

Bartleby: The First Protestor to Occupy Wall Street?

Henry David Thoreau's "Resistance to Civil Government," popularly known as "Civil Disobedience" was first published in 1849, making the well-known claim that "government is best which governs least – or, not at all." In Herman Melville's "Bartleby the Scrivener: A Story of Wall Street," the paternal figure of the lawyer-boss is continually attempting to control Bartleby in the office, though his persistent preference not to act on these demands nullifies the lawyer's ability to function as an authority. This conflicting relationship between boss and employee, or master and slave, encompass larger ideological applications of Thoreau's theory of resistance. The function of authority does not accurately represent the will of the people or potentiate a positive and naturally harmonious system of growth. Integrity is lost in the hierarchical movement of will from individual(s) to their elected officials or superiors. Bartleby's refusal to respond to his boss' requests reflect a passive resistance which does not allow his boss to condemn him for refusal; however, he negates the mechanism that allows his superior to absorb his personal agency into the business, effectively becoming the first protester to occupy Wall street.

Thoreau's intention in his essay is to incite positive thoughts concerning the nature of man and government, calling for an active resistance on the part his readers. His argument is that the power of the majority often causes complacency in those that are subject to its authority, simply because they are stronger and maintain a militia, while neglecting the health and interests of the minority groups which remain unrepresented. Thoreau claims that injustice is widely spread when a single majority maintains control of the interests of the population at large, often without the conscience or integrity to allow justice to guide their actions. He believes "we should be men first, and subjects afterward," which is exactly what Bartleby intends to do in his

resistance to his superior's requests (2). While Thoreau does not complete his thoughts with what a perceived standpoint would be in his acts of resistance, this ideology is the focal position he takes in his inner battle with societal demands.

Bartleby's coworkers can be pictured as average employees that are not self-aware or even contemplating their relationship to society, constantly focused on their own desires and often entangled deep in societal pressures. Nippers and Turkey are curious subjects in the law office that Bartleby is hired to balance out his sedate personality. Nippers is an alcoholic who is in debt to a loan shark, reliant on the money he makes in service to the lawyer, while too drunk to be of any use afternoon hours. Turkey, on the other hand, is very slow to start in the mornings but highly energetic by the afternoon – counteracting Nippers' inability to work functionally during this period. The lawyer hires Bartleby with the belief that his calm nature and steadfast work ethic will encourage his other employees to become more beneficial to the company by relaxing and performing the job without any histrionics. This, of course, is based on Bartleby's initial interview for the company, though his whereabouts are unknown as far as relationship to a home, family or background whatsoever. The lawyer is self-described as “eminently safe,” unlike Bartleby and the other employees, so he is not dependent on his job for social securities. The community that inhabits the office on Wall Street is maintained by the lawyer, the story's narrator, whom is our only insight into the other characters.

Bartleby is steadfast in his copying, which is not only writing down the words from his originals, but also *not writing* what is not necessary. This job description implies that Bartleby is making decisions for himself and does have a free will in regard to his life and his work, though by speech alone it is hard to decipher this agency. The lawyer continually requests Bartleby to perform other actions which are outside of his job description and he states his preference not to

comply, creating a zone of resistance that his boss cannot break through. His preference does not indicate a denial of these arbitrary laws, which is what Thoreau suggests in his essay, though Bartleby's preference annihilates the request being made even when it becomes a demand. This method of discourse solves the problem of transgression, which usually would include a civil or criminal offense if applied against governmental agency or the law.

It is remarkable that Bartleby's station within the office is "neither public, nor private" in that he has one window that has no discernible view of the goings-on outside of the building. He is fully to himself, separated from the other workers and his boss by a green screen that hides him from sight, but not from the commands of his employer. But this picture sounds familiar, if you examine the time period and possible influences at the time Melville published the story. Egbert Oliver makes the claim that: "the germ of the character Bartleby came not from Melville's searching for his own relationship to society or from any bitterness in his hardening heart but from an external contemporary source, namely, Thoreau's withdrawal from society" (432). There is no direct identification of Thoreau in Melville's notes or the story itself, but it can be suggested that Thoreau's passivity with regard to society, his hermitical stay at Walden pond (like Bartleby's walled-in office), remains between public and private, though neither in pure.

In Thoreau's "Resistance to Civil Government," Thoreau withdraws himself from society and becomes non-cooperative with the demands that American government requires of him, declining to pay his taxes – in a very similarly passive manner to Bartleby's preference not to be complicit with his boss' requests. For what is perceived as a refusal, both Thoreau and Bartleby are sentenced to imprisonment for their rebellion of authority. Melville's exaggeration of this creature known as Bartleby could be seen as almost a caricature of Thoreau's idealized envisioning of his active quest for transcendence and individuality realized through connecting

his inner world with his external environment. While Thoreau is often criticized for borrowing tools from his neighbors and joining his family for meals, something that definitely includes him in a societal function during this retreat into the woods, Bartleby is also held up in his place by people who are close to him in society however withdrawn or aloof.

Oliver goes on to say that Thoreau's advice is very clear: “. . . he is encouraging a withdrawal from life, even an attaching of one's self to others, as he had built his cabin on Emerson's land: ‘you must hire or squat somewhere. . . you must live within yourself, and depend upon yourself, always tucked up and ready for a start, and not have many affairs’” (434). This advice can be interpreted as Bartleby's inward withdrawal from the requests from the outside world to cooperate and join in the give-and-take that comprises societal functioning. Oliver also notes that Bartleby was a scrivener, or copyist, which is similar to what Thoreau conceived of himself, that he was “keeping a journal,” or always writing his inner thoughts in retreat from the public sphere – even accused as “copying Emerson” himself (434). Thoreau's demands of society were laid out:

“I, Henry Thoreau, do not wish to be regarded as a member of any incorporated society which I have not joined. I was not born to be forced. I will breathe after my own fashion. It is for no particular item in the tax-bill that I refuse to pay it. I simply wish to refuse allegiance to the State, to withdraw and stand aloof from it effectually.”

Melville summed these sentiments it up well by using Bartleby's repetitious phrase: “I would prefer not to,” though never giving a reason or affirming any positive preference that he *would* like to do, he just provokes a simple refusal of the necessity of any request asked of him without

any further thought or additional concern to why he shall not comply or with what he is willing to comply.

Walton Patrick makes many observations regarding the doctrine of necessity and the problem of free will in “Bartleby the Scrivener,” noting that the lawyer-narrator at one point in the story is examining Jonathan Edwards’ *Inquiry into the Freedom of the Will* and Joseph Priestly’s *The Philosophical Doctrine of Necessity*: “several days now passed, during which, at leisure intervals I looked a little into ‘Edwards on the Will’ and ‘Priestly on Necessity’” (39). Melville’s stature as an accomplished author is hardly brought into question, while many would often consider him one of the first “modernist authors” because of his deeply interwoven textual allusions which enrich his stories not only in plot, but in substance.

Priestley says: “how little soever the bulk of mankind may be apprehensive of it, or staggered by it, according to the established laws of nature, no event could have been otherwise than it *has been*, or *is to be*, and therefore all things past, present and to come, are precisely what the Author of Nature intended them to be, and has made provision for,” which the lawyer contemplates he sees Bartleby caught in the troubling situation in the office (41). There is no room for Bartleby to cause any action or to prevent it, in this deterministic theory, though his subjective preference is not to employ his agency at all – to retreat from the demands of society, while allowing it to swallow him alive. His will is not strong enough to constructively deny what it is that he does not have a preference against and he is even more unable to create the positive values which he should need to develop a life that he does prefer – this may be a satire of Thoreau’s naïve and idealized version of what it means to be an individual and maintain one’s free will and capacity to survive without codependence of society or other people.

Edwards adds to this notion of will and freedom, that: “the plain and obvious meaning of the words *Freedom* and *Liberty*...is *power, opportunity or advantage, that any one has, to do as he pleases*. I say not only doing, but conducting; because a voluntary forbearing to do, sitting still, keeping silence, are a instances of a persons’ conduct, about which liberty is exercised; though they are not so properly called doing,” which may be seen as a defense of the ideal that Thoreau shared, of an active resistance that allowed for a passive voice (44).

The lawyer is contemplating these essays which discuss the nature of free will in relation to determinism and protestant conceptions of God’s will as well as what should be deemed necessary in order to function in this life. Bartleby appears to be freely able to express his preferences, though he may have no true freedom in living the life that he desires, while we are unable to find evidence to suggest what it is he *does prefer*. He stares outside the window with no view, has no family or home of note, and no apparent desires in order to contradict his method of working or resisting work. The lawyer seems to find his case very interesting and takes his situation personally as he inquires into the purpose of Bartleby’s actions and personality in order to help this forlorn man.

Having the *power* to do something is not always reliant on exercising it, maybe it could be perceived as a factor in the Bartleby’s life if he had later decided to act, though we are not given this reaction from him after his attempts make his life even more miserable. The lawyer gives Bartleby free reign to conduct himself as he chooses. He does this out of a human desire to understand and relate, validated by his reading of literature concerning ethics – to understand and help the man that has walked into his life and appears forlorn despite all opportunity. These claims are evidenced by the narrator when he says: “I slid into the persuasion that these troubles of mine, touching the scrivener, had all been predestined from eternity, and Bartleby was billeted

upon me for some mysterious purpose of an allwise Providence, which it was not for a mere mortal like me to fathom” (48). This suggests that, since the lawyer is the narrator and main point of view for the audience, “the purpose of Bartleby’s apparent senseless and futile struggle was to create virtue in the attorney, to arouse him from a smug self-complacency to a painful and profound sense of compassion and sympathy for all mankind,” cornering him as the true protagonist of the narrative, including the audience’s own moral nature into account when viewing the life of Bartleby through the lawyer’s interaction with him (49).

An author in an article in the academic critical theory journal *Angelaki*, Alexander Cooke addresses the pertinence of the Master-Slave dialectic in assessing the relationship between the lawyer and Bartleby in Melville’s short story. The law is established by the performative illocutionary act of the lawyer, who commands Bartleby to work in a particular manner or accept his offers. Bartleby’s resistance to this law would be a transgression which would create problems within this system of hierarchy. The problem arises in the nature of Bartleby’s passivity and preference not to act, while maintaining his free will and agency, without directly denying any requests made by his employer, meaning that Bartleby cannot be reprimanded for renouncing duties. This creates the strange situation which we, like the lawyer/narrator, are drawn into while speculating his reasons for his manners and preferences.

Cooke agrees that “one could spend a great deal of time just considering the role of the lawyer-narrator in this text, for it is only through the perspective of the lawyer-narrator that Bartleby is presented. Still, it is sufficient to keep in mind that the activity of Bartleby and the space in which he appears are characterized through the judgments of the lawyer-narrator. At times, it is impossible for the resistances of Bartleby to be conveyed without another level of resistance from the lawyer-narrator. In the end, “after the scrivener’s decease,” Bartleby is not

yet actually dead. He is rumored to have been moved to a “Dead Letter Office” where, barring any valuables that remain to be pilfered, the letters are burned. One is left with the final two sentences: “on errands of life, these letters speed to death. Ah, Bartleby! Ah, humanity!””

Maybe this could have been the central idea of the Occupy Wall Street movement that stormed the social stage in recent years, with many participants citing Bartleby as their influence; that the purpose was to forgo their own endeavors to solicit a response from “the Man,” or Wall Street executives and other “elite” figures of American and International society. Posted the day before the Occupy Wall Street protests’ anniversary, Jonathan Greenberg claims that Melville’s 1853 story was one of the major ideological catalysts of the organization of the political events. Facebook users were seen posting in large numbers the famous words “I WOULD PREFER NOT TO,” identifying Bartleby as the first worker laid-off due to protesting on Wall Street. The lawyer later changes his perspective when inundated by shameful remarks concerning his allowing Bartleby to live inside the office without contributing any work. Peer pressure, especially at the highest levels of a Wall Street organization, should be understood as a primary cause to the rampant unethical responses to the Occupy Wall Street protestors and the people at large who claimed to be “the 99%”

Bartleby’s undying presence in the lawyer’s office, refusing to work and preferring not to step outside of his internal (personal, ethical, ideological) grounds of freedom and justice. The lawyer fears that Bartleby will claim possession of the office by right of his perpetual occupancy, and even after evicted is persistent in occupying the corridor outside of the office. Bartleby’s vague and suspicious motives for this inaction and occupancy are akin to the lack of demands presented by the Occupy Wall Street protestors at large – when asked what they were protesting, they simply preferred not to work the way they had been asked to – and little else. Without a

well-contemplated and constructive set of demands, or even *preferences*, the movement performed about as well as Bartleby's inspiration could have mustered, being ideologically defeated by the force of society's momentum.

Roberta Bienvenu recently discussed the dehumanization of the Occupy Wall Street protesters during the time they were setting up camps and figuring out their program for creating change in American politics and economics. On the necessity of copying documents and handing out pamphlets and distributing information, Bartleby's work is cited as being an important framework for the organization in the occupation of Wall Street. Bartleby eventually stops working entirely and prefers not to do anything that is requested of him, becoming the first occupant of Wall Street in 1853, staring out of the blank wall searching for purpose in the bleak scenery that has been provided to him. The other workers in the office are performing their tasks without any comprehension of the culmination of their efforts in the comfortable and safe living of the lawyer, who benefits from their work as well as confusion.

Bartleby's passive resistance seems to be a very effective strategy in shaking up the environment of the Wall Street office, thus is idolized in the struggle of the 99% in order to gain awareness of their concerns, their preferences, and to hopefully change the system that they are being forced to live and work within. Bartleby's act of passive resistance can be compared with the ideas of Gandhi, Thoreau, Christ, the Buddha, among other spiritual leaders who condemned violence or aggression as a means of achieving a positive and ideal relationship with oneself and one's society. Though they were not as emboldened as the philosophies of other prominent figures, Bartleby's utter failure to succeed in gaining a place within himself and society can be valuable to provide an alternate envisioning of what can happen to someone that is both noncompliant and unprepared or lacking the will to act.

Melville's story of the life of Bartleby, the scrivener, gives his audience much to contemplate; reflecting the much-loved American ideals of individualism, self-reliance, free will and destiny. While many interpret the narrative mainly through Bartleby's (in)human response to the world around him, being troubled by the large industrialized system he is lost within, though many critics argue that the lawyer's self-reflection through his encounter with Bartleby allows him to find a positive ethical stance on his conduct as an individual and leader. The Occupy Wall Street events that transpired due to economic inequality and a societal demand for justice to those accused of committing unethical acts to benefit themselves rather than society were largely inspired by Melville's exposition of the master-slave dialectic. The purpose of the passive rebellion did not ever state any clear demands when confronted with an opportunity to create a dialogue with the Wall Street executives, much like Bartleby's persistent lack of preference or will to act, though it did develop a meaningful discourse with which society at large began to reflect on the ethical dilemma that had transpired in recent history. This story of idealized resistance to absolute authority is an American tradition that can be traced through these accounts and narratives that continues to challenge itself to become more aware of humanity's needs and freedom to create oneself within this life.

Works Cited

- Bienvenu, Roberta. "Bartleby the Scrivener Occupies Wall Street." *Shenandoah*. The Washington & Lee University Review, 3 Apr. 2013. Web. 17 Nov. 2013.
- Greenberg, Jonathan D. "Occupy Wall Street's Debt to Melville." *The Atlantic*. 30 Apr. 2012. Web. 17 Nov. 2013.
- Oliver, Egbert S. "A Second Look at 'Bartleby'" *College English* 6.8 (1945): 431-39. *JSTOR*. Web. 15 Nov. 2013.
- Patrick, Walton R. "Melville's 'Bartleby' and the Doctrine of Necessity." *American Literature* 41.1 (1969): 39-54. *JSTOR*. Web. 13 Nov. 2013.
- Thoreau, Henry David. "On the Duty of Civil Disobedience." Gutenberg, 1 June 1993. Web. 17 Nov. 2013. <<http://www.gutenberg.org/ebooks/71>>.