

## **Alternative Dispute Resolution: Choice or Command?**

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### **Abstract**

Although the United States has become an increasingly litigious society, most legal disputes are resolved using some type of alternative dispute resolution. The thesis of this paper is that Christian business persons must allow scripture to inform and guide the process of conflict resolution in legal disputes. The paper sets forth the proposition that the teachings of Jesus should lead Christian business persons to be predisposed to seek methods of conflict resolution that focus on peace, forgiveness, reconciliation, and love. Christian conciliation accomplished through alternative dispute resolution can meet these Christian obligations.

## Alternative Dispute Resolution: Choice or Command?

### Introduction

Increasingly it seems that Americans view their inalienable rights to life, liberty, and the pursuit of happiness as also including the right to litigate. To say that we live in a litigious society is a significant understatement. Latest figures from the National Center for State Courts indicate that more than 16 million civil cases were filed at the state level in 2002. At every level, our legal system is filled with a backlog of cases, many involving businesses. Undoubtedly, many of these cases involve Christian business persons. There is an inherent tension for business persons who desire to be Christ-like in behavior, yet must function in an increasingly litigious society.

Conflict is an inevitable part of business operations. This paper sets forth the proposition that the teachings of Jesus should lead Christian business persons to be predisposed to seek methods of conflict resolution that focus on peace, forgiveness, reconciliation, and love. Few would view litigation as accomplishing these lofty goals. Christian conciliation accomplished through alternative dispute resolution can, on the other hand, go a long way toward meeting these Christian obligations.

Every business discipline can be, and must be, informed by scripture. The thesis of this paper is that Christian business persons must allow scripture to inform and guide the process of conflict resolution in legal disputes. This is not a new idea. Much of the legal tradition of the United States is based on a scriptural foundation. "Even the burgeoning field of alternative dispute resolution (ADR) has recognizable roots in the wise counsel Moses received from his father-in-law Jethro in Exodus 18:13-26 and in Jesus' teaching, in the eighteenth chapter of Matthew's gospel, concerning how the church can help people solve problems between themselves."<sup>1</sup>

Peacemaker Ministries is a non-profit organization that grew out of the ADR work of the Christian Legal Society.<sup>2</sup> Its mission is "to equip and assist Christians and their churches to respond to conflict biblically." Through its Institute for Christian Conciliation, the ministry provides assistance to those who desire to resolve conflicts through means other than litigation. Waddell and Keegan (1999, p. 584) note that, "the primary reason for the effectiveness of Christian conciliation is its focus on reconciling relationships and encouraging parties to address the root causes of their conflict." The work of Peacemaker Ministries is just one example of how Christian business persons may seek the resolution of legal disputes in ways that focus on peace, forgiveness, reconciliation, and love.

## Alternatives to Litigation

Business educators have long recognized the need to provide instruction to students regarding the legal processes that are used to resolve various disputes. A significant goal of business law and legal environment of business courses is to provide students with the information and skills needed to conduct the business enterprise in such a manner that legal disputes can be prevented. Where conflict prevention cannot be accomplished, students need to understand the conflict resolution process. Traditional courses in business law and legal environment have provided extensive coverage of the litigation process. Carper & Buntz (1990, p. 64) argue that, "The law course that presents an introduction to the litigation system is the logical place to present other ways of thinking about and resolving disputes." A review of some of the leading texts in use in business law<sup>3</sup> and legal environment of business<sup>4</sup> courses indicates that many authors are providing added coverage of the alternative dispute resolution techniques that are so important in conflict resolution. This is especially true of legal environment of business textbooks.

Alternative dispute resolution is a broad term used to describe methods of resolving disputes through means other than the traditional judicial process."<sup>5</sup> Advantages of ADR are numerous. Salem (1985, p. 4) quotes from a 1983 report of the Ad Hoc Panel on Dispute Resolution and Public Policy:

Society cannot and should not rely exclusively on the courts for the resolution of disputes. Other mechanisms may be superior in a variety of controversies. They may be less expensive, faster, less intimidating, more sensitive to disputants' concerns, and more responsive to underlying problems. They may dispense better justice, result in less alienation, produce a feeling that a dispute was actually heard and fulfill a need to retain control by not handing the dispute over to lawyers, judges, and the intricacies of the legal system.

ADR can take many forms. The three purest, most common forms are negotiation, mediation, and arbitration. Other hybrid forms include med-arb, arb-med, minitrials, and summary jury trials. A brief description of each follows.

Negotiation is an informal ADR technique used everyday by people in all walks of life to settle various types of disputes. "Negotiation involves direct discussion and bargaining between disputing parties to arrive at a mutually acceptable resolution of contested issues."<sup>6</sup> Negotiation often occurs early in legal disputes, but can continue to great advantage even after disputants have retained legal counsel. Although the United States is viewed as a litigious society, "the mainstay of legal process is not adversary litigation. Researchers estimate that fewer than 10% of all docketed cases are concluded by a judicial decision."<sup>7</sup> Rominger (1995, p. 102) notes that the primary

method used to settle most legal disputes in our country is negotiation between the parties, facilitated by their legal representatives.<sup>8</sup> While the trend to settle legal disputes through negotiation before cases proceed to trial is encouraging, there is a significant need to employ effective negotiation before entering the judicial process. Christian business persons should especially be open to candid negotiations when faced with legal disputes.

Mediation is a more formal ADR technique that is widely used. Mediation is a voluntary and consensual process in which the disputing parties are assisted in reaching a mutually acceptable settlement by a neutral third party, whose role is to facilitate communication and discussion, but who has no decision-making power.<sup>8</sup> The advantages of mediation are widely recognized in the business environment. Bagley and Savage (2005, p. 138) note that, "In a survey of 1,000 large U. S. corporations, 81 percent of respondents said they used mediation because it provides a more satisfactory process than litigation; 66 percent said it provided more satisfactory settlements; and 59 percent asserted that it preserves good relationships." The advantages of mediation make it an ideal avenue for the conciliatory resolution of disputes involving Christian business persons.

Arbitration is the most formal ADR technique and is also widely used in the legal process. Arbitration is a formal process where the disputants, either through the use of a pre-dispute agreement or an agreement after the dispute, select a neutral third party to hear and decide their dispute. The third party acts as both finder of law and fact.<sup>9</sup> Again, when faced with legal conflict, Christian business persons could use arbitration to great advantage.

Med-arb, as its name implies, is a combination of mediation and arbitration whereby parties enter mediation with the commitment to submit to binding arbitration if mediation fails to resolve the conflict.<sup>10</sup> In arb-med, the parties present their case to an arbitrator who makes an award but keeps it secret while the parties try to resolve the dispute through mediation. If the mediation fails, then the arbitrator's award is unsealed and becomes binding on the parties.<sup>11</sup> In a minitrial, a proceeding is conducted before the decision-making authorities of the disputing parties themselves, often joined by a neutral advisor or moderator who may be asked for an opinion on how a court would decide the case. The executives themselves then negotiate a resolution in light of this presentation.<sup>12</sup> In a summary jury trial, parties to a dispute put their cases before a real jury, which renders a nonbinding decision. Like nonbinding arbitration, this allows the parties to assess how a decision maker might decide the case in a real trial. The result is often the basis for a negotiated settlement.<sup>13</sup> Any of these ADR techniques can be used by Christian business persons desiring to avoid contentious litigation.

The advantages of ADR highlight goals that Christians should pursue when conflicts arise. It is especially noteworthy that ADR is often more sensitive and more responsive to each party's concerns. ADR can lead to results that are fairer and more just. ADR is often less hostile and injurious to relationships. Reconciliation, rather than alienation, is often achieved. All of these advantages can easily be highlighted in business law or legal environment courses when ADR is covered.

### **A Christian Approach to Conflict Resolution**

This paper maintains that conflict resolution among Christians should focus on peace, forgiveness, reconciliation, and love. There is significant scriptural support for this position. Disciples are encouraged by Jesus to settle disputes before matters escalate into litigation.<sup>14</sup> Scripture urges godly people to overlook insults<sup>15</sup> and to avoid retaliation.<sup>16</sup> Disciples are to avoid repaying wrong for wrong, "but always try to be kind to each other and to everyone else" (I Thess. 5:15).

In the Sermon on the Mount, Jesus taught his disciples to adopt lifestyles that promote peace when he said, "Blessed are the peacemakers" (Matt. 5:9). Paul encouraged Christians to live at peace with everyone,<sup>17</sup> to do what leads to peace,<sup>18</sup> and to let the peace of Christ rule in our hearts since we were called to peace.<sup>19</sup> James noted that heavenly wisdom is peace-loving and that peacemakers raise a harvest of righteousness.<sup>20</sup>

The teachings of the New Testament on forgiveness are well-known. Jesus made it clear that one's own forgiveness is contingent on one's willingness to forgive. "For if you forgive men when they sin against you, your heavenly Father will also forgive you. But if you do not forgive men their sins, your Father will not forgive your sins" (Matt. 6:14-15). The importance of forgiveness is also made clear in Matt. 18:21-22. "Then Peter came to Jesus and asked, 'Lord, how many times shall I forgive my brother when he sins against me? Up to seven times?' Jesus answered, 'I tell you, not seven times, but seventy-seven times.'" Paul encouraged the Colossians to, "Bear with each other and forgive whatever grievances you may have against one another. Forgive as the Lord forgave you" (Col. 3:13).

According to Jesus, reconciliation between disciples is to be pursued. "Therefore, if you are offering your gift at the altar and there remember that your brother has something against you, leave your gift there in front of the altar. First go and be reconciled to your brother; then come and offer your gift" (Matt. 5:23-24).

One of the most applicable passages when emphasizing Christian conciliation and ADR is Matt. 18:15-17. "If your brother sins against you, go and show him his fault, just between the two of you. If he listens to you, you have won your brother over. But if he will not listen, take one or two others along, so that 'every matter may be established by

the testimony of two or three witnesses.' If he refuses to listen to them, tell it to the church; and if he refuses to listen even to the church, treat him as you would a pagan or a tax collector." The procedures set forth here emphasize negotiation between the parties as a first step; if that fails to resolve the dispute, the use of mediation is enjoined; if that fails, arbitration within the church is in order. The goal of this process is reconciliation.<sup>21</sup>

Paul reminds Christians that God "has given us the ministry of reconciliation" and has committed to us the word of reconciliation."<sup>22</sup> Reconciliation is not a goal of the secular legal system. People litigate to win. Curtis (2001, p. 66) notes that "A Christian who sues can become 'caught up' in the system to the extent that he takes on a bitter, self-righteous, and disingenuous mindset. This, in turn, can lead him to overlook the blessing hidden in conflict, an opportunity to demonstrate godly character in the face of adversity. It also minimizes God's concern about the "weightier matters of the Law"—justice, mercy, and faithfulness (Matt. 23:23)."

Ultimately, Christians are to be motivated by love. Again, consider the words of Jesus. "You have heard that it was said, 'Love your neighbor and hate your enemy.' But I tell you: Love your enemies and pray for those who persecute you" (Matt. 5:43-44). "A new command I give you: Love one another. As I have loved you, so you must love one another. By this all men will know that you are my disciples, if you love one another" (John 13:34-35).

Paul, writing to the Colossians, said, "Therefore, as God's chosen people, holy and dearly loved, clothe yourselves with compassion, kindness, humility, gentleness and patience. Bear with each other and forgive whatever grievances you may have against one another. Forgive as the Lord forgave you. And over all these virtues put on love, which binds them all together in perfect unity" (Col. 3:12-14).

As in all things, Jesus is our example. "Do nothing out of selfish ambition or vain conceit, but in humility consider others better than yourselves. Each of you should look not only to your own interests, but also to the interests of others. Your attitude should be the same as that of Christ Jesus" (Phil. 2:2-5). "When they hurled their insults at him, he did not retaliate; when he suffered, he made no threats. Instead, he entrusted himself to him who judges justly" (1 Pet. 2:23).

The overriding impression one gets from these passages is that the very idea of disciples of Jesus involving themselves in litigation to resolve conflict, especially litigation with fellow Christians, should be avoided.

### **Legal Disputes in Corinth**

The most notable passage addressing legal conflict between Christians is found in

I Corinthians 6:1-8. Was Paul invoking the words of Jesus when he expressed such shock and dismay upon learning that Christians were going to court against fellow Christians in Corinth? Does Paul require alternative dispute resolution in this passage? How should Christian business persons understand Paul's instructions in today's litigious environment?

The Corinthian church was rife with various divisions and factions.<sup>23</sup> A brief review of these problems provides needed context to Paul's instructions in Chapter 6. In I Corinthians I, Paul notes that divisions and quarrels centering on personalities existed. In Chapter 5, controversy had arisen regarding the church's response to sexual immorality. Chapter 8 discusses divisions regarding the eating of food that had been offered in pagan worship. Chapter 11 describes problems associated with the observation of the Lord's Supper. In Chapter 12, Paul deals extensively with controversies surrounding the use of spiritual gifts. Paul's reaction to all of these divisions and factions can be summarized in I Cor. 1:10, "An appeal to you, brothers, in the name of our Lord Jesus Christ, that all of you agree with one another so that there may be no divisions among you and that you may be perfectly united in mind and thought."

This summary of the situation existing in Corinth provides context for Paul's discussion in Chapter 6 regarding lawsuits. Paul seems especially distressed that the church has failed to judge a specific serious matter within the body (5:12), while at the same time gone outside the body to have an insignificant dispute judged by unbelievers (6:1-2).<sup>24</sup> Paul's argument can be divided into two major points. First, Christians should be able to settle disputes among members within the church (6:1-6). Second, Christians ought not to have these types of disputes (6:7-8).<sup>25</sup>

Paul first addresses the problem of public lawsuits between Christians:

(1) If any of you has a dispute with another, dare he take it before the ungodly for judgment instead of before the saints? (2) Do you not know that the saints will judge the world? And if you are to judge the world, are you not competent to judge trivial cases? (3) Do you not know that we will judge angels? How much more the things of this life! (4) Therefore, if you have disputes about such matters, appoint as judges even men of little account in the church! (5) I say this to shame you. Is it possible that there is nobody among you wise enough to judge a dispute between believers? (6) But instead, one brother goes to law against another-and this in front of unbelievers!

Scholars agree that the dispute in question refers to a matter of civil litigation,<sup>26</sup> probably involving a fraudulent property transaction.<sup>27</sup> Richardson (1983) takes a different view, arguing that the litigation in Chapter 6 had to do with the sexual sin noted in Chapter 5. This seems unlikely since, "Paul's insistence in 6:7 that they should be

willing to be wronged instead of seeking legal retribution hardly seems applicable to a case of adultery, let alone incest."<sup>28</sup> Given Paul=s reaction in Chapter 5, it is unlikely that he would have viewed sexual misconduct as a trivial dispute (6:2).

Paul expresses shock that brethren would dare take such a legal dispute before ungodly judges for resolution. There is disagreement among scholars regarding whether Paul=s use of the word translated ungodly or unrighteous should be taken in a religious (not in a proper relationship with God)<sup>29</sup> or in a moral (corrupt)<sup>30</sup> sense. In Romans 13:1-7, the apostle stresses the positive role of governing authorities in God=s plan for humankind. Fee (1987, p. 232) argues that "By calling them 'the ungodly' (lit. 'unjust') Paul does not intend to demean the Roman courts, to which he himself had recourse more than once,<sup>31</sup> as if they were corrupt." Winter (1991, p. 560) assumes that Romans 13 dealt more with the role of rulers, "including jurisdiction over criminal cases," and that I Cor. 6 is more concerned with brethren resorting to civil litigation over small, insignificant matters.

Several scholars comment on the Jewish background of Paul=s desire to see the Corinthians settle legal disputes internally. Fee (1987, p. 231) notes that, "On the basis of Exod. 21:1 the rabbis had concluded that it was unlawful for Jews to bring their cases before Gentile law courts." Rosner (1991, p. 275) believes ". . . it seems plausible that the administration of justice in ancient Israel as presented in the Scriptures may have influenced Paul=s thinking in the appointment of judges." Conzelmann (1975, p. 104) states, "The contemporary presupposition of Paul=s ordinance is the Jewish court of arbitration."

Understanding the historical setting of civil litigation in Roman cities such as Corinth is helpful. "Generally, lawsuits were conducted between social equals, who were from the powerful of the city, or by a plaintiff of superior social status and power against an inferior."<sup>32</sup> Mitchell (1993, p. 575) argues that it is likely that the plaintiff in the case under consideration would have been of high social status and the defendant of low status. He explains how the legal system favored those of higher status and worked against those of lower status.<sup>33</sup>

Paul=s dismay over what has happened is clear (6:1-3), and in verse 4 he instructs the Corinthians about what to do if future cases arise: appoint as an arbiter someone from the congregation to judge the matter.<sup>34</sup> Surely there is at least one among them who is wise enough to do this (6:5). Paul=s instructions are ironic. "Given the preoccupation with wisdom among certain Corinthians in the church (e.g., 3:18) Paul queries why none of these (worldly) wise believers have come forward and settled this case of litigation and dispute between believers."<sup>35</sup> Garland (2003, p. 208) states, "If they possessed this true, Christian wisdom, they would never have sunk so low as to drag a brother Christian through the mud of a public proceeding in a pagan court in the first place. He expounds on what a wise Christian would do in 6:7-8."

Paul next addresses the problem of having these types of disputes at all:

(7) The very fact that you have lawsuits among you means you have been completely defeated already. Why not rather be wronged? Why not rather be cheated? (8) Instead, you yourselves cheat and do wrong, and you do this to your brothers.

In these verses, the apostle makes it clear that the will to assert one's own rights at the expense of others and at the expense of the general image of the community is defeat.<sup>36</sup> Whether Paul is specifically referencing the words of Jesus in Matthew 5:38-42 has been debated,<sup>37</sup> but the implication is undeniable.

Paul implies that it would be better to be wronged and cheated than to act as they have been conducting themselves, taking their problems out of the context of the church and into the world, where they are appearing before nonbelievers for judgment. The implication of Paul's comments is that by doing what they have done, the Corinthians have failed to live up to their God-given responsibilities for maintaining the life of the community; moreover, by parading their problems before non-Christians the Corinthians both have presented a shameful image and have failed to bear the witness to those outside the church that is their privilege and responsibility to communicate.<sup>38</sup>

While there is little doubt that the Roman courts were, to a certain extent, corrupt and that Christians of lower class would have been unable to receive a fair hearing, this does not seem to be Paul's concern. Rather, the apostle focuses on the harm that is done to the reputation of the church and to the relationships between Christians. Paul maintains that those who have pursued litigation should be ashamed (6:5). At least part of Paul's opposition to the Corinthians taking their disputes before pagan judges was that such behavior damaged the reputation of the church, of the gospel and of God himself. . . .<sup>39</sup>

## Conclusion

Many have interpreted Jesus' teachings and other New Testament scriptures, including I Corinthians 6, as prohibiting Christians from pursuing litigation in secular courts under any circumstances. Others do not read the passages so literally. What conclusions can be drawn? Is alternative dispute resolution simply a choice available to Christians faced with legal disputes or is it commanded by scripture? If commanded, is it the only recourse or just a required first step? In other words, if ADR fails is one free to then pursue litigation?

In an attempt to answer these and other questions, we return to the context in which Paul wrote. The Corinthians had allowed a case of gross immorality to go unchallenged

and had at the same time allowed minor disputes to escalate into litigation before unbelieving judges. Paul reacted to this circumstance with shock and dismay, arguing that the church should deal appropriately with both cases. Was it his intention to provide definitive teaching regarding any and all lawsuits among Christians? Does Paul forbid any recourse by Christians to litigation? One could argue that, given the context, this was not his intention.

John Calvin, the Reformation theologian, concluded in his work on I Corinthians, that Paul was not condemning all lawsuits involving Christians, but the quarreling caused by selfish attitudes and greed. "If, therefore, a Christian man wishes to prosecute his rights at law, so as not to offend God, he must, above all things, take heed that he does not bring into court any desire of revenge, any corrupt affection of the mind, or anger, or, in fine, any other poison. In this matter love will be the best regulator."<sup>40</sup> Allegretti (2001, p. 1000) provides an excellent comment on I Cor. 6.

As with most Scripture, this passage can be read in a variety of ways. Some interpret it to bar all lawsuits by Christians, others to bar all lawsuits between Christians. But even if the passage is not read literally, it still can be taken seriously. At its core, Paul's Letter to the Corinthians lays down two basic principles. First, Paul adopts a strong pro-mediation view by insisting that Christians should resolve their disputes with each other internally, within the Church, rather than in the secular courts. Second, Paul adopts an anti-litigation stance by claiming that it would be better for Christians to suffer wrongdoing rather than vindicate their legal rights in court.

Paul's main point is that Christians are a part of a body, a community. Therefore, they should love each other; they should get along with each other; they should treat each other as they would want to be treated; they should set good examples for each other and for unbelievers; they should avoid retaliation; they should love their enemies. Paul is concerned about the spiritual growth of the Corinthians, their reputations as Christians, and their witness to those outside the church. It is impossible for these things to occur as they should when Christians do not resolve conflict in a conciliatory manner. Waddell and Keegan (1999, p. 613) conclude, "While Christian conciliation may not be an acceptable dispute resolution option for everyone and every case, it is well suited for parties who profess to be Christians and desire to handle their conflict in accordance with biblical principles."

I conclude that a Christian should not pursue litigation against another Christian, at least until the alternative dispute resolution procedures set forth in Matt. 18:15-17 and I Cor. 6:1-8 have been exhausted. If sincere efforts to resolve legal disputes through ADR fail, one should be willing to accept the wrong done rather than seek recourse to the court system. One can think of cases where this might not be plausible or possible. In those cases, my opinion is that scripture does not completely bar recourse to the

legal system by Christians. In cases where Christians may contemplate litigation against non-Christians, one should recognize that Jesus' ministry on earth was one of reconciliation. Christians should seek to resolve all conflicts by focusing on peace, forgiveness, reconciliation, and love. Litigation should always be viewed as a last resort.

As disciples of Jesus, Christian business persons would do well to allow our Lord to have the final word on this matter, "So in everything, do to others what you would have them do to you, for this sums up the Law and the Prophets" (Matt. 7:12).

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Endnotes

<sup>1</sup> Edling & Pace ¶ 3.

<sup>2</sup> For a brief, but excellent, summary of the work of Peacemaker Ministries, see Shippee, pp. 242-244. The organization also provides extensive information regarding its work at [www.peacemakerministries.org](http://www.peacemakerministries.org).

<sup>3</sup> Cheeseman (2006) *Contemporary Business and Online Dispute Law* (5<sup>th</sup> ed.) includes a brief discussion of ADR in a chapter on “Traditional, Alternative, and E-Commerce Dispute Resolution”; Mann & Roberts (2006) *Business Law* (13<sup>th</sup> ed.) include brief ADR coverage in a chapter on “Civil Dispute Resolution”; Miller & Jentz (2006) *Business Law Today* (7<sup>th</sup> ed.) include ADR coverage in a chapter on “Courts and Alternative Dispute Resolution”; Miller, Jentz & Cross (2006) *West’s Business Law* (2<sup>nd</sup> ed.) include a brief treatment of ADR in a chapter on “Traditional and Online Dispute Resolution.”

<sup>4</sup> Bagley & Savage (2006) *Managers and the Legal Environment* (5<sup>th</sup> ed.) include a chapter on ADR; Jennings (2006) *Business: Its Legal, Ethical, and Global Environment* (7<sup>th</sup> ed.) includes ADR coverage in a chapter on “Managing Disputes: Alternative Dispute Resolution and Litigation”; Meiners, Ringleb & Edwards (2006) *The Legal Environment of Business* (9<sup>th</sup> ed.) include ADR coverage in a chapter on “Trials and Resolving Disputes”; Reed, Shedd, Morehead & Corley (2005) *The Legal & Regulatory Environment of Business* (13<sup>th</sup> ed.) include a chapter on ADR.

<sup>5</sup> Carper & Buntz, p. 54.

<sup>6</sup> Bush, p. 46.

<sup>7</sup> Rominger, p. 102.

<sup>8</sup> Bush, p. 46.

<sup>9</sup> Carper & Buntz, p. 58.

<sup>10</sup> Bagley & Savage, p. 153.

<sup>11</sup> Bagley & Savage, p. 153.

<sup>12</sup> Bush, p. 46.

<sup>13</sup> Bagley & Savage, p. 154.

<sup>14</sup> Matthew 5:25-26. All scripture quotations are from the *New International Version*.

<sup>15</sup> Proverbs 12:16; 19:11.

<sup>16</sup> Matthew 5:38-42; Romans 12:19.

<sup>17</sup> Romans 12:18.

<sup>18</sup> Romans 14:19.

<sup>19</sup> Colossians 3:15.

<sup>20</sup> James 3:17-18.

<sup>21</sup> McThenia & Shaffer, p. 1666.

<sup>22</sup> II Corinthians 5:18-19.

<sup>23</sup> Barrett (2003), see p. 295 for a list of various parties and factions; M. Mitchell, pp. 116-119.

<sup>24</sup> Lewis, p. 94.

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- <sup>25</sup> Barrett (1968), p. 135; Johnson, pp. 93-95; Rosner (1994), p. 94; Taylor, p. 106.
- <sup>26</sup> Winter, p. 561; Garland, p. 198; Hays, p. 92.
- <sup>27</sup> Hays, p. 92; Lewis, p. 91.
- <sup>28</sup> Garland, p. 198.
- <sup>29</sup> Barrett (1968), p. 135; Conzelmann, p. 104; Fee, p. 232; Grosheide, p. 133; Hays, p. 93; Lewis, p. 89; Shillington, p. 45.
- <sup>30</sup> Garland, p. 196; Winter, p. 563.
- <sup>31</sup> Acts 16:37-39; 18:12-17; 25:10-11.
- <sup>32</sup> Winter, p. 561.
- <sup>33</sup> See James 2:6.
- <sup>34</sup> Garland, p. 205.
- <sup>35</sup> Oster, p. 140.
- <sup>36</sup> Soards, p. 123.
- <sup>37</sup> Bruce, p. 61; Derrett, p. 31; Fee, p. 241; Fuller, p. 101; Garland, p. 209; Hays, p. 95; Johnson, p. 95.
- <sup>38</sup> Soards, pp. 123-124.
- <sup>39</sup> Rosner (1994), p. 111.
- <sup>40</sup> Calvin, pp. 206-207. I am indebted to Professor Joseph Allegretti (1991) for his excellent treatment of Calvin's views on the secular legal system.

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