

ΤΩ ΧΡΟΝΟΥ ΚΑΙΡΩ

“In the Nick of Time”

Occasional Essays
and Other Stuff
for Christian Students

Presented by the
President of

Central Baptist
Theological Seminary
of Minneapolis

American Christianity needs leaders. American Christianity needs *Christian* leaders. Christian leaders explain the Scriptures, bringing them to bear upon life's urgent questions. Christian leaders exemplify the life of faith, finding their ultimate satisfaction in God alone. They unite intellectual discipline with ordinate affection, turning their entire being toward the love of God. These essays are dedicated to the task of inviting today's Christian students to become tomorrow's Christian leaders.

—Kevin T. Bauder

“...Be instant in season, out of season; reprove, rebuke, exhort with all longsuffering and doctrine.”

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May 13, 2005

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Civil Disobedience

Part Two

When Not to Disobey

During the 1960s and early 1970s, most Christian discussions of civil disobedience focused disapprovingly on the American counter-culture. Late in the 1970s, however, this focus began to shift as churches began to defy state laws regarding registration of schools and licensing of teachers. The issue in these cases was the separation of church and state. During the mid-1980s, a new version of civil disobedience exploded onto the scene. Frustrated in their attempts to reverse *Roe v. Wade*, pro-life activists such as Randall Terry and Operation Rescue began to employ civil disobedience as a tactic in the fight against legalized abortion.

Operation Rescue and others began to picket, and then to block access to, abortion clinics. These tactics were employed in violation of laws protecting the property rights of the abortion clinics. The rationale was that some babies could be saved either by “counseling” women confrontationally against abortion, or else by physically barring access to providers of abortion. Furthermore, it was thought that the willingness of these abortion activists to be jailed would show people just how serious the holocaust of abortion really was.

From a tactical point of view, the efforts of Operation Rescue and similar organizations must be seen as a disaster. Far from underlining the gravity of legalized abortion, the spectacle

of protestors being carried off to jail by police enabled the press to caricature the entire pro-life movement as extremist and anarchic. Moreover, once civil disobedience was legitimized as a tool to defeat abortion, it became more and more difficult to know when to stop. In the long run, a few extremists even went so far as to bomb clinics and to murder physicians who performed abortions.

Suppose, however, that the tactics of Operation Rescue had proven successful. Suppose that women had turned away from abortions in droves, that the public had been persuaded of the seriousness of the issue, and that *Roe v. Wade* had been overturned. Would this instance of civil disobedience have been moral?

The question has come up again more recently in connection with the case of Terri Schiavo. As Schiavo lingered between life and death, pro-life protestors gathered at the facility that had become her home. Some of the protests were lawful, but some were conducted in violation of Florida's laws against trespass. Many people became concerned that some pro-life zealot would take it upon himself to try to save her life by murdering her husband.

Civil disobedience is no longer the exclusive practice of hippies, yuppies, and other radicals. Evangelicals have decided that civil disobedience is a legitimate tool for protest. Where are the limits of civil disobedience in such cases? Several principles help us to sort this out.

The first principle is that Christians have no biblical obligation to halt all immoral practices in their societies. The New Testament never charges Christ's Church with the duty of establishing righteousness through legislation. With the exception of the Theonomists, very few Christians wish to see people made to conform to all of biblical morality through the use of force. Even if the government were run exclusively by Christians, most of us would resist any attempt to make Christianity obligatory. We would further resist the attempt to institute as civil law any principle of morality that could not be justified through appeal to some version of natural law. Even most Reformed theologians (who most strongly emphasize human depravity) recognize a sufficient influence of common grace to render decency possible in the absence of special revelation. Christians are not obligated to impose more than that within the public arena.

Incidentally, the insistence of Christians upon justifying legislation by appealing to special (rather than natural) revelation is precisely what renders their arguments suspect to many thinking people. In developing our own ethos, we may legitimately take a shortcut through moral philosophy and appeal directly to Scripture. When we enter the public square, however, we are obligated to justify civil laws by an appeal to the natural order. This takes hard thinking and careful argument. Our failure to do this thinking and to make these arguments is a species of intellectual laziness. If we want to influence the direction of our civilization, we must do more than to vote in large numbers. We must make the case for our position in terms that are comprehensible within the order of nature.

The second principle is that Christians do have a biblical duty to submit to all just laws. This is the clear message of Romans 13. We owe this duty to the civil authority, for the authority stands before us as a minister of God for good. If under any circumstances we

subvert just laws, then we are subverting the very possibility of an ordered society within which Christianity can exist peacefully.

This is precisely what is happening in our civilization. Civil disobedience is no longer employed simply to avoid evil, but as a form of protest and “consciousness raising” (to use the Marxian expression). It has become an assertion of power against power, a means of demanding recognition without the trouble of gaining reasoned consent. In the atmosphere defined by civil disobedience, self-assertion takes the place of civility and reason. At some point, civility collapses and nothing remains but the will to power. At that point, the only way to avoid anarchy is through a totalitarian state. American civilization has declined far along this path, and too often Christians have been among those who have hastened the decline.

The third principle is that laws against trespass are just laws. They protect a fundamental, God-given right, the right to property. To deprive persons of their property without due process is to violate the eighth commandment. To deny persons the use of their property is to deprive them of it. Protestors that violate trespass laws are guilty of breaking both human and divine requirements.

This is no incidental matter. The rights to life, liberty, and property ultimately stand or fall together. Every attack upon the right to property is eventually an attack upon the rights to liberty and to life (see Richard Weaver in *Ideas Have Consequences* for a development of this point). To assail any transcendent right is to assail them all.

This implies that non-violent civil disobedience is not qualitatively different from violent resistance. To deny persons the use of their property is to steal from them. That the theft is not conducted at gunpoint (yet!) is not the important distinction. The evil of the theft is not negated by the intention of the thieves to prevent a greater evil. In other words, whether you block the entrance to an abortion clinic or whether you set off a bomb in its lobby, you are essentially committing the same act (different only in degree). At minimum you are violating the eighth commandment, and you are rightly condemned by just laws. ✖

This essay is by Kevin T. Bauder, president of Central Baptist Theological Seminary. Not every one of Central Seminary’s professors, students, or alumni necessarily agrees with every opinion that it expresses.

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