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NOTES

Introduction

- 1 Guenther Roth and Claus Wittich, eds, *Max Weber: Economy and Society: An Outline of Interpretive Sociology* (Berkeley: University of California Press, 1978), 54.
- 2 Robert Paul Wolff, *In Defense of Anarchism* (Berkeley: University of California, 1998), 4.
- 3 To be clear, the ideal of voluntarism—the fact of consent—can be accepted as a theoretical or logical matter yet rejected as either a description of actual political life or a claim about what is practically possible in present political life.
- 4 Anarchists who reject all forms of government or political organization typically extend the voluntarist principle along two lines that rule out the possibility of just political authority. First, such anarchists insist that there is a moral duty to exercise autonomy and understand this duty to entail a strict prohibition against the practice of issuing promises, as promising is said to constitute a surrendering of moral autonomy. Second, they contend that all coercion (or violence) is wrong. In consequence, they hold that contractual agreements, including political pacts and contracts, are inherently problematic. I should also note that I recognize that one might reject all forms of government and at the same time (1) assert the possibility of morally acceptable promise making and (2) allow for the possibility of just coercive or violent action. However, once one concedes the acceptability of promise making, it is difficult to provide compelling reasons for considering unanimous or consensus decision-making procedures morally problematic, especially if one allows for just coercive or violent action. Therefore, it would seem that in order to defend what I am calling an absolute anarchist position, one would probably have to endorse a prohibition against promise making. At the very least, one who defends the two prohibitions in question is likely to present the most philosophically defensible version of the extreme version of anarchism that I have identified. I direct our attention to this strand of anarchism mostly for the sake of contrast and to highlight the falsity of the common assumption that embracing anarchism requires rejecting all forms of government.
- 5 Interestingly, while unanimous or consensus democracy may lend legitimacy to a given political entity, it is unclear whether the idea of political rule is applicable to cases in which decision making and the passage of legislation

- require unanimity or consensus. Hence, it is not clear how the idea of authority would itself be applicable in the case of unanimous or consensus democracy.
- 6 As we move along, we must acknowledge the distinction between government proper and the modern territorial state as such. The modern territorial state emerges after the Westphalian Treaty (Phillip Bobbitt); it asserts the right to rule over a geographic area and the right to rule is the right to tax, execute, jail, command, conscript; and via standing armies, police bureaus, surveillance, and clandestine agencies territorial states rule over human persons and claim a monopoly on organized violence (Max Weber), which includes the reservation of the right to establish who is an enemy, who is a friend (Carl Schmitt), and thus the right to determine who is an eligible object of attack—subject to be killed via the violent means that the state has at its disposal. One can concede that the state solves coordination problems through the implementation of regulatory schemes (after John Finnis) without believing that this is the distinctive feature of the modern territorial state. On my view, the modern state, which is widely thought to have emerged after Westphalia, is a political entity that is territorial, bureaucratic, centralized, and militarized. I will refer to the modern state as the *territorial* state given how important rule over territory is for the modern political units that we refer to as states.
 - 7 Rigorous moral theories, whether religiously or nonreligiously motivated, often underwrite anarchism precisely because of the fact that the rigorous moralist is often unwilling to cede authority to a majority from which the moralist is herself excluded.
 - 8 Legal and political philosophers, with this issue in mind, draw a distinction between anarchists who argue that persons have a moral duty to withdraw support from the state and those who do not by invoking varying terminology. Probably most common is to discuss this distinction in terms of *philosophical* anarchism and *political* anarchism. This distinction between philosophical and political anarchism is helpfully explicated by philosopher A. John Simmons in his analysis of variant types of anarchism. *Political* anarchists, as Simmons describes the lot, are persons who conclude that the modern territorial state lacks moral legitimacy and further assert that persons have “an immediate requirement of opposition to illegitimate states.” *Philosophical* anarchists, on the other hand, do not draw such a conclusion on the basis of the state’s lack of moral legitimacy. Rather, “philosophical anarchists hold that there may be good moral reasons not to oppose or disrupt at least some kinds of illegitimate states, reasons that outweigh any right or obligation of opposition” (A. John Simmons, *Justification and Legitimacy: Essays on Rights and Obligation* (New York: Cambridge University Press, 2001), 107–9). I will draw extensively from Simmons, yet for the sake of clarity will discuss the distinction in question in terms of strong anarchism and weak anarchism. For an additional and helpful account of philosophical anarchism see chapter 2 of David Miller’s *Anarchism*.
 - 9 This is something of a formal definition of anarchism. Perhaps, it is important to differentiate between the various orientations to the law in a way that I have not. We might maintain that merely arguing against a general duty to obey the law is a necessary but insufficient basis on which to attribute a commitment of weak anarchism to a particular moral agent. I give some

attention to this issue in Chapter 3, where I reflect on the relationship of a commitment of political disobedience to weak anarchism.

- 10 Crucially, as we proceed, I will take opposition to include both active resistance, that is, obstructive or disruptive action, and the withdrawal of cooperation.
- 11 I borrow this language from A. John Simmons. See Simmons, *Justification and Legitimacy*, 109. A couple of challenges emerge here. How should we characterize the practices or commitments of a person who believes that the state ought to be eliminated yet does not proactively oppose the state? And how do we best capture or describe the posture of a person who is skeptical as to whether the state can be transformed or abolished yet insists that a person bears a moral duty to resist the immoral dictates of the state? I am inclined to say that one who argues that there is a duty to disobey state commands, laws, or policies and denounces a reliance on formal democratic procedure should be classified as a strong anarchist. We should also acknowledge that to be a gradualist does not mean that one is not an anarchist. Anarchism addresses both means and the ultimate end. A gradualist can seek the same end as those preferring a more immediate realization of the ultimate objective. One can propose to *gradually* eliminate the state without contradiction. The state can be thought of as a primary color. Slowly adding another primary color to the mix over time will result in a new color. The gradualist might recommend voting or disobedience as a means by which to transform the state. The strong anarchist will simply hope that, over time, the state is transformed so much so that eventually it is not the same entity. This speaks to the importance of regarding the modern territorial state as a contingent social fact. Most anarchists insist on this point. Were the United States to cease holding two million people in prison; were it to refrain from employing military force to realize its interests; were it to refrain from perpetuating hierarchical socioeconomic arrangements; were it to eliminate its standing army and abolish the draft; were the United States to do these things, then it would no longer be worth referring to it as a modern territorial state. Again, we must avoid conflating politics and government with the modern territorial state.
- 12 Lawrence Buell, *The Environmental Imagination: Thoreau, Nature Writing, and the Formation of American Culture* (Cambridge: Harvard University Press, 1995), 327.
- 13 Alan D. Hodder, *Thoreau's Ecstatic Witness* (New Haven: Yale University Press, 2001), 20.
- 14 As Leigh Kathryn Jenco makes clear in her insightful essay on Thoreau, "Thoreau's act of state resistance is not a celebration of liberal democracy, but rather one part of an ongoing process of challenging, and giving new definitions to, those terms usually employed to justify it." In general, I join Jenco in suggesting that we resist situating Thoreau as a democratic individualist whose normative ethical vision is consistent with representational constitutional democracy.
- 15 Dorothy Day, *The Long Loneliness: The Autobiography of Dorothy Day* (New York: HarperOne, 1997), 62.
- 16 Day relates, "The Church is infallible when it deals with truth of the faith such as the dogma of the Immaculate Conception and the Assumption of

the Blessed Virgin Mary. When it comes to concerns of the temporal order—capital versus labor, for example—on all these matters the Church has not spoken infallibly. Here there is room for wide differences of opinion.” Dorothy Day, *Loaves and Fishes. The Inspiring Story of the Catholic Worker Movement* (Maryknoll, NY: Orbis Books, 1997), 122.

Chapter 1

- 1 Lewis Perry, *Radical Abolitionism: Anarchy and the Government of God and Antislavery Thought* (Knoxville: University of Tennessee Press, 1995), 44.
- 2 Hodder uses the term or phrase “Immanence of the divine principle” to describe the phenomenon. Hodder, *Thoreau’s Ecstatic Witness*, 57. Perry, *Radical Abolitionism*, 44.
- 3 Transcendentalists worked out a metaphysical view that had perhaps been most clearly articulated by George Fox and the Society of Friends (Quakers), who maintained that there is in every person an inner light that is one with God.
- 4 William E. Cain, *A Historical Guide to Henry David Thoreau* (Oxford: Oxford University Press, 2000), 17.
- 5 Lawrence Buell, *Literary Transcendentalism: Style and Vision in the American Renaissance* (Ithaca: Cornell University Press, 1979), 45.
- 6 Helena Adell Snyder, *Thoreau’s Philosophy of Life. With Special Consideration of the Influence of Hindoo Philosophy* (Whitefish, MT: Kessinger Publishing, 2010), 17.
- 7 Henry David Thoreau, “Monday,” *The Higher Law: Thoreau on Civil Disobedience and Reform*, ed. Wendell Glick (Princeton: Princeton University Press, 2004), 140.
- 8 Henry David Thoreau, “Walden,” *A Week in Concord Merrimack Rivers, Walden, The Main Woods, Cape Cod*, ed. Robert Sayre (New York: Library of Americas, 1998), 429.
- 9 This theological view probably aligns best with what mid-to-late-twentieth-century theorists refer to as panentheism.
- 10 For Ralph Emerson’s clear statement to this effect, see his essay “The American Scholar,” *The Oxford Authors*, ed. Richard Poirier (New York: Oxford University Press, 1990), 38, 41. And in an address in September 1838, entitled “Self-Culture,” William Ellery Channing relates a similar view in “Self-Culture” (Boston, September 1838).
- 11 Henry David Thoreau, *A Week in Concord Merrimack Rivers, Walden, The Main Woods, Cape Cod*, ed. Robert Sayre (New York: Library of Americas, 1998), 182.
- 12 After English romantics such as Coleridge and Blake, and Germans such as Schiller and Fichte, and his mentor Emerson, and against Locke’s idea of a tabula rasa, Thoreau believed that sense experience and innate capacity, consisting of a priori knowledge, interacted to make moral and empirical knowledge possible.
- 13 Thoreau, “Monday,” 108.
- 14 Thoreau, “Monday,” 103.

- 15 Stanley Cavell, *The Senses of Walden* (Chicago: University of Chicago Press, 1992), 79.
- 16 Thoreau, *Walden*, 389.
- 17 Thoreau, *Walden*, 394.
- 18 Thoreau, *Walden*, 335.
- 19 Thoreau, *Walden*, 394.
- 20 Thoreau, *Walden*, 466.
- 21 Thoreau, *Walden*, 549.
- 22 Thoreau does not routinely employ the term alienation, yet the idea of alienation is an appropriate term for the phenomenon that Thoreau takes to have been instigated by technological or production-related innovations during the eighteenth and nineteenth centuries. See Thoreau, *Walden*, 344, 352, and 396.
- 23 Thoreau, *Walden*, 329.
- 24 Thoreau, *Walden*, 330.
- 25 Thoreau, *Walden*, 329.
- 26 Thoreau, *Walden*, 332.
- 27 Thoreau, *Walden*, 352.
- 28 Thoreau, *Walden*, 396.
- 29 Thoreau, *Walden*, 350.
- 30 Thoreau, *Walden*, 493.
- 31 Thoreau, *Walden*, 334.
- 32 Thoreau, *Walden*, 334.
- 33 Thoreau, *Walden*, 338.
- 34 Thoreau, *Walden*, 387.
- 35 Slaveholders and ship makers, of course, exemplified interest and complicity in the slave trade and slave economy.
- 36 Thoreau, *Walden*, 497.
- 37 This trend or tendency in one way or another can be seen in the work of a diverse lot that includes theorists and philosophers Michel Foucault, Charles Taylor, Alasdair McIntyre, Michael Sandel, Romand Coles, and Martha Nussbaum.
- 38 John Thomas, "Romantic Reform in America, 1815–1865," *American Quarterly* 17, no. 4, 1965: 671.
- 39 Political resistance, in the context of the modern territorial state, is a precondition for awakening; and paradoxically, awakening is a precondition for political resistance.
- 40 Isaiah Berlin, *Russian Thinkers* (New York: Viking Press, 1978), 79.
- 41 Thoreau, *Walden*, 389.
- 42 Henry David Thoreau, "Resistance to Civil Government," *The Higher Law: Thoreau on Civil Disobedience and Reform*, ed. Wendell Glick (Princeton: Princeton University Press, 2004), 65.
- 43 Thoreau, "Resistance to Civil Government," 66.
- 44 Thoreau, "Resistance to Civil Government," 64.
- 45 Thoreau, "Monday," 105–6.
- 46 Thoreau, "Monday," 105–6.
- 47 Thoreau, *Walden*, 459.

- 48 Henry David Thoreau, "Slavery in Massachusetts," *The Higher Law: Thoreau on Civil Disobedience and Reform*, ed. Wendell Glick (Princeton: Princeton University Press, 2004), 92.
- 49 Thoreau, "Slavery in Massachusetts," 94.
- 50 Thoreau, "Slavery in Massachusetts," 105.
- 51 Thoreau, "Resistance to Civil Government," 71–2.
- 52 Thoreau, "Resistance to Civil Government," 71.
- 53 For an instructive analysis of come-outerism, see Perry, *Radical Abolitionism*, especially pages 65–77 and 92–102; see also John R. McKivigan, *The War against Proslavery Religion: Abolitionism and the Northern Churches, 1830–1865* (Ithaca: Cornell University Press, 1984).
- 54 Alcott, for instance, published a piece in *Non-Resistant* in which he announced, "I look upon the Non-Resistance society as an assertion of the right of self-government. Why should I employ a church to write my creed or a state to govern me? Why not write my own creed? Why not govern myself?" (Alcott quoted in Perry's *Radical Abolitionism*, 83–4).
- 55 Staughton Lynd, *Intellectual Origins of American Radicalism* (Cambridge: Cambridge University Press, 2009), 101, 123; See also, Perry, *Radical Abolitionism*, 163–7.
- 56 Thoreau, "Resistance to Civil Government," 65.
- 57 Thoreau, "Resistance to Civil Government," 84.
- 58 Thoreau, "Resistance to Civil Government," 63.
- 59 Thoreau, "Resistance to Civil Government," 67.
- 60 Thoreau, "Resistance to Civil Government," 64.
- 61 The idea that anarchism does not rule out government is certainly a minority view, but I am not alone in holding it. David DeLeon, for example, supports the claim in *The American as Anarchist* (Baltimore: Johns Hopkins University Press, 1978) where he notes that for certain anarchists the ideal social order would be based on "government by consent" in which the "necessary functions of society could be accomplished by voluntary associations" (78).
- 62 Thoreau, "Resistance to Civil Government," 86.
- 63 Thoreau, "Resistance to Civil Government," 86.
- 64 To this end, Thoreau imagines "a State at last which can afford to be just to all men, and to treat the individual with respect as a neighbor. . . . 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." Thoreau, "Resistance to Civil Government," 90.
- 65 In many respects, it is the bringing together of these assertions that gives rise to an anarchist ethic. Anarchists typically maintain that unjust decision-making procedures themselves render a state illegitimate, so that persons have no moral duties to comply with its commands on the basis of the source of the commands in question.
- 66 One reason that it strikes me as instructive to discuss Thoreau's political commitments in terms of anarchism is because of what Thoreau rejects. He rejects majoritarian democracy. The will of the majority cannot generate norms that individual persons have duties to comply with in virtue of the source of the law. Some have thought of this form of democracy as pure democracy.

- Thoreau also rejects constitutionally restricted majoritarian democracy. In addition, Thoreau rejects as legitimating the various devices celebrated by liberal democratic theorists: periodic elections of representatives, that is, he explicitly rejects representation as appropriate; denies that one can be taxed without consent; this is not even to address Thoreau's criticisms of the judiciary, prisons, and militaries of territorial states.
- 67 David Miller, *Anarchism* (London: J.M. Dent and Sons, 1984), 15.
 - 68 Miller, *Anarchism*, 16.
 - 69 I suspect that Miller attributes passivity to Thoreau in part because he is not thinking about Thoreau's oeuvre as a whole or reflecting on Thoreau's religious and political writing and action in relation to mid-nineteenth-century New England social activism, including abolitionism and anti-imperialism.
 - 70 Hannah Arendt, "Civil Disobedience," in *Crises of the Republic* (San Diego: Harvest Book Harcourt Brace & Company, 1972), 60.
 - 71 Arendt, *Crises of the Republic*, 64.
 - 72 This line of analysis will also reveal precisely how Thoreau's moral theory diverges from the democratic individualism that George Kateb commends. In his work *Hannah Arendt*, Kateb defends the majority-principle and representational democracy by noting the positive effects that he attributes to democratic culture, including periodic elections. But, in the essay "Resistance to Civil Government," Thoreau explicitly rejects the idea that the institutions that Kateb has in mind are in fact praiseworthy.
 - 73 One can reject theological-metaphysical bases for conscience and avoid subjectivism. For, the advance of social theoretical accounts of moral development in the light of reflection on moral pluralism has led to more complicated understandings of the derivation of moral sensibility. That there is a source is more important than *the* source: it is possible to assert that one's conscience can be God's creation or the product of social practices or moral education.
 - 74 Barbara Packer, *Transcendentalism* (Athens: University of Georgia, 2007), 97.
 - 75 Thoreau, *The Higher Law*, 73.
 - 76 Thoreau, *The Higher Law*, 72.
 - 77 Thoreau, "Resistance to Civil Government," 75.
 - 78 Thoreau, "Resistance to Civil Government," 76.
 - 79 So Thoreau asks, "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." Few things are as manifestly contrary to Thoreau's ethics as a theory that commends procedural justice or some majority-principle over and against an insistence on substantive justice.
 - 80 Thoreau, "Slavery in Massachusetts," 103.
 - 81 As Edward Andrew says, "For the radical thinkers, conscience was the voice of dissent from consensus that the inequalities of commercial societies are inevitable; it was also the voice of certainty . . . that oppression is wrong." *Conscience and Its Critics: Protestant Conscience, Modern Enlightenment Reason, and Modern Subjectivity* (Toronto: University of Toronto Press, 2001), 5.
 - 82 Thomas, "Romantic Reform in America, 1815–1865," 674.

- 83 Leo Tolstoy, *The Kingdom of God Is Within* (New York: Barnes and Noble, 2005), 325.
- 84 Thoreau, *The Higher Law*, 195.
- 85 Thoreau therefore asserts that “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” (*The Higher Law*, 69).
- 86 Thoreau, *Walden*, 389.
- 87 Thoreau, *Walden*, 486.
- 88 Thoreau, *The Higher Law*, 120.
- 89 Thoreau, *The Higher Law*, 137.
- 90 Thoreau, “Slavery in Massachusetts,” 104.
- 91 Thoreau, *The Higher Law*, 45–6.
- 92 Mohandas Gandhi, actually, is among the many twentieth-century activists who interpreted Thoreau’s ethics in anarchist terms. For instance, in his 1939 essay, “Enlightened Anarchy: A Political Ideal,” Gandhi writes, “Political power, in my opinion cannot be our ultimate aim. . . . In an ideal State there will be no political institution and therefore no political power. That is why Thoreau has said in his classic statement that that government is the best which governs the least” (*Collected Writing of Mohandas Gandhi*, 68:265; quoted in Leela Gandhi, *Affective Communities: Anticolonial Thought, Fin-de-Siècle Radicalism, and the Politics of Friendship* (Duke University: Durham, 2006)).

Chapter 2

- 1 William James, *The Varieties of Religious Experience: A Study in Human Nature* (New York: Random House, 1902), 192.
- 2 Dorothy Day, *From Union Square to Rome* (Maryknoll, NY: Orbis Books, 2006), 18.
- 3 Day, *Loaves and Fishes*, 75.
- 4 Day, *Loaves and Fishes*, 43.
- 5 Day, *From Union Square to Rome*, 153.
- 6 Day, *The Long Loneliness*, 29.
- 7 Day, *The Long Loneliness*, 141.
- 8 Day, *The Long Loneliness*, 229.
- 9 Day, *The Long Loneliness*, 243.
- 10 Day, *The Long Loneliness*, 286.
- 11 Day, *The Long Loneliness*, 285.
- 12 Dorothy Day, *On Pilgrimage* (Grand Rapids, MI: William B. Eerdmans, 1999), 162.
- 13 Among academic ethicists and theologians, it is probably Paul Tillich who espouses a theory of love most similar to Day’s. In *Love, Power, and Justice: Ontological Analyses and Ethical Applications*, Tillich announces that “Love is the drive towards the unity of the separated. Reunion presupposes separation of that which belongs essentially together. . . . Love manifests its greatest power there where it overcomes the greatest separation” (New York: Oxford University Press, 1954), 25.

- 14 Dorothy Day, *House of Hospitality* (New York: Sheed and Ward, 1939), 254–6.
- 15 Day does not explain how the fact of the unity of humanity relates to the fact of separation or disunion that she posits as a problem to be surmounted. Yet this difficult theological question does not need to be dealt with here, as it is not my task to vindicate Day's theology or theological professions. We need only to understand it and appreciate how it relates to Day's religious-ethical commitments and normative political philosophy.
- 16 Galatians 3.28 is also sometimes read as a way to understand the doctrine. In that biblical text, Paul intimates, "All you who have been baptized in Christ have put on Christ. There is neither Jew nor Greek, slave nor free, male nor female, for you are all one in Christ Jesus." This equalizing sentiment is not expressed as a universal statement. Notice that its reach is limited to the baptized. Day, obviously, does not build this limitation into her expression of the doctrine of the Mystical Body of Christ.
- 17 For a comparison of Day's interpretation of the Mystical Body of Christ doctrine with other Catholics, see William T. Cavanaugh's "Dorothy Day and the Mystical Body of Christ in the Second World War," in *Dorothy Day and the Catholic Worker Movement: Centenary Essays*, especially pages 463–4. To see how an official Catholic statement on the doctrine relates to Day's stance, see Eugenio Pacelli's (Pope Pius XII) 1943 encyclical, *Mystici Corporis Christi*.
- 18 Dorothy Day, "Liturgy and Sociology," *Catholic Worker* (January 1936), 5.
- 19 Day, *From Union Square to Rome*, 13.
- 20 Mel Piehl, *Breaking Bread: The Catholic Worker and the Origin of Catholic Radicalism in America* (Tuscaloosa: University of Alabama Press, 2006), 85.
- 21 Day, *On Pilgrimage*, 224.
- 22 Day, *From Union Square to Rome*, 8.
- 23 For Day's reservations about the Catholic Church see, *The Long Loneliness*, 150.
- 24 In *Pedagogy of the Oppressed* (New York: Continuum, 1986), Paulo Freire, eloquently captures this idea: when "the oppressed to struggle against those who made them so . . . the oppressed must not, in seeking to regain their humanity (which is a way to create it), become in turn oppressors of the oppressors, but rather restorers of the humanity of both" (44).
- 25 Day, *The Long Loneliness*, 78.
- 26 For an analysis of Day's personalism, see *The Catholic Worker Movement: Intellectual and Spiritual Origins* (New York: Paulist Press, 2005) by Mark and Louise Zwick, especially chapters 5 and 6. For personalist essays that influenced Day, see Emmanuel Mounier's *The Personalist Manifesto* (New York: Longmans, Green and Company, 1938) and Jacques Maritain's *The Person and the Common Good* (New York: C. Scribner's Sons, 1947).
- 27 Zwick and Zwick, *The Catholic Worker Movement*, 76–7.
- 28 The relevant text in 1 John (4.40) states: "If any man say, I love God, and hateth his brother he is a liar. For he that loveth not his brother, whom he seeth, how can he love God, whom he seeth not?" Maria Vidale and Rosa Adela O. Sierra use the term "anthropological experience of God" in "The Spirituality of the Brazilian Base Communities," in *Spirituality of the Third World*, ed. K. C. Abraham and Bernadette Mbuy-Beya (Maryknoll, NY: Orbis Books, 1994), 42. Day, *From Union Square to Rome*, 152.

- 29 John Rawls uses the term “enabling right” in *A Theory of Justice* (Cambridge: Belknap Press of Harvard University Press, 1971), 213.
- 30 This is because self-actualization requires taking responsibility, which presupposes and requires the opportunity, that is, the material freedom, to do so.
- 31 For a study on this tradition see Ernst Troeltsch, *The Social Teachings of the Christian Churches* (London: George Allen, 1931); Ronald G. Musto’s *The Catholic Peace Tradition* (New York: Peace Books, 2002); Thomas Merton’s *The Wisdom of the Desert* (New York: New Directions Publishing, 1970), especially pages 3–26; and Piehl’s *Breaking Bread*, especially chapters 2 and 5.
- 32 *House of Hospitality*, 274–5. Day’s running debate with priests and theologians about the general and universal applicability of the counsels of perfection raises questions that I will not take up here. For a review of this debate, see pages 185–200 in William Miller’s *A Harsh and Dreadful Love: Dorothy Day and the Catholic Worker Movement*, 2nd edition (Milwaukee: Marquette University Press, 2005).
- 33 Day quoted in Robert Coles, *Dorothy Day: A Radical Devotion* (New York: Da Capo Press, 1987), 21.
- 34 Dorothy Day, “Spring Appeal,” *Catholic Worker* (April 1958).
- 35 Day, *From Union Square to Rome* 155.
- 36 To be clear, while Day stresses human agency, she adds that God’s grace facilitates loving agency. Day, *The Long Loneliness*, 178.
- 37 Day, *The Long Loneliness*, 176.
- 38 Moral perfectionists assert that the moral life entails aspiring to attain and promote certain kinds of excellences. In Stanley Cavell’s words, “Perfectionism is the dimension of moral thought directed less to restraining the bad than releasing the good” (*Conditions Handsome and Unhandsome* (Chicago: University of Chicago Press, 1991), 18). To be clear though, while perfectionism is oriented toward the good, goodness is not regarded as prior to rightness by all perfectionists. For three contrasting treatments of moral perfectionism see John Rawls, *A Theory of Justice*, especially 324–31; Cavell, *Conditions Handsome and Unhandsome*, especially chapters 1 and 2; Jeffrey Stout, *Democracy and Tradition* (Princeton: Princeton University Press, 2004).
- 39 While many follow Kant and insist that categorical imperatives are duties that persons have independent of interests and materiality, it is possible to understand categorical imperatives independently from Kant’s controversial metaphysical assertions. Specifically, there can be empirically conditioned moral imperatives. To that end, Charles Larmore relates, “Kant’s exorbitant notion of freedom forms no necessary part of an imperative [i.e. categorical imperative] conception of morality.” Charles Larmore, *The Morals of Modernity* (New York: Cambridge University Press, 1996), 33.
- 40 Day, *The Long Loneliness*, 265.
- 41 Day, *House of Hospitality*, 254–6. Day has this idea in mind when she announces, “This work of ours toward a new heaven and a new earth shows a correlation between the material and the spiritual, and, of course, recognizes the primacy of the spiritual” (*House of Hospitality*, 274–5).
- 42 Piehl, *Breaking Bread*, 137.

- 43 Zwick and Zwick, *The Catholic Worker Movement*, 92.
- 44 Day, *The Long Loneliness*, 169.
- 45 Piehl, *Breaking Bread*, 25.
- 46 Day, *Loaves and Fishes*, 205.
- 47 Day, *Loaves and Fishes*, 198.
- 48 Day, *Loaves and Fishes*, 190.
- 49 Day, *Loaves and Fishes*, 190.
- 50 Dorothy Day, "The Pope and Peace," *Catholic Worker* (February 1954), 1, 7.
- 51 Day, "The Pope and Peace," 1, 7.
- 52 Day, "The Pope and Peace," 1, 7.
- 53 Day, "Catholic Worker Positions," *Catholic Worker* (May 1972).
- 54 Dorothy Day, "The Scandal of the Works of Mercy," *Commonweal* (November 4, 1949), 99–102.
- 55 Pope Pius XI, *Quadragesimo Anno* (1931), 79.
- 56 While the doctrine of subsidiarity was important for Day, it did not serve as a building block for her anarchism in the same way that love served as a building block for her pacifism. Instead, she was probably attracted to the idea of subsidiarity as a result of her interest in localism and decentralization. We might say then, following Fred Boehrer, that the idea of subsidiarity provided Day with a "bridge between Roman Catholicism and anarchism." Fred Boehrer, "Diversity, Plurality, and Ambiguity: Anarchism in the Catholic Worker Movement," in *Dorothy Day and the Catholic Worker Movement: Centenary Essays*, ed. William Thorn, Phillip Runkel, and Susan Mountin (Marquette University Press: Milwaukee, 2001), 95–127, 98.
- 57 Day assumed that the centralized territorial state would have to operate both on the basis of representation, and by extension, on some version of the majority-principle. Day quotes Robert Ludlow in order to relate that all modern territorial states, both democratic and nondemocratic, are "government by representation" and to suggest that "there is no reason why Catholic must believe that people must be governed by representatives" (*The Long Loneliness*, 268).
- 58 Craig L. Carr puts this in terms similar to the ones that I have used here. "Coercion and Freedom," *American Philosophical Quarterly* 25, no. 1 (1988): 59–67.
- 59 There are notable silences in Day's commentary on coercion. For instance, Day does not state specifically how parental authority would be altered by her normative vision. But it is safe to say that Day recognized that parents or even adults would exercise some degree of authority over children. But even in the realm of parenthood, Day did not endorse the use of corporeal punishment or the threat of violence to enforce household rules, and so on.
- 60 For the sake of my analysis of Day's political philosophical commitments, I assume that morally autonomous action, in a non-Kantian sense, is in fact possible. Related, I also assume that it is actually possible for one to be coerced and therefore deprived of moral freedom or autonomy broadly speaking.
- 61 That is, Day maintains that persons (perhaps it is important to say "adult" persons) only have moral duties or obligations to obey rules or laws of organizations when they have voluntarily joined the organizations in question.

- 62 Thomas Aquinas, *Summa Theological of St. Thomas Aquinas*, 2nd and revised edition, translated by Fathers of the English Dominican Province (1920 [1273] I Q82 A1).
- 63 One must be cautious about asserting too much in favor of a particular interpretation of Aquinas' work. However, I have presented an uncontroversial interpretation of Aquinas' respective conceptions of violence, coercion, and voluntary action. Moreover, the fact that Aquinas places emphasis on voluntary action without endorsing voluntarism elucidates the degree to which Day's religious-ethical commitments diverge from many Catholics on crucial points. This is a rather banal point, but it is too often assumed that, once we know that a person is a Catholic, we know all that we need to know about the person's moral or political commitments.
- 64 Accordingly, in an article on obedience, Day says, "Obedience is a matter of love which makes it voluntary, not compelled by fear or force" ("Reflections during Advent, Part Four: Obedience," *Ava Maria* (December 17, 1966), 20–3).
- 65 Dorothy Day, "The Case of Father Duffy," *Catholic Worker* (December 1949), 1, 4.
- 66 Day, "Reflections during Advent, Part Four: Obedience," 20–3. See also Michael Riccards, *Vicars of Christ: Popes, Power, and Politics in the Modern World* (New York: Crossroad, 1998), for a helpful history of the Catholic Church and its claims of authority from the mid-nineteenth century through the signing of the Lateran Treaty.
- 67 In fact, Day quotes Catholic Worker Robert Ludlow making a similar claim about anarchism in general: "When you analyze what anarchists advocate . . . it really boils down to the advocacy of decentralized self-governing bodies. It is a form of government." *The Long Loneliness*, 268.
- 68 Paradoxically, my emphasis on the centrality of voluntarism and moral autonomy for Day's anarchism is in part meant to reveal how anarchists such as Day take for granted the necessity of community, cooperation, and organization and simultaneously make explicit the criteria that such anarchists apply in order to evaluate the relevant social practices.
- 69 Day, *Loaves and Fishes*, 73.
- 70 Day, *Loaves and Fishes*, 74.
- 71 Day, *From Union Square to Rome*, 15.
- 72 Day, *Loaves and Fishes*, 86.
- 73 In *A Preface to Democratic Theory*, Dahl argued that, in America, there is no dominant class, with any unified class interests, in control of the state. According to Dahl, there are multiple elite classes competing for control of the state apparatus, but never actually capturing it for an extended enough duration to impose its will on society. To my knowledge, Day never directly commented on R. A. Dahl's "democratic pluralist thesis," yet she definitely held a contrary view.
- 74 Day, "The Pope and Peace," 1, 7.
- 75 Day positively cites the *American Encyclopedia* in order to define anarchism: "Anarchism is a vaguely defined doctrine which would abolish the state and other established social and economic institutions and establish a new order based on *free* and spontaneous cooperation among individuals, groups, regions, and nations" (*The Long Loneliness*, 54 (emphasis mine)).

- 76 "Catholic Worker Positions," *Catholic Worker* (May 1972).
- 77 David Graeber, *Direct Action: An Ethnography* (Oakland: AK Press, 2009), 211.
- 78 Murry Bookchin, *Post-Scarcity Anarchism* (London: Wildwood House, 1974), 104.
- 79 Day, "Catholic Worker Positions."
- 80 Tolstoy states the importance of refusal in *The Kingdom of God Is Within*. According to Tolstoy: "Everything depends on the strength of Christian truths in each individual. And therefore we consider it the duty of every man who thinks war inconsistent with Christianity, meekly but firmly refuse to serve in the army. . . . The destiny of humanity in the world depends, so far as it depends on men at all, on their fidelity to their religion" (20).
- 81 Day, *Loaves and Fishes*, 86.
- 82 Day, *Loaves and Fishes*, 86.
- 83 I should note, Day did not think that it was possible under mid-twentieth-century conditions for one to wholly extricate oneself from the system. The modern social structure is quite complex, which makes it difficult to withdraw, even if one refuses to earn wages, pay taxes, vote, serve in the military or as an officer of the state. Yet still, the difficulties notwithstanding, the upstanding moral agent must minimize her complicity by refusing to cooperate with or contribute to certain social practices. To that end, Day announces that she and the *Catholic Worker* believe "in a withdrawal from the capitalist system *so far as each one is able to do so*" (May 1972) (emphasis mine).
- 84 Day, *House of Hospitality*, chapter 8. Day was quick to point out that her "insistence on worker-ownership, on the right to private property, on the need to de-proletarianize the worker" are "all points which had been emphasized by the Popes in their social encyclicals" (*The Long Loneliness*, 188). Day is here thinking especially of Pope Pius XI's encyclical *Quadragesimo Anno*.
- 85 *The Long Loneliness*, 185.
- 86 It is important to understand Day's subtle reference to the social distribution of goods in the light of the differences between "collectivists" and "communists." Contra anarchist communists, anarchist collectivists have maintained that it is unnecessary to abolish the wage system, monetary exchange, private property, or merit-based worker's compensation of workers based on relative productivity, time, or contribution. In the end, Day is unclear about the extent to which she sides with the communists or the collectivists in this debate, but most of what she says suggests that she rejects representation and thus sides with the former group. That being said, it is important that Day, following Catholic social teaching, leaves room for private property. For an account of the differences between anarchist collectivism and anarchist communism, see Peter Kropotkin's "The Collectivist Wage System," in *The Conquest of Bread* (1892).
- 87 *The Long Loneliness*, 220; Day, "Catholic Worker Positions."
- 88 Day, "Catholic Worker Positions."
- 89 Murray Rothbard, *The Betrayal of the American Right* (Auburn, AL: Ludwig von Mises Institute, 2007), 2.
- 90 Rothbard, *The Betrayal of the American Right*, 165. For a representative statement on the Old Right, see Frank Chodorov's *The Economics of Society*,

Government and State (New York: Analysis Associates, 1946) and especially *Taxation Is Robbery* (Chicago: Human Events Associates, 1947).

- 91 Frank Chodorov, Letter to *National Review* 2, no. 20 (October 6, 1956).
- 92 That libertarians, especially right-libertarians, are often uniformly regarded as conservatives has numerous other causes. First, many American conservatives, including pre-1960 Democrats and post-Lyndon B. Johnson Republicans, have invoked libertarian themes in order to oppose Civil Rights and New Deal legislation, judicial opinions, and executive policies. Also important, in recent decades, certain libertarian principles and themes have probably been articulated most clearly by economists (such as Milton Friedman) affiliated with the Republican Party and opposed to Keynesian economic theories. These factors combine to make it quite difficult to make sense of the American political-ideological landscape.
- 93 Roderick T. Long, "Market Anarchism as Constitutionalism," in *Anarchism/ Monarchism: Is Government Part of a Free Country*, ed. Roderick T. Long and Tibor R. Machan (Burlington, VT: Ashgate, 2008), 138.
- 94 That said, Franz Oppenheimer's theory of the origin and social function of the modern state, in the book *The State* (1908), has been influential for many right-libertarians, including Murray Rothbard and Roderick T. Long. Oppenheimer regarded the state as a product of war and conquest, and regarded capitalism as a system of exploitation that depends on the power of the modern state. Importantly, right-libertarians (qua anarcho-capitalists) maintain that capitalism as we know it is not in fact a free-market economy. Rather, existing capitalist economies consist of state-subsidized corporate monopolies. Assumptions such as these inform Long's account of the role of the territorial state (government). Long argues, "The power of the wealthy might pose a danger to liberty in a market anarchist society. But the notion that the danger of plutocracy is less under a government is hard to believe. On the contrary, government magnifies the power of the rich" (Long, "Market Anarchism as Constitutionalism," 137). This conception of the function or role of the state, while quite basic, hardly differs from Day's. Also see "Libertarian Anarchism: Responses to Ten Objections" (August 19, 2004) for an example of this kind of argument. This last essay is available at www.lewrockwell.com/long/long11.html
- 95 Indeed, taking a remarkably different position from Day, right-libertarian Walter Block maintains that voluntarily slavery is morally permissible ("Towards a Libertarian Theory of Inalienability: A Critique of Rothbard, Barnett, Smith, Kinsella, Gordon, and Epstein," *Journal of Libertarian Studies* 17, no. 2 (2003), see especially pages 44–8).
- 96 Cornel West, *Prophetic Fragments* (Grand Rapids, MI: William B. Eerdmans, 1993), 130.
- 97 To endorse decentralization, says West, would be to ignore crucial facts about contemporary social reality: "Centralization, hierarchy, and markets are inescapable economic realities for modern social existence" (*Prophetic Fragments*, 135). And so, "the crucial question is how various forms of centralization, hierarchy, and markets are to be understood, conceived and judged in light of Christian commitments to democracy and individuality" (135).

- 98 Dorothy Day, for her part, never cast a vote in a local or national election, as she was as pessimistic about reforming the state as Cornel West tends to be about the possibility of moving beyond it. As Day wrote, “No political party, no political action, but only revolutionary personalist direct action on the part of workers (and non-violent action which entails the most discipline and suffering) is going to get anywhere” (“The Case of Father Duffy,” *Catholic Worker* (December 1949), 1, 4).
- 99 Day, *House of Hospitality*, 240.
- 100 Coles, *Dorothy Day*, 96.
- 101 Day, *The Long Loneliness*, 247.
- 102 Day, *Loaves and Fishes*, 111.
- 103 Day quoted in Coles, *Dorothy Day*, 109.
- 104 David Graeber, “The New Anarchists,” *New Left Review* 13, January–February 2002. George Lakey has also contributed to the reconceptualization of revolution. In particular, Lakey reimagines (nonviolent) revolution as “continual creation and elaboration of new institutions based on new, non-alienating modes of interaction—institutions that could be considered prefigurative” (George Lakey, *Strategy for a Living Revolution* (Ann Arbor: University of Michigan Press, 1973), as discussed by Graeber in *Direct Action: An Ethnography*).
- 105 *From Union Square to Rome*, 154.
- 106 Day, *Loaves and Fishes*, 50.

Chapter 3

- 1 Charles DeBenedetti, *The Peace Reform in American History* (Bloomington: Indiana University Press, 1980). Charles Chatfield, *The American Peace Movement: Ideals and Activism* (New York: Twayne, 1992).
- 2 Scott H. Bennett, *Radical Pacifism: The War Resisters League and Gandhian Nonviolence in America, 1915–1963* (Syracuse: Syracuse University Press, 2003), xii.
- 3 See Adam Fairclough, *To Redeem the Soul of America: The Southern Christian Leadership Conference and Martin Luther King, Jr.* (Athens: University of Georgia Press, 1987); Clayborne Carson, *In Struggle: SNCC and the Black Awakening of the 1960s* (Cambridge: Harvard University Press, 1995).
- 4 James R. Tracy, *Direct Action: Radical Pacifism from the Union Eight to the Chicago Seven* (Chicago: University of Chicago Press, 1997), 29.
- 5 John D’Emilio, *Lost Prophet: The Life and Times of Bayard Rustin* (Chicago: University of Chicago Press, 2003), 50.
- 6 For analyses of Gandhi’s social philosophy and theory of social change that influenced Rustin, see Richard Gregg, *The Power of Non-Violence* (1934); Bart de Ligt, *The Conquest of Violence* (1938); Krishnalal Shridharani, *War Without Violence* (1938); and Joan V. Bondurant, *Conquest of Violence: The Gandhian Philosophy of Conflict* (1958).
- 7 Rustin, “The Negro and Nonviolence,” 9.
- 8 Bayard Rustin to Dear Friend, 8/15/1942; D’Emilio, *Lost Prophet*, 48.

- 9 Rustin's Quaker faith, at least the detailed character of it, is difficult to speak of, since he kept no journal, seldom spoke publicly in concrete ways about his religious beliefs, and did not regularly participate in a religious congregation. Yet from the fervency of his activism, his work with the Friends, FOR, and his advising of A. J. Muste it is clear that Rustin had a profoundly spiritual or religious orientation. Indeed, he interpreted his experiences in the light of his religious beliefs and put great emphasis in the Sermon on the Mount. Importantly, Rustin noted that his Quaker upbringing constituted the greatest influence on his social activism. Jervis Anderson, in the biography *Bayard Rustin: The Troubles I've Seen*, quotes Rustin: "My activism did not spring from being black. Rather, it is rooted fundamentally in my Quaker upbringing and the values instilled in me by [my] grandparents" (New York: HarperCollins, 1997), 7.
- 10 See *United States v. Kauten* (2d Cir. 1943) for a helpful historical summary of US conscript-exemption law.
- 11 Clarence Marsh Case identifies four prototypical mid-twentieth-century American conscientious objectors or war resisters: (1) Socialist resisters who believed that war reinforced divisions that impeded the overthrow of capitalism. (2) Radical individualists, the rare rebels who based resistance not on the wrongness of war but on account of a deep independent streak. (3) Nonreligious humanitarians who insisted on the sanctity of life and repudiated national identification. (4) Religionists who asserted that the state's conscription law and practice of war-making contradicted a religious calling or God's law. Clarence Marsh Case, *Non-Violent Coercion: A Study in Methods of Social Pressure* (New York: Century, 1923), 259–65.
- 12 Bayard Rustin, *Time on Two Crosses: The Collected Writings of Bayard Rustin*, ed. Devon W. Carbado and Donald Weise (San Francisco: Cleis Press, 2003), 11.
- 13 Rustin, *Time on Two Crosses*, 12.
- 14 Rustin, *Time on Two Crosses*, 12.
- 15 Rustin, *Time on Two Crosses*, 12.
- 16 As the above quotations attest, Rustin's loyalty is to God and God's law as it is reflected in the moral order. It is the contradiction between God's law/will and the state's conscription law that motivates Rustin's disobedience. He does not invoke the term conscience, yet it is implicit in his explanation of his disobedience. So with respect to the source of the moral rule that Rustin is adhering to we can say that he is at one with Martin Luther, whose declaration is well known: "My conscience is captive to the Word of God: I cannot and will not retract anything, since it is neither safe nor right to go against conscience. I cannot do otherwise, here I stand, may God help me, Amen." It is notable that Luther departed from a tradition of Pauline thinkers who have based their understanding of political obligation on Paul's Epistle to the Romans (13.1–2) where Paul asserts: "For there is no authority except from God, and those that exist have been instituted by God. Therefore he who resists the authorities resists what God has appointed, and those who resist will incur judgment." There's debate about the most appropriate interpretation of this declaration. Yet my interest is not in the relative persuasiveness of

competing exegetes. Here the interest lies in the implications of the competing biblical interpretations for an account of moral duties that one owes to the state. Rustin would clearly have difficulty basing his disobedience on Romans 13. Rejecting this Pauline claim about temporal authorities paves the way for the anarchist ethos that we are interested in. Political authorities, once recognized as secular, are subject to criticism, refusal, and disposal. This is the legacy of the Reformation, the Enlightenment, and the American and French revolutions.

- 17 Evan Thomas quoted in Clarence Marsh Case, *Non-Violent Coercion*, 278.
- 18 To be clear, our interest at this stage is the issue of moral motivation: What motivates action? Is it the *source* of the positive law or the *content* of the positive law?
- 19 *Democracy and Tradition*, 198.
- 20 Paul W. Kahn, *Sacred Violence: Torture, Terror, and Sovereignty* (Ann Arbor: University of Michigan Press, 2008), 106.
- 21 D'Emilio, *Lost Prophet*, 50–63.
- 22 Bayard Rustin, “Civil Disobedience, Jim Crow, and the Armed Forces” (1948), *Time on Two Crosses*, ed. Devon W. Carbado and Donald Weise (San Francisco: Cleis Press, 2003), 29–30.
- 23 Bayard Rustin, “New South . . . Old Politics” (1956), *Time on Two Crosses*, ed. Devon W. Carbado and Donald Weise (San Francisco: Cleis Press, 2003), 100–1.
- 24 There are additional assumptions informing my analysis that it might help to make explicit. As I have suggested already, I assume here that modern territorial states would no longer be the same entities if states dissolved standing armies and ceased to engage in war. I also assume that the modern territorial state would not necessarily have to be abolished in its present form if it became an instrument of economic justice for the working class, underclass, or lower income professionals; a new class would have to seize control of the territorial state; while as a practical matter it is presently unlikely that this will occur in the American context, it is not theoretically impossible.
- 25 Bayard Rustin, “The Blacks and the Unions” (1971), *Time on Two Crosses*, ed. Devon W. Carbado and Donald Weise (San Francisco: Cleis Press, 2003), 255.
- 26 Rustin, “The Blacks and the Unions,” 262.
- 27 Farmer quoted in Rustin’s *The New York Times* obituary. Eric Pace, “Bayard Rustin Is Dead at 75; Pacifist and a Rights Activist” (*New York Times* August 25, 1987).
- 28 Bayard Rustin, “From Protest to Politics,” *Time on Two Crosses*, ed. Devon W. Carbado and Donald Weise (San Francisco: Cleis Press, 2003), 117.
- 29 Rustin, “From Protest to Politics,” 121.
- 30 Rustin, “From Protest to Politics,” 119.
- 31 Rustin, “From Protest to Politics,” 123.
- 32 Barbara Epstein, *Political Protest & Cultural Revolution: Nonviolent Direct Action in the 1970s and 1980s* (Berkeley: University of California Press, 1991), 38.

- 33 Bayard Rustin, "The Failure of Black Separatism," *Time on Two Crosses*, ed. Devon W. Carbado and Donald Weise (San Francisco: Cleis Press, 2003), 232.
- 34 Rustin, "The Failure of Black Separatism," 232–3.
- 35 Martin Luther King, *Where Do We Go from Here* (Boston: Beacon Press, 1967), 30–1.
- 36 Rustin, "From Protest to Politics," 125.
- 37 Bayard Rustin, "The Total Vision of A. Philip Randolph," *Time on Two Crosses*, ed. Devon W. Carbado and Donald Weise (San Francisco: Cleis Press, 2003), 201.
- 38 Rustin, "The Blacks and the Unions," 251.
- 39 Rustin, "From Protest to Politics," 123.
- 40 Bayard Rustin, "Black and Gay in the Civil Rights Movement," *Time on Two Crosses*, ed. Devon W. Carbado and Donald Weise (San Francisco: Cleis Press, 2003), 291.
- 41 Interestingly, King agreed with Rustin that it was important to change institutions and also argued that such changes would affect the formation of individual character. Nonetheless, King adhered to the Gandhian emphasis on "hearts" until the end. This fact actually reveals a tension at the heart of King's social thought.
- 42 Rustin in Anderson, *Bayard Rustin: Troubles I've Seen*, 292.
- 43 Anderson, *Bayard Rustin: Troubles I've Seen*, 292.
- 44 Taylor Branch, *Parting the Waters: America in the King Years 1954–1963* (New York: Simon & Schuster Adult Publishing Group, 1989), 179.
- 45 See Michael C. Dawson, *Black Visions: The Roots of Contemporary African-American Political Ideologies* (Chicago: Chicago University Press, 2001), 260–70.
- 46 It is common for this tradition to also be referred to as the black protest tradition. The radical activists that I have in mind would be persons belonging to the radical wing of the protest tradition and persons who regard social justice activism as a vocation.
- 47 Convocation Address, Clark College, March 5, 1968 quoted in Jerald Podair *Bayard Rustin: American Dreamer* (Lanham, MD: Rowman & Littlefield, 2009), 143.
- 48 Rustin, "The Failure of Black Separatism," 230.
- 49 Rustin, "From Protest to Politics," 122.
- 50 Daniel Levine, *Bayard Rustin and the Civil Rights Movement* (New Brunswick: Rutgers University Press, 2000), 250.
- 51 See Epstein's *Political Protest & Cultural Revolution: Nonviolent Direct Action in the 1970s and 1980s* for her delineation of these different sociopolitical orientations, especially pages 48–51.
- 52 Which of the two elements receives priority or emphasis has varied over time and among individual members, but subscribing to the former of these two elements circumscribes any conception of political obligation that members of the black radical tradition will accept.
- 53 The instrumental value of the state must be differentiated from the instrumental value of consent. One who argues for the instrumental value of consent might claim that compliance must be pervasive if a state is to persist. Yet if one denies this premise, then one may further posit the separateness,

logical and practical, of political authority and political obligation, meaning that the latter is not a condition of the possibility of the emergence and sustenance of the former. See Leslie Green, *Authority of the State* (Oxford: Oxford University Press, 1988), especially pages 180–3 for an analysis of the differences between an instrumental justification of the state and an instrumental justification of consent.

54 Thoreau, *The Higher Law*, 74.

55 This analysis brings to the surface the fact that one can reject the idea that there is a moral duty to obey political commands and laws for principled reasons, pragmatic reasons, or both. The reasons discussed in this section might be construed as strictly pragmatic. I have suggested that radicals argue against a general moral duty to follow political commands on the basis of a view about the positive practical value of political disobedience. Yet this, of course, is not the only basis on which to reject the duty in question. Rather, in some cases the commitment to disobedience will be motivated by reasons that relate exclusively to a moral assessment of the command or law in question; and some radicals maintain that one should not posit that there is a general moral duty to follow the law because to obey a given command might entail performing an immoral action. Finally, one might assert the interconnectedness of principled reasons and pragmatic reasons. Thoreau, Tolstoy, Gandhi, Day, and the early Rustin are examples of radicals who make this latter kind of assertion; as we have seen, they maintain that noncomplicity or noncooperation with unjust practices is precisely the way in which to initiate a revolution.

56 See Chaim Gans's *Philosophical Anarchism and Political Disobedience* (Cambridge: Cambridge University Press, 1992).

57 While I am here limiting my attribution of weak anarchism to radicals who propose perpetual political disobedience, I am inclined to say that all proponents of political disobedience are committed to a strand of weak anarchism. Many proponents of political disobedience have attempted to demonstrate why *civil* disobedience should be permitted in a liberal democratic society by rendering a certain description of moral action and by providing a certain interpretation of the principles underlying certain types of political disobedience, namely *civilly* disobedient action. In short, such proponents (or perhaps apologists) of civil disobedience have endeavored to demonstrate how civilly disobedient actors might violate the law and nonetheless remain in fidelity to the law. I presume that Martin Luther King's justification of political disobedience falls into this category, specifically in his "Letter from a Birmingham Jail." The same is true of John Rawls, who in *A Theory of Justice* devotes nearly an entire chapter to the question of what moral obligations persons have to obey the law in cases where certain laws themselves violate basic principles of justice. Most defenses of civil disobedience rely on an idea similar to prima facie duties. In ethical theory, in general, the concept of prima facie duties is invoked in order to describe and explain how a rule can be binding in most but not all cases. In the realm of political philosophy the idea of prima facie duties is often invoked in a parallel fashion in order to explain how one can have a conditional moral duty to obey the law and to provide an explanation as to how one can violate the law and remain committed to the

law as such. Since the idea of prima facie duties is so important in the effort to reconcile (civil) disobedience with a moral duty to obey the law, a complete defense of the claim that civil disobedience entails weak anarchism would require a consideration of whether civil disobedience can be reconciled with a theory that imposes the duty to obey the law by way of the idea of prima facie duties. My sense is that the idea of prima facie duties is insufficient as a way to avoid weak anarchism. But making a case for this position would take me into technical philosophical debates that I have attempted to bracket for the purposes of my analysis. In this chapter, especially this note, I have raised an important question that I will devote attention to in future work.

- 58 Robert Dahl, *Democracy and Its Critics* (New Haven: Yale University Press, 1989), 40.
- 59 Joshua Paulson and Gene Sharp, *Waging Nonviolent Struggle: 20th Century Practice and 21st Century Potential* (Manchester: Extending Horizons Books, 2005), 31.
- 60 *Brother Outsider: The Life of Bayard Rustin*, DVD, Director, Bennett Singer (Passion River, 2008).

Conclusion

- 1 George Woodcock, *Anarchism: A History of Libertarian Ideas and Movements* (Harmondsworth: Penguin, 1963), 8.
- 2 Arendt was well aware of the reality of the relationship between violence and politics as it is generally understood. She did after all devote two decades to contemplating political evil and analyzing totalitarianism. Yet she did not think that violence is what separates the political from other social practices. She deliberately contrasts her conception of the political with the conceptions proposed by theorists such as Carl Schmitt, Max Weber, and certain Marxists who insist on the logical or necessary relationship between politics and violence.
- 3 Hannah Arendt, *On Revolution* (New York: Penguin Books, 2006), 159.
- 4 Arendt, *On Revolution*, 166–7.
- 5 Arendt, *On Revolution*, 173.
- 6 Interestingly enough, with some variation, there are thousands of persons across the earth actually living in a manner similar to the early modern New Englanders who Hannah Arendt celebrated. There are in various parts of the world, group of persons who have founded anarchist political organizations or other organizations that make decisions in a way that is consistent with anarchist values. Many of these groups are comprised of persons who insist that they are not members of the states that claim control over the territory that these anarchists inhabit, just as many early European settlers in the Americas denied that they were subjects of the various European countries that they had fled. Although Arendt might not have endorsed such communities, we might say, after Arendt, that even now hundreds of little eighteenth-century New England-style “political societies” are scattered across the globe. From Italy and Spain to America and India, persons have created what Hakim Bay, Cindy Milstein, Richard Day, David Graeber, and others refer to as

“autonomous zones,” zones that operate mostly outside the structure of the capitalistic territorial state social order. Future study might compare these contemporary political communities to the New England communities that Arendt concentrated on in *On Revolution*. To appreciate all of this, anarchists who turn to Arendt will probably need to give up Arendt’s proclivity for invoking the this-world/other-world dichotomy. Just as it led Arendt to misinterpret Thoreau’s religious-ethical vision, the “other-world” idea functions to reinforce the status quo by discounting the value of many of the radical social experiments currently underway across the globe.

- 7 The relationship that Arendt suggests obtains between “people getting together,” “power,” “promising,” “mutuality,” and “legitimacy” is profoundly important. These concepts play the same role in the vision of many anarchists and it will be instructive going forward for anarchists to at least contemplate the significance of Arendt’s vision for anarchist thought. This is perhaps most clear in another essay, where Arendt suggests that legitimate authority is only possible where there has been mutual consent. In particular, she maintains that the moral content of mutual or reciprocal consent “is like the moral content of all agreements and contracts; it consists in the obligation to keep them. This obligation is inherent in all promises.” So she intimates that we might say that the only obligation that a person has, in her capacity as citizen, is “to make and to keep promises” (*Crises of the Republic*, 92).
- 8 Arendt, *On Revolution*, 160.
- 9 Arendt, *On Revolution*, 162.
- 10 Jonathan Schell, *The Unconquerable World: Power, Nonviolence, and the Will of the People* (New York: Holt Paperbacks, 2003), 218.
- 11 Schell, *The Unconquerable World*, 218.
- 12 I will not here discuss the various means that she proposed or address the potential problems with her interpretation of American history. For our purposes, what is important is to appreciate Arendt’s normative vision and understand how it complements or contradicts norms posited by certain anarchists.
- 13 *The Higher Law*, 108.
- 14 In a preface to *Against the Wall: Poor, Young, Black, and Male*, ed. Elijah Anderson (Philadelphia: University of Pennsylvania, 2008), xv.