

Christians and Civil Disobedience

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Introduction

In our day many governments are oppressive, even brutally dictatorial. Many governmental decisions are unfair or arbitrary. In such situations some Christians have decided that civil disobedience is a justifiable option. More than a few, acting on the basis that faithfulness to conviction must take precedence over governmental edict, have practiced conscience-driven disobedience. Such activism has included Bible smuggling, illegal picketing and demonstration, assisting illegal refugees, picketing abortion clinics, non-payment of war taxes, blocking traffic to highlight particular concerns, trespassing on defense or military sites in opposition to military activity, and assembling for worship when told not to do so.

Many of those who engage in civil disobedience, and their apologists, argue that as governmental policy initiatives impact on an expanding number of issues, and as governmental and public morality deteriorates, Christians will increasingly find themselves driven to civil disobedience. They argue that a consistent commitment to Christian ethics will leave them no other option.

The appropriateness of civil disobedience is hotly debated among Christians. Whether one is for or against civil disobedience, we do well to study the limits of political obligation and the propriety of civil disobedience. For

more and more Christians, as well as adherents of other faiths, these issues cannot be avoided.

Definitions and Clarification

"Conscientious objection" refers to a person's refusal to say or do something which government or some other authority has instructed that person to say or do. Sometimes seen as a subcategory of civil disobedience, its key trait is that it involves objection to the enforcement of a government policy and generally does not include any initiatives to change that policy; the individuals or groups involved generally seek exemptions.

"Civil disobedience" refers to a conscientious, public, non-violent act contrary to law. The intent is to draw attention to some governmental policy and to have that policy changed. Those who practice civil disobedience generally do so because the policy which they oppose runs counter to their morality. Usually the object is to help others, not oneself.

"Tactical civil disobedience" is a category of action undertaken not to undo or overturn a law, at least not immediately, but to test its meaning or constitutionality. Martin Luther King frequently utilized this tactic to show that various local and state laws were, in fact, racist and unconstitutional. Usually such civil disobedience involves a specific, intentional breaking of the law in question followed by vigorous arguments in court and then a patient wait for the court ruling.

"Direct civil disobedience" and "indirect civil disobedience" differ in that the former focuses on a particular law or policy which is deemed offensive while the latter seeks publicity and support for a cause which

has no direct relationship to the illegal action being undertaken. For example, when fish conservationists obstruct highway traffic, they are not concerned about any issues relating to traffic, they simply want government to pay attention to them and their cause. If they entered the fishing waters and cut up fishing nets, they would be undertaking direct civil disobedience.

The Biblical Texts

An examination of Biblical texts reveals some fascinating examples of civil disobedience. Yet generally, the Bible teaches that government is ordained by God and should command our obedience. How can these two realities be reconciled? The answer lies in the motivation and type of civil disobedience. All the Biblical examples involve “fearing God” and “obeying God” when government policy contradicts God’s commands.

Exodus 1:15-22 describes a good example of civil disobedience on the basis of following God rather than government. It describes how the Hebrew midwives intentionally disobeyed the law of the land. Exodus 1:17 states: "The midwives, however, feared God and did not do what the king of Egypt told them to do; they let the boys live." Exodus 1:20 tells us that God looked with favour on their action. Various other examples could be cited. Perhaps the flight of the Israelites from Egypt, as described in Exodus 14, should be seen as a massive exercise in collective civil disobedience. It can be argued, with credibility, that all Old Testament examples of God-pleasing civil disobedience flow logically from the exhortation spelled out in Deuteronomy 6:5, "Love the Lord you God with all your heart and with all your soul and with all your strength". This command of unconditional allegiance is repeated by Jesus in Matthew 22:37 and Mark 12:30.

The book of Daniel provides two major case studies. We have the first account of Shadrach, Meshach and Abednego who refused King Nebuchadnezzar's command to worship the golden image. "We want you to know, O king, that we will not serve your gods or worship the image of gold you have set up." (Dan. 3:18) They held firm in their civil disobedience. In the second account, in Daniel 6, we read how King Darius ordered all the people in his realm to pray only to him for thirty days. We read how Daniel, with "windows opened to Jerusalem", deliberately disobeyed the king's orders.

Sometimes Romans 13:1-7 is cited as a key passage that rejects the validity of civil disobedience. "Everyone must submit himself to the governing authorities," we read, "for there is no authority except that which God established." And again, "Therefore it is necessary to submit to the authorities, not only because of possible punishment but also because of conscience." We need to assess this passage very carefully. The key term, *hypotassomai*, can be translated as "being obedient" or as "being subject to." Translating this term "being subject to" seems closer to the meaning, as Jesus himself practiced selective civil disobedience even while acknowledging and affirming the proper role of government in general. Paul, it seems, was addressing a major controversy in the early church, namely, whether Christians should recognize and support the institution of government, especially a pagan and anti-Christian government. If Paul had intended to teach believers that they should obey all policies of the government, then he would almost certainly have used either *hypokouo* or *peiphomai*, two Greek words more commonly used to express the idea of obedience.

While Jesus was generally very law-abiding, the gospels show that he also practiced civil disobedience. Jesus explained his picking grain and healing on the Sabbath by pointing to a higher law. He indicated that he himself was Lord of the Sabbath and declared that it was lawful to do good on the Sabbath (Matt. 12:1-13). But note that Jesus did indicate that obedience to Roman authorities in the matter of paying taxes was appropriate (Matt. 22:15-22).

Some people see 1 Peter 2:13-17 as another difficult passage. Peter instructs Christians to submit themselves "for the Lord's sake to every authority instituted among men, whether to the king, as the supreme authority, or to governors, who are sent by him to punish those who do wrong and to commend those who do right." It seems that the fundamental issue is stated here even more clearly than in Romans 13. It is the institution of government that is to be respected and supported by Christians. This passage does not say that every policy is to be obeyed or even that every incumbent temporarily holding the power of government should be supported. In that day as in ours, Christians and others could strongly support the institution of government even as they rejected certain laws or worked diligently to have the current office-holder replaced by somebody more competent and more just. Peter himself gave strong support for civil disobedience when authorities of the Sanhedrin ordered him not to preach, "Judge for yourselves whether it is

right in God's sight to obey you rather than God." (Acts 4:19)

The New Testament contains additional accounts of civil disobedience. For example, Matthew 2:1-12 describes how the Magi, warned by God in a dream, disobeyed King Herod's command that they report to him after completing their visit to the infant Jesus. It is important to note that God instructed the Magi to disobey the king.

Any examination of the issue of civil disobedience must include a careful review of these and other relevant texts.

The Purpose of Civil Disobedience

The general purpose of civil disobedience is to have the law changed by convincing the authorities of the wrong inherent in the opposed law or policy. They will then accede of their own free will to the moral requests, even demands, of those engaging in civil disobedience. The purpose in having a law, an edict, or a governmental practice changed is not to seek a personal gain but to achieve significant improvement in society as a whole.

Often civil disobedience involves a small group of committed individuals rather than one lone dissident. For example, in 1941 a group of Norwegian school teachers refused to teach the Nazi curriculum. They wanted the Nazi directive revoked so that the entire population of pupils would benefit from a more moral curriculum.

The Case for Civil Disobedience

In most of the literature justifying civil disobedience the case is made primarily on secular grounds. In his classic work, *On the Duty of Civil Disobedience*, Henry David Thoreau asserts: "We should be men first, and subjects afterward. It is not desirable to cultivate a respect for the law, so much as for the right".¹

In classical, mediaeval and early modern times, the case for civil disobedience rested on four elements: the inherent right of self-defence, the voice of reason, the importance of conscience, and natural law. It was argued that individual rights existed before governmental institutions and that they exist apart from such institutions. In the late 17th century the English theologian and philosopher, John Locke, stressed the importance of the individual as a free moral agent. He emphasized "rights against the state" and argued that citizens have a right even to rebel, not just disobey, when

rulers grossly violate or neglect the purpose for which government was created. He insisted that people retain their right to reassume their supreme power at all times. Writing in the early years of this century, Thomas Hill Green concluded that the function of government is to maintain, "those conditions of freedom which are the conditions of the moral life... If it cease to serve this function, it loses its claim on our obedience."² Although Green stresses that civil disobedience should never be undertaken lightly, he also argues forcefully and convincingly that every individual citizen has "the right to judge whether his government is fulfilling its ideal purposes."³

John Rawls, a contemporary analyst, points out that often the truly moral person faces two options, namely, either to undertake civil disobedience or become a party to the evil being perpetrated.⁴ Rawls, Thoreau and various other secular writers emphasize that moral people must be prepared to oppose majorities because history has amply demonstrated, from the experiences of Socrates and Jesus to the horrors of Nazism and Apartheid in South Africa, that majorities are often fundamentally in error.

Virtually all defenders of civil disobedience as a basic right, even duty, stress that a citizen should take this step only after all the conventional channels for redress have been exhausted or when, in the face of grievous oppression, they are not available.

While accepting the general validity of these arguments, Christian defenders of civil disobedience introduce several others as well. They assert that the supreme claims of God the Father and of Jesus the Son implies, indeed dictates, the subordination and, if need be, the rejection of any rival claim. Only one commitment can be over-arching. Further, matters of faith and morality, as expressed in a wide spectrum of actions and attitudes, can never be dictated to Christians by the state. It is logical, we are told, for Christians to affirm the propriety of civil disobedience as a final option because "the Christian sees disobedience to God as a more serious matter than disobedience to the state when the two are in conflict."⁵

Christian defenders of civil disobedience are generally agreed that Christians and other believers have a right to disobey the authorities when the religious group's own pursuits of worship, proclamation, instruction and even evangelism are denied. There is less agreement concerning whether Christians and others who may be

dissenters in a given situation should take up the weapon of civil disobedience on behalf of other causes. Most, however, following the theology of The Parable of the Good Samaritan as described in Luke 10:29-37, and of the Israelite midwives in Egypt, argue that for Christians, at least, there is a Biblical imperative which requires them to oppose, to the point of civil disobedience, policies which depersonalize, oppress, suppress, and brutalize members of any society. Christian individuals and, in some situations, larger groups of Christians and even the entire Christian community may have to become the enemy of a state which has made itself the enemy of the people.⁶

Several authors make the point that Christians contemplating civil disobedience ought to check their assessment with their faith community. This should be done for two main reasons: first, Christian conscience always refers to the understanding of a community and, second, the risk is greater that the individual Christian conscience as compared to the collective conscience might be misinformed or dulled. Reference to the assessments of a group, the larger the better, will serve as a partial safeguard against radical, irresponsible adventures.

Further, all Christians, but particularly those inclined to judge individual activists, should, however, realize that the corporate Christian conscience has historically tended to be conservative and hesitant. For that reason, morally sensitive individuals who discern gross evil and decide to challenge it to the point of civil disobedience need periodically to be affirmed. Such individuals, in turn, may at times find it necessary to challenge the larger body of Christians because of its complacency.

All Christians, whether acting as individuals or groups, need to acknowledge that even a conscience informed by Christian knowledge and zeal may not constitute the clear and pure voice of God. Consequently, caution and very careful analysis are always in order.

Response to Criticisms of Civil Disobedience

The case against Christian — or other — civil disobedience usually involves one or more of the following criticisms or observations. Following a summary of each one, we will outline a plausible response.

1. *Civil disobedience undermines law and order.* Civil disobedience encourages disrespect for the law by encouraging individuals to set themselves up as judges as to which laws should be obeyed. By thus challenging governments, those indulging in civil disobedience tend to deny the fundamental need to restrain human sinfulness. Rather than striking at the essence of God-ordained governments, namely, the rule of law, Christian citizens should be submissive, patient, and given to prayer. When deemed necessary, they should make verbal or written suggestions for improvement.

A response to this common criticism rests on the following arguments. Laws often express cruelty and blatant, gross immorality. Oppressive dictators generally cloak their tyranny and repression in the language of authorized action. The official sanctioning of apartheid, infanticide, or cruel restriction of religious freedom is not thereby made acceptable, not even if supported by large majorities. As Martin Luther King noted, "We should never forget that everything Adolf Hitler did in Germany was legal."⁷ We also recall the famous aphorism of Saint Augustine, "An unjust law is no law at all." Christians can never give supreme authority to laws made by humanity.

It should also be stressed that civil disobedience does not challenge the need for government or its mandate to legislate. Defending civil disobedience which focused on evil legislation implemented by racists and bigots, Martin Luther King stated the following:

I submit that an individual who breaks a law that conscience tells him is unjust, and willingly accepts the penalty by staying in jail to arouse the conscience of the community over its injustice, is in reality expressing the very highest respect for law.⁸

Henry David Thoreau's observation is equally timely: "They are the lovers of law who observe the law when government breaks it."

2. *If civil disobedience were universalized, it would negate the conditions under which it is possible.* Without majoritarian acceptance of the law, there can be no peaceful and selective rejection of a specific law. Citizens can undertake responsible civil disobedience, including acceptance of legitimate punishment, only if civil disobedience does not become the standard principle of conduct.

One can respond to this objection by pointing out that civil disobedients do not claim the right to disobey all laws, even in a dictatorship. Further, if civil disobedience is practiced according to Christian principles, there would not be a collapse of conditions making such action possible. Finally, if there were massive civil disobedience in the name of justice, decency and human dignity, much good could result. Hitler's holocaust would not have occurred if millions of decent Germans who called themselves Christians had refused to carry out his despicable laws. Meek, massive submission to evil laws creates and perpetuates worse problems than does massive resistance.

During 1989 and 1990 the world watched as aroused masses, even majorities, turned against brutal law and order in Eastern Europe. This massive reaction which incorporated extensive civil disobedience did not usher in anarchy but civility, decency and ultimately freedom.

3. *The practice of even the most responsible civil disobedience runs the risk of public misunderstanding and of weakening the church's larger mandate.* The best planned and executed civil disobedience may not communicate the desired principles and ethic. For example, television news stories about Christians blocking the doorway of a legally functioning abortion clinic may mean that Christians are perceived as fanatics and disrespectful of law, disturbers of peace, or even anarchistic. The basic ministry of the church might well be set back because of such publicity on secondary matters.

This is a significant objection but not a determining objection. Christians constantly run the risk of being misunderstood when proclaiming their faith or expressing its ethical imperative. The danger of distortion must be acknowledged and then counteracted. Civil disobedients must work diligently so that governments and society will distinguish among the rioter, the self-serving dissenter, the publicity-seeker, the anarchist, and the selfless moralist who may well be a Christian. In any event, for Christians actually doing what is right must take precedence over being perceived as doing what is right.

4. *In an open, free society there are means, other than civil disobedience, to achieve the desired ends.* In a country such as Canada there is no need for civil disobedience. Citizens in free countries have adequate alternatives to address immorality in public policies.

The response to this criticism is that in mature democracies the need for civil disobedience may well be rare. Nonetheless, we must allow for the possibility and the propriety of such action. It was civil disobedience which brought about the fundamental shift in racist policies in the U.S., a mature democracy. Civil disobedience has also produced major progress in many other areas such as the creation of environmental policies, the acceptance of basic aboriginal rights, the preservation of certain species of whales and other life forms facing extinction, and the modification of early anti-labour legislation.

When is Civil Disobedience Justified?

Even if there is agreement that under certain conditions civil disobedience may be undertaken, we still need to establish exactly which conditions need to be met before such drastic action is warranted. Seven clusters of criteria can be identified.

1. *All civil disobedience must be preceded by a careful and balanced assessment of the situation.* There must be no doubt that the problem is truly serious, that other avenues of action have been exhausted, and that the need for a remedy is urgent. It must also be clear that the harm done to the disobedient, to the Christian community, or to anyone else will be less than the harm caused by continued conformity and acquiescence. Additionally, every disobedient should be clear on how the proposed action will improve the situation and what will be done to achieve subsequent healing in the community.

2. *Great moral seriousness must be demonstrated.* A significant track record of consistency and credibility will be a key enhancement. Moral seriousness will also be enhanced if it is known that civil disobedients have had extensive consultation with a significant Christian community or reference group. The perpetrator of such action must, however, clearly and publicly take personal responsibility for the action taken. Cowards won't elicit much support. Clear explanatory words are needed to document the moral seriousness. "Without speech a disobedient act must necessarily appear mute, idiosyncratic, deviant. Without speech civil disobedience cannot be civil."⁹

3. *The specific goal must be clearly identified and must indisputably be of benefit to the community or at least a significant section thereof.* A specific evil must be named, described and documented in writing. Media

representatives should be given a written rationale and explanation. The violation of the law must not benefit the violator in particular, although he may be part of the group which will benefit, nor must the violator seek a personal exemption. If possible, the violation of the law should be carried out publicly, although this should be done without any effort to seek undue publicity or glory for the perpetrator, because the civil disobedient sees himself as advancing the public interest, wants the public to comprehend what is happening, and desires public support.

4. *All standard means of redress must already have been exhausted.* Because civil disobedience is a radical step, it should not be undertaken if a less radical solution to the problem can be found. Civil disobedients are always open to suggestions which would lead to alleviation of the evil by less drastic means.

5. *Before, during and after an act of civil disobedience, respect for law and the principles of lawful behaviour must be affirmed.* For this reason the perpetrator does not seek to avoid the processes of the law nor the punishment for illegal actions. The challenge to the law should be reasonable, carefully planned and no greater than necessary. The action must make sense to non-sympathetic observers. Informing the authorities in advance will underscore the elements of responsibility and respect. Times and places need not be announced but intentions and purposes should be.

6. *Only suitable means should be used.* It is generally understood that civil disobedience, by definition, is non-violent in its means. If, in view of the perpetrator, violence is warranted as a last resort, a decision which would be shaped largely by that person's theology and moral values, then the response has moved beyond civil disobedience and a different set of criteria would apply. Such use of violence can, of course, no longer be termed civil disobedience. An analysis of conditions in which violent reaction might be warranted would take us beyond the scope of this paper.

In practice this means, for example, that the perpetrator must not resist arrest. If "going limp" is part of the protest, then justification should be given. It also means that the perpetrators would not try to harm the law enforcers nor nurture an attitude of hatred towards them.

7. *Punishment is accepted.* The civil disobedient readily admits legal guilt, albeit within a larger explanation of moral innocence. Such a stance, together with the acceptance of punishment, communicates effectively the continuing acceptance of the principle of lawfulness. The acceptance of morally unwarranted punishment greatly enhances the morality of the law-breaking event.

Conclusion

As Christians, we cannot assume that we will at all times and in all circumstances be able to obey our government. It is possible that at some point in our lives or the lives of our friends and fellow Christians, governments may impose laws that would require us to disobey God if we complied. Civil disobedience, in certain situations, can be a legitimate Christian calling and an expression of Christian witness.

A readiness to undertake civil disobedience constitutes a part of giving unqualified primary allegiance to God. When requirements of the governing authorities and the commands of God are in contradiction, there can be no other theologically correct outcome. Breaking the law of the land is always serious but it is not always wrong.

Perhaps the most controversial aspect of civil disobedience involves the scope of its propriety. To undertake it the way Daniel did, as part of worshipping God, has gained broad support among Christians. But to undertake it on behalf of social causes involving others is less widely affirmed. What some see as self-evident, given Jesus' emphasis on loving one's neighbour, others see as profoundly wrong-headed. This debate must continue and it must obviously be carried out in an atmosphere of mutual respect.

Endnotes

¹ Quoted in *Fraser Forum*, March, 1990, p.35

² T.H. Green, *Lectures on the Principles of Political Obligation*, in Green, *Works*, Vol. II, (London: Longmans', 1941), p. 78.

³ Elliot M. Zashin, *Civil Disobedience and Democracy*, (New York: The Free Press, 1972), p. 137.

⁴ Quoted in Vinit Haskar, *Civil Disobedience, Threats and Offers: Gandhi and Rawls*, (Delhi: Oxford University Press, 1986), p. 4.

⁵ *A Christian Declaration on the Way of Peace*, a pamphlet, (Newton, KS: Faith and Life Press, 1972), pp.14-15.

⁶ Daniel B. Stevick, *Civil Disobedience and the Christian*, (New York: The Seabury Press, 1969), p. 119.

⁷ Quoted in Stevick, *Civil Disobedience*, p. 14.

⁸ Martin Luther King, Jr., "Letter from Birmingham Jail" in Hugo Adam Belau, ed., *Civil Disobedience: Theory and Practice*, (New York: Pegasus, 1969), pp. 78-79.

⁹ Zashin, *Civil Disobedience and Democracy*, p. 123.