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**The historical and literary context of Henry David Thoreau's
"Civil Disobedience"**

Lee, Leon H., Sr., D.A.

Middle Tennessee State University, 1990

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Leon H. Lee, Sr.

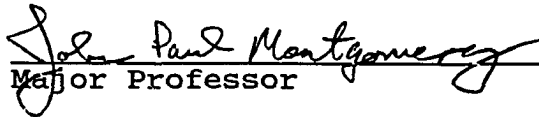
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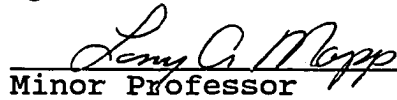
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The Historical and Literary Context of Henry David Thoreau's
"Civil Disobedience"

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Abstract

The Historical and Literary Context
of Henry David Thoreau's "Civil Disobedience"

by Leon H. Lee, Sr.

While a few studies have attempted to place Thoreau's "Civil Disobedience" in a historical and literary context, there is no book-length study of that context. Heretofore, studies have connected Thoreau to the idealism of classical Greece; to the eighteenth-century rationalists and utilitarians, including William Paley's The Principles of Moral and Political Philosophy; to the romantic rebels of the eighteenth century, Rousseau and Godwin; to the native tradition of anarchism; to the frontier; to the laissez-faire economics of the nineteenth-century America; to Unitarianism; to the moral idealism, perfectionism, and utopianism of Thoreau's age; to abolitionism and non-resistance; and to Ralph Waldo Emerson.

The present study summarizes and supplements those attempts. It gathers the pertinent facts of Thoreau's political activism: his signing off from the church; his refusal to pay the poll tax; the arrest and jailing as a result of that refusal; and the circumstances of the composition of the essay, its delivery as an essay, and its publication in 1849. It creates a literary context for the essay from Thoreau's earlier writing on politics and resis-

Leon H. Lee, Sr.

tance; Coleridge's The Friend, The Statesman's Manual, and Aids to Reflection; the political essays of Orestes Brownson; William Paley's The Principles of Moral and Political Philosophy; and the political essays of Emerson.

The study shows that Thoreau's political activism and the ideas of "Civil Disobedience" are derivative. The indictment of government for its reliance on expediency, its use of force, and its failure to recognize the moral imperatives of the conscience; the faculty psychology; the Lockean contract theory of government; the dangers of majority rule; the recommendation of non-voting, refusal to pay taxes, going to jail, and resignation from office as means of protest; no-governmentism; and the categorical imperative to obey the conscience absolutely when its demands came into conflict with those of the State--all can be found in the literature of the past and of Thoreau's day.

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Chapter I

Introduction: Thoreau in and out of Context

"In most books, the I, or first person, is omitted; in this it will be retained," Thoreau warns at the beginning of Walden. What he is trying to do in his book, he adds, is what he requires of every writer: to give "a simple and sincere account of his own life, and not merely what he has heard of other men's lives." As he does in Walden, Thoreau gives in "Civil Disobedience" such a simple and sincere account: his signing off from the church, his tax protest, his arrest and jailing, and his moral and political philosophy. In fact, the essay is so personal, and Thoreau had so great an ability to dramatize his beliefs, that over the years his readers have attributed much more originality to the essay than it deserves.

Almost none of Thoreau's political activism and few of the ideas in his famous essay are original, Raymond Adams pointed out in his 1945 essay, "Thoreau's Sources for 'Resistance to Civil Government.'" Others signed off from the church; others refused payment of their poll tax as a protest against government, and some were arrested for it; others rejected the notion of government as a necessary expedient, protested against majority rule, and supported the veto of man-made laws by the conscience, and said so in impassioned prose.

In Several More Lives To Live: Thoreau's Political Reputation in America, Michael Meyer points out that Thoreau has been removed from "a historical and political context" (174); what is needed, he believes, is a book-length study of his politics which would "relate him to his own historical moment . . . in order to place him in a context that would help to determine how typical or extreme his positions were . . ." (11). Thus far only a few studies have related Thoreau and his essay to a historical and literary context, and these few deal only with his political thought generally or with only a small part of the context. No lengthy study exists.

The first significant attempt to place "Civil Disobedience" in context was that of Vernon Parrington in The Romantic Revolution in American Thought. "Civil Disobedience," says Parrington, is an "astonishing performance" in which we see the "Yankee transcendentalist . . . turned philosophical anarchist" (402). Yet it is not so astonishing when "read in the light of Emerson's Journals, or in the light of Godwin's Political Justice" (402). The essay is "transcendental individualism translated into politics," and its sources may be found in "eighteenth-century liberalism with its doctrine of the minimized state--a state that must lose its coercive sovereignty in the measure that the laws of society function freely" (402). While Parrington thinks it unlikely that Thoreau ever read Political Justice, he believes that its political philosophy is inherent in "Civil

Disobedience." Lines from Godwin like "Give us equality and justice but no constitution" and "Suffer us to follow without restraint the dictates of our own judgment" support that conclusion (402). Moreover, two key ideas of Godwin recur in Thoreau's essay: the idea that because the individual must voluntarily adjust himself to the state, political justice is possible only "by establishing economics and politics on morality"; and the idea that the fundamental law is the moral law, which is superior to all statutes and constitutions and commands the primary allegiance of the citizen (402).

In short, Parrington finds "little in Civil Disobedience that is not in Political Justice." "By his own path" Thoreau came to "identical conclusions":

To neither thinker is there an abstract state, society or nation--only individuals; and to both, the fundamental law is the law of morality. Political expediency and the law of morality frequently clash, and in such event it is the duty of the individual citizen to follow the higher law. (402)

But Thoreau went even further than Godwin, Parrington maintains, asserting "the doctrine of individual compact, which in turn implied the doctrine of individual nullification," since no government could have any pure right over his person or property that he did not concede to it (403).

Parrington does little to relate Thoreau to the nineteenth-century context, however. There are only two brief

statements. If Thoreau was a Democrat, he was "of the transcendental school, rather than the Jacksonian," since he "would be governed by the majority no more than by the minority" (404). As for the abolitionists, Thoreau "quite evidently would go for Nullification as fiercely as Garrison" (404). In his summation, Parrington returns to the influence of the eighteenth century:

In Thoreau the eighteenth-century philosophy of individualism, the potent liberalism let loose on the world by Jean Jacques, came to fullest expression in New England. He was the completest embodiment of the laissez-faire reaction against a regimented social order, the severest critic of the lower economics that frustrate the dreams of human freedom. (405-06)

In 1932 Eunice Schuster related Thoreau to another strain of anarchism. "Native American Anarchism" first examines the roots of the anarchistic tradition in the Antinomian and Quaker rebellions during Colonial times, which was born out of "the invasion of the sovereignty of their religious life" (38).

Antinomians such as Anne Hutchinson and John Wheelwright protested against the narrowness of the theocratic state, believing that the Elect were "above strict law because they were guided by an inner light" and that "obedience to external law [was] a sign of weakness or absence of the inner spirit" (23). Because they were under the rule of Grace,

they opposed civil authority (26); inner revelation took precedence over law, which was "not only unnecessary but harmful" (33).

Quakers rebelled against law for much the same reason, says Schuster. There is in the soul of man a Divine Light. To follow and obey it is life; to disobey it is spiritual death. Obeying the law of conscience meant disobeying the law of government, which according to American Quaker William Penn is only a "superficial law," temporary and alterable, whereas the obligation to obey the conscience is an "indispensable and immutable" law (37-38). In matters of conscience, Schuster points out, Quakers were "as obedient as they were to civil laws which did not touch their consciences" (38). When the civil government commanded them to do things that were contrary to the Inner Light, such as serving in the army, taking oaths, or voting, they disobeyed and suffered the consequences (38). Outside of that, they obeyed it (38).

Schuster also traces nineteenth-century anarchism to a flowering of individualism during the period. The nation was "shifting, restless, youthfully optimistic, eager to explore and to better itself" (40-41). Freed from restraints on its trade and industry, it plunged into a period of unbridled expansionism and adopted the philosophy of laissez-faire. Jeffersonian agrarians asked the government "to interfere only when it was to the advantage of the particular group for it to do so" (41). On the frontier,

"an individualism which broached no organized or governmental force was the natural product of pioneer life" (42). It was an age of utopian thinking and reform, born of Enlightenment belief in the perfectibility of man and nourished by eighteenth-century romanticism, a time when any corruption of human nature was seen as intolerable. It was the age of David Low Dodge and the anti-war movement; of William Lloyd Garrison and abolitionism; of Frances Wright and her campaign for equal rights for women and for birth control. Some of the zealous reformers in the anti-war and abolition movements, Schuster believes, verged on anarchism, committed as they were to "the sacredness of human life, the right of each individual to control his own life, and the supreme value of freedom." Their response to immoral government took the form of "destructive agitation within society" or "constructive withdrawal from society" (44).

Immediately preceding Schuster's discussion of Thoreau in the context of nineteenth-century anarchism is her treatment of William Ellery Channing, founder of the Unitarian Association. Channing replaced the religious idols of the Puritans with "the goodness of God, the essential virtue and perfectibility of man, and the freedom of the will with subsequent responsibility for action" (44). To accomplish the end of self-improvement, Channing believed, God has given man conscience, a sense of right and justice (45). Although his principles laid the foundation of no-government theories, he himself stopped short of anarchism, believing

that it was "the solemn duty of a citizen . . . to respect civil government" and that since government had lifted man from savagery, it was his duty to submit to it (45-46).

Schuster finds Thoreau to be an example of anarchism in its purest form, which she calls "aesthetic anarchism." His underlying assumptions were virtually the same as those of Channing: "the right of an individual to his own life and property, the goodness and perfectibility of human nature," and the supreme validity of the law of equal justice (46). From these he derived "the right of the individual to do what he thought was right," and on this ground he defended "the right of the minority against the majority" (46). His belief that "an inner conviction . . . will lead the honest individual to break any law which he believes to be wrong or unjust" was the Quaker doctrine of obedience to the conscience in new form (47), and his belief that law is the agent of injustice and dehumanizes the citizen corresponded to the arguments used by the Antinomians to destroy the jurisdiction of the law (48). But it was "along the line of his own faith and belief in individualism," Schuster argues, that Thoreau's anarchism developed (47). Political remedies were ineffective and took too long; non-participation and passive resistance would be his own tools. He therefore urged the minority not to pay taxes, not to vote, and not to participate directly in government, and even to go to prison if necessary (48).

Schuster's discussion of Thoreau concludes with the

contention that he was an anarchist "in the sense that he believed in the sovereignty of the individual and voluntary cooperation," restraining himself only in order to be a good neighbor (51). What prevented his anarchism from becoming license was "an aesthetic sense of proportion," hence the term "aesthetic anarchism" (51).

Another 1932 study, Arthur Ladu's dissertation at the University of North Carolina, "Political Ideas of New England Transcendentalism As Represented By Five Typical Transcendentalists," attempted to view the political writing of William Ellery Channing, Ralph Waldo Emerson, Orestes Brownson, Theodore Parker, and Thoreau against the backgrounds of American politics, Unitarianism, the idealism of ancient Greece and eighteenth-century Germany, and the frontier.

First, Ladu summarizes the philosophies of the two leading political parties in mid-nineteenth-century America. The Whigs, one of the two political parties dominant in the nineteenth century, were basically members of the conservative, property-holding class. To them, democracy meant only the government of the people as opposed to a monarch. Thus they believed in only the theoretical sovereignty of the people; distrusting the ability of the masses to rule, they favored an intellectual and cultural aristocracy, "government by the competent few for the benefit of the many" (20). Although they considered Jacksonian democracy tantamount to despotism, in the 1840s they were so desperate to gain power

that they aped the slogans of the Democrats and disguised an aristocrat, William Henry Harrison, as one of "the people," born in a log cabin and known to drink hard cider (36). But their hero, and the choice of many of them for the Presidency, was Daniel Webster.

In contrast, Democrats interpreted democracy literally, as the rule of the people, government by the many as opposed to the privileged few. In addition to a strong executive branch, they favored the extension of suffrage and the abolition of the qualifications for holding office (20). Along with the Whigs, they were more concerned with property than with individuals (84); while the Whigs wanted to protect the property and privilege they had traditionally held as heirs of the early Federalists, the Democrats were trying to acquire them.

Most of the Transcendentalists were Whigs, since their leading spokesman was the New Englander Webster and since the Whigs were the lesser of the two evils: the chief idea of the Democrats was, after all, "not the rights of man, but the acquisition of property" (83). Emerson, like other Transcendentalists, was a Whig, favoring the candidacy of Webster and a government of "the wisest and best for the benefit of the many" (34).

Thoreau, on the other hand, favored neither party, says Ladu. Early in his writing career, he had no time for politics, being more concerned with self-culture. Even when he became more interested in politics, he would not align him-

self with a party; his individualism led him "to renounce party machinery as a desirable means for political action" (169), since action by party "subordinated the nature of the individual to the machine" (170). Furthermore, he was attracted to neither of the major parties. The faith of the Democrats in majority rule he did not share (170), nor was he any more inclined toward the Whigs, who so zealously protected the rights of property. In short, Thoreau could not ally himself with either party for the same reason that he could not ally himself with the State: the principle of moral autonomy (170). Nor for that reason could he ally himself formally with the abolitionists. Although his moral individualism prompted his sympathy for the abolitionists, it also prevented him from favoring either abolitionist group, the radical reformers of Garrison and those conservatives who depended on Constitutional processes to bring about their goal. In fact, Thoreau pointedly repudiated the "No-government theory" of abolitionist William Lloyd Garrison and his followers (166).

A second part of Thoreau's milieu examined by Ladu is Unitarianism. To the Unitarian, the rights of man were more important than the right of property, and one of these rights was the freedom to follow the conscience (51-52). Since "spiritual excellence [was] attainable by all," it was incumbent on all to attain it. Those few who did so were fit to govern and to foster in return "the fullest development of individual character" (51-52). Since Transcenden-

talism denied the mediacy of Christ in favor of immediate access to God through the moral sense, it "held even more earnestly than Unitarianism to the tenets of self-reliant individualism and self-culture" (54),

Next, Ladu considers the background of Platonic and nineteenth-century German idealism. From Plato, Ladu thinks the Transcendentalists may have derived the idea of government by the intelligent minority (66) and the conviction that because "the welfare of the state depended on its being governed by just and wise men," the chief function of government is "the education of men in justice and wisdom" (66). When a just and wise ruler appeared, Plato believed, "laws and the state would be unnecessary" (67). Until that time, it was the duty of the state to aim at producing such men and thereby "render itself unnecessary" (67).

The ideas of the German idealists, primarily Kant, were available to the Transcendentalists through Coleridge, Carlyle, and Wordsworth, and most especially through Karl Follen, professor of German at Harvard College. From the German idealists, Transcendentalists "received a great part of their ideas and inspiration" (64). Most importantly, the Transcendentalists derived from them their conviction that man possessed an immediate access to truth through the intuition or moral sense and their ideal of individualism. The "philosophical individualism" of the Germans was "in harmony with the Jeffersonian idea that activities of government should be reduced to a minimum" (62). "Civil

Disobedience" is to Ladu "a frank and vigorous expression of extreme, if not anarchistic, individualism" (162). Since Thoreau's individualism was basically an ethical one, "he demanded that government be founded on moral and ethical principles" (166-67), and since action from principle was "an unconditioned right," he believed that "treason to the state in acting on principle is impossible" (168-69). For Thoreau, the spiritual life of the individual was paramount; for the preservation of that life the state existed, and by means of it "the state could be made virtuous and finally unnecessary" (171).

A fourth major influence on the Transcendentalists examined by Ladu is the frontier. Given the association of the frontier with Jacksonian democracy and the inclination of the Transcendentalists toward Whig politics, its influence was largely negative. Transcendentalists were repelled by the Democrats' plans to extend suffrage, at their trumpeting of the divine right of the majority to rule, and their desire for a stronger Union and increased territory. But from the "democratic egalitarianism" of the frontier might well have come the anarchistic strain of the Transcendentalists, Ladu suggests: physical independence begot political independence (72).

The next important study of the milieu of Thoreau's political writing did not appear for a decade and a half. In "Thoreau's Sources for 'Resistance to Civil Government'" (1945), Raymond Adams argues that Thoreau was not "entirely

original in most respects": not in his natural history, nor in his self-imposed isolation in a house he had himself constructed, nor even in his writing, which was the most original thing he ever accomplished (640). A case in point is "Resistance to Civil Government" (Thoreau's title for "Civil Disobedience" when he delivered it first as a lecture).

Editors and literary historians have correctly assumed, says Adams, that Thoreau's refusal to pay his poll tax and the essay that grew out of the resulting night in jail were grounded in contemporary events such as the Mexican War and the on-going struggle over slavery. They have also explored Thoreau's immediate environment: his refusal to pay the poll tax and his night in jail. But they have persisted in attributing to Thoreau's political thought and action far more originality than they deserve; Thoreau did not invent the idea of non-cooperation, and "Resistance to Civil Government" is not "the first word of its kind" (641). To substantiate this claim, Adams examines three sources of the essay: Ralph Waldo Emerson's "Politics," the writings of the abolitionists and non-resistants, and William Paley's The Principles of Moral and Political Philosophy.

Emerson's "Politics," he argues, is directed against the very same evil that Thoreau aims at: the use of force by the government. Both Thoreau's general theme and the motto quoted at the beginning of "Civil Disobedience"--"That government is best which governs least"--can be seen in one

paragraph of "Politics":

Hence the less government we have the better,--the fewer laws, and the less confided power. The antidote to this abuse of formal government is the influence of private character, the growth of the Individual; the appearance of the principle to supersede the proxy; the appearance of the wise man; of whom the existing government is, it must be owned, but a shabby imitation. (643)

Adams identifies still other parallels. Emerson's opening discussion of the ephemerality of government, which Adams calls "the improvability of government," reminds him of Thoreau's questions in "Civil Disobedience": "Is a democracy, such as we know it, the last improvement possible in government? Is it not possible to take a step further towards recognizing and organizing the rights of man?" (643). Emerson's discussion of the expiration of the State upon the appearance of the Wise Man is similar to Thoreau's vision at the end of "Civil Disobedience" of "a still more perfect and glorious State" (644); his exposition of government by force as opposed to government by love and neighborliness is reflected in Thoreau's statement about wishing to be a good neighbor and in his final vision of a government in which men freely and cheerfully exercise the "duties of neighbors and fellow-men" (645). Finally, Adams points out the parallel between Emerson's "Good men must not obey the laws too well" and Thoreau's question, "Unjust laws exist:

shall we be content to obey them . . . ?" (646). Emerson's overall effect on Thoreau, Adams says in closing, was to encourage him and to give him "ideas for both an essay and a dramatic brush with the law" (646).

Thoreau's strategies for dealing with a government of force, Adams believes, come from the abolitionists and non-resistants. Although he was not himself a member of any abolitionist group, his mother and sisters were ardent abolitionists, and Thoreau could not have escaped familiarity with William Lloyd Garrison's The Liberator. From Garrison Thoreau derived his non-voting stand; from Garrison and other non-resistants like Adin Ballou he adopted the idea of passive resistance. While he was influenced by the non-resistants, Adams argues, Thoreau "separated in his own mind non-resistance as a mode of protest and the foreswearing of all government," distancing himself in his essay from the "no-government men" (650-51).

The third source examined by Adams is a Harvard textbook of Thoreau, The Principles of Moral and Political Philosophy. Adams believes that Thoreau's first title, "Resistance to Civil Government," comes from a chapter title in Paley, "Duty of Submission to Civil Government" and that the 1866 title, "Civil Disobedience" (in some editions "On the Duty of Civil Disobedience"), is derivative of another Paley chapter title, "Of the Duty of Civil Obedience, as Stated in the Christian Scriptures" (651). Adams also points out that the motto quoted by Thoreau at the beginning of the essay,

"That government is best that governs least," has a counterpart in Paley: "That people, government, and constitution, is the freest, which makes the best provision for the enacting of expedient and salutary laws" (653). Moreover, Paley gave Thoreau "in 1836 and afterward . . . ideas about government as a subject for speculation" (653), especially the rule of political expediency, the legitimacy of peaceful resistance to the encroachment of government, and the support of civil government by standing armies. From Paley Thoreau may also have gotten "ideas about how to organize his thinking," says Adams. For example, one of the sentences in "Civil Disobedience"--"The progress from an absolute to a limited monarchy, from a limited monarchy to a democracy, is a progress toward a true respect for the individual"--may well derive from Paley's list of "the principle forms of government": "Despotism, or absolute MONARCHY," "An ARISTOCRACY," and "A REPUBLIC, or democracy" (653). "Thoreau's use of Paley," Adams concludes, "is exactly what one would expect. He took a wry delight in disagreeing with his textbook" (653).

The most intensive study of the milieu of "Civil Disobedience" to date is Wendell Glick's 1950 dissertation at Northwestern University, "Thoreau and Radical Abolitionism: A Study of the Native Background of Thoreau's Social Philosophy." Early detractors of Thoreau, Glick finds, have overemphasized Thoreau's distance from the abolitionists. Although it is true that Thoreau was never a member of an

abolitionist organization and that he expressed on several occasions antipathy toward specific abolitionists, he was "in the middle of a concentration of radical Abolitionist sentiment" from 1837, when he returned home from college, until 1845, when he left for the pond (7). Thoreau's mother, sisters, and some of the boarders in the Thoreau home were ardent abolitionists, subscribing to abolitionist periodicals, and Concord was "a virtual hotbed" of abolitionism (190-91). Thoreau heard abolitionist speakers at the Concord Lyceum, and two of his friends, Bronson Alcott and Charles Lane, were militant abolitionists. There is "little doubt," Glick argues, "that Thoreau's interest in radical Abolitionism was at times considerable" (8). If he had been able to turn a deaf ear to the sounds of abolition all around him, says Glick, "he would have been almost the only contemporary literary figure of any stature in New England to be able to do so" (41).

According to Glick, there were in Thoreau's time two kinds of abolitionist reformers, the "radicals," who trusted in "moral suasion"--that is, appeals to the moral sense--to bring about the reform of social evils; and the "conservatives," who believed in direct action to change the social environment, either by legislation or military force (19). The radical position was best and most faithfully advocated by Lydia Maria Child, editor of the National Anti-Slavery Standard. The universe, Child believed, is governed by "an immutable and benevolent system of moral values," and man is

"a noble, perfectible being whose intuition [is] closely attuned to the Moral Law," from which he derives the right of "absolute freedom of action" (21). Thus for Child, reform was a matter of making man aware of that moral order and persuading him to be faithful to it.

Garrison belonged to the radical group of abolitionists, believing in moral reform by moral suasion, and it was that group with which Thoreau had the most affinity. Both Garrison and Thoreau eventually had to struggle to find a way to overthrow slavery without compromising their radical principles (20).

Growing impatient with the progress of moral suasion, Garrison became more and more hostile to institutions. The church was a tyrannical body and must be destroyed, along with its hypocritical clergy, dogma, creeds, and Bible. The federal government was "an imposter which had passed its own laws in opposition to those of the moral universe" and then resorted to force to compel compliance; having become the tool of unscrupulous politicians who tolerated slavery, it too should be abolished, along with the Constitution, the army, and state and local governments. It was common for the abolitionists in Garrison's camp to object to the right of the government to levy taxes (95) and to urge fellow abolitionists to refrain from holding any government office (89) and from voting (173). These attacks of Garrison and the other abolitionists on "social, religious, and political institutions," however, grew out of the original "anarchic

ideas about the perfection of the universe and the innate divinity of man" espoused by Child. In the ideal system they envisioned, "no such 'expedients' as church and state could be of any use" or "have any right to dictate to free men" (21).

Until 1845, Thoreau was a radical in the Lydia Child mold, "a staunch advocate of a policy of 'moral laissez-faire'" (24), convinced that if he kept in tune with the moral universe by living close to nature, "he was meeting squarely his responsibilities for aiding in general reform" (108). But like Garrison he eventually abandoned his faith in the "'God-like man' and the 'Moral Universe'" (24) and began to attack institutions. "Civil Disobedience," which Glick calls "a manual on how the individual should conduct himself when his government seeks to force him to violate the Moral Law" (144), reflects all the arguments against government that Thoreau had heard for years from the abolitionists:

The American Government was destroying individual rights, cheapening the worth of the individual; it was venerating the Constitution, a "human" instrument, and it was taxing unjustly. Thoreau suggested, as Garrison had done, that disunion was the only remedy. (145)

In fact, Glick goes so far as to claim that Thoreau was more intimately associated with abolitionist thought than with any other system of thought, "even the Transcendental-

ism of Emerson" (26), and that "nearly every idea of any importance to Thoreau's mature 'philosophy' is to be found in the literature of radical Abolitionism" (222-23). "Only when Thoreau is studied against the background of radical Abolitionist thinking," Glick concludes, "do the apparent paradoxes in his attitude toward society disappear" (223).

In "Thoreau and the 'Herald of Freedom,'" a monograph published in the same year as his dissertation, Glick explores the connection between Thoreau and the editor of the anti-slavery newspaper, Nathaniel P. Rogers. Thoreau's appreciative and voluntary response to Rogers in an 1844 issue of The Dial, he believes, indicates Thoreau's sympathy with Rogers's position toward society. Thus Glick is able to determine that Thoreau in 1844 was hostile toward the Garrison party, since Rogers had split with Garrison "over the same issues which prevented Thoreau from ever joining with Garrison"--namely, Rogers's contention that "organization restricted the exercise of individual freedom" (198).

In 1952, Glick reexamined Paley's influence on Thoreau, in "'Civil Disobedience': Thoreau's Attack Upon Relativism." Glick sees Thoreau's essay as a "carefully reasoned repudiation of utilitarianism" (35) and an attack upon the "champion of relativism in morals," William Paley (37), who had "equated expediency with the will of God" and who argued that governments, as expedients, "should be accorded the same obeisance which men paid to God, whenever those governments were so well established that they could not 'be

resisted or changed without public inconveniency'" (38). It was the will of God that men obey government in all things, "no matter how destructive . . . of individual rights" it might be, "unless they could change it without disturbing the normal routine of existence." In order to preserve order, Glick represents Paley as saying, "men were supposed to forego the dictates of their consciences and allow strong governments which chose to do so to usurp the authority of the absolute moral law"; with this "adaptation of morality to circumstance," Thoreau would have nothing to do (38). Paley would have men "to be 'good citizens' rather than 'good men,'" in order "to avoid the uproar and inconvenience which firm adherence to the laws of absolute morality would entail" (39). Daniel Webster, Glick argues, was to Thoreau "just another disciple of Paley whose ultimate allegiance was to expediency rather than to the truth," one of those who, in Thoreau's words, "know of no purer sources of truth, who . . . stand, and wisely stand, by the Bible and the Constitution" (41). To Glick, then, Paley serves Thoreau as a straw man, representing the rule of expediency rather than the rule of conscience.

Two modern studies of the context of Thoreau's political writing have focused on his relationship to the tradition of anarchism. Supporting the contention of Parrington and Schuster that Thoreau inherited a tradition of anarchism is Edward H. Madden in Civil Disobedience and Moral Law in Nineteenth-Century American Philosophy (1968), which is

primarily a study of post-1848 academic moral philosophers such as Francis Wayland, Asa Mahan, and James H. Fairchild. Madden contends that "Thoreau pushed the transcendental doctrine to its most extreme position, far beyond what the other followers of the Higher Law were willing to claim" (97). To Thoreau "all civil law that covered moral concerns was an unwarranted encroachment on the rights of an individual" (97). Right was not established by a majority vote, and in an ideal state, the individual would conduct himself exclusively by his own moral sense. When every man acted morally, there would be no need for civil government. "Thoreau, in short, was an anarchist," desiring an "ideal state . . . in which there is no need of government, except for the exercise of practical affairs that are not matters of conscience" (97).

In "Thoreau and Anarchism" (1984), on the other hand, Myron Simon claims that Thoreau should be dissociated from that tradition. "The best way to grasp Thoreau's politics," he says, "is to view them . . . in their time." Contrary to popular belief, Thoreau's politics "were responsive to an historical moment when ecclesiastical and civil government had grown progressively less coercive [my emphasis]--when the new check to conscientious action [was principally] the complacent mediocrity and low imitateness of the democratic mass" (361). Simon argues that this contempt for both government and society places him outside the pale of anarchism. The anarchist sees the State as an obstacle to

voluntary social organization; because Thoreau had no such faith in society, he must be excluded from "the anarchist tradition in libertarian thought" (373). He should rather be labeled a "libertarian transcendentalist" (378).

The most recent studies of the milieu of "Civil Disobedience" deal with Thoreau and reform. In Henry Thoreau: A Life of the Mind (1986), Robert Richardson explores the connection between "Civil Disobedience" and William Lloyd Garrison and Adin Ballou, a connection first suggested by Raymond Adams. "Resistance to Civil Government" (the 1849 title of "Civil Disobedience") "distinctly breathed the spirit of Non-Resistance" (177). The language of the essay reflects the non-resistants' belief in non-cooperation and non-compliance; Thoreau speaks of receding from government, resigning from office, and refusing to pay taxes. Nor does he ever advocate, as he was to do in later essays, the use of force to resist the government.

"Civil Disobedience," Richardson claims, is "both abolitionist and pacifist at the same time," "in good Garrisonian fashion" (177). It is an anti-war and anti-slavery piece, "not a theoretical defense of individual rights and not primarily an autobiographical document" (177). The concept of government in the essay, Richardson believes, is very similar to that of Adin Ballou's characterization of government as "the will of man exercising absolute authority over man" (178). Although Thoreau takes pains to distance himself from the "no-government men," the essay "exhibits a

strong tendency in the direction of dissociation from the current American government." In fact, it "has the moral absolutism of a piece by Garrison" (178). Like Garrison, Thoreau seeks "to block compromise and force the issue" (178). Unlike Garrison, however, Thoreau bases his appeal on a moral rather than a religious ground: "The main thrust of Thoreau's argument is to reach beyond both Bible and Constitution to the individual conscience" (178).

In 1988, David Reynolds published a major study of the cultural milieu of Thoreau and other major American writers. Beneath the American Renaissance: The Subversive Imagination in the Age of Emerson and Melville explores "the heterogeneous writings that engendered the major literature" of the American Renaissance, finding each of its literary texts to be "a rich compound of socioliterary strands, [stemming] from a tremendous body of submerged writings that have been previously hidden from view" (10). The major American writers were "particularly attentive to differing socioliterary phenomena" but were "especially inventive in their efforts to reconstruct them artistically," and their texts reveal "full cultural representativeness" as well as "reconstructive originality" (11).

While Thoreau has "long been enshrined as an elite author alienated from popular culture," Reynolds contends, he was in a sense "the stereotype of the popular reformer" (97). "Nurtured by a reform culture in which violent subversiveness was part of the very atmosphere [he] breathed"

(100), he was more closely connected with other reformers of his day, such as William Lloyd Garrison, Nathaniel Rogers, and Wendell Phillips; in fact, he was considered by them to be of sufficient stature as a reformer to stand in for Frederick Douglass (99). He differs from them, however, in the precision with which he uses the language of reform and in his use of it to reform the reform movement, that is, to point out that true reform is rooted in individuals who live deliberately. He was "the most compelling reform writer of nineteenth-century America" because he "shrewdly recognized both the promise and perils of contemporary reform movements" (101). In Walden, Thoreau "is offering clean, antinomian alternatives to popular reform movements he knew were often tainted and self-subverting" (103). As for "Civil Disobedience" specifically, Reynolds says only that Thoreau's "influential notion of civil disobedience was spiritually akin to the civil disobedience agitation of William Lloyd Garrison and others" (98).

This, then, is the extent to which the context of "Civil Disobedience" has been explored to date. The present study will try to widen and extend that exploration, to re-attach Thoreau's political actions and "Civil Disobedience," to his own life and times. First, it will gather the relevant autobiographical material, examining the few instances of political activism in Thoreau's life: his "signing off" from the church; his refusal to pay his poll tax; his arrest and night in jail; the antecedents of these acts of politi-

cal protest; the composition and delivery of the 1848 lecture, "The Rights and Duties of the Individual in Relation to Government"; the first publication of "Civil Disobedience" under the title, "Resistance to Civil Government," in 1849; and the possible revision of the essay before its posthumous publication in 1866.

Second, the study will place "Civil Disobedience" in a literary context. Several areas of investigation have been covered so thoroughly that they will not be addressed; Vernon Parrington, Eunice Schuster, Wendell Glick, Robert Richardson, and others have explored quite adequately the impact of native American anarchism, the non-resistant philosophy, and abolitionism on Thoreau and "Civil Disobedience." Two areas already explored will be reexamined, and their treatment will be expanded: William Paley's The Principles of Moral and Political Philosophy and Emerson's "Politics." Three new areas will be addressed: Thoreau's earlier writing on government; Samuel Taylor Coleridge's The Friend, The Statesman's Manual, and Aids to Reflection; and the political essays of Orestes Brownson. While this study will not be that comprehensive book-length study of Thoreau's politics that Michael Meyer envisions in Several More Lives To Live, it is at least a contribution to that effort.

Chapter II

The Historical Context of "Civil Disobedience"

Thoreau's first experiment in political activism occurred in January, 1841, less than four years after his graduation from Harvard College. It was customary in those days for the local tax assessor to include, as a favor to the local churches, their assessments as well as the assessment for various town, county, and state taxes. Because his family attended the First Parish (Unitarian) Church in Concord, in 1840 Thoreau was charged in the tax account books for the ministerial tax, or parish tax as it was later called, of one dollar. Apparently this was the first (and, as it turned out, the only) such assessment, and Thoreau reacted swiftly and decisively (Harding Days 199-200 and Broderick "Young Thoreau Asserts Himself" 2).

Thoreau's account of the incident in "Civil Disobedience," which serves there as preamble to his discussion of the non-payment of the poll tax and his subsequent jailing, seems to be based on a faulty memory (seven years had elapsed by the time the essay was written). "Some years ago," he vaguely begins, "the State met me in behalf of the church, and commanded me to pay a certain sum toward the support of a clergyman whose preaching my father attended, but never I myself" (Reform Papers 79). Thoreau appears to have forgotten both the amount of the ministerial tax and

the fact of his attendance at the First Parish Church (where, ironically, his funeral was conducted in 1862).

His motives for resistance are somewhat clearer. He wanted to declare his independence of his family, the Church, and institutions in general. He wanted to protest against the government's arbitrary, unjust action on behalf of the church; why should the schoolmaster "be taxed to support the priest, and not the priest the schoolmaster," and why should not the Lyceum (of which Thoreau was an active member) also "present its tax-bill" (79)? He also wanted to complain, as he does elsewhere in the essay, about the government's use of force in commanding him to pay "or be locked up in the jail." As he was to do later with the poll tax, Thoreau "declined to pay" the parish tax, and, as with the poll tax, unhappily "another man saw fit to pay it" (79). While the identity of this person is not known, the consensus is that it was either Samuel Hoar, who three years later saved Bronson Alcott from jail by paying Alcott's poll tax, or a member of Thoreau's family, who probably paid Thoreau's poll tax as well five years later. His protest having been blunted by this interference, "at the request of the selectmen" Thoreau "condescended" to sign off formally, in writing, from the First Parish Church, with "some such statement as this":

Know all men by these presents, that I, Henry Thoreau, do not wish to be regarded as a member of any incorporated society which I have not joined. (79)

words of this document"--it is a more appropriate weapon, whereby Thoreau can have the State hoist on its own petard. It certainly has more panache, and it more emphatically asserts Thoreau's independence: "I, Henry Thoreau." It is a more general, and hence a more universal, statement; rather than specifying the church, he says that he does not want to be regarded a member of "any incorporated society which I have not joined."

Interestingly, this maiden voyage of Thoreau into the troubled waters of political activism was not unique. Among the town papers in which Thoreau's signing-off statement was found, says The Thoreau Society Bulletin, there are similar letters from ten other individuals breaking their ties with local churches ("A New Thoreau Document"). Nor was this ecclesiastical disobedience restricted to Concord. The Liberator for April 30, 1841, appearing a few months after Thoreau delivered his brief note to the selectmen, prints in its "Communications" column a letter from a "come-outer" named Henry W. Williams. "Come-outers," as Williams's covering letter to editor William Lloyd Garrison indicates, were those of abolitionist persuasion who conscientiously obeyed "the duty of every lover of freedom and truth to come out and be separate from every time-serving, corrupt association, claiming to be a church of Christ" ("Friend Garrison" 72). (Louis Filler defines the term more specifically as those radical abolitionists like Stephen S. Foster and Parker Pillsbury who "entered churches systematically and

exhorted worshipers to join them in coming out of proslavery churches" [The Crusade Against Slavery 116].)

Come-outer Williams offers to Garrison the letter he had submitted in September, 1840, to the Tabernacle Church in Salem, "hoping that some may be stirred up to the performance of this duty, by having the subject presented before them." The "signing-off" letter concludes as follows:

Being fully convinced that by continuing my connexion with you, I uphold a system which I believe to be full of inconsistency and hypocrisy; but actuated, as I hope, by the true spirit of the gospel, and retaining affection for you all; I now withdraw from all connexion with you as a church.

"Beloved Friends" 72)

The similarity to Thoreau's statement is obvious. Garrison also prints the response of the Tabernacle Church to Williams, a chilling excommunication that helps put Thoreau's hostility to the Church in perspective:

Therefore, be it resolved, that the said Henry W. Williams be, and he hereby is, rejected and cut off from this church. ("My Dear Young Friend" 72)

Another interesting parallel to Thoreau's signing off is printed in the August 27, 1841, Liberator, a letter from one Richard Hood "To the Baptist Church in Danvers, (calling themselves the Church of Christ . . .)." Hood complains that his name is on the books of the church even though he earlier asked for, and received, a letter of "dismission":

. . . why do you keep the name of one on your books, who is not a church member? . . . I now wish you to erase my name from your books. . . .

I do not want my name to stand connected with those who do not labor for the poor slave, who is robbed of every right which God has given him. . . the word of God to his true children is, "Come ye out of her, and be ye separate, that ye be not partakers of her evil deeds." (138)

The practice was not uncommon. Hood's letter is printed under the heading, "Another Withdrawal," and on October 8, 1841, Garrison printed yet another letter, this one from Abby Kelley, an abolitionist and feminist who later became the wife of come-outer Stephen S. Foster. Kelley's letter, directed to the Uxbridge Monthly Meeting of Friends, concludes, "I hereby disown all connection or fellowship with the Society of Friends, feeling it a duty to 'come out and be separate, and have no communion with the unfruitful works of darkness'" (163).

That Thoreau was at least aware of the come-outers is likely. His mother, one of his sisters, and two aunts were abolitionists, and he both read and contributed to The Liberator. That he intended his note to the selectmen to be construed as a part of the come-outer movement is unlikely, however, given his wariness of institutional reform. He would surely have been chagrined to read the characterization of himself, his brother, and his sisters by a Concord

resident as "'come-outers,' strong abolitionists, and Christian workers" (Harding Man of Concord 180). This much, however, we can conclude: while Thoreau's motive for doing so may have differed from that of the come-outers, signing off from the church was by no means an original way of protesting against the State.

Indeed, to Emerson it was too common an occurrence. In 1844, he complains in "New England Reformers" that an instance in which a church "censured and threatened to excommunicate one of its members, on account of the somewhat hostile part to the church, which his conscience led him to take in the anti-slavery business" has been repeated so often that it has lost its value. "Every project in the history of reform," he says, "is good when it is the dictate of a man's genius and constitution, but very dull and suspicious when adopted from another" (Essays 1906 340-41). One wonders if Emerson is expressing his disappointment and disapproval here of his young friend Henry, as he would do later following the jail experience.

Thoreau's second foray against the State began shortly after his signing off. In 1842, John Broderick conjectures in "Thoreau, Alcott, and the Poll Tax," Thoreau stopped paying his poll tax. In "Civil Disobedience," he says, "I have paid no poll-tax for six years." Assuming that the essay was written in 1848 shortly before it was delivered as a lecture, Broderick arrives at 1842 as the time that Thoreau's silent protest began (624). (Given the defiant tone

of "Civil Disobedience," if he had not paid the tax before 1842, that is, if he had never paid it, he would likely have said so.) In 1849, says Broderick, the word "Paid" is written beside Thoreau's name, leading him to choose that year as the one in which Thoreau's "experiment in defiance" ended (623). Whether Thoreau himself paid the tax in 1849 and thereafter or whether his family paid it for him, and who paid the tax from 1846 to 1849, are not known.

Why Thoreau stopped paying the poll tax in 1842 is no less clouded a question than when he did so. One point, at least, is incontestable; as even Concord constable Sam Staples recognized, "'Twas nothin' but principle" (Man of Concord 139). In "Civil Disobedience," Thoreau repeatedly suggests that his outrage against government stems from two things, slavery and the Mexican War:

. . . when a sixth of the population of a nation which has undertaken to be the refuge of liberty are slaves, and a whole country is unjustly overrun and conquered by a foreign army, and subjected to military law, I think that it is not too soon for honest men to rebel and revolutionize. What makes this duty the more urgent is the fact, that the country so overrun is not our own, but ours is the invading army. (67).

That slavery was an original motive for the poll tax rebellion is very likely. In Walden he tells how he entertained in his cabin at the pond "runaway slaves with plantation

manners" (138), and in that same passage and in the Journal (III 37-38), he claims to have helped one runaway slave, Henry Williams, escape to Canada. Moreover, there is his public praise of abolitionist orator Wendell Phillips and abolitionist editor Nathaniel Peabody Rogers. There is also his impassioned, bitter indictment, "Slavery in Massachusetts," delivered in 1854 at Framingham at the same anti-slavery rally where Garrison burned a copy of the Constitution. And there are his ringing defense of John Brown and the attack on Harper's Ferry and his aid to Brown supporter Francis Jackson Merriam in his escape to Canada during the search for co-conspirators following the raid. We can agree, then, with Walter Harding's assessment, that the decision not to pay the poll tax resulted from Thoreau's decision that such action was an effective and symbolic method of "expressing his own conscientious objections to slavery" ("Was It Legal?" 36).

Broderick's beginning date for Thoreau's defiance rules out the Mexican War as a motive, as many have claimed, including biographer Joseph Wood Krutch ("If You Don't Mind My Saying So" 16). The first blood of that war was shed in April, 1846, and war was officially declared in May, 1846, two months before Thoreau's arrest, but four years after the poll tax protest began; the peace treaty was concluded on February 2, 1848, just one week after the lecture that became "Civil Disobedience" was first read to the Concord Lyceum. (This concurrence in events, no doubt, accounts for

the prominence of the war in the essay.) As a motive for non-payment of the poll tax, however, the war occurred much too late, four years too late. It could only have been a strong motive for continuing not to pay the tax, a reinforcement of his earlier decision.

A third possible motive for refusing to pay the tax is more general and, along with slavery, a very likely one: Thoreau's distrust of government in general. To Thoreau, government was not only evil in itself; it also forced citizens into complicity with evil, and force he could not tolerate. The State "is not armed with superior wit or honesty, but with superior physical strength," he says in "Civil Disobedience," throwing down before the State the gauntlet of his defiance: "I was not born to be forced. I will breathe after my own fashion. Let us see who is the strongest" (80-81). Moreover, government corrupts citizens, by transforming men into "small moveable forts and magazines" through its military training (65); by encouraging men to respect the law but not the right (65); and by rewarding with the encomium "patriot" those who only pay lip service to justice (69), while they punish those who defy it in the name of justice. Thus there was both a specific motive, slavery, and a general one, distrust and defiance of government, for the poll tax protest. It was a dramatization of the dissolving of his allegiance to the State, a quiet declaration of the independence of the conscience.

It may have been quiet, but it was not solitary. On

January 17, 1843, Bronson Alcott, neighbor and friend, eminent educator and ardent abolitionist and non-resistant, was arrested for refusing to pay his poll tax. Biographer Frederick C. Dahlstrand says that Alcott had first refused payment in the year before, 1842, but had not been arrested (194). In 1843, however, he was taken to the Concord jail and held two hours, until his attempted martyrdom was thwarted by the payment of his tax by Judge Samuel Hoar, who presumably wanted to avoid the besmirchment of the town's reputation (194). Alcott was not completely thwarted, however; he and his English friend, Charles Lane--who later in the same year was arrested for non-payment of his poll tax and who, like Alcott, was not actually jailed but was liberated in the same way as his friend--received some publicity for their ideas when Lane wrote an account of Alcott's arrest in The Liberator. In 1846, Alcott again refused payment and was threatened with arrest, but nothing happened (Dahlstrand 209).

It has been generally assumed that Alcott's example was instrumental in Thoreau's decision not to pay the tax. Odell Shepard, editor of Alcott's journals, argues that since Alcott's arrest antedates Thoreau's by two and a half years, "it seems likely that Thoreau's whole theory and practice of 'civil disobedience' was corroborated if not suggested by the example and the argument of his elder friend" (Shepard I 151). The evidence, however, is not decisive. Dahlstrand dates the beginning of Alcott's resis-

tance to government in 1842, the same year that Thoreau probably began his own resistance. Broderick, however, cites Charles Lane's statement in the Liberator account of Alcott's arrest, which indicates that Alcott had first refused payment in 1841 and that "the question was not brought to issue" because of the prepayment of Alcott's tax by the collector (621). It is not certain, then, whether Thoreau's decision was in imitation of, or in concert with, that of Alcott.

Nor was non-payment of poll tax restricted to Alcott, Lane, and Thoreau. From the 1830s through the early 1860s, it was somewhat a problem for Massachusetts authorities. Broderick points out that the Concord tax book for 1834-35 lists seventy-three persons who failed to pay their taxes, including forty-six who only owed the poll tax. Debates in the Massachusetts constitutional convention, Broderick says, frequently mentioned the problem of delinquent poll taxes, and one delegate openly admitted that he paid no poll tax, defending his action by saying, "Your government requires life-taking under certain circumstances; therefore, without special provision, we cannot take part in it" (619). Broderick also cites the report of a Concord selectman in 1864 that "It is safe to say that the town has lost enough by non-payment of taxes within the past ten years to pay the whole cost of collecting them for the entire period" (620). Broderick concludes that Alcott and Thoreau were certainly not unique in their refusal to pay the poll tax and that

non-payment of poll tax was "a problem vexing to state, county, and town officials" (620). What may be unique, however, is the fact that Thoreau, unlike Alcott and Lane, was actually incarcerated for non-payment. Broderick could find no "conclusive documentary evidence" that anyone was arrested in Concord during 1834-35, a banner year for tax delinquents (619).

Why the poll tax specifically was chosen as the symbol of defiance is not clear. Thoreau himself did not oppose all taxes; he says in "Civil Disobedience" that he has "never declined paying the highway tax," for he is "desirous of being a good neighbor." Nor is he objecting to any "particular item in the tax bill"; he does not "care to trace the course of [his] dollar . . . till it buys a man [slavery], or a musket to shoot one with [the Mexican War],--the dollar is innocent." His object is rather "to trace the effects of [his] allegiance" (84). Then why choose the poll tax?

Broderick's study on the poll tax provides some answers. The right of the government to levy taxes, he says, was a focal point of protest for abolitionists and non-resistants in the 1840s, since the government protected slavery and made war on Mexico (for the sole purpose, many feared, of adding new slave territory in order to maintain a balance in Congress between slave and free states and thereby preserve the Union). Some refused to pay tax; others paid it under protest, rationalizing that it was evil only to pay tax

voluntarily.

Broderick's information also suggests that the poll tax was perhaps the only tax that Thoreau could have selected to demonstrate his displeasure with government. He did not refuse, it should be noted, because of any statutory link between the tax and voting. While on occasions non-payment of the poll tax may have been punished by disenfranchisement, there was no necessary linkage of the two. The word poll here means per capita; the poll tax was a flat rate tax (\$1.50 in Thoreau's time) assessed against all males above the age of sixteen, except those excused by the assessor. According to Broderick, Thoreau would have been liable for the highway tax, which he paid; property taxes, from which he was presumably exempt because of his voluntary poverty; and the poll tax. It would seem, then, that the poll tax was the only tax that he could have refused if he wished to use tax as a means of protest.

Moreover, Broderick points out that an additional poll tax for the purpose of generating state revenue was a topic of debate in the early 1840s and that it was even enacted briefly in 1845; hence Thoreau would have associated the poll tax with the state of Massachusetts, and the possible enactment of a new poll tax would have strengthened his resolve to protest and to go to jail if necessary. Ironically, the poll tax he refused to pay was assessed for town and county purposes, a good neighbor tax, and he says in "Civil Disobedience" that he is "desirous of being a good

neighbor" (84).

According to Broderick, the reform and possible abolition of the existing poll tax were topics of political debate in the 1840s. The prospect of its abolishment, he says, explains the following rather cryptic statement in "Civil Disobedience": "I believe that the State will soon be able to take all my work of this sort out of my hands, and then I shall be no better a patriot than my fellow-countrymen" (86).

Regardless of the motive, Thoreau's refusal to pay the poll tax and his earlier non-compliance with the town of Concord in the collection of the ministerial tax were clear declarations of his independence from government in matters of conscience. But it was his arrest and jailing that provided the inspiration and the eventual motivation for writing "Civil Disobedience."

This third foray against government occurred (according to the Walden account) "One afternoon, near the end of the first summer" that he lived by the pond--i.e., 1845. The constable, Sam Staples, kept no records, and so there is no official corroboration of that date (Broderick "Thoreau, Alcott and the Poll Tax" 613). However, on July 25, 1846, Alcott records in his journal that he has just had "an earnest talk with Emerson dealing with civil powers and institutions, arising from Thoreau's going to jail for refusing to pay his tax." While Emerson "thought it mean and skulking, and in bad taste," Alcott defended Thoreau's action "on the

grounds of a dignified non-compliance with the injunction of civil powers" (Shepard I 184). Emerson's own account, in the privacy of his journal, dated July, 1846, is not severe at all:

My friend Mr. Thoreau has gone to jail rather than pay his tax. On him they could not calculate. The Abolitionists denounce the war and give much time to it, but they pay the tax. (Harding Man of Concord 124)

(The only hint of disapproval here is the rather arch designation, "Mr. Thoreau," instead of "Henry," "Thoreau," or "Henry Thoreau," the usual ones.) Both Alcott and Emerson, then, date the arrest and jailing in July (hardly the end of summer, even in New England), 1846, instead of 1845. If Alcott's conversation with Emerson took place very soon after the incident, we can be even more specific: the events occurred during the period July 24-25, 1846.

Thoreau had paid no poll tax for six years, for almost as long as, or for as long as, Alcott and Lane, who had been arrested three years earlier. The reason that Constable Sam Staples (in 1846, also tax collector) did not arrest Thoreau in that same year may be the simple fact that Staples liked Thoreau more than he did Alcott and Lane (who, it seems, was particularly hard to like). According to one account of the arrest, Staples was in no special hurry: "Henry knew that I had a warrant for him, but I did n't [sic] go to hunt for him, 'cause I knew I could git him when I wanted to" (Jones

Thoreau Amongst Friends 61). The warrant Staples refers to here is probably the same general warrant under which Alcott and Lane were arrested (Lane "State Slavery"). Another account has it that Staples offered to pay Thoreau's tax, if he was "hard up," adding, "I would n't [sic] have done it for old man Alcott" (Man of Concord 139).

Other than this story, no details of the arrest are available. The reason for Staples's tardy action is probably quite practical; in 1846 he was giving up the post of tax collector that he had held since 1842, and he needed to clear the books and avoid having to pay Thoreau's tax himself (Harding Days 202). Other reasons, less plausible, have been offered: Staples acceded to the pressure of those still angry over Thoreau's accidental burning of the woods two years earlier (Canby 232); Staples's patriotism had been inflamed by the Mexican War (Harding Days 202); and the inclusion of a state poll tax in the 1845 bill increased the pressure on the tax-collectors to do their job (Broderick "Thoreau, Alcott" 626).

The Concord jail to which Staples led the unresisting Thoreau was, Harding tells us, a "formidable jail indeed": a three-story granite structure, surrounded by a ten-foot high brick wall which was surmounted by iron pickets, each of its eighteen cells lighted by two windows covered by an iron grating (Days 202-03). Yet it seems in Thoreau's description in "Civil Disobedience" that the prisoners were "trusties," for they were lounging in their shirt-sleeves

and "enjoying a chat and the evening air in the door-way" when the two men entered (Reform Papers 81). Some time after Thoreau was locked in with his cellmate (an amiable man accused of barn-burning), a veiled woman, probably Thoreau's Aunt Maria (Jones 63-64), knocked on the door of Staples's apartment and handed his daughter an envelope containing "the money to pay Mr. Thoreau's tax" (Jones 62). Since Staples had already taken off his boots and was relaxing by the fire when his daughter told him the tax had been paid, he decided not "to take the trouble to unlock" after he had "got the boys all fixed up for the night" and to keep Thoreau until after breakfast the next morning (62). When he went to release his prisoner the next day, Staples recalled, Thoreau was reluctant to go, leaving only after Staples insisted, "Henry, if you will not go of your own accord I shall put you out, for you cannot stay here any longer" (Days 205). Another recollection had Thoreau "mad as the devil" when Staples turned him loose (Jones 62), presumably because his dramatic protest had been curtailed.

Walter Harding has questioned the legality of Thoreau's arrest, citing a Massachusetts law that called for incarceration only in the event that the offender did not have sufficient goods for seizure and sale to satisfy the amount of the tax. Since Thoreau had a fairly extensive library of books that could have been seized and sold, Harding argues, Staples acted illegally, out of ignorance of the law. Thoreau was also ignorant of this provision of the law; because

of what had happened to Alcott, no doubt, he expected to be jailed for his defiance ("Was It Legal?" 37). What he says in "Civil Disobedience," however, indicates that he was very much aware of the provision of the law that called for the seizure and sale of one's property: ". . . if I deny the authority of the State when it presents its tax-bill, it will soon take and waste all my property . . ." (RP 78).

A final aspect of the jail experience may or may not have actually occurred; some dismiss it as a legend. But the story that Emerson visited Thoreau in jail has such dramatic appeal and illustrates so well the difference between the two men that it will probably never be totally rejected. In most accounts, the conversation consists of two questions: "Henry, why are you here" and "Waldo, why are you not here." Some doubt about the episode was created by Staples, who believed that Emerson could not have seen Thoreau in jail, since Thoreau "was committed at sundown, or thereabout, and the jail was soon locked up" (Jones 64-65). (The conversation could have occurred, however, as Jerome Lawrence and Robert E. Lee have imagined it in their play, The Night Thoreau Spent in Jail, through the grated cell window.) More doubt is cast by the anecdotal quality of the material, passed by word of mouth until it became garbled. For example, Howard Melvin, Concord resident, had it that Emerson and Thoreau "agreed not to pay their taxes because they were so high," that Thoreau had been jailed for not paying, and that Emerson had reneged on the agreement, pre-

cipitating the conversation (Man of Concord 170). Annie Russell Marble complained that Thoreau's answer in the conversation was "so often misquoted" (162), clearly demonstrating the traditional nature of the story as well as her belief that the incident had really occurred. After thorough investigation, Jones concluded that "There is no reasonable doubt of its truth," pointing out that an account of the incident first appeared in print in George W. Curtis's 1862 obituary notice in Harper's Monthly (66). Harding repeats the story without qualification, except to say that the exchange took place when Emerson "next met Thoreau," with Emerson asking why Thoreau had gone to jail and Thoreau asking why Emerson had not (Days 205-06). Harding's source for this version is John Weiss, Harvard classmate of Thoreau, writing in 1865 in The Christian Examiner. Elsewhere, Harding says that the "tale" has been "handed down in the Emerson family as true" (Handbook 8). Obviously Harding, recognizing the traditional nature of the story, wants to believe it, and most lovers of Thoreau have agreed.

The appearance of "Civil Disobedience" as a lecture in 1848 is marked only by a passage in a letter from Thoreau to Emerson and by a journal entry of Bronson Alcott. On January 26, 1848, Alcott writes:

Heard Thoreau's lecture before the Lyceum on the relation of the individual to the State--an admirable statement of the rights of the individual to self-government, and an attentive audience.

His allusions to the Mexican War, to Mr. Hoar's expulsion from Carolina, his own imprisonment in Concord jail for refusal to pay his tax, Mr. Hoar's payment of mine when taken to prison for a similar refusal, were all pertinent, well considered, and reasoned. I took great pleasure in this deed of Thoreau's. (Shepard I 201)

No records of the Concord Lyceum for the period exist, unfortunately, and Alcott's date is challenged by Thoreau's comment on the lecture in his February 23, 1848, letter to Emerson:

Lectures begin to multiply on my desk. I have one on Friendship which is new. . . . I read one last week to the Lyceum on the Rights & Duties of the Individual in relation to Government--much to Mr. Alcott's satisfaction. (Correspondence 208)

Walter Harding has resolved the discrepancy in dates by positing two lecture appearances by Thoreau, one on January 26 and one in mid-February, the second appearance being a repetition of the first "by request . . . so others of his townsmen could hear" (Days 206). The "Textual Introduction" in Reform Papers adds that the second lecture was "probably either a revision, or extension, or both, of the first" (313-14). Thus the initial appearance of "Civil Disobedience" was a fairly auspicious one, if only in Concord: Alcott was delighted, the audience was attentive, and Thoreau gave a second performance by popular demand.

Thoreau's motive for writing the lecture, "The Rights and Duties of the Individual in Relation to Government," is in dispute. Forgetting that a year and a half had passed since his release from jail, Thoreau mythologists would have us believe that Thoreau, "mad as the devil" when Sam Staples released him, wrote his ringing denunciation of the State out of the white heat of anger. Others would have him writing out of psychological disequilibrium; to Alfred Kazin, "what gives Civil Disobedience its urgency" is that between the jailing and the composition of the essay, "the State had ceased to be his friend" and had become an imperialist government that waged war on Mexico. This, says Kazin, "was the first significant shock to Thoreau's rather complacent position that the individual can be free, as free as he likes" (64). Others, like Carl Bode ("The Half-Hidden Thoreau") and Paul Hourihan ("Crisis in the Thoreau-Emerson Friendship") believe that the essay resulted from a long-smoldering hostility to authority or from a very recent rupture in the Thoreau-Emerson relationship. What these divergent positions agree on is the topicality of the piece; all assume an almost behaviorist position: "Civil Disobedience" was the response by Thoreau to an internal or external stimulus.

Walter Harding and The Literary History of the United States take a very practical approach. Harding believes that the lecture was written because "so many of Thoreau's townsmen expressed a curiosity about his actions and wanted

to know the rationale for his trying to go to jail" (Days 206), a plausible conjecture, since the opening paragraph of Walden indicates a similar genesis and since Concord had such an appetite for radical speeches. The Literary History sees the work as a psychological and artistic overflow: "Because his mind and his journals were full of it, he wrote out and delivered a lecture, 'Civil Disobedience'" (401).

Thoreau's motivation was probably less behavioral and less casually practical. In 1848 he was almost at the peak of a wave of creative energy that eventually resulted in A Week on the Concord and Merrimack Rivers (1849), Walden (1854), and the powerful essay "Ktaadn," later part of The Maine Woods (1864), as well as "Civil Disobedience." His reference in February, 1848, to lectures piling up on his desk suggests such a wave of creativity. Townspeople had likely asked for an account of the jail experience, as they had asked for an account of his housekeeping at the pond; moreover, he was indignant about the Mexican War, which was nearing its conclusion and which he saw as a shabbily disguised land grab by the Federal Government on behalf of the slave states. It is also true that Thoreau's abolitionist sympathies were strong, judging from his public praise for Wendell Phillips and Nathaniel Peabody Rogers. So it is understandable that Thoreau's creative energies would flow in these directions and that he would combine a "simple and sincere account of his own life," which he says in Walden that he requires of every writer, with his concern for vari-

ous issues, but especially for slavery and the Mexican War, and that he should adopt the fiery, hortatory style of Phillips and Rogers whom he so admired, as he did later in "Slavery in Massachusetts" (1854) and "A Plea for Captain John Brown" (1859). "Civil Disobedience" is not the release of a psychological escape valve or a pearl produced by philosophical irritants; growing out of Thoreau's life and times, it is nonetheless a carefully-crafted work of art.

Precisely when the lecture was written is not known. It seems unlikely that Thoreau could have written much of it at Walden, as busy as he was with other writing. (If any part were written there, it would most likely be the account of his jail experience, the set piece in the essay that he dubbed "My Prisons"). The date can be narrowed, then, to some point between early September, 1847, when he left Walden, and January 26, 1848, when he delivered the lecture--and perhaps even further. In the fall of 1847, Thoreau was busy moving into Emerson's home, seeing Emerson off to Europe, and settling in to his new duties as head of the Emerson household. It was probably not until the winter that he turned to the composition of the pile of lectures on his desk: "Ktaadn," "Friendship," "On Reform and Reformers," and "Civil Disobedience." "Winter," he wrote his sister Sophia that fall, "is the time for study" (Correspondence 187). By the next month, he related to Emerson that when he was free from gardening, household duties, helping build Alcott's arbor, and fleeing from the clutches of a

matrimony-minded woman, he devoted himself to study and to writing: "I sit before my green desk, in the chamber at the head of the stairs, and attend to my thinking, sometimes more, sometimes less distinctly" (Correspondence 191). By December his creative power had gained momentum:

I have had many good hours in the chamber at the head of the stairs--a solid time, it seems to me. Next week I am going to give an account to the Lyceum of my expedition to Maine. (Correspondence 199)

On January 12, he wrote Emerson that he had read the Maine excursion lecture and had completed a lecture on friendship, presumably the friendship digression later incorporated into the Wednesday chapter of A Week (Correspondence 199). It is possible that "Civil Disobedience" was written in whole or in part prior to January 12, 1848, but it is also possible that it was composed, or completed, as the pressure of the January 26 deadline increased--between January 12 and 26, then.

In the spring of 1849, while Thoreau was busy revising A Week for its May publication, Elizabeth Peabody asked him for permission to publish his lecture on the individual and government in her new periodical, Aesthetic Papers (she had presumably heard about the lecture from Nathaniel Hawthorne, her brother-in-law, who had lived in Concord and had known Thoreau personally). Although Thoreau was occupied with the thousand corrections he was requesting in the proofs of A

Week and with the final details of its publication, he gave Peabody permission to publish:

I have so much writing to do at present, with the printers in the rear of me, that I have almost no time left, but for bodily exercise; however, I will send you the article in question before the end of next week.

In view of the fact that Aesthetic Papers lasted for only one issue, Thoreau's postscript is prescient: "P.S. I offer the paper to your first volume only" (Correspondence 242).

As busy as he was, at some point between January, 1848, and May, 1849, Thoreau revised the lecture. In a journal passage cited earlier, Bronson Alcott refers to Thoreau's having mentioned in the lecture Alcott's own arrest and the payment of his tax by Samuel Hoar, information which does not appear in the essay. Moreover, since Alcott does not refer to the lecture by its 1849 title, "Resistance to Civil Government," we can assume that Thoreau (or Elizabeth Peabody) revised the title as well. Further, Thoreau tells us in a footnote in the essay's first printing in 1849 that the extracts from Webster's speeches "have been inserted since the Lecture was read" (Reform Papers 88). It seems unlikely, however, that Thoreau had the time to revise the lecture heavily, and the oratorical style of the essay suggests that little revision was made.

On May 14, 1849, Aesthetic Papers was published, with

pieces by Emerson and Hawthorne and others in addition to Thoreau's essay, which by that time bore the title, "Resistance to Civil Government." Thoreau's essay followed--possibly by design, says Raymond Adams--an essay by S.H. Perkins called "Abuse of Representative Government," which argued that once a majority has elected a government, the majority should not interfere with its operations but allow it to govern. Peabody, Adams suggests, must have decided to give Thoreau the last word, since he seems to pick up on the word govern in Perkins's piece, beginning "Civil Disobedience" with the (revised) motto, "That government is best which governs least." Ironically, says Adams, the reviewers paid attention to Perkins's essay, but not to Thoreau's ("'Civil Disobedience' Gets Printed").

This, then, is the historical context of "Civil Disobedience." While Thoreau's bold, dramatic actions--signing off from the church, refusing to pay his poll tax, and being arrested and jailed overnight--are in very few respects original, they are the material of which legends and myths are made, and they have created a mythic Thoreau, a lonely hero battling the State in an age of general complacency. Unfortunately, this myth has produced an assumption of originality and creative spontaneity that has blinded general readers, and to a degree scholars as well, to the literary context of the essay.

Chapter III

The Literary Context of "Civil Disobedience":

Thoreau's Earlier Writing

The scholar who attempts to create a literary context for "Civil Disobedience" out of Thoreau's earlier writing faces formidable obstacles. No fair copy drafts or proof-sheets of the essay have survived, and only fourteen fragments of manuscript drafts are extant ("Textual Introduction" Reform Papers 315-16). No passages appearing in the published essay and none commenting on its composition, its delivery as a lecture, or its publication can be found in the Journal. And there are relatively few references in either the Journal or the handful of essays that Thoreau had published up to that point to the subject matter of the essay: the rights and duties of the individual in relation to government. Nonetheless, a literary context for "Civil Disobedience" in Thoreau's earlier writing, however rudimentary, can be reconstructed.

Despite the contention of The Literary History of the United States that Thoreau's "mind and journals were full" of radical notions on government (410), there is remarkably little in the Journal on the subjects of government and politics, and there is nothing dealing directly with resistance to government. "One who is interested in studying Thoreau as an active 'anti-institutionalist,'" says Wendell

Glick in "Thoreau and Radical Abolitionism," "will find little of any relevance in Thoreau's works prior to 1845" (132). Prior to that time, Thoreau believed that it was better to yield to the beneficent moral law of the universe, which would inevitably bring about a better society, than to struggle against evil institutions. The poet's job was to reform himself by making sure that he was in touch with nature, which was the moral law objectified, so that he could exemplify this law in his life, inspire others, and thus contribute to moral progress.

There are, then, few comments in the Journal that are topically political, and the few that can be found are subordinated to the idea of the moral man in a moral universe. For example, on July 4, 1840, Thoreau records that he saw the "'Great Ball' rolled majestically along." Contrived by Harrison-Tyler supporters to symbolize their opposition to Van Buren and the growing momentum for the Harrison-Tyler ticket, the ball was rolled from Concord to Bunker Hill on that day. Typically, the incident prompts him to comment not on politics, but on man: ". . . it seemed a shame that man could not move like it. . . . What shame that our lives . . . are full of abruptness and angulosity, so as not to roll, nor move majestically" (I Princeton Edition 150). Similarly, a reference to the extermination of the Indians is turned inward, to the moral nature; even if the Indians are exterminated, there are savages just as grim and threatening that "defile down into the clearing to-day." With a

pun on defile, Thoreau underscores the moral point: "The danger is that we be exterminated" (I PE 168). (One is reminded here of Thoreau's complaint in Walden that men were so frivolously occupied with "the gross but somewhat foreign form of servitude called Negro Slavery" that they failed to recognize that they were slaves to the economic system [7]. In neither case is Thoreau callous to the downtrodden; it is simply his emphatic way of making a point.)

In the Journal there are also draft paragraphs of his letter to The Liberator in praise of Wendell Phillips (II PE 120-23); comments in 1844 on "the liberty of speech," inspired either by the gag rule, whereby anti-slavery petitions were tabled in Congress from 1836 until its defeat in 1844, or by the successful fight led by Thoreau in the Concord Lyceum in 1843-44 to hear the abolitionist orator Wendell Phillips (117-18); and a complaint that "when war too, like commerce and husbandry, get to be a routine, and men go about it as indented apprentices, the hero degenerates into a marine, and the standing army into a standing jest" (I PE 94). The last phrase reminds one of Thoreau's complaints in "Civil Disobedience" about the standing army and his references there to "a file of soldiers" which has degenerated into "small moveable forts and magazines" and to a marine "such a man as an American government can make, . . . a man laid out alive and standing" (Reform Papers 63, 65).

Normally, though, comments in the Journal on government and man's proper attitude towards it are general, abstract,

and philosophical. For one thing, it is clear that to Thoreau the conscience of man in obedience to the moral law of God takes precedence over man's law and government.

"Society was made for man," he says, echoing the words of Jesus about the Sabbath (I PE 35). Man, by "reverently listening to the inner voice," may reinstate himself "on the pinnacle of humanity" (I PE 233). "This obedience to conscience and trust in God . . . is only to retreat to oneself, and rely on our own strength" (I PE 235). "There is but one obligation and that is the obligation to obey the highest dictate.-- None can lay me under another which will supersede this" (I PE 327). In "Civil Disobedience," we read, "the only obligation which I have a right to assume, is to do at any time what I think right" (65).

Government is degrading to men (as he says also in "Civil Disobedience"): "The merely political aspect of the land is never very cheering-- Men are degraded when considered as the members of a political organization" (I PE 353). As long as there is law, there will be war, for both rest on the basis of force. "Men make an arbitrary code and because it is not right, they try to make it prevail by might. The moral law does not want any champion," he writes (I PE 378), echoing his charge in "Civil Disobedience" that the majority rule "not because they are most likely to be in the right, . . . but because they are physically the strongest" (64). We should not "fear from our foes" and accept government as protection--as he says also in "Civil Disobedience"--but

rely instead on the moral law: "God keeps a standing army for that service" (I PE 265).

Human government, no matter how civil, has no reality to the man of transcendental vision, the man of imagination, the man in tune with the moral law reflected in nature:

There is this moment proposed to me each kind of life that men can lead any where--or that imagination can paint. . . . I am freer than any planet--. . . I can move away from public opinion--from government--from religion--from education--from society. Shall I be reckoned a rateable poll in the county of Middlesex . . . ? (I PE 118)

The choice is his. One thinks of the choice he made two years later not to be "a rateable poll" and of his imaginative vision in "Civil Disobedience" of "a still more perfect and glorious State" (89).

In addition to imagination, Nature also shows government to be illusory:

While I bask in the sun on the shores of Walden pond, by this heat and by this rustle I am absolved from all obligation to the past-- The council of nations may reconsider their votes--the grating of a pebble annuls them. (I PE 120)

The infinite bustle of nature of a summer's noon, or her infinite silence of a summer's night--gives utterance to no dogma. . . . But they are the indifferent occasion for all things--and the annul-

ment of all laws. (I PE 122)

God's order is nature--man's order is law. . . .

(I PE 178)

One may recall how in "Civil Disobedience" he says that in half an hour after his release from jail, he was in the midst of a huckleberry field, "and then the State was nowhere to be seen" (86).

The law of God, the moral law of the universe, is perhaps not knowable by ordinary human lawmakers, Thoreau writes in the Journal in 1841:

If the law of the universe were to be audibly promulgated no mortal lawgiver would suspect it--for it would be a finer melody than his ears ever attended to. It would be sphere music. (I PE 249)

[No tyranny] was ever taught by such as drank in the harmony of nature. (I PE 354)

But at those moments when transcendental man is brought face to face with government, what then? One answer in the Journal is disengaging from government, yielding to the moral law, and trusting that right and justice will prevail:

The most positive life that history notices has been a constant retiring out of life--a wiping one's hands of it--seeing how mean it is, and having nothing to do with it. (I PE 121)

This is surely the original of his often-quoted opinion in "Civil Disobedience" that it is one's duty not "to devote himself to the eradication of any, even the most enormous

wrong," but "to wash his hands of it, and . . . not to give it practically his support" (71). To those who object that holding oneself "aloof from the din of politics" demonstrates a lack of patriotism, he replies:

. . . I know of no better answer than that of Anaxagoras to those who in like case reproached him with indifference to his country because he had withdrawn from it, and devoted himself to the search after truth-- "On the contrary" he replied pointing to the heavens, "I esteem it infinitely."
(I PE 164)

Occasionally, in the Journal we see Thoreau toying with the idea of resistance, but not specifically resistance to government. One who will "never surrender"--and never be in a position of winning the victory--is "he who resists not at all" (I PE 143). On another occasion, he says, "Resistance is a very wholesome and delicious morsel at times" (I PE 234). The brave soul "will make these peaceful times dangerous--and dangerous times peaceful" (I PE 169). Normally, however, he is inclined to yield to the moral law and to set about the proper business of self-reform, building for eternity rather than "mending the times" (I PE 264). "The true reform," he says, "can be undertaken any morning before unbarring our doors. It calls no convention. I can do two thirds the reform of the world myself" (I PE 299).

In "Civil Disobedience" he has the same view of reform. Reform results from individuals with moral backbones, not

from conventions (70); any man more right than his neighbors is "a majority of one" (74); if one honest man in Massachusetts would resist slavery and go to jail for his non-compliance, "it would be the abolition of slavery in America" (75); the citizen should not cast a ballot but his whole influence (76); the tax-gatherer should resign his office in personal protest (77); and a man should see that he "does only what belongs to himself and the hour" (84).

Other Thoreau writings in the foreground of "Civil Disobedience," with the exception of A Week, contribute less to the essay than the Journal. "Paradise (To Be) Regained," an 1843 review of a utopian, futuristic work by J.A. Etzler, reiterates the conviction in the Journal that the essential reform is the reform of the individual: "But a moral reform must take place first" (Reform Papers 45). It is "the crying sin of the age, this want of faith in the prevalence of a man" (42). "Nothing can be effected but by one man" (42), he says in a clear parallel to the following sentence in "Civil Disobedience": "If one HONEST man, in this State of Massachusetts, ceasing to hold slaves, were actually to withdraw from this copartnership, and be locked up in the county jail therefor, it would be the abolition of slavery in America" (75). "In this matter of reforming the world," Thoreau says of Etzler's schemes, he has "little faith in corporations" (42), echoing his comment in "Civil Disobedience" that while the adage, "a corporation has no conscience," is true, it is also true that "a corporation of

conscientious men is a corporation with a conscience" (65).

"The Herald of Freedom," an appreciation of Herald editor Nathaniel P. Rogers written for The Dial in 1844, reflects the same inclination as the Journal to look out "from a serener natural life into the turbid arena of politics" (Reform Papers 50). But one can see there also an inclination toward radical reform. Thoreau admires Rogers's "indignation at all wrong" (49), his "clean attachment to the right" (49), and his "righteous impatience" (51). He approves of Rogers's attitude toward slavery; for Rogers it is not "always a sombre theme" but "an evil to be abolished by other means than sorrow and bitterness of complaint" (50). To illustrate Rogers's ability to feel "indignation or contempt . . . at any cant or inhumanity," Thoreau relates how the Herald editor, upon being asked why he preached abolition, since Christ did not, replied, ". . . granting your proposition to be true--and admitting what I deny--that Jesus Christ did not preach the abolition of slavery, then I say, 'he didn't [sic] do his duty'" (56).

One recalls the discussion of duty in "Civil Disobedience":

It is not a man's duty, as a matter of course, to devote himself to the eradication of any, even the most enormous wrong; . . . but it is his duty, at least, to wash his hands of it, and . . . not to give it practically his support. (71)

In "Wendell Phillips Before Concord Lyceum," an 1845 letter to The Liberator, Thoreau says that it was Phillips's

aim in his Concord lecture "to show what the state, and above all the church, had to do, and now, alas! have done, with Texas and slavery, and how much, on the other hand, the individual should have to do with church and state" (Reform Papers 59). Here we see the coupling of the Mexican problem and slavery which occurs frequently in "Civil Disobedience" and at least a germ of the title of the lecture, "The Rights and Duties of the Individual in Relation to Government." There is, moreover, as in "The Herald of Freedom," reference to Phillips's standing "alone," "one honest man" who is more than a host (60), and there is Thoreau's recollection of Phillips's statement "that he was not born to abolish slavery, but to do right" (61), which anticipates Thoreau's assertions in "Civil Disobedience": "I came into this world, not chiefly to make this a good place to live in, but to live in it" (74) and "It is not a man's duty . . . to devote himself to the eradication of . . . even the most enormous wrong" (71).

By far the most interesting feature in the foreground of "Civil Disobedience" is A Week. While the latter, Thoreau's first significant publication, appeared in the same month and the same year as the essay, May, 1849, it is likely that the longer work was written first, since most of it was written at Walden. By March, 1848, Thoreau was far enough along to look for a publisher, and the "bulk" with which he reported the book to be growing in May, 1848, is largely the addition of the Carlyle lecture and the lecture on friend-

ship. The relevant comments in A Week on government and conscience--except for one he picked up from the Journal, cited earlier, about the annulling of the votes of government by the rippling of the waves on the shore--all occur in the Monday chapter, paragraphs eighteen through twenty-three.

Paragraph eighteen begins with a transcendental declaration of the unreality of politics, which is typical of the Journal remarks on government:

To one who habitually endeavors to contemplate the true state of things, the political state can hardly be said to have any existence whatever. It is unreal, incredible and insignificant to him . . . A Week 129)

The political news, he says, is unchanging and quite predictable, and cataclysmic events of history seem trivial in comparison with cataclysms of nature, such as rivers drying up or an entire species of tree dying out. We hear nothing at all about a well-administered government, and "a wise and competent man . . . will not meddle with such like matters" (130). That Thoreau is warming up for "Civil Disobedience" is clear; there, too, he declares the unreality of government:

However, the government does not concern me much, and I shall bestow the fewest possible thoughts on it. It is not many moments that I live under a government, even in this world. If a man is

thought-free, fancy-free, imagination-free, that which is not never for a long time appearing to be to him, unwise rulers or reformers cannot fatally interrupt him. (86)

In "Civil Disobedience," he says that within half an hour of his release from jail, he was in the middle of a huckleberry field, and the State was nowhere to be seen.

In the following paragraph of A Week, paragraph nineteen, Thoreau alludes rather obliquely to his arrest and jailing for non-payment of the poll tax. In his pilgrimage through life, he says, the only "outward obstacles, if there were any such," have been "the institutions of the dead" and not "living men." To the "unsuspicious" pilgrim, that is, to the man of transcendental vision, "Men are as innocent as the morning"; to the "Reve of this Shire," the tool of a dead institution, they are "thieves and robbers all nevertheless." The greatest danger to the commonwealth is posed not by "Cossack or Chippeway" but by "some monster institution" which may "embrace and crush its free members in its scaly folds." One such crushed citizen is Henry Thoreau:

When I have not paid the tax which the State demanded for that protection which I did not want, itself has robbed me; when I have asserted the liberty it presumed to declare, itself has imprisoned me. (130)

Ironically to Thoreau, "while the law holds fast the thief and murderer, it lets itself go loose" (130), for the State

murders by waging war and countenancing slavery, and it robs through forced taxation. No more than this is said about the event that eventually gave rise to "Civil Disobedience" and immortalized, even mythologized, Thoreau.

Thoreau's vision of uncorrupted government in this passage as an "honest and simple commonwealth" is reminiscent of his vision in "Civil Disobedience" of a government which "can afford to be just to all men, and to treat the individual with respect as a neighbor" (89), which men may someday have, "when [they] are prepared for it" (63). Moreover, as in "Civil Disobedience," the justification for the existence of government which is offered by the government itself and by citizens who comply with it in paying taxes is the protection that the government offers. Thoreau, wrapped in his transcendental vision of men as "innocent as the morning" rather than "thieves and robbers all" and (as he says in a Journal variant of the Week passage) having no "stolen estate to be defended" or "slaves to be kept in service" (II PE 264), does not want or need its protection. In "Civil Disobedience" he puts it this way:

When I converse with the freest of my neighbors, I perceive that, whatever they may say about the magnitude and seriousness of the question, and their regard for the public tranquillity, the long and the short of the matter is, that they cannot spare the protection of the existing government.

(78)

There is no need for protection from robbers, for the State itself is the only robber to be feared. In A Week it is the State "itself has robbed me"; in the Journal variant to the Week passage, he writes, "The only highway man I ever met was the state itself," and in "Civil Disobedience" he uses the highwayman image again: "When I meet a government which says to me, 'Your money or your life,' why should I be in haste to give it my money?" (81).

In this passage from A Week, we can also see Thoreau moving from passive disengagement to a dramatic enactment of the confrontation of moral man and immoral State, couched in hyperbole. In A Week, Thoreau has come to see the dramatic potential of the poll tax refusal and the jail experience and to adopt them as emblems of the conscience in revolt against the state. Months earlier, in the Journal account of the arrest, there is less focus:

If I will not fight--if I will not pray--if I will not be taxed--if I will not bury the unsettled prairie--my neighbor will still tolerate me and sometimes even sustains me--but not the state. (II PE 262)

By the time he writes these paragraphs in A Week, he has found the focus. It is not conscientious objection to war, to the parish tax, or to land give-aways in the unsettled territories (which Thoreau feared would result in the concentration of power in the hands of the wealthy few) that epitomizes man versus the State, but the nonpayment of the

poll tax and the night in jail, and he uses hyperbole to dramatize the conflict. A free member of an "honest and simple commonwealth," he is robbed of his tax money (more accurately, his family's money), crushed by the dragon of government, imprisoned for asserting "the liberty it presumed to declare" and "the value of individual liberty over the merely political commonweal" (130-31). In "Civil Disobedience," as a later chapter will demonstrate, he uses the same device more extensively and with more telling effect.

In both A Week and "Civil Disobedience," there is a metaphoric, condescending characterization of the State. In A Week, the moral superiority stems from the same two issues that are mentioned repeatedly in the essay:

Poor creature! if it knows no better I will not blame it. If it cannot live but by these means, I can. I do not wish, it happens, to be associated with Massachusetts, either in holding slaves or in conquering Mexico. (130)

In "Civil Disobedience," a similar passage occurs in the context of the jailing account. The State is like a spiteful boy, a half-wit, and a timid woman:

I could not but smile to see how industriously they locked the door on my meditations, which followed them out again without let or hinderance [sic], and they were really all that was dangerous. As they could not reach me, they had resolved to punish my body; just as boys, if they cannot come at some

person against whom they have a spite, will abuse his dog. I saw that the State was half-witted, that it was timid as a lone woman with her silver spoons, and that it did not know its friends from its foes, and I lost all my remaining respect for it, and pitied it. (80)

Another parallel between these passages in A Week and the essay is that in both, Thoreau comments on the dehumanization resulting from becoming a tool of the State, and in both passages he offers advice to those caught in that predicament. In A Week, "being Reve of this Shire" causes one to see "thieves and robbers" where "the early pilgrim" sees "many an early [innocent] husbandman" (130). In the same paragraph, he declares that the officer of the State, "as the tool of an institution, a jailer or constable it may be," is no better than "his prison key or his staff" (131). The tragedy, says Thoreau, is that men do "outrage to their proper natures" by serving the State, and his advice to them is to find other modes by which they may put bread into their mouths which will not prejudice them as companions and neighbors (131-32). In "Civil Disobedience" there are similar statements:

My civil neighbor, the tax-gatherer, is the very man I have to deal with,--for it is, after all, with men and not with parchment that I quarrel,--and he has voluntarily chosen to be an agent of the government. How shall he ever know well

what he is and does as an officer of the government, or as a man, until he is obliged to consider whether he shall treat me, his neighbor, for whom he has respect, as a neighbor and well-disposed man, or as a maniac and disturber of the peace, and see if he can get over this obstruction to his neighborliness. . . . (75)

If the tax-gatherer, or any other public officer, asks me, as one has done [Sam Staples?], 'But what shall I do?' my answer is, 'If you really wish to do any thing, resign your office'." (76-77)

Moreover, in both the Journal variant that was not used in A Week and in "Civil Disobedience," Thoreau characterizes men who serve the unjust State as stones and those who serve justice as majorities of one. In the Journal he writes, "Any can command him who doth not command himself. Let men be men & stones be stones and we shall see if majorities do rule" (II PE 263). In the essay we read, "The mass of men serve the State thus, not as men mainly, but as machines, with their bodies," putting themselves on "a level with . . . stones" (66); those who "serve the State with their consciences also" (66), those who are more right than their neighbors, constitute "a majority of one" (74). "Let us see who is the strongest," he challenges. "They only can force me who obey a higher law than I" (81).

Finally, in both works there is a discussion of the role of conscience in man's response to government. In A Week,

he uses a teleological argument:

I must conclude that Conscience . . . was not given us for no purpose, or for a hinderance [sic].

However flattering order and expediency may look, it is but the repose of a lethargy, and we will choose rather to be awake. . . . The expedients of the nations clash with one another, only the absolutely right is expedient for all. (133-34)

In "Civil Disobedience" he uses much the same argument.

"Must the citizen ever for a moment, or in the least degree, resign his conscience to the legislator? Why has every man a conscience, then," he asks (65). Thus "heroes, patriots, martyrs, reformers in the great sense, and men" will serve the State with their consciences as well as their bodies and their heads (66), and thus government should not decide right and wrong, but conscience (65).

In A Week, to illustrate his remarks on the role of conscience in face of conflicting expedients, Thoreau cites some dialogue from Sophocles' Antigone, including these key lines from Antigone's speech to Creon:

For it was not Zeus who proclaimed these [laws] to me, nor Justice who dwells with the gods below; it was not they who established these laws among men. Nor did I think that your proclamations were so strong, as being a mortal, to be able to transcend the unwritten and immovable laws of the gods.

(162)

In "Civil Disobedience," he will use his own experience exclusively to dramatize the revolt of the conscience; instead of the story of Antigone and Creon, we will have the story of Thoreau and the State of Massachusetts.

In addition to A Week, there is one more account of Thoreau's arrest and jailing in his writing. In Walden, Thoreau briefly recounts that "One afternoocn, near the end of the first summer," while on an errand to town to pick up a shoe at the cobblers, he was "seized and put into jail, because, as I have elsewhere related, I did not pay a tax to, or recognize the authority of, the State which buys and sells men, women, and children, like cattle, at the door of its senate-house" (155). "Elsewhere" is "Civil Disobedience," A Week, or both, since both had probably been written by the time this part of Walden was written in 1848-49 (see J. Lyndon Shanley's The Making of Walden 28, 72). The even greater prominence of slavery here than in "Civil Disobedience" and the absence of any reference to the Mexican War would indicate later composition. Some time after 1850 (Shanley 65), Thoreau added to the paragraph, "wherever a man goes men will pursue @ paw him with their dirty institutions. If they could [they] would constrain [him] to belong to their desperate odd-fellow society" (echoing the statement in "Civil Disobedience," "The American has dwindled into the Odd Fellow. . . ." [RP 70]). In late 1852 or early 1853 (Shanley 31, 32, 65, 73), he added, "I might have resisted forcibly, . . . might have run

'amok' against society, but I preferred that society should run 'amok' against me, it being the desperate party" (Walden 155). Supporting Shanley's dating is the truculent tone of this addition, which places it much closer to "Slavery in Massachusetts" (1854) than to "Civil Disobedience." The Walden passage concludes, "However, I was released the next day, obtained my mended shoe, and returned to the woods in season to get my dinner of huckleberries on Fair Haven Hill," a sentence very similar to that at the end of the "My Prisons" narrative in "Civil Disobedience," except for the deletion of "and then the State was nowhere to be seen" (RP 84), which suggests that by the time he wrote this portion of Walden, the State had become too potent a force in Thoreau's mind to be ignored. The Walden account, then, is too late a composition to be a part of the foreground of "Civil Disobedience."

Out of the early Journal passages, "Paradise (To Be) Regained," "The Herald of Freedom," "Wendell Phillips Before the Concord Lyceum," and A Week on the Concord and Merrimack Rivers, we can construct a fragmentary context for "Civil Disobedience." These early reflections on conscience and the State are important antecedents to the essay, providing Thoreau with opportunity to work out much of the substance and to practice much of the style of the essay and, perhaps more importantly, providing him with a dramatic symbol of the just man in conflict with an unjust State.

Chapter IV

The Literary Context of "Civil Disobedience":

William Paley's

The Principles of Moral and Political Philosophy

Thoreau liked to disparage his education. Concord Academy, he once said, had "fitted" him for Harvard, "or rather made [him] unfit" (Canby 40). On another occasion, he sarcastically observed that although all the branches of learning were taught at Harvard, "none of the roots" were (Canby 40). And there is, of course, the popular fiction that Thoreau refused his Harvard diploma with a sneering, "Let every sheep keep his own skin." Yet Thoreau had a sound education at Harvard; he was grateful for it, and he was profoundly influenced by it. Indeed, one of his Harvard textbooks stands out in the foreground of "Civil Disobedience."

William Paley's The Principles of Moral and Political Philosophy was an enormously popular textbook from the time of its publication in 1785 throughout most of the nineteenth century, on both sides of the Atlantic. Adopted at Cambridge immediately upon its publication, the Principles went through fifteen editions before the author's death in 1805. In America, it was used at Yale from 1791 to 1848 (Glick "Thoreau's Attack Upon Relativism" 37) and at Harvard, where it was the standard text in moral philosophy from 1817 to

1837, the year of Thoreau's graduation. During Thoreau's time at Harvard, it was studied in the junior year, probably as a deliberate attempt to complement the philosophy of Locke, whose Essay on the Human Understanding was required reading from 1820 to 1837, and possibly to set it up for refutation by the more popular Scottish common-sense philosophy of Dugald Stewart, which stressed the importance of intuitive truth (Todd "Philosophical Ideas at Harvard College, 1817-1837").

In spite of Thoreau's professed disdain for his rootless Harvard education, it is clear that Paley, at least, made an impression upon him, and not totally an adverse one. Paley's authorial hope, that "the choice men make of their side and party, in the most critical occasions of the commonwealth, may . . . depend upon the lessons they have received, the books they have read" (Principles xxx), is realized in his student Thoreau, although it is uncertain that Paley would have approved of his student's choice of a critical occasion in the American commonwealth. Evidence of Paley's importance in Thoreau's education and his continuing interest in Paley's ideas after graduation can be found in the specific references to Paley in "Civil Disobedience" and the fact that he owned two copies of The Principles, both an American and a British edition (Harding Thoreau's Library 77). (While Reform Papers editor Wendell Glick has reported that the location of Thoreau's copies of Paley is not known, the National Union Catalog reveals that the Library of

Congress holds one of the two, inscribed by Thoreau to Bronson Alcott.)

In the dedicatory epistle to the Bishop of Carlisle, William Paley (himself the Archdeacon of Carlisle) sets the tone for the work that follows; the Bishop's researches in religion have been "dictated by the purest motive": "a firm, and I think a just opinion, that whatever renders religion more rational, renders it more credible" (vii). In the following preface, Paley announces his intention to follow the example of "many approved writers," who have treated "'the rights and obligations of man, in his individual and social capacity,' in the same book"--that is, to join moral and political philosophy, a system of ethics and a book of politics (xxvi-xxvii). One's participation in the affairs of the commonwealth, he says, "is as much a question of personal duty, as much concerns the conscience of the individual," as the deliberation of "the conduct of private life"; political philosophy, therefore, is "a continuation of moral philosophy; or rather indeed a part of it," since the aim of moral philosophy is "the information of the human conscience in every deliberation that is likely to come before it" (xxvii). Primarily, he says, he will set forth "general rules" (xxviii) or "universal principles" (xxix) to guide one in such deliberations in the realm of politics; secondarily, he will try to exhibit "that mode . . . of reasoning in politics, by the due application of which every man might be enabled to attain to just conclusions of his

own" (xxix).

In this endeavor he hopes to provide the sort of philosophical stability that was provided in England by "Mr. Locke" during the political disturbance of the preceding century, by his "courage and liberality of . . . principles" and by his weighty arguments, proposed with "skill and clearness" (xxxix).

With some of these preliminary remarks of Paley, Thoreau would certainly take issue: the use of reason as a touchstone for the validity of religion, which was anathema to the transcendentalists; the use of reason as a guide in political decision-making; and the veneration of Locke, whose empiricism was incompatible with transcendental epistemology. But we must not overlook those remarks of Paley with which Thoreau could have agreed and which may well have influenced him: the linking of politics and ethics; the assertion that the personal duty to conscience has a place in politics; the idea of "universal principles" as a guide to decision-making in the political realm; and the idea that every man must be free to make his own decisions in that realm. And not all the ideas of Locke, whose image is so reverently evoked by Paley, were useless to Thoreau.

Like Locke and other empiricists, Paley rejects the idea "of a moral sense--of innate maxims" (I 10); moral approbation and disapprobation are relative to "the fashions and institutions of the country we live in," which have "grown

out of the exigencies, the climate, situation, or local circumstances of the country; or have been set up by the authority of an arbitrary chieftain, or the unaccountable caprice of the multitude" (I 13). Hence there are "no maxims . . . which can well be deemed innate, . . . which do not bend to circumstances" (I 16). As Glick has pointed out, Thoreau's firm belief in absolute morality and an innate moral sense is totally incompatible with such intellectual relativism. While he agreed with Paley on the foolishness of Aristotle's maxim that nature intended barbarians to be slaves, with which Paley attempts to prove the danger of self-evident truths (I 18), Thoreau would no doubt attribute such errors to an under-developed moral sense.

In the place of innate knowledge of morality, Paley posits the following general principles. First, happiness is the condition in which "the amount or aggregate of pleasure exceeds that of pain" (I 21). Second, virtue is "the doing good to mankind, in obedience to the will of God, and for the sake of everlasting happiness" (I 41). Third, "what promotes the general happiness is required by the will of God" (I 55). Fourth, "Whatever is expedient is right"--that is, whatever promotes the general happiness is right (I 70). Fifth, an action must be "expedient upon the whole, at the long run, in all its effects collateral and remote, as well as in those which are immediate and direct" (I 78). Sixth, moral obligation and right depend upon "consistency with the will of God" (I 82). Seventh, "it is the will of God that

the happiness of human life be promoted" (II 142). Eighth, "civil society conduces to that end" (II 142). Ninth, "civil societies cannot be upheld, unless, in each, the interest of the whole society be binding upon every part and member of it" (II 142). Tenth, "so long as the interest of the whole society requires it, that is, so long as the established government cannot be resisted or changed without public inconveniency, it is the will of God . . . that the established government be obeyed,--and no longer" (II 142). Finally, "the justice of every particular case of resistance, is reduced to a computation of the quantity of the danger and grievance on the one side, and of the probability and expense of redressing it on the other" (II 142).

The last two principles Thoreau quotes almost verbatim in "Civil Disobedience," commenting, "But Paley appears never to have contemplated those cases to which the rule of expediency does not apply, in which a people, as well as an individual, must do justice, cost what it may" (Reform Papers 68). Such a case, Thoreau believed, existed in America in his day: "This people must cease to hold slaves, and to make war on Mexico, though it cost them their existence as a people" (68). Most nations agree in their practice, says Thoreau, with Paley; the opponents of reform in Massachusetts are Northern merchants and farmers who find it inexpedient "to do justice to the slave and to Mexico, cost what it may" (68).

It is true, then, as Glick argues in "Thoreau's Attack

Upon Relativism," that Paley serves as a straw man in "Civil Disobedience." To Thoreau, there are situations in which a rational computation--involving the need for change or resistance, the possibility of its success, and the cost of the effort--simply will not work. There are values and moral obligations greater than those that are conducive to material happiness: the worth of human beings, the integrity of a nation, and the obligation to obey the voice of God within. Statesmen like Webster "forget that the world is not governed by policy and expediency" (87), but by moral law.

As is frequently the case with the straw man device, Thoreau has misrepresented Paley, and Glick has followed Thoreau. Doubtless Thoreau is repelled by Paley's utilitarian approach to the individual and government and by his linking of Christianity and obedience to civil government:

. . . obedience to the state . . . is to be numbered amongst the relative duties of human life, for the transgression of which we shall be accountable at the tribunal of divine justice, whether the magistrate be able to punish us for it or not. (II 154)

But Thoreau has either forgotten, or chosen to ignore, the fact that Paley does grant the need for occasional, peaceful resistance to civil authority, as Adams has observed ("Thoreau's Sources" 652).

Any system of human law, says Paley at the outset of his

argument, has two inherent defects. First, human laws omit many duties, such as piety to God, which by their very nature are voluntary and therefore are "left out of the statute-book, as lying beyond the reach of its operation and authority" (I 4). A second defect of laws is that many crimes are not covered by statutes because "the distinction between right and wrong is of too subtile or of too secret a nature to be ascertained by any preconcerted language," resulting often in tyrannical interpretation by the magistrate. For this reason, says Paley, "the law of most countries, especially of free states, rather than commit the liberty of the subject to the discretion of the magistrate, leaves men in such cases to themselves" (I 5).

In a later chapter, "Oath of Allegiance," Paley argues that the oath of allegiance to the British sovereign "permits resistance to the king," if the object of that resistance is the welfare of the public (I 206). Still later, in "The Duty of Submission Explained," occur the two sentences cited by Adams:

Resistance to the encroachments of the supreme magistrate may be justified upon this principle [the law of contracts]; recourse to arms, for the purpose of bringing about an amendment of the constitution, never can. (II 139)

It may be as much a duty, at one time, to resist government, as it is, at another, to obey it--to wit, whenever more advantage will, in our opinion,

accrue to the community from resistance, than mischief. (II 143-44)

In the same chapter, in a passage not cited by Adams, Paley sets the conditions of such resistance:

Not every invasion of the subject's rights, or liberty, or of the constitution; not every breach of promise, or of oath; not every stretch of prerogative, abuse of power, or neglect of duty by the chief magistrate, or by the whole or any branch of the legislative body, justifies resistance, unless these crimes draw after them public consequences of sufficient magnitude to outweigh the evils of civil disturbance. (II 145)

In "Civil Disobedience," Thoreau says much the same thing:

. . . all machines have their friction; and possibly this does enough good to counterbalance the evil. At any rate, it is a great evil to make a stir about it. But when the friction comes to have its machine, and oppression and robbery are organized, I say, let us not have such a machine any longer. (67)

If the injustice is part of the necessary friction of the machine of government, let it go, let it go: perchance it will wear smooth,--certainly the machine will wear out. If the injustice has a spring, or a pulley, or a rope, or a crank, exclusively for itself, then perhaps you may consider

whether the remedy will not be worse than the evil; but if it is of such a nature that it requires you to be the agent of injustice to another, then, I say, break the law. Let your life be a counter friction to stop the machine. (73-74)

Where the two men may differ, of course, is in their assessment of whether an evil being protested is of sufficient magnitude to justify the civil disturbance caused by disobedience.

In the chapter called "The Duty of Civil Obedience, As Stated in the Scriptures," Paley lists both the arguments for and against civil obedience. The arguments for obedience--with which he would try to persuade the skeptics in regard to "whether civil obedience were a moral duty which ought to be voluntarily discharged"--are "the uses and offices of civil government," that is, expediency; the social compact, the "implied promise and tacit consent to be governed by the laws of the state" from which one receives protection; and the law of subordination, whereby Nature has implanted "within us an inclination to associate with our species" but has also "framed us with capacities so various and unequal" (II 153-54). All three arguments Paley finds compatible with the conclusion that civil disobedience is a transgression for which one is accountable to the divine tribunal.

But Paley recognizes limits to obedience to civil authority. There are strong arguments for an attempt to

shake off the yoke of government "by open resistance." While public expediency is the foundation of civil obedience, it is also the criterion by which we measure the extent of obedience. The obligation of subjects and sovereigns is reciprocal, and thus the duty of allegiance is not unlimited or unconditional. Thus it also follows that expediency has its limitations: ". . . peace may be purchased too dear" and patience may become "culpable pusillanimity." No law based on rational morality would counsel "the submission which surrenders the liberty of a nation, and entails slavery upon future generations." The would-be resister should, however, "compare the peril and expense of his enterprize with the effects it was expected to produce" and then choose the alternative which best promotes "the whole and permanent interest of the state" (II 155-56).

William Paley was certainly not the best straw man Thoreau could have found. Both men believed that under intolerable conditions, resistance to civil government is not only permissible but is enjoined upon the brave man who would be a good citizen. Such intolerable conditions existed in his day, Thoreau believed, and the welfare of the state demanded disobedience:

All men recognize the right of revolution; that is, the right to refuse allegiance to and to resist the government, when its tyranny or its inefficiency are great and unendurable. But almost all say that such is not the case now. (67)

[But] when a sixth of the population of a nation which has undertaken to be the refuge of liberty are slaves, and a whole country is unjustly overrun and conquered by a foreign army, and subjected to military law, I think that it is not too soon for honest men to rebel and revolutionize. What makes this duty the more urgent is the fact, that the country so overrun is not our own, but ours is the invading army. (67)

The essence of "Civil Disobedience," then, is consistent with Paley. Where the two might have disagreed is in their assessment of the need for resistance and the cost of resistance and in their basic assumptions as to how that assessment should be made. Paley would use the utilitarian principle of expediency, and Thoreau would rely upon the moral sense.

Also useful to Thoreau was Paley's discussion of Locke's contract theory of the origin of government. In "The Duty of Submission to Civil Government Explained," Paley says that it is customary among many political writers, including "the venerable name of Locke," to suppose "a compact between the citizen and the state, as the ground and cause of the relation between them," making the duty of submission to civil authority the "obligation of fidelity in the performance of promises." The compact is both an express compact, an agreement among "the primitive founders of the state" in which every citizen is bound by the resolutions of the

majority, and a "tacit or implied compact," in which all succeeding members of the state, having accepted its protection, "consent to be bound by its laws" (II 130-31). Paley raises several objections to this theory. First, "no government in the universe began from this original," although he admits that America is the closest to that ideal. Second, the idea of contract requires the citizen to "abide by the form of government which he finds established, be it ever so absurd, or inconvenient" (II 139); in a democracy, he is "bound by the decision of the majority" (II 134). Third, the principle of contract would justify "resistance to the encroachments of the supreme magistrate" (II 139); indeed, "every violation of the compact on the part of the governor releases the subject from his allegiance, and dissolves the government" (II 140). For these reasons, Paley rejects the idea of a contract, preferring the rule of expediency as the basis for the subject's obligation.

Thoreau, in contrast, has generally accepted the theory of an express contract. "The authority of government," he says in "Civil Disobedience," "must have the sanction and consent of the governed. It can have no pure right over my person and property but what I concede to it" (89). Earlier in the essay, he advises those who are petitioning the State to dissolve the Union to "dissolve it themselves,--the union between themselves and the State" by refusing "to pay their quota into its treasury" (72). Abolitionists are urged a

bit later to "effectually withdraw their support, both in person and property, from the government of Massachusetts" (74). Still later, he assures the reader that if one honest man were "to withdraw from this copartnership, and be locked up in the county jail therefor," the abolition of slavery would come to pass (75).

Thoreau agrees with Paley on two of his three objections to the theory of express contract: that one should not always be bound to the will of the majority and that one should not always be bound to whatever government one finds himself subject to, especially if it is absurd and inconvenient. Majority rule Thoreau found particularly distasteful. The majority rules not because it is right or just but because it is "physically the strongest" (64). He pleads instead for "a government in which majorities do not virtually decide right and wrong, but conscience" (65). Abolitionists should not "wait till they constitute a majority of one"; it is enough that they "have God on their side," and "any man more right than his neighbors, constitutes a majority of one already" (74).

The idea of an implied contract, binding on all citizens who have accepted protection from it, Thoreau rejects outright, denying that he has ever needed to rely on the protection of the state. Protection presupposes a standing army, which in turn presupposes "a standing government" (63, 78).

In addition to Locke's ideas on the contract theory,

from Paley may also have come two specific images in "Civil Disobedience." In the first volume, in "The Consideration of General Consequences pursued," Paley uses as examples "a string of instances, in which the particular consequence is comparatively slight" (78). Among the examples is this one:

The particular consequences of breaking into a house empty of inhabitants is, the loss of a pair of silver candlesticks, or a few spoons; the general consequence is, that nobody could leave their house empty. (I 79)

This may well be the original of Thoreau's image in "Civil Disobedience" of the State as timid as "a lone woman with her silver spoons" (80). If so, Thoreau is once again turning Paley against himself; by means of allusion, the fatuousness of the State's putting him in jail is said to be an instance "in which the particular consequence is comparatively slight."

Another image that Thoreau may have gotten from the Principles is the State as a highwayman, which occurs in the Journal, A Week, and "Civil Disobedience." In "The Duty of Civil Obedience, As Stated in the Scriptures," Paley characterizes the skeptic on the duty of civil obedience as one who is uncertain "whether it were not a mere submission to force, like that which we yield to a robber who holds a pistol to our breast" (II 153). In "Civil Disobedience" Thoreau likens the State in its tax collection to the highwayman who accosts him and demands, "Your money or your

life," and in the same passage he remonstrates against the use of force: "They only can force me who obey a higher law than I" (81).

Paley may also be responsible for Thoreau's extended play on expedient. Although the main assault on Paley and utilitarian expediency occurs later in the essay, Thoreau begins the attack in the very first paragraph, using expedient and inexpedient as a double-edged sword in a running battle of words with the State. Initially, he affirms that "Government is at best but an expedient" (63). But on the return swing of the sword, the affirmation is neatly negated: ". . . but most governments are usually, and all governments are sometimes, inexpedient." In the second paragraph, he affirms that "government is an expedient," and then he immediately negates the affirmation with the qualification, "by which men would fain succeed in letting one another alone," and with examples of its inexpediency (64).

By using expedient in the substantive sense, "contrivance," he can say that "government is an expedient by which men would fain succeed in letting one another alone"--that is, government is a means to an end, a device which men have adopted to protect the rights of the individual, "the mode which the people have chosen to execute their will" (63). By using the word in its attributive sense, "useful," he can say that when government is "most expedient, the governed are most let alone by it"--that is, most useful to man when it does not interfere with the individual (64). Such is not

the case, however: "most governments are usually, and all governments are sometimes, inexpedient" (inexpedient expedients), since they do not observe the motto, "That government is best which governs least" (63).

There is also etymological word-play that may derive from Paley's discussion of expediency. Expedite means, literally, "to free one who is caught by the foot and thus speed him on his way," and expedient is a derivative of expedite. Government is most expedient, then, when it gets out of the way, with alacrity, of a human enterprise; it is most inexpedient when it gets in the way of the American character and when it places obstacles in the path of trade and commerce, like "mischievous persons who put obstructions on the railroads" (64).

William Paley's The Principles of Moral and Political Philosophy is an important part of the context of "Civil Disobedience." Although he never wanted to admit it, Thoreau learned his lessons well at Harvard College. From Paley came an idea to pillory: utilitarian expediency. From Paley he learned of Locke's contract theory of government, which demanded reciprocal duties of sovereign and citizen, and from Paley he learned the arguments against civil resistance as well as the arguments favoring it. From Paley he may also have derived two key images of the essay and the inspiration for a bit of extended word-play. In "Civil Disobedience," Paley's hope, that "the choice men make . . . in the most critical occasions of the common-

wealth" might be influenced by his book, came to pass in
Thoreau's reaction to his times.

Chapter V

The Literary Context of "Civil Disobedience":

Samuel Taylor Coleridge's

The Friend, The Statesman's Manual, and Aids to Reflection

The impact of Samuel Taylor Coleridge upon the transcendentalists has been widely acknowledged. Perry Miller has called the first American edition of Coleridge's Aids to Reflection (1829) "the book that was of the greatest single importance" in the formation of the minds of the transcendentalists (The Transcendentalists: An Anthology 34).

Kenneth Cameron concurs: "Through this one volume alone Emerson and his contemporaries had access to the heart of Coleridge's teaching, and that fact cannot be overemphasized" (Emerson the Essayist I 125). Bronson Alcott testified that reading Coleridge marked "a new era in my mental and psychological life," and that if he were to choose such, Coleridge would be his "modern master" (Carafiol 40-41).

Emerson's reaction was more cautious. After the American publication of Aids to Reflection in 1829, he seems to have rediscovered Coleridge; in a letter he reported that he had read The Friend "with great interest" and Aids to Reflection "with yet deeper." In 1834 he was again engrossed in Coleridge, who "has thrown many new truths into circulation" (42-43).

Little has been said, however, about the influence of

Coleridge upon Thoreau. Perhaps that is because Thoreau was a second-generation transcendentalist, and the battles between the Lockean sensationalists and the transcendental intuitionists had already been fought and won. As Sherman Paul puts it, Thoreau did not have to formulate a "first philosophy" as Emerson had to do, but was able to leap "to liberation over that great distance from Locke to Coleridge that had caused his elders, Emerson, Alcott, Ripley, and Parker, so much anguish and doubt" (The Shores of America 1). Or it may have been assumed, as Paul here suggests, that Thoreau simply absorbed Coleridge indirectly from Emerson and the others. Whatever the reason, little has been written about the Coleridge-Thoreau connection.

Henry S. Canby, the first modern biographer of Thoreau, believes that Thoreau's acquaintance with Coleridge was first-hand; while his mother read books of sermons and The Christian Examiner, "her son was hot after Coleridge, Wordsworth, DeQuincey, Carlyle, and the new thought generally" (Thoreau 27). What he got from Coleridge was "the German philosophy of spiritual nearness to God through nature" and thus inclinations toward solitude and wildness (205-06). In American Renaissance, F.O. Matthiessen almost ignores Coleridge's influence on Thoreau. No doubt because his primary concern is "the distinctive qualities" of Thoreau's style and Thoreau's architectonics, there is but one indirect connection: "By examining 'the organic principle' as it was understood by Coleridge, we can apprehend a major

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theory of art, the theory that conditioned Leaves of Grass no less than Walden" (99).

Since he is concerned with presenting Thoreau as naturalist and civil libertarian, Joseph Wood Krutch also ignores the Coleridge influence, noting only that at Harvard, Thoreau was before long "to make the acquaintance of Goethe, Coleridge, Carlyle, Wordsworth, and the others whom the Concord group found sympathetic" (Henry David Thoreau 23). What he might have gained from his acquaintance with Coleridge, Krutch does not say. Walter Harding in The Thoreau Handbook agrees with Canby and Krutch that Thoreau's knowledge of Coleridge was first-hand. Because Coleridge was "the translator and exponent of the German Transcendentalists" and the 1829 edition of Aids to Reflection was "one of the bibles of the American Transcendentalists," Thoreau "read it with avidity" (107). In addition to the second-hand acquaintance with the German transcendentalists, from whom Thoreau and the others derived much of their inspiration, Thoreau absorbed from Coleridge and the other English Romantics many of his ideas on the critic and on criticism (159). In The Shores of America Sherman Paul makes no comment other than the one cited earlier, that Thoreau benefited from the battles against empiricism won by Emerson and the other, older transcendentalists.

Scant attention to Coleridge and Thoreau has been paid by recent critics. In Thoreau's Redemptive Imagination, Frederick Garber explores the essentially Romantic way in

which Thoreau transforms and redeems nature through the imagination, and he finds that Thoreau's "terms for the redeeming agent(s)" were "drawn from Coleridge and the tradition of Anglo-European Romanticism which informed American Transcendentalism" (12). (The terms are, of course, genius, talent, fancy, and imagination, all of which the American transcendentalists derived from Coleridge.) The Romantic figure that concerns Garber most, however, is not Coleridge but Rousseau. In the most recent biography, Henry Thoreau: A Life of the Mind, Robert Richardson limits himself to general comments; the Coleridge that Thoreau most admired was not the author of "The Ancient Mariner" but "the religious thinker and moralist, the transcendental idealist and author of Aids to Reflection and The Statesman's Manual," the same Coleridge who was "the single most important interpreter of German idealism to the English-speaking world" (97). It is notable that all these critics, while making a case for Coleridgean influence on Thoreau, make no connection with "Civil Disobedience." More recent studies--James McIntosh's Thoreau: Romantic Naturalist, William Howarth's The Book of Concord, Richard Lebeaux's Thoreau's Seasons, and Richard Bridgman's Dark Thoreau--make no connection between Thoreau and Coleridge at all.

Thoreau's acquaintance with Coleridge was, as Canby says, first-hand. While he was still at Harvard, in fact, he wrote a review of Henry Nelson Coleridge's Introduction to the Study of the Greek Classic Poets (Bode "A New College

Manuscript" 310-13). It is likely that Thoreau's interest in Henry Nelson Coleridge's famous uncle was initially in his poetry; the only Coleridge work in his personal library was an 1832 edition of The Poetical Works of Coleridge, Shelley, and Keats (Harding Thoreau's Library 42). Quite possibly he first learned of Coleridge's philosophical ideas through Emerson, whose influence on Thoreau during the decade following his graduation was profound, and through Alcott, a Coleridgean disciple. By 1841, however, Thoreau was reading Coleridge's prose himself; according to Robert Sattelmeyer, between January and April of that year, he read both Aids to Reflection and The Statesman's Manual (30).

Evidence of this interest appears in the Journal of that year, where there are three direct quotations from Coleridge: one identified in the Princeton Edition of the Journal as from Aids to Reflection, dated January 19, 1841; one identified as from The Statesman's Manual, dated January 24, 1841; and one which has not been identified, dated February 19, 1841. This interest in Coleridge may well be because in 1841 Thoreau moved into the Emerson home to assume his duties as gardener and handyman and therefore had ready access to Emerson's library, which contained editions of The Friend and The Statesman's Manual (Harding Emerson's Library 64). His access to Aids to Reflection may have also been from Emerson's collection, even though no copy was on Emerson's shelves at the time of his death, or it may have been from Alcott's copy of the 1829 edition, which Dahlstrand

says Alcott first read in September, 1832 (94).

An 1845 allusion to Coleridge in the Journal was perhaps written during the period at Walden when Thoreau wrote the appreciative review, "Thomas Carlyle and His Works." The entry begins with a fragment, "To live to a good old age such as the ancients reached--serene and contented--dignifying the life of man"--clearly a desideratum in Thoreau's eyes. After a reference to Wordsworth's talent, the mood of the entry becomes melancholy:

The life of man would seem to be going to wrack & pieces And no instance of permanence--and the ancient natural health--notwithstanding Burns--& Coleridge--& Carlyle-- It will not do for men to die young--the greatest Genius does not die young--Whome the gods love most--do indeed die young, but not till their life is matured. . . . (II PE 200-01)

Coleridge, of course, had been dead for eleven years; it is his permanence as a writer to which Thoreau refers. In "Thomas Carlyle and His Works" occur two more laudatory notices of Coleridge:

Carlyle alone, since the death of Coleridge, has kept the promise of England. (Crawford Henry David Thoreau 186)

His earlier essays reached us at a time when Coleridge's were the only recent words which had made any notable impression so far. . . . (Crawford

186)

It is obvious that Thoreau had some familiarity with Coleridge's prose as well as his poetry and that he was quite favorably impressed. It remains to see just what in Coleridge impressed him and in what ways the impression was made on "Civil Disobedience."

Whether Thoreau read Coleridge's The Friend in the years prior to the composition of "Civil Disobedience" is not known. Later, he had access to Emerson's copy and to Emerson's conversation; according to Carafiol, after 1836, "The Aids seems to have sunk in Emerson's estimation while The Friend rose" (43). In Concord he may also have used a copy of The Friend belonging to Alcott, who had first read the work in 1832, remarking that "No man since Jesus has perhaps penetrated deeper into the profound mysteries of the human spirit" (Dahlstrand 97). In light of such enthusiasm, it seems likely that Thoreau not only knew of The Friend but had read it himself.

The Friend was the second, and the more successful, of two attempts by Coleridge to be an active journalist. Described in the prospectus as "A Weekly Essay," it was printed less regularly than that, in twenty-seven issues spread over nine months, from June, 1809, to March, 1810. In 1812, the essays were gathered as Coleridge had originally planned in a volume, and in 1818 a third edition appeared. In 1831, a reprint of the third edition was published in America, two years after the American edition of

Aids to Reflection, probably as a result of the efforts of James Marsh, who edited the 1829 volume, and in 1837 nephew Henry Nelson Coleridge supervised a fourth, and posthumous, edition (Rooke The Collected Works of Samuel Taylor Coleridge xxv-cv).

Coleridge's purpose in writing The Friend, according to his prospectus, was to offer "Sources of Consolation to the afflicted in Misfortune, or Disease, or speculative Gloom, from the Exertion and right Application of the Reason, the Imagination, and the Moral Sense" (Rooke xxxvi). Unlike the earlier periodical, The Watchman (1796), "which had been avowedly concerned with events of the day and current politics," The Friend was to be "a work of broader, more philosophical interest" which would establish principles by which "individuals would judge the issues of the day" (Rooke xxxvi, xlii). In Coleridge's words, it was intended "to found true PRINCIPLES, to oppose false PRINCIPLES, in Criticism, Legislation, Philosophy, Morals, and International Law" (xxxvii).

What the other transcendentalists and Thoreau certainly got from The Friend--as well as The Statesman's Manual and Aids to Reflection, was the faculty psychology, which consisted of the senses, the understanding, and the reason. One essay in The Friend that is relevant to Thoreau's political thought in general and to "Civil Disobedience" specifically is "On the Principles of Political Philosophy."

There are, says Coleridge, three theories of the origin

of government, corresponding to the three faculties of the human being: the senses, the understanding, and the reason. First, there is the system of Thomas Hobbes, which predicates the State upon the belief that men are the highest sort of animals, whose minds consist only of "passive sensation" and who therefore have no concept of right and duty; because the wills and desires of men differ, and conflicts ensue, they are forced into society. Government is based on "fear, or the power of the stronger, aided by the force of custom" (Collected Works I 166). Thus Hobbes's theory is a "bestial Theory," since government is "a thing which relates to men" (173), not beasts. What actually compels men into the social state, Coleridge believes, is the force of moral cohesion, "the Spirit of LAW," which inspires obedience rather than compelling it (171). "If there be any difference between a Government and a band of robbers," Coleridge concludes, "an act of consent must be supposed on the part of the people governed" (175).

In "Civil Disobedience," Thoreau says much the same thing. A government of force reduces human beings to "horses and dogs" (66). Men should be "men first, and subjects afterward" (65). Only they who obey "a higher law" than he can force the citizen to obey (81). Government is "the mode which the people have chosen to execute their will" (Reform Papers 63), a "copartnership" (75), and it is properly based on "the sanction and consent of the governed" (89). And, like Coleridge, Thoreau sees a government of

force, which ignores the consent of the governed, as a robber; when the government attempts to force him to pay tax, it is like a highwayman who says, "Your money or your life" (81).

The second system of government, says Coleridge, corresponds to the faculty of understanding, "of suiting measures to circumstances" (Rooke 176). In this sort of government, laws are "just because they happen to be expedient" (199). "Expedience founded on experience and particular circumstances" is "the maxim of all Legislation and the ground of all Legislative Power" (202). This is, of course, the system of Paley, a utilitarian theory, for which Coleridge admits that he once had expressed "contempt and reprobation" (176), and for which Thoreau expresses the same feelings in "Civil Disobedience."

The third system "denies all rightful origins to government, except as far as they are derivable from principles contained in the REASON of Man" (178). All voluntary actions are moral actions, grounded in the reason, and to frustrate a man's right and duty to act according to conscience, the child of reason, is to reduce him from a person to a thing (189). If man is not permitted to obey, "wherefore has he a conscience," ask the adherents to this libertarian philosophy of government (191). "No power on earth," they say, "can oblige me to act against my conscience. No magistrate, no monarch, no legislature, can without tyranny compel me to do any thing which the acknowledged laws of God

have forbidden me to do" (194).

Clearly this is the theory of government Thoreau favors in "Civil Disobedience." Government should not, must not, force the citizen to "resign his conscience to the legislator." Otherwise, he asks in a question much like Coleridge's, "Why has every man a conscience, then" (65). To the State armed not "with superior wit or honesty, but with superior physical strength," which tries to force him to violate his conscience, he replies much like the adherents to the third system above: "I was not born to be forced. I will breathe after my own fashion. Let us see who is the strongest. . . . They only can force me who obey a higher law than I" (80-81).

Quite unpredictably, given his previous inclination to accept the reason as the "absolute foundation of all morality" (176) and given his aversion to the utilitarianism of Paley which often undermines that foundation, Coleridge chooses the second system of government, even though he is powerfully attracted to the third. The problem is that where "REASON is the sole sovereign," it is possible for a demagogue to seize power, in whose mind "MIGHT becomes RIGHT" (197). The final result of this system is therefore likely to be "a military despotism inconsistent with the peace and safety of mankind" (199). Since it is "under any form impracticable" (198), Coleridge chooses to light on the firm ground of common sense," to leave "the gradually exhausted balloon of youthful enthusiasm," to leave off

pursuing "air-built castles . . . with all their pageantry of shifting forms and glowing colours" (224), and to opt for the second system, consoling himself with the conditions "that the shortest code of law is the best" and that the government should meddle as little as possible in the citizen's affairs (199).

In "Civil Disobedience," Thoreau affirms the idealism that Coleridge reluctantly denies. He can accept a government that "governs least" (63) as a temporary solution to human problems, "an expedient by which men would fain succeed in letting one another alone" (64). But when men are ready for it, there will be a government that governs--that coerces--not at all (63), that will allow those who choose to do so "to live aloof from it, not meddling with it," so long as they fulfill "all the duties of neighbors and fellow-men" (89). While Coleridge eschews the pursuit of the "air-built castles" of ideal government, Thoreau closes his essay with a vision of "a still more perfect and glorious State, which also I have imagined, but not yet anywhere seen" (89).

Coleridge's The Statesman's Manual: The Bible the Best Guide to Political Skill and Foresight appeared in 1816, the first of three lay sermons which were to address, respectively, the higher classes, the higher and middle classes, and the working class. The second was published in 1817; the third was never published.

That Thoreau would read such a religious tract, with

such a pious-sounding title, aimed at demonstrating "the sufficiency of the Scriptures in all knowledge requisite for a right performance of his duty as a man and a Christian" (The Complete Works of Samuel Taylor Coleridge I 423), might seem unlikely. In Walden, one may remember, he calls the Bible, which to Coleridge is the manual of the statesman, "an old book" ("Economy"). In the "Sunday" chapter of A Week, he refers to "the Christian fable" and elevates "my Buddha" to a position equal to "their Christ." In the "Monday" chapter he counsels "the readers of scriptures" who "wish for a good book" to read the Bhagavad-Gita, for it "deserves to be read with reverence even by Yankees," since it possesses "a moral grandeur and sublimity akin to those of his own Scriptures," and he calls for a world bible, "the Scripture of mankind." Yet read The Manual he did, apparently, since he quotes from it in the Journal, and he probably found much there he could sympathize with. After all, he also says in A Week, "The New Testament is an invaluable book" ("Sunday") which is "remarkable for its pure morality" ("Monday"). Indeed, the passage from The Manual that Thoreau cites in the Journal speaks of "the great principles of our religion, the sublime ideas spoken out everywhere in the Old and New Testament" (Collected Works I 434). And in "Civil Disobedience," he says apropos of statesmen like Daniel Webster, "who know of no purer sources of truth," that they "wisely stand, by the Bible" (88).

The beginning point of Coleridge's "lay sermon" is that the use of the Bible, which contains "rules and assistances for all conditions of men under all circumstances" (Collected Works 421) is hindered by "spiritual slumber" and "habitual unreflectingness" (422), aided by "a jealous priesthood" (421) who want to keep the laity in "Papal darkness" (422) for their own selfish ends. This is especially dangerous among "men moving in the higher class of society" (423), legislators, who should be using it as their manual, seeking therein "the collation of the present with the past" and developing "the habit of thoughtfully assimilating the events of our own age to those of the time before us" (424-25). The problem is that they are caught up in a "frivolous craving for novelty" (434); the Bible is old, and they are too familiar with its contents. What will raise them "above the mass of mankind" and qualify them "to guide and control" mankind is the ability "to find no contradiction in the union of old and new, to contemplate the Ancient of days, his words and his works, with a feeling as fresh as if they were now first springing forth at his fiat" (434-35).

Coleridge's exposition in the Manual of crass expediency would also have interested Thoreau:

. . . the cautious balancing of comparative advantages, the constant wakefulness to the Cui bono?--in connection with the Quid mihi?--all these are in their places in the routine of conduct, by

which the individual provides for himself the real or supposed wants of to-day and to-morrow

(431-32)

Later, in a discussion of the corruption of wisdom in France, he charges that even science "put on a selfish and sensual character, and immediate utility," the gratification of animal appetites, human vanity, and political ambition, "was imposed as the test of all intellectual powers and pursuits" (464). This debased French wisdom, in the form of political economy, "in its zeal for the increase of food . . . habitually overlooked the qualities and even the sensations of those that were to feed on it"; as ethical philosophy, it recognized only those duties that could be decided in terms of "debtor and creditor accounts on the ledgers of self-love" and transactions in which "no coin was sterling" except "agreeable sensations" (464).

In "Civil Disobedience," Thoreau also excoriates expediency, as the chapter on Paley illustrates. The rule of expediency, says Thoreau, does not apply in some cases, where justice must be done, "cost what it may" (68). The real opponents of reform are not "a hundred thousand politicians," but "a hundred thousand merchants and farmers here, who are more interested in commerce and agriculture than they are in humanity" (68). Many of those "who are in opinion opposed to slavery and to the war" do nothing about them; they prefer to think of "free-trade" than of "freedom" and "quietly read the prices-current along with the latest

advices from Mexico, after dinner, and it may be, fall asleep over them both." "What," he asks in understated anger, "is the price-current of an honest man and patriot to-day?" (69)

Another passage in the Manual which has a general bearing on "Civil Disobedience" is a discussion of moral principles. In the Journal Thoreau quotes from the following passage in the Manual dealing with "the great principles of our religion":

The great principles of our religion, the sublime ideas spoken out everywhere in the Old and New Testament, resemble the fixed stars, which appear of the same size to the naked eye . . . ; the magnitude of which the telescope may rather seem to diminish rather than to increase. (Collected Works I 434)

Coleridge's point here is that the magnitude of the Scriptures diminishes with men's familiarity with them; the perspective of time causes them to depreciate in value to men's lives. In the Journal, the word ideas has been underscored by Thoreau, as if to call attention to the concept of principles, such as the principles of freedom, justice, right, and duty to conscience, which have sadly diminished in the perspective of time.

In the decadent present of "Civil Disobedience," those principles have diminished as well. While "all men recognize . . . the right to refuse allegiance to and to

resist the government, when its tyranny or its inefficiency are great and unendurable," most in Thoreau's day "say that such is not the case now" (67); they "postpone the question of freedom," being mere "patrons of virtue" than virtuous men, being "the temporary guardian" of virtue rather than its "real possessor" (69). Lawyers and legislators serve the State chiefly "with their heads" rather than their consciences, and thus are likely to "serve the devil, without intending it" (66). They "are wont to forget that the world is not governed by policy and expediency"; they do not "legislate for all time" (87). Their truth is "not Truth, but consistency, or a consistent expediency" (87), and the chief concern of their Truth is not "to reveal the justice that may consist with wrong-doing" (87). Like Coleridge, Thoreau wonders why legislators do not avail themselves of that compendium of principles, the Bible:

For eighteen hundred years, though perchance I have no right to say it, the New Testament has been written; yet where is the legislator who has wisdom and practical talent enough to avail himself of the light which it sheds on the science of legislation?
(89)

The third of Coleridge's relevant prose works, Aids to Reflection, is generally regarded as being the catalyst that brought about the American transcendental movement. Having been first published in England in 1825, it appeared in America four years later in an edition by James Marsh, pres-

ident of the University of Vermont, who intended thereby, says Carafiol, to reconcile warring Congregationalists and Unitarians, "revitalize Congregationalism by restoring the spiritual flame that had become dimmed by secularism, doctrinal debate, scepticism, and moralism," and "return Unitarians to Orthodoxy by assuring them that they need not analyze the mysteries of the Christian faith logically in order to participate in them spiritually." By making Coleridge available in an American edition, Marsh also, quite unintentionally, fostered the development of Transcendentalism and Romantic aesthetics (27, 28).

In "The Author's Address to the Reader," Coleridge asks his reader, whom he calls "Fellow Christian," to read the book and then ask himself if it has led him to reflect, if it has "removed any obstacle to a lively conviction of [his] responsibility as a moral agent," and if it has increased his "power of thinking connectedly." In "The Author's Preface," he elaborates on his intention. The book is intended, generally, for "as many in all classes as wish for aid in disciplining their minds to habits of reflection," for all who want to build up a "manly character" by studying "the principles of moral architecture," and for all who are interested in his defense of the Christian faith as "the perfection of human intelligence" (Collected Works I 113). Specifically, it is directed to "the studious young at the close of their education or on their first entrance into the duties of manhood and the rights of self-government" and,

more specifically, to "the members of our Universities" and to candidates for the ministry, for missionary work, and for the instruction of youth (114).

Coleridge's objects in the work are fourfold: "to direct . . . attention to the value of the science of words, their use and abuse, and the incalculable advantages attached to the habit of using them appropriately"; "to establish the distinct characters of prudence, morality, and religion," especially the truth that "moral goodness is other and more than prudence on the principle of expediency"; "to substantiate and set forth at large the momentous distinction between reason and understanding"; and "to exhibit a full and consistent scheme . . . of all the peculiar doctrines of the Christian Faith" (114-15).

In substance, Aids to Reflection consists of aphorisms and essays. The aphorisms, written by Coleridge and Robert Leighton, a seventeenth-century writer of devotional literature, deal with the topics of prudence, morality, and religion and are followed by Coleridge's comments on them. The essays explore the topics of sensibility, the elements of religious philosophy, the reason and the understanding, instinct and understanding, original sin, redemption, and baptism.

While much of Coleridge's stated purpose and many of his topics were doubtless too doctrinal to suit Thoreau's taste, Thoreau would surely have been in accord with the reference in "The Author's Address" to one's "responsibility as a

moral agent" and in "The Author's Preface" to "the principles of moral architecture." Moreover, he may well have seen a description of himself in Coleridge's definition of his audience. He too was at the close of his formal education and contemplating "the duties of manhood and the rights of self-government" (in fact, we have here two of the key words in the title of "Civil Disobedience" in lecture form: "The Rights and Duties of the Individual in Relation to Government").

Two of the aphorisms in Aids to Reflection are also relevant to a study of "Civil Disobedience." In the twenty-ninth of the "Introductory Aphorisms," there is a discussion of prudence with which Thoreau would have been in agreement. There are four kinds of prudence, Coleridge says: the prudence that stands in opposition to the moral life; "a neutral prudence, not incompatible with spiritual growth"; "a faithful, a wise prudence," leading to and subservient to a higher principle than itself; and "a holy prudence" that "co-exists with morality, as morality co-exists with the spiritual life." Prudence, says Coleridge, is like the vowel, and morality is like the consonant, which cannot be uttered without the vowel (Complete Works I 132-33).

Both Thoreau and Coleridge reject selfish, expedient prudence in favor of the prudence that is subservient to a higher principle and that co-exists with morality. However, "neutral prudence," which Coleridge illustrates with the words of Christ, "What is not against us is for us," and

which he finds proper and commendable, is treated with scorn by Thoreau in "Civil Disobedience." "Patrons of virtue," who "do nothing in earnest and with effect," wait, well-disposed, for others to remedy evil (69). What the country needs is "a man who is a man, and . . . has a bone in his back which you cannot pass your hand through!" (70)

The fifth among the "Moral and Religious Aphorisms" in Aids to Reflection is noteworthy because it is cited in Thoreau's Journal. Strangely enough, it deals with election and salvation, a doctrine repugnant to transcendentalists. What would have appealed to Thoreau was the discussion of the "comfortable assurance of the love of God" (Collected Works I 148). In an extended metaphor, Coleridge calls man a mariner who is guided by "the lodestone of divine love," which tells him his course is "heavenward, towards the haven of eternal rest." Following this is the sentence quoted by Thoreau in the Journal: "He that loves, may be sure he was loved first." Thoreau's comment on the quotation in the Journal reveals his confidence in moral courage and in a moral universe where the law of love is operative, both of which undergird the non-resistant protest of "Civil Disobedience."

The one thread useful to Thoreau that runs through The Friend, The Statesman's Manual, and Aids to Reflection is Coleridge's treatment of the faculty psychology. Most discussions of Coleridge mention three faculties: the senses, the understanding, and the reason, but his system of facul-

ties is more complex than that, with overlapping divisions and sub-divisions, ultra-precise distinctions, and ambiguities and contradictions. But students of Coleridge and Thoreau must deal with these difficulties, since the faculty psychology not only was the basis of Coleridge's metaphysics and transcendentalism, but also informs important passages in "Civil Disobedience."

Because romantics and transcendentalists alike were hospitable to a priori ideas and hostile to empirical data, to Coleridge the senses are a foundation of knowledge only in that they provide the raw materials for the other faculties (which contain a priori forms and functions) to operate upon. To put it another way, the senses are the link between the knowing, valuing self and the material world. About them Coleridge has very little to say.

The understanding is the faculty of the mind by which we reflect upon, generalize, compare, conceive, judge, adapt, and classify the phenomena received from the senses. In the process of classification, the understanding assigns words and names to groups of experiences, and ultimately it derives notions from experience and reduces them to operative rules. It also permits man to make conjectures as to possible consequences of actions. Dependent on the senses and the reason, dealing only with the particular and lacking the ability to deal with the whole, it is subject to error and contradiction. In the political realm, the understanding takes the form of the half-truth or the short-term solu-

tion--that is, expediency. Another sign of its inferiority is that the understanding is not a distinctively human faculty; the intelligence of animals does not differ in kind from that of humans.

Coleridge makes a distinction between two types of reason, practical reason and speculative reason, both of which are wholly denied to animals and are characterized by knowledge of self, absolute principles, and necessary laws. The two are occasionally, but not consistently, distinguished by the use of a capital letter (with the superior type, the practical reason, receiving the capital). The speculative reason is the faculty of scientific principles. It involves the ability to know the essential properties of things and to know whether ideas contradict one another or not, and by it we subordinate the rules of experience (formulated by the understanding) to absolute principles or necessary laws. Hence it is dependent upon the understanding (and, ultimately, upon the senses).

The practical reason alone is reason in the full and substantive sense. It is the Supreme Reason or Logos dwelling in us, the immediate access to God. It is a power, the power of universal and absolutely necessary conclusions, convictions, or principles, manifested in us as the conscience, whereby we are commanded to accept the responsibility of those duties; and as the will, whereby we are enabled to maintain obedience to the commands of the conscience.

In several key passages of "Civil Disobedience" the

influence of Coleridge's faculty psychology is evident. For example, in the introduction to the account of the jail experience, he laughs at the State for thinking that by incarcerating his body they have controlled his soul:

I did not for a moment feel confined, and the walls seemed a great waste of stone and mortar

As they could not reach me, they had resolved to punish my body Thus the State never intentionally confronts a man's sense, intellectual or moral, but only his body, his senses. (80).

Thoreau makes use of all three faculties--the senses, the understanding, and the reason--in the passage. The State, he complains, appeals only to the lowest faculty, the body or the senses, rather than to the higher faculties, the intellectual faculty (the understanding) and the moral faculty (reason).

An even more explicit example occurs near the beginning of the essay. The mass of men, Thoreau observes--men such as militiamen, jailers, constables, and members of the posse comitatus--serve the State "as machines, with their bodies," with little or no exercise of their judgment (the understanding or the speculative reason) or their moral sense (the practical reason). Instead, they put themselves "on a level with wood and earth and stones," commanding "no more respect than men of straw, or a lump of dirt," since they have only as much worth "as horses and dogs." (Ironically, they are often thought of as good citizens.) Others, such

as "most legislators, politicians, lawyers, ministers, and office-holders," serve the State primarily "with their heads," i.e., the understanding or speculative reason, and therefore are governed in their actions by expediency. Rarely making any moral distinctions, says Thoreau, "they are as likely to serve the devil, without intending it, as God." A "very few," such as "heroes, patriots, martyrs, reformers in the great sense, and men" (real men who have a bone in their backs), serve the State "with their consciences also" (the practical reason); therefore they "necessarily resist it for the most part" and therefore they are deemed enemies of the State (66). It is not an irony, however, for them to be imprisoned, for "Under a government which imprisons any unjustly, the true place for a just man is also a prison"; since they have "put themselves out by their principles," it is appropriate that they "be put out and locked out of the State by her own act" (76).

Still another example of Thoreau's use of Coleridge's faculties in "Civil Disobedience" occurs near the end of the essay. Seen from "a lower point of view," that is, the understanding and prudential expediency, "the Constitution, with all its faults, is very good," "the law and the courts are very respectable," and the present State and the American government are "in many respects, very admirable and rare things, to be thankful for, such as a great many have described them." Seen from a little higher point of view, that of the speculative reason (the understanding quickened

by the practical reason, the critical, comparing faculty), they are "what I have described them." Seen "from a higher still, and the highest" point of view, that of practical reason, these things seem unsubstantial and without true value: ". . . who shall say what they are, or that they are worth looking at or thinking of at all?" (86). In the realm of Reason (practical reason), Thoreau is not often conscious of living under a government. Because he is "thought-free, fancy-free, imagination-free"--that is, above the understanding and above its image-combining ability, the imagination (which to Coleridge is a mediating power between the reason and the understanding)--"that which is not" never appears to be, and his freedom cannot be interrupted by "unwise rulers or reformers" (86).

Most statesmen, says Thoreau, using Daniel Webster as an example, are "governed by policy and expediency"; they never go "behind government," never transcend it, never "distinctly and nakedly behold it." Never looking at it from the point of view of the reason, they see "ingenious and even useful systems," unlike "thinkers, and those who legislate for all time," who live in the realm of reason and therefore contemplate "essential reform in the existing government." Because Webster is governed not by wisdom but by prudence (that is, the understanding), he is a follower, not a leader (86-87). Not knowing "purer sources of truth" derived from Reason, not having traced higher up the stream of Truth, men like Webster "stand, and wisely stand, by the

Bible and the Constitution, and drink at it there with reverence and humility." Others, however, "gird up their loins" and "continue their pilgrimage toward its fountain-head" (88).

In the powerful concluding paragraph of the essay, the Coleridgean faculty psychology is again informative. The present American democracy, with its expedient and prudential leaders, is clearly a government by the understanding. A government by speculative reason will occur when "the State comes to recognize the individual as a higher and independent power, from which all its own power and authority are derived, and treats him accordingly." This State will realize that it "can afford to be just to all men, and to treat the individual with respect as a neighbor" and will not be threatened "if a few were to live aloof from it, not meddling with it, nor embraced by it, who fulfilled all the duties of neighbors and fellow-men." The State based on speculative reason will prepare the way for a State based on practical reason, which would recognize the categorical demands of the conscience, "a still more perfect and glorious State, which also I have imagined, but not yet anywhere seen" (89-90).

The influence of Coleridge on the formulation of the ideas on government that undergird "Civil Disobedience" and on its composition was an important one. In Coleridge he found support for his rejection of a government based on force, and in Coleridge he may have found the metaphor of a

band of robbers to describe such a government. He found there support for his rejection of the idea of a government based on crass expediency and his rejection of the need for men to contract with a government in order to protect themselves from themselves; support for his idea of a substructure of moral principles in the universe; and support for his conviction of the duty of acting as a moral agent in that universe. Above all, however, it is Coleridge's discussion of mental faculties that had the greatest influence on Thoreau and "Civil Disobedience," especially the discussion of practical reason, whereby a citizen can have immediate access to Eternal Truth and become a political majority of one.

Chapter VI

The Literary Context of "Civil Disobedience":

The Political Essays of Orestes Brownson

Late in 1835, Henry Thoreau took advantage of a new Harvard College policy that permitted economically deprived students to take a leave of absence in order to earn the funds needed for their education. During his absence from December, 1835, to March, 1836--the winter term--Thoreau taught in the public schools of Canton, Massachusetts, and boarded for six weeks in the home of Orestes Brownson, social activist and Unitarian minister. That there was an immediate affinity between Brownson and Thoreau is apparent; after examining Thoreau's qualifications as a teacher, the two sat up talking until midnight; the next day, Brownson informed the School Committee "that Mr. Thoreau . . . would do, and would board with him" (Channing Thoreau: The Poet Naturalist 32). From this and the tone of an 1837 letter from Thoreau to Brownson, we can conclude that the older man "adopted" the younger and took him under his wing. Writing late in 1837 to ask for Brownson's help in securing a teaching position, having recently resigned his first such full-time position in the public schools of Concord because he refused to administer corporal punishment, Thoreau acknowledges a debt to Brownson:

I have never ceased to look back with interest, not

to say satisfaction, upon the short six weeks which I passed with you. They were an era in my life-- the morning of a new Lebenstag. They are to me as a dream that is dreamt, but which returns from time to time in all its original freshness. (Correspondence 19)

After a few witty comments about his need for employment and his philosophy of education (the teacher should be a fellow student; the classroom should have an atmosphere of freedom; corporal punishment is an ineffective tool), Thoreau praises Brownson's Boston Quarterly Review, the first issue of which has just appeared:

I have perused with pleasure the first number of the "Boston Review." I like the spirit of independence which distinguishes it. It is high time that we knew where to look for the expression of American thought. It is vexatious not to know beforehand whether we shall find our account in the perusal of an article. But the doubt speedily vanishes, when we can depend upon having the genuine conclusions of a single reflecting man. (20)

Granted, Thoreau may here be guilty of attitude fitting; he is, after all, asking for Brownson's help, and it would surely be understandable if he used flattery to secure that help. But flattery is not consistent with Thoreau's blunt honesty, and at the end of the rather effusive letter, he apologizes for having written a "cold business letter" (my

emphasis). There seems little doubt that Thoreau is being sincere. perhaps youthfully and extravagantly sincere, and that Brownson was a powerful influence on Thoreau during a very impressionable period of his life.

Kenneth W. Cameron has preserved a contemporary assessment to that effect. Amos Perry, a Harvard classmate, reported noticing a definite change in Thoreau after his stay in Canton:

He was during more than two years a diligent student, bright and cheerful. . . . In his junior year, he went out to Canton to teach school. There he fell into the company of Orestes A. Brownson, then a transcendentalist. He came back a transformed man. He was no longer interested in the college course of study. The world did not move as he would have it. ("Thoreau and Orestes Brownson" 60-61)

A friend of Amos Perry, M.J. Harson, in 1904 recalled Perry's having said that "during their college career Thoreau's thought was almost entirely dominated by Brownson" and that "he spoke of him with greater admiration than any other writer" (Ryan Orestes A. Brownson 89). How much credence can be given Harson's recollection is uncertain, for in the same place he recalled Perry's having attributed to Brownson, rather than to Emerson, "as is generally supposed," the inspiration for Thoreau's profound love of nature.

Thoreau's critics have barely touched on this pivotal period in his life. Henry Seidel Canby first suggested the importance of Brownson in Thoreau's development. "The influence of Brownson upon the later Thoreau," he says, "was much greater than has been supposed." From Brownson, Thoreau may have gotten a distrust of abolitionism and a "belief that self-reform should lead to passive resistance rather than become a practical method of improving society" (Canby unfortunately does not elaborate on this point). More generally, he believes that Brownson offered young Thoreau "intellectual shock" and an example of "protest with body and blood in it"; in Brownson "was a man who was 'reckless, ultra,' whose imagination dealt with epochs and masses"; from him came an invitation to join "the society of active minds where age and position are no factors" (59-60).

In an unpublished doctoral dissertation, Wendell Glick in 1950 briefly evaluated the impact of Brownson on Thoreau's radical philosophy: ". . . there is no question that he opened Thoreau's eyes to the intellectual tumult of the age as they had never been opened before" (14). Brownson was an exponent of "the same sort of provocative radicalism which had already precipitated mob violence in Boston and which had landed Garrison, fuming, in the Leverett Street jail" (15). When Thoreau graduated from Harvard and returned to his abolitionist family in 1837, he was returning to "an intellectual environment much similar to the one he had known and had found congenial two years before" with

Brownson (15).

Walter Harding and Robert Richardson add little concerning Brownson's influence on Thoreau. Harding restricts his treatment of Brownson almost entirely to biography. In addition to an account of Thoreau's stay in Canton and his subsequent letter to Brownson (cited above), he mentions Brownson's participation in the Hedge Club (the initial gathering of the transcendentalists in Emerson's home beginning in 1836), where Thoreau had additional contact with Brownson beginning in the fall of 1837, when he began to attend the meetings whenever they were held in Emerson's home. He also mentions Brownson's lecture at the Concord Lyceum on December 28, 1842, at the time that Thoreau was curator there (the invitation to speak was probably at Thoreau's suggestion). From Harding we also learn that Brownson received an examination copy of A Week, suggesting a continuing regard on Thoreau's part for Brownson. As for Brownson's effect on Thoreau, Harding says much the same thing as Canby: "Brownson's influence on Thoreau at this formative moment in his career has generally been overlooked" (Days 46). Richardson gives fewer biographical details and makes the same generalizations about Brownson's influence. Brownson was at the time of Thoreau's stay in Canton "a fiery young intellectual" whose "moral energy and reformist ideas strongly impressed young Thoreau" (12). While studying German with Brownson and staying up late in conversation with him, Thoreau caught "the sense of new

doors opening for him" (27).

Except for an interesting but terse suggestion in The Literary History of the United States that Brownson perhaps interested Thoreau "in his own radical notions" (390), no connection has yet been made between Brownson's political thought and writings and Thoreau's own.

The discussion of Brownson's political views here is based on six essays published between 1838 and 1844, during the time that Thoreau was formulating his political philosophy and beginning his political activism. In the 1838 inaugural issue of his own publication, The Boston Quarterly Review, which Thoreau said he perused with pleasure, Brownson published an essay called simply, "Democracy," and, in an 1842 issue, "Constitutional Government." In 1843, having become a born-again Democrat and having merged his publication with the Democratic Review, he published "Democracy and Liberty," "Popular Government," and "Origin and Ground of Government." By 1844, he had severed his connection with the Democratic Review after a bitter dispute over political philosophy and had resurrected his own periodical under the name Brownson's Quarterly Review, where he printed "Origin and Constitution of Government," the last of the essays being considered here.

Several themes in Brownson's political essays resonate in "Civil Disobedience": the beneficence and expediency of government; the provisional nature of any particular government, even a democratic one; the dangers inherent in major-

ity rule; the supremacy and inviolability of the conscience when it comes into conflict with the State; and no-governmentism.

Government is for Brownson a necessary expedient. For one thing, it secures and preserves social stability: ". . . social order . . . demands the creation of a government, and that the government should be clothed with the authority necessary for the maintenance of order" (Works XV 10). Moreover, government is a beneficent expedient. It does not originate in human evil, as Thomas Paine said; it originates in what is good in human nature, and it guarantees continued social progress. Thus "it will not . . . cease to operate, nor become less essential as an instrument of social progress and well-being, in proportion as men advance in wisdom and virtue" (231). Individuals can accomplish little on their own:

There are labors demanded for the growth and well-being of the individual, which no single individual can perform. . . . Government [must construct] roads and bridges, railways and canals, open harbors, erect light-houses, protect commerce and navigation, build school-houses and churches, asylums and hospitals, and furnish the means of universal education, of the highest industrial, scientific, and artistic culture for all the children born into the community. (232)

"Man was made to live in society, " says Brownson, "and he

can live nowhere else" (231); only in society, and by its aid, can he "grow, and expand, and fulfil the end of his being" (231).

Government is a welcome expedient, then, so long as it fulfills its primary mission: "the maintenance of every member of the community, in the free and full possession of all his natural liberty, and the performance, in harmony with this natural liberty, of those labors demanded by the common good of all" (231-32).

Brownson and Thoreau disagree substantially on the idea of government as expedient. To Thoreau, government is "at best" an expedient, and it is neither necessary nor beneficent. He feels no need himself for the protection that government supposedly exists to provide (78), and far from being a beneficent expedient, it is a most inexpedient expedient. It "never of itself furthered any enterprise, but by the alacrity with which it got out of its way." It is the people, not the government, who are responsible for social progress; it is they who have kept the country free, settled the West, educated themselves, and carried on trade and commerce (64). For Brownson, man was made for society, and government is necessary to have society. Thoreau, however, sees society as threatening to the individual, and government even more threatening. The government is most expedient when it lets the citizen alone (64, 89-90). As for man's need for society, Thoreau does not feel responsible "for the successful working of the machinery of society"

(81), and he speaks scornfully of the American Odd Fellow "whose first and chief concern" is "to see that the almshouses are in good repair" and who dares to live "only by the aid of the mutual insurance company" (70-71). For Brownson, government will always be necessary, regardless of man's advancement in wisdom and virtue; for Thoreau, "when men are prepared for it," there will be a government "which governs not at all" (63), that is, coerces not at all, "a really free and enlightened State" that will allow its citizens to "live aloof from it" so long as they fulfill "all the duties of neighbors and fellow-men" (89-90).

A political view of Brownson that was a more positive influence on "Civil Disobedience" is that of the provisional nature of any particular government. While some sort of government is a necessary expedient, Brownson believed, no particular one is sacrosanct, not even the American democratic government. Democracy, he says at the outset of the essay of that name, can be understood in several different senses: "a popular form of government" in which "the people, either as a body or by their representatives, make and administer their own laws"; "the great body of the people, the unprivileged many, in opposition to the privileged few"; a political movement, the Democratic Party; and "a great social and political doctrine" which is dedicated to the "movement of the masses towards a better social condition" (Works XV 1-3). It is with the fourth sense of democracy, as the doctrine and movement of the masses

towards a better social condition, that he is primarily concerned; democracy, he says repeatedly in his political essays, is an end, not a means. Whatever means will achieve democracy in the fourth sense of the word, whatever government, is acceptable to him.

Thoreau also sees government as provisional. The present American government is "a tradition, though a recent one, endeavoring to transmit itself unimpaired to posterity, but each instant losing some of its integrity" (63). Later, he says that the progress "from an absolute to a limited monarchy, from a limited monarchy to a democracy" is the progress toward "a true respect for the individual." Democracy is not the acme, perhaps, of that evolutionary process: "Is a democracy, such as we know it, the last improvement possible in government?" A few lines later, he answers this rhetorical question with a hopeful vision of two superior stages of government in America's future: "a really free and enlightened State" and "a still more perfect and glorious State" (89-90).

Yet another Brownson idea reverberating in "Civil Disobedience" is the evil of majority rule. During the time Brownson was writing his political essays, there was a clamor among Democrats for popular sovereignty. The Democrats had, of course, been riding the horse of populism since 1828, but after three terms in the White House, they had lost to an aristocratic Whig candidate, Harrison, who had been cleverly disguised as a populist candidate. By 1843,

Brownson was hearing his fellow Democrats echoing the populist slogans that had brought about the debacle of 1840. In a democracy, they said, the people are sovereign, and the majority must govern; let us extend the suffrage, for the more people that are involved in the electoral process, the stronger the government (and the stronger the Party). Feeling surrounded by demagogues of both parties, Brownson struck out against "this loose radicalism with regard to popular sovereignty, and these demagogical boasts of the virtue and intelligence of the people, which have begun to be so fashionable" (280).

Sovereignty for Brownson is "that which is highest, ultimate," which "has not only the physical force to make itself obeyed, but the moral right to command whatever it pleases" (4). The people, then, cannot be sovereign. They are not capable of the moral and intellectual discernment required for such a responsibility. Moreover, if the people are sovereign, if we are bound in conscience to obey whatever the people command, individual liberty, especially the liberty of the minority, is lost, and absolutism reigns (5). Ultimately, such a doctrine creates demagogues, who pander to the people; it encourages people to decide moral issues by numbers; and it leads to the use of brute force to "coerce the minority into submission" (5-6). What is and must be sovereign, Brownson believes, is justice, which is "the political phasis of God" (18).

In "Civil Disobedience," Thoreau agrees with Brownson's

position on the dangers of majority rule. While he is not quite as contemptuous of "the people" as Brownson, he too is concerned with the rights of the minority, with the brutalizing effect of majority rule and its use of force, and with deciding moral issues by numbers. For him as well, justice must be sovereign, rather than the political majority in which the people's sovereignty has been invested, if the rights of the minority are to be protected.

The people permit a majority to rule, says Thoreau in "Civil Disobedience," not because they are concerned with being fair to the minority, but because they are "physically the strongest" (Reform Papers 64). "A government in which the majority rule in all cases," he says, "cannot be based on justice" (64-65). What is needed is a government "in which majorities do not virtually decide right and wrong, but conscience" (65). Like Brownson, Thoreau is concerned with protecting the rights of the minority, not only in the interest of the minority itself but in the interest of the country. Why, he asks, does the government "not cherish its wise minority" (73)?

Thoreau believes with Brownson that majority rule violates the sovereignty of justice and that because it is the capricious rule of numbers, it does not guarantee morality in government. Voting, he says, is "a sort of gaming," "a playing with right and wrong, with moral questions," in which the voter, willing to leave justice to the majority, is therefore not "vitaly concerned" that it should prevail

(69). "There is but little virtue," he echoes Brownson, "in the action of masses of men" (70).

Moreover, Thoreau also sees majority rule as susceptible to demagogic control: "The government itself, which is only the mode which the people have chosen to execute their will, is equally liable to be abused and perverted before the people can act through it" (63). The Mexican War is "the work of comparatively a few individuals using the standing government as their tool," which in the outset "the people would not have consented to" (63). Men in uniform are in the service "of some unscrupulous man in power" (65). A respectable man, bowing to party rule, accepts the party's candidate as "the only available one, thus proving that he is himself available for any purposes of the demagogue" (70).

In Brownson's political essays, Thoreau also encountered the idea that the minority might justly rebel against the will of the majority on matters of conscience. Government for Brownson is a useful expedient, but when it ceases to serve its functions, it no longer has any right to exist. The present democratic government of America deserves respect only if it follows the doctrines that lead to social progress. Further, the majority has no right to deny justice to the minority or to bend them to its will simply because it has the physical power to do so. It is justice, vested in the conscience, that is sovereign. A man, "if he will be a man, and maintain the rights and dignity of man-

hood," can have "no business with what the majority think, will, say, do, or will approve"; his sole business is rather "to inquire what truth and justice, wisdom and virtue demand at his hands, and to do it, whether the world be with him or against him," even if he "stand alone in 'solitary grandeur'" (7). "Dare be a man," he exhorts, "dare be yourself, to speak and act according to your own solemn convictions, and in obedience to the voice of God calling out to you from the depths of your own being" (8). The ground of the citizen's decision to obey should be only his determination to "be true to his higher convictions, because it is right, because it is just." Every man "feels that he has a right to do whatever is just, and that it is his duty to do it" (9).

Thus the State is limited, and the individual may "arrest the action of the state, by alleging that it is proceeding unjustly" and thereby create "a moral force with which to oppose the physical force of the majority" (9). The enactments of government "are not in and of themselves laws, and cannot be laws" until they "receive the signature of absolute justice" (10). "If that signature be withheld," Brownson argues, "they are null and void from the beginning" (10), and the individual may "lawfully resist any species of injustice," so long as "the manner of his resistance be neither unjust in itself, nor inconsistent with social order" (11). Although at times "the kingdom of heaven must be taken by violence, and . . . a people . . . rise up and

demand its rights, at whatever sacrifice it may be" (33), such is not the case in Brownson's own day: ". . . there is and there can be, in this country, no occasion for any but orderly and peaceful measures" (33).

Brownson's theory of government is, of course, the standard Lockean contract theory. Man has "inalienable rights" which are, "in the strictest sense of the word, rights of the individual in relation to the state, rights of which the state may not, under any pretence whatever, deprive him" (22). Primary among these rights is freedom, the freedom to obey God by doing justly: "Democracy is the doctrine of true liberty. The highest conception of liberty is that which leaves every man free to do whatever it is just to do, and not free to do only what it is unjust to do" (19). But democracy does not "give all the rights to the state, and impose all the duties on the individual"; the State is under obligation to the citizen "in the same manner, and to the same extent, that it places the individual under obligation to the state" (22). The "great political problem of our epoch," Brownson believes, is to determine the point at which "the rights and duties of the individual begin," for "there end those of the state," and "where those of the state begin," for "there end those of the individual" (23). In America, constitutions and bills of rights attempt to define those points, and if they do not do so accurately, says Brownson, "we may perfect them at our leisure" (25).

Thoreau is obviously in substantial agreement with

Brownson on the right of the individual to resist the government on matters of conscience. In fact, the germ of the titles of both the 1848 lecture and the 1849 essay have close parallels in Brownson. "The Rights and Duties of the Individual in Relation to Government," the lecture title, recalls the passage above on "the rights of the individual in relation to the state," and the essay title, "Resistance to Civil Government," reverberates throughout all the essays, especially in "Origin and Ground of Government," which contains the phrases, "resistance to the civil ruler" and "the right to resist civil government."

Moreover, Thoreau would have responded eagerly to Brownson's declaration of the right of the individual to nullify unjust laws. For a government to be "strictly just," it must have "the sanction and consent of the governed" (89). The only obligation he has a right to assume is the one "to do at any time what I think right" (65). In the language of diplomacy, he says that he "cannot for an instant recognize that political organization as my government which is the slave's government also" (67). "Unjust laws," he implies in a rhetorical question, should be transgressed at once (73). If an unjust law forces one to become "the agent of injustice to another," he should "break the law" (73). Incensed about the Mexican War and increasingly impatient with the lack of progress on the slavery question, he cannot agree with Brownson that it is not the time to take the kingdom of heaven by violence:

All men recognize the right of revolution; that is, the right to refuse allegiance to and to resist the government, when its tyranny or its inefficiency are great and unendurable. But almost all say that such is not the case now. (67)

But . . . when a sixth of the population of a nation which has undertaken to be the refuge of liberty are slaves, and a whole country is unjustly overrun and conquered by a foreign army, and subjected to military law, I think it is not too soon for honest men to rebel and revolutionize. (67)

Brownson's call for moral manhood in face of immoral government is echoed by Thoreau throughout "Civil Disobedience." The present government has not "the vitality and force of a single living man" (63); we should be "men first, and subjects afterward" (65); a wise man "will only be useful as a man" by serving the State with his conscience as well as his body (66); what America needs is a man with moral backbone, "a man who is a man" (70); one honest man could bring about the abolition of slavery in America (75). Like Brownson, he believes that a man, a morally responsible man, will stand alone against the majority; having God on his side makes him "a majority of one" (74).

Thoreau also agrees with Brownson that a man--a morally awake and courageous individual--may arrest the action of the State by alleging its injustice and that a minority of such men has a powerful force to counter the physical force

of the majority. Every man should make known "what kind of government would command his respect" (64). No man can be associated with "this American government to-day" without "disgrace" (67). One who disapproves of "the character and measures" of the government should register his disapproval by refusing it allegiance and support (72). As for the force of the minority, Thoreau says that a minority is powerless "while it conforms to the majority," but "irresistible when it clogs by its whole weight" (76), and although the majority is armed with "superior physical strength," it cannot force men "to live this way or that" (80-81).

The political essays of Brownson, then, contributed to the development of Thoreau's philosophy of government. They also provide commentary on a specific passage in "Civil Disobedience," Thoreau's reference in the third paragraph to "no-government men":

But, to speak practically and as a citizen, unlike those who call themselves no-government men, I ask for, not at once no government, but at once a better government. Let every man make known what kind of government would command his respect, and that will be one step toward obtaining it. (64)

The passage has been particularly useful to those who seek to defend Thoreau against the charge of anarchism. No-government men are anarchists, and Thoreau clearly distances himself from them. He wants to be a good citizen and a "good neighbor" (84); he pays the highway tax (84); he

searches through governmental actions "to discover a pretext for conformity" (86); he will "cheerfully obey those who know and can do better" than he, and even those who do some things worse than he (89); and he is even willing to let the majority rule in non-moral issues (65). Thoreau is not an anarchist, a no-government man, or he at least postpones that ideal state to a time "when men are prepared for it" (63).

It may also be true, however, that Thoreau has a more specific meaning in mind, for the phrase "no-government men" was used frequently by moderate abolitionists to disparage their more radical brothers who were led by William Lloyd Garrison. What he may be saying in the passage, quite simply, is "I am not a disciple of Garrison," that is, he cannot accept the immediacy and urgency of the no-government men, who are not patient enough to wait until "men are prepared for it," who want "at once no government" rather than "at once a better government."

But the term was also used frequently by Orestes Brownson to distance himself from those fellow Democrats who, following the disastrous Presidential election of 1840, were trying to win Whig support by echoing Whig calls for popular sovereignty. To Brownson, popular sovereignty was tantamount to anarchy or "no-governmentism."

It is quite likely that Thoreau followed Brownson's career as a journalist. In 1838 he read "with pleasure" the first number of The Boston Quarterly Review, in which

Brownson's essay "Democracy" appeared. That he also read the 1843 political essays, which deal with "no-governmentism," is supported by the facts that Brownson's public break with The Democratic Review was a cause celebre and that Thoreau was corresponding in 1843 with the editors of The Review about his own essays which appeared there late in the year, "The Landlord" and "Paradise (To Be) Regained."

Brownson's first reference in 1843 to "no-governmentism" can be found in the April essay, "Democracy and Liberty." In the course of a diatribe against Whig (and, unfortunately for his career, Democratic) demagogues who "scream loudest in praise of the sovereign people" (Works XV 263), Brownson refers to "a strong party . . . springing up among us" who believe that "if the people were only left to themselves they would always do right" (263) and that "all the mischief arises from our attempting to govern the people" and preventing them "from having their own way" (263). Hence they say, "let us have as little government as possible, or rather let us have no government" (263). These people are not only wrong, Brownson believes; they are also hypocritical. The people can err; one need only consider their selection of Harrison in 1840 and consider "all this wrong of which everybody is complaining" (264). Moreover, if the people can be trusted, Brownson argues, why have "caucuses, and various and complicated machinery" of party politics which make most of the important decisions and render voting by the people "a mere form, almost a farce" (264)? (One may

well hear an echo of Thoreau's remark in "Civil Disobedience" about the need of the people to have "some complicated machinery or other, and hear its din" in order "to satisfy that idea of government which they have" [Reform Papers 63-64]).

Later in the essay, Brownson argues that the notion of self-government is "all moonshine," "a very Jack o' Lantern" that can lead us astray. The word self-government is itself a contradiction, since government requires both "that which governs, and that which is governed" (272-73). Self-government, then, is "no government," since "the governor and the governed are one and the same" (273), and to Brownson government is needed. Those who preach self-government are giving up the authority of the State to punish a citizen for even "the greatest social offence, without his consent." For example, when a tax collector presents his tax bill, the citizen may rightfully respond, "'Away, I know you not,'" for he is sovereign and not accountable to the laws of the State. Such a doctrine Brownson must therefore "combat" for "its radical unsoundness" (277).

Later essays continue the attack on "no-governmentism." During his earlier social activism, he confesses, he was himself at one point "on the declivity to no-governmentism," and if he had pushed his principles to their logical conclusion, he would have had to "oppose all government but such as should spring from conviction and moral suasion" (287). Self-government runs into "no-governmentism" and results in

the belief "that each individual has the right to hold himself free from all governmental control save so far as he voluntarily subjects himself to it" (305). No-government men deny "the legitimacy of all civil and political organizations" and declare that "the individual [is] subjected to no law but that of God revealed through conscience" (306). While Brownson cannot agree with them, he admires them as "consistent theorists" who have "the courage to push premises . . . to their last and legitimate results" (306). To avoid being pushed by the doctrine of self-government to the logical conclusion of giving up all government and becoming "no-government men outright," he argues, we must "admit a distinction between the governor and the governed" (308). Otherwise, we plunge into no-governmentism (383-84) and into "anarchy and disorder" (385).

Clearly, to Brownson "no-government men" are dangerous anarchists, for "self-government" is equivalent to "no government." When Thoreau uses the term, however, it surely does not have such overtones of disaster, for he is quite comfortable with the idea of an anarchistic state. When Brownson describes "no-government men" as those who say, "let us have as little government as possible, or rather let us have no government," we recall the opening of "Civil Disobedience," where Thoreau endorses as a temporary expedient "that government . . . which governs least" and endorses as an ultimate goal, "when men are prepared for it," "that government . . . which governs not at all" (63).

Is Thoreau then a no-government man, as Brownson defines the term? It seems so.

There is more evidence. Brownson's scathing, sarcastic references to "the people" find only one parallel in "Civil Disobedience": Thoreau's cynical comment that the people need to hear the complicated machinery of government in order to satisfy their notion of government as a necessary and legitimate institution (63-64). His references to "the people" are elsewhere positive or neutral. Government is "the mode which the people have chosen to execute their will" (63). "The people" would never have consented to the war against Mexico (63). It is the "character inherent in the American people" that has produced all the good that has been accomplished, not the government (64). In short, Thoreau is considerably more comfortable with "the people" than Brownson.

Moreover, Thoreau in 1846 acted out Brownson's worst-case scenario, the citizen who challenges the authority of the tax collector on the ground that he is sovereign and thus not accountable to the laws of the State. Denying the tax collector is the best way to assert one's moral sovereignty:

I meet this American government, or its representative the State government, directly, and face to face, once a year, no more, in the person of its tax-gatherer; this is the only mode in which a man situated as I am necessarily meets it . . . ; and

. . . the indispensablest mode of treating with it on this head, of expressing your little satisfaction with and love for it, is to deny it then.

(74-75)

Thoreau is also receptive to an idea that is repugnant to Brownson, that "each individual has the right to hold himself free from all governmental control save so far as he voluntarily subjects himself to it." Like Brownson's "no government men," Thoreau questions (in Brownson's words) the "legitimacy of all political organizations" and believes that (again, Brownson's words) "the individual [is] subjected to no law but that of God revealed through conscience." No one can force Thoreau unless they obey "a higher law" than he (81), and the only authority of government over his person and property that he will recognize is what he concedes to it (89).

Thoreau fits Brownson's definition of a "no-government man" perfectly. Why then does he dissociate himself from them in "Civil Disobedience"? Of course, the reference may well be ironic and playful, a tongue-in-cheek drawing back in horror at the thought that anyone may think him a "no government man," i.e., a dangerous radical. That he is a radical, albeit a pacifistic one who is not particularly dangerous, he reveals in the essay, talking constantly of resisting, refusing allegiance, withdrawing support, withdrawing from the copartnership, rebelling and revolutionizing, and declaring war with the State. It may also be that

he is playfully pretending to be an ally of his old mentor Brownson, whose ideas on no-governmentism he cannot agree with. If there is no irony in the passage, one can conclude that Thoreau does not want to alienate Brownson, for whom he feels some affection and gratitude, and therefore he implies that he has not really parted company with him.

From the political essays of Orestes Brownson came many of the political ideas of "Civil Disobedience": the expediency and provisional nature of government; the fear that in majority rule moral principle may be lost in government by numbers and that a government based on majority rule is susceptible to demagogic control; and the conviction that the conscience is inviolable and supreme and that man has both a moral duty to obey the voice of God within and a moral right to nullify unjust laws and disobey them. Finally, Brownson's frequent discussions of no-governmentism may also shed some light on Thoreau's rather strange denial, given the fiery rebellion against government in "Civil Disobedience," that he is a "no-government man."

Chapter VII

The Literary Context of "Civil Disobedience":

The Political Essays of Ralph Waldo Emerson

In January, 1842, Thoreau was so devastated by the death of his older brother John from lockjaw that he developed symptoms of the disease himself, causing family and friends great alarm. He did not have tetanus, but a sympathetic reaction to his brother's death, and in a few days the symptoms disappeared. Interestingly, a somewhat similar but much less dramatic sympathetic reaction had already occurred; in the years immediately following his graduation from Harvard in 1837, friends and former classmates noticed that Thoreau had fallen into an unconscious, and to their eyes comic, imitation of Emerson.

This unconscious imitation is understandable, for Thoreau's admiration for Emerson during this time stopped just short of idolatry. He had first become interested in Emerson while still at Harvard, for he charged Nature out of the library of the Institute twice in three months (Cameron "Thoreau Discovers Emerson" 328). Following his return to Concord, Emerson urged him to begin a journal, and immediately the Emerson influence on Thoreau was apparent, his entries running a parallel course to Emerson's (Richardson 23). In 1841, Emerson himself noticed the similarity in their thinking: "I am very familiar with all his

thoughts,--they are my own quite originally drest" (Whicher Selections 187). When in that year Thoreau was invited to move into the Emerson home (possibly perceived by the younger man as a symbolic adoption), "the imprint of Emerson [was] everywhere," says biographer Richardson. Thoreau's admiration for Emerson was "literally without bounds," and his language was "the plain language of master and pupil" (Richardson 97, 98). Ironically, during this time were also sown the seeds of the eventual rift between the two, Richardson believes, for as Thoreau read in Emerson's library, wrote, and helped edit the Dial, his confidence in his own ability began to grow. His apprenticeship to Emerson "was coming to an end"; Emerson "had freed him from imitating Emerson" (Richardson 124).

During the remainder of the decade, the two men drifted apart. Emerson found Thoreau to be irritatingly argumentative and unambitious. Thoreau found that his god Emerson had feet of clay; by 1851 he was confiding in the Journal that he rarely read Emerson any more (III 134), and as his interest in Emerson's writing waned, Emerson's criticisms of his own work likely became more and more offensive. By the mid-fifties, the rift between them was wider. In 1853, Thoreau complained in the Journal:

Talked, or tried to talk, with R.W.E. Lost my time--nay almost my identity. He, assuming a false opposition where there was no difference of opinion, talked to the wind--told me what I knew--and I

lost my time trying to imagine myself somebody else to oppose him. (Richardson 299)

In 1856, Emerson made a similar entry in his journal:

If I knew only Thoreau, I should think cooperation of good men impossible. Must we always talk for victory, and never once for truth, for comfort, and for joy? . . . Always some weary captious paradox to fight you with, and the time and temper wasted.

(Harding Man of Concord 127)

During the time that the ideas of "Civil Disobedience" were being nurtured, however, the decade beginning in 1837, the Emerson-Thoreau relationship was at a high point, and the influence of Emerson on Thoreau was profound. Any attempt to create the literary context of the essay, therefore, must consider the essays of Emerson written in that decade, especially "Politics," which began as a lecture in 1838 and ended as an essay in the 1844 publication, Essays, Second Series.

Emerson's political thinking is characterized by an uneasy equilibrium between two divergent attitudes. First, there is a strain of transcendental idealism that leads him to resist government whenever it attempts to repress the urgings of the conscience; this idealism pulls him in the direction of an anarchistic state ruled only by love and neighborliness. There is also in Emerson a strain of pragmatism that inclines him to deal realistically with the status quo and accept the very real benefits of a government

which protects persons and property. Unfortunately, there is little consistency or pattern in his political leanings. His pragmatism, according to Frederic Ives Carpenter, drew him toward the more conservative Whigs, who also had "the best men," as he says in the 1844 "Politics"; his transcendental idealism led him not toward the Democrats--whose lack of education, disrespect for tradition and culture, and trumpeting of manifest destiny repelled him--but toward democracy, a government that respected the conscience and protected persons and property, and, ultimately, toward "no-government" and non-resistance (Emerson Handbook 186-94).

Carpenter sees a cycle in Emerson's political leanings, "From youthful conservative, to radical, to abolitionist, and back to conservative" (189); but while there is movement in Emerson toward radical abolitionism beginning around 1844, the movement from conservative/pragmatist to idealist/radical is not so linear as that. In fact, Emerson was able to "accept the jangle of contrary tendencies," as he says in "Experience," and this ability to entertain warring concepts, and apparently to be comfortable entertaining them, is fascinating.

In considering the influence of Emerson's political essays on Thoreau and "Civil Disobedience," one must realize that both halves of Emerson's divided psyche may be speaking in the same essay, one pleasing and the other displeasing Thoreau. Thus it is necessary to see not only those ideas

and statements that attracted and inspired Thoreau, but also those that inspired him in a negative sense: those that disappointed him, helped to liberate him from Emerson's powerful influence, and led him to more original statement and action.

Emerson's conservative inclination in politics is evidenced early on, in his 1838 lecture, "Politics." The lecture begins on a conservative and idealistic note: "There is something grand in the idea of a State." Not only is the State "a melting of many interests into one interest," but it also achieves "good ends purely": "better defense, . . . better husbandry, . . . better counsel, . . . better action." Law is not repressive or confining, since "The common conscience of all the individuals becomes the law of the State," and an offense to any of its members "arms at once the insulted majesty of the whole state against the offender, and its brow is not smoothed until compensation is made for the wrong" (Early Lectures 69). While there are imperfections in government, they are only temporary; in man's contemplation of the ideal Commonwealth and under the influence of Necessity and a powerful compensatory force, they will disappear.

Historically, says Emerson, government has existed to protect persons and property. While in theory men have always inclined toward the belief that persons should make the law for persons and property should make the laws for property, in actual experience the two are mixed, and the

same government must administer both. From this fact arise political conflicts and tyranny, for the inequality of property leads the rich to assume a like superiority in personal rights and to tyrannize over those who have less. But there is undergirding and informing the universe a Necessity (what Emerson was to refer to repeatedly during the decade as "Beneficent Necessity") before which inequalities of persons and property must bow. Both persons and property "have their power as surely as matter has attraction" (76), and under this powerful force the "caprices of individual ambition" are overruled by "a higher Mind" (73), the "feeblest permanent force" eventually overcomes "the strongest temporary forces," and the "foolish party and the foolish heads die and no more are heard of." Inevitably, the "most fugitive scheme of frantic faction" gives way to "the wise institution," which is then transmitted from generation to generation (74-75).

Necessity and Compensation are at work in the realm of property as well. Property will be protected, and it will "year after year write every statute that respects property" (77). The desire of every man to be a proprietor destroys the class of paupers and slaves, and the "growth of the propertied party destroys the war party and invites the arts and embellishment of peace." The "actual statute book which regulates today the economy of the commonwealth" springs out of "a thousand errors, oppositions, compromises" (76).

What then should be the attitude of man faced with the

errors and imperfection of government? The "wise man" will see "the unerring compensations which work themselves out in the world" and therefore "will pay the state its full dividend on his estate" (79). Throughout history, the great man has pointed at and implied "the existence and well-being of all the orders and institutions of a state." He is "full of reverence" and is by inclination "the defender of . . . the legislator, the executive arm." His education prompts him "to postpone his private to the universal good" (78).

Thoreau in 1838 may not have rebelled against the political conservatism of the lecture "Politics." After all, he was still under the powerful influence of Emerson, whom he was referring to as his "master." He also shared at this time some of Emerson's optimism, believing that he could yield to the beneficent moral law of the universe and await the inevitable perfection of society. In a few years, however, he begins a gradual shift toward the radicalism of "Civil Disobedience" and rejects many of the lecture's ideas. Emerson's willingness to wait on the iron law of Necessity to remove the imperfections of government is countered by Thoreau's impatience. Eventually, when men are ready for it, he says in "Civil Disobedience," government will govern "not at all" (Reform Papers (63). In the meantime, he wants "at once" a better government (64); he thinks it is "not too soon" for honest men to "rebel and revolutionize" (67); he advises his readers to transgress unjust laws "at once" (73); and he complains that political

remedies take "too much time" (74).

Nor does Thoreau in "Civil Disobedience" share Emerson's confidence that property will correct the imperfections of government and write the statute book. It is the "hundred thousand merchants and farmers" of New England, who are "more interested in commerce and agriculture than they are in humanity" who wage war on Mexico and countenance slavery (68); "the opportunities of living are diminished in proportion as what are called the 'means' are increased" (77); it is the fear of losing their property that causes even liberal citizens to dread "the consequences of disobedience" to the government and thus to tolerate evil (78). Finally, the model citizen of "Civil Disobedience" differs drastically from that of Emerson in the 1838 "Politics." Thoreau's civil disobedient will not "pay the state its full dividend"; will not accept the idea of "the well-being of all the institutions of the state"; will not be "full of reverence" for government or be its "defender"; and will not gladly "postpone his private to the universal good." He will "deny the authority of the State when it presents its tax-bill" (78); will "rebel and revolutionize" against the government" (67), since it is "liable to be abused and perverted" (63); and will assume no obligation except to do what he thinks right (65).

In another 1838 lecture, "War," Emerson's faith in Necessity and in the inevitable march of society toward the ideal State is seen again. Historically, Emerson believes,

war has been necessary. One of its useful functions is the securing "of a great and beneficent principle," the "perpetual struggle to be, to resist opposition, to attain to freedom" (Miscellanies 1884 ed. 182-83); another, the engendering of manhood (197). Nevertheless, war is "the ignorant and childish part of mankind " (183), and because Necessity, in the form of trade, the moral sentiment, and learning, "conspire to put it down" (184), "war is on its last legs" (188). Before it disappears, however, the manhood it engenders must be grafted onto peace (197).

Although Thoreau dreams of an ideal state in the concluding paragraph of "Civil Disobedience," he does not share Emerson's faith in the inevitability of its arrival, nor does he believe as does Emerson that war is a part of a Beneficent Necessity. The arguments against a standing army are "many and weighty" (63). One of the catalysts for the writing of "Civil Disobedience" is the Mexican War, to which Thoreau was passionately opposed, and far from believing that war is on its last legs and that love will prevail over it, he feels led to adopt radical measures to combat it. As for war engendering manhood, in "Civil Disobedience" he bitterly describes soldiers as "small moveable forts and magazines" and as men "buried under arms with funeral accompaniments" (65-66).

Emerson's political conservatism is displayed best in "The Conservative," delivered in December, 1841. Here Conservatism is associated with the past, memory, and the

Understanding; its antagonist, Radicalism (also called Reform and Innovation) with the future, with hope, and with the Reason (Nature, Addresses, and Lectures 279-80).

Initially, Emerson paints a negative portrait of conservatism. Since it opposes change, it assumes a defensive posture, and since it distrusts principles and trusts action, it chooses candidates by their availability and practices expediency in its measures. Based on a sense of man's limitation, it legislates for man as he is, makes allowances for friction in the wheels of government, and aims at man's comfort (282, 300-01). On the other hand, Radicalism is presented quite favorably. Because it welcomes change, it advances, and because it trusts principles, it chooses candidates and measures by their worth. Based on a sense of man's infinitude, it legislates for man as he ought to be, refuses to make allowances for friction in the workings of government, and aims for truth (282, 300-01).

Apparently Emerson tried to achieve in *The Conservative* a balance between the two poles of his and America's political thought. Early on he affirms that since "each is a good half, but an impossible whole," they must be combined "in a true man" (283). But as the lecture progresses, he surprisingly casts his lot with Conservatism. For one thing, the *Conservative* sees the present as the cumulative result of the ages, "the best throw of the dice of nature that has yet been, or that is yet possible" (284), "the work of a great and beneficent and progressive necessity" (295). Radical-

ism, which sees things only from the standpoint of the conscience, tends to "accuse the Past and the Present, and require the impossible of the Future" (284). The idea of Necessity is attractive to Emerson, and he does not think it should "be disposed of by the consideration that the Conscience commands this or that" (285). Although the commands of the conscience may be "essentially absolute," they are limited by Necessity (286). Led by the conscience, Radical reformers (such as the strident abolitionists under the leadership of William Lloyd Garrison) "quarrel with the arrangements of society and are willing to embroil all, and risk the indisputable good that exists, for the chance of better" (295). Therefore Emerson will gladly avail himself of the "convenience" of the "planted, builded and decorated world" (298).

While Thoreau might not have been stirred to open rebellion by the conservatism of this lecture, since Emerson's influence on him was at a high point in 1841, he surely rejected it in private, and he was doubtless attracted to Emerson's portrait of Radicalism. Its commitment to truth and principles rather than availability and expediency and its championing of the absoluteness of the commands of conscience are embraced by Thoreau in "Civil Disobedience":

Can there not be a government in which majorities do not virtually decide right and wrong, but conscience?--in which majorities decide only those questions to which the rule of expediency is appli-

cable? (65)

The only obligation which I have a right to assume, is to do at any time what I think right. (65)

Action from principle . . . changes things and relations; it is essentially revolutionary. . . .

(72)

[Statesmen and legislators] are wont to forget that the world is not governed by policy and expediency.

(87)

The lawyer's truth is not Truth, but consistency, or a consistent expediency. Truth is always in harmony with itself, and is not concerned chiefly to reveal the justice that may consist with wrongdoing. (87)

Also valuable to Thoreau in "The Conservative" were the images of friction and the machine. Conservatism, according to Emerson, makes allowances for friction in the wheels of government; Radicalism, on the other hand, refuses to make such allowances. In "Civil Disobedience," Thoreau speaks scathingly of the people's need for "some complicated machinery or other . . . to satisfy that idea of government which they have" (63-64). A later passage conveys through this imagery Emerson's distinction between Conservatism and Radicalism:

. . . all machines have their friction; and possibly this does enough good to counterbalance the evil. . . . But when the friction comes to have

its machine, . . . I say, let us not have such a machine any longer. (67)

A little further on, Thoreau seems to be the spokesman for Conservatism: "If the injustice is part of the necessary friction of the machine of government, let it go, let it go" In the same passage, however, he shows his sympathy with Radicalism: ". . . but if it is of such a nature that it requires you to be the agent of injustice to another, then, I say, break the law. Let your life be a counter friction to stop the machine" (73-74).

In "New England Reformers" (1844), we hear again the conservative voice of Emerson. Reformers are an offensive class who, "in the assault on the kingdom of darkness, . . . expend all their energy on some accidental evil, and lose their sanity and power of benefit" (343-44). It is pointless to try to renovate society unless the reformer is "not himself renovated" (344). Among the reformers are "solitary nullifiers," whose "tender consciences" lead them to perform acts of "resistance to the government," saying, "Hands off! let there be no control and no interference in the administration of the affairs of this kingdom of me." Possibly thinking of his fellow Concordians Alcott and Thoreau, he specifies those nullifiers who "reply to the assessor, and to the clerk of court, that they do not know the State" (340-41). Such acts of dramatic protest are not, after all, very practical, says Emerson: "If I should go out of church whenever I hear a false sentiment, I could never stay there

five minutes" (344). Those who "refuse the laws and . . . go to jail" do so in vain; "only by obedience to his genius" can one be truly liberated (357). Moreover, reform movements are scarcely necessary. Public opinion can be brought to bear on the dishonest politician (346). Moreover, men are "better than they seem" to the reformers (351); they are all "secret believers" in Necessity, "the Law alive and beautiful, which works over our heads and under our feet" (356).

While Thoreau no doubt applauded Emerson's comments on the reformer, for he shared Emerson's belief that reform is useless unless the reformer is himself reformed, he disagreed with many of Emerson's sentiments in "New England Reformers." He was himself one of those "solitary nullifiers" that Emerson scoffs at, who, in obedience to the conscience, showed by refusing to pay their taxes that they did not recognize the authority of the State. By 1844 he had already signed off from the church and refused to pay his poll tax, believing that "any man more right than his neighbors, constitutes a majority of one already" (74). Nor did Thoreau have anything but sympathy for those reformers who refuse to obey the laws and go to jail; Alcott's example, not Emerson's words, had captured his imagination. Certainly Emerson's confidence in the legislative process was not shared by Thoreau. The ways provided by the State "for remedying the evil," he complains, "take too much time" (74).

Emerson's conservative political voice, then, was primarily a negative stimulus, leading Thoreau to develop his own radical notions and to win his intellectual independence from Emerson. A more profound influence on the development of his political philosophy and on the writing of "Civil Disobedience" was the liberal and radical voice of Emerson, heard first in the 1838 lecture, "Politics." It was delivered in January, 1837, while Thoreau was at Harvard, already under Emerson's influence.

While the lecture is basically conservative in its political orientation, beginning with the statement "There is something grand in the idea of a State" and a listing of the "good ends" achieved by it, the seeds of radicalism can be seen. For one thing, conscience is declared to be the basis of law: "The common conscience of all the individuals becomes the law of the State" (Early Lectures 69). In addition, Emerson admits that his vision of government is idealistic: "In actual society certainly the purity of the idea suffers some deduction" [reduction]; just as friction retards the free movement of a machine, "so the wilfulness of individual men suffers never a purely ideal government to exist" (69). Government may also be corrupted by the "tyranny" of the wealthy over the poor (73), by "the caprices of individual ambition" (73), by an "ignorant and deceivable majority" (75), and by the errors of "the harsh discord of what is called politics" (82). Protecting man from such corruptions of government is a common interest of

all men, the "absolute spiritual right" to be free; before this desire topple "all the tyrannies, all the hierarchies, all the artificial ranks of the earth" (70). Thus there are "limitations beyond which the folly or ambition of governors cannot go" (75).

To these strains of radicalism Thoreau responded warmly, if not to the remainder of the lecture, which is predominantly conservative. Emerson's declaration that "The common conscience of all individuals becomes the law of the State" is radicalized in "Civil Disobedience" as "any man more right than his neighbors, constitutes a majority of one" (RP 75). Emerson's discussion of the ways in which government can be corrupted, especially "the caprices of individual ambition" and the "ignorant and deceivable majority," is also echoed in "Civil Disobedience." The American government: "has not the vitality and force of a single living man[,] for a single man can bend it to his will" (63); a man who adopts one of the party candidates as the only available one proves that he is "available for any purposes of the demagogue" (70). The government is "liable to be abused and perverted" from the will of the people, as in the case of the Mexican War, where "comparatively a few individuals" are "using the standing government as their tool" (63).

There are radical strains in "War" (1838) as well. We should not forget, Emerson says, that war has secured for mankind a beneficent principle:

. . . this namely, the conviction of man universally, that a man should be himself responsible, with goods, health and life, for his behavior; that he should not ask of the State protection; should ask nothing of the State; should be himself a kingdom and a state; fearing no man; quite willing to use the opportunities and advantages that good government throw in his way, but nothing daunted, and not really the poorer if government, law and order went by the board; because in himself reside infinite resources; because he is sure of himself, and never needs to ask another what in any crisis it behooves him to do. (198)

To this ringing declaration of moral responsibility Thoreau surely responded with enthusiasm. In "Civil Disobedience" he stresses individual moral responsibility constantly: the only obligation which he has a right to assume is to do at any time what he thinks is right (65); any man more right than his neighbors "constitutes a majority of one already" (74); if one honest man were to withdraw his allegiance to the State as a protest against slavery, "it would be the abolition of slavery in America" (75). Like Emerson's morally responsible man, Thoreau does not ask of the State protection: "For my own part, I should not like to think that I ever rely on the protection of the State" (78). Like Emerson's ideal, he is willing to use the advantages offered by government: "I quietly declare war with the

State, after my fashion, though I will still make what use and get what advantage of her I can" (84). And like Emerson's morally responsible man, Thoreau is not frightened at the prospect of no government; when men are prepared for it, they will have a government "which governs not at all" (63).

Even in "The Conservative" (1841), there is some hint of the radical Emerson that emerges that same year in "Politics." "A strong person makes the law and custom null before his own will" (296); to him, it will never make any difference "what the laws are" (305). Dedicated to being "a public servant of all the gods," he asks, "how can your law further or hinder me in what I shall do to men?" He has no need for government protection: "I cannot thank your law for my protection. I protect it. It is not in its power to protect me" (306). In "Civil Disobedience" there are two interesting parallels. Thoreau also enunciates the doctrine of solitary nullification---it is enough if one has God on his side; if he knows that he is right, he is a majority of one (76)--and he rejects the need for government protection: "I should not like to think that I ever rely on the protection of the State" (78).

In "New England Reformers" (1844), the appealing prospect of "no government" is seen again, when Emerson says that the motto of The Globe--"The world is governed too much"--is attractive (340) and that he looks forward to the time when "Government will be adamantine without any governor" (347). The Globe motto is a possible source of Tho-

reau's motto at the opening of "Civil Disobedience": "That government is best which governs least" and his revision of that motto, "That government is best which governs not at all" (63).

Later in 1844, shortly before the appearance of "Politics" in Essays: Second Series, Emerson ended--at the urging of friends and with some reluctance, apparently--a long period of public silence on the subject of abolition. In the audience that heard "Emancipation in the British West Indies" was Thoreau, who personally urged Concordians to appear and, when the sexton refused to do so because he feared the consequences of participating in such a controversial meeting, even rang the First Parish Church bell to summon people to the courthouse meeting room. Emerson begins the address with an apology for his tardy utterance, admitting that he consequently has not even "the smallest claim to be a special laborer in this work of humanity" (Miscellanies 1904 ed. 99); but caught up in the "impulse" of the abolitionists toward "an overbearing and defying spirit" which causes them to see only one side of the issue, he invites his audience to "hear the words of freedom" (100).

The bulk of the address is a simple yet powerful exposition of the emancipation movement in the West Indies, containing horror stories of mistreatment of slaves and occasional moral indictments: "The blood is moral: the blood is anti-slavery: it runs cold in the veins: the stomach

rises with disgust, and curses slavery" (104). Turning to the problem of slavery in America, he complains indignantly of the arrest of free Negroes serving as crew members on Northern ships and their sale as slaves, a practice too common in some Southern coastal states:

Gentlemen, I thought the deck of a Massachusetts ship was as much the territory of Massachusetts as the floor on which we stand. It should be as sacred as the temple of God. . . . If such a damnable outrage can be committed on the person of a citizen with impunity, let the Governor break the broad seal of the State; he bears the sword in vain. The Governor of Massachusetts is a trifler; the State-House in Boston is a play-house; the General Court is a dishonored body, if they make laws which they cannot execute. (130-31)

Then, echoing the secessionist ideas of the abolitionists, he declares void the Union that permits such slavery:

As for dangers to the Union, . . . the Union already is at an end when the first citizen of Massachusetts is thus outraged. Is it an union and covenant in which the State of Massachusetts agrees to be imprisoned, and the State of Carolina to imprison? (132-33)

The real problem is "a disastrous want of men from New England." He is at a loss on "how to characterize the tameness and silence of the two senators and the ten representa-

tives of the State at Washington" (133). He concludes the address with a hope that the liberty achieved in the West Indies will be extended to the American slave, not through abolitionism, but under the impetus of "a blessed necessity by which the interest of men is always driving them to the right" (147).

While Thoreau did not share this faith in the inevitable emancipation of the American slaves, earlier passages from "Emancipation in the British West Indies" are informative in a reading of "Civil Disobedience." Emerson's defiant declaration that "the Union already is at an end" is paralleled by Thoreau's advice to those who are petitioning the State to dissolve the Union: "Why do they not dissolve it themselves,--the union between themselves and the State," he asks (72). Further, Emerson's bemoaning of "a disastrous want of men in New England" is matched by Thoreau's "Oh for man who is a man, and, as my neighbor says, has a bone in his back which you cannot pass your hand through" (70).

Published in the same year as the emancipation address is the 1844 essay version of Emerson's "Politics." It begins on a rather different note from the 1838 lecture of the same name. Rather than praising the grandeur of the State, Emerson emphasizes its ephemeral quality. The State is not aboriginal; every law was once "a man's expedient to meet a particular case," and all laws are "alterable" (Complete Works III 199). While the young citizen sees the State as an illusion of permanence, the wise man knows that

foolish legislation is "a rope of sand," that "the strongest usurper is quickly got rid of," and that "the law is only a memorandum" of a temporary agreement among men (200).

Following this exposition of the ephemerality of the State, there is virtually the same discussion of persons and property, the two ends of government, as in the 1838 version, with some significant additions in emphasis and substance. This time, instead of underscoring the benignant necessity of persons and property, Emerson uses them to illustrate the ephemerality of government:

Under any forms, persons and property must and will have their just sway. . . . the attributes of a person, his wit and his moral energy, will exercise, under any law or extinguishing tyranny, their proper force--if not overtly, then covertly; if not for the law, then against it. . . . (205)

To the discussion of persons and property, Emerson has added a third end of government:

. . . the highest end of government is the culture of men; . . . if men can be educated, the institutions will share their improvement and the moral sentiment will write the law of the land. (204)

Although law is "a transcript of the common conscience," and governments originate "in the moral identity of men" (212), the citizen must remember that our institutions are not exempt from "practical defects"; indeed, because "every actual State is corrupt," good men "must not obey the laws

too well" (208).

Also new to this version of "Politics" is the discussion of the evil of government by force and the desirability of a government based on love and neighborliness. Force, the "undertaking for another," stands "in colossal ugliness in the governments of the world" (214). It is the history of government that "one man does something which is to bind another" (215). "A man who cannot be acquainted with me, taxes me" (215), says Emerson; because we live in "a very low state of the world," we "pay unwilling tribute to governments founded on force" (220). The power of love as the basis of the State has never been tested. We have never tried to see if "the private citizen might be reasonable and a good neighbor, without the hint of a jail or a confiscation" (220-21). We must not assume that chaos would ensue "if every tender protestant be not compelled to bear his part in certain social conventions" or doubt that the necessary functions of government would fail to be carried out "when the government of force [is] at an end" (220). Until we achieve a State based on love and neighborliness, "the less government we have the better,--the fewer laws, and the less confided power" (215).

The essay concludes with an anarchistic vision of a State renovated by the power of love and activated by the spirit of neighborliness, where the individual is himself the State. While he knows of no one who "has steadily denied the authority of the laws, on the simple ground of

his own moral nature" (221), "the tendencies of the times favor the idea of self-government" (219). In the final sentence of the essay he illustrates this possibility:

. . . I have just been conversing with one man, to whom no weight of adverse experience will make it for a moment appear impossible that thousands of human beings might exercise towards each other the grandest and simplest sentiments, as well as a knot of friends, or a pair of lovers. (221)

There are numerous parallels between the 1844 "Politics" and "Civil Disobedience." Emerson's statement that every law is "a man's expedient to meet a particular case" appears in the opening paragraphs of "Civil Disobedience": "Government is at best but an expedient," and "government is an expedient by which men would fain succeed in letting one another alone" (63-64). Emerson's belief that all laws are "alterable" and merely memoranda of a temporary agreement among men is reflected in Thoreau's opening characterization of the American government as a "tradition, though a recent one, endeavoring to transmit itself unimpaired to posterity" (63) and in his closing question, "Is a democracy, such as we know it, the last improvement possible in government" (89).

Also found in "Civil Disobedience" is Emerson's discussion in "Politics" of the government of force being grounded in the need to protect property. The freest of his neighbors, Thoreau says, believe that they "cannot spare the

protection of the existing government"; because they dread "the consequences of disobedience," the loss of their property (78), they tolerate a government of force. For his own part, he does not like to think that he ever relies on the protection of the State, and he rejects vehemently the idea of a government by force:

[The State] is not armed with superior wit or honesty, but with superior physical strength. I was not born to be forced. I will breathe after my own fashion. Let us see who is the strongest. What force has a multitude? They only can force me who obey a higher law than I. (80-81)

Emerson's warning that good men must not obey the laws too well encapsulates the entire concept of civil disobedience and calls to mind the statement in "Civil Disobedience" that when the law requires one to be the agent of injustice, he should "break the law" (73). The vision of a State based on love and neighborliness in "Politics" also finds several parallels in "Civil Disobedience." When Emerson complains that "a man who cannot be acquainted with me, taxes me" and that we "pay unwilling tribute to governments founded on force," he implies that it should be his neighbor who collects his tax. In "Civil Disobedience" Thoreau is upset that it is his neighbor who collects the tax, a violation of the spirit of neighborliness:

My civil neighbor, the tax-gatherer, is the very man I have to deal with, . . . and he has volun-

tarily chosen to be an agent of the government. How shall he ever know well what he is and does as an officer of the government, or as a man, until he is obliged to consider whether he shall treat me, his neighbor, for whom he has respect, as a neighbor, . . . and see if he can get over this obstruction to his neighborliness . . . ? (75)

Emerson's characterization of taxation as "unwilling tribute to governments founded on force" takes the form in "Civil Disobedience" of the metaphor of the highwayman: "When I meet a government which says to me, 'Your money or your life,' why should I be in haste to give it my money?" (81) As for neighborliness, he says he is "as desirous of being a good neighbor" as he is of "being a bad subject" (84).

Both men believe that government should have as little control over its citizens as possible. Emerson's maxim, "The less government we have the better," as Raymond Adams has pointed out, is yet another source of the motto at the beginning of "Civil Disobedience." Both also envision a future State founded on love. Just after declaring that the power of love has never been tried as the basis of a State, Emerson reassures the reader that chaos will not ensue if men of conscience do not obey every social convention; the civil functions of government, such as building roads and carrying the mail, will continue, and "the fruit of labor" will be secured, "when the government of force is at an end" (219-20). The ending of "Civil Disobedience" strikes a

similar harmonious chord. There Thoreau imagines a government that can treat the individual as a neighbor and will not "think it inconsistent with its own repose, if a few were to live aloof from it, not meddling with it," so long as they "fulfilled all the duties of neighbors and fellow-men." Such a State, "which bore this kind of fruit, and suffered it to drop off as fast as it ripened, would prepare the way for a still more perfect and glorious State, which also I have imagined, but not yet anywhere seen" (90).

Thoreau was certainly in accord with Emerson's belief in the power of moral energy to counter a government of force. Emerson speaks of moral energy exerting its proper force, "if not for the law, then against it" (205). It is impossible to set boundaries to "personal influence," since "persons are organs of moral or supernatural force" (205). In "Civil Disobedience," Thoreau states his own belief in the potential power of persons in the struggle against slavery:

I know this well, that if one thousand, if one hundred, if ten men whom I could name,--if ten honest men only,--aye, if one HONEST man, in this State of Massachusetts, ceasing to hold slaves, were actually to withdraw from this copartnership, and be locked up in the county jail therefor, it would be the abolition of slavery in America. (75)

"Cast your whole vote," he urges, "not a strip of paper merely, but your whole influence" (76).

Both the conservatism and the radicalism of Emerson's

essays on politics are an important part of the context of "Civil Disobedience." But it was primarily the radical ideas of Emerson that provided the key ideas incorporated later into the lecture and the essay: the expediency and ephemerality of government; the immorality of government by force and the morality of disobedience to such government; the infinite power of love and neighborliness as a substitute for force; the appropriateness of non-payment of tax as a means of protest; the need for individuals who will continually and unflinchingly oppose immoral government on purely moral grounds; and the ideal State based on neighborly relations and permitting civil disobedience.

Chapter VIII

Conclusion

The American Scholar, Emerson told his Phi Beta Kappa audience at Harvard College in 1837, must not reverence books to the extent that he is warped out of his own orbit and becomes "a satellite instead of a system." He must imitate the first scholar, who "received into him the world around; brooded thereon; gave it the new arrangement of his own mind, and uttered it again." A book should inspire the contemporary scholar to do the same, to transmute "life into truth."

Having received his diploma the day before Emerson's address, and never able to abide ceremony, Thoreau had probably returned home to Concord and thus missed the historic occasion. Shortly thereafter, he almost became warped out of his own orbit and into that of Emerson. Throughout most of his career as an artist, however, Thoreau was able to accomplish what Emerson recommends in "The American Scholar": he was receptive to the life around him, but he transmuted it into a vision of the world that was uniquely his.

In the writing of "Civil Disobedience," as in all his writing, Thoreau was shaped by external influences. Almost every part of "Civil Disobedience" was formed in the crucible of Western European, Colonial American, and contemporary American culture.

From Europe he may have derived his anarchistic idealism, although native American sources were also available. In Plato we see the same faith as in "Civil Disobedience" that one day a just and wise ruler will arrive who will respect the rights of the individual citizen, and that eventually government and laws will be completely unnecessary. From eighteenth-century Europe came the negative influence of rationalism, empiricism, and utilitarianism, which stimulated Thoreau to affirm his romantic inclinations toward an individual, intuitive guide to moral issues by way of the moral sense. From Locke, perhaps through Paley, came the contract theory of government, which entailed reciprocal duties of sovereign and citizen and the right of the citizen to withdraw from a contract that the citizen considered to be nullified.

The influence of William Paley was largely negative. His utilitarian approach to civil obedience, which is embodied in the doctrine of political expediency, did more than anything else to shape Thoreau's moral individualism. Out of Paley he fashioned a straw man representing utilitarian expediency to destroy with the sabre of his wit and irony. Paley wanted to make men good citizens instead of good men; wanted them to obey the State rather than God; and wanted men to compute the cost of public inconveniency rather than the cost to the individual soul. If a plank has been unjustly wrested from a drowning man, Paley would have men to consider the consequences of returning it to him,

rather than to restore it to him immediately.

But Paley also made positive contributions to the development of Thoreau's moral individualism. He argued that religious duties are voluntary and are not covered by the statute books and that because some moral distinctions are too subtle to be codified, the magistrate has too much discretionary power. He provided Thoreau with tightly reasoned arguments both for and against resistance to civil authority, and one of his chapter titles, "On the Duty of Civil Obedience," became "Civil Disobedience."

From the Romantic side of eighteenth and nineteenth century Europe came the influence of Rousseau, Godwin, the German idealists, and Coleridge. Like Rousseau, Thoreau had a passion for moral individualism and a hostility toward the repressive State; like Godwin, he could not accept the reality of the State and insisted on the primacy of the moral law. From the German idealists, by the way of Coleridge and Carlyle, came the ideal of individualism and the belief that man has an immediate access to truth by means of intuition or the moral sense.

The influence of Coleridge on Thoreau and "Civil Disobedience" was more profound than critics have heretofore believed. Coleridge provided more than the German philosophy of spiritual nearness to God through nature, more than an organic theory of art, more than ideas on the critic and on criticism, and more than the terms needed to transform and redeem nature through the imagination. In Coleridge,

Thoreau found support for key ideas of his own: his aversion to a government founded on force, his contempt for crass expediency, his rejection of the theory that government is needed to protect the citizens from themselves, his belief in the moral substructure of the universe, and his conviction that the morally aware man must act as a moral agent in the world.

Above all, in Coleridge Thoreau found the faculty psychology, which provided him with a strategy for argument. The perception of truth, he would say to his fellow citizens, depends on one's point of view. The government sees man from the point of view of the body or the senses and treats him accordingly, forcing this behavior or that and incarcerating those who do not obey its demands. Seen from a little higher point of view--the understanding or the reason--the government seems real, seems necessary, seems beneficent. But seen from a higher point of view--reason--it becomes an impediment to the moral life of man, a barrier to moral progress.

Perhaps the most significant contribution of the faculty psychology as developed by Coleridge was its distinction between two kinds of reason, the speculative reason--reason at work in the world of everyday reality--and practical reason, reason which soars above the world and merges with God. This type of reason, virtually a fourth faculty, is used by Thoreau in "Civil Disobedience" as a point of view higher than that of mere reason. It is an even purer source of

truth, a "higher still, and the highest" point of view, which gives a man who possesses it the courage to practice civil disobedience. Massive disobedience, Thoreau believes, will force government to modify itself to the point of cherishing its wise minority and permitting its members to go their own way, so long as they fulfilled all the duties of neighbors and fellow men. Eventually, however, reason in this highest sense will lead to "a still more perfect and glorious State" which Thoreau has imagined--presumably, a Stateless state of pure anarchy.

Native American influences operated on Thoreau as well during the time that his political ideas were in gestation and during the composition of "Civil Disobedience." The tradition of anarchy beginning with the Antinomian and Quaker rebellions against government--which were based on the conviction that one must obey the rule of Grace or the Divine Light within rather than civil authority, whenever the two came into conflict--was a part of the atmosphere that he daily imbibed. The individualism of the frontier, the freedom of the marketplace in a laissez-faire economy, and the moral idealism of the time, with all its perfectionism and utopian schemes, were also potent forces in the development of Thoreau's political and moral individualism and his perfectionism. Unitarianism--with its insistence upon the goodness of God, the essential perfectibility of man, the freedom of the will, the duty of moral responsibility, and the ideal of self-government through conscience--

helped shape him as well.

American politics certainly played a major role. Neither of the political parties of the day, the Whigs and the Democrats, was palatable to Thoreau. The Whigs, composed of the conservative, propertied class, offended him by their exclusiveness and their belief in popular sovereignty and majority rule. One would expect the Democrats to be more acceptable to him, since they were the party of the people, rather than the privileged few; but Thoreau was an intellectual aristocrat if not an aristocrat by birth, and while he believed theoretically in the ability of the people to govern themselves, all around him he saw moral complacency in the masses of people. Moreover, the Democrats were like the Whigs in their endorsement of the notions of popular sovereignty and majority rule. Both parties, he felt, subordinated the individual to the party, and they sharply limited the choices of the electorate. And so Thoreau was left without a party; it is likely that he did not vote at all, choosing not to participate in a system that did not represent his Jeffersonian ideal, "That government is best which governs least."

Political events of the day also shaped Thoreau's political philosophy and "Civil Disobedience." Slavery was the primary motive for his poll tax protest, and slavery and the Mexican War are mentioned repeatedly in the essay as his motives for resistance to an uncivil government. But in the essay, he mentions other political concerns: the mistreat-

ment of the American Indian, for whom he had great respect and admiration; the maintenance of a standing army; the concert of government and church in the collection of the parish tax; the timidity of his state in not responding forcefully to the Southern states that were imprisoning and selling as slaves free Negro sailors who had disembarked in their ports; and the demoralizing compromises with expediency on the part of his state's Senator, Daniel Webster. One other concern, not mentioned in the essay but reflected in the Journal, was the fiasco of the Gag Rule, a rule of the House of Representatives that prevented legislation dealing with abolition from being debated on the floor. In short, Thoreau's disillusionment with the politics of his day also inclined him in the direction of non-cooperation and resistance.

The influence of the abolitionists and non-resistants on Thoreau was far-reaching. He was more attracted to the cause of abolitionism than to the abolitionist leaders and organizations. Originally, he favored the abolitionists who believed that men could be educated in an awareness of the immutable moral order of the universe--which in turn would bring about the freedom of the slaves--rather than those who favored a direct attack, legislative or otherwise, on the institutions that permitted it to exist. His disavowal in "Civil Disobedience" of "no-government men" reflects that preference, if he means by that term those more radical abolitionists who seemed to be asking for "at once no govern-

ment"; a shift toward that extreme position can be seen, however, in his advice to "those who call themselves abolitionists" to put their rhetoric into action and "effectually withdraw their support, both in person and property, from the government of Massachusetts," as well as in his advocacy of some specific modes of action adopted by the more militant abolitionists: non-voting, non-payment of taxes, and resignation of office-holders. The contribution of the non-resistants to "Civil Disobedience" was the idea of passive resistance, the power of a minority to clog up the machinery of government and bring it to a halt by counter-friction.

Thoreau's earlier writing was another important influence on the composition of "Civil Disobedience." Beginning in 1844, there is a movement in his writing toward political topics as well as nature, which had dominated up to this time and would continue to do so for the rest of his life. His enthusiastic and unsolicited eulogy in The Dial of Nathaniel Peabody Rogers, editor of the New Hampshire anti-slavery newspaper, The Herald of Freedom, is an example of that movement. Rogers is praised for his righteous impatience and his dedication to moral duty. Similarly, in 1845, there is an admiring tribute to Wendell Phillips, who had spoken several times before the Concord Lyceum, thanks to the arguments of Thoreau and others that he should be heard. In this piece, intended for broader dissemination than the piece on Rogers and therefore appearing in Garrison's The Liberator, we see Thoreau linking the Mexican War

and slavery as the primary problems facing the nation, and we also see a germ of the original title of the lecture version of the essay; before the Lyceum, he says, Phillips discussed "how much . . . the individual should have to do with church and state." Moreover, Thoreau's characterization of Phillips as one honest man who stood alone, and his admiration of Phillips's statement that he was not born to abolish slavery but to do the right, anticipate his own similar statements in "Civil Disobedience."

In A Week on the Concord and Merrimack Rivers, we see Thoreau shaping many of the arguments, and much of the style, of "Civil Disobedience." There are old ideas, such as assertions of the unreality of government and the primacy of the conscience. But there is significantly a focus to his complaints about government: Mexico, slavery, and the way in which officers of the State are tools of a dead institution. Moreover, for the first time, Thoreau embodies the confrontation of moral man and immoral State dramatically, in his quotations from Sophocles' Antigone. More importantly, we see Thoreau trying for the first time a narrative of his own encounter with the State, creating through the use of hyperbole something like a mock-epic, something he does even more effectively in "Civil Disobedience."

The political essays of Orestes Brownson are yet another source of Thoreau's "Civil Disobedience" ignored by the critics, who have focused only on the general impact of Brownson. They are surely correct in pointing out the

intellectual shock and the example of virile protest and moral energy that Brownson provided him. But Brownson had a more specific influence on Thoreau than that; he provided, or at least reinforced, many of the ideas of "Civil Disobedience." In Brownson's essays Thoreau found strong statements of the inexpediency and ephemerality of government and the primacy of the conscience, the voice of God within, which man must obey, even if he must nullify laws of the State. In Brownson he found an exposition of the dangers inherent in the idea of popular sovereignty and majority rule: its susceptibility to demagogic control and the obscuring of moral issues in the mathematics of voting. Finally, Brownson's equation of popular sovereignty with no-governmentism may shed some light on Thoreau's disavowal in "Civil Disobedience" that he is a no-government man; since Thoreau fits Brownson's description of a no-government man perfectly, we can conclude that Thoreau is being ironic, that he is playfully pretending to agree with a former mentor with whom he no longer agrees, or that he is tactfully trying not to alienate a man for whom he still has affection and gratitude.

Emerson was also profoundly influential in Thoreau's development as a writer of political essays. From the opening motto of "Civil Disobedience" to its closing vision of a society based on neighborliness, the impact of Emerson can be seen. Some of that influence is negative, for when the conservative half of Emerson's psyche was speaking, Thoreau

was stirred to revolt. Emerson's public embrace of the conservative rather than the radical position; his belief in the essential rightness of the State, the role of government in protecting property, and the beneficent Necessity that would correct the errors of government and remove the scourge of war; his advice that the citizen should postpone the private good to the universal good; his public criticism of "solitary nullifiers" who refused payment of their taxes and went to jail--all these things were for Thoreau a thesis to which "Civil Disobedience" was an antithesis. On the other hand, Emerson's admission that the pure ideal of government might be corrupted in acts of private ambition or by a demagogue placed in power by the caprice of majority rule; his strong affirmation of the absolute spiritual right to be free; his ringing denunciation of slavery; his declaration that Massachusetts had itself accomplished disunion in its failure to protect its Negro citizens kidnapped in Southern ports; his warning that good men must not obey the laws too well--all these things Thoreau heard and absorbed.

In "Civil Disobedience," Thoreau achieved the astronomical balance that Emerson recommended in "The American Scholar." He felt the pull of other influences, but he maintained the orbit of his own moral vision. He resisted becoming a satellite of a Garrison, Brownson, or Emerson. He took what he needed from the world and transmuted into his own truth. He wrote his own book.

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