



Lawyers' Christian Fellowship NEWSLETTER

February 2000

We welcome our members back to a new year and hope that you took the opportunity to attend one of the church services committing our practise of law and our legal system to God. If not, then we report this month on the Rev Tim Costello's address from the Parramatta opening of law term service. Next month we will print the full text of the address given by the Rev James McPherson at the Sydney opening of law term service.

As a committee we look forward to serving you and we would welcome your input as to how we can best do this.

It is our hope to have a more regular newsletter this year and to have a web-site up and running by the time you receive the next newsletter.

We welcome your prayers for the committee as it plans the activities of the Fellowship or this year.

Steven Nicholson
Editor

The Parable of the Lawyer who asked one question too many

The relationship of Love and Justice

This was the topic of this year's Opening of Law Term Address at Parramatta, presented by the Rev Tim Costello, the National President of the Baptist Church, social commentator and former lawyer. Many of you will probably wonder which version of the bible comes with such an unlikely title for one of the parables. This parable is found in Luke's gospel at 10:25-37 and many of you will know it better as the parable of the good Samaritan.

Tim Costello noted that what we have here in this parable is a mistake often made by inexperienced lawyers. Here the parable starts with the lawyer asking the question "what must I do to inherit eternal life". The answer the lawyer received should have satisfied him - 'Love the Lord your God with all your heart and with all your soul and with all your strength and with all your mind'; and, 'Love your neighbour as yourself.' But like the inexperienced advocate he asked one more question. Tim related how he had similarly asked that one question too many when representing a young offender who was charged with what is known as "snowdropping" in Victoria - stealing women's underwear. He had met his client's teacher and ascertained that his client was doing well at school, and called the teacher to give that evidence in support of his client. When questioned his client's teacher responded that the accused was doing very well. Desiring her to elaborate Tim asked "How well is he doing". She responded that previously he was truanting every day and now he comes to school two or even three times a week.

The lawyer in this parable was also deeply distressed by the time Jesus had answered his question "Who is my neighbour", for he had no intention of loving a Samaritan. The lawyer had gone in one place familiar, receiving the answer he had anticipated to his first question and by the time he had the answer to his second question he had come out in a completely different place. He was transported by a story as we often are by stories. In much the same way as a surfer goes in at one point and then comes into shore one hundred metres away having been caught by a rip and unknowingly dragged along. A question about salvation for this lawyer ended up throwing up questions of love and grace as the lawyer is transported by the story of the good Samaritan.

At the time of the parable of the good Samaritan the civil, criminal code and the religious code were all tied up together in the Mosaic law. The priest was presented with a problem - his capacity to fulfil his functions under the law relied on him remaining clean under that law. To have assisted the Samaritan would have rendered him unclean and unable to perform his functions under the law - so he passes by. Similarly the Levite faces the same problem and opts for the same solution and passes the Samaritan by. Instead it was the Samaritan, who has no obligation to respond, in a world where Israelites and Samaritans despised each other, who in fact fulfils the law by loving his neighbour.

This parable raises the relationship that operates between justice and grace and between love and justice. The ethicist Joseph Fletcher describes justice as "careful, diligent and prudent". Justice he defines as "giving everyone their due" - their due being to be loved. Neighbourly love then is doing justice. Tim Costello pointed out that love and justice are not synonymous, for love is giving more than what is due. People long for grace and love and not merely justice. For love is spontaneous,

irrational, it goes beyond justice and ultimately you dehumanise love if it becomes justice. Not only can they not be the same, but love and justice can be in radical opposition. The Russian writer Tolstoy, believed that Christians were called to be total pacifists and to abandon completely retributive justice and by so doing were to be pure examples of love. But in Tolstoy's utopian view Tim Costello pointed out that there would be no State, no human law, no force and that this would ultimately lead to greater injustice and anarchy. Often love and justice are in opposition and it was this that the Priest and the Levite failed to appreciate. Justice did not demand they stop but love did.

Love and justice are different but inter-related. Love requires justice, the failure to send justice leads to a failure to love, yet justice can never completely express neighbourly love. Love and justice in a fallen sinful world are difficult to implement. We see it in Jesus - the one who did not know when to stop loving - we see in Him love in its most perfect expression. A love which can never be institutionalised. In the public realm love is mediated through the practice of justice. Organisations give expression to the requirements of love through justice. But whereas love is sacrificial, justice is discriminating, calculating and orders particular interest.

Love does not always treat equally or the same. Tim Costello revealed that of his three children, the first and third are like him which, according to his wife, means they are disorganised, always late and will never make money. Their second child however is like his mother, which, according to Tim's wife, means he is organised. Tim recalled how at a young age his second child set up a table outside and sold drawings and much to his father's surprise came in with \$19.00. For the first and third child it is loving to insist they do their homework, but for the second child who has a highly developed sense of duty and conscience they have to persuade that child to take a break from studies.

Love requires discrimination and discernment. It is the legal equivalent often of pleas of mitigation. Love and justice are dialectically related. Love stands against the failures and limitations of justice. Love in our world is refracted through justice. Absolute love loves those who behave differently - even those who are absolutely unlovable.

The above summary of Tim Costello's address was prepared by Steven Nicholson. It is hoped that a full copy of the address will be available to interested members in the near future.

An Unscheduled Prison Visit

An interesting tale from Prison Fellowship's recent international convocation held in Sofia in Bulgaria and attended by nearly 800 people from 109 countries.

"Although PF Thailand chairman Sritchai "Gop" Tupavivoj, had shared the Gospel with prison inmates many times before, it did little to prepare him for his experience during the PR Convocation in Sofia, Bulgaria. It began as a simple mistake, when he accidentally picked up the wrong Convocation satchel at the hotel. (Each of the delegates was given an official Convocation satchel when they registered.) When he opened it and saw that the contents weren't his, Gop recognized his mistake and immediately turned in the bag to the hotel's front desk. In the meantime, another delegate had reported his satchel as missing. The hotel staff, without connecting the two events, called in the local police to handle the matter. Upon viewing the hotel security tape, they saw Gop pick up the bag. Without checking any further, the authorities arrested and interrogated him at length, before taking him to the Sofia jail at 4:00 a.m.

But it was here that God's light shone brightly. As the prison doors slammed shut, Gop noticed that his cellmate, a Bulgarian teenager, was huddled on a cot, shaking from severe cold. Gop removed his own jacket and covered the boy. Then he gave the boy a soft drink he had brought from the hotel. Gop thought about the message of "Reconciliation Through Christ" that he had heard throughout the Convocation, and was convinced that this unfortunate experience was really a divine appointment for him to share the Good News of Jesus Christ with the boy.

Eventually, the joint efforts of PF Bulgaria leaders and PF vice presidents Roger Kodat and Tim Khoo got matters straightened out and led to Gop's release. Gop knows that he will almost certainly never see the boy again in Bulgaria or Thailand, but he eagerly awaits a reunion in Heaven."

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Literacy Project in Papua New Guinea

The Bible Society is seeking support for a project to provide scripture materials to assist in the promotion of literacy in Papua New Guinea which has the lowest literacy levels of any country in the Pacific region. Any members wishing to assist this project should contact Ted Philpot at the Bible Society on (02) 9267 6862.