

Having spent part of yesterday (9Dec76) in a 7-hour four-level (county-city-state-federal) trial on which I was the expert witness for the plaintiffs, I've some comparative reflections, court/"church" [the latter meaning all voluntary associations and their dynamics, including thus New York Theological seminary and one's own family]:

COURT.....

CHURCH.....

1. How is conflict processed?

Rigidly in the exoskeletal sense: the external structuring provides an unyielding process of conflict-resolution, unyielding in the sense of controlled by legal sanctions both during and (in the sense of having to live with the decisions) after. The game structure and process and dynamics are all set and known, so anarchy is contained at the risk of tyranny, which is theoretically contained by two super-layers: law, and justice over law.

Rigidly in the endoskeletal sense: since there's little if any external structuring, what exists is soft, and attitudes make even the soft structure softer in operation than on paper--and since legal sanctions are virtually nonexistent except in the terminal sense--emotional rigidity [inflexibility before, and unforgiveness after, decisions] provides the necessary social stiffness at high cost in both human relations and efficiency.

2. What is the interpersonal residue?

After the trial, the eight lawyers and I had a laugh-in, a celebration of comradeship. Releasive, refreshing (partly of course because our relationships (1) were of external focus, (2) had little depth, and (3) required no anticipation of continuance).

If the conflict is creatively resolved, little negative residue; if not, shit piles here and there you have to avoid stepping in--for days, maybe years....relations intended to be long-term and double-focus [i.e., on task-mission (external) and on interpersonal care and personal growth (internal)].... "grace" being the alternative.

The rest of this thinksheets presents a discussion model for considering how the cool values of "court" and the warm values of "church" can combine for more truly human processes and forms of justice and love. The y-axis is sociodynamics [cp. my WCC paper "Stability and Conflict in Community"]; the x-axis, structures.

Yesterday's case was the most theological I've ever been in on--a welfare case at federal level involving the First Amendment in the religious right to withhold information from the government (here, the names of the four children, to keep them from the mark of the Beast [Rev.13], i.e. Social Security numbers, without which no welfare at any of the four governmental levels). The court dynamic moves from B to A, with occasional but easily contained major/minor threats from C and no realization or even intention of D [shalom] except in the sense that every society yearns, through all its legitimate fibers, for D, "the Kingdom of God" condition in which values and sanctions are so completely internalized in each person that external authority (police, courts, and even government) "wither away"--Marx here being biblical. When conflict occurs in "church," a happy resolution depends on (1) good will and (2) conflict-managing skills--"managing" not in the merely stabilizing sense of containing or quashing, but in the sense of making the conflict yield positive, creative results. IFD (idealism to frustration to despair) here is assuming that the "church" can live in D without having to do with A, where we should move when C threatens, and with B, when either C or A threaten.

