor County, TX, 326th Judicial Court):

**Magnani:** ... [Witnesses teach that they are] in theocratic warfare and he must exercise added caution when dealing with God's foes. Thus the Scriptures show that for the purpose of protecting the interests of God's cause, it is proper to hide the truth from God's enemies.

**Wah:** Thanks. Would that suggestion be any different than a soldier supporting a government who is captured by an opposing Army?

**Magnani:** Yes.

**Wah:** How so?

**Magnani:** Well, in this situation, when we are talking about hiding the truth ... in terms of theocratic warfare or spiritual warfare Jehovah's Witnesses believe that all non-Jehovah's Witnesses are in the camp of Satan and all Jehovah's Witnesses are in God's camp ...

**Wah:** So then you are saying in a war, that during World War II, for example, that German soldiers captured by American soldiers would not have a problem with lying between the two?

**Magnani:** It depends on the circumstance. With Jehovah's Witnesses, their main motivation in life is to present whatever the Watchtower organization desires them to present. If the organization has said something which an opposer, i.e., a non-Jehovah's Witness wants to discuss, then it is the duty of the Jehovah's Witness, in our experience and from the documentation that we have, to, in essence, cover up, lie, [or] distort ... to make the Society look good ..." (R.T. p. 47).

After a study of Watchtower policies and practices, Attorney Thad Nugent concluded that the Watchtower recommends

the giving of testimony under oath which is known to be untrue. ... By the statutory definitions, that is perjury [and] ... **it is very clear that** [the Watchtower] **instructs the "Jehovah's Witnesses, who find themselves** involved in custody cases, how to avoid getting themselves into a position [in which] ... they have to say what it is they are really practicing with respect to their kids, with respect to the way that their children live, and with respect to the limitations that are placed on those children for their psychological and emotional and social development [and this conclusion is] real clear!. (Witness, Inc., 1994, taped interview with T. Nugent).

In one case<sup>1</sup>, which is evidently not atypical, the Watchtower attorney allegedly informed a **Witness trying to achieve custody that the court "may be biased against Witnesses because** of their religion. Therefore, *any* example of abuse that you can recall would be very helpful **to your case."** **After the Witness stated that she could not think of any,** the Watchtower attorney allegedly then coached her to mislead the court with the following words: **"If you cannot [think of an example of abuse], it is going to be far more difficult to prevail in your case. Think hard, and I am sure you can come up with an incident when you at least felt frightened of your husband."** **The attorney allegedly encouraged lying by explaining to the Witness that the outcome of this trial meant her children's everlasting life and emphasized** that giving custody to her husband, an opposer, would surely mean their destruction at Armageddon, arguing as follows:

**Would you want your children to die the horrible death at Armageddon? Don't** you want them in the New World with you? Their life is in your hands, and you must do what you can to insure that you receive custody. If a deranged man, foaming at the mouth, came to your door asking for your mother, would you openly tell him that your mother was upstairs, allow him to force his way in and go up there and harm her? No, of course not; you would say anything to mislead him. After all, he has no right to the truth. Likewise, in this situation the court has no right to the truth. (From a taped transcribed transcript with a former JW, source not identified due to client confidentiality. The author was a consultant to this case.)

In another case in which the author was a consultant the Witness claimed that her husband **only "mouthed" that he wanted to harm her,** yet in court he was accused of physical abuse, quite in contrast to her earlier claims. By using such tactics the Watchtower attorneys may prevail upon their client to use theocratic war strategy in court. The Watchtower also not uncommonly uses unscrupulous *ad hominem* attacks, presenting wholly inaccurate evidence against the people who testify in these kinds of cases.

An earlier example of the Watchtower's use of theocratic war strategy was provided by a Watchtower official in Sweden, a Johan Henrick Eneroth, who states that during World War II it **"became necessary to use theocratic war strategy in order to maintain desired contact** with occupied countries." He then explained he had to deceive the government and misrepresent his purpose in order to obtain a visa. Specifically Eneroth misrepresented himself as **"a wholesale dealer in guts" (Watchtower Feb. 1, 1965 p. 94).** He then used theocratic warfare again in order to smuggle contraband Watchtower literature into Norway by sending food packages, especially eggs, with **"each individual egg wrapped with several**

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<sup>1</sup> From a typed transcript of interview with the client and his attorney. The case is not cited because of lawyer-client confidentiality. The author was a consultant in this case.

sheets of *The Watchtower* [magazine]." He adds, "when this was finally discovered by the Germans, we found another way" (*The Watchtower* Feb. 1, 1965 p. 94). This other way involved packing Watchtower magazines in food stuffs that were then taken to the military airport at Aalborg, Denmark to be "carried by Hitler's own aircraft into Norway!" (*Watchtower* Feb. 1, 1965 p. 95). The author then relates several other similar methods he used to smuggle contraband literature into other countries.

Another case that occurred in the Netherlands was related by Robert A. Winkler. When he was threatened with interrogation, he "... knew this meant the use of theocratic war strategy for the sake of the Kingdom work and the protection of my Christian brothers" (*Watchtower* March 15, 1967, pp. 188-189). This statement shows how intimately the theocratic warfare doctrine is connected to Watchtower theology.

The importance of theocratic warfare was again repeated in another *Watchtower* article, (May 15, 1988, p. 20) that relates that Winkler used theocratic warfare strategy to protect his fellow Witnesses and that Witnesses must at times use this technique to defend the Watchtower organization. The expression using theocratic war "for the sake of the Kingdom work and for the protection of Christian brothers" here refers to withholding the truth to protect the Watchtower organization and its activities. The doctrine covers not only lying, but also deception. The *Watchtower* put it this way:

In warding off the immediate threat, Hezekiah agreed to pay tribute to Sennacherib, and he even cut off the overlaid doors and doorposts from Jehovah's temple, in order to make this payment (2 Ki. 18: 13-16). No doubt this was part of Hezekiah's theocratic war strategy, a move to gain time, and to put him in a better position to grapple with the enemy. Likewise, today, there are occasions when Jehovah's Witnesses have to move cautiously in preserving their God-given right to true worship (March 15, 1968, p. 170).

The article teaches that Witnesses can violate the government's laws either by finding loopholes in the law or by skirting the law. The Watchtower tends to prefer this focus instead of working lawfully to *change* what they consider unjust laws, as do most churches.

### **Applications of Theocratic Warfare by the Watchtower Administration**

A good example of lying at the highest administrative Watchtower levels reportedly occurred in Europe as a result of a July 23, 1993, burglary at the Watchtower branch office in Holbaek, Denmark. The case relates to a Danish ruling called the *Registertilsyn* that declared on September 14, 1992, that the Watchtower practice of keeping certain confidential information about its members is in violation of Danish law. As a result of this ruling, the Watchtower agreed to destroy all personal and confidential information related to disciplinary cases by November of 1992. A short time before this deadline, the Watchtower branch office stated that "they had carried out the order of the registertilsyn" (Henricksen, 1993, p. 2).

Whether the Danish law, which is similar to the American Privacy Act, is a just law is another question. The concern here is the honesty of the Watchtower's statement that the relevant files were destroyed. The branch office is required to specifically follow the policy book called *The Branch Office Procedure*, which outlines the official Watchtower policy. This volume teaches theocratic war strategy, noting that the branch leaders are to use their judgment to determine if it is in the best interest of the Watchtower Society to be honest, noting that "sometimes it is best not to say certain things, even though they are true" (Henricksen, 1993, p. 3). The burglary uncovered documents that revealed that the Watchtower applied the rule in this case, and openly lied about destroying the documents. In Henricksen's words:



Hebrew?

Franz: **Yes ...**

Prosecutor: So that you have a substantial linguistic apparatus at your command?

Franz: Yes, for use in my biblical work.

Prosecutor: I think you are able to read and follow the Bible in Hebrew, Greek, Spanish, Portuguese, German, French.

Franz: Yes. . .

Prosecutor: Can you, yourself translate that into Hebrew?

Franz: Which?

Prosecutor: That fourth verse of the second chapter of Genesis?

Franz: No.

**(Cross Examination of Fred Franz. Pursuer's Proof of Douglas Walsh v. The Right Honorable James Latham, Clyde, Scottish Court of Sessions, Wednesday, November 24, 1954, p.7, pars. A-B. and p. 102, par. F.)**

Another example is the testimony by Hayden C. Covington, a former vice president and lead **Watchtower attorney, who stated that Witnesses must accept a "false prophecy" as true.**

Prosecutor: **... A false prophecy was promulgated?**

Answer: I agree [to] that.

Prosecutor: **It had to be accepted by Jehovah's Witnesses?**

Answer: That is correct.

Prosecutor: **If [a] member of Jehovah's Witnesses took the view himself that that prophecy was wrong and said so he would be disfellowshipped?**

Answer: **Yes ... Our purpose is to have unity.**

Prosecutor: Unity at all costs?

Answer: **Unity at all costs ...**

Prosecutor: And unity based upon an enforced acceptance of false prophecy?

Answer: That is conceded to be true.

Prosecutor: **And the person who expressed his view ... that it was wrong, and was disfellowshipped, would be in breach of the covenant if he was baptized.**

Answer: That is correct.

Prosecutor: And as you said yesterday expressly, would be worthy of death ...

Answer: I will answer that yes, unhesitatingly.

Prosecutor: Do you call that religion?  
Answer: It certainly is.  
Prosecutor: Do you call it Christianity?  
Answer: I certainly do.

(Douglas Walsh v. The Right Honorable James Latham Clyde Scottish Court of Sessions, November, 1954, p.347-348, Cross Examination of Fred Franz; also see entire testimony for other examples).

### **The Preparing for Child Custody Booklet**

Watchtower legal battles have "become so common [that] they offer its followers a pamphlet entitled 'Preparing for Child Custody Cases' (Montgomery, 1992, p. 14)" intended for Witnesses facing court custody battles. The booklet, which openly advocates deception and advises Witnesses to deceive the court, was

... designed for their internal use in helping their members prepare to discuss custody matters in divorce hearings [and] encourages Witness children, under oath, to present a distorted view of the opportunities that a Witness child has to assume a place in the larger world. An example of this is the comment in this publication that Witness children could become journalists (a vocation requiring a college degree), when attending college is at best strongly discouraged, and at worst condemned by the Witnesses as a vehicle by which Witness children can lose their faith and be subjected to immoral association (Duron, 1991, p. 18).

Court testimony states:

Watchtower attorney Wah also stated under oath that she assisted the Society in writing the booklet *Preparing for Child Custody Cases* in about 1986, and admitted the booklet was produced because of a growing concern about articles published in the social science and psychological literature by **Watchtower critics that were detrimental to the Society's interests.** (*Hetrick v. Hetrick*, Blair Court Common Pleas No 2240 CP 1991 p. 259, Wah testimony)..

The Watchtower legal department is now to be contacted by the congregation elders in all custody and other cases involving individual Witnesses and religion (Confidential Watchtower letters dated 1989, 1991). Not uncommonly, even if the Witness hires a secular attorney, the Watchtower Society will provide extensive free-of-charge legal services and assistance by the Watchtower legal staff (see Watch Tower, *Our Kingdom Ministry*, Aug. 1992, Vol. 35, No. 8, p. 7 and Feb, 1996 p. 3). **Because several of the Watchtower's full-time attorneys focus on defending Witnesses in custody cases, they have developed an enormous amount of experience and expertise in this area, and they know how to deal with the courts to their advantage.**

Walker (1990) concludes from his study of the custody booklet and the Watchtower's letters relating to this issue that the Watchtower advises Witnesses to paint a decidedly untrue **picture in court to the extent that they are in certain situations "to say in court the exact opposite of what they would normally say in a Kingdom Hall"** (p. 7). An example is the Watchtower booklet, *School and Jehovah's Witnesses*, and official teachings that for years have openly condemned involvement of Witness children in organized sports and all after school activities, hobbies, and higher education, concluding that this time should be used principally to pursue Watchtower interests. The Watchtower, though, instructs Witnesses to imply exactly the **opposite** in court of what they actually believe (Walker, 1990, p. 23). In

Tanya A. Stevens v. Max P. Stevens (District Court of the 5th Judicial Court of the state of Idaho, in the county of Blaine, Case no. CV-96-2858 Judgment 10-17-96 for Max Stevens, defendant) the Judge ruled:

It is detrimental to the best interest or welfare of the children to teach them that their father, as a non-Jehovah's Witness, is not entitled to the whole truth, or that it is proper to hide the truth from God's enemies (particularly in a courtroom situation). Neither Tanya nor any other person or party may do so. (p. 42)

Judge Bouska of Kansas City concluded from his review of this Watchtower booklet as part of a case before his court, that the booklet "was designed, and encourages, the Jehovah's Witness to cover up some of their true beliefs and mislead the court as to what their beliefs and practices are with reference to children." He also concluded that the Watchtower teaches that "There is nothing wrong under the religion, as I understand it, in misleading or even lying to somebody that is not a Jehovah's Witness" (Witness, Inc., 1994). In short, the Watchtower "encourages its faithful to fudge their testimony" (quoted in Montgomery, 1992, p. 14). The concern, as Raines notes, is that:

Judges have ruled in favor of allowing custody and visitation rights to the non-JW parent or grandparent once the damaging and restricting nature, i.e., "cult-like" behavior and methods of the group are freely discussed and documented in court.

This includes the use of "theocratic warfare" by JWs in court. The Society in their *Preparing for Child Custody Cases* booklet clearly advocates JWs to in effect perjure themselves in court by giving false and misleading information to the court on Witness beliefs and practices. This is easily documented ... much to the chagrin of the Watchtower. Because of this, the Watchtower Society is being forced to change their positions. Courts do not look favorably on groups that limit growth potential in children such as forbidding or discouraging higher education and involvement in sports and after school clubs and organizations (Raines, 1996, p. 30).

Witnesses justify this deception in court by the *theocratic warfare* doctrine discussed above in which lying (or, in Watchtower words, withholding the truth) is proper if it defends the interests of the Watchtower. This justification includes efforts to deny their past doctrine, a tactic that will likely have some effect on their current teaching. For example, the Watchtower may de-emphasize certain past views, such as only Jehovah's Witnesses can please God and earn the gift of life, and that all governments, religions, and businesses except their own are controlled by Satan.

When asked if people of other religions will survive Armageddon, the Watchtower suggests this answer: "Jehovah makes those judgments, not we." In actuality, although they attempt not to alienate potential converts and others, the Watchtower teaches that *only* baptized members of the Watchtower who are in good standing will survive Armageddon (Bergman, 1999). The official Watchtower book *You Can Live Forever in Paradise Earth*, clearly teaches that only one religion is true, all others are false, and all persons in false religions will soon be annihilated:

Did Jehovah ever use more than one organization during any period of time? In Noah's day only Noah and those with him inside the ark had God's protection and survived the floodwaters. (1 Peter 3:20) Also, in the first century there were not two or more Christian organizations. God dealt with just the one. There was just the "one Lord, one faith, one baptism." (Ephesians 4:5) Likewise in our day Jesus Christ foretold that there would be

only one source of spiritual instruction for God's people. ... there are [not] different roads, or ways, that you can follow to gain life in God's new system. There is only one. There was just the one ark that survived the Flood, not a number of boats. And there will be only one organization—God's visible organization—that will survive the fast approaching "great tribulation." It is simply not true that all religions lead to the same goal. ... You must be part of Jehovah's organization, doing God's will, in order to receive his blessing of everlasting life (Watch Tower, 1982, pp. 192, 193, 255-256).

In an excellent summary of the *Preparing for Child Custody Cases* booklet, former Watchtower governing body member Raymond Franz notes the 60-page booklet is a guide for Witnesses who may testify in court. The booklet reviews questions that

may be presented by the opposing side and then offering suggested sample responses ... *Watchtower* ... [teaching] on honesty ... [is to] respect the truth, [not] ... willing to twist the truth a little bit, to get out of an inconvenient circumstance, or to get something we want ... Compare that with some of the responses suggested in the Society's manual. Under "APPROACH BY WITNESS PARENT TO CROSS-EXAMINATION," we find this question ... *Will all Catholics (or other) be destroyed?* ... [and the suggested answer on Page 12 is]: Jehovah makes those judgments, not we. This sounds good, implies freedom from a dogmatic, judgmental attitude. Yet the Witness so responding knows that his organization's publications clearly teach that only those who are in association with "Jehovah's organization" will survive the "great tribulation," and that all those who fail to come to that organization face destruction. (Franz, 1991, p. 283)

Franz then evaluates the section "DIRECT EXAMINATION AND RESPONSES FOR LOCAL ELDER," in which the booklet presents the "proper" responses in parenthesis to common questions:

What view does ... [the Witness religion] take toward people of other religions? (Jesus taught love neighbor as self, includes all; we respect others' rights to worship as they choose) ... [Do Witnesses] teach that young people should learn only about religion of Jehovah's Witnesses? (No. Consider following objective consideration of other religions in our publications). (Franz, 1991, pp. 29-31)

In response to this section of the booklet, Franz notes that the Watchtower implies an attitude of considerable tolerance about religion but

... the Witness elder responding knows that his religion teaches that "people of other religions" are all within "Babylon the Great," the empire of false religion, depicted as a "great harlot" in Scripture, that the worship they have chosen is considered unchristian and if continuing in it, they face destruction. He also knows that Witnesses are urged not to have social relations with such "people of other religions," since such would have a "corrupting" effect, the only approved association with such being in "witnessing" to them in the hope of changing their religion. He knows that all the articles set out in the brochure's list emphasize *negative* aspects of the "other religions" discussed and that the organization discourages reading literature directly proceeding from other religions; only what it itself publishes about such religions is viewed as safe reading (Franz, 1991, p. 284).

In summary, Franz concludes that people counseled to respond in this way

...must know that they are being asked to present an outlook that is very different from the one urged upon them in Watchtower publications. If they **are speaking the truth, without "twisting it a bit," they would not have to be** told to speak differently from the way they would in a circuit assembly—or anywhere else for that matter (Franz, 1991, p. 285).

**In this writer's experience, the Witnesses and their attorneys regularly and routinely follow the booklet's advice to deceive the court on the stand.** MacGregor, who has consulted in many Witness custody cases, concludes:

Your J.W. mate (or ex-mate) will desperately try and get custody of the children. Be prepared for the worst. Many have faced false charges difficult **to defend. They want to prove you "unfit" as a parent. You will need strong** character witnesses who have observed you with your own children. ... At their disposal will be their own legal experts, and your mate and children will be coached in what to say in court. Lack of preparation on your part or your **lawyer's will lose you your children!**

... They will have no hesitation about lying, even under oath. They have a **doctrine called "Justified Lying," teaching that you only have to tell the truth to those "who are entitled to it."** The courts, legal system, family care workers, the ex-mates, etc., because of their resistance to, or not being part of **"Jehovah's" organization, do not deserve to know the truth.** In Jehovah's Witness thinking, they are of Satan and it's okay to lie to him or his people to **protect "Jehovah" and his organization on earth [The Watchtower Society].** ... All sorts of things will be told to the children to scare them away from any **involvement with "evil" you.** They will be coached on what to say about you in court. Even if the courts forbid religious things being taught to the kids **during visitation times, the children will be instructed to "hate" you because you are opposing ... God's organization** (MacGregor, 1994, p. 4).

An example of the use of this doctrine in court by a non-Witness to support her friend follows:

I knew the Watchtower Society controlled very carefully what was said in **courtrooms. ... I had seen the brochure about Child Custody cases that they** put together. But until I actually spent two weeks this last July, every day, in **court ... in a child custody case, I didn't realize the extent to which the JWs** take their **Spiritual Warfare tactics ... I came in to both be a moral support** to the family, and to transcribe the proceedings so that the family could refer to **them later. ... I couldn't believe what my fingers had to type, so stunningly** bold were their lies. Since the JWs believe that anyone who is an enemy of **the Jehovah is not "entitled to know the truth,"** which basically includes anyone who is not a JW and all governments and representatives of governments, like judges, they proceeded to lie, lie lied LIE and tell semi -and **"half" truths under oath in front of that judge! ... Two solid weeks of it ...** People going against the JWs in court should assume NOTHING—especially do not assume that the JWs will play fair or shoot straight. They believe this is **war and that to lie to "God's enemies" is what he [God] wants them to do—** and **God's enemies in this case and all cases—is anyone that is not a JW.** (Anonymous, letter published in *Comments from the Friends*, 1999, p. 9)

Witnesses may, for example, swear under oath that they have no problem allowing their **children to celebrate the holidays, play with "worldly children," participate in school sports,** attend college, or have a blood transfusion **if it meant the child's life, even at times falsely** claiming that this is not a disfellowshipping offense (Bergman, 1994). Some state they

would at the least permit their non-Witness ex-spouse to make the decision (that would in essence allow the child to have a blood transfusion) even though this is contrary to Watchtower policy that must be followed under pain of total expulsion:

If a Christian is asked to submit to something that would be a violation of **God's higher law, the divine law comes first; it takes precedence [and if a court] ... authorized the forcing of a blood transfusion on a Christian ... Christians must take the same stand that the apostle Peter did; "we must obey God as ruler rather than men"--Acts 5:29 ... [and must be] absolutely determined to obey God even if a government directed them otherwise (Watchtower June 15, 1991, p. 31).**

The Society stresses the degree to which this Watchtower rule is to be enforced by citing the example of a twelve year old who:

**left no doubt that "she would fight any court-authorized transfusion with all the strength she could muster, that she would scream and struggle, that she would pull the injecting device out of her arm and would attempt to destroy the blood in the bag over her bed." She was firmly resolved to obey the [Watchtower's ruling on] divine law. (Watchtower June 15, 1991, p. 31)**

A problem for the Watchtower is that no Scripture exists that clearly and directly condemns the medical use of blood or any other organ transplant, and many Scriptures condone their use to save lives (Bergman, 1999). Even the Society has historically allowed blood transfusion—it was not a disfellowshipping offense until 1961, almost a century after the **Society's founding (Watchtower, Jan. 15, 1961, pp. 63-64)**. The average Witness accepts **these doctrinal changes because of the "new light" doctrine, meaning that they believe God's will is progressively revealed through the Watchtower. The necessity of avoiding transfusions includes prohibiting placing oneself in the position where a transfusion could occur, and if a court ordered transfusion seems likely, a Witness must:**

**put forth strenuous efforts to avoid a violation of God's law on blood [and if] authorities ... consider him a law-breaker or make him liable to prosecution ... the Christian could view it as suffering for the sake of righteousness (Watchtower, June 15, 1991, p. 31).**

As Duron notes, Witnesses are instructed to die rather than submit to a transfusion:

Witnesses seldom actually state succinctly that they would not hesitate to allow their minor children to die rather than to allow the child to receive a **blood transfusion" (1991, p. 18).**

Watchtower attorney Wah said under oath that she has represented adults in two situations:

**... who, while conscious and competent, a court order was obtained authorizing physicians to transfuse them. It would be my position that such an order was illegally obtained and the Christian, as an adult, would certainly fight it and that could include physically. ... It is in my mind, and the best analogy would be compared to rape. For myself, as an adult, to be raped by court order, the presence of a court order is no justification for it. But that becomes quite a different situation if I had a minor child who was under court's order, just as it would be a different situation for self-defense. ... (Hetrick v. Hetrick, Court of Common pleas of Blair County, PA, No. 2240 CP, 1991, p. 234, Wah Testimony).**

If a blood transfusion is equal in seriousness to rape as Wah maintains, one would hardly allow a person to "rape" your child!

Another deceptive line of reasoning the Watchtower not uncommonly uses to argue that their refusing a blood transfusion is rational is the risk of AIDS and that their choice is medically wise in the long run. They often cite cases of people who obtained AIDS from blood transfusions, but typically grossly distort the evidence and deliberately try to frighten their followers. American blood banks began screening blood for AIDS in March of 1985, **and since then of the "more than 120-million blood transfusions ... only 21 people appear to have been infected with HIV" and the relationship between HIV and AIDS is not yet understood** (Nixon, 1993, p. 3). The probability of contracting HIV from a single blood transfusion in the United States is now considered roughly one out of one-quarter million **transfusions, and new testing procedures have "dramatically lowered the risk of post-transfusion hepatitis C virus"** (Carlson, 1996; Rutherford and Kaplan, 1995). The safety level is now so high in the United States that autologous transfusions are now rarely recommended over allogenic (donor) blood (Rutherford and Kaplan, 1995).

### **Is the Doctrine Used by the Average Witness?**

Many historical studies of the Witnesses movement record examples of common Witnesses using theocratic warfare. To convict a person for being a member of an illegal organization in Canada requires documentary proof, such as a membership card, or a confession. Kaplan (1988, p. 70) found that **in Canada Jehovah's Witnesses "generally refused to admit membership" in the Watchtower after it was banned. Nonetheless, "almost all Jehovah's Witnesses who were charged were convicted"** (Kaplan, 1988, p. 72).

Jehovah's Witnesses who are caught in the act of distributing their literature often tried to claim that they **"had found packages of the tract on their doorstep and became so interested in the contents that they felt the urge to go out and share the material"** (Kaplan, 1988, p. 75). **This explanation was likely not readily believed. Furthermore, in hunting Jehovah's Witnesses down, individuals were often interrogated who were assumed to be Witnesses, including people who sympathized with some of their ideas. In many cases, claims by a person that he or she was not a Witness were not believed, partly because so many Witnesses themselves lied about being members that the courts became very skeptical of the testimony of all persons who they believed were Witnesses.**

This widespread practice of lying to defend the interest of the Watchtower Society has similarly unfortunate repercussions today—it is still commonly seen in court cases, especially child custody or wrongful death cases related to blood transfusions. Witnesses or **their attorneys often openly stated in court that Jehovah's Witnesses do not approve of letting their children die for lack of a blood transfusion** (R. Reed, personal interview [Reed was a high-ranking Witness and is now an attorney], March 3, 1999).

Kotwall (1997, p. 1) **claims that "many Jehovah's Witnesses ... are unaware that the Watchtower ... encourages them to lie." To evaluate how many Witnesses are aware of this doctrine and how it is applied, the author surveyed 92 Americans and 39 Italians, most of whom were ex-Witnesses and volunteered to fill out the survey. The responses of the two groups were so similar that they were combined. The respondents learned about the survey from various advertisements in magazines and on the Internet. The three pages of questions included several on the "theocratic war strategy doctrine." The responses in table I printed below resulted.**

These data indicate that a majority of Witnesses are aware of the doctrine. These data also indicate a clear relationship exists between the level of activity in the Watchtower and awareness of the doctrine. All of the former circuit overseers were fully aware of it, and over half admitted that they used it. Although 37 persons (28% of the entire sample) claimed they never heard of the doctrine, only 3 persons (2%) chose the incorrect definition **of the doctrine, response "A."**

**Table I. Number of Witnesses who have heard of the Theocratic Warfare Doctrine**

Response		Member	Pioneer	Ministerial Servant; Elder	Circuit Overseer
A.	Never heard of it	37	7	3	0
B.	Vaguely	19	2	3	0
C.	Fairly familiar with it.	11	3	7	1
D.	Very familiar with it. <sup>7</sup>	7	5	7	2
E.	Very familiar and applied it in some situations.	2	1	4	2
F.	Very familiar and applied it in many situations.	0	1	6	3
Total		74	19	30	8

The next question—"How would you best describe the theocratic war doctrine?"—was answered as follows (the numbers do not add to 131 because the respondents could select more than one response) is reproduced in table II

**Table II. Definition of the Theocratic Warfare Doctrine**

Response		Member	Pioneer	Ministerial Servant; Elder	Circuit Overseer
A.	The court's definition of truth "One must tell the whole truth and nothing but the truth" must be strictly adhered to.	3	1	0	0
B.	We do not have to follow the rule, i.e., they can withhold the truth from those who have no right to know it.	38	10	14	4
C.	To protect the interests of the Watchtower and God's organization, it is appropriate to tell what the world might conclude are little white lies.	38	10	11	4
D.	One must use words in such a way to defend God's organization--even if this means lying in worldly terms.	23	8	10	4

An examination of the questionnaires of those who claimed they were not aware of the doctrine shows they were far less involved in the Watchtower—some were at best nominal Witnesses who attended meetings often as a result of family pressure. Dedicated Witnesses

who held administrative positions were, with only one exception, very aware of the doctrine and its significance (elders and circuit overseers). Most (98%) knew of the practice or could define it, but some Witnesses did not recognize it by the proper term. Some may have still **thought of the doctrine by the old term "Rahab technique."** Some persons may not be aware of the term because the word "theocratic" is used less often now than formerly, but is still common. An example is their official songbook *Singing Praises to Jehovah* (1984), which is used at all meetings and lists **13 songs under "Theocratic Warfare."**

### **The Religious Rationale Behind Watchtower Lying**

The Watchtower uses several Scriptures to justify lying aside from those already discussed. As Thomas comments, the Watchtower attempts to justify lying by noting that

**... in the Bible, Rahab the harlot lied to the King of Jericho in order to protect the Israelites spies. The JW's argue that when Jericho was destroyed, Rahab was spared because she lied to protect the spies. The Bible reveals, however, that Rahab was spared because she acknowledged Israel's God to be the true God (Josh. 2:11). God spared Rahab's life not because she lied, but in spite of the fact that she lied. The Watchtower further points out that Abraham, Isaac, and David also hid the truth at times. But all this proves is that even the best of men have had their failings. Surely one cannot use the mistakes of any man (no matter how great he may be) as an excuse for wrong-doing. The command of the New Testament is clear: "Wherefore putting away lying, SPEAK EVERY MAN TRUTH WITH HIS NEIGHBOR" (Eph. 4:25). Jehovah's Witnesses, by their own admission, do not speak the truth with their neighbor if it is in their interest not to do so. If they deem it advantageous, the JW's will deliberately lie to their neighbor! (emphasis in original, Thomas, 1972, p. 96)**

On the use of the Rahab strategy to justify lying, Robbins concluded:

**Scripture does not praise Rahab for lying; that is an invalid inference... It would be odd if the Bible, which repeatedly condemns lying, were to praise someone for lying. Given [this] ... why ... infer that God commends Rahab for lying alone? Her prostitution was equally important in the saving of the Jewish spies, and inferring that the Bible therefore endorses prostitution would be just as valid. ... [Yet some persons] suggests that Rahab and [others] ... are adequate precedents for lying when needed. (1994, pp. 1-4)**

**The position that lying is justified if it misleads only those who have "no right to know the truth" was never taught by any Christian church as a formal doctrine, and Thomas concludes that many Christian martyrs could have saved their lives**

**... if only they had employed the so-called "Theocratic War Strategy" of JW's. With many of them their very lives hung on the answer to this one question. "Are you a Christian?" If they dared to answer "yes," terrible torture awaited them. All they had to do, in many cases, was to deny being a Christian and their lives would be spared. But these great stalwarts of the Christian Faith ... did not stoop to Watchtower trickery to escape "the tyrant's brandished steel or the lion's gory mane." They lost their earthly lives for the cause of Christ but gained everlasting life and eternal honor. This is our Christian heritage and we have every right to be proud of it. (Thomas, 1972, pp. 97-98)**

**The Watchtower's stand on lying is actually inconsistent. A good example occurred during World War II involving Witnesses in the Nazi concentration camps. In order to be released from some camps, Witnesses merely had to sign a paper renouncing their allegiance to the**

Watchtower—yet the Society instructed them not to, even teaching that to deny the Watchtower in order to protect themselves would dash their hopes of everlasting life. They were instructed to lie *only* to protect the Watchtower, not themselves (Buber, 1946). As **may be expected, though, Witnesses' lying tends to extend into other areas.** Thomas relates an experience that allegedly occurred when he offered a Witness one of his tracts that critiqued Watchtower beliefs:

This JW did not know me personally, but he said that he knew the writer of the tract personally. (He was lying!) Thinking that I was someone else, he **began defaming the writer stating that "yours truly" had been booted out of the Watchtower Society in the East for stealing funds from them.** (I have never been a JW.) He then sneeringly began denouncing me as an idiot, claiming that I must be really stupid to allow this tract writer to dupe me into handing out his pamphlets. As this JW was venting his spleen against the **tract writer ..., I showed him my driver's license which proved that I was the tract writer in question.** I demanded an apology from this lying JW. ... The Watchtower gospel had so twisted **this man's mind that he couldn't even blush** for shame, let alone apologize. This is an example of JW theocratic war strategy—deliberately lying in the interest of their religion. This JW thought that by lying about the author of the anti-JW tracts that he could discourage Christians from giving them out. Certainly this JW knew that he was lying, but it did not bother him! For had not the Watchtower taught him that it was **scriptural for JW's to deceive and lie in the interest of their religion?** ... It is well known that the policy of evil and unscrupulous men is that the end justifies the means. Seemingly the JW's have adopted this policy. (Thomas, 1972, pp. 96-97)

Of course, it is difficult to determine if a person is consciously using Theocratic War Strategy or just playing loose with the facts to escape an embarrassing situation. The situation Thomas recounts may include a bit of both (Raines, 1998, p. 30).

### **The Ultimate Harm of Lying**

The teaching of the Watchtower theocratic war strategy doctrine that it is appropriate to withhold the truth from those who could use it to harm the Watchtower is intended to further their interests (Bergman, 1994). Evidently, with only two exceptions that I know of, they are the only religious group that directly teaches, as part of official doctrine, that it is appropriate to lie, **according to the court's definition.** **While this doctrine may be advantageous in the short run, in the long run it will harm the Watchtower's interests far more than help them.**

Probably the major effect of the doctrine of theocratic war is the psychological harm it **causes Witnesses when they become aware of the Watchtower's record of deception** (Bergman, 1996). This was clear in the interviews of 92 Americans and 39 Italians completed for the **study cited earlier.** **Awareness of the Watchtower's lack of full honesty is** often disillusioning, resulting in members leaving the sect. Leaving is incredibly traumatic for many people—especially those who are highly committed. As Duron states:

I was a **third generation Jehovah's Witness before my departure from that religion in 1975.** I am married to a second generation former Witness. My husband and I, with a combined total of nearly sixty years of exposure to Witness beliefs and activities, have spent many hours, both separately and together, searching for rationality in our lives. The focus of that search, aside from trying to learn how to rebuild our lives after living through the intense spiritual upheaval of rethinking all of our moral, religious, social, and personal

values and beliefs, was to deal rationally with "who gets the kid?" We had two children to think about (Duron, 1991, pp. 16-17).

The example Witnesses use of Abraham lying to Pharaoh, stating that Sarah was his sister and not his wife, may prove to be prophetic here. Watchtower dissidents widely cite the doctrine as an issue that was part of their decision to leave the Watchtower, and opposers commonly tout this doctrine as partial justification for their condemnation of the Watchtower. Their lack of honesty is often noted by their critics (for example see Branden, 1988, and Dahlin, 1988, and most of the references noted in this paper).

Openly reversing the doctrine is unlikely because a reversal will support the conclusion that it was taught and commonly practiced. Furthermore, and most important, reversing it would also be an admission that it was wrong. The Watchtower, in view of their expectation of the imminent Armageddon, is hoping that this predicted battle will save them from having to deal with this problem. No need will exist for the theocratic warfare doctrine in the new world since there will be no opposition to the Watchtower because all non-Witnesses will be destroyed at Armageddon. In view of the repeated failure of the **Watchtower's prediction of the "great day of God the Almighty," they may be forced to face** the doctrine and either quietly let it fade away (which does not seem to be the case—the doctrine has been reiterated in the most current Watchtower publications) or face up to their exegetical mistakes and develop policies involving functional ethics.

### **The Ohio Supreme Court Rules on Lying for Religious Reasons**

The author served as an expert witness in a case in which a jury agreed with a family's claim for reversal of the will of their family member, Otterbein Duesler, who unexpectedly and abruptly changed his will and left most of his \$338,000 estate to the Watchtower Society (*Redman et.al., vs. WTBTS* Appeals No. 91 WDO 71, Trial Number C-88-835). Duesler was not a Witness, and had expressed some dissatisfaction about the Watchtower when alive. The family claimed that he left his money to the Watchtower Society because they convinced him that if he did not, he might lose out on everlasting life (W. Caughey, personal interview, Feb. 3, 1991).

The Wood County Court of Appeals reversed this decision (Court of Appeals for Wood County, No 91-WD-07 Decided Aug. 14, 1992). The appeals court ruled that the expert witness's "testimony would allow one to conclude that: (1) Attorney Walter Kobil was a believer (2) the church theology encourages perjury to protect the church (3) Attorney Kobil was willing to lie to protect the church and (4) therefore Attorney Kobil is not credible. Evid. R. 610 prohibits this type of attack on the credibility of a witness. The admission of the evidence was, therefore, error" (p. 11) and "required a new trial" (p. A-19). The appeals court ruled that if a church teaches its members to lie or withhold the truth in order to defend the interests of the church, and if this fact is brought out in court, it is a reversible error.

The Wood County Court of Appeals decision was upheld by the Ohio Supreme Court (*Redman v. Watchtower Bible and Tract Soc. of Penn.* 69 Ohio St.3d 98, 630 N.E.2nd 676 reh. denied, 69 Ohio St. 3d 1445 (1994) 632 N.E.2d 913). The Ohio Supreme Court ruled that **"Questions concerning a witness's religious beliefs [including if his religion teaches its members to lie] are not an additional permissible method to test truthfulness"** (*Redman v. Watchtower*, supra, p. 101). The court also appeared to question the existences of the theocratic war doctrine even though the Watchtower authorities in this case admitted it exists, as will be explained below. On its face, then, this ruling openly protects lying if it is done for religious reasons and if this doctrine is noted in court by the opposing party.

The case involved an older mentally borderline-functioning man, Otterbein Duesler, who also had emotional problems. According to Mr. Caughey, the attorney for the family, the Jehovah

Witnesses would not accept Mr. Duesler as a member because his behavior violated Watchtower policy, and they concluded that he would not convey the image the Watchtower is trying to present to the public. Had they genuinely endeavored to help him as a person, the family would have been less concerned about his bequest to the Watchtower. In short, they felt angry and exploited by the Watchtower (W. Caughey, personal interview, Feb. 3, 1991).

The family's attorney was aware of the "theocratic warfare" doctrine as a result of his own research, and the author was retained as an expert witness to discuss its application. He explained that, in contrast to the court requirement that one tell only "the whole truth and nothing but the truth," the Watchtower teaches that it is proper to withhold the truth from those who they believe have no right to know it, specifically those that are part of Satan's system of things, which include all Watchtower opposers, all churches, and the secular governments, including the court system.

This information was related in court to aid the jury in understanding the motives of Jehovah's Witness Elder and attorney (but not the attorney for the case) Mr. Walter Kobil and others in allegedly influencing Mr. Duesler to change his will. The concern of the family was that Mr. Duesler was inappropriately coerced into changing his will. Concern over a changing of a will after a lonely elderly person becomes involved in the Watchtower is not an uncommon event.

The appeals court ruled on "the question of the admissibility of evidence of a witness's religious beliefs or opinions," in this case the theocratic warfare doctrine. The court concluded that "no analysis is necessary; the evidence is simply not admissible by virtue of evid.r.610." This rule reads: "Evidence of the beliefs or opinions of a witness on matters of religion is not admissible for the purpose of showing that by reason of their nature his credibility is impaired or enhanced."

The Ohio Supreme Court said that the plaintiff elicited expert testimony at the trial, "concerning the beliefs and practices of the Jehovah's Witnesses" and that the plaintiff's expert witness "testified that the church engaged in a practice he termed 'theocratic warfare.' This practice *allegedly* includes a church policy to encourage members to perjure themselves in order to protect the church and its followers" (emphasis mine). The court also concluded that much of plaintiff's case centered on the expert witness's "testimony concerning theocratic warfare and *his allegations* that Jehovah's Witnesses would lie to protect the congregation" (*Redman v. Watchtower*, supra, p. 100, 69 Ohio St. 3rd, p. 98, 100-101, emphasis mine).

The court also claimed that "most of plaintiff's case was controverted by the defense. Kobil (a Toledo attorney who, at the time of this case, claimed that he had practiced law for 35 years and was, according to the court records, a Witness for 60 years) testified that he was a member of the Jehovah's Witnesses, but that lying under oath was not a tenet of their teachings. Kobil's testimony was corroborated by John Schabow, an elder in a local Jehovah's Witness congregation." As documented below Kobil did not deny the *existence* of the doctrine, but *only* the specifics of its application.

John Schabow testified that he became involved with the Jehovah's Witnesses in 1944 and was an elder in the local congregation (Schabow testimony court transcript, p. 750). When asked by Mr. Kolb, the attorney for the Watchtower in this case (not to be confused with attorney Kobil, a witness in the case), if he "ever heard of the doctrine of theocratic warfare before this case," he avoided the question by answering, "I don't know what that refers to. It's not something that we teach in the congregation or that we study." In the next question Schabow indicated that he *did* know what the doctrine referred to. Specifically, Mr. Kolb asked, "does it [the theocratic war doctrine] appear *regularly* in your writings?" Schabow then denied that it appears *regularly*, and added that the *Watchtower* magazine "is

distributed freely to the public around the world, and anyone would see that. I don't see that [doctrine] in the Watchtower magazines." The concern is if the doctrine is taught, not if it appears "regularly." Answering no to the question "does the doctrine appear in your writings" would be against the facts.

The term "theocratic warfare" is the term that the Watchtower Society itself coined and regularly uses. In the 1930-1985 *Watchtower Publications Index*, the term "theocratic warfare" refers the reader to the main topic, "warfare, spiritual." The official Watchtower teachings, such as in the official Watchtower reference book *Insight on the Scriptures*, (1988) plus many articles in *The Watchtower* (e.g. June 1, 1960, p. 351, May 1, 1957, p. 284, and February 1, 1956, p. 78) show that this teaching is officially required dogma. To deny the existence of the doctrine is an illustration of its application. In answer to the question if a person is justified in not telling the truth under some circumstances, Mr. Schabow avoided the question by answering, "we hold highly to telling the truth" (Schabow's testimony, p. 762-763).

Another witness for the Watchtower, Walter Kobil, in answer to the question "had you, in your 60 years of being a Jehovah's Witness, ever heard of that doctrine [theocratic warfare] before?" said "no, I hadn't." Mr. Kolb then asked Mr. Kobil, "is it preached? Is it discussed in your literature *extensively*?" (note again the use of the word *extensively*) In answer, Kobil stated "no, it isn't." Then, in answer to the question about the testimony on this doctrine "two days ago" the attorney asked "have you researched that topic?" Kobil said

Yes, I have. . . I was curious about what he was talking about, so I did extensive research and I located a question and answer to. . . from the readers in *Watchtower*, June the 1st 1960, which is 30 years ago, and. . . those two words appear together, theocratic warfare and. . . the question was: if testifying in court or dealing with officials, must we always speak the truth? And the. . . answer was that we must always speak the truth. The only variation. . . in court or dealing with public officials. . . was that in the case of one of the people in our church who's lives are in jeopardy, that we would avoid giving all of the truth. . . so the article had applications to living under totalitarian governments, and it only had to do with saving lives. . . our beliefs are that we must tell the truth, and this was only that we didn't have to tell all the truth if it put. . . somebody's life in jeopardy" (Court transcript, pp. 823-825).

Note, Mr. Kobil did not deny the existence of the doctrine, only the *specifics* as to when it is appropriate to apply it. This is something quite different than stating the doctrine does not exist as the court implied. Actually, the article says *nothing* about saving lives or that theocratic warfare is to be used *only* under totalitarian governments. As the article makes clear, it applies to *all* governments (see Reed, 1997). Furthermore, the attorney for the appellee, Richard Kolb, in his closing argument, **admitted that the appellants do "not deny the existence of the controversial church [theocratic] war strategy doctrine"** (Appellants' Reply Brief p. 2; emphasis mine).

In the closing argument, counsel for appellee conceded that the theocratic war doctrine exists, but said **that the jury should conclude that it did not apply to Kobil's or Schabow's testimony in this case** (Court Transcript, pp. 1037-1038). Why it would not apply was never documented. Mr. Kolb contended in his closing argument that the doctrine taught Witnesses **don't have to "squeal on your friends,"** (Court Transcript, pp. 1037-1038), meaning you need not tell "the whole truth" in court in contrast to the court oath that requires "the whole truth." Furthermore, appellant stated

Mr. Kobil's been a Jehovah's Witness all of his life, [and has] never heard of the doctrine, and neither did Schabow, but when Kobil looked it up, they

found that under *certain circumstances* such as when your member's life is in jeopardy. . .if you're supposed to testify and squeal on your friends then you don't have to do that. Is that such a terrible thing? Wouldn't you do the same thing? (emphasis mine). (Court Transcript, pp. 1037-1038)

Kobil also testified in opposition to the expert witness's claim that Jehovah's Witnesses are taught to withhold the truth and hence are less credible. Contrary to what is taught by the Watchtower, Kobil stated that the "appellant takes exception" to testimony of the plaintiff's expert witness "regarding the concept of theocratic warfare" (page 29 of the Kobil's appellant memorandum, written in opposition to plaintiffs' memorandum). The appellate court evidently agreed in part with Kobil and concluded that the expert witness

was also allowed to testify, over objections, about the *alleged* doctrine of theocratic warfare. According to [the expert witness]..., the church was an adherent of isolationism. This is a belief held by many church members that their own church is favored by God over others. However, [the expert witness]... testified that the *alleged doctrine of the Jehovah's Witnesses goes further* in that the church *allegedly teaches its members that at a 'theocratic ministry school' that, because the church is favored by God, it is permissible to lie to nonbelievers in court in order to protect the church* (entry decided August 14, 1992, p. A15 *emphasis mine*).

The court's use of the term "alleged doctrine" implies that the plaintiff, in the court's view, didn't convincingly demonstrate that the doctrine exists and that, even if the court had been so convinced, it would have disallowed testimony about the Theocratic War Doctrine because of rule 610, even though that theocratic Warfare is taught by the Watchtower was admitted by Kobil and the Appellants (See appellants' reply brief pp. 2-3 and trial transcript pp. 1037-1038).

The appeals court ruling concluded that the admission of the testimony "regarding the *alleged doctrine of theocratic warfare*" requires a new trial (p. A19, *emphasis mine*). The specific testimony at issue, which was *close to word for word from the official Watchtower publications*, was that Jehovah's Witnesses consider themselves "more like foreigners or sojourners in this country" and non-Witnesses

are considered evil, at least until they become Jehovah's Witnesses, so therefore, they feel that they are. . . in a war situation with people in this country, and in every country, and part of the strategy of a war situation is if someone brings you on the stand or asks you a question and answering that question honestly would hurt the Watchtower Society, . . .the Watchtower has ruled very explicitly that if what you are going to say is going to hurt the Watchtower society in any way, then you are to, as they say, withhold the truth. You are not to reveal the truth, in their words, to one who doesn't deserve to know the truth or learn the truth (R.T. p. 412).

To clarify this, in answer to the question how this doctrine applies to the court, the expert witness testified that

if, in a court room, you are asked a question which could incriminate or hurt the Watchtower society, you are to, in their words, withhold the information. You are not to reveal information which could hurt the Watchtower society. You are to do whatever you can to protect the Watchtower society, and, of course under the oath, you are to tell the *whole truth* and *nothing but the truth*, and by that definition, of course, that would be lying (R.T. pp. 413-414 *emphasis mine*).

The Watchtower doctrine (which must be followed by all Witnesses under pain of expulsion) was elaborated by providing situations in which a person *has* a right to know, such as giving full disclosure to the Watchtower elders, or a prospective mate. The Watchtower notes an exception to the rule that one should provide full disclosure is one

that the Christian must ever bear in mind. As a soldier of Christ he is in theocratic warfare and he must exercise added caution *when dealing with God's foes*. Thus the scriptures show that for the purpose of protecting *the interests of God's cause, it is proper to hide the truth from God's enemies*. (*Watchtower* January 1, 1960, emphasis mine).

The Watchtower article adds that in a court situation "when faced with the alternative of speaking and betraying his brothers or not speaking and being held in contempt of court, the ... [Watchtower follower] will *put the welfare of his brothers ahead of his own*" (*Watchtower* January 1, 1960, emphasis mine). The Watchtower defines lies as "untruths told for selfish reasons and which work injury to others" (*Watchtower* May 1, 1957). This article says nothing about life and death situations as claimed by Kobil, but speaks only about "betraying his brothers."

The expert witnesses possessed copies of these Watchtower publications on the stand and paraphrased from one of them. They indicate, given the court's definition of lying: "the whole truth and nothing but the truth and using words with an intent to deceive," that lying was involved in this case (Lewis and Saarni, 1993, p. 156).

A review of the background of the rule the court used to reverse the jury's decision, rule No. 610, indicates that this rule has little bearing on this case. The rule historically refers to, for example, using the belief that one was healed of an illness to ridicule a court witness's *personal faith* in areas not related to the case, or the belief of an atheist that some may try to use to impugn the credibility of a court witness who happens to hold this belief (Ratcliffe, 1941). The testimony in this case involved not a belief or opinion, but a doctrine openly taught in official Watchtower publications, a doctrine that must be accepted and practiced under pain of being cut off from the church (Franz, 1983). Of note is the fact that Mr. Kobil ridiculed Emma Kriston's religious beliefs in his brief as witness for the plaintiff, stating her testimony "reached the incredible" because she claimed her "45 year emphysema was cured by a prayer request to the Wings of Hearing [sic-healing] radio station" (Kobil testimony, pp. 23-24). Kobil added that her testimony "was so far out that it did not satisfy the basic requirement of competent, credible testimony." Today millions of people believe that faith can heal, and this kind of response appears to be exactly what evid. 610 is designed to prevent (Ratcliffe, 1941).

This rule derives from the once common belief that only a fear of supernatural punishment can make a witness faithful to his oath (Ratcliffe, 1941, p. 339). It is for this reason that a line of questioning that reveals a witness is an atheist (or professes another religion) is forbidden (*Malek v. Federal Ins. Co.* 994 F.2d 49 (2nd Cir. 1993)). In this case, the religious beliefs of both Kobil and Schabow were a major part of the case that had to be raised in the court trial.

A Utah statute and a New York court opinion provided that persons shall not be excluded from testimony on account of their opinions on religion, but those opinions can be used to question the credibility of a witness (Ratcliffe, 1941, pp. 336-337). Although in *Stanbro v. Hopkins* (28 Barb (N.Y.) 265 (1859)), the court ruled that questions on religion can be asked to help evaluate a witness's character and honesty, more recently the courts have usually held that religious beliefs or unbeliefs cannot be used as part of cross examination to question a witness's credibility (Ratcliffe, 1941; Chadbourn, 1930). The justification often given for this rule is that theological orthodoxy is not to be used as a test of truth, and if a

witness holds views different from the jury, this line of questioning could cause the jury to discount the testimony presented.

**The court also implied that one of the Jehovah's Witness elders who testified in this case** claimed that the Watchtower does not teach the theocratic warfare doctrine. If this had occurred and the theocratic warfare doctrine was indeed JW teaching, then the elder would have been applying the doctrine to defend the Watchtower. In fact, however, this Elder did not dispute the doctrine in court, but claimed only that it is no longer applied in contemporary court cases in America. The other elder was evasive and claimed the highly unlikely situation that he was unfamiliar with the doctrine even though he was an active Witness for about a half a century.

As noted, the Watchtower teaches *in print* that it is proper to withhold information from those who they feel have no right to know if such knowledge could damage the **Watchtower's interests. This is in direct violation of the court oath that requires one to tell "the whole truth and nothing but the truth." Watchtower religious beliefs were critical in this case, and there is no purpose in having a trial in these types of cases unless the effects of the theocratic warfare belief can be evaluated. Furthermore, if asked about this doctrine, the proper response is to tell the truth as required by the court oath, but a JW following Watchtower teachings would not necessarily honor that oath because the court is part of Satan's system.**

The court appears to have concluded — incorrectly in my view — that the theocratic warfare doctrine did not influence JW witnesses to a degree that would make their testimonies suspect. Moreover, the court seems to have implied that even if it had been convinced that the theocratic warfare doctrine was currently operative and influencing testimony, it still **would have disallowed expert testimony on the matter because "evidence of the beliefs or opinions of a witness on matters of religion is not admissible for the purpose of showing that by reason of their nature his credibility is impaired or enhanced."** Both of these rulings, in my view, invite serious abuses in future court cases and ought not to have been made in *Redman*.

Consider for example, the Yahweh Ben Yahweh sect, which teaches that it is proper to murder to defend their church (*U.S. v. Beasley* 72 F.3d (11th Cir. 1996)). To be fully consistent with the Ohio Supreme court ruling, if the prosecutors note this religious teaching in court, evidence rule No. 610 would indicate that the murder conviction would be reversed on appeal. The court ruled that the followers of Yahweh Ben Yahweh were involved in at least 14 murders, and that their religious beliefs were critical in establishing the motivations for the murders, a decision that the courts have upheld (*U.S. v. Beasley*, 72 F. 3d 1518 (11th Cir. 1996) *cert. denied, James v. United States*, 518 U.S. 1027, *subseq. appeal, United States v. Yahweh*, 1996 U.S. App. LEXIS 24977 (11th Cir.), and *cert. denied, Yahweh v. United States*, 519 U.S. 866 (1996)).

The courts also ruled that teaching that promotes or justifies murdering dissidents (Yahweh **Ben Yahweh's religious teaching) was a proper area of inquiry. Furthermore, the reasons** for a death must be established to determine if a murder or a manslaughter conviction is most appropriate. The circuit court also ruled that one cannot hide behind one's religion in committing illegal acts, in harmony with the U.S. Supreme Court ruling in the American Indian Religious use of Peyote case (*Employment Division, Dept. of Human Resources v. Smith* 494 U.S. 872 (1990)). The court in the *Redman* case has condoned hiding behind the theocratic war beliefs. Other commentators have concluded that both the appellate court decision and the Ohio Supreme Court decision would appear to give *carte blanche* permission to lie **when lying is based on religious beliefs** if the religious belief is brought out in court by the prosecution:

The Ohio Supreme Court in April, 1994, ruled that evidence that Jehovah's Witnesses use "theocratic war strategy" (i.e., deceive or lie, even in court if necessary to protect the interests of the organization) cannot be used in court. This ruling, in effect, seems to allow JW's to use deception in Ohio courts in the name of religious freedom (Raines, 1996, pp. 29-30).

## Summary

The Watchtower theocratic war doctrine teaching may result in rather blatant dishonesty if the Witness perceives that this approach will benefit the Watchtower's interests. Numerous examples were given that illustrate how the doctrine is interpreted and applied by active Witnesses in a wide variety of situations. Bias and slanting of information in court to favor **one's position is not unusual in the American** judicial system. A major distinction is that the Watchtower institutionally supports and condones what many people regard as dishonesty. Furthermore, many of the cases cited here were custody cases, and in custody cases lack of candor and open dishonesty are more of a problem than in many other types of court cases. This is partly because of the bitterness commonly observed in divorce and custody cases. The application of the doctrine is not limited to custody cases, though, and is used in a wide variety of situations, sometime those that benefit the Witness more than the Watchtower society.

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