

Henry David Thoreau: Civil Disobedience (1849)

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In 1848, when Thoreau was living isolated from civil society on Walden Pond, he left his cabin to give a lecture at the Concord Lyceum entitled “The Rights and Duties of the Individual in Relation to Government”. This lecture described how and why in July 1846 he had been imprisoned for refusing to pay six years of overdue poll taxes on account of his objection to the Mexican-American War (1846-48) which he, and many Americans, considered an unlawful act. The essay was first published the following year as “Resistance to Civil Government” in Elizabeth Peabody’s *Aesthetic Papers* for May 1849. On July 4, 1854, having left the pond and being in the process of refining Walden, he gave a memorably caustic anti-slavery speech entitled “Civil Disobedience” based on his experience in jail. The final version of his world-famous essay, also titled “Civil Disobedience”, was revised and published posthumously in the collection *A Yankee in Canada, with Anti-Slavery and Reform Papers*, 1866.

The first publication reflects Thoreau’s affinities with the philosophical movement of American Transcendentalism inasmuch as Elizabeth Peabody was a transcendentalist who was critical of the Emersonian “division between self and society” (Gura 222). Peabody’s *Aesthetic Papers*’ main goal was to bring together many different and sometimes opposing religious, literary, moral, and scientific views, but it failed after the publication of the first issue (Gura 222-23). As its “most famous” contributor, Thoreau shared anti-slavery stances, and opposition to the Mexican War, with several transcendentalists, among whom Theodore Parker and William Lloyd Garrison (Gura 223). Often referred to as a disciple of Ralph W. Emerson, it is not surprising that Thoreau found interest in the transcendentalist movement, which introduced the democratic concepts of the “Emersonian universal man”, promoting equal rights for everyone, later more explicitly adapted for every man and woman by Emerson’s self-appointed disciple Margaret Fuller in her essay *Woman in the Nineteenth Century* (1845): “By Man I mean both man and woman: these are two halves of one thought. [...] My highest wish is that [...] the conditions of life and freedom [should be] recognized as the same for the daughters and the sons of time; twin exponents of a divine thought” (Fuller 5).

Numerous passages from “Civil Disobedience” also illustrate its author’s endorsement of Emersonian self-reliance and Romantic individualism, especially with regard to nonconformism. Emerson describes self-reliance in his eponymous essay as “to believe that what is true for you in your private heart is true for all men”, which therefore serves as an “aversion” to a society that is

“everywhere ... in conspiracy against the manhood of every one of its members”, against their own potential (Emerson 19-21). Individual emancipation and institutional insubordination, as significant components of several of Emerson’s and other transcendentalists’ essays, constitute the background of Thoreau’s activist thought in “Civil Disobedience” while, as will be shown further in this article, shaping its contribution to democratic theory.

In the years following its two publications, Thoreau wrote two other essays which build on topics and claims developed in “Civil Disobedience”, such as slavery, abolitionism and the influence of political manipulation on moral judgement: “Slavery in Massachusetts” (1854) and “Plea for Captain John Brown” (1860). The latter portrays the transcendentalist and abolitionist John Brown as representative of the ideal moral character he depicts in “Civil Disobedience”, namely “a man with a backbone who is utterly committed to principle above all else” (Taylor 94).

There is no proof that Thoreau ever used the term “civil disobedience” himself (Taylor 16), but as Stanley Cavell explains, Thoreau’s idea of “effective civil disobedience” can be understood as an act with three specific objectives: (1) affirming your opposition to the state; (2) encouraging fellow citizens to no longer blindly trust the government but to turn first to God and then to themselves, because the state has left them no other option; (3) “identif[ying] and possibly “educat[ing]” the people who are deliberately working for the government (Cavell 84-85).

With respect to objective (1), Thoreau echoes Emersonian self-reliance to suggest that the role of a government is not to control one’s own free will, which is shown by his motto “that government is best which governs not at all”, and by his idea that “most governments are usually, and all governments are sometimes, inexpedient” (Thoreau 75). “Inexpedient” here means “both undemocratic and tend[ing] to be unjust” (Taylor 75). More specifically, Thoreau writes that the government is “only the mode which the people have chosen to execute their will” since “it has not the vitality and force of a single man; for a single man can bend it to his will” (75). In his essay, Thoreau identifies the American government’s support of slavery and the Mexican War as the “friction” of the governmental “machine” which itself constitutes an injustice to fellow humans: “a hundred thousand merchants and farmers here, who are more interested in commerce and agriculture than they are in humanity, and are not prepared to do justice to the slave and to Mexico, cost what it may” (79, emphasis in original).

Thoreau expresses social concerns about the well-being of other (American) citizens, thus conveying that he may not be a radical individualist. On the contrary, French philosopher Frédéric Gros argues that Thoreau is a “sujet indélégable” [“non-delegable subject”], namely an individual who disobeys the state because she/he cannot accept what she/he perceives as intolerable for herself or himself and for others (174). The moral duty of any citizen, which is more important than financial interests, Thoreau suggests, is not only to avoid supporting wrongdoing in any way, but to publicly condemn it in order to protect social justice.

With respect to objective (2), citizens must “appeal to the people” (Cavell 84), but not only by voting, which Thoreau understands as being a matter of “chance” leading individuals to comply with the will of the majority, for example even when this majority decides to enslave fellow humans who do not themselves have the right to vote (80-81). In other words, the ballot is a symbol of the voter’s

agency, and not a mere piece of paper: respecting your agency, you should “Cast your whole vote, not a strip of paper merely, but your whole influence” (86). For civil disobedience to be complete, action is required, and the law should therefore be broken when a government is being unjust, even if this leads to your being imprisoned: “Under a government which imprisons any unjustly, the true place for a just man is also a prison” (85). Nevertheless, Cavell correctly remarks that “an appeal to the people will go unheard as long as they do not know who they are, and labor under a mistake, and cannot locate where they live and what they live for” (85). Thoreau thus advocates what Gros refers to as “active disobedience”, since self-questioning and self-realization are prerequisite for political commitment (Gros 175). If Walden, Cavell adds, offers key “information” for such a spiritual quest, one could easily find philosophical and stylistic similarities between Walden and “Civil Disobedience”. One such similarity is his view of money and luxuries and “fear of economic injustice” (Taylor 85), deployed in Walden as a call to lead a simple and meaningful life, and in relation to morality in “Civil Disobedience”: “the more money, the less virtue; for money comes between a man and his objects, and obtains them for him; and it was certainly no great virtue to obtain it” (87). Money and taxes are symbolic for Thoreau inasmuch as if one accepts to pay taxes, one accepts everything that is related to or imposed by the government. In other words, money, like votes and ineffective ostrich-like approaches, may cause citizens to avoid political responsibility or action when civil disobedience is necessary (Gros 121).

By resisting the state (1) and calling for civil disobedience (2), Thoreau’s text also has an educational purpose (3). Thoreau urges the reader not to embrace office-holders’ or decision-makers’ utterances, laws and rules as gospel truth, but to engage in critical thinking: “We love eloquence for its own sake, and not for any truth which it may utter or any heroism it may inspire” (96). One should, Thoreau argues, beware of manipulation, and proceed to pacifist protest or “quietly declare war with the State” if necessary, namely when the “State [does not] recognize the individual as a higher and independent power, from which all its own power and authority are derived, and treats him accordingly” (93-97). Thoreau’s comment on eloquence is, however, somehow paradoxical since it is his poetically eloquent style merged with its didacticism (3), also displayed in Walden, which may explain the widespread influence “Civil Disobedience” has maintained. Thoreau’s works often verge on the genre of creative nonfiction, juggling complex and powerful metaphors and comparisons and evocative examples to support his socio-political and proto-ecological claims. For example, he uses a metaphorical imperative statement in his famous line “let your life be a counter-friction to stop the machine”, which is his call to “break the law” when your “machine” or government “requires you to be the agent of injustice” to other citizens (84). In another example, Thoreau makes use of a persuasive comparison to suggest that everyone should always act according to her or his moral principles: “If a plant cannot live according to its nature, it dies; and so a man” (90). Thoreau subtly oscillates between or combines statements in the imperative and poetic images to convince his readership.

His writing style as well as his takes on self-reliance and free will may blur, however, what has been perceived by some contemporaries as a rhetorical style which can be “sarcastic, sometimes punning and joking, and often extremely critical and judgmental” (Taylor 19). Even worse, James Russel Lowell and Robert Louis Stevenson, among others, said Thoreau was “an egotist” with a pitiless,

“cold and distant personality” (Taylor 109). If some fellow transcendentalists saw “courage and strength of character” in his style, the contemporary reception of his essay on “Civil Disobedience” was, indeed, not as praiseful. As Bob Pepperman Taylor explains, “his literary career seemed to many to be a minor footnote to the Concord transcendentalists and to Emerson’s towering reputation” (8). Taylor explains that Thoreau imitated his peers from Concord but, although he was not considered exceptional at the time, he managed to adapt their examples to create his own remarkable style (10-11).

Interest in and criticism on “Civil Disobedience” emerged more extensively in the twentieth and twenty-first centuries. Taylor divides “interpreters” of the text into four categories:

[1] those who believe Thoreau’s views are simply not relevant to serious thinking about politics; [2] those who believe his political ideas are incoherent and therefore indefensible and possibly dangerous; [3] those who believe Thoreau is a fundamentally undemocratic political thinker; [4] and those who believe Thoreau contributes (coherently and importantly) to democratic theory and values in his famous essay. (101)

While other groups of interpretations could be added to the list, such as those who focus more closely on stylistics, methodologies, or rhetoric, Taylor’s categories provide a suitable starting point for understanding both the fascination and backlash resulting from Thoreau’s influential essay. In the first group, Perry Miller, for example, wrote an essay entitled “the responsibility of mind in a civilization of machines” (1961). Condemning Thoreau’s technophobia, characterized by his outright rejection of the machine, Miller would have wished for an approach that seeks to demystify or possibly control technology. Hannah Arendt, for her part, disapproves of Gros’s take on Thoreau as a “non-delegable subject”, or at least of his idea that civil disobedience can ever exist as an individual experience before becoming beneficial to collectivity (Taylor 108).

Many critics such as Carl Bode, C. Roland Wagner and Heinz Eulau also built on Lowell’s and Stevenson’s judgements of Thoreau’s character, as the latter comments that Thoreau lacked political maturity, which led him to confuse “individual conscience and abstract principle [with] political responsibility” (Taylor 109-111). These critiques presented Thoreau as naïve, and his essay as “incoherent”, but not yet as potentially anti-democratic.

Thoreau’s radical individualism, as well as his critique of voting and the State, have led thinkers and writers such as Emma Goldman and Henry Miller to refer to him as an anarchist. However, if Goldman and Miller paid eulogistic tributes to Thoreau’s work, Harry Jaffa has, for instance, pointed out a “paradox at the heart of Thoreau’s anarchism” in that Thoreau suggests individuals should be free and should (dis)obey the laws with which they (dis)agree but at the same time Thoreau wants them to embrace his own viewpoint and therefore fails to encourage them to think independently (Taylor 116). Still, Emerson’s concept of the “universal man” comes to mind, and Thoreau’s ambiguous text could be read as somehow democratic when we assume that all the individuals he writes about share the same abilities, or as elitist and anti-democratic when we assume that only a few of them are capable of moral judgement (Taylor 120).

Critiques of “Civil Disobedience” were not all utterly negative, and some actually highlight its contribution to democratic theory. Wilson Carey McWilliams, for example, claims that Thoreau did not want the end of democracy but its transformation, and “a powerful, participatory, and democratic government” (Taylor 123). In addition, literary critic Sacvan Bercovitch argues that Thoreau emphasized central moral values of “liberty and equality” without trying “to impose a superior will upon a lesser” (Taylor 125). It is political theorist Jane Bennett, however, who saw in Thoreau what Gandhi and Martin Luther King probably read in his work too: that it is the “infrequency” of civil disobedience that is more disturbing than the “question of justification” (Bennett 559). In other words, Bennett argues that Thoreau’s intention is first and foremost to investigate individuals’ (un)willingness to engage in resistance to government. Along with Bennett, Shannon Mariotti and Nancy Rosenblum have stressed that Thoreau’s essay figures civil disobedience, the phrase he might never have used, as a fundamental participatory tool to keep any democracy afloat, one which is still proclaimed in the face of unfair treatment and political inaction (Mariotti; Rosenblum).

Henry David Thoreau’s isolation in nature in *Walden*; or, *Life in the Woods* (1854) was not complete because *Walden* is close to Concord, his birthplace, and he occasionally met people during his stay. As for “Civil Disobedience”, it may seem to account for less than its title suggests insofar as Thoreau’s act of civil disobedience only resulted in one night in jail. Yet, as Harold Bloom stresses, the former contributed to establish Thoreau’s long-standing reputation as an “ecological prophet”, and the latter historically preceded this renown and influenced the likes of Leo Tolstoy, Mahatma Gandhi, Martin Luther King, and Edward Abbey (Bloom ix; “Social Reform”). Thoreau’s proto-ecological philosophy has also been associated with his disobedience to the state inasmuch as he and figures like John Muir and Abbey have served as “ideological leaders” for environmental activists worldwide (Lucas 266). Besides, two centuries later, “Civil Disobedience” still resonates strongly with events such as the 2017 Women’s March in Washington D.C. and the 2020 global protests against Covid-19 restrictions. Recent oppositions to pandemic regulations have, however, shown the extent to which Thoreau’s model could be distorted. Beyond “peaceful” or “non-violent resistance”, protests which ignore sanitary measures may endanger the lives of others, leading scholars to question what “qualifies as morally justified civil disobedience” (Della Croce and Nicole-Berva 1). Still relevant today, Thoreau’s influential essay has complicated debates on moral (in)justice, as well as on our rights and duties as citizens of the world.

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