

KINGDOM SERVICE QUESTIONS

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How This Booklet Is to Be Used

This booklet is the property of the

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congregation.

It is to be retained in the congregation permanent file. Its counsel is for the guidance of the congregation committee in handling matters with members of the congregation. It can be referred to as the basis for reaching decisions and complying with the Society's policy, but it is not to be studied at any meeting, nor placed in general circulation among the publishers.

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KINGDOM SERVICE QUESTIONS

Serving Jehovah conscientiously, the overseers are fully aware of their great responsibilities in looking after the interests and welfare of Jehovah's sheep, the congregations. The Society has endeavored to provide every form of guidance and equipment so the primary work of preaching the good news of the Kingdom may progress. Jehovah's "faithful and discreet slave" has provided spiritual food and instruction from the Scriptures in abundance, and all overseers must carefully familiarize themselves with the instructions in the Bible, *The Watchtower*, and such publications as *Preaching and Teaching in Peace and Unity* and *Qualified to Be Ministers*, which serve as sources of instruction on how to handle the needs of the congregations and the field service. *The Watchtower* of January 15, 1958, and June 15, 1959, (which please read) brought forcefully to the attention of the overseers their responsibilities in the theocratic organization. All overseers should keep those requirements before their minds.—Matt. 24: 45-47; Titus 2:1-8, 15; 1 Pet. 5:1-11.

While the Society regularly publishes information for the use of all dedicated servants of Jehovah, from time to time the problems in handling the work cause questions to arise that present complexities in applying Jehovah's principles. A number of questions with regard to marriage problems, disfellowshipping and other matters have been received, and it appears advisable to provide answers in this form as a source of counsel to the overseers.

One copy of this booklet is provided to each congregation, and it must be preserved as a part of the congre-

gation permanent files. Each time the circuit servant visits a congregation he will check to see that the copy of this booklet is on file and in good condition. Every overseer and other members of the committee should read it and be thoroughly familiar with its contents so as to be of good service to the congregation.

ON MARRIAGE

"The Watchtower" (September 1 to October 1, 1956, and November 1 to December 1, 1960) contains many details on Christian marriage. Every overseer should have studied the articles and should be able to make reference to them readily at all times. Supplementary to the articles published in "The Watchtower" and as an aid to the overseers in dealing with certain cases, the following statement of policy is made.

A marriage is a marriage. A civil marriage is one that is performed by the justice of the peace or some civil officer or agent of the government authorized to perform marriages, without the addition of any religious features. A religious marriage is one that is performed in a country that recognizes and authorizes the performance of a religious ceremony by a religious clergyman or representative of a religious organization, which marriage is performed by such religious personality within a church or religious structure or within a private home. A religious ceremony conducted after the performance of a civil marriage adds nothing to its legal value or binding force. It is not necessary in order to make the married couple one. A common-law marriage* is one that stands in contradistinction to a canon-law marriage performed by a church representative or a civil-law marriage performed by some authorized agent of the government. A common-law marriage may be entered into by a man and a woman by mutual consent only in lands or states that recognize common-law marriage, where it is as legal and binding as a ceremonial marriage. Outside of common-law states or

* COMMON-LAW MARRIAGE is defined by Webster's *New International Dictionary of the English Language*, second edition, unabridged, of 1943, as: *Law*. An agreement between a man and a woman to enter into the marriage relation without ecclesiastical or civil ceremony, such agreement being provable by the writings, declarations, or conduct of the parties. In many jurisdictions it is not recognized.

COMMON LAW is defined for the Spanish by *A New Pronouncing Dictionary of the Spanish and English Languages* (by Velasquez-Gray-Iribas, of 1900) as: "Unwritten law (of England), custom that has the force of law."

countries recognizing such a marriage there does not exist any common-law marriage, and the living of a man and a woman together without benefit of marriage in such Roman-law countries should not be spoken of as a common-law marriage. In Latin-American countries or in religious countries where the ecclesiastical courts dictate and require a religious marriage and do not permit the political government to allow any divorces to be procured or granted, one hears of such a thing as a "consensual marriage." This should not be confused with common-law marriage, because in such lands common-law marriage is not recognized or given any legal status. A "consensual marriage"^{*} is not a marriage but is a mere agreement entered into by a man and a woman consensually to live together like man and wife without benefit of legal or ecclesiastical marriage and without benefit of legal recognition, even though the law-enforcing officers of the land or the ecclesiastical authorities may close their eyes to such consensual living together as man and wife. This living together as man and wife where common-law marriage is not recognized is not a marriage. In the case of single persons it is merely a living together in fornication, or in the case of an already married person it is adultery. In cases where both parties to the living-together arrangement are already legally married and have living spouses, it is adultery on the part of both.

Real marriage is a legal status of the parties thereto. Where common-law marriage is recognized it is a legal marriage. But in order that the responsibilities accruing from real marriage may be upheld and the parties thereto may be protected, each one in his own right, as well as the children that result from such a marriage, the Watch Tower Bible and Tract Society requires that those living together in common-law marriage should have a legal marriage ceremony performed and that this should be definitely registered in the registry of the civil government before the Watch Tower Society will recognize the dedication of any one or both parties to the marriage and consider them worthy of water baptism and of admission to the New World society. The Watch Tower Society makes the same requirement of a man and woman living together consensually in lands where such consensual marriage^{*} obtains. (See also pages 6 to 8.)

* CONSENSUAL is defined by *The American College Dictionary*, edited by C. L. Barnhart, 1947, 1948, as: "Formed or existing by mere consent: a consensual marriage."

GENERAL REGISTRATION OF CEREMONIAL MARRIAGES

Some have wondered how marriages are *normally* registered with the congregation. When a congregation publisher marries, this fact is recorded in the space provided on the Publisher's Record card that is held by the congregation. This is sufficient, except in cases where the law requires the congregation to keep a *special* written record if a marriage is performed in the Kingdom Hall of the congregation by the minister. The local law specifies the form and content of such special written record. However, if publishers are ceremonially married elsewhere and the ceremonial marriage is registered with the civil authorities, the only record that need be kept by the congregation would be on the Publisher's Record card.

DECLARATION OF MARRIAGE FORM

In the September 15, 1956, *Watchtower*, paragraphs 9 and 10 of the second marriage article, provision is made for use of a Declaration of Marriage form. There are probably very few places outside Africa where this Declaration of Marriage form would be used, because the laws of the country govern and native tribal laws are not recognized.

If there are some cases where it is not possible to obtain a marriage certificate until some time after the formal native marriage ceremony, and in other cases not at all, in such cases the following procedure should be followed.

1. SOME WRITTEN EVIDENCE OF THE MARRIAGE SHOULD BE MADE AT THE TIME OF THE MARRIAGE (before the man and woman come together as husband and wife). The man and woman should make a written declaration in triplicate at the time of the marriage stating that they are entering into the marriage relationship. This declaration should be made before the congregation servant (or someone he designates from among the other servants) and before witnesses (who may or may not be relatives of the couple), and these witnesses will put their names to the declaration also. One copy of the declaration will be kept by the couple, one will be filed with the congregation and the other sent to the Society's branch office. At the same time the couple will agree to obtain a proper marriage certificate as soon as possible after the marriage.

2. SOMETIMES FOR SOME REASON THE LOCAL NATIVE AUTHORITY WILL NOT ISSUE A CERTIFICATE.

In cases such as this the written declaration filed at the time of the marriage will stand as evidence of the marriage, as far as the New World society is concerned.

3. WHERE ONE OF THE MATES IS NOT IN THE TRUTH. Sometimes the unbeliever will not agree to have the marriage registered or to have any written declaration of the marriage. In such cases the believing one (the husband or wife, whichever is the case) should fill out the part of the declaration that concerns him. This should be witnessed and copies filed with the congregation and the Society's branch office, as mentioned above.

Each new marriage should be immediately registered legally or, failing this, a Declaration of Marriage should be made out at the time of the marriage for that marriage to be recognized by the New World society. Christians who just come together without first having such proper records made would be doing so improperly. It should be noted that the making of a Declaration of Marriage does not excuse the married couple from obtaining a proper marriage certificate as soon as possible. One year from the date of the marriage the declared couple will be required to file a written report with the congregation and the Society stating whether they received the certificate or why it was not issued when applied for, giving the details. The Marriage Declaration filed with the congregation and the Society is a temporary arrangement until the marriage certificate is obtained.

Branches have received copies of the Declaration of Marriage form. In countries where it is properly used, the branches have already informed all congregations concerning how to use it. There are few countries where that form is used.

COUNTRIES WHERE NO DIVORCE IS ALLOWED

This form mentioned in the preceding paragraphs would not be used in the case of a man who has a living wife but who was living with another woman when the truth found him and there is no divorce allowed in the country. If one is living in such a condition, then we cannot declare him to be married to the second woman. Suppose a man was formerly married but left his wife because of adultery or for some other reason and then began living with another woman in a country where there is no divorce allowed by law and later he learns the truth. Though continuing to live with the second woman, he should *not* sign the Declaration of Marriage form, because no legal or customary marriage has taken place that

needs to be registered with the civil government. The same would apply to a woman who was married to a man and then took up living with another man later and who then came in touch with the truth.

It is true that such undivorced individuals may be permitted to publish in assigned territory and to be baptized and come into the congregation *in countries where there is no divorce allowed*. But in such cases, instead of signing a Declaration of Marriage form, they would have to write their own confession of what they have done, showing that they are not legally married because of circumstances. In this confession they must vow their faithfulness to each other as man and wife and that as soon as the living legal mate dies, freeing the other one from obligation, or as soon as divorce is allowed by the government, they will have the legal marriage to each other performed. Such a paper would be filed with the local congregation and a copy with the Society. But the Declaration of Marriage form would not be used.

The Declaration of Marriage form applies only to persons who can marry legally but who cannot get the civil papers immediately or, perhaps, cannot get them at all if the native authority in Africa refuses to issue them.

Of course, it is proper for the congregations to check on undivorced individuals who sign statements vowing faithfulness. From time to time, perhaps every year, the congregations can check to see if the people know whether the legal mate is still alive or not. This will keep the legally bound individuals conscious of their obligations before the law of the land and before Jehovah and his organization, and we will keep the organization clean.

It is only in lands where the national government under religious pressure does not grant divorce under any circumstances that we have made a concession and have allowed undivorced persons whom the truth finds living with another mate of the opposite sex without the benefit of marriage to draw up a declaration vowing faithfulness to the latter mate (not a Declaration of Marriage form). In lands where the government *does* grant divorce we have *not* made this concession.

The following outline may be helpful to congregations in making up written statements when they are required; but each Declaration should be made up in accord with the facts in the case:

KINGDOM SERVICE QUESTIONS

DECLARATION VOWING FAITHFULNESS
IN MARRIAGE RELATIONSHIP

COUNTRY OF

PROVINCE (STATE) OF

THIS IS TO CERTIFY that I,, residing at, entered into consensual (common-law) marriage with, before I came to a knowledge and understanding of the Bible truth of Jehovah God in at

(date) (place)

WHEREAS the said my mate in consensual (common-law) marriage, has refused to undergo the solemnization and celebration of legal marriage before the civil or otherwise legally constituted authorities,

WHEREAS I have done all within my power according to the counsel of Jehovah's Word to persuade said my mate, to undergo said solemnization and celebration before the proper public authorities and my request has been refused,

WHEREAS I desire to continue living with said as a mate, I do recognize my present relationship with my mate as a binding tie before Jehovah God and all mankind until my mate consents to solemnize and celebrate our marriage legally before the proper public authorities or until my mate may die. Hence this statement and certificate is being made for the purpose of filing it with the Congregation of Jehovah's Witnesses, with which I am associated, so that the records will show that I am living faithfully in intimate relationship with my one mate; and a duplicate copy of it in the office of the branch of the Watch Tower Bible and Tract Society of Pennsylvania, the governing body of Jehovah's Witnesses located at, so that said congregation of Jehovah's Witnesses and the governing body of Jehovah's Witnesses will recognize my binding intimate relationship with, notwithstanding the refusal of to celebrate the public ceremony as required by law.

EXECUTED, to which witness my hand in the presence of the persons witnessing at my request on this the day of , 19.....

WITNESSES:

.....
.....

COUNTRIES WHERE DIVORCE IS GRANTED

In lands where divorce is granted it is proper for overseers to require that persons living together as man and wife without the benefit of marriage and who have living legal mates straighten out their affairs legally before applying for immersion. It is conceivable that even though the govern-

ment allows divorce it is often difficult to obtain. The cost may be prohibitive or, perhaps, the legal mate cannot be traced or refuses to agree to divorce, thus claiming the petitioner for divorce as legal mate, or death or divorce-worthy unfaithfulness cannot be proved. Nevertheless, immersion must still be denied until the matter is straightened out legally, or by the death or unfaithfulness of the legal mate. Of course, if those in this illegal position separate and keep morally separate until they can enter into legal marriage, we can accept them for baptism in symbol of their dedication. In any case we shall try to help them all we can spiritually and also legally, if proper. Some cases are unquestionably pathetic and tend to disturb us emotionally, but we have to be careful not to downgrade the Bible's high marital standard. Sometimes children have resulted from such illegal relationships, or the parties are old and have lived together for many years and separation will mean hardship, but these pitiable circumstances do not alter the Bible's position on marriage, which position must be made plain, as well as our adherence to the Bible's principles. Until these persons can straighten out their affairs they can attend meetings but are not counted as publishers in the congregation.

MARRIAGE PROBLEMS

It frequently happens that a woman wanting to be immersed is living in a common-law marriage or in a consensual marriage with a man who is known to have sexual relations with other women. The woman desiring immersion loves the man, is willing to pledge her faithfulness to him and depend on him for the support of numerous children, but wonders if she is free Scripturally to marry such a man ceremonially to satisfy the requirements of the Society. Such a woman may marry the man who is her partner in a common-law or a consensual marriage, but she does so with the knowledge that she is legally marrying a morally unclean man, and she will have to resign herself to this fact. As his legal wife she can demand that he discontinue relations with other women, but if he refuses she has to bear the grief and dissatisfaction, because he is the head of the house and she cannot control his actions in this regard. By becoming his legal wife by civil marriage, she becomes the only woman entitled to sex relations with him.

Carrying this situation one further step and thus out of the common-law or the consensual category, a sister who is le-

gally married to a man has the right to remain with her legal husband even though he does have relations with other women. As head of the house the husband is not fully controllable by her in this regard, and she has to put up with the vexation of all this, doing so for the sake of his support of her and her children. If she chooses to continue living with him and accept his support of her and the children, then she must render him wifely dues that belong to him. She is not adulterous in doing so, because she is legally married to him. She is not an adulteress, but he is an adulterer. So she is clean and not unacceptable for the New World society.

What about the marriage where the wife is unfaithful?

Just as the wife with an adulterous husband is not obliged to divorce him but takes into consideration the benefits that she derives from having him as her husband, both for herself and any children they may have, so the believing husband is not obliged to divorce his wife for committing adultery. He may forgive her if she is repentant and humbles herself to beg his forgiveness and God's. If he does not forgive her but lets her be disfellowshiped if she belongs to a congregation he must separate from her without having further sexual relations if he intends to use her unfaithfulness as ground for legal and Scriptural divorce. If he continues to have sexual relations with her he shows his forgiveness and he may still retain her as his wife for his own sexual needs and for the sake of any children who need mothering. He still retains his headship over her and must support her in reward for the sexual gratification that she affords him and for the care of the children if any. If the wife is not in the truth, then, of course, it does not matter to the congregation to which the husband belongs. He is committing nothing illegal by retaining the adulterous wife.

What if a dedicated person where divorce is not granted begins to live consensually with another even though he is legally married to a wife? Although he would be disfellowshiped for this, what steps would he have to take to straighten out his marital situation on returning to the organization for reinstatement?

No new consensual arrangements may be entered into after dedication. The dedicated person doing this, of course,

would be disfellowshiped, and the organization would not have any control over what he did while in the disfellowshiped state. However, before applying for reinstatement, he would have to take steps to straighten out his marital situation. Unless he had got a legal divorce, likely requiring that he go to another country, and married this individual legally there, the organization would not be able to accept him while he is living in this consensual arrangement. If he got a legal divorce and legally remarried according to the law of any country, so as to satisfy the requirement of Caesar, he would not be reinstated in less than three years from the time that he legally married. He would have to be found living properly in this new marriage arrangement granted by Caesar. If a disfellowshiped person still living in a consensual arrangement makes a plea for reinstatement, he should be told that he will not be accepted while still living in this illegal consensual arrangement, since he got into it while claiming to be a dedicated servant of Jehovah. He would have to separate from this consensual arrangement and live singly or go back to his legal wife and arrange to live with this mate, if such an arrangement was possible. Of course, on his own initiative he could get a legal divorce and be legally remarried, as outlined above, but he would have to wait a long time for reinstatement.

"The Watchtower" says a consensual mate who cannot get the man to legalize the marriage can sign a written statement that she will be faithful to this consensual partner as to a husband. Does this same arrangement apply to a consensual man who cannot get the woman to legalize the marriage and still wants to live with her because of having children by her?

If the consensual mate refuses to learn the truth and does not want to become a member of the New World society, the man should present to the congregation committee evidence to show that he has made a conscientious effort to persuade his consensual partner to marry him. If the committee is convinced that he has done so, then he may sign the declaration vowing faithfulness in marriage relationship and could continue living with the woman in the *de facto* marriage arrangement. This would permit the raising of these children in the discipline and authoritative advice of Jehovah.—Eph. 6:4.

If a man is living in bigamy when he and the woman he lives with learn the truth, is there any way for him to divorce his legal wife so that he might marry his present woman companion legally and then be accepted for baptism?

Yes, we leave it up to undedicated persons to straighten out their own marital affairs and then present themselves clean to the congregation for baptism. He would have to take steps to take care of any legal matters to make it possible for him to get his marital affairs straightened out. If he asked advice, we could only tell him what the Scriptures have to say as to marriage and divorce, and thus counsel righteously. But we could not insist upon his following a strict course of action. If he wanted to get an unscriptural divorce from his first mate, regardless of her circumstances, this would be his responsibility. If he asked us, however, we would suggest that he approach the legal mate and see just what her situation was. She may have committed adultery and thus there would be a basis for Scriptural divorce. It may be that she has lived singly, however, and has not remarried and has not committed adultery. If she wants to give him a release, so to speak, by making out a written statement to the effect that she has no objection to his getting a divorce and wants to divorce him on account of his adultery, he can take this and give it to the committee. Then he can get a divorce on any truthful grounds and be free to marry the woman he has been living with adulterously. This is not mandatory, but this is what we would counsel righteously if he inquired.

The fact that there are children involved in the second union has no bearing on the matter; except, of course, if he decides to separate from the second woman, he would have a moral responsibility to take care of these children.

In a country where divorce is possible there is a person who has learned the truth while living with a consensual partner, having had children by this union. He still has a legal mate living behind the Iron Curtain but cannot contact her. Could these two who have just learned the truth be accepted for baptism while living under this arrangement?

They would have to follow the same procedure as in the case of a couple living in bigamy. They must get their mari-

tal affairs straightened up legally before they will be accepted for baptism.

In cases where death or remarriage of the first wife cannot be proved because the mate is in a land where no communication is possible and the man takes advantage of the statute of limitations to declare the first wife legally dead, tells the committee he cannot know if she is dead or remarried but takes action to legalize his present marriage, may the committee recognize his second marriage (now legalized)? What must he do if the first wife should reappear?

If a person cannot communicate with his mate or other relatives because of international political conditions and he believes the mate has died, he may take steps to have the law of the land pronounce the missing mate dead. When he is legally free to remarry he may do so, but he will take full responsibility for the outcome. Jehovah knows the facts and will determine whether the person is suitable for life in the new world or not. If a mate legally declared dead should put in appearance again and want her legal mate restored to her, the matter would have to be straightened out legally. He could not have two mates, and would have to be disciplined by the congregation if he cohabited with two different women. He should have sexual relations with only his legal wife if he wishes to have good standing with the organization. (See *The Watchtower*, October 1, 1956, page 590, paragraph 17.)

A couple have lived together for over twenty years without legal marriage. They are faithful to each other, but they cannot marry legally for lack of a "birth certificate." They learn the truth. Both parties are free and do not have other mates. What procedure should be followed?

There are very few countries where this would occur. If it did arise, the situation could be treated as consensual couples are in countries where one cannot get a divorce. Both or the one in the truth would sign a declaration vowing faithfulness as a person living consensually, and could be accepted for baptism.

In a country where divorce is possible, but only at high expense out of reach of ordinary persons, if persons living

consensually cannot legalize the marriage because of lacking finances to pay the cost of divorce from the former mate and do not wish to separate, is there any remedy for them?

No, unless they could get a legal divorce in another country where the expense was not so high. We allow no consensual arrangement in a country where divorce is possible.

What action shall the congregation take in cases of incest?

A case has come to our attention where a man is living in a consensual state with his fleshly sister and children have resulted from the relationship. Persons in this situation cannot be recognized by the New World society. This is incest. It is true that Abraham married his half sister, but this is no Christian standard. The law of Moses was against one's marrying one's sister, whether a half sister by one's father or mother or whether a full sister. (Lev. 18:9) According to the principle of the thing the Jewish remnant that became Christian on the day of Pentecost would certainly be against such brother-and-sister marriage, because Christianity does not lower the standard of the Mosaic law but, rather, elevates it. We recall how Paul objects to the man's committing fornication with his father's wife, he not stating whether she was the man's own mother or merely his stepmother. Whether she was the one or the other, the principle of the thing is wrong because it was the laying bare of the nakedness of one's father. (Lev. 18:8) Hence the sense of the Scriptures is against Christian recognition of this couple who are living together in incest. Whether incest is legal or illegal by the standards of the national government is beside the point. Furthermore, for us to allow them to continue in what would be defined as incest, legally and Scripturally, would be to set a bad example for others, granting others an allowance to take up an incestuous course. If either of them wants to be admitted to the New World society, such one must break off all sexual connection. They can live together as brother and sister according to the flesh, but not with sex relations. Caesar's laws on marriage of relatives must also be taken into consideration, and where that law bans marriage between cousins it is proper for the Christian while living

under that particular local government to comply with the laws of Caesar. (See Leviticus 18:6-16.)

Is it Scripturally proper for a man to divorce his wife and later decide to marry her and then marry her again?

Yes, he could do so if she had not married anyone else thereafter. This would be true whether the divorce was on Scriptural ground or not. He would not be Scripturally free to marry another if the divorce was not for adultery, and hence he should work for a reconciliation. He would have to remarry her legally, however, before he could have sexual relations with her. If the wife was divorced for adultery and she is disfellowshiped, he would have to wait until she was reinstated before he could marry her.—Deut. 24:1-4.

A couple got a divorce but not on the ground of adultery. As they have children of minor age they decided to continue living in the same house without having any sexual relations so as to rear the children until they become adults. What is the Society's position toward their living together without giving each other any conjugal dues?

They would not be allowed to continue living together without being married legally, but would have to live in separate houses. If they wanted to live in the same house they would have to remarry legally.

Could we permit a brother who has Scriptural ground for a divorce but who lives in a country where no divorce is granted to go to another country where there is legal divorce and get his divorce and get married and live there, even though his home country would not recognize it?

Yes, it would be permissible to do this. He could get a divorce in any country allowing a complete divorce action freeing him for remarriage and then get married and live there or even return to his home country to reside. This would be allowed, since Caesar has actually granted the divorce and has given him a marriage certificate showing that he is married, even though the country in which he lives would not grant him a divorce and the privilege of remarriage. He, of course, would have to assume the responsibility for any complications that might develop because of the marriage not being recognized by his home country.

Could a person who has a legal separation go to another country and get legally divorced and remarried there even though the government of his country would not recognize the remarriage?

This would not be necessary in cases of those not yet dedicated who are already living in consensual marriage if they wanted to sign the written declaration vowing faithfulness. However, if one wishes to contract a new marriage after dedication and baptism *because* his legal mate is living adulterously and there is a basis for a proper divorce, he could get the legal separation and go to a country where the legal separation is recognized as a divorce action, get divorced and remarried there and return to live in his own country. The congregation can allow recognition of the marriage document issued by the representatives of Caesar in the other country. But if the government of his country ever chose to make trouble for the person or prosecute him because of the status of his marriage, the individual would have to bear the full responsibility for it, just as people found living in consensual marriage and accepted for baptism after signing the declaration vowing faithfulness in marriage relationship would have to bear the responsibility for theirs. Persons living together under such *de facto* marriage status would not qualify to hold a responsible position in the congregation.

In countries where divorce is allowed, is it permissible to divorce on grounds other than adultery, since it is usually easier to get a divorce on grounds other than adultery?

The Scriptures show that the only reason for a divorce is adultery. According to Jesus the correct Christian procedure is that the innocent mate divorce the unfaithful one. (Matt. 19:9) If the divorce can be obtained on the ground of adultery, it should be in the record that this is the ground. If a person wants to go ahead on his own responsibility to get a divorce on unscriptural grounds, it would be his responsibility to establish before the congregation committee that his mate was actually guilty of adultery before he would be free to remarry. It would be necessary to provide an affidavit in which the facts were established and the committee would need to be convinced that the divorce actually rested on the ground of adultery. Thus, Caesar's law is satisfied by the

legal action taken and the adultery committed allows for the marriage to be fully dissolved under God's law.

In cases of divorce where there has been no adultery, the individuals are not Scripturally free to remarry and should therefore use discretion in their associations with persons of the opposite sex. It would be entirely unchristian for one who is not free to marry to act in such a way as to lead one of the opposite sex to believe he was free to marry. The congregation committee may counsel individuals concerned if circumstances seem to call for it.

A worldly man married to a dedicated sister commits adultery. She wishes to divorce him on the basis of his confessed adultery, but he refuses to co-operate in allowing her to get the divorce on any grounds because of damage to his reputation, business, and so forth. But he is willing to divorce her on unscriptural grounds. If he does divorce her thus with her consent, would she be free to remarry?

Yes, this would be possible. It is advisable to bring the evidence of the adultery to the congregation judicial committee's attention before the divorce is consummated. Otherwise, she must bring the evidence of adultery to the committee before getting married to another person. The evidence of adultery must be from two or three witnesses, or it must be established on sound evidence presented in the court proceedings that proved the act of adultery on the part of the guilty one. Confession from a mate may be accepted as sufficient evidence of adultery. Also, proof that the mate stayed all night with a person of the opposite sex in the same house under improper circumstances may be accepted by the committee; in these latter two cases the innocent mate should file a written signed statement, witnessed by a member of the committee, with the congregation as to this matter. The conscience of the innocent mate is charged with the responsibility for the decision that establishes the adulterous ground for the divorce in these two instances.

If a dedicated, repentant person guilty of adultery was not disfellowshiped but placed on probation by the committee and his wife divorced him, when would he be free to remarry?

Not before his probation is over, if he wants to marry the one with whom he committed adultery. But he is not obliged to marry the woman with whom he committed adultery, for which he could have been disfellowshiped. If he remarries or closely associates with the one with whom he was involved in adultery before the probation period is over he should be disfellowshiped. He has shown himself unreliable and without true repentance and respect for the marriage vow. This also discourages collusion of man and wife or misuse of mercy shown by the congregation, in a plan to get rid of the mate and to marry another while still staying within the organization.

If a dedicated man commits adultery, is repentant, confesses to his wife and the committee but the wife refuses to forgive him and separates from him, resulting in the committee's placing him on probation, can he take the initiative in getting a legal divorce sometime later, and would he be free to remarry?

While we could not prevent him from getting a legal divorce if he felt this expedient, if he wishes to become free to remarry after his probation ends, he should prevail upon his innocent mate to obtain the divorce in order to comply with Matthew 19:9, which requires the innocent one to act to free both of them. If she does not want to divorce him and be Scripturally free to remarry but wants to hold claim to him even though she knows of his adultery, he cannot get Scripturally free to remarry. If she wants to be free to remarry, she should take the initiative in obtaining the divorce.

If the man did take steps to obtain a legal divorce against the wishes of his wife and then remarried, he would have to be disfellowshiped for a second case of adultery because Scripturally the innocent woman may claim him as her husband if she wishes to do so. However, if before obtaining a divorce he can get a written statement from his wife, signed by two witnesses, to the effect that she does not want to be married to him on account of his act of adultery and is pleased to have him get a legal divorce, and he files this statement with the congregation committee prior to the divorce, it would be allowable for him to marry again following the completion of his probation period. We would accept her giving of the statement as an innocent one's putting away

of the unfaithful mate for Scriptural reasons, though he actually institutes the legal process. In some cases the woman may not be financially able to pay for costs of a divorce and she may feel it a burden the unfaithful man should bear.

Otherwise, if no reconciliation were possible, the man would have to wait for his wife to die or to become guilty of adultery, and only then would he be Scripturally free to enter into another marriage. Post-divorce adultery by either party would reinforce the legal divorce and really dissolve the marriage ties, but would make disfellowship liable.

A married couple separate. Later the man divorces his wife on unscriptural grounds and after that it becomes known to the wife and the congregation that during the separation he was guilty of adultery. Would either the man or the woman become Scripturally free to remarry?

No, because there was no action by the innocent one to put the guilty one away on the basis of his immorality, as shown by the words of Jesus at Matthew 19:9. The woman may exercise her Scriptural claim to the man if that is her desire. She may even want him back as a husband, wishing to remarry him legally. Under the circumstances, there is no possibility of her getting a divorce from him on Scriptural ground since only one legal divorce is permitted, and this legal divorce was filed against the innocent on grounds that do not allow for freedom to remarry. The guilty divorcer puts himself under the same limitation as to remarriage as he puts his innocent mate by the type of divorce action he institutes. The man in this case shows lack of repentance for his adultery and has to be disfellowshipped. If he does remarry or otherwise commits immorality while disfellowshipped the committee must consider the divorcer as now having given force or effect to the legal divorce in dissolving the marriage tie, according to which he proves himself an adulterer and his former innocent legal wife becomes free to remarry. Of course, his death would also make her Scripturally free. On the other hand, only death or adultery of the woman would bring the divorcer Scriptural freedom to remarry, even in his disfellowshiped state. (Also read pages 93 to 96 of *The Watchtower*, February 1, 1961.)

A man who had obtained an unscriptural divorce comes to learn the truth. After he obtained the unscriptural di-

orce, but before coming to know the truth, he committed adultery. Because his adultery occurred before he learned the truth, would that free him to remarry?

According to Jesus, the innocent mate must be the one to put away the unfaithful one. One who is guilty of adultery is not in a Scriptural position to put away his innocent wife, so the man would not be Scripturally free to marry even prior to his learning the truth. If, though, after divorce and in ignorance of the truth and of God's requirements, he committed immorality, which in his case would be adultery, his conduct would result in the legal divorce's taking effect as a dissolver of the legal marriage, and his former legal wife would acquire freedom to remarry. Hence, if he now came to a knowledge of the truth, he would be free to remarry, even if his former legal wife had not yet used her Scriptural freedom to remarry.

Are there ever circumstances other than adultery that would allow for a person to get a legal divorce on unscriptural grounds? If one does get an unscriptural divorce, does this jeopardize his or her privileges in the congregation?

The Society does not counsel that the divorce courts should be resorted to for settling marital difficulties that arise, whether one's mate is in the truth or out of the truth. One may feel that his circumstances are such that it is expedient to get a legal divorce, and if he does he must bear the responsibility for this. Paul does not advise divorce at 1 Corinthians 7:10, 11. As far as jeopardizing his privileges of service by getting a legal divorce under these circumstances, the committee would have to weigh each case. If there was extreme abuse or hardship in the home threatening the spiritual and mental balance of the faithful mate, especially where the other is not in the truth so that there is no recourse to the congregation for correcting the oppressive mate, then it may be that the committee would not see that his course of action in getting a legal divorce would require that he give up his special privileges in the congregation. In this case, the divorce actually would amount to only a legal separation in the eyes of the organization.

A brother would be expected to exercise headship in his home and likely most circumstances that develop even to the point of separation could be taken care of apart from

a legal divorce. So, in most instances, if a brother resorted to getting an unscriptural divorce from his wife he would be removed from his position of service. The committee must be convinced that he has justifiable reasons; otherwise it would be assumed that he did not have his household in proper order and was unable to actually cope with the situation. Of course, if the wife left him and there was only a separation without his being unduly to blame, she is a free moral agent and she could separate from him without this reflecting greatly upon his qualifications. Thus he likely would not need to step down from his position of service, as the situation may not have come about because of his not exercising proper headship over his family. His wife may have left because of rebellion against his headship. In a situation like this, we would be primarily interested in how he was exercising headship over his children.

ANNULMENT

If a couple marry and never have sex relations, could they get a divorce or annulment and be free to marry someone else since they did not have relations?

No, they would not be free to remarry. When vows are taken, it is then that a couple become husband and wife. The sex act is not needed to make the marriage Scriptural.

If an adult married couple get an annulment, would they be Scripturally free to remarry?

No, unless it was obtained on Scriptural ground. If there was Scriptural ground, then it would be advisable to get a regular divorce, if that were possible in the country. The congregation committee must be given satisfactory evidence of the Scriptural ground for the action before the congregation could accept the new marriage.

In the case of a minor girl who runs off with and marries a worldly man, may the parents who are in the truth have the marriage annulled, considering the case as fornication rather than actual marriage, since they are responsible for the child and did not consent to the marriage? In some places this type of a run-away marriage is illegal according to the law of the land, if one (or both) of the persons is under age and does not have the consent

the one with whom he is now living a pure life. No change should be made in such a position.

We cannot compare the polygamous arrangement with the situation that often arises in lands practicing monogamy, where a man comes to a knowledge of the truth while in a third or fourth marriage. The difference is that he is not living in polygamy; his former wives were legally divorced before the man learned the truth.

In a land that does not recognize plural marriages, is it necessary for the second or third or other living reputed wife to get a legal annulment of the marriage?

In countries where plural marriages are not recognized legally, the second and subsequent marriages without prior divorce are void. Only the first marriage is recognized. Where one already has an outstanding legal marriage relationship, any marriage that is entered into thereafter or additionally is totally illegal. If a marriage license is obtained to cover such a one in a legal marriage, it is not worth the paper it is written on. In such case, while the law courts may permit annulment actions to be brought if the wronged party to the plural marriage desires to prosecute such action, it is not legally necessary that any action at all be brought in the United States and in all English-speaking countries, since the illegally married one may treat it as void, worthless and not worth the paper the license is written on. Scripturally there must be a parting, and the one innocently drawn into this relationship must pull away from the prosecutable offender who is guilty of committing adultery. In countries where it is a crime to have two marriages on record without divorce, those involved must take steps to clear the matter up legally.

If the innocent person is in the truth and the offending party to the bigamous or polygamous marriage is not, the innocent one in the truth need not get a divorce or an annulment of the bigamous or polygamous marriage, because it is void.

The person who discontinues living in a plural marriage relationship after coming to a knowledge of the truth and who makes a dedication to God becomes eligible for baptism and admittance in good standing into the New World society. Thereafter, by showing the proper qualifications, such one may become eligible for service privileges, even though no legal action is taken to straighten out the matter of having

of the parents. Would this minor girl be Scripturally free to marry later on?

Whether the parents have the marriage annulled or not is for them to decide. They do not have to. If the couple are legally married and there exist no reasons for objecting, the parents feeling the daughter is mature enough, then they may permit the marriage if the State recognizes the legality of it, since probably it was entered into by falsifying her age. In this case the committee would have jurisdiction. If the girl is dedicated and baptized and now shows repentance, she could be placed on probation. If not repentant she could be disfellowshiped on the grounds of lying about age and rebellion against parental authority. If the parents feel that the daughter is not ready for marriage, they may properly have it annulled. Then it would be considered and dealt with as a case of fornication and would not stand in the way of the girl's marrying legally and Scripturally at a later date. However, the congregation committee would investigate to see if the girl was repentant. If there was genuine repentance, the parents would be allowed to place the erring child on probation. If not, she would be disfellowshiped.

POLYGAMY

A polygamist who comes to a knowledge of the truth in a land where polygamy is legal should be restricted to the living wife who has the seniority. While sexual connections with all but such wife would be adulterous ones, the marriage relationship with the first wife or the living wife with seniority would be a Scripturally proper one. In spite of the number of wives the polygamist has, he is still Scripturally married to his first wife, if alive, and since she is the wife of his youth, he should stick with her rather than selecting another. If he does restrict himself to the living senior wife, then he may be appointed as an overseer or ministerial servant if he meets the other qualifications besides thus having only one living wife.—Prov. 5:18.

The situation may arise where an African has come into the truth and has already put away all but his second wife or his third wife. In the light of this memorandum should he now put away his present wife in order to resume married life with his first wife? No, this is not necessary, in that he has in effect divorced his first wife and all other wives except

been once associated with a bigamous or polygamous person. All this is especially true in countries where polygamous marriages are not recognized, such as the United States, Canada, Great Britain, and so forth.

Regarding lands where polygamy is legally recognized and practiced, a question is raised using Africa as an illustration, namely:

Suppose an African has four wives and one of them is supposed to be in the truth and the others not. Would it not be better for him to keep her, if he wishes, even if she is not the first wife?

If this wife is living in polygamy with the African and she is not the first wife, then she cannot be said to be in the truth and she cannot be baptized. She merely has interest in the truth and is favorably inclined to it. She must clear herself morally before she can really come into the truth and be accepted as in good standing in the New World society. Marriage is marriage, and if she faces the truth she must recognize that the African's first wife or his senior living wife has the true claim to him as husband in the eyes of God in addition to the eyes of the law of the land. If she recognizes this truth, then she will not try to crowd out this proper legal and Scriptural wife of the African but she will recognize her position and willingly step aside in order that the legal Scriptural wife may enjoy her dues. She will also seek to free herself from living in fornication with the African. So she will co-operate with the African in getting the freedom that he, if he wants to become a Christian member of the New World society, should willingly and gladly grant her. Thus she will help him spiritually by exalting God's requirements with respect to human marriage. So it is not the interest in the truth on the part of one of the polygamous man's wives that determines the matter but the true legal obligations and the spiritual requirements.

If the senior wife of a polygamist comes into the truth, would she be free as the proper wife to remain as wife to the man though he continued practicing polygamy, he not being dedicated?

Yes, she could continue living with him as her legal and Scriptural husband and the others would be viewed as merely

living with him in adultery as far as she and the congregation are concerned.

What should be done where a polygamist comes to a knowledge of the truth and wants to be baptized and chooses one of the wives other than the senior wife, although aware of the obligation that he should keep the senior one? What if he was unaware of this requirement but knows he should have only one wife and selects one other than the senior wife? How would we look on the wife that remained if she also had some knowledge of the truth and now requested baptism?

If a man takes care of these adjustments before coming to a knowledge of the Scriptural requirements, doing so on his own initiative without inquiring, and he selects a wife other than the senior wife, we will not require a change after his dedication and will accept him for baptism in this monogamous marital status. If before restricting himself to monogamy he asks for advice on what he should do, we will counsel righteously and suggest he retain the senior wife and put away all others. If he goes contrary to the counsel given, then he is not doing God's will and will not be accepted for baptism. The same principle would hold true with the junior wife who remains with the man.

In countries where polygamy is legal and where divorce by both man and woman is also legal, is it proper for a former polygamist who professes to have put away his excess wives to keep one or more of them still in his house or compound?

When a polygamist puts away his excess wives, he must provide for their living separately in another household. It may be possible for them to live with relatives, or he may be able to provide a separate house for them. This will remove temptation to resume living with any he put away and thus open the way for him to be disfellowshiped. Making these adjustments would be a good Christian example and prevents reproach because of wrong appearances. He must have only one wife at his own home. While he may at times go to see his children by former wives, he may not remain overnight in the same house with his former wives or otherwise place himself in circumstances with any of them suggesting strongly of immorality.

DISCIPLINE

Out of love for his servants, Jehovah provides for discipline and correction, and in the end it causes the yielding of peaceable fruits of righteousness. He expects his servants to keep making straight paths for their feet. (Heb. 12:5, 6, 11, 13) Especially when one of God's servants commits a serious offense, it is for his own good that the servant receives correction as a son is corrected by his father. Jehovah has provided for administering correction to dedicated sinners through his visible organization. How that correction is administered depends to a great extent on the enormity of the sin and the attitude of the offender. Jehovah looks upon the hearts of all people and is merciful to those who sincerely wish to serve him. Likewise, under Jehovah's undeserved kindness he has permitted his organization to be kind and merciful in administering his laws.—Jude 22.

PROBATION AND DISFELLOWSHIPING

Among Jehovah's requirements for his organization is the instruction set out at 1 Corinthians 5:9-11 on disfellowshiping. A careful examination of the sense of offenses listed may allow for the extension of mercy to some offenders. A drunkard is not a person who has been overcome for the first time as Noah was, but he is a habitual drunkard. Likewise, the reviler is not one who in a moment of anger says a few harsh words without malice and apologizes quickly, but he must be a habitual reviler. A person who may overeat once, perhaps on the urgings of a good cook, and becomes ill therefrom would not be classed as a greedy person, but he must be a regular practitioner of greediness. Even a first offender in fornication or adultery may have been suddenly overcome in an act he had not planned and may show his good heart condition by quickly going to the congregation committee to confess his error. Understanding the type of offenses Paul is speaking of helps us to see why *The Watchtower* has allowed an innocent mate to forgive an adulterous mate, and a congregation committee to extend mercy and not always disfellowship each transgressor.

Hence, a congregation committee may be justified in extending mercy to a first offender in these violations and would not have to disfellowship him. The enormity of the offense, whether it is a frequent practice, lack of maturity, and the attitude, sorrow and repentance of the offender should have the consideration of the committee responsible

for the cleanness and orderliness of the congregation. They may feel that in some cases the offender will benefit most by merciful correction administered as a probationary period of surveillance rather than the drastic disfellowshiping action that could be taken. One who confesses to his sin, is truly repentant and cut to the heart and seeks forgiveness of Jehovah and his organization can be extended help to assist him with his reformation in the spirit of Galatians 6:1.

"Probation" means putting an individual to the test or to the proof. (1 Tim. 3:10, *Mo; Knox; J. B. Phillips*) While probation is not a Scriptural term in some translations, in the case of a violator of God's laws the congregation committee has the right to decide mercifully to put a repentant nonhabitual offender to the proof in an effort to save him, if that seems to them to be the form of correction that is better. The case of Shimei might be referred to as a period of probation, but it was really a restriction of his privileges. (1 Ki. 2:36-46) This is not the kind of probation that is applied to individuals in a Christian congregation. The probation period is a time when the congregation committee keeps its eye on the individual over a certain period of time and has him report regularly on his conduct.

What is the difference between the probation mercifully granted instead of disfellowshiping and the probation imposed after disfellowshiping?

When one is placed on probation instead of being disfellowshiped because he has shown heartfelt repentance, especially when the sin is a first offense, the action is viewed mainly as a surveillance period during which counsel will be given and a check will be made to see that the individual is conducting himself properly. There is no need to draw up a resolution or to show this on the Publisher's Record card. Probations are not generally announced unless notoriety of the case would require that the congregation be informed that action has been taken. But a memorandum summarizing the facts and the decision of the committee should be placed in the confidential files of the congregation. It should be placed in a sealed envelope, to be opened only in case there is any question on the case in the future. The surveillance may or may not require that the individual resign from his privileges of service. However, if the committee find it necessary to announce it, then the person should resign or be

removed, and in all cases of adultery or fornication the guilty one should resign. Even if removed, he will be allowed privileges within the congregation, and after completing the period of surveillance properly he can be used as a servant. On the other hand, probation after disfellowshipment, while opening some privileges such as giving student talks and having minor parts on the service meeting, would upon its completion not allow the man to ever hold an official appointment as a servant in the congregation because he was disfellowshiped and does not have an irreprehensible record.

—1 Tim. 3:2.

When is probation by surveillance imposed, and what privileges are extended under this arrangement?

To be placed on probation one must commit an offense worthy of being disfellowshiped. If after waking up to his wrongdoing one is contrite of heart, goes to Jehovah for forgiveness and to the congregation service committee, the committee could show mercy and place the wrongdoer on a probation of surveillance. Usually the probation by surveillance will not be announced to the congregation unless circumstances seem to require that a brief announcement be made that the committee has considered the matter and has instituted correctional measures. The decision as to a public announcement will be made by the committee. If the sin occurred recently or within the past year, the individual should be placed under surveillance and the committee will decide if he should resign from his position of service. Whether the wrongdoing was habitually practiced or not would have a bearing on what should be done. The committee must check into the past actions of the offender. For example, if a man had too much to drink on an occasion and became drunk, perhaps due to not realizing his capacity, and the matter was not widely known, it would not be necessary to chastise this person as severely as one who is a drunkard, as demonstrated by his repeated drunkenness. If he is heartstruck over his violation and confesses to the committee, the committee could hear his confession, and if it is a first offense or they are convinced that he is not a habitual practitioner of this sin and hates this course of sin so much that he has taken definite steps toward reformation, a surveillance period along with appropriate counsel to aid him in making straight paths for his feet in the future will

be sufficient. Under such circumstances, it would not be necessary for the man to step down from his position of service in the congregation unless his conscience would not permit him to serve. He would be recognized as a publisher and would be qualified to handle all privileges within the congregation, which would include instruction talks, parts on the service meeting, prayer, reading of paragraphs and giving public talks. However, discretion on the part of the committee would require that they wait a few months before giving him assignments to instruct the congregation. If a servant has been overtaken in fornication or adultery, or if any serious sin becomes public scandal, then he should step down from his office. The committee would recommend to the Society a brother to replace him, notifying the Society of the facts. A transgressor does not have to relinquish pioneer privileges because he is put on probation, unless his sin is immorality or becomes public scandal.

If the wrong course occurred more than a year ago and the individual's conscience now moved him to confess, after hearing the facts, if the committee felt the individual had shown repentance and reformation for at least a year, counsel generally would suffice without surveillance being necessary, especially if the sin was a first offense. If the wrong course involved a habitual practice of sin, then the committee would decide if probationary surveillance was necessary and whether the individual should resign or not if a servant or a pioneer.

If an individual who recently moved to a congregation confesses to a wrong, the committee properly should question the individual to ascertain whether he committed other wrongs while with the previous congregation or not and could write the previous congregation committee and inquire if the person conducted himself properly while with them. This will protect the congregation from habitual wrongdoers who hope to escape punishment by moving about. The Society can be written for the address of the former congregation if it is not known.

If adultery is committed, the sinning mate should make the unfaithfulness known to the innocent one, whether dedicated or not, and thereafter the matter should be brought to the attention of the congregation committee. The committee will decide if the erring one is truly repentant and whether there is a basis for a probation of surveillance or not. If the committee finds that disfellowshiping is not man-

datory because of genuine repentance and there is a basis for a surveillance period, the faithful mate will be allowed to institute the surveillance period, usually a year, to test out the repentance and reformation of the erring mate. If the committee finds that a disfellowshiping is advisable, the forgiveness extended by the innocent mate will not shield the evildoer from disfellowshiping. If the innocent mate does not forgive and wishes to divorce the unfaithful mate, this would not automatically require disfellowshiping by the committee. In this case the committee could place the erring one on a period of probationary surveillance if he was truly repentant and there was a basis for mercy.

When the adultery was committed with someone outside the organization, the committee will not be concerned with the one outside. There is no need to contact this person at all, if no one sponsors this outsider.

However, if the sin was with another married member of the congregation, the offenders must seek the forgiveness of the wronged innocent mates. Both guilty ones should seek to be forgiven by the innocent mates so as to be at peace with them and the congregation.

If the adultery committed was with a single member of the congregation who is of age, the committee would determine if a surveillance period could be imposed upon the single member because of his repentance and would administer it. The single person should seek forgiveness of the innocent mate. If the single person is underage, forgiveness should be sought of the parents both by the single person and by the unfaithful married person. The single, underage, dedicated member in this case would be placed under surveillance by the parents if the member was truly repentant and the congregation committee found it was not necessary to disfellowship.

If an unmarried brother and a sister who are of age commit fornication, their case would be dealt with entirely by the committee.

The committee should know about all cases of wrongdoing. If a child is found to be a habitual practitioner of sin or is unrepentant, the committee will disfellowship him even though the parents are willing to forgive. Sins committed within the family, such as rebellion against parental authority, thievery or lying within the family, and so forth, can be covered by parental forgiveness without being reported to the congregation committee. Fornication may also be for-

given by the parents, because it is a sin against the family, provided the child is repentant; but it must be reported to the congregation committee. Parental forgiveness will not cover other sins that involve persons outside the family, but they must be handled by the committee, although the co-operation of the parents is essential and they still are responsible to train up the child in the discipline and authoritative advice of Jehovah.

In most instances it may not be necessary to announce the probationary surveillance period at the time a confession is heard and the case is handled. However, notoriety of the case or later circumstances may require a brief announcement to be made to the congregation that the committee has handled the matter and has instituted correctional measures. For example, a girl may come and confess fornication and may not know that she is pregnant. Later she is found to be pregnant, and this obviously will become public knowledge. Hence, it would be necessary for the committee to inform the congregation by brief announcement that the matter had already been handled.

Even if it were their desire, a couple guilty of fornication would not be allowed to be married at the Kingdom Hall as long as they were under the probation of surveillance. If they desired to be married, they would have to go to a civil officer. A brother might, if his conscience would permit, perform the marriage ceremony for them at a place other than at the Kingdom Hall.

While a person is under surveillance, periodically, say every month, the congregation servant or one of the committee would check with the person under surveillance to see that he is conducting himself properly and offer counsel and help that will build him up. This applies to all probations of surveillance, including probations that a marriage mate or parent is allowed to institute.

If one is replaced as a servant because of being under surveillance, he could be used as a servant and have other special privileges when his period of surveillance expired. If he had built up for himself a good name and had a good report from within and without the congregation, it would be up to the committee to weigh his qualifications and determine if he now qualifies for special privileges in the congregation, such as being an appointed servant or study conductor, and if the publishers would have respect for his instruction and counsel.

Disfellowshipping is done to keep the organization clean and to discipline a sinner strongly so that he may reform, changing his way of life with the prospects of having Jehovah's forgiveness, and be recovered from sin to come into a position of acceptability. This action is necessary when a dedicated one unrepentantly practices sin, whether an active or inactive dedicated person, and there is no basis for extending to him an opportunity to prove repentance and reformation on a period of surveillance. The Society should be notified of all disfellowshipings and should be given the full Scriptural reason for the action. (See paragraph 124 of *Preaching and Teaching in Peace and Unity*.) The Society will review a disfellowshiping case if requested to do so.

TREATMENT OF DISFELLOWSHIPPED PERSONS

When one is disfellowshipped, he is put outside the congregation, not only to keep it clean (which is the primary reason), but to make him ashamed and to hasten his repentance. Therefore, for his good and the spiritual welfare of those in the congregation, there is no reason to speak with a disfellowshipped person, even on the street in a public place, unless it is necessary to do so for business reasons. A disfellowshipped person as long as he conducts himself properly and in accord with his status can attend meetings open to the public at the Kingdom Hall but not when meetings are held in a private home, which would exclude him from congregation book studies held in a private home. (2 John 9-11) A disfellowshipped member of the family living in the home can sit with the other family members at the Kingdom Hall, since we do not want to place a barrier between husband and wife and children.

Members of a family should keep in mind 1 Corinthians 5:9-11 and not have spiritual fellowship with a member of their family who has been disfellowshipped. Family members not living in the same home can carry on some family association and business with a disfellowshipped family member, but should limit their association to what is absolutely necessary. If the head of the family were to allow a disfellowshipped family member who is of age to move into his home, or a relative even as close as a brother or sister-in-law, a poor example would be set, and he would be disqualified as a servant in the congregation.

REINSTATEMENT FROM DISFELLOWSHIPING

The committee should make clear to a person being disfellowshiped what he will need to do if he ever hopes to be reinstated, backed up by scripture, so that he will know what he should do if he has a change of heart. If one is so bad and unrepentant that he must be disfellowshiped, it is very unlikely that sufficient repentance and reformation will be shown meriting reinstatement in less time than a year. Hence, it is recommended that the disfellowshiping action remain in effect at least one year. If a disfellowshiped person applies by letter for reinstatement before this time, likely it will be best to inform him what he still needs to do before reinstatement, and he can work to this end. It will be up to the committee to ascertain whether the individual has changed his way of life or not, is truly sorry for his past sinful course and is now in position to be reinstated. If the committee feels the disfellowshiped person can be reinstated, the committee will announce this to the congregation and also the terms of probation, which will usually be necessary. This will be a resolution drawn up by the committee, which will be a part of the congregation records. The Society will be notified by return of the Disfellowshiped Person card (S-78). Privileges open to those who have been disfellowshiped but are now on probation are unlimited opportunities in the field ministry, student talks in the ministry school, minor service meeting parts, commenting at meetings and reading of paragraph summaries. This probationary period will generally be one year. Upon completion of it, the person may enjoy all privileges open to other publishers, including pioneering, and may be used as the committee feels he is qualified and acceptable in the congregation, with the exception that never will one who has been disfellowshiped be eligible to enjoy an official assignment as a servant or conductor in the congregation or as an assistant servant appointed by the congregation servant.

TREATMENT OF UNDEDICATED WRONGDOERS ASSOCIATED

If it becomes known that an undedicated person associated with the congregation becomes guilty of a disfellowshiping offense, the committee would not officially disfellowship this individual, since he is not yet a member of the congregation by reason of a dedication and baptism. However, the committee, having the interests of the congregation in mind and the protection of the flock, cannot allow such evildoer to

continue associating unless there is definite assurance that he is repentant, which is a basis for his continuing to associate while under observation. In most instances it will be advisable for the committee to talk to this individual and get all the facts so it can be determined just what should be done. If the individual is truly repentant and wants to continue making progress in the truth so as to have Jehovah's favor and eventually dedicate himself to Jehovah's service, then there is a basis for testing him out and letting him continue associated so that he might grow to maturity and become strong morally. It may or may not be necessary to make an announcement regarding the status of this individual. If the wrongdoing is a public scandal or it is advisable to make an announcement for the benefit of the congregation, then the committee can make a brief announcement that he has manifested a good heart condition after having been found guilty of wrongdoing and that he is being assisted by the committee in making straight paths for his feet in the future. The congregation servant or one of the committee should then check regularly with him to be sure he is improving and not repeating his wrongdoing.

On the other hand, if one is found to be unrepentant and there is a danger in this person's continuing to associate, the committee can make an announcement to the effect that it is recommended that no one have any association with this individual and that he is not one of Jehovah's witnesses. If the person does not behave himself and makes a nuisance of himself at the Kingdom Hall, then he can be told that he is not wanted at the meetings at all and he can be kept from coming to the Kingdom Hall.

QUESTIONS ANSWERED

If an innocent husband forgives his wife's adultery and the congregation does not disfellowship the adulterous wife, is not the congregation making itself unclean and is it not prevented from cleansing itself because of acceding to the husband's forgiveness?

Not at all; because the husband forgives the violator of the marriage contract only because she repents and promises to reform and asks the husband's forgiveness against whom she has directly offended in order that she may then seek Jehovah's forgiveness. A congregation does not make itself un-

clean by taking back repentant persons who have obtained God's forgiveness on the basis of Christ's sacrifice and who give promise of sincere reformation. In the Scriptures husbands dedicated to God are instructed to love their wives. To love a wife means to forgive the wife if she has been overtaken in a fault and is grief-stricken thereat and abases herself by making confession and asking forgiveness. It is not loving on our part to impugn the motive for which a husband forgives his repentant wife. Love does not think evil of a Christian brother.

It may be argued that, if a member of the committee before which the case of the adulterous wife may come has some personal interest or stake in the case, he is excluded as being biased or influenced and a substitute should sit in his place if a judgment is to be rendered by the committee. That is true, but it must be remembered that the interested committee member is not in the position of the husband. He has not been personally offended against. He cannot personally forgive the offending wife the way the offended husband can. His relationship to the adulterous wife is not so close or on the same basis as that of the husband. He is related to her only in a spiritual way. The husband is properly personally interested in the situation of his wife. He has the right to forgive her sin against him if she meets the Scriptural requirements. By requiring her forgiveness to be begged, together with her repentance, he is bringing her again into harmony with the congregation. He cannot procure forgiveness from God for her. She must seek that herself and he must see to it that she does make confession to God and beg His divine forgiveness on the basis of the ransom sacrifice of Christ Jesus. So as a husband he has a responsibility toward his wife that the congregation does not have.

If many years later a man learns that his wife has committed adultery in the past, would he have ground for putting her away if he refused to have relations with her after hearing her confession?

No. For in the intervening time he has had relations with her and she has been rendering him the wifely due, which he has been glad to accept. If she has been faithful to him since the time of her committing of adultery and they have been getting along together well as man and wife, why should he put her away? Particularly if she gives evidence

of repentance and asks his forgiveness together with her confession. Debts of long standing are generally canceled after a legally specified number of years. To seize something of the distant past as an excuse for taking action against the guilty one in the present time would suggest that the individual is looking for some extenuating circumstance to get rid of one's legal marriage mate.

If after hearing his wife's confession of a recent case of adultery the husband has relations with her, is it to be assumed that he has forgiven his wife of her past sin?

Legally he is committing no wrong in having relations with her in the marriage bed, because there is no divorce and they are both still legally married. Nevertheless, if he does have sex relations with her after her confession and yet he does not at her request forgive her past misconduct, how is he consistent before God? His wife's sin is sexual. It is a violation of the marriage contract, which requires her to give him undivided wifely dues and him to give her legitimate husbandly dues. So if he resumes having sex relations with her and thus gives her the proper marital dues and accepts from her the proper wifely dues, what else does that mean than that the breach of the marriage contract has been closed or healed and that he re-establishes her in honorable marriage relationship with himself? Otherwise, in what way does he not forgive her past adulterous sin? What, really, is there that he unforgivingly withholds from her? He should be consistent. His continued or renewed marriage conduct toward her rests on some basis not merely legal. It should rest upon his forgiveness of her from the heart.

A dedicated wife commits adultery and the husband is not in the truth. Inquiry was made as to whether he could forgive her in a similar way as a husband in the truth would, that is, if she were repentant. Would it not be wise for the committee to put her on probation, especially in view of the way a dedicated child would be handled where the parents are not in the truth?

Although it would be proper for the dedicated wife to confess her unfaithfulness to her undedicated husband, it would not be the undedicated husband that would be held responsible by the committee to impose a period of surveillance to

see that she is repentant and is conducting herself properly, although the husband could institute whatever measures he wanted to as a man not in the congregation. The committee, however, would be responsible to review her course of action, and if she is truly repentant, the committee would place her under surveillance on probation, without this being announced to the congregation out of respect for her repentance and also for the undedicated man. This would balance the matter out just as the committee would handle cases involving dedicated underage children who have parents who are not in the truth.

Where no divorce action is taken but the innocent mate forgives the offender, is the forgiveness only as to the flesh but not also as to the spirit? When Jehovah God took back adulterous Israel, was it a renewal of spiritual relationship with Israel or just a physical relationship?

When Jehovah cast off Israel it was due to Israel's not repenting and converting or returning penitently to Jehovah God. The innocent mate in a marriage may allow the offender to be disfellowshiped by the congregation because of the offender's refusal to repent and seek the forgiveness of the innocent one and of God and endeavor to reform and prove faithful in the marriage relationship. But if the innocent mate forgives the offender on the proper basis, then the innocent mate not only can have sexual relations with the offender as a legal marriage partner but also enjoy spiritual relations with the offender. So it appears that the innocent mate's forgiveness is very relevant and apropos indeed.

Does an innocent mate's forgiveness of the adultery of an erring mate (as discussed in "The Watchtower," October 1, 1956) apply also in cases of drunkenness, slander, extortion, theft, and so forth?

No. True, adultery is not less reprehensible than drunkenness, slander, extortion and other forms of sin, but such sins are not against one's marriage mate, as adultery is. The one committing adultery violates the marriage contract, proves disloyal to the faithful marriage mate and becomes one flesh with the person with whom the adultery is committed. Therefore only the faithful marriage mate can forgive such sin against him or her and protect such mate, if the law of the

land has not already taken action. But slander, extortion, theft, and so forth are against another or others, not the marriage mate, and such injured one or ones can forgive or cancel the damage. The law also steps in here to punish. The congregation may therefore administer proper correction. Let it be remembered that in the case of other "works of the flesh," other persons who are offended against, as in the case of slander, theft, extortion, and so forth, may also resort to legal action to rectify matters, and the marriage mate of the offending party has no control over the legal action. The offending mate is the one that has to rectify matters with the injured ones and to take the consequences of what legal action may be put in course. The innocent mate can neither prevent or block the legal action, nor prevent or block the disfellowshipment of the offending mate by the congregation if the congregation believes that action necessary.

If actions by a breaker of God's law have become notorious, does the notoriety have any influence on the judgment of the committee?

Where a great publicity has been given to a case of adultery, the congregation service committee is not thereby obligated to take a disfellowshiping action against a member who has been forgiven by the marriage mate. Let it always be kept in mind that forgiveness of the offended marriage mate is forgiveness, regardless of the amount of adverse publicity that may have been given to the case. The forgiveness takes precedence over the publicity. The forgiveness is the deciding factor, not the publicity. If any of the public find fault with the congregation for not disfellowshiping the adulterous person, then the congregation members have the privilege and responsibility of making known the merciful Scriptural arrangement by means of which the adulterous member has been retained in the congregation. This clears the congregation of any charges of connivance at the guilt. It enhances God's mercy through his congregation in the eyes of the public.

True, we do have to take into account what the people on the outside say with regard to the reinstatement of a disfellowshipped person. We must take into consideration the reproach that is brought on the congregation from the outside. If some member is publicly known to have broken the law, the congregation cannot shield the offender from the hand

of the law or from action under law by those who have been injured by the lawbreaking of the congregation member. We refer here to lawbreaking other than adultery, as the law of the land cannot act in case of adultery except by reason of a lawsuit or on detection in such a way that one becomes punishable by the law. In such other cases of lawbreaking a congregation must act through its judicial committee to vindicate its integrity in the eyes of people on the outside as well as before God. We do not want the theocratic organization to suffer any public shame for violation of any of its righteous laws. A congregation is therefore correct in disfellowshipping a thief or a bank robber. An innocent marriage mate cannot by his attitude affect the matter so as to cancel the lawbreaking and prevent the law from stepping in to apply due punishment. Since this is so, the congregation is not prevented from disfellowshipping the lawbreaker just because of the attitude of the innocent marriage mate. Thus any public reproach that comes upon the local congregation because of the notorious lawbreaking of one of its members is offset by the righteousness of the congregation in excommunicating the offender or putting him on probation. Thereby the congregation shows that it does not approve of such actions by any member of it.

Drunkenness is also a ground for disfellowshipping a member. Drunkenness may become a public offense. In a state of drunkenness a person may take off all his clothes and walk down the street, shocking all passers-by or observers. Such drunken person guilty of obscene conduct also deserves to be arrested. His conduct unavoidably becomes public knowledge. He deserves to be disfellowshipped. His wife may forgive him on proper Scriptural grounds and may not divorce him, but even then the excommunication is proper because this is not a case of adultery but is a public offense, the shocking of the public's sensibilities and a disgrace to the community. In this case the congregation must clear itself and keep its reputation as clean as possible by taking a proper action according to God's Word.

With regard to establishing the fact of adultery, the inquiry has been made whether it is necessary for someone to see the guilty marriage mate in the act of adultery.

In some states or lands there has to be a witness or witnesses to the committing of adultery before a divorce will be

granted on such a ground. But for purposes other than the procurement of a divorce, if a married person and one of the opposite sex should stay all night in the same house under improper circumstances, it is only reasonable to assume that these two have committed adultery during their stay together. (Prov. 5:8-11) The circumstantial evidence is all against them. Proverbs 4:14, 15 says: "Into the path of the wicked ones do not enter and do not walk straight on into the way of the bad ones. Shun it, do not pass along by it, turn aside from it and pass along." Should such persons come under the charge or accusation of immoral conduct, the congregation service committee would have good basis for taking action. Of course, there should always be a hearing of a member or members of the congregation involved and an endeavor should be made to procure the admission of guilt on the part of the suspect or suspects. Then there would be no qualms of conscience in any of the judicial committee for the action they take. They must be very careful not to make themselves liable to a legal suit for leveling false charges against a suspect.

In considering evidence in a disfellowshipping hearing, is the testimony of persons not in the truth acceptable?

Testimony of persons not in the truth may be accepted by the committee. If the accused or the one accusing has persons not in the truth to substantiate facts, the committee should listen to the testimony of such persons, and if it has the ring of truth and there is no reason to doubt the credibility of such testimony, it should be accepted.

If a sister wishes to confess to the congregation committee that a certain brother participated in immorality with her, but there are no witnesses, what is the Scriptural course for her to take?

In harmony with the text at Matthew 18:15, where it says, "Moreover, if your brother commits a sin, go lay bare his fault between you and him alone. If he listens to you, you have gained your brother," this procedure should be followed:

If the sister confesses to a committee, or to anyone else—and there are no witnesses—that a certain brother has had sexual relations with her or has committed some immoral act toward her, then she should follow the admonition of Mat-

thew the 18th chapter. If she wants 'to gain her brother' and not only gain life for herself, then she should go to the brother and talk to him and tell the brother that she is going to confess the whole matter to the committee and that in view of what took place between the two of them, both being dedicated persons, would it not be well for both of them to go to the committee together to confess their errors and ask forgiveness so that they might have proper standing before Jehovah and their brothers? Now she has taken the first step according to the Scriptures to help the brother rather than just herself. Both are at fault if her statement is true. She is now giving her brother the opportunity of doing exactly what she is going to do, but she is offering an opportunity of confessing together. If he should agree, then there are two witnesses to what happened. (She may take someone with her as far as the house to prove she went to see this brother but not to hear the conversation.)

If he refuses to go with her and tells her that what she is saying is not true, she still has no witness of that conversation, but she has a witness that on that particular day and hour she called, and later he can explain why she was there.

Now her next step according to the Scriptures is stated in the 16th verse: "But if he does not listen, take along with you one or two more, in order that at the mouth of two or three witnesses every matter may be established." So the next day or so she takes two mature brothers in good standing and makes another visit on this brother and lays the matter before him and the witnesses in a similar manner as she did the day before, making a full confession before these two witnesses, as to what she says happened. The witnesses may ask questions of either party to help bring out the facts. These two witnesses do not sit as judges, but they sit as counselors and questioners and they take note of what is said by the man and woman. The brother not being under trial before these two witnesses may speak more freely, and he may even admit something. But even if he does not and absolutely denies everything he is accused of, no judging is done by these witnesses.

The next step the woman can take is to confess to the congregation, which would be the congregation service committee. If she goes before the committee the brother may still deny the charges. The sister may ask the two witnesses that went on the second call to be at this third meeting before

the committee, and these witnesses could confirm the conversation had between the brother and sister in their presence.

On the surface it would appear that any woman who would go to this extreme, first to go to the brother alone to gain her brother, and then, second, to take two witnesses to help get the facts, and finally, as a third step, speak to the congregation, has a case to present.

If the man continues to deny the charges and the witnesses have no proof that such a thing occurred, then the woman is either lying or she is a fornicator. If she is a fornicator she is not lying. If she is not a fornicator and the man has told the truth, then she is lying. So the woman should be given strong counsel because one of the two charges is true concerning her. She should be put on probation for wrongdoing because she either confessed immorality or told a lie; the committee does not know which. But probation will surely help her get right with Jehovah God, which is why she confessed.

The brother that she accused could be given good counsel and advice if necessary. But there being no evidence, not even circumstantial, to convict him of the charge and one witness, he cannot be convicted of anything. But he certainly should be told that if at any time in the future it is proved that such a sin had taken place, certainly the brother, who is in good standing now with the congregation, could not expect any mercy from the committee, inasmuch as he mercilessly let a sister be put on probation as an apparent liar. A confession of truth later on would be too late.

If the truth is that the man did not do any wrong and he is without error and his standing before Jehovah is clean, then certainly he should be allowed to hold the position of service he has in the congregation. There is suspicion thrown on him, but this he will have to live down because of an evil-speaking woman. So the man should not be removed from his office.

The above should be the procedure as *The Watchtower* has stated and paragraph 123 in the *Preaching and Teaching in Peace and Unity* booklet.

There is always a possibility that someone has lied, and when we cannot have two or three witnesses on a point, then we had better be very careful in our actions. Potiphar's wife asked Joseph to lie down with her, which he refused to do, and then she, grabbing his cloak as material evidence as he ran away, falsely accused him. She cried out so the

men would come and she claimed he had come to lie down with her. Of course, Joseph was then punished because of a woman's lie. He was put in prison for this, but he was innocent. We do not want to hurt innocent people. If a man is not innocent and lies to the congregation of God, in due time the angels will clear him out. Jude knew that in his day "men have slipped in who have long ago been appointed by the Scriptures to the judgment described below, ungodly men." Jude said: "Look! Jehovah came with his holy myriads, to execute judgment against all and to convict all the ungodly concerning all their ungodly deeds that they did in an ungodly way and concerning all the shocking things that ungodly sinners spoke against him." Jude also went on to say: "Also continue showing mercy to some that have doubts; save them by snatching them out of the fire. But continue showing mercy to others, doing so with fear, while you hate even the inner garment that has been stained by the flesh."—Jude 4, 14, 15, 22, 23.

How far mercy goes must be decided by each judicial committee. We cannot lay down a rule to cover every case. Let the judicial committees take their responsibility as overseers of God's congregation.

If a disfellowshiped, adulterous person divorces his mate and legally marries another without Scriptural freedom to do so, can he be reinstated under any circumstances as long as he lives with his unscriptural mate?

Yes, he could be shown mercy and be reinstated, but first he should remain disfellowshiped for a considerable period of time. He has willfully gone ahead with this course of action in divorcing his innocent mate and marrying another. Therefore, it would be best to let him remain disfellowshiped for at least three years and maybe five years from the time he legally remarried. There should be a minimum of three years before the committee will reinstate, because of his willful course of action in divorcing his innocent mate and remarrying without Scriptural grounds. He must apply for reinstatement and must have shown evidences of his realization of the wrong done and a sincere desire to serve Jehovah. Final judgment in the matter is with Jehovah.

Should a baptized person who married in a Catholic church and signed a statement promising to raise children as

on the ground of apostasy. The judicial committee must be careful that one is not disfellowshipped for immaturely voicing some doubts or questioning statements regarding what is published in *The Watchtower*. A situation may best be dealt with by giving counsel and trying to help this person come to a correct understanding. On the other hand, if a person openly rebels against what is published in *The Watchtower* and tries to influence others to believe improperly as he does, then he would be promoting a sect within the congregation and he should be rejected after a first and second admonition.—Prov. 6:19; Titus 3:10.

What action, if any, should be taken in regard to a dedicated publisher who takes a blood transfusion or approves a blood transfusion for others of his family?

Various scriptures prohibit the taking of blood. Acts 15:20 lists it as an offense equal to the committing of fornication. It is ground for disfellowshiping. If, in a moment of weakness, one consents to blood transfusion and thereafter realizes his wrong and asks Jehovah's forgiveness and that of the committee, the one consenting could be placed on a probation of surveillance. The committee should decide whether it is advisable to remove him from any appointed servant positions. However, if he is habitual in this wrongdoing or justifies himself, necessitating disfellowshiping, then all restrictions of a disfellowshipped person would apply. (Please see *The Watchtower* of January 15, 1961, pages 63 and 64.)

If a brother one-sidedly cancels a marriage engagement after its being publicly announced, is it to be considered a strictly private matter or is any reflection cast upon the brother as regards service privileges?

If he cannot honor and respect such a solemn agreement as an engagement to get married, then certainly he would not respect his solemn engagements in a responsible position in Jehovah's organization. The committee must investigate to learn the reasons for the action and whether the brother had just learned of something that caused him to feel it unwise to marry the person to whom he was engaged. If the congregation committee finds that he does not have valid reasons for the move, then they would consider him as proving untrue to his word and being inconsiderate of his obligations and observe any reproach that he may have

Catholics as required by the Catholic church be disfellowshiped?

If he participated in the rituals of the Catholic religion, or any other false religion for that matter, he should be disfellowshiped. That would include an act of idol worship because of kneeling or bowing before the idols and the altar or otherwise participating in apostate rituals of false religion. Marriages by clergymen not involving this compromise (performing only the simple ceremony) would be an act of immaturity but not grounds for disfellowshiping. In some lands where clergymen are the only ones authorized to perform marriages, a dedicated person may have to obtain the signature of a clergyman, but under no conditions should he share in the religious rituals. If anyone signs a statement binding himself to bring up his children in a false religion, he is actually agreeing to train his children in apostasy, and thus he would have to be disfellowshiped. Dedicated servants of Jehovah must do everything possible to keep their children from participating in false religion of any kind as long as the children are in their household. Children must be taught the principles of pure worship and when they become of responsible age they will decide individually what they will do. But parents, especially where both are in the truth, must protect their children from African rites of puberty and from going with other children to church services or other manifestations of false religion; otherwise they show they do not have their children in subjection and are not presiding well over their households.—1 Tim. 3:4, 5.

If a person begins to find fault with the Society's publications and even denies part of the Bible, would there be ground for disfellowshiping this person? It sometimes happens that a person like this just becomes inactive without really preaching his disbelief openly. He may frankly tell the committee and any others who inquire. Would this constitute apostasy or promoting a sect for which he could be rejected after a first and second admonition?

One who became inactive in the service and in attending meetings must bear the consequences for his improper course. No disciplinary action would be taken unless the individual joins another religion or commits a disfellowshiping offense. If he joined another religion, he would be disfellowshiped

thereby brought upon the organization, and he should be relieved of his responsibilities as a servant and removed from his prominence. He is not a man of his word and is a breaker of contracts. At least a year would have to pass before he could be considered for a service position again. For like reasons also, a man who came into the organization by dedication and baptism after becoming engaged to a girl not in the New World society could not be disciplined for marrying her.

Selling lottery tickets is widespread. Many countries gain financial support from this form of gambling. May one be disfellowshiped for selling lottery tickets? May we refuse to accept reports from persons who sell lottery tickets or work in gambling establishments? May a person selling lottery tickets be accepted for baptism?

Selling lottery tickets or operating gambling equipment is a form of extortion. Thus, the seller of lottery tickets would be a party to extortion. The Scriptures state that those who are extortioners should be disfellowshiped from the congregation. However, before a committee disfellowships one who is selling lottery tickets or working in a gambling establishment, it would be well to aid the publisher to see that he is violating Scriptural principles. A period up to three months could be allowed for him to free himself from the lottery or gambling business. If one persisted thereafter, he would be disfellowshiped. A newly interested person who sells lottery tickets would not be acceptable for baptism until and unless he discontinued selling lottery tickets. This also applies to buyers of lottery tickets. (See *The Watchtower*, February 1, 1954, pages 93-95.)

If a dedicated Christian runs for political office or voluntarily votes for political candidates, may he continue to be a member of the congregation?

The Bible and "*Let God Be True*" show the position of a Christian with respect to affairs of this world. (John 17) Jesus said his kingdom is no part of this world, so how can a Christian abandon the Kingdom for affairs of this world? (John 18:36) Obviously, one cannot be serving two masters, so anyone elected to political office would be choosing to go in the ways of this world and must be considered as a person

outside the congregation. (Matt. 6:24) Announcement may be made to the congregation that the Publisher's Record card has been removed from the active files. ("Let God Be True," Chapter 20)

A person who voluntarily votes for election of politicians to office is also taking part in the affairs of the world. He goes back to the world to share in its activities and so disassociates himself from the New World society. His Publisher's Record card should be removed from the active files. If he repents and shows that he understands the Christian relationship toward this world's affairs, he may make written request to be restored to publisher status. If in some land everyone is forced to go to the polls and one tactfully puts in a ballot marked for God's kingdom, Christ, and so forth, no action by the committee would be required. (*The Watchtower*, November 15, 1950, pages 445, 446; November 1, 1956, page 648)

When the Publisher's Record card of the persons mentioned above are removed from the files the Society should be notified.

If a dedicated minister voluntarily withdraws himself from his congregation and violates his neutrality, what steps does the congregation take?

He is no longer a member of the congregation, therefore his Publisher's Record card is removed from the active files and placed with the cards of those who are outside the congregation. He is no longer a brother and has shown his instability, so he has voluntarily disqualified himself from any future servant assignments. The congregation should report all such cases to the Society. If some years later he should decide he wishes to re-enter a congregation, he would have to make written request for re-establishment, and the committee would take into consideration whether he had repented and was in a proper condition to be allowed the privileges of a Kingdom publisher. The congregation should report all cases of reinstatement to the Society.

Is there any exception to the rule that one who has previously been disfellowshiped would never qualify to be a servant? Perhaps there is a group where there is only one brother among a group of sisters and the wrong occurred many years ago, perhaps even in another state, and they have respect for him.

would be appointed to serve. Up until that time the group would be considered as merely an isolated group.

If servants confess to having had sexual relations with their fiancées before marriage, must they be removed from their positions as servants?

If responsible servants in a congregation become conscience-stricken after having read and studied the articles on marriage, as published in *The Watchtower*, and confess to having committed fornication with their present wives many years ago during the time of being engaged to each other, they need not necessarily be relieved of their service responsibilities, if they are otherwise still qualified. They may be kept on duty if they appear to have Jehovah's blessing. If it was a recent act, since the 1956 articles on marriage were published, they ought to step down for at least one year and let someone else serve. However, such an act prior to their dedication would not affect their present status in the congregation.

There is no need to bring the past delinquency of such acting servants to the knowledge of the congregation in general, thereby laying the basis for gossiping or a raising of the eyebrows in amazement, horror or shock. Their faithful course of action since the delinquency would be the fruitage of sincere repentance in God's use of them in his service, even in responsible positions of which they were undeserving, and would serve to show that he had forgiven them. Therefore, love should cover a multitude of sins.

SERVICE PRIVILEGES FOR THOSE LIVING WITHOUT BENEFIT OF MARRIAGE

What service privileges may be extended to persons who are living together without benefit of marriage after having done everything possible to get legally married in a country not allowing divorce and, having failed as to divorce, have signed a declaration vowing faithfulness (not a Declaration of Marriage form) and have been baptized? Can such ones give talks in the congregation meetings, be pioneers and hold servant positions?

According to 1 Timothy 3:2, 12 overseers and ministerial servants should be husbands of one wife. In the case of an

One who has been disfellowshiped does not have a good record. Even though many years have passed and he may move to another community, this does not eliminate the reproach upon him and the organization, which went so far that he had to be disfellowshiped and thus is not irreprehensible as required at 1 Timothy 3:2. One who has been disfellowshiped would under no circumstances ever qualify to be a servant. If he were the only brother among a group of sisters, then sisters should be recommended and appointed to care for any responsibilities in the congregation.

It has been observed that there are witnesses of Jehovah who have been disfellowshiped and subsequently reinstated and then later appointed as servants before the issuance of "The Watchtower" of October 1, 1956, regarding marriage. Can such continue to serve in responsible official positions in the congregation or are they to be removed from their appointment?

Yes, they can continue to serve conditionally. They need not immediately be removed from their responsible office. They can be allowed to remain in office until an issue arises in the congregation regarding the matter. If offense is taken at their being in office and the issue is forced locally, then it would be well to replace the offensive individual with suitable material. If such an individual moves to another congregation or is replaced for any reason, he would not ever be appointed again. If the local congregation with which he serves is blessed to the extent of needing to be divided and there is need of servants and he is the best available for the position, he could be continued in his same service position in either unit. It would be just a continuation of service in a subdivision of the same congregation.

A person who was disfellowshiped and reinstated eventually becomes a special pioneer and is sent to an isolated territory. When a group is formed, may he be appointed as a servant in view of the fact that his offense was unknown there and no one else has qualifications to serve?

No. He could continue conducting all studies with the group until a congregation was organized and there was need for appointed servants, at which time other dedicated publishers

undivorced individual living with someone else of the opposite sex and just filing a declaration vowing faithfulness to this unlegalized partner, there is no question in the eyes of the law about his having two wives, one legal and the other without the benefit of marriage. According to the Scriptures we are only making a concession in his behalf, and we trust that this meets with God's approval. Because the status of such one is not altogether clear until he can supplement his declaration of faithfulness by legally getting married, it would be much better for us to stick to the pure sense of 1 Timothy 3:2, 12 and not use such brothers as overseers or ministerial servants within a congregation. Anything above the position of a servant in a congregation, such as circuit servant, district servant, assembly servant, and so forth, should not be considered either.

We could say, then, that suchlike persons who are diligent congregation publishers, when applying for pioneer or special pioneer work, could take up such service, or remain in such service if they are already enrolled; but at no time would the Society appoint them as overseers or ministerial servants in a congregation. They could take part in the theocratic ministry school, service meetings and give public discourses, if they have the other qualifications therefor, because many brothers in the congregation who are not overseers or ministerial servants are used to give such discourses. It is the position that counts and, as long as one does not hold that exemplary position or that place of responsibility within Jehovah's organization, then he can have the same privileges as any other publishers in the congregation.

Again referring to countries that are under religious domination and that allow no divorce: There we make the concession to a pair who are living together without benefit of marriage when they learn the truth, though unable to get a divorce from a legal marriage mate, to write a confession and set forth a declaration of faithfulness to each other and thus to stay together despite legal ties to others that cannot be broken according to the existing law. We do this because the country's law is unreasonably prohibitive and refuses divorce, where other more progressive lands and even God's law may allow divorce. However, in recognizing the dedication that one or both of such a pair may make to God and symbolize by water baptism, we do not perform a marriage ceremony and pronounce them man and wife. Despite the prevailing legal provisions, we merely allow them in their

own country the same status that they could gain in lands where they could procure a divorce from the marriage mate from whom they have been separated by their living together without benefit of marriage.

Despite this concession that we may grant them, the un-divorced man is not the husband of one wife, according to the requirements of 1 Timothy 3:2, 12. The law of the land still stands as a norm or standard, and since the man is still living in that land, in the eyes of the law he still has a legal wife and is living in adultery with another woman. The man's legal status, therefore, casts a reflection upon him and for that reason he does not measure up to the requirements of 1 Timothy 3:2, 12. Therefore, in spite of the concession that we make to him we are not completely free to appoint him to a responsible position in which he should be a fine example to the flock, worthy of imitation and not furnishing any excuse for stumbling someone else by his example. (Rom. 14:21) His living with the woman without benefit of marriage is merely conditional. It may yet become legal if the legal marriage mate dies or the legal marriage is annulled and the man can thereby be freed to marry according to the law the woman with whom for the time being he is living without benefit of marriage.

If the woman is the one who cannot get the divorce and the man has never been legally married, then though he is not the husband of two wives, he still may not be used as a servant since he is not exemplary in his civil status because of living with a legally married woman without benefit of marriage to her.

ON HEADSHIP POLICY FOR SERVANTS

Is it proper for a brother to remain a servant when he has been divorced by his wife with no guilt of adultery on the part of either and the brother has tried reconciliation without success?

Yes. In a land where divorce is allowed, the headship of a Christian man cannot prevent his wife from suing for divorce without Scriptural grounds. The wife of Charles Taze Russell won legal separation and this brought great reproach upon him and upon the truth; but Jehovah God did not remove Brother Russell from his position of pastor of all the congrega-

gations and an overseer and teacher of the sheeplike ones. He endured this form of persecution.

May a brother who has a disfellowshiped wife be a servant if he endeavors to do his best to exercise the proper headship and maintain proper conduct in every way even though his wife is rebellious in spite of his efforts?

Yes. A husband may not be prevented from becoming a responsible servant in the congregation because he cannot convince his wife of the truth. Likewise, he cannot in all cases be removed from being a servant because his wife leaves the truth or commits an offense that results in her being disfellowshiped. It all depends upon the wife's heart, and she may not always respond to his efforts to be a spiritual help to her. She is a mature individual and is, to a large degree, on her own responsibility. She is not a child that can and ought to be controlled by her husband. With respect to some women it is a big problem for a husband to keep the wife in subjection, and one is not always obliged by the Scriptures to apply a husband's headship by force or violence. An individual is not always to be measured by the results he obtains, but by the sincere efforts he puts forth. This, too, is the matter of husbandly headship.

May a brother whose wife is on probation by the congregation be a servant if he endeavors to do his best to exercise headship?

Yes. The immediately foregoing answer would apply to a congregation servant or ministerial assistant whose wife comes to be on probation. If there is no known delinquency on the part of the husband, he is not disqualified from being a servant or an assistant.

May a brother be a servant if his wife has left him due to old-world attractions and in spite of his desire to have her remain and be under his headship?

Yes. The foregoing principles would also apply here. Job's wife left him in effect, or told him to renounce God and die. He could only reprove her for speaking like one of the foolish women. But Job remained in Jehovah's favor in his integrity. "The heart is more treacherous than anything else, and is desperate. Who can know it?" (Jer. 17:9) This applies also

to the heart of a wife; and in spite of good counsel and good example by her husband, she may let her heart stray, as Lot's wife did. So this is no ground circumstantially for disqualifying the husband as a servant. The determining thing is, not what she has become at heart, but what he has tried to be as husband and head of the house. In spite of Jehovah's loving-kindness and faithfulness to Israel as to a wife, she went astray from him adulterously.

Is a father disqualified as a servant if his unmarried daughter of eighteen or more years is still living at home and becomes guilty of fornication or other debauched conduct? Or must the daughter be living away from home regardless of age?

The father is responsible to keep his home above reproach and not to allow members of the household, regardless of age, to carry on immorality so as to bring reproach upon him and other members of the family. He would be required to keep his household in proper order. If the erring one were disfellowshiped and yet remained in the home, the father would be disqualified during the period of disfellowshipment or as long as the daughter remained at home. If he had kept the household in proper order up to this time and he was not responsible for the wayward course of the delinquent, overage son or daughter, he might continue to serve if the erring one was not disfellowshiped but placed on probation.

Where parents have the right to arrange marriages and they marry a son or daughter to an undedicated unbeliever, may they continue as servants in the Christian congregation?

No, they are shown to be immature Christians, not presiding well over their households. (1 Tim. 3:2-5) In all lands parents should raise their children with the understanding that it is going against Jehovah's Word to become unequally yoked with unbelievers. If in Western countries the children become of legal age and marry unbelievers, the parents cannot control them any longer but may choose to express disapproval of the union. Such parents would not be required to relinquish oversight in a congregation. (See *The Watchtower*, September 15, 1956, page 563; November 15, 1960, pages 686-688.)

MINOR DELINQUENTS

If a minor child member of the congregation is disfellowshiped, the father is disqualified as a responsible exemplary servant of the congregation because he fails in meeting a vital requirement for office as set forth in 1 Timothy chapter 3. This disqualification would rest upon him as long as the disfellowshiped minor remained in his household or as long as the delinquent minor remained disfellowshiped. If the minor delinquent is recovered spiritually, that speaks creditably for the parent involved. If he resumes regulating the affairs of his household commendably, as reflected in his children, then he again shows worthiness of serving in a responsible office in the congregation as far as this qualification is concerned. He, of course, cannot be disfellowshiped, just because his minor child has been disfellowshiped, except in case he had approved of and encouraged the sin.

During his disqualification for service as a responsible officer of the congregation he is not disqualified for work as a general pioneer or special pioneer. If the minor delinquent is fatherless, then the dedicated mother is the one who should be charged with responsibility for the child. In this case she too would be disqualified for any service appointments that are open to sisters in the congregation during the period of the disfellowshipment of her child in his minority. She would not be disqualified for pioneer service.

If a minor child commits an act deserving of disfellowshipment, the parent of the child can forgive it only on the basis of its repentance. If the child does not repent and bring forth the fruitage of repentance, then the pleading of the father or the mother in behalf of the child carries no weight with the congregation service committee. Forgiveness is extended to the repentant. We may not excuse a bad act by overlooking it. We should be theocratic and require a spiritual basis for forgiveness. True, we forgive our debtors just as we ask God to forgive us our debts toward him, but be it noted that we *ask* for his forgiveness. So it must be with the delinquent child. If it shows no repentance and no abhorrence of its sin and it does not respond to the loving desires and efforts of its parents, then drastic action must be taken and it must be disfellowshiped.

If a minor dedicated child commits some delinquency other than fornication, say commits theft and gets caught, then the child must suffer the penalty of the law that applies in its case. The theft was committed against someone outside the

family and therefore the parents cannot excuse the sin. The parents' desire that their child be relieved of the proper penalty to be imposed by the congregation carries no weight. If the child shows no concern about its guilt; if it shows no repentance at heart but tries to lie to the congregation service committee, then the child should be disfellowshiped. Even if the minor child who commits a crime moves out of town or the community and disassociates himself with the congregation of which he was a member when he committed the crime, still his action is worthy of censure. A decree of disfellowshipment should be issued against him. Also the congregation into the neighborhood of which he has moved should be notified of the disfellowshipping process. Then that congregation, as well as the congregation from which he moved away, will know how to conduct itself toward him. To be reinstated in God's congregation and have free and full fellowship with any part of God's congregation in any locality, the delinquent child will have to seek reinstatement in the prescribed Scriptural manner.

There are cases where young underage or minor children who are dedicated members of the congregation engage in fornication or other wrongdoing deserving of a disfellowshiping action or period of probation. In such cases is the congregation service committee obligated, before it resorts to disciplinary action, to check with the parents concerned to see whether parental correction has been administered or not and whether forgiveness has been extended to the children because of repentance?

Yes, it would be proper for the congregation service committee to do this. If they disfellowshiped the guilty one without regard to what the dedicated parents are doing about the matter, then the committee would establish a spiritual barrier between parent and children. The parents would thereby be debarred from counseling their children spiritually. The children need such spiritual counsel from their parents in their own home and should not be deprived thereof. The service committee should co-operate with the parents involved in working for the spiritual recovery of their delinquent children. It might be added that the Scriptures do not require such single persons who commit fornication to marry each other, so the committee should not insist on that as evidence of true repentance. Fornication has been committed

and they are just as guilty of it whether they marry thereafter or not. (Also see *Preaching and Teaching in Peace and Unity*, paragraph 126.)

But what if the parents of such delinquent dedicated children who are members of the congregation are not themselves in the truth?

In such cases the delinquent children have no correct parental spiritual oversight in disciplining in the home. Hence the congregation judicial committee cannot leave the spiritual correction of the delinquent children to the parents. The committee can deal only directly with the delinquent minor. The congregation must watch that such delinquent children do not corrupt the faithful youth found in the congregation. Hence if the delinquents do not seek mercy directly through the committee, so as to open the way for probation, it would be in order for the committee to disfellowship such delinquent children, that they may be made a warning example to the faithful youth of the congregation. If the delinquent child members of the congregation wish to return to membership and good standing in the congregation, then they have available to them the Scripturally prescribed way through the service committee.

Suppose a dedicated member is an underage schoolgirl and she becomes pregnant and has a child out of wedlock?

Naturally, this brings reproach upon the congregation or organization if it be known that the teen-age schoolgirl is a member thereof. This also brings reproach upon the parents or the family. Though suffering shame and grief, the parents have the right to forgive her if the girl is repentant. She is underage and they rightly have the legal control of her. Forgiving her, the parents do not throw her out of the home, not only because she is their own flesh and blood, but primarily because of spiritual reasons. They want to help in the child's spiritual recovery. So the parents should not be barred by a disfellowshipping of the girl from the spiritual care of their daughter who is in special need of spiritual help by those who are closest to her, her parents. Her probation should be announced to the congregation because her sin is publicly known.

What position is the committee to take if a woman comes to them stating she has been raped?

The committee should ascertain from her the facts. If she did all that she could to fight the man off but was overpowered by him, no disciplinary action would be taken. However, if she did not cry out and try to get away from him, then in reality she would have consented to the violation, and the committee would deal with her as others who come and confess. If, because she was under extreme duress or threats by the use of a knife, razor, gun or other weapon or choking she yielded to being raped, she is like an unintentional first offender, and should be dealt with accordingly.

— Deut. 22:23-27.

If a dedicated publisher is called for jury duty, is the decision left up to the individual's conscience or would it be a violation of one's neutrality with respect to the affairs of this world to serve on a jury?

Serving on a jury is not considered a violation of one's covenant obligations to Jehovah. However, Jehovah's witnesses generally do not feel that they should sit as judges of another person. Jehovah is the Great Judge. (1 Cor. 5:12; Luke 12:13, 14) Serving on a jury may involve another person's life, and Jehovah's witnesses do not wish to incur any bloodguilt through an improper verdict by a jury. A brother who refused jury duty and was prosecuted in the federal court of the United States was found not guilty. (*United States v. Hillyard*, 52 F. Supp., 612 November 30, 1943) One would have to be conscientious and make his own decision and bear the consequences for either serving in this capacity or refusing to do so. (See *The Watchtower*, September 15, 1951, page 574.)

Is it unscriptural to resort to bankruptcy proceedings in court if there seems to be no other way out for a brother who is the victim of circumstances or perhaps has negligently without malice aforethought become heavily in debt?

Bankruptcy proceedings are not wrong regardless of whether voluntarily applied for or involuntarily so, resulting from an application made by creditors to the bankruptcy court. When bankruptcy is applied for voluntarily by a brother, based on legal grounds therefor, it is not unscriptural because the person is complying with Caesar's law, authorizing such. Bankruptcy should never be resorted to solely to defeat

a legitimate claim, but should be applied for only to comply with the bankruptcy law. This law is for the use of all the assets of the bankrupt person(s) to be distributed equally among all creditors, and it avoids partiality and discrimination among creditors on a 'first come first served basis' in the state courts. It is only if there is a question of unjustifiable or illegal bankruptcy or fictitious bankruptcy that the congregation committee can inquire into the matter and determine whether dishonesty is involved.

If a dedicated person has become inactive and has not been attending meetings or associating with the congregation for a period of time, is it necessary for the congregation to act upon reports of wrongdoing by the individual?

Yes. A person who has made a dedication is still under obligation to keep Jehovah's laws. He declared himself to be a servant of Jehovah and we take him at his word. Should he become inactive and then violate the laws on morality or become guilty of any disfellowshiping offense, the congregation committee should obtain definite evidence from two or more witnesses and act upon the evidence just as if the person had been active with the congregation. People in the community know that the individual claimed to be one of Jehovah's witnesses, so the good name of the congregation is involved.

Care should be exercised in making announcement to the congregation about the action taken. In fact, in all announcements on disfellowshiping, discretion must be used to avoid the possibility of legal action being taken by the guilty person. Some persons who have lost their spirituality become vengeful and try to cause difficulties and expenses for the congregation even though they have little chance of gaining victory in the courts. It is therefore unnecessary to give all details when making announcements of disfellowshiping (or probation) but many cases may be handled by merely announcing that the individual was guilty of conduct unbecoming to a Christian. It is left to each congregation committee to word their announcements carefully, but the Society should be informed concerning the details of offenses committed. While the individual should be advised that he has been disfellowshiped for conduct unbecoming to a Christian, it is not necessary and often not advisable to do so in writing.

What is to be done in cases where a brother takes another brother to a worldly court in disregard of Paul's counsel at 1 Corinthians 6: 1-8?

The Scriptures counsel Christians to settle their affairs among themselves. If one feels he has been wronged, the matter should be settled by intracongregational means as outlined by Christ at Matthew 18:15-17. If they cannot help them resolve their difference, and the committee finds wrongdoing necessitating disfellowshiping, thereafter the one wronged is free to take the disfellowshipped person into court if he feels justified in taking the matter this far in obtaining what is reasonable in settlement, but not in spite. (See *The Watchtower* of February 15, 1955, pages 126 and 127.)

If a dedicated publisher does not submit the case first to the committee and directly takes his brother to court, he would be viewed as an immature man, not worthy of servant or special privileges. No disciplinary action would be taken against one taking his brother into court other than viewing him as immature, unless he became guilty of false testimony or misrepresenting the brother in court.

An innocent mate might go into court to get a divorce from the adulterous mate, and this would be allowed without that one's losing privileges of service even though the guilty one was not expelled as a brother because of having been found repentant and placed on probation. Otherwise, an unscriptural divorce may result in curtailment of special privileges. (See pages 20, 21.)

Does the use of tobacco bring restrictions upon a person who wishes to serve Jehovah?

If a person who uses tobacco presents himself for baptism, he should be shown in a kind way that the use of tobacco is an unclean habit and is not becoming a minister of God. While we would not refuse baptism merely because the person is a user of tobacco, we would not consider him a good example to the brothers in the congregation, and as long as he is a user of tobacco, we would not assign him as a ministerial servant or overseer in the theocratic organization. He cannot be given outstanding privileges. He may be enrolled in the ministry school and give student talks. But he cannot give instruction talks. He may go from door to door, make back-calls, conduct home Bible studies and generally assist in every way he can in carrying on the serv-

ice work, looking to Jehovah to give him the strength to overcome his bad habit ultimately. One who uses tobacco cannot be a pioneer or full-time representative of the theocratic organization.

An exception may be made on assigning a user of tobacco as a ministerial servant or overseer only when there is no other dedicated person in a congregation who can serve. If such an assignment is made, the servant must agree not to use tobacco in public while witnessing or in the vicinity of the Kingdom Hall, and he should make a conscientious effort to break the bad habit.

OVERSEERS PLEASE NOTE

When looking back over the years some overseers may say to themselves: 'Some of the individuals who were disfellowshiped maybe would not be disfellowshiped now.' But, please, remember this one fact, if it was necessary for the committee to meet and on the information they had they believed it proper to disfellowship an individual and no appeal was made to the Society, then that individual committed some grave sin. He certainly missed the mark. If he has shown repentance and has changed his course of action and has been converted, that one will be forgiven by Jehovah God and undoubtedly the committee will reinstate such a one who has a contrite heart. If he had a contrite heart he certainly will be glad he is reinstated, because he wants life and there is only one way to get it, from Jehovah God. Anyone who is going to gain life in the New World will have to be in full accord with Jehovah's visible organization.

This is stated so that both overseers and committees will not want to reopen a lot of old cases. What is said in this booklet is *not retroactive*. It is the way of dealing with our brothers from now on. Those who may have been disfellowshiped still have an opportunity of returning if they show the right heart condition. If they never show the right heart condition, then they should not be in Jehovah's organization now. All should be grateful for Jehovah's mercy and his loving-kindness.

From the information presented in this booklet it will be seen that each case has to be examined individually and de-

elided according to its own merits or demerits before taking any adverse action. We sincerely pray that this statement of policy will be of assistance to all in handling problems and in keeping the organization clean and in line with the pure principles of Jehovah's Word.

*Watch Tower B. & T. Society
OF PENNSYLVANIA*

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