

A POLICY STATEMENT *National Council of the Churches of Christ in the United States of America*

RELIGIOUS OBEDIENCE AND CIVIL DISOBEDIENCE

Adopted by the General Board
June 7, 1968

I

MAN ACTS POLITICALLY

Men are political creatures; they are seldom politically inert. Usually they act for their own political advantage or aggrandizement. Sometimes they act for the sake of principle or for the benefit of others, even to their own disadvantage. Often they act with mixed motives and effects. When they fail to act at all, they yield the ground to others, and thus share responsibility for the political outcome.

God calls men to act within and upon the structures of their time for the serving of their fellowmen. When they obey this calling, they are acting politically. Since most men act politically most of the time (if only by default), their religious obedience does not add a new kind of action so much as a new direction. Instead of acting politically for personal or partisan advantage, the man who seeks to obey God's calling tests all his actions by their effect on the whole commonwealth, particularly upon the disadvantaged, who are the special object of divine compassion.

He does not choose whether to act politically or not to act politically so much as whether to act obediently or not to act obediently to God's calling. Once a man's (political) course is set toward the serving of his fellowmen and away from serving his own advantage at the expense of his fellowmen, the mode or level of his (political) action will be determined by tactical and ethical considerations arising from his circumstance.

II

THE RANGE OF MAN'S ACTION BASED ON CONSCIENCE

The range of possible action is broad, and men seeking to obey God's will have chosen various modes of action at various times:

- A. Abstention. Some Christians believe that they should not attempt, either individually or corporately or both, to influence the political structures of their time. (Their abstention, however, is not without effect--sometimes crucial effect--upon political events.)
- B. Action Within the Existing Structures of Civil Law and Government. This is the most common mode of obedient action, particularly in modern democracies, for those citizens who share in determining the structures. It includes the kinds of action protected by the First Amendment of the U.S. Constitution--freedom of speech, freedom of press, freedom of assembly and petition (including orderly picketing)--which are thereby incorporated in the existing structures.
- C. Peaceable, Public Action in Opposition to a Particular Law or Policy. When citizens support a democratic system of government in general, but oppose a particular law or policy they consider unjust, they sometimes resort to systematic civil disobedience of that law. (Even in a representative democracy there is often a lag between the frontiers of Christian conscience and some laws passed by the legislature, as in the case of laws upholding discrimination and segregation which after a century were acknowledged to be contrary to both Christian principles and the Constitution of the nation.)
- D. Action in Resistance to a Particular Law or Policy. Political action which is covert (such as the Underground Railroad by which Quakers and others spirited escaped slaves to Canada) or violent is an option beyond the range of civil disobedience, though still directed against a limited target of felt injustice rather than against the existing structure as a whole.
- E. Action in Revolution Against an Entire System of Government. Covert and violent

action designed to overthrow the existing system of government altogether is revolution rather than resistance, and men seeking to obey the will of God have sometimes resorted to it for reasons such as those stated in the American Declaration of Independence, a historic manifesto of revolution.

We recognize that when justice cannot be secured either through action within the existing structures or through civil disobedience, an increasing number of Christians may feel called to seek justice through resistance or revolution. Therefore, a study should be made of the alternatives of resistance and revolution in the light of Christian principles and experience.

III

"WE MUST OBEY GOD RATHER THAN MAN"

In the Western tradition which shaped the American political system, it is generally agreed that the function of government is to secure justice, peace and freedom for its citizens, and to maintain order, not as an end in itself, but as a condition necessary for the existence of justice, peace and freedom. Christians find this tradition generally compatible with their understanding of the divinely-ordained function of the state.

When, however, a particular government fails to provide justice, peace or freedom, it is not maintaining true order, and Christians should remain faithful to their understanding of what order ought to be, even at the cost of disobeying that government. In such circumstances, it is the government which has become insubordinate to God's order, and not those who disobey that government. Rather, they show their genuine respect for rightful "governing authority" by criticizing, resisting or opposing the current misusers of that authority.

Although Christians recognize the importance of order for human society, in every period of history there has been a Christian witness against giving absolute or unquestioning obedience to any civil authority. The first allegiance of Christians is to God, and when earthly rulers command what is contrary to the will of God, Christians reply as did Peter and John, "We must obey God rather than men." (Acts 5:29) Whatever the penalty for disobedience to human law, it has not deterred some Christian martyrs in every age from pointing by their death beyond man's order to God's order.

IV

CONSCIENCE: ONE AND MANY

At no time, however, have Christians been unanimous in agreeing how or when they should "obey God rather than men." The essential problem is to determine when the state represents God's instrument of order and

when it represents man's tyranny. The decision is a fateful one, and Christians have taken it only with reluctance.

Individual conscience, though more sensitive than the aggregate of men, is often eccentric, obsessive or obtuse, and needs the correction that can come from sympathetic encounter with the consciences of others. Both individual and group can benefit by supportive confrontation within the religious community: the individual may become aware of countervailing facts and factors, and the community may find its equanimity disturbed by the anguish of the individual.

Since the warning of the need for change comes to and through individual conscience, the community should safeguard its expression, however strident or abrasive it may seem. A more acute problem is posed for the community when the protesting conscience progresses from dialogue to demonstration, from conversation to civil disobedience. Then the community is inclined to chide the dissenter with having gone too far, with having somehow exceeded the bounds of conduct permissible to Christians. Yet the briefest reflection on history will remind us that this judgment is not accurate. Some of the most venerated Christian saints and sages have spent part of their lives in prison or have been banished or executed for defying the civil authorities of their time, and this was not a reproach to them but a sign of their obedience to God.

V

WITNESS: WORDS AND DEEDS

Civil law in the United States distinguishes between speech and action. Acts which violate the law can be punished, but speech cannot unless it poses a "clear and present danger" to public safety. This distinction in law and jurisprudence has proved to be a valuable safeguard of the rights to free communication of ideas. Christian theology, however, does not recognize such a dichotomy between the witness of word and deed, for the former without the latter is "hypocrisy." The Christian who is impelled to speak against an unjust law is not necessarily excused from action because of civil interdiction. He is responsible before God for his deeds as well as his words, and cannot yield that responsibility to anyone, even to the magistrate.

VI

CIVIL DISOBEDIENCE: ITS ROLE AND OPERATION

Civil disobedience is used in this statement to mean deliberate, peaceable violation of a law deemed to be unjust, in obedience to conscience or a higher law, and with recognition of the state's legal authority to punish the violator.

- A. Civil disobedience is deliberate. It is consciously willed and intended, based on deep conviction, and entered into with full awareness of the consequences, after the failure of less disruptive alternatives. Violation of law through ignorance or inadvertence is not civil disobedience.
- B. Civil disobedience is public. There is no effort to conceal it from the authorities; on the contrary, they are often given advance notice of intended acts of civil disobedience. Even when such advance notice is not given, one result of civil disobedience frequently is to focus public awareness on injustice by overt acts of disobedience.
- C. Civil disobedience is peaceable. It seeks to minimize the harm done to others through willingness to suffer hurt rather than to inflict it. A criminal action, for instance, is one by which the perpetrator harms the commonwealth for his own advantage, whereas in civil disobedience the perpetrator seeks to benefit the commonwealth at his own risk and disadvantage.
- D. Civil disobedience is violation of a law deemed to be unjust in obedience to conscience or a higher law. It is usually entered into by those who feel they have no choice but to disobey--as Luther put it, "Here I stand, God help me. I can do no other." The authority appealed to beyond civil statutes may be conscience, God's commandments, the moral law, natural law, the good of mankind or some other norm of conscience for which one is willing, even compelled, to risk offending civil authorities and public opinion.
- E. Civil disobedience entails recognition of the state's legal authority to punish those who violate the law. In a society in which the man who seeks to obey God can honor and subordinate himself to the civil order as a whole, and is compelled by conscience to disobey only one law or group of laws, he will recognize the state's power to punish violators of the law, including himself. If the government or the civil order as a whole is so corrupt or demonic that to criticize any aspect of it is to court death as an enemy of the regime (as was the case in Hitler's Germany), then

the Christian may reluctantly conclude that he cannot willingly recognize or submit to the state's power to punish at all, in which case he is engaged, not in civil disobedience, but in civil resistance or revolution, [with which this statement does not attempt to deal].

The foregoing is a description of the form of civil disobedience exemplified by Henry David Thoreau, Leo Tolstoy, Mohandas Gandhi, and Martin Luther King, Jr. So understood, it is a limited and moderate mode of political action, and we call upon Christians and other men of good will to recognize it as a valid instrument for those who seek justice, consonant with both Christian tradition and the American political and legal heritage.

VII

RESPONSE OF THE CHURCH TO CIVIL DISOBEDIENCE

The Christian Church owes to its members who undertake civil disobedience the following measures of support:

Pastoral and material care of the individual and his family;

Exploration and testing of the individual's views within the Christian community;

Interpretation of the moral legitimacy of the individual's position, even if the majority of the Church does not agree with him;

Protection of his legal rights, including the right to counsel;

Pursuit of judicial review or amendment of unjust statutes;

Enactment of laws more nearly conformable to moral principles.

81 FOR, 6 AGAINST, 15 ABSTENTIONS