

June 22, 2007

Dear Saints,

This week the United States Supreme Court declined to hear our appeal in the libel suit against the *Encyclopedia of Cults and New Religions* (ECNR). This means that we have come to the end of our legal options at this time in dealing with this book. In this letter we would like to review with you: why we litigated over ECNR; a brief history of the controversy and the significance of the courts' decisions; examples of facts uncovered by our litigation; the strong support we have received and its significance; and our attitude and course going forward.

Why We Litigated over ECNR

This evil book certainly defamed us both here and abroad with the most wild and criminal accusations of any book ever to include us. After one year of the authors' and publisher's rebuffing our attempts to resolve their horrific misrepresentations through Christian fellowship, we were left with two courses of possible action: to do nothing and allow the lies to spread or to stand up in the Lord and fight for the truth and practice of the Lord's recovery ministered to us by our senior coworkers, Brother Nee and Brother Lee. Our rising up to fight should be a clear sign that we will not accept such accusations.

A Brief History of the Controversy and the Significance of the Courts' Decisions

From January 2001 to December 2001, we attempted to contact Harvest House Publishers and its authors, John Ankerberg and John Weldon, sending them six letters (posted on contendingforthefait.org) seeking Christian fellowship to resolve this controversy. While we were still seeking an amicable resolution to this dispute, Harvest House initiated legal action against us by filing a lawsuit in Oregon on December 14, 2001. With the statute of limitations running out, we sought the court's intervention by filing a libel suit against the publisher and authors on December 31, 2001. Their suit in Oregon was quickly dismissed by the district court.

Our defamation suit continued forward in Texas, and on three separate occasions the district court denied the defendants' attempts to have our case thrown out. Because judges at this level spend much time reviewing evidence and hearing oral arguments, we feel these three court rulings by two different judges reflect the strength of our case in terms of both the law and evidence. However, before the case could get to trial, Harvest House appealed the court's denial to the Texas Court of Appeals. After a brief oral argument, the Texas Court of Appeals overturned the three previous decisions of the lower court and granted the defendants' motion, dismissing our suit. It declared, despite ECNR's allegations of horrific secular crimes, that the case was merely a "religious" dispute. Both the decision itself and the grounds cited for it were seriously flawed.

The Appeals Court ruled, in essence, that if one party accuses another party with allegations of criminal behavior – but does it in a "religious" context – it cannot be found liable for the damages it caused. We believe, as do a number of constitutional scholars and religious experts, that the Texas Appeals decision set a dangerous precedent. Their decision has already been criticized by a Federal District Court in Wisconsin. As a result of the Court of Appeals decision, it is possible that, after being out of publication now for five years, ECNR could be published again with even more misrepresentations or that others may try to follow ECNR's dangerous example of mixing libelous charges with the term "cult" and theology to smear us.

While we felt it was necessary to appeal to the Texas Supreme Court and the U.S. Supreme Court, we fully realized that the likelihood that our case would be heard was remote when we submitted our petitions. Such reviews are discretionary and at the US Supreme Court level, for example, the ratio of cases accepted for review is only about 1 out of every 100. Yet, after much prayer, fellowship, and consultation we felt to go forward.

First, the Texas Supreme Court and now the U.S. Supreme Court have declined to review the flawed Appeals Court ruling. This means that neither court reviewed the merits of our case or passed judgment on the Appeals Court ruling. Their failure to review is by no means an endorsement of that faulty ruling. In addition, nothing in any court ruling in this case has validated or substantiated even one word published in ECNR concerning the local churches or Living Stream Ministry (LSM). On the contrary, the evidence in the case, including several admissions under oath by Mr. Ankerberg and Mr. Weldon, the authors of ECNR, make it clear that there never has been any factual basis whatsoever for any of the false statements that were the subject of our lawsuit.

We believe that we have exercised the highest level of responsibility, both as members of the Body of Christ and as citizens of this country, in how we have conducted ourselves in this effort, including our appeal to the highest court in the land, as the apostle Paul did in his day by appealing to Caesar (Acts 25:11, 26:32). We feel much confirmed in the Lord that it is right to “stand therefore” (Eph. 6:10-14).

Examples of Facts Uncovered by Our Litigation

In at least eight different manuscripts from the early 1980s through early 1999, authors Ankerberg and Weldon concluded, “Theologically speaking, Witness Lee and the Local Church do not constitute a cult, or strictly speaking, a non-Christian religion”. Weldon, even after ECNR had been published three times and in the same month that Harvest House sued us, admitted to a fellow anti-cultist that he did not know whether the local churches were a “cult” and that “to prove it would require a lot more time and space than we have.” During the same time, Ankerberg and Weldon prepared a revised chapter for a second edition of ECNR containing the words, “The Local Church...is unique among the groups in this encyclopedia. It is not a cult in the negative sense of the term, nor do the characteristics of cults in the Introduction generally apply to them.”

John Ankerberg and John Weldon have a reputation among some evangelicals as scholars, but the facts we uncovered show that several of their claimed scholarly achievements are a sham. Between the two authors, they have at various times claimed a PhD and at least four other doctorate degrees and five master’s degrees. However, between the two of them, there is only one master’s degree earned from a truly accredited institution. Weldon’s instructions to a secretary employed by John Ankerberg to select from his manuscript the most “damning” and “damaging” quotes to “really hit these guys hard” and to show their “demonization” belies the scholarly trappings of the book and resulted in a grossly distorted portrayal of LSM and the local churches.

Harvest House’s editorial process did not include any substantive editing or fact checking of ECNR. In fact, no one on the editorial staff of Harvest House read the book before it was published. Furthermore, Harvest House’s President, Bob Hawkins, Jr., testified that he did not read the complained-about sections of the book and that no steps were taken to validate the authors’ research after receiving our letters of protest that clearly indicated the potential bias of the primary author.

Throughout this controversy, Harvest House, Ankerberg and Weldon have steadfastly refused to meet with us as Christian brothers. Harvest House responded to our first offer to travel to Oregon for Christian fellowship with a letter from their attorney. While we were continuing to negotiate with them in good faith, the publisher surreptitiously filed a lawsuit against us. Thus, Harvest House initiated the use of litigation. Harvest House and its authors received numerous protests about the libelous nature of ECNR’s inaccuracies but continued its republication even long after our lawsuit was filed. In court and under oath at deposition, both the publisher and authors failed to produce any evidence that the libelous charges of criminal and immoral behavior in ECNR were true concerning us, yet they would not and have not admitted that the charges are false.

The Strong Support We Have Received and Its Significance

As you know, whenever others have taken the time to investigate either the details of our case or the details of what we believe, we have found warm support. We purposely determined that in addition to fighting the defamatory book, we would also seek out genuine believers with the hope of making ourselves better and more accurately known than in the past. The Lord has blessed this aspect of the whole endeavor very much indeed.

Despite the legal disappointment, we are in no way disappointed with the overall outcome to date. No court victory could result in a positive affirmation of our Christian faith and practice; however, during the course of this litigation many have taken up our invitation, often at great personal cost, to honestly research and evaluate our teachings, practice, and history. Some of these include: Fuller Theological Seminary, including president Richard Mouw, Dean of Theology Howard Loewen, and Professor of Theology Veli-Matti Kärkkäinen; Christian Research Institute and its President Hank Hanegraaff, aka the “Bible Answer Man”; Answers in Action and its Director Gretchen Passantino; The Institute for the Study of American Religion, headed by Dr. Gordon Melton; John Van Diest, editor at Tyndale Publishing; and the Evangelical Christian Publishers Association, which includes all of the major Christian publishers. See for example the material posted at www.lctestimony.org and the friend-of-the-court briefs posted at www.contendingforthefaith.org/libel-litigations/harvest-house-et-al/index.html.

The recognition of these and many other evangelicals over the past five years that the saints in the Lord’s recovery are genuine believers and that the recovery is a genuine move of the Body of Christ will spread and affect many more in the time to come. We hope to add to this number in the days ahead and will continue to aggressively seek opportunities for fellowship with fellow believers. We should pray for this.

Our Attitude and Course Going Forward

We continue to believe that the Lord led us to bring this matter to the courts. The chances of another wild and irresponsible book coming from mainstream Christendom at this time seem small. We have to testify that we have seen the Lord’s hand move strongly in too many details of this endeavor to have anything except the utmost faith in His continued leading. The Lord has, in His sovereign care for us, done much more than we expected. At the same time, we remain concerned for the churches and believers here and for the hundreds of thousands of believers in countries that can be hostile toward the faith who may suffer directly as a result of this ruling.

We accept this decision by the Court as from the Lord’s sovereign hand and we remain undaunted in our determination to expose the evils of this book. We still feel that this book must be dealt with for the sake of the truth and for the sake of those in China and other countries who do not share in the freedoms we enjoy. We must continue to stand and fight by writing and by further aggressive contacts with the Christian public. If we publish the real story of ECNR, it will make for some very shocking reading and will come out as an exposé of unqualified authors and an irresponsible publisher who behaved very badly while trying to vindicate something that they knew to be wrong. On the side of aggressively contacting others, we see the Lord’s hand opening doors and feel we must go forward. We are full of confidence, not in ourselves but in the truth and life with which we have been commissioned.

In any case brothers, we feel to do what the Lord led us to do from the beginning—to stand up and fight for the truth as far as He enables us to go on, with the confidence that ultimately the Lord will win this battle. At this point, let us look to the Lord for His leading in how to go forward.

The brothers striving together for the defense and confirmation of the gospel