

Thoreau's Lengthening Shadow: Pacifism and the Legacy of "Civil Disobedience"

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ABSTRACT

The legacy of Henry David Thoreau's philosophy of nonviolent civil disobedience is well known, and generally well understood. Yet unanswered questions remain, particularly regarding the status of his program of civil disobedience vis-à-vis contemporary pacifism and modern peace movements. In order to elucidate these problems, we must return not only to "Civil Disobedience" itself but also to other lesser-known essays in Thoreau's corpus. Of particular note is the connection of Thoreau and the radical abolitionist John Brown (1800-1859). While Thoreau's praise of Brown for his commitment to the dictates of his conscience and subsequent resistance to governmental authority is unproblematic, the notoriously violent nature of Brown's particular forms of resistance is more difficult to reconcile with Thoreau's generally nonviolent agenda. By investigating the deeper meaning of essays like "Slavery in Massachusetts (1854)," "A Plea for Captain John Brown" (1859) and "The Martyrdom of John Brown" (1860), the unbroken line connecting Thoreau the peaceful conscientious objector of the early works and Thoreau the "unreluctant crusader" of the later writings becomes clear. Thoreau's encomium for John Brown, I argue, is not only an inescapable element in his social and political criticism—it is in fact a helpful counterpoise to the insights of "Civil Disobedience."

Your genuine action will explain itself, and will explain your other genuine actions. Your conformity explains nothing. Act singly, and what you have already done singly will justify you now. Greatness appeals to the future... The force of character is cumulative.

– Ralph Waldo Emerson, "Self-Reliance"

Introduction: Digesting Thoreau

Who was Henry David Thoreau? Biographer Walter Harding gives us a fairly typical answer to this question. Thoreau, says Harding, was a "wanderer and scholar, naturalist and humorist, teacher and surveyor, abolitionist and poet, Transcendentalist and anthropologist, inventor and social critic, and above all, individualist." Without disputing the accuracy of these characterizations, we must ask whether this is really a description of one man, or many different people within one man? Can a man with such a consistent hatred of hypocrisy as Thoreau harbor all of these personae at once? The ever-observant Harding addresses this issue: "[A]t times," he allows, "we can ascribe [Thoreau's] inconsistency to a natural growth and development of his thought over a period of years. At other times, we can attribute it only to the fact that he was a very human human being."¹

The question of consistency in Thoreau is not merely an academic issue to be left for the ivory-tower obsessions of Thoreau-scholars or nineteenth-century American literature aficionados. For Thoreau is a man and writer whose influence on the twentieth century was vast: extending to figures as diverse as Henry Miller² and Mahatma Gandhi,³ Frank Lloyd Wright⁴ and Martin Luther King, Jr. Besides the direct influence of his poignant prose style, and his more recent rebirth as a proto-environmentalist, Thoreau's legacy has always been strongly tied up with his radical individualism and his "theory" (if one can call it that) of civil disobedience. Indeed, since Thoreau's death, his essay on civil disobedience, originally published under the title "Resistance to Civil Government" in 1849, has rivalled *Walden* as his most highly-regarded and best-loved work.⁵

Yet Thoreau scholars and students—at least those concerned to keep him in the pantheon of American heroes—have tended, in most cases, to bypass his later political writings, particularly those concerned with the issue of slavery. Especially troubling for scholars of civil disobedience is "A Plea for Captain John Brown" (1860) which, in its approbation of an act that most people in Thoreau's time considered to fall somewhere between wanton violence and mad folly, seems to be something of a departure if not an outright contradiction of Thoreau's earlier pacifist ideals.⁶ Had Thoreau, the great spokesman for nonviolent civil disobedience, become an apologist for violence? Had America's greatest peacenik been corrupted, in his final years, by association with its greatest firebrand?

It is neither my intention to canonize nor disparage Thoreau—150 years of shifting intellectual and cultural winds have done enough of that.⁷ I would simply like to situate him—more specifically, his politics or social ethics—in light of contemporary understandings of pacifism. To do so, I would like to insist on three points, which will be explained gradually throughout the paper: 1) All of Thoreau's ethical writings are connected by an organic unity—based on a commitment to the principles of Transcendentalism made concrete through a lifestyle of "action on principle"; 2) There is a *progression* in Thoreau's ethical thought, not, as it might seem to some pacifists, a *regression*; and 3) This progression hinges on a fuller understanding of the meaning of civil disobedience in terms of a) teleological pacifism, or what I will call "working towards a Culture of Just Peace"; b) moral amelioration through story, symbol and myth, and c) the dialectic of individual and society.

The Meaning of Civil Disobedience

I cannot for an instant recognize that political organization as my government which is the slave's government also.

– Thoreau, "Civil Disobedience"

What is "civil disobedience"? The name itself, it should be noted, is something of a ironic oxymoron: 'civil' generally

implies polite and non-disruptive, while ‘disobedience’ suggests the opposite: a deliberate attempt to subvert authority by ‘misbehaving.’ Yet, as with most of Thoreau’s formulations, there is a point behind the humor: a method to the madness. It is precisely the dissonance or tension between these two terms that allows for the dynamism of civil disobedience as both a theory and method. I would like to suggest that what is required is contextual elaboration on the limits and extent of the ‘civility’ in each act of ‘disobedience.’ The original title Thoreau gave to this essay was “Resistance to Civil Government,” a title which not only lacks the ironic tension but also greatly reduces the generality of the notion, limiting it to strictly *political* acts against a *government*.⁸ By contrast, I would like to suggest, civil disobedience is more than simply “political resistance”: it is a mantra for a whole way of life, and applies to cultural and social institutions and practices as well as personal habits and conformities.⁹

In spite of the indisputable political legacy of his essay on “Civil Disobedience,” Thoreau has often been accused of being an apolitical individualist. I would like to counter this charge, and put forth the claim that Thoreau’s politics was *beyond politics* not in the sense of being outside of politics but in the sense of encompassing more than simply the narrow world of government, laws, and political practice. His politics—or, as I prefer to call it, his social ethics—is intrinsically *moral* and thus involves individual as well as social reform.¹⁰ I will return to this more explicitly in a few minutes, but for now, in order to strengthen this claim, I must turn to the primary philosophical (or, it could be argued, religious¹¹) foundation for all of Thoreau’s work: Transcendentalism.

Civil Disobedience as Transcendental Politics

Indeed, in searching for the sources of Thoreau’s socio-political vision, the influence of New England Transcendentalism (or Concord Transcendentalism) can hardly be overstated. Based loosely on Emerson’s seminal essay “Nature” (1836), Transcendentalism was a form of philosophical idealism that, like earlier forms of European Romanticism, firmly rejected the coldness and sterility of Enlightenment Rationalism in favor of the power of intuition and the mind to discover truth. Unlike many of their Romantic forebears, however, the Transcendentalists were also wary of giving priority of sense experience, and tended to reject empiricism as well as rationalism as a mode of apprehending the world. Their vision, filtered through Kantian philosophy by way of British critics Coleridge and Carlyle, was arguably a form of secularized Protestantism in which consciousness, though ultimately unknowable, was the final arbiter of knowledge and morality.¹² In terms of ethics and political reform, this resulted in a somewhat *laissez-faire* attitude towards the world. The Transcendentalist, after all, looks first and foremost to the cultivation of his own soul, from which all else follows: “Do not cumber yourself with fruitless pains to mend and remedy remote effects,” says Emerson, “let the soul be erect, and all things will go well.”¹³

Yet New England Transcendentalists were never dogmatic about their views; they always insisted on self-expression and tolerance of diversity.¹⁴ This allowed Thoreau to develop his own unique brand of Transcendentalism, letting his commitment to pragmatic simplicity¹⁵ and his growing political awareness temper the Transcendentalist temptation towards philosophical solipsism and political apathy.¹⁶

One of the abiding linchpins of New England Transcendentalism was its defense of individualism, or to use the more positive and Emersonian spin, “Self-Reliance.”¹⁷ Emerson’s pithy epigrams—“Whoso would be a man must be a non-conformist”; “Society everywhere is in conspiracy against the manhood of every one of its members”; “Nothing is a last sacred but the integrity of your mind”—are clearly echoed in Thoreau’s major essays of social criticism.¹⁸ Yet Thoreau’s commitment to individualism is radicalized beyond the confines of the Transcendentalism espoused by Emerson: The individual, especially in Thoreau’s later writings but even in “Civil Disobedience” itself, is understood to be connected by conscience to the social, political and legal fabric of the state in which he lives. Thus each person has an obligation as a subjective agent to evaluate that fabric and resist wherever his conscience determines.¹⁹ Lewis Mumford sagely notes of the Thoreauian dialectic between individual and society: “Just as Thoreau sought Nature in order to arrive at a higher state of culture, so he practiced individualism in order to create a better order of society.”²⁰

b) “Civil Disobedience” in Context

Thus, while the argument in “Civil Disobedience” is built firmly upon the philosophical foundations of Transcendentalism, Thoreau gives Transcendentalism an overtly ethical and political structure. At its most basic level, the argument can be summarized thus: Governments impose laws and structures upon citizens. Though many of these may be of benefit, others will conflict with the duties of the individual conscience. In such cases, the citizen not only has the *right* to resist such laws, she has the *duty* to do so. The integrity of one’s conscience must be brought into the real, physical and political world of action, or else it withers and dies. In the essay “Civil Disobedience,” as well as in *Walden*, this last claim is much less strong than it was to become in the later writings; many would say that it is simply not true of the early Thoreau. While I do admit that there is a definite difference between the tone of the earlier and later writings, I contend that this is not a line that constitutes a break, but rather, I shall argue, one that denotes a *progression* or, better, an *elaboration* of the most important principles of civil disobedience.

Early on Thoreau broke from those Transcendentalists who favored a communal, technically escapist model of living. Rather than accept the dictates of society, or reject them in good conscience and remove oneself in a community of like-minded thinkers, Thoreau felt that one was compelled to act, to fight against injustice. In the essay on “Civil Disobedience,” his fight was confined to the rather benign but symbolically significant night he spent in jail for refusing to pay poll tax to a government waging a war against Mexico (in order, it was generally supposed, to include Texas into the realm of slave-holding states). As the 1850s progressed, the institution and practice of slavery in the southern states, and the implicit and (after the passing of the Fugitive Slave Act in 1850, explicit) support given to slavery by the northern states and federal government, became the central issue of Thoreau’s concern. Though uncomfortable in the role of abolitionist (largely stemming from his dislike of “reform movements” more generally), slavery was a practice which his conscience clearly opposed. Indeed, Thoreau developed the concept of civil disobedience as a practicable program to combat unjust

government-backed initiatives such as this. Rather than take up arms directly, he felt that one could show more heroism in fighting in principle by refusing to collaborate with government, for example, on the matter of paying taxes.

This thesis, and the method of civil disobedience more generally, rests squarely on what I call the *principle of moral contagion*: the belief that, once exposed to such acts of moral heroism, more and more people will begin to hear the voice of their own conscience, and society will change for the better. This hope, in turn, is based on several assumptions, the most important of which is that either one's foes, or at least a large number of one's fellow-citizens, will sympathize with the rightness of the cause being fought for, and will be stirred to act upon the call of their conscience.²¹ In order to develop this paradigm of civil disobedience further, we need to examine the later political writings of Thoreau, particularly his "Plea for Captain John Brown."

The Limits of 'Civility': The Case of John Brown

Thoreau first met John Brown when the latter came to Concord in late winter 1857 to raise funds for his antislavery guerrilla activity in Kansas. For some years Brown and his forces had battled with the so-called Border Ruffians, a loose group of fighters whose skirmishes across the Missouri border were directed at making Kansas into a slave state. Having gained fame—or better, notoriety—Brown sought out sympathetic Northeast liberals like William Lloyd Garrison to help his cause. In 1859, just months before Harper's Ferry, Brown returned to Concord to give a rousing speech at the Town Hall. Thoreau, who was in the audience, became even more convinced of the heroism and justness of Brown's noble cause. Yet Thoreau, along with Emerson, Garrison and other abolitionists, were surprised to hear of what transpired that October 16th.

I'll let the always-eloquent Frederick Douglass tell the story:

On the night of the 16th of October, 1859, there appeared near the confluence of the Potomac and the Shenandoah rivers, a party of nineteen men—fourteen white and five colored. They were not only armed themselves, but had brought with them a large supply of arms for such persons as might wish to join them. These men invaded Harper's Ferry, disarmed the watchman, took possession of the arsenal, rifle factory, armory and other government property at that place, arrested and made prisoners nearly all the prominent citizens of the neighborhood, collected about fifty slaves, put bayonets into the hands of such as were able and willing to fight for their liberty, killed three men, proclaimed a general emancipation, held their ground more than thirty hours, were subsequently overpowered and nearly all killed, wounded or captured, by a body of United States troops, under command of Colonel Robert E. Lee, since famous as the rebel Gen. Lee. Three out of the nineteen invaders were captured whilst fighting, and one of these was Captain John Brown, the man who originated, planned and commanded the expedition...[B]efore his wounds were healed he was brought into court, subjected to a nominal trial, convicted of high treason and inciting slaves to insurrection, and was executed. His corpse was given to his woe-stricken widow and she, assisted by Anti-slavery

friends, caused it to be borne to North Elba, Essex County, N.Y., and there his dust now reposes, amid the silent, solemn and snowy grandeur of the Adirondacks.²²

Whatever shock he may have felt, Thoreau's immediate reaction to this event was one of unqualified approval.²³ Moreover, Thoreau was appalled that, beyond the expected opprobrium of "civil society," Brown had few supporters even among abolitionists. Garrison's usually radical *Liberator* referred to the Raid as "misguided, wild, and apparently insane."²⁴ Thus Thoreau took it upon himself to be the lone voice to speak openly in Brown's defense. He delivered a lecture in Concord Town Hall on October 30, against the advice of local abolitionists, who feared a backlash on the part of formerly sympathetic moderates opposed to Brown's violent means. In a grand symbolic gesture that the rebel individualist in Thoreau must have relished, those in charge of City Hall refused to ring the bell to announce his talk, and so he had to ring it himself. The Hall, though filled, was not by any means uniformly sympathetic—many had come with the purpose of denouncing Brown. Yet Thoreau's passion was contagious; as Edward Emerson noted, "many of those who came to scoff remained to pray."²⁵

Brown's raid on Harper's Ferry was an attempt to incite slaves to open rebellion—to create a spark that, Brown hoped, would erupt into a conflagration of emancipation for all slaves. Instead, the Raid resulted in seventeen deaths: ten raiders (including two of Brown's sons), four townspeople, a plantation owner, and one soldier. As praiseworthy as John Brown's *motives* might have been—and today we are likely all in agreement on that—it is also unquestionable that he was, technically at least, guilty of murder²⁶ and insurrection. Thus John Brown seems an unlikely hero for the pacifist Thoreau. There are, I would like to suggest, four main reasons why he became so. These four reasons also happen to reflect the fundamental principles of Thoreauian civil disobedience as I understand it.

Principle of Justified Use of Force in Defense of Innocents

In "A Plea for Captain John Brown" (1860), Thoreau notes that Brown's experience, as a boy, in the War of 1812, convinced him that "he would never have any thing to do with any war, unless it were a war for liberty." Thus Thoreau makes clear that neither he nor Brown is by any means in favor of the political use of violence on a grand scale such as warfare. A moral distinction is made between violence as a potential method for resistance against oppression and tyranny and violence as an imposition upon other nations and/or one's own citizens.²⁷ This is an important, and sometimes overlooked point, in Thoreau's John Brown writings. Clearly, along with Captain Brown himself, Thoreau saw the force used by Brown in the Raid as a *counter-strike*, or, in a sense, the moral equivalent of the justifiable use of force in self-defense or the defense of innocents. The context, as it was, demanded a response, one more forceful, more *active*, than a single man or even a group of men going off to spend a rather comfortable night in the Concord jail for refusing to pay taxes. Of course, in order to make a case for the justified use of force in the Raid on Harper's Ferry we must first try to understand the inherently violent nature of slavery itself.

How do we do this? I would argue, along with Richard Rorty,²⁸ that the *only* way to come close to a state of sensitiv-

ity on such a matter is to read narratives and stories, such as the writings of Sojourner Truth or, the *Narrative* of Frederick Douglass, or *Uncle Tom's Cabin*. As these writings make abundantly clear, slavery as an institution was based on a perpetual state of (real, implied, and threatened) violence to slaves.²⁹ Douglass takes this further to insist that slavery not only corrupts the slave but also the masters as well, who get caught in the web of violence and injustice. Thus it is plausible, I would say necessary, to see the context of southern slavery as one of perpetual warfare—or, to use a stronger but more technically correct term—genocide. In such a case, the criteria seem to met for even those most principled pacifists to allow for some measure of justified counterforce.

Vaclav Havel, the most eloquent contemporary exponent of nonviolent civil disobedience, allows that even though nonviolent dissidents absolutely reject the notion of violent change, for the simple reason that it places faith in violence as a means, they “can accept violence as a necessary evil in extreme situations, when direct violence can only be met by violence and where remaining passive would in effect mean supporting violence.”³⁰ With respect to this last bit, Havel reminds us of the results of European pacifism in the face of German aggression in the late 1930s, as one of the factors that prepared the ground for the carnage of the Second World War.³¹ Furthermore, Havel makes the crucial point that whenever respect for a “theoretical concept,” whatever it might be, begins to outweigh or take precedence over “respect for human life”—“this is precisely what threatens to enslave humanity all over again.” This, of course, can be taken several ways, to support an absolute commitment to nonviolence or to support a minimal justification of force.³² But I think the very dynamism of teleological pacifism rests in the ambiguities presented by this claim. Pacifism is not a simple ideology, bound to any single principle; it is certainly strongly wedded to certain ideals: nonviolence, human rights, justice, liberation from suffering, peace, liberty, and equality being perhaps the most obvious. But we would be naive to expect that these ideals will never conflict: therein lies the need for flexibility as well as the constant impetus for self-criticism.³³

Principle of Moral Contagion

As I have said, civil disobedience works on the assumption that one's acts of resistance—whatever they may be—will have more than simply a direct practical effect on the structures, laws, and institutions of the time. More important is the power of the act as a form of *moral impetus* on the conscience of others: not only one's ‘foes’ but the surrounding society more generally. Thus, it should become obvious that civil disobedience will only be an effective medium for resistance and change when the context allows for the *possibility of the moral transformation of others*.³⁴ Now one might optimistically say that humans have always been and will always be open to moral transformation. I am less hopeful on this score. Consider: Gandhi's work against Britain, while difficult and long, did eventually succeed, partly as a result of the fact that the British people began to be quite fed up with what was happening there, coupled with the fact that British soldiers, for all their loyalty to the Queen, were increasingly uncomfortable with using violence and force on a people whose resistance consisted in lying on roads or sitting peacefully in their path. In similar terms, Martin Luther King was able to strike a nerve in the bad conscience of a large number of whites in the

1960s, and this surely helped his civil rights movement continue and flourish.³⁵ These are both relatively modern cases, in which the prevailing cultural opinion, while not necessarily sympathetic to the resisters and their cause, was certainly ambivalent. *Effective civil disobedience requires at least this ground of moral ambivalence*. In the case of slavery in the 1850s, ambivalence was growing, even if mostly in the non-slaveholding states. Brown's act did not immediately garner support from liberals, but within several years, thanks in no small part to the work of Thoreau himself, Captain Brown had gained status, even beyond abolitionist circles, as something of a heroic figure.³⁶

Commitment to Developing a “Culture of Just Peace”

Thus, most thoughtful pacifists along with so-called just warists would agree that some calculation of consequences is permissible providing that the goals of resistance are framed in certain specific ways: that is, in terms of the development of what I call “a culture of just peace.” This term, “a culture of just peace” is, I admit, rather vague, but this vagueness is in part a necessity, to allow for a certain amount of flexibility in its understanding and application across cultures and contexts.³⁷ Yet there is a foundation to such a culture of just peace; a foundation which I personally draw from Thoreau's writings: such is a *culture*—meaning more than simply a political or social framework—in which the physical suffering of all humans is limited as much as possible, and where their freedom to live, act, and participate in society is constantly promoted. With such a goal—as opposed to, say, the desire to promote and safeguard a certain percentage of the world's oil reserves—even the most principled pacifists will allow for a certain amount of ‘calculation’ in determining how to act in various situations. Another way of saying this is to make the point that, even for principled pacifists, what is at stake always must be human ‘progress’ towards liberation or justice. This must take precedence, I believe, over any other principle, including the worthy commitment to nonviolence itself. This does not mean, of course, that violence becomes justified or blessed; quite the contrary. Nor does it mean “the end justifies the means”—I do not accept the slippery-slope theory which suggests that any use of force will inevitably lead to escalation of violence. This has not been proven to be true, as much as it may have become an easy ‘truism.’

The Power of Symbol: The Making of “John Brown”

For my final point, it might do us well to reflect briefly on *Walden*, which has been used as something of a Bible for those who wish to disavow the hustle and bustle of “the world,” but which has, with the exception of the British socialist movement, been largely underused as a *political* manifesto. Remember that Thoreau's cabin in the woods was hardly more than a mile from Concord and that he walked into town almost daily (and not always for supplies; Thoreau was an inveterate gossip). As one commentator aptly put it: “Walden” was less an adventure for Thoreau than a “gesture”—a symbolic image of disengagement from customs and conventional living, not a denial of politics, community or culture. Thus, we could say that, just as *Walden* would better be read as “Walden” (with quotation marks)—an idiosyncratic but evocative symbol or gesture of an act of resistance by an individual, rather than a platform for life or a map for social reform—so too John Brown for Thoreau should be understood as “John Brown”—

not the actual man who committed deeds that may be questionable but rather a heroic archetype, the perpetrator of an event which would come to mean much more to the history of the fight against slavery than to the circumstances of the time.³⁸

Such an impression may be validated by comments like the following: “John Brown finally commenced the public practice of Humanity in Kansas... Such were *his humanities*, and not any study of grammar. He would have left a Greek accent skating the wrong way, and righted up a falling man.” Already, Brown has become for Thoreau a modern-day mix of Noble Savage and Good Samaritan. Thoreau’s apotheosis of Brown is taken even further on the eve of Brown’s demise: “Some 1800 years ago,” he writes, “Christ was crucified; this morning, Captain Brown was hanged.” Was Thoreau blind to the glaring discrepancy between the one who, 1800 years previous, had taught “resist not evil,” “turn the other cheek,” and “love your enemies,” and the recently deceased who clearly approved some measure of violence as a means to bring about justice and truth?³⁹ Rather than seek out the specific problems of the analogy between John Brown and Christ, it would be better to see this as an attempt by Thoreau to create a symbolic or iconic “John Brown,” even before the real one had felt the noose around his neck. In Thoreau’s eyes, the actions of John Brown served precisely the same end as his own night in jail—its meaning lay less in what it actually and immediately produced (both events, in that sense, were “failures”), but in terms of a lasting symbolic legacy. This is crucial to an understanding of all Thoreau’s writings on Brown. Thoreau, with Whitman, Hawthorne and Melville, stands as one of America’s great mythmakers. This may be his most important legacy. Civil disobedience, though it stands as an effective method of political action, is also very much a *story*: a grand narrative with its heroes and villains.

Legacy: Civil Disobedience Today

Though Thoreau’s work may not be internally consistent, it does possess an organic unity or fluidity, which shifted according to the changing social context. I believe that the healthy dynamism in Thoreau’s work is best captured in an expanded notion of civil disobedience, such that it is highly contextual, without being simply utilitarian, principled without being fanatical, forward looking without being utopian or unrealistic, and, most importantly extending beyond political resistance and into the broader sphere of cultural resistance.

In effect, the development of Thoreau’s social ethics involved an overcoming of the Emersonian—and, one might say, quintessentially ‘liberal’—notion that whatever does not harm you directly, and whatever you do not directly cause or directly support, remains outside of your moral sphere; beyond your concern. In Emerson’s words, as long as one’s soul remains erect, all will be right with the world. The glibness in such a stance can be seen in some of Thoreau’s own maxims, but even in *Walden*, and certainly by the time of “Civil Disobedience,” they ring hollow next his growing desire to, as Havel would put it, “live in a *community* of truth.” In short, Thoreau began to recognize the inescapably interrelatedness of self and society: his conscience could not be separated from the actions of the state.

Since effective civil disobedience requires a minimal level of public conscience, it must be part of our task as

promoters of a Culture of Just Peace to work always towards the transformation of public consciousness; to raise awareness about injustices of all sorts. In order to be fruitful critics, I believe, we must be utopians as well: we must believe, as Thoreau believed, in his happier moods, in the possibility of transformation at the individual and social level. Civil disobedience works on a dialectic of consciousness-raising (symbolic, narrative, and otherwise) combined with specific acts of (generally nonviolent) resistance.⁴⁰ One way to further consciousness is to retell our ‘heroic’ tales and myths, whether they be from the Sermon on the Mount, the Letter from a Birmingham Jail, *The Power of the Powerless*,⁴¹ *Walden*, “Civil Disobedience,” or “A Plea for Captain John Brown.” Thus do I heartily lay myself open to the charge of being something of a bleeding-heart liberal ameliorist or, perhaps, only slightly better, a utopian socialist. But at least I have good company. Vaclav Havel writes that, above all, any existential revolution—and such must all revolutions today be—

should provide hope of a moral reconstruction of society, which means a radical renewal of the relationship of human beings to what I have called the ‘human order’, which no political order can replace. A new experience of being, a renewed rootedness in the universe, a newly-grasped sense of ‘higher responsibility,’ a new-found inner relationship to other people and to the human community [Thoreau would add, to the world of nature]—these factors clearly indicate the direction in which we must go.

Notes

¹ Walter Harding, *The Days of Henry Thoreau* (New York: Knopf, 1965), xvi. Perhaps Thoreau was merely following in the sage path of two of his mentors: Emerson: “A fearful consistency is the hobgoblin of little minds”; and Whitman: “Do I contradict myself? Very well... I contain multitudes.” Thoreau himself wrote in his journals that “Great persons are not soon learned, not even their outlines, but they change like the mountains in the horizon as we ride along” (Journals, Mar. 25, 1842). Important to note here is the pronoun Thoreau uses: great persons, he claims, change as *we* ride along, as *our* perspective changes. This is the image that I would like to use as a benchmark for the following paper, in which I will address not only the question of consistency and transformation in Thoreau’s thoughts, but also, and the development of the various understandings and interpretations of Thoreau’s work over the past century and a half. The title of this paper comes from Emerson’s remark that “an institution”—in this case, the practice and promise of civil disobedience—“is the lengthened shadow of one man.” Ralph Waldo Emerson, *Ralph Waldo Emerson: Writings* (Oxford: Oxford University Press, 1990), 159.

² “There are barely a half-dozen names in the history of America which have meaning for me. Thoreau is one of them.” Quoted in Harding, *Days of Henry Thoreau*, xv.

³ “There is no doubt that Thoreau’s ideas greatly influenced my movement in India.” Quoted in Harding, *Days of Henry Thoreau*, xv. Gandhi first read “Civil Disobedience” while studying law in Britain.

⁴ “The history of American architecture would be incomplete without Thoreau’s wise observations on the subject.” Quoted in Harding, *Days of Henry Thoreau*, xv.

⁵ Although, when it first appeared, in what was to be the first and only volume of the journal *Aesthetic Papers*, “Resistance to Civil Government” was almost entirely ignored.

⁶ Leon Edel is typical in this regard, dismissing the Brown writings as containing “strong elements of hysteria” and thus rendering them unworthy of the attention warranted by the earlier works. Leon Edel, *Henry D. Thoreau*. Pamphlets on American Writers, no. 90 (Minneapolis: University of Minnesota Press, 1970), 156. Others (e.g., Hyman) focus exclusively on the lyrical and purely aesthetic power of “A Plea”, thus effectively evading the philosophical and political implications of the piece. Henry David Thoreau, “A Plea for Captain John Brown,” in *Civil Disobedience and Other Essays*. (New York: Dover, 1993).

One of the few scholars to address the Thoreau-Brown connection and its implications face on is James Goodwin, in “Thoreau and John Brown: Transcendental Politics,” *ESQ* 25, 3 (1979): 156–68. But Goodwin uses the Brown writings to unfavorably contrast Thoreau’s “individual nihilism” with the philosophy of mass nonviolent resistance espoused by his heirs, Gandhi and Martin Luther King, Jr. (156). Ironically, Nelson (1966) takes the opposite view, suggesting that the fiery Thoreau of “A Plea” had renounced his earlier individualism in favor of mass action against slavery. Neither of these stances is particularly helpful.

⁷ See Michael Meyer’s work, *Several More Lives to Live: Thoreau’s Political Reputation in America* (Westport, CT: Greenwood Press, 1977), for an exhaustive documentation of Thoreau’s twentieth-century reputation.

⁸ Along similar lines, Oehlschlaeger makes a strong claim for the richness (and retention) of the title “Civil Disobedience” over “Resistance to Civil Government.” Fritz Oehlschlaeger, “Another Look at the Text and Title of Thoreau’s ‘Civil Disobedience,’” *ESQ* 36, 3 (1990): 239–54.

⁹ This is best evoked in Thoreau’s advice to “let your life be a counter-friction to stop the machine.” Henry David Thoreau, “Civil Disobedience,” in *Walden and Other Writings* (New York: Bantam, 1962), 8.

¹⁰ See quote from Havel, below.

¹¹ As a scholar of religion, I have long been interested in the question of whether CD, in any sense, can be conceived as a “religious” program. In his eulogy, Emerson called Thoreau a “born protestant.” Certainly, it is no stretch to call Thoreau a Puritan in the strict sense, and perhaps even in the looser moral sense, given his lifelong asceticism, yet he was no shrinking Calvinist fearful of the wrath of the Almighty. His final words—probably apocryphal but no less poignant for that—speak volumes in this regard. When asked by a pious relative if he had made his peace with God, he came up with the brilliantly blasphemous line: “I am not aware that we ever quarreled.” Indeed, I would argue that some of the paradoxes in Thoreau’s life and work can be related to his dual temperament as Puritan and pagan. He disdained Christian exclusivism, and seems to believe in a God who inhabits Nature and the mind. Yet this pagan nature-lover was also very much the Puritan moralist, and shared a Puritan (but also Transcendentalist) distrust of sensual indulgence of any sort. This becomes rather clear in his reaction to the ‘earthy’ 1856 version of

Whitman’s *Leaves of Grass*. Though generally enthusiastic about the work of the radical democrat, Thoreau is clearly discomfited by the sensualism of this work: “He does not celebrate love at all. It is as if the beasts spoke.” Quoted in Harding, *Days of Henry Thoreau*, 375.

¹² Transcendentalists used *a priori* pure reason to intuit an immediate perception of truth regardless of external evidence, but they also fused such continental notions with concepts borrowed from Oriental mysticism and American Unitarianism. Here is Emerson’s most concise summations of the Transcendentalist as Idealist: “The materialist insists on facts, on history, on the force of circumstances and the animal wants of man; the idealist on the power of Thought and Will, on inspiration, on miracle, on individual culture.” Emerson, *Writings*, 99.

¹³ “The Transcendentalist,” in Emerson, *Writings*, 99.

¹⁴ For all the good that such an espousal of diversity brought with it, it also no doubt contributed to the abject failure of the Transcendentalist project in communal living at Brook Farm—a project Thoreau declined to join, agreeing with his mentor Emerson that such would be merely exchanging one prison with another. An experiment in applied Transcendentalism, the Brook Farm Institute of Agriculture and Education was a commune established at West Roxbury, Massachusetts on April 1, 1841. Brook Farm attracted numerous well-known personages, including Hawthorne and Margaret Fuller. The experiment failed, closing down in 1847. It has been said that the attempt to impose communality on a group of people ostensibly committed to self-reliance and health individualism manifest itself as apathy when it came to actually taking faction for specific socio-political causes. On the question of slavery, for instance, theoretical opposition among Brook Farmers was high, but, aside from the work of a few individuals acting on their own initiative, no group action was ever put forth.

¹⁵ One finds humorous evidence of Thoreau’s dual commitment to the world of things and the world of ideas in *Walden*, such as when he allows that a man keeps chickens for the glorious and inspiring sound of a crowing cock, “to say nothing of the eggs and drumsticks” (and this from an ardent vegetarian!). Unlike his mentor Emerson, Thoreau was less likely to prioritize Beauty over Goodness or Utility—like his British contemporary William Morris, he believed these to be closely interlinked.

¹⁶ I believe it is extremely important to recognize, along with Thoreau’s debt to Transcendentalism, his idiosyncratic reworkings of such. Thus I can only half-support Harding’s description of Thoreau as “the best of the Transcendentalists” (Harding, *Days of Henry Thoreau*, 64).

¹⁷ Which is, of course, the title of another of Emerson’s famous essays published in 1841.

¹⁸ Thoreau’s radical individualism has been considered both his greatest strength and his greatest weakness (often depending on the specific political circumstances in which his critics write). Indeed, “Civil Disobedience” begins with what appears to be an encomium to a politics verging on outright anarchism: “I heartily accept the motto,—‘That government governs best which governs least;’ and I should like to see it acted up to more rapidly and systematically. Carried out, it finally amounts to this, which I also believe,—‘That government governs best which governs not at all’....” Thoreau,

“Civil Disobedience,” 1. Yet, for all this, Thoreau was no anarchist; he was a radical libertarian, committed to a form of government which ‘governs’ only in the barest sense of providing necessary services, education, and perhaps minimal welfare for the poorest citizens.

¹⁹ This becomes especially clear in “Slavery In Massachusetts,” where, in response to the Fugitive Slave Law, Thoreau writes “The law will never make men free; it is men who have got to make the law free. They are the lovers of law and order who observe the law when the government breaks it.” Henry David Thoreau, “Slavery in Massachusetts,” in *Civil Disobedience and Other Essays*. New York: Dover, 1993. Three years before Harper’s Ferry, we see in Thoreau precedence for the justification of John Brown.

²⁰ Quoted in Wendell Glick, ed., *The Recognition of Henry David Thoreau: Selected Criticism Since 1848* (Ann Arbor: University of Michigan, 1969), 19. Also see Lerner (in Glick) for a critique of the view of Thoreau as a “hermit-like individualist.”

²¹ Regarding the first issue, the doctrine of the “inner light,” bequeathed by Protestant (and particularly Quaker) heritage onto American philosophy and moral identity, allowed for the plausibility of this scenario. However, if you’ll excuse the horrible pun, slavery was—for most people, even liberals—much less of a black-and-white issue in the 1840s than it is today. Indeed, one obvious philosophical problem with a general application of Thoreau’s conscience-based ethics is what might be called the many “gray matters” of most moral claims. Unless blacks were considered fully human persons worthy of “rights” and “freedoms,” the idea that slavery was somehow morally reprehensible would not arise. Indeed, for many of those who fought in the Civil War, God had clearly given separate place to the various races of the world. Thus they could hold their beliefs in the rightness of slavery without thinking themselves bad people or as disrespecting the sanctity of human rights. What was required was less “moral reform” than a conceptual “leap” or a transformation in ways of thought and expression about “races.”

²² Frederick Douglass, “John Brown,” in *John Brown: The Making of a Revolutionary*, ed. Louis Ruchames (New York: Grosset & Dunlap, 1969), 279.

²³ Over the course of the weeks of late October and November, Thoreau’s concern with Brown developed into something of an obsession, even allowing him to forget about his true love—nature. So long as John Brown languished on death row, Thoreau reports that he could not enjoy the beauty of the world.

²⁴ Harding, *Days of Henry Thoreau*, 416–17. Garrison himself would eventually come to support Brown’s act, using language remarkably like Thoreau’s in “A Plea”: “Rather than see men wearing their chains in a cowardly and servile spirit, I would, as an advocate of peace, much rather see them breaking the head of a tyrant with their chains.” Henry David Thoreau, “A Plea for Captain John Brown,” in *Civil Disobedience and Other Essays* (New York: Dover, 1993); see Ruchames, *Making of a Revolutionary*, 21.

²⁵ Harding, *Days of Henry Thoreau*, 417.

²⁶ Perhaps more troubling than Harper’s Valley is another key event in John Brown’s life. Three years previous, on May 21, 1856, Brown encouraged his four sons and a few of their followers to murder five of his pro-slavery neighbors in

Kansas, apparently in retaliation for an earlier attack by the Border Ruffians which killed some antislavery men. Most scholars have long assumed, given their silence, that Thoreau and his Concord abolitionist brethren knew nothing of the “Pottawatamie Massacre,” but we can look at the possibly veiled allusion in “A Plea” itself, where Thoreau declares that he is “wholly supportive” of the acts of any person who strikes a direct blow against slavery, “even though he were of late the vilest murderer, who has settled that matter with himself.” See James Goodwin, “Thoreau and John Brown: Transcendental Politics,” *ESQ* 25, 3 (1979): 165. Of course, without knowing for sure, this part of the story remains purely within the realm of speculation.

²⁷ Interestingly, such a distinction is also shared by the Marquis de Sade, who, in his “Philosophy of the Bedroom,” decries warfare as a most horrendous evil, while upholding “personal” violence between individuals as something almost sacred. This last, of course, takes Sade far away from Thoreau and Brown; yet the public-private; political-individual distinction remains the same.

²⁸ See Richard Rorty. *Contingency, Irony, and Solidarity* (Cambridge: Cambridge University Press, 1989), xxx.

²⁹ As Louis Ruchames, a biographer of Brown, put it, “Barred by law from an education, unable to testify in a court of law against any slaveholder, subjected to flogging, torture, and even death for insubordination or attempting to escape, slaves lived under a dictatorship as severe and formidable as any in history.” Ruchames, *Making of a Revolutionary*, 6.

³⁰ Cf. Gandhi, who once said that if the only choice is between cowardice and violence, use violence. Though this remains somewhat ambiguous, it does at least point to a limit-case for principled nonviolence. Similarly, Thoreau writes, in his Journal, that he though he wishes neither to kill nor be killed, he “can foresee circumstances in which both these things would be to me unavoidable.” Quoted in Heinz Eulau, “Wayside Challenger: Some Remarks on the Politics of Henry David Thoreau,” in *Thoreau: A Collection of Critical Essays* (New Jersey: Prentice Hall, 1962), 127. Though this differs little from similar remarks of Gandhi and Havel, Thoreau has come under harsh criticism for seemingly abandoning his pacifism.

³¹ Vaclav Havel, et al. *The Power of the Powerless: Citizens Against the State in Central-Eastern Europe* (London: Hutchinson, 1985), 70.

³² The various interpretations depend on, for one, the temporal aspect of “respect for human life.” Does this refer to the immediate present or the foreseeable future?

³³ Along with, of course, criticism from others. The critical writings of such figures as Martin Buber, Frantz Fanon, and Malcolm X are significant in this respect, and should always have a place in any curriculum of peace studies.

³⁴ Lukes: “[Effective civil disobedience] requires there to be a minimal public sphere to make its point and achieve its results. Draft resistance in the US during the Vietnam War, Gandhi’s campaigns against the British in India, and various law-breaking activities of western peace movements, precisely rely upon the possibility that rulers will respond to such appeals to the public conscience.... What many eastern Europeans have often held...against certain sections of the western peace movement is that they, and others in the west, have sometimes failed to understand that just this possibility

[was] absent in the East.” Quoted in Havel, *Power of the Powerless*, 34.

³⁵ The classic counterexample, in modern terms, would be the treatment of Jews and other ‘inferior’ people in Nazi Germany. Would civil disobedience on the part of Jews in the Warsaw ghetto, or, for that matter, in the confines of Birkenau, have affected the guilty conscience of the Nazis? To give some credit, it is not impossible: surely there were some German soldiers, weaned on the spirit of Goethe and Heine, who had some inkling of the horror that they were perpetrating (but see in this regard Daniel Goldhagen’s memorable and controversial work, *Hitler’s Willing Executioners* [New York: Vintage, 1997]). Yet the entire structure of Nazi society, at all levels, did not seem to allow for the possibility that a counter-movement would arise from the moral suasion of such hypothetical acts of disobedience. In short, the Nazis, at least all those with the effective hold on power, were convinced that they were in the right, and that whatever resistance Jews or gypsies might put up—nonviolent or otherwise—was morally irrelevant. Perhaps this is an extreme case, but one could certainly reach further back in time to find countless others. Would civil disobedience—again, conceived in terms of nonviolent resistance—on the part of witches or heretics in the 15th century have tweaked the conscience of Torquemada and his inquisitor brethren, engaged as they were in Nazi-style ‘purification’ of the Christian realm?

³⁶ I am intentionally raising the question of ‘effectiveness’ here, full realizing that such will cause pacifists to raise their eyebrows, as it seems that I am evaluating a noble form of resistance on the basis of pure practicality. It is often assumed by pacifists that a commitment to nonviolence in all situations is a moral principle, and, as such, one that is *absolutely binding*. For most committed pacifists, the corollary to this belief is that any attempt to evaluate nonviolent resistance or pacifism in terms of its expediency is wrong-headed, for it misses the point that such is less a practical political strategy than a moral action based on an unbendable moral claim. I reject this duality between principles and pragmatics; between politics as expediency and morality as a higher ideal. Cf. Robert Holmes, who states that “principled,” as opposed to “pragmatic,” nonviolence is concerned “with moral effectiveness rather than merely practical effectiveness.” Duane L. Cady and Richard Werner, eds. *Just War, Nonviolence and Nuclear Deterrence* (Wakefield, NH: Longwood, 1991), 134. After all, even the Jains, often invoked as the most principled of pacifists, live nonviolently for a “practical” reason: to avoid rebirth at a “lower level.” I also question the assumptions behind pacifist fears of utilitarian calculations. I think that pacifists tend to me much more suspicious of so-called just warists than vice versa, thinking that anyone who would justify violence or warfare must have ulterior motives of some sort. Such an attitude—questioning the sincerity of warists—is can be seen in Holmes’s article; he claims of just war theory that “the morally artful can turn it to whatever purpose they want”—which may be a justified concern, but hardly stands as a refutation of the theory itself. Also, one could certainly make a counterclaim to the effect that, for example, it is plausible that Church teachings of “pacifism” (directed, in the main, to the poor) throughout the Middle Ages were intended not to fulfill the Gospel but to keep Church and the various kingdoms in positions of absolute power.

³⁷ I have intentionally invoked the double-edged meaning of “just” in “just peace.” In one sense, it implies the goal of justice, and also, relatedly, the realm of theory long-known by the unfortunate name “just war theory”—unfortunate because a) it seems to imply that warists actually believe in war as a positive means towards justice, rather than the much weaker conviction that there may be, in some, perhaps extreme circumstances, such a thing as a war that is “just”—warists are not ‘pro-war’ or ‘pro-violence’, any more than pro-choice advocates are ‘pro-abortion’; and b) the fact that, unlike pacifism, which seems to encompass interpersonal situations as well as contexts of state-state interaction, “just war” seems to relate only to the latter. The question of whether Thoreau would ever support a “Just War” doctrine remains open. Certainly, John Brown had long contemplated a large-scale invasion by like-minded abolitionists on the slave-holding states. His ill-fated siege at Harper’s Valley was but a prelude to a much larger “war against slavery.” Where is the line between Just War and Civil Disobedience? This is especially pertinent if we want, as many do, to see in Civil Disobedience a source and continuing stream within a more general ethic and politics of pacifism. I happen to believe that theories supportive of minimally justified force and those supporting pacifism—in their most rigorously defensible formulations—are neither opposed nor incompatible, but exist very closely on a single line; they may simply be two different ways of saying the same thing. James Sterba has argued this point well, by focusing on the traditional elements of just war, including, for example, defensive action in self-defense or in the service of harm done to innocents. Most pacifists would not dispute these criteria as justifiable means for forcible resistance, *given that all other nonviolent means have been tried or are clearly useless*.

³⁸ William Dean Howells remarked, when he met Thoreau briefly in 1859, that “when [Thoreau] began to speak of John Brown, it was not the warm, palpable, loving, fearful old man of my conception, but a sort of John Brown type, a John Brown ideal, a John Brown principle which we were somehow...to cherish and to nourish ourselves upon.” Quoted in Harding, *Days of Henry Thoreau*, 434. Eulau scoffs at Thoreau’s apotheosis of Brown, especially his canonization of the latter as an arch-Transcendentalist. “This,” Eulau claims, “merely showed that Thoreau knew as little about John Brown as about slavery, and that he was projecting his metaphysical notions on a situation which hardly called for them.” Heinz Eulau, “Wayside Challenger: Some Remarks on the Politics of Henry David Thoreau,” in *Thoreau: A Collection of Critical Essays* (New Jersey: Prentice Hall, 1962), 124. But what *did* the situation call for? A Civil War? Though Thoreau may have been the first to draw the Christ-analogy, he was not the last: Emerson told a cheering Boston crowd that Virginia’s “unrighteous retribution” against Brown would make “the gallows as glorious as the cross.” Quoted in Michael Meyer, *Several More Lives to Live: Thoreau’s Political Reputation in America* (Westport, CT: Greenwood Press, 1977), 499. The initially wary Douglass drew the same connection much later (Ruchames, *Making of a Revolutionary*, 283). With the publication of Stephen Vincent Benét’s epic poem, “John Brown’s Body” in 1928, the martyrdom of John Brown became, even more fully in retrospect, a

prophetic spark for the Northern vision of the Righteous battle against secession and slavery.

³⁹ Of course, a case could be made that Thoreau was making the link between Brown's radicalism and some of the lesser-known and ambiguous teachings of Jesus, like Matthew 9:34, "I come not to bring peace, but the sword" and Mark 13:7, "When ye shall hear of wars and rumors of wars, be not troubled: those things must need come to pass"

⁴⁰ John Rawls has defined civil disobedience as "a public, nonviolent, conscientious yet political act contrary to law usually done with the aim of bringing about a change in the law or policies of a government." Rawls, goes on, however, to add that the *aim* of civil disobedience "is to draw public attention to particular laws or policies which are morally unacceptable, unjust, or unconstitutional." John Rawls. *A Theory of Justice* (Cambridge, MA: Belknap Press of Harvard University Press, 1971), 364.

⁴¹ A comparison of Havel's work—particularly *The Power of the Powerless*—with that of Thoreau would be a fertile undertaking. Despite their differences—Havel's insistence upon the foundation of "civil society" may be too communal for Thoreau, though Havel's explanation of the necessity of such in the circumstances of 'post-totalitarianism' might well have convinced Thoreau of its necessity—the respective visions of these two paradigm thinkers coalesce in the principle that real freedom occurs only when one retrieves or establishes "one's own reason, conscience, and responsibility" in the face of its usurpation by state, church, media, or society-at-large. See Havel, *Power of the Powerless*, 25.