

Catholic Social Teaching on Civil Disobedience

As Catholics, many of us have worked tirelessly contacting our congresspersons, setting up meetings, signing petitions, writing articles, sharing stories of affected communities, setting up press conferences, offering vigil, demonstrating, and so forth. Yet, we see how many policies that seem morally right continue to be ignored, diminished or simply rejected for other harmful policies. Thus, it seems wise to complement our efforts with tactics that better illuminate the urgency of immoral policies, involve taking risks together to build trust and momentum in the movement, better energize other Christian leaders for creative and courageous mobilizing, and in some ways disrupt the unjust system from functioning. Our faith values call us to be wise, bold, and courageous.

What is civil disobedience?

It is a form of divine obedience. It involves public and, especially for people of faith, *nonviolent* acts of resistance to structures of authority. It is an act faithful to conscience which is consistent with justice but contrary to law, and performed to bring about change in a law of policy of government. It is a necessary resistance through which a person who respects law and order gives witness to a government of an existing unjust structure or law. This witness may occur through the breaking of a just law. It is a means of noncooperation which removes the consent of the governed from an unjust government law and thereby releases forces for positive social change.

Below is a collection of basic Catholic tradition and teaching on the tactic of civil disobedience.

Scriptures and Early Church

Hebrew midwives defy Pharaoh's orders to kill (Exodus 1). They realize that killing a newborn is defying a higher law by God; therefore, they decide not to participate in a law that will harm their own people and also break God's law.

Shadrach, Meshach, and Abednego's refuse to obey the laws of Nebuchadnezzar on the grounds that a higher moral law was at stake (Daniel 3). They decide that it is far more important to obey God's law than one imposed by an earthly ruler.

Jesus' response to the Woman Caught in Adultery (John 8:1-11)- Rather than obey this law to kill her, he calls those around him to recognize their shared participation in sin. Jesus teaches us that preservation of life and restorative justice is the far greater law, rather than one that privatizes the sin and focuses on punishment and death.

Jesus feeds and heals on the Sabbath (Mark 2:23-28; John 5:1-16). Rather than worrying about a law that says a person cannot work on the Sabbath, Jesus sees that human dignity and life is far more important. Disobeying such a law upholds the importance of dignity and life, rather than merely following the religious laws.

Jesus in the Temple (MT: 21:12-13, John 2:13-17)- Jesus challenges the laws of the sacrificial system and the selling of items in the Temple by turning over the tables and chasing out the animals. He uses this direct disobedience of the religious law and physical disruption of the structures to point to an alternative system of "mercy not sacrifice."

"We must obey God rather than men" (Acts 5:29). By obeying our conscience or a belief in a Higher Power, we follow a law that is deeper than human laws. Such laws do not always reflect the needs of humanity and the importance of life.

Early Christians were willing to face hungry lions and the excruciating pain of chopping blocks rather than submit to certain unjust laws of the Roman Empire. Our Christian brothers and sisters were willing to face such punishments, rather than submit to the unjust laws of an occupying power. This was key to the evangelization, growth and development of the Church.

Catechism Authority does not derive its moral legitimacy from itself. It must not behave in a despotic manner, but must act for the common good as a moral force based on freedom and a sense of responsibility: A human law has the character of law to the extent that it accords with right reason, and thus derives from the eternal law. Insofar as it falls short of right reason it is said to be an unjust law, and thus has not so much the nature of law as of a kind of violence. (1902)

Authority is exercised legitimately only when it seeks the common good of the group concerned and if it employs morally licit means to attain it. If rulers were to enact unjust laws or take measures contrary to the moral order, such arrangements would not be binding in conscience. (1903)

The citizen is obliged in conscience not to follow the directives of civil authorities when they are contrary to the demands of the moral order, to the fundamental rights of persons or the teachings of the Gospel. Refusing obedience to civil authorities, when their demands are contrary to those of an upright conscience, finds its justification in the distinction between serving God and serving the political community. "Render therefore to Caesar the things that are Caesar's, and to God the things that are God's." "We must obey God rather than men (humans)." (2242)

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St. Augustine: "An unjust law is no law at all." (*On Free Choice Of The Will*, Book 1, § 5)

Pope John XXIII: "laws and decrees passed in contravention of the moral order, and hence of the divine will, can have no binding force in conscience, since "it is right to obey God rather than men."...As St. Thomas teaches, "In regard to the second proposition, we maintain that human law has the rationale of law in so far as it is in accordance with right reason, and as such it obviously derives from eternal law. A law which is at variance with reason is to that extent unjust and has no longer the rationale of law. It is rather an act of violence." (Peace on Earth, 1963, 51)

U.S. Catholic Bishops

"For it (nonviolence) consists of a commitment to resist manifest injustice and public evil with means other than force. These include dialogue, negotiations, protests, strikes, boycotts, civil disobedience and civilian resistance." (Harvest of Justice is Sown in Peace, 1993)

"Some unjust laws impose such injustices on individuals and organizations that disobeying the laws may be justified...When fundamental human goods, such as the right of conscience, are at stake, we may need to witness to the truth by resisting the law and incurring its penalties." (Bulletin Insert, 2012)

"When a government enacts an unjust law, unjust because it violates the human dignity of the citizens or exceeds its authority, the citizens have a duty to disobey that law, for in a sense, it is no law, not having its foundation in the sources of law—divine or natural." (Committee on Religious Liberty, 2015)

Discerning a Call to Civil Disobedience

Prayer and personal discernment: Our mission is to serve Jesus. Yet, civil disobedience is not to be taken lightly. Consider the seriousness of the issue, the urgency of the suffering caused by the unjust law, the commitment to nonviolence in the campaign, the timing in the campaign, the personal and social habits this will cultivate, and other relevant consequences. Consult with others and attend training for the action to understand the implications. Share an affirmative decision with persons you are in relationship with that may be impacted by your decision.

Sample questions: Is there immediate harm that needs to stop? Does it fit within campaign strategy? How will it forward the campaign? Is there a political opportunity? Have dialogue methods brought inadequate impact, so the social conditions need changed to enable more constructive dialogue? Will this help form potential leaders for the broader movement, not merely the campaign? Will it make you or others more courageous, compassionate, etc.?

Civil disobedience is not disrespect for the law, because unjust laws are not bad laws, but *no laws at all*. Defending human rights in peaceful ways outside "the law" is ultimately a form of defense of and respect for the law.