

Does the Bible teach that sins and crimes reported to the Elders must be kept Confidential?

Elders and Watchtower Lawyers, in recent court cases, have tried to claim that the Bible says Elders MUST keep CRIMES CONFIDENTIAL no matter what!

However, they absolutely cannot prove that using any Scripture, and ALSO, that contradicts what Mario Moreno himself has told the Media in the past. Notice the following Newspaper Quotes:

Quote from " Louisville Courier-Journal" (Kentucky) Newspaper, January 4, 2001

"If there is a law that mandates reporting, that takes precedent over any confidentiality, whether in church policy or statute," said Mario Moreno, associate general counsel for the Watch Tower Bible and Tract Society, a legal corporation of the church.

Mario Moreno (Watchtower Lawyer) said that in the Jehovah's Witnesses religion, Governmental Laws take precedent over ANY Confidentiality.

Now, if Confidentiality of Crimes is such an extremely important "Commandment of God" for the Elders, then why do they break their Confidentiality in States that require them to Report to the Police?

Also, notice the following Scripture (New World Translation):

1st Corinthians 5:1-5: Actually fornication is reported among YOU, and such fornication as is not even among the nations, that a wife a certain [man] has of [his] father. And are YOU puffed up, and did YOU not rather mourn, in order that the man that committed this deed should be taken away from YOUR midst? I for one, although absent in body but present in spirit, have certainly judged already, as if I were present, the man who has worked in such a way as this, that in the name of our Lord Jesus, when YOU are gathered together, also my spirit with the power of our Lord Jesus, YOU hand such a man over to Satan for the destruction of the flesh, in order that the spirit may be saved in the day of the Lord.

Notice, the Apostle Paul told the ENTIRE CONGREGATION what this man's sins were! Paul did not care at all about keeping his sins "Confidential".

Paul even included this man's sins in the Bible, to be read by BILLIONS of people for THOUSANDS of years! It does not sound like Paul was worried about gross sinners' "Confidentiality" to me.

Also, notice the following Scripture (New World Translation):

Galatians 2:11-14: However, when Cephas came to Antioch, I resisted him face to face, because he stood condemned. For before the arrival of certain men from James, he used to eat with people of the nations; but when they arrived, he went withdrawing and separating himself, in fear of those of the circumcised class. The rest of the Jews also joined him in putting on this pretense, so that even Barnabas was led along with them in their pretense. But when I saw they were not walking straight according to the truth of the good news, I said to Cephas before them all: "If you, though you are a Jew, live as the nations do, and not as Jews do, how is it that you are compelling people of the nations to live according to Jewish practice?"

Notice: Paul reproved and corrected Cephas (Peter) in front of the ENTIRE CONGREGATION!

There were no "Confidential Judicial Hearings", that's for sure.

However, below are some Watchtower Quotes, in which they claim the Bible says they MUST KEEP CRIMES CONFIDENTIAL:

Quotes from The Watchtower, March 15th 1977 Issue, Pages 191-192:

"God's Word does not charge the Christian congregation, through its overseers, with the obligation to become acquainted with all the details of civil and criminal law so as to enforce these. We can see this in how Paul handled the case of Onesimus. ... In Rome as a runaway slave (Latin, fugitivus) Onesimus came in contact with Paul, became a Christian and ministered to Paul. ... Take note that while Onesimus was in Rome the apostle Paul did not hand him over to the Roman authorities for punishment as a fugitive slave and possibly a thief. We know from his writings that Paul believed that a Christian should obey the law of the land, but plainly he did not consider it the congregation's duty to serve as an arm of the government in policing individuals' lives. Also, we can observe that Onesimus' situation was not treated as a barrier to his getting baptized. ... The Christian congregation today follows a course harmonious with this Biblical pattern. ... each individual, Christian or not, is personally responsible as to whether he complies with civil laws."

Quotes from The Watchtower, September 15th 1978 Issue, Pages 30-31:

"...the Christian Greek Scriptures do not indicate that God requires a person to undo all his past sins or crimes before he can be baptized. This is illustrated in the case of Onesimus, mentioned in the Bible book of Philemon. He had been a slave in Colossae, but he fled. That was a criminal offense, making him a runaway slave (Latin, fugitivus). Also, some feel that Onesimus may have robbed his master so as to be able to flee to distant Italy. In Rome he came into association with the apostle Paul and became a baptized Christian. Paul did not demand that before Onesimus could get baptized he had to turn himself over to the authorities for criminal punishment ... Similarly, a person who accepts the Bible's message today may have formerly committed some crime, even being wanted for it, being a fugitive. The Bible shows that he must 'repent and

turn around so as to get his sins blotted out.' (Acts 3:19) That obviously means that he must absolutely abandon his former sinful, criminal course. ... the crime may be something that he has no way of reversing. He might have caused someone's death. Conscience-stricken though he be, he cannot bring that life back-only Jehovah can. (John 5:28, 29) But even though he cannot reverse the past, he should throw himself on God's mercy and seek forgiveness based on Jesus' sacrifice. ... Any fair, thoughtful person can see the high moral standards of those in the Christian congregation of Jehovah's Witnesses."

Quote from The Watchtower, October 1st 1986 Issue, Page 31:

"...God did not require congregation elders to enforce Caesar's laws and codes. Hence, Paul did not feel compelled to turn over to Roman authorities Onesimus, who was a fugitive under Roman law. (Philemon 10, 15) Of course, if someone flagrantly violates secular law, gaining the reputation of being a lawbreaker, he would not be a good example and might even be disfellowshipped. (1 Timothy 3:2, 7, 10) If lawbreaking was involved in causing another's death, bloodguilt requiring congregation investigation might result."

Quotes from an Official Watchtower Bible and Tract Society Letter sent to Elders on December 24, 1992 :
"We received your letter of December 17 in which you inquire about handling a situation involving a brother who has been guilty of serious violations of the law in the past. You explained that you have received information indicating that this brother "committed several murders and crimes before his baptism." You ask if " Florida law obligates some action on our part. Florida law enforcement authorities have no knowledge of this matter." As elders, you have no obligation to reveal information of this type to the authorities. Any information that you have obtained while fulfilling your duties as elders is strictly confidential. What he does about paying his debt to Society is largely up to him and his conscience. Since he is apparently a fugitive from the law, he obviously would not qualify for any extra privileges or service in the congregation. ... As we believe you understand, it is imperative that the elders maintain strict confidentiality about his past. If the elders inadvertently reveal his past wrongdoing, undoubtedly it will result in major repercussions to him and his wife. So, handling this case calls for good judgment and discernment. We trust you brothers can handle things appropriately. Write to us again if you need further direction."

Quotes from Confidential "Body Of Elders" Letter sent from the Watchtower Society to All Bodies of Elders in the United States , March 14, 1997 :

"It may be possible that some who were guilty of child molestation were or are now serving as elders, ministerial servants, or regular or special pioneers. Others may have been guilty of child molestation before they were baptized. The bodies of elders should not query individuals. However, the body of elders should discuss this matter and give the Society a report on anyone who is currently serving or who formerly served in a Society-appointed position in your congregation who is known to have been guilty of child molestation in the past. In your report please answer the following questions : How long ago did he commit the sin? What was his age at the time? What was the age of his victim(s)? Was it a one-time occurrence or a practice? If it was a practice, to what extent? How is he viewed in the community and by the authorities? Has he lived down any notoriety in the community? Are members of the congregation aware of what took place? How do they and/or his victim(s) view him? Has he ever been disfellowshipped, reprovved, counseled, or otherwise dealt with? If he has moved to another congregation, please identify the congregation to which he has moved. Was that congregation advised of his past conduct of child molestation, and, if so, when? [If you have not advised them, this should be done now, and you should send a copy of your letter to the Society in a "Special Blue" envelope.] This information should be sent to the Society along with any other observations that the body of elders has. Please send this to the Society in the "Special Blue" envelope so that the factors involved may be given due consideration; this information is not to be made available to those not involved. ... A meeting of the body of elders should be arranged to read and discuss this letter together. This letter is confidential and should not be copied but should be kept in the congregation's confidential file. Elders should not discuss this information with others."

Quotes from Confidential "Body Of Elders" Letter sent from the Watchtower Society to All Bodies of Elders in Australia , October 10, 2002 :

WATCHTOWER BIBLE AND TRACT SOCIETY OF AUSTRALIA
BOX 280 , INGLEBURN, NSW 1890 AUSTRALIA

ABN 42 002 861 226

PHONE: (02) 9829 5800

FAX: (02) 9829 3618

October 10, 2002

TO ALL BODIES OF ELDERS IN AUSTRALIA

Dear Brothers:

[...] Some elders have been concerned about the question of confidentiality, having in mind what the Scriptures say on the subject. (Proverbs 11:13 ; 15:22) If, after contacting the Society, it is determined that the elders should report a matter such as child abuse to the authorities, it would not be considered to be a breach of confidentiality to make such a report. At times, there may be other Bible principles that must be weighed against the need for confidentiality. (For example, see Awake! January 22, 1985 , page 8.) Nevertheless, elders should always be conscious of their Scriptural responsibility to keep matters confidential. In this way they can be "like a hiding place from the wind and a place of concealment from the rainstorm." (Isaiah 32:2; See also The Watchtower April 1, 1971, pages 222-224.) However, there are times when elders must reveal confidential matters in order to protect the sheep. For example, Our Kingdom Ministry, April 1999, on page 7, stated:

"The question has been asked whether elders should supply information to secular authorities when they learn that a brother or sister has been involved in a serious crime. ... If an elder learns of some serious crime on the part of a member of the congregation, they may, in some circumstances, be obliged to report the matter, or provide information to secular authorities."

In all such cases, the elders would want to reach any decision to report the matter or provide information to secular authorities only after consultation with the Society, as stated in Our Kingdom Ministry:

"Even in such cases, it is important that the elders maintain confidentiality to the extent possible, and elders should always contact the Society before providing any information on confidential matters to secular authorities."

The following Watchtower Quote is very, very interesting, because it says that there is definitely A TIME WHEN JEHOVAH'S WITNESSES SHOULD BREAK CONFIDENTIALITY:

The Watchtower, September 1, 1987 Issue, Pages 12-15:

"A Time to Speak"-When?

MARY works as a medical assistant at a hospital. One requirement she has to abide by in her work is confidentiality. She must keep documents and information pertaining to her work from going to unauthorized persons. Law codes in her state also regulate the disclosure of confidential information on patients.

One day Mary faced a dilemma. In processing medical records, she came upon information indicating that a patient, a fellow Christian, had submitted to an abortion. Did she have a Scriptural responsibility to expose this information to elders in the congregation, even though it might lead to her losing her job, to her being sued, or to her employer's having legal problems? Or would Proverbs 11:13 justify keeping the matter concealed? This reads: "The one walking about as a slanderer is uncovering confidential talk, but the one faithful in spirit is covering over a matter."-Compare Proverbs 25:9, 10.

Situations like this are faced by Jehovah's Witnesses from time to time. Like Mary, they become acutely aware of what King Solomon observed: "For everything there is an appointed time, even a time for every affair under the heavens: . . . a time to keep quiet and a time to speak." (Ecclesiastes 3:1, 7) Was this the time for Mary to keep quiet, or was it the time to speak about what she had learned?

Circumstances can vary greatly. Hence, it would be impossible to set forth a standard procedure to be followed in every case, as if everyone should handle matters the way Mary did. Indeed, each Christian, if ever faced with a situation of this nature, must be prepared to weigh all the factors involved and reach a decision that takes into consideration Bible principles as well as any legal implications and that will leave him or her with a clear conscience before Jehovah. (1 Timothy 1:5, 19) When sins are minor and due to human imperfection, the principle applies: "Love covers a multitude of sins." (1 Peter 4:8) But when there seems to be serious wrongdoing, should a loyal Christian out of love of God and his fellow Christian reveal what he knows so that the apparent sinner can receive help and the congregation's purity be preserved?

Applying Bible Principles

What are some basic Bible principles that apply? First, anyone committing serious wrongdoing should not try to conceal it. "He that is covering over his transgressions will not succeed, but he that is confessing and leaving them will be shown mercy." (Proverbs 28:13) Nothing escapes the notice of Jehovah. Hidden transgressions must eventually be accounted for. (Proverbs 15:3; 1 Timothy 5:24, 25) At times Jehovah brings concealed wrongdoing to the attention of a member of the congregation that this might be given proper attention.-Joshua 7:1-26.

Another Bible guideline appears at Leviticus 5:1: "Now in case a soul sins in that he has heard public cursing and he is a witness or he has seen it or has come to know of it, if he does not report it, then he must answer for his error." This "public cursing" was not profanity or blasphemy. Rather, it often occurred when someone who had been wronged demanded that any potential witnesses help him to get justice, while calling down curses-likely from Jehovah-on the one, perhaps not yet identified, who had wronged him. It was a form of putting others under oath. Any witnesses of the wrong would know who had suffered an injustice and would have a responsibility to come forward to establish guilt. Otherwise, they would have to 'answer for their error' before Jehovah.

This command from the Highest Level of authority in the universe put the responsibility upon each Israelite to report to the judges any serious wrongdoing that he observed so that the matter might be handled. While Christians are not strictly under the Mosaic Law, its principles still apply in the Christian congregation. Hence, there may be times when a Christian is obligated to bring a matter to the attention of the elders. True, it is illegal in many countries to disclose to unauthorized ones what is found in private records. But if a Christian feels, after prayerful consideration, that he is facing a situation where the law of God required him to report what he knew despite the demands of lesser authorities, then that is a responsibility he accepts before Jehovah. There are times when a Christian "must obey God as ruler rather than men."-Acts 5:29 .

While oaths or solemn promises should never be taken lightly, there may be times when promises required by men are in conflict with the requirement that we render exclusive devotion to our God. When someone commits a serious sin, he, in effect, comes under a 'public curse' from the One wronged, Jehovah God. (Deuteronomy 27:26; Proverbs 3:33) All who become part of the Christian congregation put themselves under "oath" to keep the congregation clean, both by what they do personally and by the way they help others to remain clean.

Personal Responsibility

These are some of the Bible principles Mary likely considered in making her personal decision. Wisdom dictated that she should not act quickly, without weighing matters very carefully. The Bible counsels: "Do not become a witness against your fellowman without grounds. Then you would have to be foolish with your lips." (Proverbs 24:28) To establish a matter conclusively, the testimony of at least two eyewitnesses is needed. (Deuteronomy 19:15) If Mary had seen only a brief mention of abortion, she might have decided conscientiously that the evidence of any guilt was so inconclusive that she should not proceed further. There could have been a mistake in billing, or in some other way the records may not have properly reflected the situation.

In this instance, however, Mary had some other significant information. For example, she knew that the sister had paid the bill, apparently acknowledging that she had received the service specified. Also, she knew personally that the sister was single, thus raising the possibility of fornication. Mary felt a desire lovingly to help one who may have erred and to protect the cleanness of Jehovah's organization, remembering Proverbs 14:25: "A true witness is delivering souls, but a deceitful one launches forth mere lies."

Mary was somewhat apprehensive about the legal aspects but felt that in this situation Bible principles should carry more weight than the requirement that she protect the privacy of the medical records. Surely the sister would not want to become resentful and try to retaliate by making trouble for her, she reasoned. So when Mary analyzed all the facts available to her, she decided conscientiously that this was a time to "speak," not to "keep quiet."

Now Mary faced an additional question: To whom should she speak, and how could she do so discreetly? She could go directly to the elders, but she decided to go first privately to the sister. This was a loving approach. Mary reasoned that this one under some suspicion might welcome the opportunity to clarify matters or, if guilty, confirm the suspicion. If the sister had already spoken to the elders about the matter, likely she would say so, and Mary would not need to pursue matters further. Mary reasoned that if the sister had submitted to an abortion and had not confessed to this serious transgression of God's law, she would encourage her to do this. Then the elders could help her in accord with James 5:13-20. Happily, this is how matters worked out. Mary found that the sister had submitted to an abortion under much pressure and because of being spiritually weak. Shame and fear had moved her to conceal her sin, but she was glad to get help from the elders toward spiritual recovery.

If Mary had reported first to the body of elders, they would have been faced with a similar decision. How would they handle confidential information coming into their possession? They would have had to make a decision based on what they felt Jehovah and his Word required of them as shepherds of the flock. If the report involved a baptized Christian who was actively associated with the congregation, they would have had to weigh the evidence as did Mary in determining if they should proceed further. If they decided that there was a strong possibility that a condition of "leaven" existed in the congregation, they might have chosen to assign a judicial committee to look into the matter. (Galatians 5:9, 10) If the one under suspicion had, in effect, resigned from being a member, not having attended any meetings for some time and not identifying herself as one of Jehovah's Witnesses, they might choose to let the matter rest until such time as she did begin to identify herself again as a Witness.

Thinking Ahead

Employers have a right to expect that their Christian employees will 'exhibit good fidelity to the full,' including observing rules on confidentiality. (Titus 2:9, 10) If an oath is taken, it should not be taken lightly. An oath makes a promise more solemn and binding. (Psalm 24:4) And where the law reinforces a requirement on confidentiality, the matter becomes still more serious. Hence, before a Christian takes an oath or puts himself under a confidentiality restriction, whether in connection with employment or otherwise, it would be wise to determine to the extent possible what problems this may produce because of any conflict with Bible requirements. How will one handle matters if a brother or a sister becomes a client? Usually such jobs as

working with doctors, hospitals, courts, and lawyers are the type of employment in which a problem could develop. We cannot ignore Caesar's law or the seriousness of an oath, but Jehovah's law is supreme. Anticipating the problem, some brothers who are lawyers, doctors, accountants, and so forth, have prepared guidelines in writing and have asked brothers who may consult them to read these over before revealing anything confidential. Thus an understanding is required in advance that if serious wrongdoing comes to light, the wrongdoer would be encouraged to go to the elders in his congregation about the matter. It would be understood that if he did not do so, the counselor would feel an obligation to go to the elders himself. There may be occasions when a faithful servant of God is motivated by his personal convictions, based on his knowledge of God's Word, to strain or even breach the requirements of confidentiality because of the superior demands of divine law. Courage and discretion would be needed. The objective would not be to spy on another's freedom but to help erring ones and to keep the Christian congregation clean. Minor transgressions due to sin should be overlooked. Here, "love covers a multitude of sins," and we should forgive "up to seventy-seven times." (Matthew 18:21, 22) This is the "time to keep quiet." But when there is an attempt to conceal major sins, this may be the "time to speak."

[Footnotes]

Mary is a hypothetical person facing a situation that some Christians have faced. The way she handles the situation represents how some have applied Bible principles in similar circumstances. In their Commentary on the Old Testament, Keil and Delitzsch state that a person would be guilty of error or sin if he "knew of another's crime, whether he had seen it, or had come to the certain knowledge of it in any other way, and was therefore qualified to appear in court as a witness for the conviction of the criminal, neglected to do so, and did not state what he had seen or learned, when he heard the solemn adjuration of the judge at the public investigation of the crime, by which all persons present, who knew anything of the matter, were urged to come forward as witnesses."