

Forcing Justice: Violence and Nonviolence in Selected Texts by Thoreau and Gandhi

Edited with an Introduction by Albert. A. Anderson

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Introduction

This is a time of extreme moral, political, and economic division in the United States and throughout the world. The depth of that division is symbolized by the murder of George Floyd on May 25, 2020 in Minneapolis, Minnesota. I defer to historians to trace the roots and determine the scope of that phenomenon. The philosophical question concerns the analysis and justification of the means that should be used to promote justice.

The Black Lives Matter movement in the United States preceded the death George Floyd, but it became much more prominent in the public consciousness as protests spawned by the murder of George Floyd and many other people spread beyond Minnesota, beyond the United States, and extended throughout the globe. Those protests and counter-protests involved both nonviolent action and violence that caused injury and death. They also led to an ongoing struggle between those who favor reducing or even defunding police forces and those who insist that strong police and military forces are essential. This collection focuses on the differences between using force and using nonviolence to achieve justice in human society.

This issue not only transcends geographical boundaries, but it also forces us to think again about the struggle to eliminate slavery that spawned the Civil War, gave birth to the Reconstruction era, and led to the reaction that created the Jim Crow laws that sought to cancel the rights of black people the war was fought to obtain. Although the civil rights movement of the 1960s largely brought an end to the Jim Crow laws, some historians are drawing a parallel between the current struggle over voting rights and the backlash that produced those laws. For example, American historian Heather Cox Richardson, who specializes in the Reconstruction Era, recently reflected on the Fourteenth Amendment to the U.S. Constitution and its emphasis on the rights of all citizens that cannot be nullified by individual states. She says: “The Fourteenth Amendment gave the federal government the power to protect individuals even if their state legislatures had passed discriminatory laws” (*Letters from an American*, July 9, 2021). Given recent attempts by some states to restrict voting rights, and in light of the current domination of the U.S. Supreme Court by “originalists,” Richardson concludes that “the principles of the Fourteenth Amendment seem terribly current.”

Agora Publications is dedicated to presenting original philosophical texts and performing them in audio format. The works in the present volume are designed to focus on philosophical issues related to the question of how justice can be implemented in human society. Since its beginning, the field of philosophy has placed the concept and the practice of justice high on its list of topics. No political and moral issue is more important. Consequently, the current struggle to bring practice in line with theory motivates this special collection of essays that focuses on the ethical question of the role of force now and in the future. Many of the works on the Agora Publications list deal with the idea of justice, with *Plato's Republic* as the most prominent example. *Forcing Justice* is specifically concerned with the issue of using force, especially police and military force, to end injustice and promote justice. Although both Henry David Thoreau and Mohandas K. Gandhi recognize the need to use such force in extreme cases, they differ on the extent to which we can and should use force or nonviolent means to promote and implement justice in our lives.

No single text can fully treat the fundamental idea of justice, much less consider how it can be manifested in every particular time, place, or community. What philosophers can do is strive to understand and articulate such ideas with the goal of helping individuals and groups integrate them in their own lives. The most urgent political question is whether the form of democracy that was created and first implemented in 18th century America can endure in the face of powerful hostile forces. The demand that all humans should be free in this sense is self-evident, a claim that grounds the Declaration of Independence as adopted on July 4, 1776 by the Second Continental Congress. If that moral claim cannot be justified, morality itself is groundless. The Agora Publications collection called *Foundations of Ethics*, by Immanuel Kant, offers a clear philosophical elaboration of that idea in both theory and in practice. Given the immorality of slavery in all of its forms, the central question concerns the means that can be justified to promote the end of eliminating slavery in all of its forms and foster a political and moral order that promotes justice and equality for all.

The three essays in this collection by Henry David Thoreau urge us to consider the difficult matter of how to counter the specific injustice manifested in the practice of buying and selling human beings and how to implement laws and practices that help establish justice. Of the many philosophical ideas explored by Thoreau, the question of how to end slavery and provide justice for all stands out. It is no surprise to find Thoreau defending the idea of civil disobedience, but his

defense of John Brown, who used violence—including murder—does command our attention. Those of us who lived through the Civil Rights movement of the 1960s and 1970s were heavily influenced by the rhetoric, the actions, and the overall philosophy of Martin Luther King, Jr., who famously combined civil disobedience and nonviolent action under the strong influence of Mohandas K. Gandhi. King was not alone. Others, such as Representative John Lewis of Georgia, promoted nonviolent tactics to the end, and staunchly opposed violence, especially police violence. King's writings and speeches are readily available elsewhere, so they are not included in this collection. What is not clear until we carefully read their writings is the contrast between the violence that Thoreau applauds in the example of John Brown and the strategy of nonviolence embraced by Gandhi.

Was the Civil War—the bloodiest war in U.S. history—justified by the goal of eliminating slavery? Is military action and police force justifiable as an ongoing aspect of domestic and international policy? Thoreau, along with most contemporary political leaders, favors the use of such physical force and coercion. Although Gandhi staunchly defends and promotes the use of nonviolence, he is quick to condemn inaction as an even greater evil than violence. If forced to choose between doing nothing and using violence, he would choose violence; but his many writings and speeches are designed to show that we almost always have a nonviolent alternative to oppose injustice and foster justice. The lives of a billion residents of India, most of them “brown lives,” have been profoundly shaped by Gandhi and his nonviolence as it is expressed and examined in his volume that bears the title *My Nonviolence*. The liberation of India from British colonialism and the establishing of what Gandhi called “home rule” is powerful evidence of the role nonviolence can play in bringing about justice and eliminating injustice. Martin Luther King Jr.'s use of nonviolent forms of civil disobedience has had a similar positive role in reshaping the lives and laws in the United States.

Ideally, a careful reading of these essays at this time in history will revive this dialogue in ways that help lovers of wisdom dig deeper into these vital matters. Thoreau, who is best known for his love of nature and his retreat to Walden Pond, suggests that human life might benefit from closer integration with nature and from attention to universal concerns that surpass materialism. This vision lies at the root of the American philosophical tradition called Transcendentalism. Thoreau's reflections on slavery and the complicity of the political leaders in Massachusetts prior to the Civil War continue to be relevant to our lives. We might ask about the degree to which

contemporary political and economic leaders throughout the United States are engaged in activities that promote different forms of slavery.¹ This topic would require a separate inquiry, but in the current context we should not ignore the connections among race, class, economic inequality, and public policy that continue to threaten the very existence of democracy in the U.S.

In the Twentieth Century, we find Gandhi raising similar concerns that address not only matters of race and skin color but also the caste system and the social stratification that pervades the entire globe. These various topics are inextricably connected such that it is impossible to get to the heart of the matter without understanding not only how the topics shape each other but also to consider the best way to promote justice and goodness in the actual world where we live. The primary goal of Agora Publications is not to answer such controversial questions but to provide access to philosophical works that promote such dialogue.

Gandhi's text poses a special problem for the editor. The content of *My Nonviolence* consists of a series of relatively short pieces that appeared in periodicals he published over a period of almost three decades, beginning in 1920 and ending shortly before his death in 1948. The policy at Agora Publications is to publish only unabridged texts, but this work calls for an exception. Although Gandhi's thinking evolved and matured as world events unfolded, his basic philosophy of nonviolence remained throughout. Particular events required frequent repeating some of his basic ideas in subsequent essays and speeches, so it is not necessary to include them all. For that reason, only about 50 of 150 separate pieces are included. On the other hand, it is important to include what is essential and avoid softening or blunting what might be provocative and controversial. In making this selection, the primary criterion was to include the ones most directly related to the central theme of the roles of violence and nonviolence in seeking justice. Another principle of selection was to incorporate individual pieces that use dialogue to present Gandhi's ideas and to foster the possibility of the various selections naturally connecting with each other. Success will be determined by the degree to which readers and the listeners are engaged in the overall process.

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August 2021

ⁱ Several recent publications and presentations suggest that the American prison system may be fostering a contemporary equivalent of slavery with black and brown prisoners being the primary victims. In 2018, Shane Bauer published a book called *American Prison: A Reporter's Underground Journey into the Business of Punishment* (Penguin Books). Bauer claims that "Private prisons do not drive mass incarceration today; they merely profit from it. Who will wind up in prison is not determined by the prisons but by police, prosecutors, and judge" He continues: "Few scholars deny that racism has been a major factor. For much of America's history, racism, captivity, and profit were intertwined. Slavery, the root of anti-black racism in America, was a for-profit venture. When slavery ended, powerful interests immediately devised a way to continue profiting from the captive bodies of African Americans and other poor people" (p. 5).