

Notes on “On the Duty of Civil Disobedience” by Henry David Thoreau

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1. Introductory statements about government. I would like to draw your attention to the last phrase in the first quotation below. Thoreau says that “when men are prepared for it” as if he doesn’t believe that his extreme statement should be acted upon at the time he is writing this.
 - a. **“I heartily accept the motto, ‘That government is best which governs least’; and I should like to see it acted up to more rapidly and systematically. Carried out, it finally amounts to this, which also I believe—‘That government is best which governs not at all’; and when men are prepared for it, that will be the kind of government which they will have.”**
2. What does it mean to object to a country having a standing Army?
 - a. “Government is at best but an expedient; but most governments are usually, and all governments are sometimes, inexpedient. The objections which have been brought against a standing army, and they are many and weighty, and deserve to prevail, may also at last be brought against a standing government. The standing army is only an arm of the standing government.”
 - b. “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. Witness the present Mexican war, the work of comparatively a few individuals using the standing government as their tool; for in the outset, the people would not have consented to this measure.”
 - c. “For government is an expedient, by which men would fain succeed in letting one another alone; and, as has been said, when it is most expedient, the governed are most let alone by it.”
3. So, what type of government would be better? Thoreau forwards the idea that respect for the law comes from a sensible set of laws. And so he proposes that the people be asked what type of laws would command their respect.
 - a. “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.”
4. And then, almost immediately, he says that a majority should only be trusted with issues where expediency is applicable. And this implies that, on important issues of conscience people should rely on others?

- a. "After all, the practical reason why, when the power is once in the hands of the people, a majority are permitted, and for a long period continue, to rule is not because they are most likely to be in the right, nor because this seems fairest to the minority, but because they are physically the strongest."
 - b. **"But a government in which the majority rule in all cases can not be based on justice, even as far as men understand it. Can there not be a government in which the majorities do not virtually decide right and wrong, but conscience?— in which majorities decide only those questions to which the rule of expediency is applicable?"**
5. And then, unless I am totally misreading this, he asserts that the people should not "resign their conscience to the legislator." And finally, bewilderment over the tennis match between the alternatives of democratic decision and legislative edict hits the net of the individual! To wit, I think we are prompted to understand that both can be wrong, and it is the responsibility of the individual to check both against their own conscience.
 - a. **"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? I think that we should be men first, and subjects afterward. It is not desirable to cultivate a respect for the law, so much as for the right. The only obligation which I have a right to assume is to do at any time what I think right."**
6. If the state has unjust laws, then the people who respect those laws are made unjust by them to an equal degree. To avoid this, people should not lend their support to any unjust laws
 - a. "Law never made men a whit more just; and, by means of their respect for it, even the well-disposed are daily made the agents on injustice."
 - b. "A common and natural result of an undue respect for the law is, that you may see a file of soldiers, colonel, captain, corporal, privates, powder-monkeys, and all, marching in admirable order over hill and dale to the wars, against their wills, ay, against their common sense and consciences, which makes it very steep marching indeed, and produces a palpitation of the heart. They have no doubt that it is a damnable business in which they are concerned; they are all peaceably inclined."
7. In concluding a long segment about the injustice of a man giving his body to be commanded as a soldier, and to be treated as little more than a machine; Thoreau adds what seems to be a non-sequitur about the perception with which others regard someone who surrenders themselves entirely to the standing Army.

- a. "He who gives himself entirely to his fellow men appears to them useless and selfish; but he who gives himself partially to them is pronounced a benefactor and philanthropist."
8. How low is Thoreau's opinion of the actions of his current government? This is where Thoreau shows his colors as an abolitionist. But we need remember that he is speaking about more than just slavery.
 - a. "How does it become a man to behave toward the American government today? I answer, that he cannot without disgrace be associated with it. I cannot for an instant recognize that political organization as my government which is the slave's government also."
 - b. "In other words, 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."
9. Thoreau takes the extreme ethical position that ethics trump survival to underline his opposition to sending the Army into Mexico.
 - a. "If I have unjustly wrested a plank from a drowning man, I must restore it to him though I drown myself."
 - b. "This people must cease to hold slaves, and to make war on Mexico, though it cost them their existence as a people."**
10. Thoreau scorns the idleness of citizens.
 - a. "I quarrel not with far-off foes, but with those who, near at home, co-operate with, and do the bidding of, those far away, and without whom the latter would be harmless."
 - b. "It is not so important that many should be good as you, as that there be some absolute goodness somewhere; for that will leaven the whole lump."
 - c. "There are thousands who are in opinion opposed to slavery and to the war, who yet in effect do nothing to put an end to them; who, esteeming themselves children of Washington and Franklin, sit down with their hands in their pockets, and say that they know not what to do, and do nothing; who even postpone the question of freedom to the question of free trade, 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 is the price-current of an honest man and patriot today? They hesitate, and they regret, and sometimes they petition; but they do nothing in earnest and with effect. They will wait, well disposed, for other to remedy the evil, that they may no longer have it to regret. At most, they give up only a cheap vote, and a feeble countenance and Godspeed, to the right, as it goes by them. There are nine**

hundred and ninety-nine patrons of virtue to one virtuous man. But it is easier to deal with the real possessor of a thing than with the temporary guardian of it."

11. In response to those who might say that exercising their right to vote is enough to count themselves as just citizens, Thoreau has other ideas. He laments the lack of courage of his fellow countrymen to stop supporting things their government does which they should morally oppose.
- a. "Even voting for the right is doing nothing for it. It is only expressing to men feebly your desire that it should prevail. A wise man will not leave the right to the mercy of chance, nor wish it to prevail through the power of the majority. There is but little virtue in the action of masses of men."
 - b. "I find that the respectable man, so called, has immediately drifted from his position, and despairs of his country, when his country has more reasons to despair of him."
 - c. "O for a man who is a man, and, as my neighbor says, has a bone in his back which you cannot pass your hand through! Our statistics are at fault: the population has been returned too large."
 - d. "The American has dwindled into an Odd Fellow— one who may be known by the development of his organ of gregariousness, and a manifest lack of intellect and cheerful self-reliance; whose first and chief concern, on coming into the world, is to see that the almshouses are in good repair; and, before yet he has lawfully donned the virile garb, to collect a fund to the support of the widows and orphans that may be; who, in short, ventures to live only by the aid of the Mutual Insurance company, which has promised to bury him decently."
 - e. **"It is not a man's duty, as a matter of course, to devote himself to the eradication of any, even to most enormous wrong; he may still properly have other concerns to engage him; but it is his duty, at least, to wash his hands of it, and, if he gives it no thought longer, not to give it practically his support."**
 - f. "I have heard some of my townsmen say, "I should like to have them order me out to help put down an insurrection of the slaves, or to march to Mexico— see if I would go"; and yet these very men have each, directly by their allegiance, and so indirectly, at least, by their money, furnished a substitute."
 - g. "The soldier is applauded who refuses to serve in an unjust war by those who do not refuse to sustain the unjust government which makes the war"
 - h. **"The broadest and most prevalent error requires the most disinterested virtue to sustain it. The slight reproach to which the virtue of patriotism is commonly liable, the noble are most likely to incur. Those who, while they disapprove of the character and measures of a government, yield to it their allegiance and**

support are undoubtedly its most conscientious supporters, and so frequently the most serious obstacles to reform.”

12. Thoreau doesn't advocate succession. Instead he suggests withdrawing financial support for an unjust government.
 - a. “Some are petitioning the State to dissolve the Union, to disregard the requisitions of the President. Why do they not dissolve it themselves— the union between themselves and the State— and refuse to pay their quota into its treasury? Do not they stand in same relation to the State that the State does to the Union? And have not the same reasons prevented the State from resisting the Union which have prevented them from resisting the State?”
 - b. “Action from principle, the perception and the performance of right, changes things and relations; it is essentially revolutionary, and does not consist wholly with anything which was. It not only divided States and churches, it divides families; ay, it divides the individual, separating the diabolical in him from the divine.”**
13. He calls for action now! Waiting until there is a majority is not an option. If a law is unjust, then do not follow it.
 - a. “Unjust laws exist: shall we be content to obey them, or shall we endeavor to amend them, and obey them until we have succeeded, or shall we transgress them at once? Men, generally, under such a government as this, think that they ought to wait until they have persuaded the majority to alter them. They think that, if they should resist, the remedy would be worse than the evil. But it is the fault of the government itself that the remedy is worse than the evil. It makes it worse. Why is it not more apt to anticipate and provide for reform? Why does it not cherish its wise minority? Why does it cry and resist before it is hurt? Why does it not encourage its citizens to put out its faults, and do better than it would have them? Why does it always crucify Christ and excommunicate Copernicus and Luther, and pronounce Washington and Franklin rebels?”
 - b. “...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. What I have to do is to see, at any rate, that I do not lend myself to the wrong which I condemn.”**
14. He advocates an independence here that we heard in both John Stuart Mill and in Ralph Waldo Emerson.
 - a. “I came into this world, not chiefly to make this a good place to live in, but to live in it, be it good or bad.”
 - b. “I do not hesitate to say, that those who call themselves Abolitionists should at once effectually withdraw their support, both in person and property, from the

government of Massachusetts, and not wait till they constitute a majority of one, before they suffer the right to prevail through them. I think that it is enough if they have God on their side, without waiting for that other one. **Moreover, any man more right than his neighbors constitutes a majority of one already.**"

15. He calls on the tax collectors to walk off the job.

- a. "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."

16. It only takes a few good men to make a huge impact. If only a few good men stand against injustice, then everyone would rally to their cause.

- a. "I know this well, that if one thousand, if one hundred, if ten men whom I could name— if ten honest men only— ay, if one HONEST man, in this State of Massachusetts, ceasing to hold slaves, were actually to withdraw from this co-partnership, and be locked up in the county jail therefor, it would be the abolition of slavery in America. For it matters not how small the beginning may seem to be: what is once well done is done forever."

b. "Under a government which imprisons unjustly, the true place for a just man is also a prison."

- c. "If any think that their influence would be lost there, and their voices no longer afflict the ear of the State, that they would not be as an enemy within its walls, they do not know by how much truth is stronger than error, nor how much more eloquently and effectively he can combat injustice who has experienced a little in his own person."

d. "Cast your whole vote, not a strip of paper merely, but your whole influence. A minority is powerless while it conforms to the majority; it is not even a minority then; but it is irresistible when it clogs by its whole weight. If the alternative is to keep all just men in prison, or give up war and slavery, the State will not hesitate which to choose."

- e. "If a thousand men were not to pay their tax bills this year, that would not be a violent and bloody measure, as it would be to pay them, and enable the State to commit violence and shed innocent blood. This is, in fact, the definition of a peaceable revolution, if any such is possible."

- f. "But even suppose blood should flow. Is there not a sort of blood shed when the conscience is wounded? Through this wound a man's real manhood and immortality flow out, and he bleeds to an everlasting death. I see this blood flowing now."

17. Thoreau does not talk much about the rich. But he seems to suggest that people should not look to them for leadership. Essentially, they have too much to lose to be honestly engaged in civil disobedience. So, they are held captive by their wealth.

- a. "But the rich man— not to make any invidious comparison— is always sold to the institution which makes him rich. Absolutely speaking, the more money, the less virtue; for money comes between a man and his objects, and obtains them for him; it was certainly no great virtue to obtain it. It puts to rest many questions which he would otherwise be taxed to answer; while the only new question which it puts is the hard but superfluous one, how to spend it. Thus his moral ground is taken from under his feet."
- b. "The best thing a man can do for his culture when he is rich is to endeavor to carry out those schemes which he entertained when he was poor."
- c. "... they cannot spare the protection of the existing government, and they dread the consequences to their property and families of disobedience to it. For my own part, I should not like to think that I ever rely on the protection of the State. But, if I deny the authority of the State when it presents its tax bill, it will soon take and waste all my property, and so harass me and my children without end. This is hard. This makes it impossible for a man to live honestly, and at the same time comfortably, in outward respects."
- d. Thoreau quotes Confucius: "If a state is governed by the principles of reason, poverty and misery are subjects of shame; if a state is not governed by the principles of reason, riches and honors are subjects of shame."
- e. "It costs me less in every sense to incur the penalty of disobedience to the State than it would to obey."

18. Thoreau's Jail Experience

- a. "I have paid no poll tax for six years. I was put into a jail once on this account, for one night"
- b. Afterward, Thoreau felt the need to file the following statement with the town clerk: "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." This basically announced his intent not to pay any further poll tax for something to which he receives no benefit.
- c. "I could not help being struck with the foolishness of that institution which treated me as if I were mere flesh and blood and bones, to be locked up. I wondered that it should have concluded at length that this was the best use it could put me to, and had never thought to avail itself of my services in some way."
- d. "I felt as if I alone of all my townsmen had paid my tax."

- e. "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."
 - f. "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. They force me to become like themselves."
 - g. "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?"
 - h. "I am not responsible for the successful working of the machinery of society. I am not the son of the engineer. I perceive that, when an acorn and a chestnut fall side by side, the one does not remain inert to make way for the other, but both obey their own laws, and spring and grow and flourish as best they can, till one, perchance, overshadows and destroys the other. If a plant cannot live according to nature, it dies; and so a man."
19. His cynical take-away from the experience:
- a. "... a change had come to my eyes come over the scene — the town, and State, and country, greater than any that mere time could effect. I saw yet more distinctly the State in which I lived. I saw to what extent the people among whom I lived could be trusted as good neighbors and friends; that their friendship was for summer weather only; that they did not greatly propose to do right; that they were a distinct race from me by their prejudices and superstitions, as the Chinamen and Malays are; that in their sacrifices to humanity they ran no risks, not even to their property; that after all they were not so noble but they treated the thief as he had treated them, and hoped, by a certain outward observance and a few prayers, and by walking in a particular straight though useless path from time to time, to save their souls. This may be to judge my neighbors harshly; for I believe that many of them are not aware that they have such an institution as the jail in their village."
20. Feeling empowered by the righteousness of his incarceration, Thoreau takes some open shots at the current system of government.
- a. "I have never declined paying the highway tax, because I am as desirous of being a good neighbor as I am of being a bad subject; and as for supporting schools, I am doing my part to educate my fellow countrymen now. It is for no particular item in the tax bill that I refuse to pay it. **I simply wish to refuse allegiance to the State, to withdraw and stand aloof from it effectually.** I do not care to trace the course of my dollar, if I could, till it buys a man or a musket to shoot one with — the dollar is innocent — but I am concerned to trace the effects of my allegiance.

In fact, **I quietly declare war with the State**, after my fashion, though I will still make use and get what advantages of her I can, as is usual in such cases.”

- b. “I sometimes say to myself, When many millions of men, without heat, without ill will, without personal feelings of any kind, demand of you a few shillings only, without the possibility, such is their constitution, of retracting or altering their present demand, and without the possibility, on your side, of appeal to any other millions, why expose yourself to this overwhelming brute force?”
 - c. “...if I put my head deliberately into the fire, there is no appeal to fire or to the Maker of fire, and I have only myself to blame.”
 - d. “I can resist this with some effect; but I cannot expect, like Orpheus, to change the nature of the rocks and trees and beasts.”
21. Thoreau backs off a bit, making a few patriotic statements to counter-balance his strong defiance of the current government’s policies.
- a. “I seek rather, I may say, even an excuse for conforming to the laws of the land. I am but too ready to conform to them. Indeed, I have reason to suspect myself on this head; and each year, as the tax-gatherer comes round, I find myself disposed to review the acts and position of the general and State governments, and the spirit of the people to discover a pretext for conformity.”
 - b. **“Seen from a lower point of view, the Constitution, with all its faults, is very good; the law and the courts are very respectable; even this State and this 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 higher still, and the highest, who shall say what they are, or that they are worth looking at or thinking of at all?”**
22. Statesmen and lawyers don’t seem to appreciate what we have. Instead they make expedient solutions to problems and thereby sow the seeds of injustice in the system.
- a. “Statesmen and legislators, standing so completely within the institution, never distinctly and nakedly behold it.”
 - b. “They are wont to forget that the world is not governed by policy and expediency.”
 - c. “The lawyer's truth is not Truth, but consistency or a consistent expediency. Truth is always in harmony with herself, and is not concerned chiefly to reveal the justice that may consist with wrong-doing.”
 - d. “Still thinking of the sanction which the Constitution gives to slavery, he says, "Because it was part of the original compact— let it stand.”
23. Where do we find honest legislators and where should they look for inspiration, and light?

- a. “They who know of no purer sources of truth, who have traced up its stream no higher, stand, and wisely stand, by the Bible and the Constitution, and drink at it there with reverence and humanity; but they who behold where it comes trickling into this lake or that pool, gird up their loins once more, and continue their pilgrimage toward its fountainhead.”
 - b. “No man with a genius for legislation has appeared in America. They are rare in the history of the world. There are orators, politicians, and eloquent men, by the thousand; but the speaker has not yet opened his mouth to speak who is capable of settling the much-vexed questions of the day.”
 - c. “Our legislators have not yet learned the comparative value of free trade and of freedom, of union, and of rectitude, to a nation.”
 - d. **“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.”**
24. Is there a “next step” in the progress of government?
- a. “The authority of government, even such as I am willing to submit to— for I will cheerfully obey those who know and can do better than I, and in many things even those who neither know nor can do so well— is still an impure one: to be strictly just, it 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.”
 - b. “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.”
 - c. **“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? There will never be a really free and enlightened State until 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. I please myself with imagining a State at last which can afford to be just to all men, and to treat the individual with respect as a neighbor; which even would not think it inconsistent with its own repose 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. 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 I have also imagined, but not yet anywhere seen.”**

Additional Notes on Thoreau:

1. Thoreau attended Harvard, but did not pay for his diploma.
2. He became friends with Ralph Waldo Emerson, who introduced him to other notable figures and promoted his publication in "The Dial," the transcendentalist quarterly.
3. Most of Thoreau's transcendentalist thoughts are contained in his work "Walden."
4. His most famous quote is one most people remember from the movie "Dead Poet's Society."
 - a. "I went to the woods because I wished to live deliberately, to front only the essential facts of life, and see if I could not learn what it had to teach, and not, when I came to die, discover that I had not lived. "
 - b. The quotation continues: "I did not wish to live what was not life, living is so dear; nor did I wish to practice resignation, unless it was quite necessary. I wanted to live deep and suck out all the marrow of life, to live so sturdily and Spartan-like as to put to rout all that was not life, to cut a broad swath and shave close, to drive life into a corner, and reduce it to its lowest terms, and, if it proved to be mean, why then to get the whole and genuine meanness of it, and publish its meanness to the world; or if it were sublime, to know it by experience, and be able to give a true account of it in my next excursion."
5. It was essentially on a dare from Ellery Channing that Thoreau went out to live independently on Walden Pond.
6. He only lived on Walden Pond for two years and the property is only a mile from town.
7. "Walden" is considered by many to be the founding text of environmentalism.
8. Toward the end of his life, he was essentially a travel writer, writing about his excursions in the north-east.
9. A very unfortunate quotation from Walden:
 - a. "It is never too late to give up our prejudices. No way of thinking or doing, however ancient, can be trusted without proof. What everybody echoes or in silence passes by as true to-day may turn out to be falsehood tomorrow, mere smoke of opinion, which some had trusted for a cloud that would sprinkle fertilizing rain on their fields. What old people say you cannot do, you try and find that you can. Old deeds for old people and new deeds for new. Old people did not know enough once, perchance, to fetch fresh fuel to keep the fire a-going; new people put a little dry wood under a pot, and are whirled round the globe with the speed of birds, in a way to kill old people, as the phrase is. Age is no better, hardly so well, qualified for an instructor as youth, for it has not profited so much as it has lost. One may almost doubt if the wisest man has learned anything of absolute value by living. Practically, the old have no very

important advice to give the young, their own experience has been so partial, and their lives have been such miserable failures, for private reasons, as they must believe; and it may be that they have some faith left which belies that experience, and they are only less young than they were. I have lived some thirty years on this planet, and I have yet to hear the first syllable of valuable or even earnest advice from my seniors. They have told me nothing, and probably cannot tell me anything, to the purpose. Here is life, an experiment to a great extent untried by me; but it does not avail me that they have tried it. If I have any experience which I think valuable, I am sure to reflect that this my Mentors said nothing about."