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THE CHRISTIAN AND CIVIL DISOBEDIENCE

Duane Heffelbower

*... a good citizen
(and Christian)
is one who calls
the government to
account for its
actions...*

Christians live in tension between the demands of the world in which they live and the demands of Christian discipleship. This article will examine the point at which obedience to God and obedience to government clash, and will offer a method of dealing with the conflict.

For the purpose of this article, "civil disobedience" is defined as:

Purposeful, non-violent action, or refusal to act, by a Christian who believes such action or inaction is required of him or her in order to be faithful to God, and which s/he knows will be treated by the governing authorities as a violation of law.

This article further assumes a Christian pacifist stance which rejects violence as a means to any end.

Three Scripture passages are generally cited for the proposition that Christians are to obey the government:

Submit yourselves for the Lord's sake to every authority instituted among men: whether to the king, as the supreme authority, or to the governors, who are sent by him to pun-

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ish those who do wrong and to commend those who do right. For it is God's will that by doing good you should silence the ignorant talk of foolish men (1 Peter 2:13-15 NIV).

Remind the people to be subject to rulers and authorities, to be obedient, to be ready to do whatever is good, to slander no one, to be peaceable and considerate, and to show true humility toward all men (Titus 3:1-2 NIV).

Everyone must submit himself to the governing authorities, for there is no authority except that which God has established. The authorities which exist have been established by God. Consequently, he who rebels against the authority is rebelling against what God has instituted, and those who do so will bring judgment on themselves (Romans 13:1-2 NIV).

A History of Holy Obedience and Civil Disobedience

The tension in which Christians find themselves is shown in Acts 4 when the Sanhedrin orders Peter and John not to teach or speak in the name of Jesus, and they ask whether it is right to obey God or men. Paul was quite willing to use the Roman legal system when he was arrested in Jerusalem rather than be flogged, and was able to witness in new ways because of it. Being a Christian was itself a violation of law in much of the civilized world until Constantine endorsed Christianity. Sixteenth-century Anabaptists violated the law by not baptizing their infants and by rebaptizing adults.

It is also important to remember that before Jesus began to preach the Jews were certainly in tension with their rulers. Josephus, in his *Antiquities of the Jews*, tells the story of Jewish resistance to Pilate's introduction of images of the emperor into Jerusalem. A large number of Jews lay in the courtyard for five days in protest, and when Pilate ordered his soldiers to surround them and threatened slaughter if the Jews did not submit, they instead bared their necks and said slaughter was preferable to the images. Pilate relented.¹

Historically, the points of tension between Christians and their governments have centered upon either the government's demand that all citizens subscribe to and follow the practices of a state religion or the government's prohibition of Christian practices which are central to the faith. Military service has been a problem for both reasons, since in pre-Constantinian times em-

peror worship or sacrifice to idols tended to be required of soldiers of Rome and since the early Christians understood that killing was contrary to Jesus' teaching whether done in peace or war. Marcellus the centurion, who was martyred in A.D. 298, objected for both reasons. He is quoted as saying in part:

I cease from this military service of your emperors, and I scorn to adore your gods of stone and wood, which are deaf and dumb idols. If such is the position of those who render military service that they should be compelled to sacrifice to gods and emperors, then I cast down my vine-staff and belt, I renounce the standards, and I refuse to serve as a soldier ... I threw down my arms; for it was not seemly that a Christian man, who renders military service to the Lord Christ, should render it also by inflicting earthly injuries.²

For Anabaptists of the sixteenth century adult baptism and military service were key points of tension with the government. The *Martyrs Mirror* shows how Christians have responded to demands of the government which directly contradicted their faith. The heroic acts told of in the *Martyrs Mirror* do not seem the same as what we usually call civil disobedience in modern times, but the only real difference is the higher cost to those who defied the government in centuries past.

The concept of civil disobedience was developed by Henry David Thoreau in the 19th century. In the western world emperors did not demand worship, and the concept of civil disobedience was applied to "social issues" such as slavery, child labor, women's suffrage, and prohibition of alcohol. Mahatma Gandhi was influenced by Thoreau's work on civil disobedience. We need to review church history in the light of North American understandings of individualism and personal liberty and remind ourselves that those concepts were not part of the pre-Constantinian world view. Nor were they part of the 16th century world view. Marcellus did not throw down his staff and belt to make a statement about who he was as an individual nor to strike a blow for individual liberty. Marcellus renounced soldiering as being unfaithful to his true Lord. When we talk about Christian civil disobedience we are not talking about Thoreau and his New England Transcendentalism which focused on private conscience as against majority expediency.³ We are talking about faithfulness to God which transcends all earthly loyalties.

To Test Our Obediences

Nevertheless, the scripture passages quoted at the beginning make it clear that we are to be subject to the governing authorities. How is it that one is subject to government, yet refuses to obey it? That would appear to be a contradiction. John Howard Yoder offers an explanation:

It is not by accident that the imperative of [Romans] 13:1 is not literally one of *obedience*. The Greek language has good words to denote obedience, in the sense of completely bending one's will and one's actions to the desires of another. What Paul calls for, however, is *subordination*. This verb is based on the same root as the *ordering* of the powers by God. Subordination is significantly different from obedience. The conscientious objector who refuses to do what his government asks him to do, but still remains under the sovereignty of that government and accepts the penalties which it imposes, ... is being subordinate even though he is not obeying.⁴

It is clear from the New Testament that Jesus' followers did not blindly obey the governments under which they found themselves. Faithfulness to God was first. It is also clear that the sixteenth-century Anabaptists were faithful to God first and the state second. Jesus knew that his followers would be in tension with the authorities. He instructed them:

You will be handed over to the local councils and flogged in the synagogues. On account of me you will stand before governors and kings as witnesses to them. And the gospel must first be preached to all nations. Whenever you are arrested and brought to trial, do not worry beforehand about what to say. Just say whatever is given you at the time, for it is not you speaking, but the Holy Spirit (Mark 13:9b-11 NIV).

These are hardly the instructions of a leader expecting his followers to *obey* every authority instituted among men. For the sake of the gospel followers of Jesus will refuse to obey men. But, for the Lord's sake, the followers of Jesus will *submit* to every authority instituted among men, and by so doing will bear witness to those authorities. As John Howard Yoder puts it: "We subject ourselves to government because it was in so doing that Jesus revealed and achieved God's victory."⁵

Granting our desire to submit to government, and granting our desire to be faithful, what do we do when we believe the

state is asking us to behave contrary to God's will for us? D. Edmond Hiebert offers some initial guidance:

Peter's condensed instructions [1 Peter 2:13] did not deal with the believer's response whenever government demands that which is contrary to the Christian faith. In Acts 4:19 and 5:29 we have the example of Peter himself concerning the Christian response under such conditions. For the Christian the state is not the highest authority, and whenever government demands that which is in conflict with the dictates of the conscience enlightened by the Holy Spirit and the Word, then the Christian must obey the Word of God and suffer the results. 'The Church soon learned by bitter experience that there are some things which the state has no right to do, and that therefore the counsel of submission has its limitations.' [footnote] But under ordinary circumstances, believers should actively support civil government in its promotion of law and order.⁶

The key here would seem to be a conscience enlightened by the Holy Spirit and the Word. Since Anabaptist Mennonites believe that the Holy Spirit also speaks through the body of believers, this would indicate another test. The Word and the Spirit speaking in concert with the body of believers will tell us when the state has overstepped its bounds and when a Christian must say "no" to the state. But what shape does that holy "no" take?

Looking back at our definition of Christian civil disobedience, we need a way of testing what we do. One commentator has suggested five qualifications on civil disobedience (not necessarily Christian in its motivation): (1) The law opposed is immoral, in conflict with a higher claim; (2) every possible non-disobedient recourse has been exhausted, with the definition of "possible" and "exhausted" being tempered by the situation; (3) the protest is not clandestine; (4) there is a likelihood of success (drawing a distinction between purely personal action taken for conscience sake and the sort of social disobedience which seeks to change society and thus must have its potential bad effects balanced against the good likely to emerge); (5) there is willingness to accept the penalty.⁷ Looking more specifically at the church's witness to the state, another commentator finds three additional tests, which also apply to individual Christian witness to the state: (1) The witness must be representative of the church's clear conviction; (2) the witness of the church must be consistent with her own behavior; (3) the church should speak

only when she has something to say, rather than feeling obligated to “cover the field.”⁸ If we follow these suggestions, there is much more likelihood of civil disobedience being truly holy obedience.

Holy Obedience in a North American Democracy

We should also recognize that the current North American governmental systems are set in place with civil disobedience as a valid method of speaking to government. A quotation from the Declaration of Independence of the United States is instructive on this point:

... We hold these truths to be self-evident: That all men are created equal; that they are endowed by their creator with certain unalienable rights; that among these are life, liberty and the pursuit of happiness; that, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it and to institute a new government... .

While not so blatantly stated, the Canadian Constitution has a similar underlying presumption. In a modern western democracy a good citizen is one who calls the government to account for its actions and who, through the political process, works to make the government better. How does Christian civil disobedience fit into a system where, through the political process, everything is “up for grabs?”

The governmental system of the United States, and, generally speaking, the Canadian situation as well, functions as follows: laws are made by the Congress, implemented by the executive branch, and tested for constitutionality by the courts. The courts also act in a quasi-legislative way when they interpret acts of Congress or the executive as those acts apply to a specific situation.

When the government acts in a way which violates Christian conscience under the tests set out above, Christians have several ways to work with the situation. They can seek legislation which changes that which they abhor, they can use the courts to determine whether the law actually applies to them in the way it seems to, they can use the courts in an effort to overturn the law as being a violation of the Constitution, or they can submit to the government while refusing to obey the law. All of these

methods have been used by Mennonites in this century on the issues of conscription and of the paying of taxes which go for war purposes. The Amish have successfully obtained exemption from Social Security by these methods, and the concept of conscientious objection to military service came into existence in this way. What is also true of these instances is that what turned the political tide was the willingness of Christians to do Holy Obedience, and their quiet willingness to go to jail rather than to obey the government. Mennonites active in the fight against conscription have said again and again that it was the willingness of Mennonite boys to go to jail which turned the hearts of the people in government to make possible the exemption of conscientious objectors from military service.

The governments of the United States, Canada and most other countries respect people genuinely motivated by religious belief. It is difficult, however, for persons in government to know when they have met such people. There are so many people touting a wide variety of issues for their own advantage that it is difficult for anyone to distinguish between those who speak from firmly held religious convictions and those who speak only from enlightened self interest. The way to most surely separate the two is by seeing who resorts to Holy Obedience rather than choosing the less costly path of obeying the government. Whether or not this is as it should be does not matter for our purposes here. If cowardice and financial hardship were proper reasons for exclusion from military service there would never be an army. But a person willing to endure greater hardship for the sake of their belief in God's way can be exempted by the government with little risk that most persons will choose that path. Hendrik Berkhof speaks to this idea:

All resistance and every attack against the gods of this age will be unfruitful, unless the church itself *is* resistance and attack, unless she demonstrates in her life and fellowship how men can live freed from the powers. We can only preach the manifold wisdom of God to mammon if our life displays that we are joyfully freed from his clutches.⁹

We Christians often find ourselves in a dilemma when we try to love our neighbors as ourselves. So often, as Ronald J. Sider suggests, we think it is more spiritual to operate "ambulances" which pick up the bloody victims of destructive social structures rather than trying to change the structures themselves.¹⁰ In 1975 the General Conference Mennonite church was

faced with the question of how to respond to an employee's request that income taxes not be withheld from her wages due to her opposition to paying for war. As part of its process for dealing with the request, the Conference called together a group of its leaders along with other theologians and attorneys to consider the matter in preparation for creating study materials for its congregations. The concluding word of the findings committee of that consultation will serve as our concluding word here:

It is important for all of us to remember how easily and quickly we can become captives of the system of thought and economics that prevails at present in our society. By God's grace we are called from conformity to the transformation of our lives by the renewal of mind and spirit to know and do the will of God. The potential for good of such obedience is as limitless as God's love and grace, and God's peace will flow from His church like a river to bless the nations.¹¹

NOTES

- 1 Flavius Josephus, *Antiquities of the Jews*, in *Josephus, The Complete Works*, trans. by William Whiston (Grand Rapids: Kregel Publications, 1960), p. 379.
- 2 Cecil John Cadoux, *The Early Christian Attitude to War* (New York: The Seabury Press, 1982), p. 152.
- 3 Paul Sherman, "Thoreau, Henry David," *Encyclopedia Britannica*, 1969, XXI, 1073-1075.
- 4 John Howard Yoder, *The Politics of Jesus* (Grand Rapids: William B. Eerdmans Publishing Company, 1972), p. 212.
- 5 John Howard Yoder, *Politics*, *supra*, p. 213.
- 6 D. Edmond Hiebert, *First Peter, An Expository Commentary* (Chicago: Moody Press, 1984), p. 154.
- 7 Stephen Charles Mott, *Biblical Ethics and Social Change* (New York: Oxford University Press, 1982), pp. 161-165.
- 8 John Howard Yoder, *The Christian Witness to the State* (Newton, KS: Faith and Life Press, 1964), p. 21.
- 9 Hendrik Berkhof, *Christ and the Powers* (Scottsdale, PA: Herald Press, 1962), p. 51.
- 10 Ronald J. Sider, *Rich Christians in an Age of Hunger* (Downers Grove, IL: Inter-Varsity Press, 2d. ed., 1984), p. 192.
- 11 Consultation on Civil Responsibility, Elkhart, Indiana, June 1-4, 1978, Findings Committee Report. (Typewritten with handwritten alterations.)