

2. How does he invoke the history of China to bolster his criticism of the idea of excluding Chinese immigrants from the United States?

81. Henry David Thoreau, "Resistance to Civil Government" (1849)

Source: *Henry David Thoreau, "Resistance to Civil Government," in Aesthetic Papers (Boston, 1849), pp. 189-200.*

The Mexican-American War of 1846-48 was the first American conflict to be fought primarily on foreign soil and the first in which American troops occupied a foreign capital. It resulted in the absorption by the United States of about one-third of the territory of Mexico—the present-day states of Arizona, California, New Mexico, Nevada, and Utah.

Inspired by the expansionist fervor of manifest destiny, a majority of Americans supported the war. But a significant minority in the North feared that far from expanding the "empire of liberty," the real aim of the administration of James K. Polk was to acquire new land for the expansion of slavery. In Massachusetts, Henry David Thoreau was imprisoned in 1846 for refusing to pay taxes as a protest against the war. (He spent one night in jail, after which a relative paid the tax and he was released.) Defending his action, Thoreau wrote an essay on civil disobedience. The essay would inspire such later advocates of nonviolent resistance to unjust laws as Mohandas K. Gandhi and Martin Luther King Jr.

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. Government is at best but an expedient; but

most governments are usually, and all governments are sometimes, inexpedient....

This American government,—what is it but a tradition, though a recent one, endeavoring to transmit itself unimpaired to posterity; but each instant losing some of its integrity? It has not the vitality and force of a single living man; for a single man can bend it to his will.... *It does not keep the country free. It does not settle the West. It does not educate.* The character inherent in the American people has done all that has been accomplished; and it would have done somewhat more, if the government had not sometimes got in its way. 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....

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.

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. But a government in which the majority rule in all cases cannot be based on justice, even as far as men understand it.... 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....

How does it become a man to behave toward this American government to-day? 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.

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. . . . But when . . . oppression and robbery are organized, I say, let us not have such a machine any longer. 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. 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. . . .

Practically speaking, the opponents to a reform in Massachusetts are not a hundred thousand politicians at the South, but a hundred thousand merchants and farmers here, who are more interested in commerce and agriculture than they are in humanity, and are not prepared to do justice to the slave and to Mexico, *cost what it may*. I quarrel not with far-off foes, but with those who, near at home, cooperate with, and do the bidding of those far away, and without whom the latter would be harmless. We are accustomed to say, that the mass of men are unprepared; but improvement is slow, because the few are not materially wiser or better than the many. It is not so important that many should be as good as you, as that there be some absolute goodness somewhere; for that will leaven the whole lump. 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. . . .

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 be on the alert to point 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?

As for adopting the ways which the State has provided for remedying the evil, I know not of such ways. They take too much time, and a man's life will be gone. I have other affairs to attend to. 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. A man has not every thing to do, but something; and because he cannot do *every thing*, it is not necessary that he should do *something* wrong. It is not my business to be petitioning the governor or the legislature any more than it is theirs to petition me; and, if they should not hear my petition, what should I do then? But in this case the State has provided no way: its very Constitution is the evil. . . .

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.

Under a government which imprisons any unjustly, the true place for a just man is also a prison. The proper place to-day, the

only place which Massachusetts has provided for her freer and less desponding spirits, is in her prisons, to be put out and locked out of the State by her own act, as they have already put themselves out by their principles. It is there that the fugitive slave, and the Mexican prisoner on parole, and the Indian come to plead the wrongs of his race, should find them; on that separate, but more free and honorable ground, where the State places those who are not *with* her but *against* her,—the only house in a slave-state in which a free man can abide with honor. 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. 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. 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....

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. 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. 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 also I have imagined, but not yet anywhere seen.

Questions

1. What does Thoreau see as the relationship between government and freedom?
2. How does he justify an individual's deciding to break the law?

82. William Henry Seward, "The Irrepressible Conflict" (1858)

Source: *The Irrepressible Conflict: A Speech by William H. Seward, Delivered at Rochester, Monday, Oct. 25, 1858 (New York, 1858), pp. 1-6.*

As the controversy over the expansion of slavery intensified during the 1850s, a new political party, the Republican Party, rose to dominance in the North. The party's appeal rested on the idea of "free labor." Republicans glorified the North as the home of progress, opportunity, and freedom.

One of the most powerful statements of the Republican outlook was delivered in 1858 by William H. Seward, a senator from New York. Seward described the nation's division into free and slave societies as an "irrepressible conflict" between two fundamentally different social