

The Theme of Moral Injury: “On the Rainy River,” Emerson, and Thoreau

Ralph Waldo Emerson

(1803-1882)



Trust Yourself

- ▶ Speak your latent conviction, ... Else, to-morrow a stranger will say with masterly good sense precisely what we have thought and felt all the time, and we shall be forced to take with shame our own opinion from another.
- ▶ Insist on yourself; never imitate. ...

A champion

- ▶ A committed Abolitionist, a champion of the hounded Native Americans, a tireless crusader for peace and social justice, a supporter of educational reform, as well as a selfless champion of other creative geniuses around him like Thoreau and Louisa May Alcott.

From SELF-RELIANCE (1841)

"Whosoever would be a man,
must be a nonconformist . . .
A foolish consistency is the
hobgoblin of little minds . . .
To be great is to be
misunderstood."

Non-conformity

- ▶ Emerson spoke about the value of non-conformity.
- ▶ What is conformity?
- ▶ What is non-conformity?

Make the Most of Life

- ▶ Not for nothing one face, one character, one fact, makes much impression on him, and another none.
- ▶ Trust thyself: every heart vibrates to that iron string.
- ▶ Accept the place the divine providence has found for you, the society of your contemporaries, the connection of events.

Be True to Yourself

- ▶ The virtue in most request is conformity.
- ▶ Whoso would be a man must be a nonconformist.
- ▶ Nothing is at last sacred but the integrity of your own mind. ...
- ▶ What I must do is all that concerns me, not what the people think.

Find Like-Natured Companions

- ▶ There is a class of persons to whom by all spiritual affinity I am bought and sold; for them I will go to prison, if need be.

Follow Your Own Nature

- ▶ No law can be sacred to me but that of my nature.
- ▶ Good and bad are but names very readily transferable to that or this;
- ▶ The only right is what is after my constitution, the only wrong what is against it.

Henry David Thoreau
(1817-1862)



One Essay (1849), three possible titles:

“Resistance to Civil Government”

“On the Duty of Civil Disobedience”

“Civil Disobedience”

Be An Individual

- ▶ Truth is handsomer than the affectation of love...
- ▶ I shun father and mother and wife and brother, when my genius calls me.

BUT...

- ▶ Henry David Thoreau was a U.S. thinker, essayist, and naturalist, born in Concord, MA. Thoreau graduated from Harvard University and taught school for several years before deciding to become a poet of nature.
- ▶ He was much influenced by his older friend, Waldo Emerson.

What is civil disobedience?

- ▶ Refusal to obey a law on the grounds that it is immoral or unjust in itself, or furthers injustice.
- ▶ Goal: to call attention to an unjust law, & appeal to public's sense of justice; to clog the system and make the law unenforceable; to challenge the law in the courts.

It's not civil disobedience if you're not breaking a law or disobeying a rule/regulation.

It's not civil disobedience if you're not **willing to pay the price for your actions.**

Civil Disobedience

- ▶ The price of anything is the amount of life you exchange for it.
- ▶ Under a government which imprisons any unjustly, the true place for a just man is also a prison.

Thoreau...

- ▶ A fervent abolitionist who reflected on a night he spent in jail protesting the Mexican-American War in the essay "Civil Disobedience" (1849). Thoreau refused to pay the part of his taxes that would have gone to support the war (which was also a way for the U.S. to increase slave territory).
- ▶ His essay would later influence women's suffrage advocates and civil rights leaders such as Martin Luther King, Jr.

- ▶ "Civil Disobedience" = essay title

- ▶ civil disobedience = the actions described in the essay and in this presentation

- ▶ civil disobedient = the PERSON who commits civil disobedience

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 . . . To think that, if we 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...Why does it not encourage its citizens to be on the alert to point out its faults, and do better...?

Thoreau's civil disobedience

Key Arguments:

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 . . ."
- ▶ Unjust laws require our cooperation in order to work. He advocated resistance: "I do not lend myself to the wrong which I condemn."
- ▶ Normal legal channels to overturn those laws either do not exist or take too long.
- ▶ Civil disobedience effective: if abolitionists withdrew their support of government, then slavery would end in a peaceful revolution.

IF the law REQUIRES YOU to be the "AGENT OF INJUSTICE TO ANOTHER," then break the law.

- ▶ What if no one paid taxes to support the war?
- ▶ What if everyone refused to refrain from helping return runaway slaves?
 - ▶ "Sometime they'll give a war and nobody will come."

Carl Sandburg (1878-1967)
American poet and writer

Thoreau's civil disobedience

- ▶ IF the law REQUIRES YOU to be the "AGENT OF INJUSTICE TO ANOTHER," then break the law.
- ▶ If the Government had to put all the lawbreakers in jail and prosecute them, it would be overwhelmed and give up

The little girl saw her first troop parade and asked,
'What are those?'
'Soldiers.'
'What are soldiers?'
'They are for war. They fight and each tries to kill as many of the other side as he can.'
The girl held still and studied.
'Do you know . . . I know something?'
'Yes, what is it you know?'
'Sometime they'll give a war and nobody will come.'

--Excerpt From "The People, Yes" - Poem by Carl Sandburg (1936)

How does it work?

- ▶ "Cast your whole vote, not a strip of paper merely, but your whole influence. A **minority** is powerless while it conforms to the majority; ... but it is **irresistible when it clogs by its whole weight.**"

Question Everything: In a democracy the citizens must debate before sending their young people into danger.

- ▶ Theodore Roosevelt said in 1918 during the First World War, "To announce that there must be no criticism of the president... is not only unpatriotic and servile, but is morally treasonable to the American public."



First Amendment responsibility

- ▶ “. . . going to war does not abrogate* freedom of conscience, thought and speech. In the midst of World War II, the Supreme Court held that compelling kids in public schools to salute the flag and recite the Pledge of Allegiance violated the First Amendment and was therefore unconstitutional. This decision, handed down on Flag Day 1943, was considered then to be a pretty good statement of why we were fighting.” Arthur M. Schlesinger Jr. (American historian, social critic, and public intellectual)

*repeal or do away with

	Offense	Classification	Maximum Incarceration & Fine
New York	Disorderly Conduct	Violation	15 days/\$250
	Trespass	Violation	15 days/\$250
	Resisting Arrest	Misdemeanor	12 months/\$1,000
California	Disorderly Conduct	Misdemeanor	90 days/\$400
	Trespass	Misdemeanor	12 months/\$1,000
	Resisting Arrest	Class A Misdemeanor	12 months/\$1,000
Pennsylvania	Disorderly Conduct	3rd Degree Misdemeanor	1 year/\$2,500
	Trespass	3rd Degree Misdemeanor	1 year/\$2,500
	Resisting Arrest	2d Degree Misdemeanor	2 years/\$5,000

NOTE: Civil disobedients usually refuse to pay the fine!

Demonstrators or civil disobedients are commonly charged with disorderly conduct, trespass or resisting arrest. Occasionally protestors are charged with more serious crimes which can include assault and riot. Using New York as our example once again, the elements of these offenses can be summarized as follows:

Disorderly Conduct:

unreasonable noise, disturbing a lawful assembly, obstructing pedestrian or vehicular traffic, refusing a police order to disperse, or a more general act such as "creating a physically offensive condition by any act which serves no legitimate purpose." Clearly, almost any act can be considered disorderly conduct by a police officer or a judge.

Civil Disobedience in US History

- ▶ Women's Suffrage Movement
 - ▶ Susan B. Anthony voted (1852)
 - ▶ Many women were jailed and went on hunger strikes (early 1900s)
- ▶ Right to Birth Control
 - ▶ Margaret Sanger distributed information and contraceptives (early 1900s)
- ▶ Civil Rights for Minority/Disempowered Groups
 - ▶ Gender
 - ▶ Sexuality
 - ▶ Race
 - ▶ Philosophy (Scopes Trial) (draft resistance)

Trespass:

knowing presence on property without the permission of the owner.

Resisting Arrest:

intentionally attempting to prevent an arrest. Courts have interpreted this to include causing the police to use force to make an arrest, such as when the person arrested goes limp and makes the police carry her away.

Assault:

causing another to be in fear of imminent bodily harm or death.

Riot:

violent and tumultuous conduct which causes public unrest or alarm.