In his *Walden* essay “Higher Laws” Thoreau comes out against hunting, fishing, and eating meat—in his own case, at least. I like that, but I’m not altogether happy with his reasons for it.

I.

Thoreau sometimes hunted in his youth, before his days at Walden Pond. And in a mildly disturbing passage at the outset of the essay, speaking of his experience at the Pond and sounding like a man you would want to keep your kids away from, he writes:

As I came home through the woods with my string of fish, trailing my pole, it being now quite dark, I caught a glimpse of a woodchuck stealing across my path, and felt a strange thrill of savage delight, and was strongly tempted to seize and devour him raw. . . . Once or twice, . . . I found myself ranging the woods, like a half-starved hound, with a strange abandonment, seeking some kind of vension [sic] which I might devour.

If you don’t hunt, some people are likely to think you’re some sort of sentimentalist who has no conception of the chase and its peculiar thrills. I suspect that’s why Thoreau relates these experiences here. Since he is going to be speaking against hunting, he wants to show right off that he *has* experienced and fully understands the instincts of the huntsman, the stalker of prey.

By the time of his Walden experiment, though, Thoreau had given up hunting, at least for the most part, and when he writes “Higher Laws” (shortly after his Walden days), he had given up fishing as well. “At present I am no fisherman at all,” he says (261).
Thoreau’s position on hunting (and perhaps fishing too) came to be this: It is fine for boys, but men should outgrow it and do ornithology or poetry or something instead. Grownups shouldn’t hunt.

Why not?

One reason is something like sympathy and a sense of brotherhood (or sisterhood) with the animals. Animals—at least some of them, to some significant degree—are not fundamentally different from us, and so we have the same kind of reason not to kill them as we have not to kill human beings. Killing animals is murder, or can be, just as killing people is.

No humane being [he writes], past the thoughtless age of boyhood, will wantonly murder any creature, which holds its life by the same tenure that he does. The hare in its extremity cries like a child. I warn you, mothers, that my sympathies do not always make the usual philanthropic distinctions. (260)

It’s not surprising, in light of this, that Thoreau goes on to recommend a vegetarian diet, which he characterizes as “more innocent” than the usual one. If killing animals is murder, then eating them is something like cannibalism, which hardly anyone approves of anymore.

As a matter of fact, Thoreau himself sometimes ate meat, not just fish but apparently pork and other forms of flesh as well, and he cooked with lard (102). But for the most part he followed a vegetarian diet and seems to have felt guilty when he strayed from it. “Whatever my own practice may be,” he says, “I have no doubt that it is a part of the destiny of the human race, in its gradual improvement, to leave off eating animals” (263).²

Apart from a couple of odd things, namely, Thoreau’s lapses from vegetarianism and his idea that it’s fine for kids to commit murder as long as they cut it out when they grow up, all this makes sense to me.³ I share the inclination to sympathize and identify with animals, and I myself am vegetarian for that very reason, largely. So far, then, so good.

II.
Problems arise, though, from a second and quite different ground Thoreau has for refraining from hunting, fishing, and eating meat. It is, in a nutshell, the idea that by refraining from these things we are living in conformity to “higher laws”. Let me explain.

A couple of places in “Higher Laws” Thoreau affirms the old and familiar idea that human beings have a dual nature, part spiritual and part animal.4

I found in myself [he says], and still find, an instinct toward a higher, or, as it is named, spiritual life, as do most men, and another toward a primitive rank and savage one. (257)

That is at the beginning of the essay. Further on, the distinction is between our “higher nature” and the “animal” in us (266).

The higher nature Thoreau calls (in addition to “spiritual”) “divine,” “poetic,” and good.” It is one’s “genius,” one’s “spirit,” and one’s “mind.” It is what distinguishes “men” from “brute beasts,” who lack it. The lower, animal nature in us Thoreau speaks of as “wild,” “sensual,” and “reptile.” It is a “beast,” a “creature of appetite.”

Both elements are, potentially at least, in all human beings. But the two elements are present in different proportions in different people. The saint and the sage have much of the spirit and little of the beast in them. The sensualist has a small spirit and a large animal.

I can’t tell if Thoreau thinks different particular people are born with different predispositions for spirituality and sensuality. He clearly does think that we can affect the proportion of the two in ourselves by the way we live. We can nourish, cultivate, and exercise the spirit in us and make it grow. Or we can neglect the spirit, indulge our appetites, and increase the size and vigor of the animal. Thoreau believes that most people, especially as they grow older and find themselves increasingly wrapped up in the mundane affairs of normal social life, neglect their spiritual nature to such an extent that it withers away to almost nothing. Human society is full of mere animals.

Although Thoreau says at one point that he loves both parts of his nature, the wild as well as the good, as a matter of fact he pretty clearly has a low view of the wild or animal part. “Perhaps there is none but has cause for shame on account of the inferior and
brutish nature to which he is allied. I fear that we are . . . the divine allied to beasts, the creatures of appetite, and that, to some extent, our very life is our disgrace” (267). “The wonder is how [we] . . . can live this slimy beastly life, eating and drinking” (265).

The thing to do is to kill the animal in ourselves, or expel it at any rate, to the extent we can. Thoreau fears that it might not be possible to expel it wholly, that it might be like intestinal worms we can never entirely get rid of. But we have to try. We should strive ceaselessly to attain the ideal condition for a human being—“purity,” Thoreau calls it—in which a person is all spirit and no animal. “If I knew so wise a man as could teach me purity,” he says, “I would go to seek him forthwith” (266). “He is blessed who is assured that the animal is dying out in him day by day, and the divine being established” (267).5

It is here that I have a problem. If animal nature is so bad that we should try to rid ourselves of it and become as much as possible entirely spiritual, why shouldn’t we go ahead if we like and kill the non-human beasts, since they’re all animal and no spirit?

Oddly, Thoreau uses this idea of the superiority of spiritual to animal nature to argue against hunting, fishing, and meat-eating. How does he do that?

Here’s his line of thought. When we hunt, fish, and eat flesh, we’re acting like beasts of prey. Rather, we are beasts of prey. We are identifying with, exercising, and nourishing the animal part of ourselves. But that’s something we shouldn’t do, because we’re supposed to exercise and nourish the spiritual part of ourselves, not the animal part. And so we get sentences like these: “I did not pity the fishes nor the worms,” but “I have found repeatedly, of late years, that I cannot fish without falling a little in self-respect” (259, 261, my emphasis). And:

I believe that every man who has ever been earnest to preserve his higher or poetic faculties in the best condition has been particularly inclined to abstain from animal food, and from much food of any kind . . . . The fruits eaten temperately need not make us ashamed of our appetites, nor interrupt the worthiest pursuits. (262)

A life in which we exercise and preserve our higher, spiritual nature—“a life in conformity to higher principles”—does not include hunting, fishing, and meat.

III.
I suppose that if one holds a view of human beings on which we are superior to the animals because, unlike them, we have a higher, spiritual part in addition to the base and disgusting animal part, then I would rather one draw from it the sort of inference Thoreau does than the sort usually drawn from such a view, namely, that we can do with animals whatever we like. For me, though, no such view of humans—or of animals—will do.

Even if one uses it to ground something like kind treatment of animals, such a view strikes me as rather lacking, ethically. Like the idea that you should not retaliate against bad people because you thereby lower yourself to their level, it seems to me to be too full of smugness or self-righteousness or hubris. Surely it’s better to be kind both to animals and to people because of fellow-feeling, sympathy, or love.

The main reason the view of human nature in question won’t do for me, though, is that it is pretty clearly false. It simply isn’t true that human beings differ from other creatures in having, over and above what they have, a spiritual part wherein lies all that is elevated, noble, and good, while the part we share with the animals is all low, base, and bad.

No doubt there’s some kind of legitimate distinction between our better and worse (or higher and lower) aspects; maybe there’s a useful distinction between the spirit and the flesh; and of course we can distinguish humans from animals, and aspects of ourselves uniquely our own from those we share with other creatures. But I see no reason for regarding all these as one and the same distinction conceived in different ways.

For one thing, besides the well-known fact that human beings do things worse than any animal ever dreamed of, it’s obviously true that not all animals are sensualists or ravenous beasts of prey. For every lion there must be a thousand lambs. And lions themselves are more than just predators.

From my own experience and observation of animals—mainly dogs and cats, but also horses, cattle, rats, squirrels, perching birds, and woodchucks (whom I’ve never been tempted to seize and devour raw, by the way)—I know that non-human animals exhibit all sorts of admirable characteristics. In one species or another I’m sure I’ve found, for instance, exemplary cooperation, affection, loyalty, self-sacrifice, playfulness, industry, patience, and contentment. Vegetarianism, even. And what I think I’ve found is borne out by the work of those who know animals much better than I do (Lorenz, Goodall, etc.).
I don’t know whether this means that we should think of other animals as possessors of the spirit and well as the flesh, or that we should back off from the position that the spirit is the location of everything good. I do know it means that any argument for good treatment of animals that relies on our supposed superiority to them cuts little or no ice for me.

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1 Henry David Thoreau, *Walden and Civil Disobedience* (New York: Penguin Classics, 1983), 257. All subsequent references to this work will be placed in parentheses in the main text.

2 Thoreau actually had a host of reasons for avoiding meat: it stinks, it’s repugnant to human sensibilities, it’s unnecessary, too costly, and so on. Most of these don’t directly concern me here.

3 Hunting may be good for boys, he thinks, because it is likely to be the only thing that gets them out of town and into the woods, where they may develop an appreciation for nature.

4 In Western thought the idea can be traced back through the New Testament to Plato. I’m thinking of St. Paul’s talk of the “flesh” and the “spirit” and of the discussion in Plato’s *Phaedo* where Socrates argues that the true philosopher “practices dying.” In all likelihood the idea had been around long before Plato. Something like it seems to have been present in the thought of Empedocles and Pythagoras, in the Old Testament, and in various ancient myths.

5 I don’t know whether this theme of killing or expelling our lower nature can be made consistent with Thoreau’s later remarks in the essay about purifying or elevating it (267, 269). If the two are inconsistent (as they seem to be), I certainly prefer the latter to the former.