

Christians and The Lawcourts

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Christians and The Lawcourts

by..



Leo Tolstoy

Edited and Reprinted from **What I Believe**

Translated by Aylmer Maude

What I Believe was first circulated in Russia in 1884 and first printed in Geneva in 1888. Mr. Aylmer Maude's translation was first published in 1921. Footnote references are designated by the following initials: A.M. - Aylmer Maude, the translator; and P.R. - Paul Revere, Pastor.

Introduction

Christians and the Law-Courts is excerpted from the book What I Believe. When What I Believe was released in 1884, an attempt was made in Russia to suppress this book, but it circulated clandestinely in large numbers, in hectographed copies and also in volumes printed abroad and smuggled into the country. No adequate reply to Tolstoy's terrific onslaughts upon Church and State was produced, and within a single generation, in Russia, the institutions he attacked had crumbled to dust.

What I Believe has been translated into all civilized languages and has circulated far and wide. Nowhere have the views they contain been adequately met. If Tolstoy's theory be right (and he claims for it Christ's authority), nothing can, and nothing should, save our industrial, political, or national existence from destruction.

AYLMER MAUDE, translator

I have eleven plus years working as a student of the laws of man and involved with the "lawcourts of man." I have longer studied God's law (27 years). My experience in various capacities with the lawcourts of man leads me to belief that this subject is as important as any other which touches the life of believers and disciples of Jesus Christ. He had much to say about the "scribes*" of the lawcourts of man. *Scribes examined the more difficult and subtle questions of the law; Since the advice of men skilled in the law was needed in the examination in the causes and the solution of the difficult questions, they were enrolled in the Sanhedrin. Our modern day judges and attorneys.

Elijah Hughes – Marriage Healing International

Christians and the Law-Courts

By Leo Tolstoy

I was recently reading the Fifth Chapter of Matthew with a Jewish Rabbi. At almost every sentence the Rabbi said, 'That is in the Jewish Canon. That is in the Talmud,' and he pointed out to me in the Old Testament and the Talmud dicta very similar to the dicta of the Sermon on the Mount. But when we came to the verse about non-resistance to him that is evil he did not say, 'And that is in the Talmud,' but only ironically asked me: 'Do the Christians fulfil that? Do they turn the other cheek?'¹ Matthew 5:39 "But I say unto you, That ye resist not evil: but whosoever shall smite thee on thy right cheek, turn to him the other also." I had no reply, especially as I knew that at that very time Christians were not only not turning the other cheek, but were striking cheeks the Jews had turned. But I was interested to know whether there was anything similar in the Old Testament or in the Talmud, and I asked him about this. He replied: 'No, it is not there. But tell me whether the Christians fulfil this law.' By this question he showed me that the presence of this rule in the Christian law, which not only is not performed by anyone, but which Christians themselves admit to be impracticable, is an admission of the irrationality and superfluity of the Christian law. And I had no reply to give him.

Now having understood the meaning of this teaching, I see clearly the strange internal contradiction with which I was faced. Having admitted Christ to be God and his law to be divine, and having at the same time arranged my life in contradiction to the teaching, what was left me but to admit that the teaching was impracticable?

In words I admitted the teaching of Christ to be holy, in practice I professed a quite unchristian teaching and admitted and submitted to unchristian institutions which surrounded me on all sides.

Faith in the 'Vain Thing'

The whole of the Old Testament says that the misfortunes of the Jewish people were the effect of their believing in false gods and not in the true God. Samuel, in his First Book, chapters 8 and 12, told the people that to all their former disobedience they had added a new one. **Instead of God who had been their King they had chosen a man-king, whom they thought would save them.** Do not believe in 'vain things,' says Samuel to the people.² 1 Samuel 12:21 It cannot help you or save you because it is 'vain' - empty. That you may not perish together with your king, cling to the one God.

And it was faith in that 'vain thing,' in empty idols, that hid the truth from me. On the path to it, hiding its light from me, stood those 'vain things' which I had not strength to reject.

I was walking the other day toward the Borovitski Gates of the Moscow Kremlin. At the gates sat an old crippled beggar, wrapped round the ears with some rag. I took out my purse to give him something.³ Tolstoy always gave away small change to beggars he met, in accord with the usual practice of religious folk in a country which had no State poor-relief organization, and also in accord with the injunction '**Give to him that asketh of thee!**' He sometimes admitted that his gift might do harm and that the man might go and drink it; but he argued that the goodwill on the giver's part indicated by the gift was more important than the possible ill-effects of the recipient. - A.M. Just then, coming down from the Kremlin, ran a manly, ruddy young fellow, a grenadier in his regimental sheepskin coat. The beggar, on seeing the

soldier, jumped up in dismay, and ran limping down toward the Alexandrov Gardens. The grenadier started to catch him, but, without overtaking him, stopped and began abusing the beggar for sitting at the gateway though it was prohibited. I awaited the grenadier at the gate. When he came up to me I asked him if he could read.

'I can, what about it?' 'Have you read the Gospels?' 'I have.' 'And have you read, "For I was an hungered, and ye gave me no meat"?' And I quoted that passage.⁴ Matthew 25:42 "For I was an hungered, and ye gave me no meat: I was thirsty, and ye gave me no drink." He knew it and listened to it, and I saw that he was uneasy. Two passers-by stopped to listen. It was plain that the grenadier was hurt to feel that he, fulfilling his duty excellently and driving beggars away from the place they had to be driven from, suddenly appeared to be in the wrong. He was agitated, and was evidently seeking a rejoinder. Suddenly in his clever black eyes a light gleamed, and he turned sideways to me as though to walk away. 'And have you read the Military Code?' asked he. I said I had not read it. 'Then don't talk,' said the grenadier tossing his head triumphantly, and adjusting his coat he proceeded confidently to his post. This was the only man I ever met in all my life who quite logically decided the eternal question with which our social state, being what it is, faced me and faces every man who calls himself a Christian.

Law of God and the law of man

It is wrongly said that the Christian teaching relates only to personal salvation and not to public, political questions. That is merely an audacious and barefaced assertion which is most obviously false and collapses as soon as it is seriously considered. 'Very well, I will not resist the evil doer,

I will turn my cheek as a private individual,' say I to myself; but if an enemy comes, or the people are oppressed, and I am called on to take part in the struggle against the evil men and to go and kill them, then it is imperative for me to decide wherein lies the service of God, and wherein the service of 'the vain thing.' Am I to go to the war or not? I am a peasant, and am chosen to serve as a village elder, a judge, or a juryman, and I am told to take an oath to judge and to inflict punishment. What am I to do? Again I have to choose between the law of God and the law of man. Or I am a monk living in a monastery, and some peasants have taken our hay and I am sent to participate in the struggle against the evil men and to take legal proceedings against the peasants. Again I have to choose. No one can escape from the question. I speak not merely of our class whose activity consists almost entirely in resisting evil men: in the army, in the courts of justice, or in civil offices, **there is not a single private person, however humble, who has not to choose between serving God by obeying His command, or serving the 'vain thing' - state institutions.** My private life is interwoven with the general life of the state which demands of me an unchristian activity directly contrary to the law of Christ. Now with universal military service and the liability of all to serve on a jury this dilemma is sharply presented to us all in a very striking manner. Every man must take the weapons of murder - a sword and a bayonet - and must either kill, or at least load the rifle and sharpen the sword, that is, prepare to kill. Every citizen must appear at the law-courts and participate in trial and punishment, that is to say, must repudiate Christ's law about not resisting him that is evil, and must do it not merely in words but in deeds.

The grenadier's question - **The Gospel or the military code? The law of God or man's law? - now presents itself to humanity as it did in the days of Samuel.** It

presented itself to Christ himself, and to his disciples. It stands before those who now wish to be Christians in deed, and it stood before me.

The law of Christ, and his teachings of love, humility, and self-repudiation had previously always touched my heart and attracted me. But from all sides, both in history and around me at the present day and in my own life, I saw a contrary law, repugnant to my heart and conscience and reason, but harmonizing with my animal instincts. I felt if I accepted the law of Christ I should be isolated and it would go ill with me, I should be one of the persecuted and suffering, as Christ predicted. While if I accepted man's law everyone would approve of it, and I should be at peace, secure, and have at my service all manner of theological subtleties to set my conscience at rest. I should laugh and be merry as Christ said. I felt this, and therefore did not penetrate into the meaning of Christ's law, but tried to understand it so that it should not prevent my living my accustomed animal life. But to understand it so was impossible, and therefore I did not understand it at all.

Christ forbids law-courts

In this non-comprehension I reached a state of perplexity which now astonishes me, and as an example of that perplexity I will give my former understanding of the words, 'Judge not, that ye be not judged,'⁵ Matthew 7:1 'Judge not and ye shall not be judged: condemn not, and ye shall not be condemned.'⁶ Luke 6:37 The institution of law-courts in which I took part and which defended the safety of my property, appeared to me so indubitably sacred and accordant with the law of God that it never occurred to me that these sayings could mean anything but that one must not speak ill of one's

neighbor. It never entered my head that in those words Christ could have spoken of the law-courts, of the Zemstvo, of the Criminal Court, of the District Courts and magistrates, and of all the Senates and departments. Only when I understood in the direct sense the words about not resisting him that is evil, only then did the question occur to me of Christ's attitude to all those courts and departments. And seeing that he must have disapproved of them, I asked myself: Does it not mean that one must not merely refrain from condemning one's neighbor verbally, but must not judge him in the courts - must not condemn one's neighbor by means of our law-courts?

In Luke 6:37-49, these words are spoken immediately after the teaching of non-resistance to evil and of returning good for evil. Following the words, '**Be merciful as your Father in heaven is merciful,**' come the words, '**Judge not, and ye shall not be judged: condemn not, and ye shall not be condemned.**' Does not this mean that besides not blaming one's neighbor **one must not set up law-courts, nor judge one's neighbor in them?** said I. And I only had to formulate that question, and my heart and my common sense at once replied affirmatively.

I know how this understanding of the words startles one at first. It startled me too. To show how far I was from such an understanding of the words I will confess to a shameful stupidity. When I had already become a believer and read the Gospels as a divine book, I used as a joke to say to my friends, on meeting any of them who were public prosecutors or judges: 'And you go on judging, though it is written, "**Judge not that ye be not judged.**"' So sure was I that those words could mean nothing more than a prohibition of evil-speaking, that I did not understand the terrible mockery of holy things my words contained. I had gone so far that, being

convinced that these plain words did not mean what they do mean, I used them jokingly in their true sense.

I will recount in detail how all my doubts were destroyed concerning whether these words could be understood except as meaning that **Christ totally forbids the human institution of any law-court**, and that he could mean nothing else by those words.

The first thing that struck me when I understood the law of non-resistance to the evil man in its direct meaning, was that man's courts of law are not in accord with it, but are directly opposed to it and to the meaning of the whole teaching, and that Christ therefore, if he thought of the law-courts, must have condemned them.

Christ says: 'Resist not him that is evil.' The purpose of the courts is to resist the evil man. Christ tells us to return good for evil.⁷ Matthew 5:44 "But I say unto you, Love your enemies, bless them that curse you, do good to them that hate you, and pray for them which despitefully use you, and persecute you;" ⁷ Matthew 5:44 "But I say unto you, Love your enemies, bless them that curse you, do good to them that hate you, and pray for them which despitefully use you, and persecute you;" **The courts repay evil for evil. Christ tells us not to distinguish good people from bad. The courts are entirely concerned in making the distinction. Christ says, forgive all men. Forgive not once, not seven times, but endlessly. Love your enemies and do good to them that hate you. The courts do not forgive, but punish.** They deal out not good but evil to those they call the enemies of society. So it appeared evident that Christ must have condemned the courts. But, thought I, perhaps Christ had nothing to do with the law-courts and was not thinking of them. But I saw that this could not be: from the day of his birth and until his death Christ came in conflict with the courts of Herod, of the

Sanhedrin, and of the high priests. And I noticed that Christ often spoke directly of the courts as of an evil. He warned his disciples that they would be judged, and he told them how to bear themselves in the courts.⁸ Matthew 10:17-19 "But beware of men: for they will deliver you up to the councils, and they will scourge you in their synagogues; And ye shall be brought before governors and kings for my sake, for a testimony against them and the Gentiles. But when they deliver you up, take no thought how or what ye shall speak: for it shall be given you in that same hour what ye shall speak." Of himself he said that he would be condemned; and he himself set an example of how one should treat man's courts of law. Therefore Christ did think of these human courts, which condemned him and his disciples and which have condemned and are condemning millions of people. Christ saw this evil and plainly indicated it. At the execution of the sentence of the court on the woman taken in adultery he plainly repudiated the court and showed that **man must not judge because he is himself guilty.**⁹ 9 John 8:7 "He that is without sin among you, let him first cast a stone at her." And he expressed that same thought several times, saying that with dirt in one's own eye one cannot see the dirt in another's eye¹⁰ Matthew 7:3-4 and that the blind must not lead the blind. He even explains what results from such a blunder. The pupil becomes like his master.¹¹ Matthew 15:14 "And if the blind lead the blind, both shall fall into the ditch."

But perhaps having said this about the judgement on the woman taken in adultery and having put forth parables about the foundations of the house, referring to the general weakness of mankind, he nevertheless does not forbid appeals to human courts of law for the purpose of obtaining protection from evil men. But I saw that this is quite inadmissible.

In the Sermon on the Mount, addressing everybody, he says: 'And if any man will sue thee at law and take away thy coat, let him have thy cloak also.'¹² Matthew 5:40 Therefore he

forbids anyone to go to law. But perhaps Christ speaks only of each man's personal relation to the courts and does not condemn the process of law itself, but allows people to judge others provided they do so in the institutions established for that purpose? But neither can this be supposed. Christ, in the prayer he gave, bids all men without exception forgive others, that they may be forgiven their own sins. And he repeats the thought often. Therefore every man when he prays and before bringing his gift to the altar should forgive everyone. **How can a man, who by the faith he professes must always forgive all men, judge and condemn anyone in the law-courts?** It follows that, according to Christ's teaching, there can be no such things as Christian courts which inflict punishment.

But perhaps the context shows that in this passage Christ, when he says, '**Judge not, that ye be not judged,**' was not thinking of human courts of justice? But this again is not so; on the contrary, it is clear from the context that when he said, '**Judge not,**' Christ was speaking precisely of the institution of law-courts. In Matthew and Luke, before saying, '**Judge not,**' he says: **Resist not him that is evil, endure evil, do good to all men.** And before that, in Matthew, he repeats the words of the Hebrew criminal code, '**An eye for an eye, and a tooth for a tooth.**'¹³ Matthew 5:38 And after this reference to the criminal law, he says: **But ye shall not do so; resist not him that is evil;** and then he adds, '**Judge not.**' Therefore Christ speaks precisely of human criminal law, and repudiates it by the words, '**Judge not.**'

Moreover, in Luke, he not only says, '**Judge not,**' but '**Judge not . . . and condemn not.**'¹⁴ Luke 6:37 "**Judge not, and ye shall not be judged: condemn not, and ye shall not be condemned: forgive, and ye shall be forgiven.**" That word 'condemn,' which has so similar a meaning, was not added for nothing. The addition can have

had only one aim - to elucidate the sense in which the word 'judge' is used.

If he had meant to say, do not judge your neighbor, he would have added that word 'neighbor,' but he adds the word which is translated 'do not condemn,' and then adds, 'that ye be not condemned; forgive all men and you will be forgiven.'

But perhaps, all the same, Christ was not thinking of the law-courts when he said this and I may be attributing my own thought to his words which had a different meaning.

Apostles rejected law-courts

So I asked myself how Christ's first disciples, the Apostles, regarded man's law-courts. Did they acknowledge them or approve of them?

In chapter 4:11, the Apostle James says:
Speak not evil one of another, brethren. He that speaketh evil of his brother, and judgeth his brother, speaketh evil of the law, and judgeth the law: but if thou judge the law, thou art not a doer of the law, but a judge. There is one lawgiver who is able to save or to destroy: who art thou that judgest another?

The word translated 'speak evil of' is katalalew . Without referring to the dictionary one can see that this word must mean indict. And so it does, as anyone may convince himself by a reference to the dictionary. It is translated, 'Who speaks evil of his brother, speaks evil of the law.' One involuntarily asks, Why? However much I may speak evil of my brother, I do not speak evil of the law; but **if I indict and bring my brother before the court of law, I evidently thereby**

condemn the law of Christ: that is to say, I consider the law of Christ insufficient and indict and condemn his law. Then it is clear that I do not fulfil his law but constitute myself its judge. The judge, says Christ, is he who can save. But how shall I, who am not able to save, be a judge and inflict punishments?

The whole passage speaks of human law-courts and repudiates them. The whole of the Epistle is full of that thought. In the Epistle of James 2:1-13, it is said: (1) My brethren, let the faith of our Lord Jesus Christ be held without respect of persons. (2) For if there come unto your assembly a man with a gold ring, in fine clothing, and there come in also a poor man in vile clothing; (3) And ye have regard to him that weareth the fine clothing, and say unto him, Sit thou here in a good place; and say to the poor, Stand thou there, or sit here under my footstool: (4) Are ye not then partial in yourselves, and are become judges of evil thoughts? (5) Hearken, my beloved brethren, Hath not God chosen the poor of this world rich in faith, and heirs of the kingdom which he hath promised to them that love him? (6) But ye have despised the poor. Do not rich men oppress you, and themselves drag you before the judgement seats? Do not they blaspheme that worthy name by the which ye are called? (8) If ye fulfil the royal law according to the scripture, Thou shalt love thy neighbor as thyself (Leviticus 19:18), ye do well. (9) But if ye have respect to persons, ye commit sin, and are convicted by the law as transgressors. (10) For whosoever shall keep the whole law, and yet offend in one point, he is guilty of all. (11) For he who said, Do not commit adultery, said also, Do not kill. Now if thou commit no adultery, yet if thou kill, thou art become a transgressor of the law (Deuteronomy 22:22; Leviticus 18:17-25). (12) So speak ye, and so do, as they that shall be judged by the law of liberty. (13) For he shall have judgement without mercy

that hath showed no mercy; and mercy rejoiceth against judgement.

The last words have often been translated: 'Mercy is proclaimed in the courts,' and were so translated to imply that there may be Christian courts of law, but that they must be merciful.

James exhorts the brethren not to make distinctions between people. If you make distinctions, you diekrighte , are divided in your minds, like the judges with evil intentions in the courts. You have judged the poor to be worse. But on the contrary it is the rich man who is worse. He both oppresses you and drags you before the courts. If you live according to the law of love of your neighbor, according to the law of charity (which, in distinction from the other law, James calls the 'law of the Lord'), you do well. But if you regard persons, and make distinctions between man and man, you are offenders against the law of mercy. And, having probably in mind the example of the woman taken in adultery whom they brought before Christ that she might be stoned, or the sin of adultery in general, James says that he who executes the adulterers will be guilty of murder and will infringe the external law. For the same external law forbids both adultery and murder. He says: 'Behave like men who are judged by the law of liberty. For there is no mercy for him who has no mercy, and therefore mercy destroys the courts.'

How could that be said more clearly and definitely? All discrimination between people is forbidden, every judgement that this man is good and that man evil directly indicates that the human courts are undoubtedly bad, and proves that the court itself is criminal, as it executes people for offenses and therefore itself infringes God's law of charity.

I read the Epistles of St. Paul, who himself suffered from the courts, and in the very first chapter of the Epistle to the Romans I found a reprimand which he addresses to the Romans for their various sins and errors, and among the rest for their courts (5:32):

“Who knowing the judgement of God, that they which commit such things are worthy of death, not only do the same, but have pleasure in them that do them.”

Chap. 2:1:
Therefore thou art without excuse, O man, whosoever thou art, who judgest; for wherein thou judgest another, thou condemnest thyself; for thou that judgest dost practice the same things. (2) And we are sure that the judgement of God is according to truth against them which commit such things. (3) And thinkest thou this, O man, that judgest them which do such things, and doest the same, that thou shalt escape the judgement of God? (4) Or despisest thou the riches of his goodness and forbearance and long-suffering; not knowing that the goodness of God leadeth thee to repentance?

The Apostle Paul says that they, knowing the righteous law of God, themselves do wrong and teach others to do the same, and therefore **the man who judges cannot be justified.**

Such is the attitude to the law-courts which I found in the Epistles of the Apostles, and in their lives, as we all know, **man's courts appeared an evil and a temptation which had to be endured with firmness, and with submission to the will of God.**

Early Christians did not go to law

By reconstructing in one's imagination the position of the first Christians among the heathen, one can easily understand that the Christians, who were persecuted in man's law-courts, could not prohibit law-courts. Only incidentally could they allude to that evil, condemning its foundations, as they did.

I consulted the Fathers of the Church of the first centuries, and saw that they always define the difference between their teaching and that of all others by the fact that they never put compulsion on anyone in any way and never went to law with anyone (see Athenagoras and Origen), did not execute, but only endured the torments to which they were condemned by man's courts. All the martyrs, by their deeds, made the same profession. I saw that all the Christians till the time of Constantine regarded the law-courts not otherwise than as an evil which had to be patiently endured, and that the thought could never enter the head of any Christian of those days that Christians could take part in prosecutions. I saw that the words of Christ, '**Judge not that ye be not judged,**' were understood by his first disciples as I now understand them in their direct meaning: '**Do not prosecute in the courts, and do not participate in them.**'

Everything indubitably confirmed my conviction that the words 'Judge not and condemn not' mean, do not judge in the courts; yet the explanation that it means do not malign your neighbor is so generally accepted, and so boldly and confidently do the courts flourish in all Christian countries, supported even by the Church, that I long doubted the correctness of my interpretation. If everybody could explain the matter in this way and organize Christian courts, then probably they had some ground for so doing and there is

something I do not understand, said I to myself. There must be grounds on which the words are understood to mean 'to malign,' and there must be grounds for instituting Christian courts.

And I examined the explanations of the ecclesiastical theologians. In all these interpretations, from the fifth century onward, I found that the words were taken in the sense of condemnation of one's neighbor, that is, maligning. And as the words are taken only to mean condemning one's neighbor in words, the question arises - how can one refrain from condemning? Evil must be condemned! Therefore all the interpretations revolve round the question, what one may and what one may not condemn. It is said (St. Chrysostom and Theophilus) that for the servants of the Church it must not be understood as a prohibition to judge, for the Apostles themselves judged. It is said that probably Christ referred to the Jews who condemned their neighbors for small sins and themselves committed great ones.

But nowhere is a word said of the institution of courts of law and of the relation in which the courts stand to this condemnation of judging. Does Christ forbid them or allow them?

To that particular question no reply is given, as though it were quite obvious that as soon as a Christian occupied a judge's seat, he might not merely condemn his neighbor, but have him executed.

'Evil speaking' is mistranslated

I consulted the Greek, the Catholic, and the Protestant writers, and the writers of the Tubingen School and of the

historical school. All of them, even the most free-thinking, understood those words as a condemnation of evil-speaking. But why, contrary to the whole teaching of Christ, the words are understood so narrowly that the courts are not included in the prohibition of judging; why it is supposed that Christ, forbidding as an evil deed a condemnation of one's neighbor that involuntarily slips from one's tongue, does not consider as evil and does not forbid a similar condemnation uttered deliberately and associated with the infliction of violence on the person condemned, is not explained, nor is there the slightest hint that it is possible for 'condemnation' to mean the judging which takes place in the law-court and from which millions of people suffer. More than that, in dealing with these words, 'Judge not and condemn not,' reference to that most cruel habit of legal condemnation is carefully avoided, and even fenced off. The theologian-interpreters remark that Christian law-courts must exist and do not conflict with the law of Christ.

Noticing this, I began to doubt the good faith of these interpretations and referred to the translation of the words 'judge' and 'condemn' - the very matter with which I ought to have begun.

In the original these words are *krinw* and *katadikazw*. The incorrect translation of the word *katadikazw* in the Epistle of James, where it is translated by the words 'speak evil of,' confirmed my suspicion of the incorrectness of the translations.

I looked how the words *krinw* and *katadikazw* are translated in the Gospels in different languages, and I saw that the word which in the Vulgate is translated *condemnare*, is translated in a similar way in French, while in Slavonic it is 'condemn,' and Luther translates it *Verdammen*, to curse.

The contrast of these translations strengthened my doubts, and I asked myself: What does and what can the Greek word *krinw* , employed in both the Gospels, mean, and also the word *katadikazw* , used by Luke the Evangelist, who, in the opinion of the experts, wrote rather good Greek? How would a man translate those words who knew nothing of the Gospel teaching and the existing interpretations of it, but had before him merely that saying?

I consulted the general dictionary and found that the word *krinw* has many different meanings, and among them very commonly the meaning of sentencing in the law-court, even executing, but that it never has the meaning of evil-speaking. I consulted the New Testament dictionary and found that the word is often used in the New Testament in the sense of to sentence in court. It is sometimes used in the sense of differentiation, but never in the sense of evil-speaking. And so I see that the word *krinw* may be translated variously, but that a translation which makes it mean 'speak evil' is the most far-fetched and unexpected of all.

Then I inquired about the word *katadikazw* coupled to *krinw* , the word of many meanings - evidently on purpose to define the sense in which the writer was using that word. In the general dictionary I found that the word never has any other meaning than to condemn in court to punishment or execution. I looked in the New Testament dictionary, and found that the word is used in the Epistle of James 5:6, 'Ye have condemned and killed the just'; the word 'condemned' is this same word *katadikazw* , used in reference to Christ, who was condemned. And in no other way is this word ever used in the whole of the New Testament, or in any Greek dialect.

What does this all mean? What absurdity have I arrived at? I, and everyone in our society, if we have ever considered the fate of mankind, have been horrified at the sufferings and the evil introduced into man's life by man's criminal law - an evil both for the judged and for those who judge - from the executions of Genghiz Khan to the executions of the French Revolution and those of our day.

No one with a heart can have escaped an impression of horror and doubt in goodness at even hearing of, not to say seeing, the execution of men by other men: the floggings to death with rods,¹⁵ A method of punishment frequently practiced in the army under Nicholas I. The sentence was so many thousand strokes, and the prisoner had to run the gauntlet between ranks of soldiers, the result often being death from collapse. - A.M. the guillotines, and the scaffolds.

In the Gospels, each word of which we consider holy, it is directly and clearly said: You have had a criminal law - '**An eye for an eye**' - but I give you a new law: '**Resist not him that is evil.**' Obey this law, all of you: do not inflict evil for evil, but do good always and to all men, forgive all men.

Further, it is clearly said: 'Do not go to law.' And that doubt about the meaning of the words may be impossible, it is added 'Do not condemn to punishment in the courts.'

My heart says clearly and distinctly: do not execute. Science says, do not execute; the more you execute the more evil will there be. Reason says, do not execute, evil cannot be cut off by evil. The word of God, in which I believe, says the same. And I, reading the whole teaching and reading the words: '**Judge not that ye be not judged, condemn not that ye be not condemned, forgive and ye shall be forgiven,**' admit that this is the word of God, say that it means that I must not go about talking scandal and

maligning people, and continue to consider the law-court to be a Christian institution and to consider myself both a judge and a Christian.¹⁶ Tolstoy was an Arbiter of the Peace for about a year in 1862 after the emancipation of the serfs, his duties being to adjust differences between the landed proprietors and the newly emancipated serfs. - A.M. And I was horrified at the grossness of the deception in which I was involved.

Misunderstanding of Christ's teaching

I NOW understand what Christ meant when he uttered the words: '**It was said to you: an eye for an eye, and a tooth for a tooth. But I say unto you: resist not him that is evil, but bear with him.**'¹⁷ Matthew 5:38-39 Christ said: It has been instilled into you and you are accustomed to think that it is good and reasonable to resist evil by force and to tear out an eye for an eye, to institute criminal courts, police, an army, and to defend yourselves from foes; but I say, Do not use violence, do not take part in violence, do no harm to anyone, not even to those whom you call 'enemies.'

I now understand that Christ, in the position he takes up of non-resistance to the evil man, is speaking not only of what will result directly for each man from non-resistance to him that is evil but, in contradiction to the principle under which mankind lived in his time under the law of Moses and under the Roman law, and now lives under various legal codes, he sets up the principle of non-resistance to the evil man, which principle according to his teaching should be the basis of man's social life and should free mankind from an evil they inflict on themselves. He says: '**You think that your laws correct evil - they only increase it. There is but one way to end evil - by rendering good for evil to all men**

without distinction. For thousands of years you have tried your principle; now try my contrary one.'

I have recently spoken to people of most divergent opinions about this law of Christ's - non-resistance to the evil man. It did occur, though rarely, that I met some who agreed with me. But, strange to say, two kinds of people never, even in principle, tolerated a straightforward understanding of the law, but always warmly defended the justice of resistance to the evil-doer. These are people who belong to the two extreme poles: patriotic Conservative Christians, who consider their Church to be the only true one, and Revolutionary Atheists. Neither these nor those wish to abandon the right to resist by violence what they consider evil. And the wisest and most learned of them are quite unwilling to see the simple and obvious truth that if one admits that one man may use violence to oppose what he considers evil, another may do the same to resist what he, in turn, considers evil.

A correspondence lately passed through my hands between an Orthodox Slavophil and a Christian-Revolutionary, which was instructive in this respect. The one advocated the violence of war on behalf of our oppressed brother-Slavs; the other, a revolutionary violence on behalf of our oppressed brethren, the Russian peasants. Both demanded violence, and both relied on the teaching of Christ.

People in general understand Christ's teaching in very various ways, but not in the direct, simple meaning which inevitably flows from his words.

We have arranged our whole life on the very foundations he denies. We do not wish to understand his teaching in its

simple, direct meaning, and we assure ourselves and others either that we do not acknowledge his teaching or that it is unsuited to us. The so-called believers believe that Christ is God, the Second Person of the Trinity who descended to earth to show us how to live, and they arrange most elaborate ceremonies necessary for the administration of the sacraments, for erecting churches, for sending out missionaries, for ordaining priests, for the direction of their flocks, for amending the creeds, but one little thing they forget - namely, to do what he told us to do. The unbelievers try to arrange their lives in all sorts of ways, only not according to the law of Christ, having decided in advance that that law will not do. **But no one wishes to try doing as Christ bids us.** Moreover, before even trying to do it, both the believers and the non-believers decide in advance that it is impossible.

He says simply and clearly: the law of resistance by violence to him that is evil which you have made the basis of your lives, is false and unnatural; and he gives another basis - non-resistance - which in his opinion can alone deliver mankind from evil. He says: You think your laws of violence correct evil; they only increase it. You have tried for thousands of years to destroy evil by evil, but instead of destroying it you have increased it. Do what I do, and you will know whether it is true.

He not only says this but in his whole life, and by his death, he carries out his teaching of non-resistance to the evil man.

Believers hear all this, they read it in their churches, they say the words are divine and that he who spoke them was God, but they say: It is all very well, but it is impossible with our arrangement of life - it would upset the whole way of life

to which we are accustomed and which we like. Therefore we believe all this only as being an ideal toward which humanity must strive - an ideal to be attained by prayer and by faith in the sacraments and the redemption and in the resurrection from the dead. Others, the unbelievers, the free-thinking investigators of Christ's teaching - Strauss, Renan, and others - who follow the historic method, having thoroughly imbibed the Church's explanation that Christ's teaching has no direct reference to life but is a visionary doctrine consoling to feeble-minded people, say most seriously that Christ's teaching was only fit to be preached to the savage inhabitants of the wilds of Galilee, but that for us, with our culture, it appears merely a sweet dream - 'du charmant docteur,' as Renan says. In their opinion Christ could not rise high enough to understand all the wisdom of our civilization and culture. Had he stood on the height of education on which these learned people stand he would not have talked such charming rubbish about the birds of the air, about turning one's cheek, and about not being troubled for tomorrow. These learned historians judge of Christianity by the Christianity they see in our society. The Christianity of our society and day regards our present life as true and sacred, with its organizations, prisons, solitary confinements, *Ciros*,¹⁸ The translator finds himself in a difficulty when he has to devise an equivalent for the most improper type of Moscow restaurant. factories, newspapers, brothels, and parliaments, and from the teaching of Christ it selects only what does not infringe that life. But as Christ's teaching is the negation of all that life, nothing is accepted of it except mere words. The learned historians see this, and, as they are under no necessity to hide it as it is hidden by the pseudo-believers, this version of Christ's teaching deprived of all substance is subjected to profound criticism and very rightly repudiated. The deduction is clear that there never was anything in Christianity except dreamy ideals.

It would seem as though before judging Christ's teaching one should understand what it consists of, and to decide whether his teaching is reasonable or not one should first of all admit that he said what he said; but that is just what is not done either by the Church or by the free-thinking expositors. And we know very well why they do not do it.

We know very well that Christ's teaching always included and includes the denial of all those human illusions, those 'vain things,' empty idols, which we, by calling them Church, State, culture, science, art, and civilization, think we can separate from the ranks of delusions. But it is just against them that Christ speaks, without excluding any 'empty idols.'

Not Christ only, but all the Hebrew prophets, John the Baptist, and all the world's true sages, have spoken of that same State, culture, and civilization, as an evil, ruinous to mankind.

Suppose a builder says to a man, 'Your house is bad, it must be entirely rebuilt,' and then gives details as to what beams should be cut, and how it should be done and where they should be placed. The man does not listen to the words about the house being bad and being rebuilt, but with a pretense of respect listens to the builder's further instructions and arrangements in the house. Obviously all the advice given by the builder will appear inapplicable, and any disrespectful person will say plainly that his advice is stupid. This is what happens with regard to Christ's teaching.

Not finding a better comparison, I made use of the above. And then I remembered that Christ when preaching his doctrine used that same comparison. He said: I will destroy your temple and in three days will build a new one. For that

he was crucified; and it is for that very thing that his teaching is now crucified.

The least one can demand of people who judge any doctrine is that they should judge of it in the sense in which the teacher himself understood it. And he understood his teaching not as a distant ideal for humanity, obedience to which is impossible, nor as a mystical poetic fantasy wherewith he captivated the simple-minded inhabitants of Galilee. He understood his teaching as a real thing, and a thing which would save mankind. **And he did not dream on the cross but died for his teaching, and many others are dying and will yet die. Of such a teaching one cannot say that it is a dream!**

Every true doctrine is a dream to those in error. We have come to this, that there are many people (of whom I was one) who say that this teaching is visionary because it is not natural to man. It is not in accord, they say, with man's nature to turn the other cheek when one cheek is struck; it is not natural to give what is one's own to another; it is unnatural to work for others instead of for oneself. It is natural to man, they say, to defend his safety and the safety of his family and his property: in other words, it is natural for man to struggle for his own existence. The learned jurists prove scientifically that man's most sacred duty is to defend his rights, that is - to struggle.

Worldly organizations unnatural to man

It is sufficient to free oneself for a moment from the thought that the order which exists and has been arranged by men is the best and is sacrosanct, for the objection that Christ's teaching is not accordant with man's nature to turn

against the objector. Who will deny that to murder or torture, I will not say a man, but to torture a dog or kill a hen or calf is contrary and distressing to man's nature? (I know people who live by tilling the land, and who have given up eating meat merely because they had themselves to kill their own animals.) Yet the whole structure of our lives is such that each man's personal advantage is obtained by inflicting suffering on others, which is contrary to human nature. The whole order of our life and the whole complex mechanism of our institutions designed for the infliction of violence, witness to the extent to which violence is contrary to human nature. Not a single judge would decide to strangle with a rope the man he condemns to death from the bench. Not a single magistrate would make up his mind himself to take a peasant from his weeping family and shut him up in prison. None of our generals or soldiers, were it not for discipline, oaths of allegiance, and declarations of war, would, I will not say kill hundreds of Turks and Germans and destroy their villages, but would even decide to wound a single man. **All this is only done thanks to a very complex state and social machinery the purpose of which is so to distribute the responsibility for the evil deeds that are done that no one should feel the unnaturalness of those deeds.** Some men write the laws; others apply them; a third set drill men and habituate them to discipline, that is to say, to senseless and implicit obedience; a fourth set - the people who are disciplined - commit all sorts of deeds of violence, even killing people, without knowing why or wherefore. But a man need only, even for a moment, free himself mentally from this net of worldly organization in which he is involved to understand what is really unnatural to him.

As soon as we cease to affirm that the customary evil we employ is an immutable divine truth, it becomes obvious which of the two is natural and accordant to man: violence,

or the law of Christ. Is it to know that my tranquility and safety and that of my family, and all my pleasures, are purchased by the destitution, corruption, and misery of millions, by hangings every year, by hundreds of thousands of suffering prisoners, by millions torn from their homes and stupefied by discipline - soldiers, policemen, and gendarmes who, armed with pistols against hungry people, safeguard my amusements - to purchase every sweet morsel I put into my mouth or into the mouths of my children, by the sufferings of humanity that are unavoidable for the procuring of these morsels? Or to know that, be the morsel what it may, it is mine only when no one else needs it and when no one has to suffer on account of it?

It is only necessary once to understand that this is so, and that every pleasure of mine, every moment of tranquility under our organization of life, is purchased by the deprivations and sufferings of thousands who are restrained by violence; one need but once understand that fact, to understand what is natural to man's entire nature - that is to say, not merely to his animal nature, but to his reasonable nature as well. One need only understand the law of Christ in its full meaning, with all its consequences, in order to understand that Christ's teaching is not contrary to man's nature, but that it really consists in rejecting what is contrary to man's nature, namely, the visionary human doctrine of resistance to evil which now makes life unhappy.

Christ's doctrine of non-resistance to him that is evil is a dream! But that the life of men in whose souls pity and love for one another is implanted, has been passed, and is now being passed, by some in organizing executions at the stake, knouts,¹⁹ A leather whip formerly used in Russia for floggings. - P.R. and breakings on the wheel, lashes, the splitting of nostrils, tortures, handcuffs, penal servitude, gallows, shootings,

solitary confinements, prisons for women and children, in arranging the slaughter of tens of thousands in wars, in organizing periodic revolutions and Pugachev²⁰ Pugachev was the Cossack leader of a very serious peasant revolt in the time of Catherine II. - A.M. revolts, and the life of others in carrying out all these horrors, and the life of a third set in evading these sufferings and avenging themselves for them - is this not a dreadful dream?

One has but to understand Christ's teaching to understand that the world, not that which God gave for man's delight but the world men have devised for their own destruction, is a dream, and a very wild and terrible dream - the raving of a maniac from which one need but awake in order never to return to that terrible nightmare.

God descended to earth; the Son of God - one of the Persons of the Trinity - became flesh and redeemed Adam's sin; this God, we were taught to think, must have said something secret, mystical, difficult to understand, and only to be understood by the aid of faith and the sacraments; and suddenly it appears that the word of God is so simple, so clear, so reasonable. **God says simply: Do not do evil to one another - and there will be no evil.** Is it possible that God's revelation is so simple? Can it be that God only said that? It seems to us that we all knew that: it is so simple.

Elijah the prophet, fleeing from men, hid in a cave, and it was revealed to him that God would appear to him at the entrance to the cave. A storm arose that broke the trees. Elijah thought this was God, and looked; but God was not there. Then came thunder; the thunder and lightning were terrible. Elijah went out to look whether God was not there; but God was not there either. Then there came an earthquake; fire arose from the earth, the rocks were rent,

and the mountains quaked. Elijah looked, but God was still not there. Then a light, quiet breeze arose, bringing the refreshing scent of the fields. Elijah looked - and God was there!²¹ I Kings 19:9-13 Such, too, are these simple words of God: 'Resist not him that is evil.'

They are very simple, but in them is expressed the law of God and man, one and eternal. The law is to such an extent eternal that if there is in history a movement forward toward the elimination of evil, it is thanks only to those men who have so understood Christ's teaching and have endured evil and not resisted it by violence. Progress toward the welfare of mankind is made not by the persecutors but by the persecuted.

As fire does not extinguish fire, so evil cannot extinguish evil. Only goodness, meeting evil and not infected by it, conquers evil.

That this is so is in man's spiritual world an immutable law comparable to the law of Galileo, but even more immutable, clearer and more complete. People may deviate from it and hide it from others, but nevertheless the progress of humanity toward what is good can only be accomplished by that path. Every step forward is made solely in the path of non-resistance to evil. And in the face of all possible temptations and threats the disciples of Christ may, with more assurance than Galileo, declare: 'And yet, **not by violence, but by goodness alone can you destroy evil.**'

If that advance is slow, this is thanks solely to the fact that the clearness, simplicity, reasonableness, inevitability, and necessity of Christ's teaching is hidden from the majority of men in the most cunning and dangerous way,... hidden under a different doctrine falsely called his.