

With No God, Everything Is Permitted: Why Emerson and Habermas Are Wrong about Ethics and Politics

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Abstract

Ralph Waldo Emerson's "The Divinity School Address" marked a branch point in Emerson's life and altered the nature of Christianity in nineteenth century New England. The address was important because it marked the first time that Emerson denied the unique nature of Christ's Divinity. In the address, Emerson also declared his belief that all humans participate in a universal spiritual force he would eventually call the Over-Soul. Later Emerson would extend this belief and argue that, because of their participation in this universal Over-Soul, human beings have the power to create political systems that are just and fair, absent the type of Divine authority demanded by Christianity. Over a century and a half later, Jurgen Habermas penned a parallel essay entitled, "Pre-Political Foundations of the Democratic Constitutional State" in which he would also argue that human beings are capable of developing autonomous political systems without the need for a theological dimension. This article explores the argument made by Emerson and Habermas supporting the idea that there is no need to call upon Divine authority in the creation of an ethical political system and demonstrates that the premise upon which they base their argument is fatally flawed.

Introduction: The Problem, the Procedures, and the Parameters

On July 15, 1838, Ralph Waldo Emerson delivered a speech to the senior class of the Harvard Divinity School in Cambridge, Massachusetts.¹ This brief talk, which quickly became known as "The Divinity School Address," marked a turning point in Emerson's career and changed the complexion of both Unitarianism and Transcendentalism in the nineteenth century. The address was significant because it signaled the first time that Emerson openly denied the unique nature of Christ's Divinity and clearly declared his belief in the idea that all human beings participate in a universal spiritual force he would later refer to as the Over-Soul. As might be expected, Emerson's talk set off a fierce debate that lasted far beyond the life of the address itself. Both sides of the debate, those supporting Emerson and those opposed, lined up for a series of bitter exchanges that affected the very nature of Christianity in New England and beyond. The pro-Emerson forces were led by Ezra Ripley while the anti-Emerson forces were led by Andrews Norton, "The Protestant Pope," and by Henry Ware, author of *The Personality of the Deity*.

Over a century and a half later, Jurgen Habermas penned a parallel essay entitled, "Pre-Political Foundations of the Democratic Constitutional State." This article cannot be compared to Emerson's for Emerson's audacity and revolutionary fervor. Nevertheless, the beliefs expressed by

¹ Robert D. Richardson, *Emerson: The Mind on Fire* (Berkeley: University of California Press, 1995), 288. Richardson describes the senior class as "tiny." It consisted of six students who were joined by their families and friends. Faculty members of the Divinity School were also present. Richardson also speculates that the invitation to speak, which came from the students themselves, may have been in reaction to the trial, conviction, sentencing, and imprisonment of Abner Kneeland, a self styled "freethinker," who was accused of blasphemy for supporting theism. (Richardson, 287).

Habermas in his essay were anticipated by Emerson in his 1838 lecture (as well in his essays “Ethics,” and “Politics,” among others). Moreover, and more to the point, those beliefs form the heart of an ongoing debate within the 21st century academy. While there are many participants in that debate, two of the most vocal opponents of Habermas are Joseph Ratzinger (Pope Benedict XVI) and Slavoj Zizek, author of *The Fragile Absolute*. Thus, we have a curious situation in which history, at least theological history, has repeated itself. The time frames are different; the motives are unrelated; the levels of emotional investment are poles apart. Nevertheless, each debate represents a unique view of a changing paradigm that has been in transition for more than 150 years. That transition may signal the end of the dominating influence of the Judeo-Christian culture in the West and threatens a shift in the very nature of Western ethics and politics.

This is a bitterly strong statement and, as such, needs some clarification. There is no intent here to suggest that either Emerson or Habermas caused the collapse of Western civilization. Such a claim would be laughable. Nor is there any intent to imply that Norton, Ware, Ratzinger, or Zizek could do anything to save Western civilization even if it actually were collapsing. Rather, the intent is to demonstrate that the philosophical position adopted by Emerson and Habermas reflects a well-intentioned, but fundamentally flawed belief that human beings possess the ability to establish (or discover, this is never made clear) certain inalienable rights and to construct a political system that can successfully defend those rights. In this belief, they are both, quite frankly, wrong. This is not to say that Emerson and Habermas do not make convincing cases for the idea that human beings can construct autonomous and fair political systems. In fact, that is part of the reason that they have attracted such large followings. They both preach what most people want to hear: human beings are essentially benevolent; they desire only good for themselves and others; they are capable of moral progress, and there is proof of this in the long history of human achievement. Once again, in all of this, they are wrong.

Of course, neither Emerson nor Habermas seems wrong. In fact, they both seem so correct in their ideas that they have become philosophical icons in the study of philosophy. To some philosophers, Emerson, for example, is seen as the godfather of the New Age movement in the United States,² while Habermas is credited with creating a revolutionary new social theory within Western philosophy. There have, of course, been challenges to their iconic stature. Some of these challenges, especially those made against Emerson, were personal attacks not worth repeating. Others, however, do pinpoint one essential weakness in both systems, a weakness that is easy to express but difficult to

² One Emersonian scholar has gone so far as to compare the philosophy of Emerson with that of New Age guru, Eckhart Tolle. Terry Martin, “Ralph Waldo Emerson and the Paradox of Self-Reliance” (seminar, Lakeside, Ohio, August 20, 2009).

explain. That weakness is the absence of an absolute moral anchor within their ethical-political systems. The fact that both philosophers abandon (or in the case of Habermas, reject) Divine authority is not a secret. In fact, both philosophers accentuate the absence of Divine authority in their systems. Moreover, what makes their arguments convincing is that they are correct about the reasons for abandoning Divine authority, up to a point, and then they cross an invisible line that dooms their systems. The problem for the challenger is to explain the exact location of that line and to show precisely how Emerson and Habermas cross it. Locating and illuminating that line are the goals of this paper. Consequently, we will explore the arguments made by Emerson and Habermas supporting the idea that an absolute God is not necessary to construct an ethical political system and then we will attempt to determine the point at which this easily defended idea goes wrong. Before moving on and to clarify the goal of the paper, it will be helpful to reduce the objectives stated above to a single philosophical question:

Have Emerson and his modern counterpart, Habermas, succeeded in developing a universal theory of ethical and political behavior outside of orthodox Christianity and based on the principle of self-trust (aka self-reference) or do their efforts collapse because they have abandoned the one requirement that is needed for a successful normative system of ethical behavior, Divine authority?

Much of what Emerson says on the issue can be traced to “The Divinity School Address.” Even so, it is unfair and unproductive to focus on that single speech. Therefore, we will examine the broad spectrum of Emerson’s output, focusing on his journals and on his essays, including “Ethics,” “Politics,” “The Over-Soul,” “The Transcendentalist,” and “The Divinity School Address,” itself. Similarly, when we look at Habermas, we will look at works beyond “Pre-Political Foundations of the Democratic Constitutional State,” including *The Theory of Communicative Action*.

Emerson: Morality and “The Divinity School Address”

Emerson begins his study of ethics, with a clearly stated premise, that is, that the universe is governed by certain normative laws. He states this directly in both “The Divinity School Address” and an earlier essay entitled, “Ethics,” which he penned in 1837:

That which engages our attention is the absolute inviolability of its laws which are not anywhere recorded in words but which execute themselves all around us with a precision and energy of which the laws of matter are only faint symbios.³

³ Ralph Waldo Emerson, “Ethics,” in *Ralph Waldo Emerson: Selected Essays, Lectures, and Poems*, ed. Robert D. Richardson, Jr. (New York: Bantam Books, 2007), 74-75.

These normative laws guide, perhaps even determine, the movement of every occurrence in the universe, including all human behavior.⁴ Emerson believes that the normative law that guides ethical behavior is self-trust which he defines in this way:

Self-Trust, that is, not a faith in a man's own whim or conceit as if he were quite severed from all other beings and acted on his own private account, but a perception that the mind common to the Universe is disclosed to the individual through his own nature.⁵

Using this internal sense of self-trust as a guide Emerson believes that humans can create a viable social contract based on common ethical principles. Emerson's belief in these universal laws reaches maturity in "The Divinity School Address." In that essay, he states that the laws of nature provide humans beings with an innate sense of good and evil. He says as much when he writes:

The intuition of the moral sentiment is an insight of the perfection of the laws of the soul. These laws execute themselves. They are out of time, out of space, and not subject to circumstance. Thus in the soul of man is a justice whose retributions are instant and entire. He who does a good deed is instantly ennobled. He who does a mean deed is by the action itself contracted.⁶

Emerson believes that these normative laws find their origin in a spiritual energy that human beings understand intuitively and that guides them not only in moral matters, although this is the heart of the current discussion, but also in matters of sentiment and reason. The spiritual force (which is decidedly not the personal, Biblical God of the Judeo-Christian tradition, but is, instead, a supernatural energy that Emerson later names the Over-Soul⁷) can only be reached by individual effort, not through the teachings of other people. In fact, any attempt to reach an understanding or an appreciation of the

⁴ Ibid., 75-76.

⁵ Ibid., 77.

⁶ Ralph Waldo Emerson, "The Divinity School Address," in *Ralph Waldo Emerson: Selected Essays, Lectures, and Poems*, ed. Robert D. Richardson, Jr. (New York: Bantam Books, 2007), 109-110.

⁷ In "The Divinity School Address," Emerson has not yet fully developed his idea of the Over-Soul. He does, however, talk about "the soul," which seems to refer to his emerging notion of the Over-Soul. For instance, at one point, Emerson states in "The Divinity School Address," that, "Jesus Christ belonged to the true race of prophets. He saw with open eye the mystery of the soul. Drawn by its severe harmony, ravished with its beauty, he lived in it, and had his being there." (Emerson, "The Divinity School Address," 113). Later Emerson adds, "The soul knows no persons. It invites every man to expand to the full circle of the universe, and will have no preferences but those of spontaneous love." (Emerson, "The Divinity School Address," 114). When Emerson does commit fully to the theory of the Over-Soul, he writes in the essay entitled, "The Over-Soul," that the Over-Soul, is the "Unity . . . within which every man's particular being is contained and made one with all other." He also calls it, "the eternal ONE" which he describes as the "deep power in which we exist and whose beatitude is all accessible to us." See: Ralph Waldo Emerson, "The Over-Soul," in *Ralph Waldo Emerson: Selected Essays, Lectures, and Poems*, ed. Robert D. Richardson, Jr. (New York: Bantam Books, 2007), 176.

Absolute through others is a grave error, perhaps the gravest error in human history, because such a course of action perverts a true understanding of the both Over-Soul and the normative laws of the universe:

(T)he doors of the temple stand open, night and day, before every man, and the oracles of this truth cease never, it is guarded by one stern condition; this, namely; it is an intuition. It cannot be received at second hand. Truly speaking it is not instruction...that I can receive from another soul. What he announces, I must find in me, or reject; and on his word, or his second, be he who he may, I can accept nothing. On the contrary, the absence of this primary faith is the presence of degradation.⁸

This statement reflects Emerson's central conviction, a conviction that undoubtedly raised an immediate red flag for the orthodox clergy listening to the address on that quiet Sunday evening. That conviction is Emerson's belief that the established church has made an idol out of the person of Christ and has used that idol to control others. This strategy, Emerson claims, deprives human beings of their Divine dimension and transforms the entire race into a mere "appendage" or, perhaps even worse, into "a nuisance."⁹

This is not to say that Emerson denigrates Christ in any way. On the contrary, to Emerson, Christ stands as the perfect example of Divine and human integration, and as such, Christ represents a model that all human beings must emulate. To do so, however, they must recognize Christ's real identity, not as the unique and only Incarnation of the Divine, but, instead, as a member of the "true race of prophets."¹⁰ When Christ talked about his Divine nature and when he spoke of miracles, he meant, Emerson argues, to emphasize, not his individual Divine nature, but the Divine nature that resides in all human beings.¹¹ The man Christ is simply the best example of the potential that resides within all human beings. That potential is expressed in their ability to share in the Divine life of the Over-Soul.¹² Christ, Emerson adds, is not to blame for the subsequent distortion of his message. That message, Emerson claims, was hijacked by the clergy who have used it to control the dogma and the operation of the church.¹³ Emerson proposes that all human beings abandon the artificial inclination

⁸ Emerson, "The Divinity School Address," 112.

⁹ Ibid.

¹⁰ Ibid., 113.

¹¹ Ibid.

¹² The deification of humanity preached by Emerson in his 1838 speech at Harvard anticipates the same belief that is preached by followers of the New Age movement. Simply stated this is the idea that all humans are divine. Closely allied to this belief is the notion that, to be fulfilled, people must learn how to tap into that divine nature. New Agers believe that Christ and the other great religious leaders were in tune with that divine nature and serve as examples for the rest of us. See: Bruce Bickel and Stan Jantz. *World Religions and Cults 101* (Eugene, OR: Harvest House Publishers, 2002), 219-220.

¹³ Emerson, "The Divinity School Address," 113-114.

to rely on those who preach an erroneous view of Christ, and, instead, rely on their own appreciation of how well the Over-Soul works in their own lives.

Let me admonish you, first of all, to go alone; to refuse the good models, even those which are sacred in the imagination of men, and dare to love God without mediator or veil. Friends enough you shall find who will hold up to your emulation Wesleys and Oberlins, Saints and Prophets. Thank God for these good men, but say, 'I also am a man.' Imitation cannot go above its model. The imitator dooms himself to hopeless mediocrity. The inventor did it because it was natural to him, and so in him it has a charm . . . Yourself a newborn bard of the Holy Ghost, cast behind you all conformity, and acquaint men at first hand with Deity.¹⁴

Later in the address he points out that cultivating self-trust does not necessarily mean abandoning the old ways entirely.

The question returns, What shall we do? I confess, all attempts to project and establish a Cultus with new rites and forms, seem to me vain. Faith makes us, and not we it, and faith makes its own forms. All attempts to contrive a system are as cold as the new worship introduced by the French to the goddess of Reason, --to-day, pasteboard and filigree, and ending tomorrow in madness and murder. Rather let the breath of new life be breathed by you through the forms already existing. For if once you are alive, you shall find they shall become plastic and new. The remedy to their deformity is first, soul, and second, soul, and evermore, soul.¹⁵

This takes us full circle back to the notion of self-trust. A well-developed sense of self-trust, Emerson argues, is both the cause and the effect of complete immersion within the Over-Soul.¹⁶ Yet, each person experiences the Over-Soul in a different way. Some feel the presence of the Over-Soul with great intensity. Others merely touch the experience and then only briefly. Indeed, some experience it not at all. How, then, can a self-regulating and fair governmental system emerge? Emerson attempts to answer this question in his essay, "Politics," and so, it is to that essay that we now turn.

Habermas and Emerson: Self-Reference and Self-Trust

To his credit, in the 1844 essay, "Politics," Emerson admits that he must deal with the problem of political relativity. Political relativity exists because governments are run by people who are, by their

¹⁴ Ibid., 122.

¹⁵ Ibid., 124-125.

¹⁶ Ibid. Again, note that, although Emerson has yet to adopt the term "Over-Soul," at this point in his career, it is clear that, when he uses the term "soul," he is referring to the Over-Soul. It is also interesting to note that in his essay, "Ethics," he tries out another term before he settles on the phrase, "Over-Soul." In that essay, he uses the very descriptive but extremely cumbersome phrase "the mind common to the Universe." See: Emerson, "Ethics," 77.

very nature, flawed, and who, from time to time, may convince one another to do foolish and impetuous things.¹⁷ The fact that Emerson recognizes this is clearly demonstrated when he writes:

Society is an illusion to the young citizen. It lies before him in rigid repose, with certain names, men and institutions rooted like oak-trees to the centre, round which all arrange themselves the best they can. But the old statesman knows that society is fluid; there are no such roots and centres, but any particle may suddenly become the centre of the movement and compel the system to gyrate round it.¹⁸

Despite this nod to the reality of political relativism, Emerson insists that political systems can be developed that are fair and effective, just as long as they are built upon ideas rather than brute force.¹⁹ He also believes that governments are made to protect personal rights, which emerge from universal law.²⁰ Intuitive knowledge of this universal law is stamped on the human spirit because of its relationship to the Over-Soul. Once people trust in this instinctive sense of right and wrong, a natural harmony will follow that will empower them to interact with one another amicably.²¹ In fact, this principle is “the foundation of society.”²² Thus, once again, Emerson has led us back to our starting point. He has once again established self-trust as the binding element of society.²³

Emerson, in proposing his concept of self-trust, anticipates what Jurgen Habermas would later defend as the principle of self-reference. In an essay entitled, “Pre-political Foundations of the Democratic Constitutional State?” Habermas argues, in a very Emerson-like fashion, that most existing socio-political systems are self-generating networks that result from the interactive behavior of their members.²⁴ This is not the first time that Habermas has made this claim, however. In fact, it

¹⁷ Ralph Waldo Emerson, “Politics,” in *Ralph Waldo Emerson: Selected Essays, Lectures, and Poems*, ed. Robert D. Richardson, Jr., (New York: Bantam Books, 2007), 253-254. (Note: Emerson does not actually use the phrase, “political relativity.” However, that is clearly the sentiment that he expresses in the opening paragraphs of “Politics.”)

¹⁸ *Ibid.*, 254.

¹⁹ *Ibid.*

²⁰ *Ibid.*, 255. Emerson does, however, make a distinction between personal rights and property rights. Personal rights are universal, while property rights vary depending on the nature, the extent, and the value of the property owned. Human rights are equal, property rights are not. (Emerson, “Politics,” 255.) Understandably, Emerson gives the government more leeway in its dealing with property rights than he does with personal rights. In “Politics” he writes, “The law may do what it will with the owner of property.” (Emerson, “Politics,” 257.) However, in the same essay, when speaking of personal rights, he states that “(o)f persons, all have equal rights, in virtue of being identical in nature.” Later he adds, “Personal rights, universally the same, demand a government framed on the ratio of the census.” (Emerson, “Politics,” 255.) In “Politics” he also identifies a partial list of the rights that he considers to be universal. “A man has a right to be employed, to be trusted, to be loved, to be revered.” (Emerson, “Politics,” 264-265.)

²¹ Emerson, “The Divinity School Address,” 110-111.

²² *Ibid.*, 111.

²³ *Ibid.*

²⁴ Jurgen Habermas, “Pre-political Foundations of the Democratic Constitutional State?” in *The Dialectics of Secularization*, ed. Florian Sculler, trans. Brian McNeil (San Francisco: Ignatius Press, 2006) 19-52.

forms a significant, if peripheral, claim in his work, *The Theory of Communicative Action*. In this work, Habermas outlines a revolutionary social theory that explains the appearance of civilized, law-abiding communities as emerging from the wholesale development of individual identity, much of which is sparked by the development of language, in general, and, in particular, the growth of the first person signifiers “I,” and “we.”²⁵ According to Habermas:

The unity of the collective is the point of reference for the communality of all members which is expressed in the fact that they can speak of themselves and each other in the first-person plural. At the same time, the identity of the person is a presupposition for members being able to speak with one another in the first-person singular. In both cases the expression ‘identity’ can be justified in the terms of language theory. The symbolic structures constitutive for the unity of the collective and of its individual members are connected with the employment of personal pronouns, the deictic expressions used to identify persons.²⁶

So far so good. Before human beings can develop effective communities, Habermas argues, they must develop individual identity.²⁷ To explain how individual identity leads to this self-referential legitimization process, Habermas cites Immanuel Kant, one of Emerson’s primary philosophical forefathers, who, like Emerson, builds a political system on the basis of human rationality. The application of reason, according to Habermas, Kant, and Emerson will establish a set of laws and a constitutionally created governmental structure that will be understood as a self-validating system, within which there will be no challenges that cannot be met from within the four corners of the constitution.²⁸

“(S)ystems of law,” Habermas writes, “can be legitimated only in a self-referential manner, that is, on the basis of legal procedures born of democratic procedures.”²⁹ Habermas’ concept of self-reference clearly echoes Emerson’s system of self-trust. According to Habermas, once the people

²⁵ Jürgen Habermas, “The Rational Structure of the Linguistification of the Sacred,” in *The Theory of Communicative Action: Volume 2: Lifeworld and System: A Critique of Functionalist Reason*, trans. Thomas McCarthy (Boston: Beacon Press, 1981), 99-105.

²⁶ *Ibid.*, 99.

²⁷ *Ibid.* Some notable Transcendentalists such as Elizabeth Peabody, like Habermas, focused on the importance of language in the development of the first social systems. See for example, Philip F. Gura, *American Transcendentalism: A History*. New York: Hill and Wang, 2007. Gura explains Peabody’s fascination with language in the following way: “Her reading of Herder led her to search for an *ur-language*, the parts of which were intimately connected to the exterior world—what we might term a ‘language of nature’ that others like Emerson soon enough elaborated with even more sophistication. Peabody’s interest in this subject eventually led her as well to sponsor and publish the work of language theorists who similarly argued a universal origin to speech. In the hands of readers like Peabody and an ever-expanding group of sympathetic readers, the Higher Criticism thus had the potential to alter radically their understanding of language and symbol.” (Gura, 42).

²⁸ Habermas, “Pre-political Foundations,” 24-28.

²⁹ *Ibid.*, 27.

create a democratic system based on democratic principles, the political system they have created becomes self-perpetuating and self-validating. The people write a constitution in order to create a better, more participatory life under that constitution. In writing the constitution, the framers guarantee its durability and consistency by stipulating that the provisions of that constitution cannot be violated. The political power structure in the state must be subservient to the law and, once that legal system is recognized, the need for an outside authority vanishes. The law becomes its own rational self-justification. Habermas believes that this process of self-validation is natural, autonomous, and inevitable and is, therefore, accepted instinctively by the constituency.³⁰

This principle is worth repeating because it lies at the heart of the Habermasian system. What Habermas asserts here is that the governmental system can be set up under a self-generating constitution that derives its power from the people who created that constitution and which needs absolutely no outside authority to validate its authenticity or grant it power.³¹ Habermas says it this way:

I assume that the constitution of the liberal state can satisfy its own need for legitimacy in a self-sufficient manner, that is, on the basis of the cognitive elements of a stock of arguments that are independent of religious and metaphysical traditions.³²

Emerson is less certain about value of the liberal state, about the inevitability of democracy, and about the permanency of such states, but he does see democratic principles emerging from the collective will of the people, which is, of course, grounded in human rationality. According to Emerson:

Democracy, Freedom, has its roots in the sacred truth that every man hath in him the divine Reason, or that, though few men since the creation of the world live according to the dictates of Reason, yet all men are created capable of so doing.³³

Of course, Emerson also sees democracy as springing from the character of the American people. This does not, however, detract from the universality of both human rationality and democracy. It means, simply, that Emerson saw in the American situation, an ideal environment for the growth and development of democracy. He says this quite clearly in his essay, "Politics," when he writes:

The same necessity which secures the rights of person and property against the malignity or folly of the magistrate, determines the form and methods of

³⁰ Ibid., 24-31.

³¹ Ibid.

³² Ibid., 29.

³³ Ralph Waldo Emerson, *Journals*, III, 390 (1834) quoted in Frederic Ives Carpenter, *Emerson Handbook* (New York: Hendricks House, 1953), 153.

governing, which are proper to each nation and to its habit of thought, and nowise transferable to other states of society. In this country we are very vain of our political institutions, which are singular in this, that they sprung...from the character and condition of the people, which they still express with sufficient fidelity...We may be wise in asserting the advantage in modern times of the democratic form...Democracy is better for us.³⁴

It is a short leap from the emergence of a democratic system to the creation (discovery?) of universal human rights. To Emerson, these rights are inherent within the fabric of human nature. In "Politics," he writes, "Of persons, all have equal rights, in virtue of being identical in nature."³⁵ It is, therefore, not unfair to say that Emerson accepted Jefferson's premise, that all human beings have certain "inalienable rights" and that among those rights are "life, liberty, and the pursuit of happiness." Emerson, then, needs no origin point for human rights, save human nature in and of itself—period.

Habermas needs more, but not much more. According to Habermas, human rights emerge from within the subconscious activation of the collective memory of the people. The people will recall (either consciously or subconsciously, this is never made clear) "those pre-political ethical considerations of religious or national communities,"³⁶ and then, in applying those pre-political considerations, will ensure a fair and just constitution that will then perpetuate itself.³⁷ The key, according to Habermas is collective discourse. Habermas is convinced that, as long as the people of a collective are permitted, perhaps even required, to participate in a free, open, and unfettered discourse about the government, human rights will emerge from that discourse that will be reasonable, fair, and universal.³⁸

Emerson and Habermas: The Enforcement of Human Rights

Despite the apparent certainty with which both Habermas and Emerson write when asserting the existence of human rights, neither of them is clear as to how or why these rights should be enforced. As we have seen above, Emerson makes reference to a vague concept of universal morality that exists in the human heart, presumably thanks to the Over-Soul, and Habermas relies on the linguistic development of political systems that recognize the value of freedom and, therefore, automatically provide a birthplace for the appearance of these rights. What they seem to miss is that there is absolutely no reason for these rights to be enforced unless those in power agree to that enforcement,

³⁴ Emerson, "Politics," 258.

³⁵ *Ibid.*, 255.

³⁶ Habermas, "Pre-political Foundations," 27.

³⁷ *Ibid.*, 27-33.

³⁸ Charles Ess, "The Political Computer: Hypertext, Democracy, and Habermas," in *Hypertext Theory*, ed. George P. Landow (Baltimore and London: The Johns Hopkins UP, 1994), 239-246.

or unless there is some outside Divine guarantor to demand enforcement, which is, of course, what Habermas and Emerson deny. The rights may exist because of human nature or because of linguistic evolution, but so what? Other natural laws exist that humans defy. The question in the modern age is how the protection of such rights can be justified in a non-divinely empowered political system. In other words, without God why and how can the enforcement of human rights be guaranteed?

It is not that Habermas and Emerson are unaware of the need to enforce those rights. Emerson, for instance, identifies the problem in “Politics” when he notes, “there will always be a government of force where men are selfish.”³⁹ Habermas admits almost exactly the same thing when he predicts that the breaking of the fragile bond of the democratic state could easily “lead to . . . the transformation of the citizens of prosperous and peaceful liberal societies into isolated monads acting on the basis of their own self-interest, persons who used their subjective rights only as weapons against each other.”⁴⁰ So it cannot be that they do not know that it is necessary to identify an enforcement process. Rather, they simply avoid the issue altogether, except to imply that the mystical power of self-trust and self-reference will solve the problem, *deus ex machina*.

But are they correct? Is it enough for Emerson and Habermas simply to declare that human rights exist because people exist and to imply that the enforcement process will take care of itself? Can people rise to the occasion and, in a Habermasian collective, and develop a social system that, first, creates and then enforces human rights? Is it possible, as Emerson claims, to use the principle of self-trust to manufacture a safe, sane, and morally correct society without reference to Divine authority? The answer, in a word, is “No.” It is not enough, not by a long shot, and their critics say so in no uncertain terms. It is fitting to begin with Emerson’s critics because they lay down the gauntlet that both philosophers must run. Emerson’s greatest opponent was Andrews Norton, who penned several pamphlets aimed at counteracting the effects of “The Divinity School Address,” specifically as it relates to Emerson’s denial of the unique nature of the Incarnation. In a tract entitled *The Latest Form of Infidelity* Norton takes issue with Emerson on a number of fronts.⁴¹ Norton’s primary complaint, however, is that Emerson has totally disregarded Christ’s miracles and, in doing so, has completely undermined the foundation of Christian faith. Norton is especially distressed by the fact that Emerson still insists on referring to his troubled brand of anti-theology as Christianity.⁴² In response, to Emerson’s “infidelity,” Norton argues at length and with passionate intensity that the

³⁹ Emerson, “Politics,” 265.

⁴⁰ Habermas, “Pre-political Foundations,” 35.

⁴¹ Gura, 109-111.

⁴² *Ibid.*, 110.

logic of Emerson's position leads not only to the end of Christianity but to also to a complete and total "denial of the existence of God."⁴³

Norton is wrong on this point. Emerson's position does not deny the existence of God. Emerson is much more subtle than Norton allows. What Emerson denies is the existence of a personal God, who makes judgments about human conduct based on an absolute standard that has been communicated to human beings in absolute terms. An Emerson critic who does manage to catch the subtleties of Emerson's position is Henry Ware, who sees Emerson's denial of the uniqueness of the Incarnation as the real threat to Christianity. Ware's tract, which is entitled, *The Personality of the Deity*, outlines six points that are designed to eliminate Emerson's erroneous thesis on the Divinity of Christ. As advertised in the title of the pamphlet, the first three points do, in fact, focus on the personality of Christ. In contrast, the final two arguments address the nature of revelation. It is the fourth argument, however, that makes Ware's strongest and most prescient argument, anticipating, as it does, the arguments that Joseph Ratzinger and Slavoj Zizek raise against the Habermasian system. Stated simply, Ware claims that Emerson's denial of the unique nature of the Incarnation, is a denial of the authority of God, which eliminates all moral responsibility, and thus, validates, perhaps even encourages immoral behavior. According to Ware, the authority to determine moral responsibility must come from outside the human race. Without the moral authority provided by an outside standard of right and wrong, such as that provided by Ware's personalized God, people have no motivation to be just, open-minded, caring, or even honest, let alone civilized.⁴⁴

There is more to it than this, however. If we focus, as Emerson suggests, on the good side of human nature, we ignore a very real part of the human condition. That missing element is found only when we acknowledge that human beings, despite good intentions and ambitious plans, cannot initiate progress toward universal rights on their own. The one tool that Emerson grants to human beings, reason, as compelling as it may be, is incapable of establishing an absolute standard by which human behavior can be judged. Reason and its companion, the scientific method by which empirical evidence about the world is observed, tested, evaluated, and proven true, rob existence, especially

⁴³ Andrews Norton, *A Discourse on the Latest Form of Infidelity* (Cambridge: John Owen, 1839), 11, quoted in Gura, 110. Norton ends his essay with an attack on theologians who propose that all religious truth can be found individually. Norton believes this reduces scripture to nonsense, and marginalizes any scholar who discusses scripture with others. Norton also denounces the German idealists. He labels their philosophy as bankrupt and attacks their work as deliberately unclear. Although Norton focuses on Schleiermacher, he considers the German school of idealism as pantheistic nonsense (Gura, 110-111). Nor is Norton alone here. Three writers who do not trust the German philosophers are J. W. Alexander, Albert B. Dod, and Charles Hodge, three Princeton professors who penned two articles in 1839 which Norton had reprinted together in a pamphlet entitled, *Transcendentalism of the Germans, and of Cousin and Its Influence on Opinion in the Country* (1840). (Gura, 115).

⁴⁴ Henry Ware, "The Personality of the Deity," *The American Unitarian Conference* (2005): 6-7. <http://www.americanunitarian.org/warepersonality.htm> (accessed May 6, 2009).

human existence, of its unique and individual value. Humans become objects that deserve no better treatment than any other observable entity in the universe. Give up the divine guarantor and humans surrender their individual identities and along with that individuality any claim to special treatment.⁴⁵ The recent history of Europe would have proven this to Emerson, had he simply taken the time to look at the French Revolution, a sad page in the history of Western Civilization when an entire nation decided that human reason and innate human goodness could supplant the absolute standards of the Judeo-Christian God, and as a result, nearly destroyed themselves in a fratricidal blood bath of epic proportions.

Without the outside standard provided by Divine authority, no motivation is left to make people tolerant of one another. Once the source of moral judgment becomes human goodness, that standard becomes completely relative. Once morality depends upon the whim of the majority, or a powerful minority, there is no justification for any decision, other than simply restating that it is the will of the majority or of a powerful plurality. The majority, in whatever way it may be identified at the moment, or a plurality with power, defines “right” by default. Moreover, there is no way to determine when the majority or a powerful plurality has violated human rights because the parameters of those rights are outlined by those with the power. Moreover, as a matter of historical fact, it is clear that majorities in the past have frequently created unjust laws.⁴⁶ In a world with no single Divine authority, human beings will abide by the rules only so long as they must and, like two-year olds, will break the rules anytime it becomes convenient to do so. If this means violating someone else’s rights, so be it. This approach to morality can justify any sin from simple things such as littering, shoplifting, and pilfering the supply cabinet at work to embezzlement, tax fraud, perjury, arson, assault, adultery, child abuse, and, in extreme cases, mass murder. Once the absolute morality of an outside source is denied, the standard of human behavior becomes human judgment, a poor standard on its best days. Dostoyevsky summed it up neatly, when he had Ivan Karamazov say, “Once God is dead, everything is permissible.”

Emerson does not address this flaw directly at any time. However, Habermas does and so we will turn to him to see the response that Emerson should have offered Ware. First, it will be helpful to reformulate Ware’s argument in modern terms. What he argues is that ethical relativism does not work. Habermas is familiar with this argument. He has, in fact, seen it many times and he is ready to respond. The argument, he says, presumes that there are only two ways to view moral standards.

⁴⁵ Romano Guardini, *The End of the Modern World: A Search for Orientation*, trans. Joseph Theman and Herbert Burke (New York: Sheed and Ward, 1956), 114-123 (see especially footnote 5 which runs from pages 17-119.)

⁴⁶ Joseph Ratzinger, “That Which Holds the World Together: The Pre-political Moral Foundations of a Free State,” in *The Dialectics of Secularization: On Reason and Religion*, ed. Florian Schuller; trans. Brian McNeil (San Francisco: Ignatius Press, 2006,) 60.

They are either (1) absolute and unbreakable, and thus in danger of degenerating into dogma, or they are (2) subjective and virtually worthless because they can change at the drop of a hat.⁴⁷ This “either-or” approach, Habermas argues, focuses on the wrong thing. It focuses on the content of the rules, when it should focus on the way the rules are made. As long as the “rule-making process” is handled properly through collective discourse, Habermas argues, the rules that result will match the character of the community which develops them, and that level of justice is just about the best that human beings can ever hope to achieve.⁴⁸

Can this really be all there is to it? Can Habermas be correct that, as long as a group follows a collective discussion, the rules that emerge will in some way be “close enough” to the rules we ought to have? Can Emerson be correct that human beings have such an innate attachment to human rights that they protect those rights instinctively? At the risk of being heretical, the answer to both questions is “no.” It is not enough and this cannot be the end of the discussion. The narrative proposed by Emerson and Habermas does not explain why, if the self-referential process works so well, so many initially democratic systems fail and fail miserably. We have already noted that Emerson would have seen the bankruptcy of his system had he looked at the French Revolution. Habermas would see the same thing if he were to look at the Weimar Republic or Stalin’s Soviet Union. In all of these cases, the self-referential state defended by Habermas and Emerson failed.⁴⁹ Why does this happen? Why do promising societies degenerate into Revolutionary France or Nazi Germany? Why, if Emerson is correct about the instinctive human attachment to rationality and rights, are we still forced to deal with acts of terrorism, piracy, slavery, ethnic cleansing, and genocide?

Emerson and Habermas: The Zizek/Ratzinger Solution

It is not simply that Emerson’s system of self-trust and Habermas’s self-referential collective produce moral networks that are “not-quite-as-good-as” the one provided by Divine Authority. If that were the case, then this paper would have done nothing more than deliver a bit of bad news. The situation is much worse than this. The system that Emerson and Habermas suggest is not just a little disappointing; it is dangerously evil. The real puzzle is why Emerson and Habermas fall into this trap, when they really ought to know better. Emerson should especially know better. This point is

⁴⁷ Ess, 244.

⁴⁸ Ibid.

⁴⁹ Moreover, these are only two examples extracted from history. There are many others that demonstrate that political systems that attempt to create their own self-referential legal systems without resorting to an outside authority frequently fail. To name a few of these we can look at the transformation of the Roman Republic into the Roman Empire; the alteration of the Russian Revolution into the dictatorship of Stalin; the modification of the Chinese Revolution into the autocratic People’s Republic of China; the change in the Cuban revolution from a popular uprising to the dictatorship of Fidel Castro, and so on.

made abundantly clear in his essay, “Transcendentalism.”⁵⁰ In that essay, Emerson, reveals the flaws in his own system of self-trust:

In action he (the Transcendentalist) easily incurs the charge of antinomianism by his avowal that he, who has the Law-giver, may with safety not only neglect, but even contravene every written commandment...Jacobi, the Transcendental moralist...refusing all measure of right and wrong except the determinations of the private spirit, remarks that there is no crime but has sometimes been a virtue. “I,” he says, “am that atheist, that godless person who, in opposition to an imaginary doctrine of calculation, would lie as the dying Desdemona lied; would lie and deceive, as Pylades when he impersonated Orestes; would assassinate like Timoleon; would perjure myself like Epaminondas and John de Witt; I would resolve on suicide like Cato; I would commit sacrilege with David; yea, and pluck ears of corn on the Sabbath, for no other reason than that I was fainting for lack of food. For I have assurance in myself that in pardoning these faults according to the letter, man exerts the sovereign right which the majesty of his being confers on him; he sets the seal of his divine nature to the grace he accords.”⁵¹

In truth Emerson’s system misses the mark, as does the system proposed by Habermas, not just because they remove the Divine guarantor (although, as Ware points out, that is bad enough). They also miss the mark because, in place of the Divine guarantor, they endorse a system of human rights that looks morally correct on the surface, but that actually encourages the worst kind of immoral conduct imaginable and because by eliminating the Divine guarantor they lose all ability to deal with “real evil.” Curiously, not one of Emerson’s contemporaries saw this, not even the vaunted Andrews Norton. Habermas is not quite as lucky. He is explicitly attacked at least once by Joseph Ratzinger,⁵² and implicitly several times by Slavoj Zizek. Ratzinger, for example, pinpoints an essential contradiction within the Habermasian system, while Zizek, discovers a second and third Habermasian error, albeit indirectly. Part of the reason that Zizek’s critique of Habermas seems unduly veiled is that the Habermasian response to evil has always been ambiguous. Habermas is obsessed with the notion that human morality must always be self-referential because it always involves free will, a power that is, in essence, an exercise in self-reference (Emerson would say self-trust). Moreover, Habermas also believes that human actors (Habermas calls them “dogmatists”) who depend on an outside authoritarian figure to give meaning to their moral decisions forfeit their autonomy and, thus, by definition surrender their freedom which, according to Habermas robs them of their essential

⁵⁰ Ralph Waldo Emerson, “The Transcendentalist,” in *Emerson on Transcendentalism*, ed. Edward L. Ericson, (New York: Continuum, 2003), 95-96.

⁵¹ Ibid.

⁵² Pope Benedict XVI.

humanity.⁵³ Yet, at the same time, Habermas knows that removing the Divine element from morality comes with a high price.⁵⁴ The complaint lodged against Habermas then is *not* his inability to see the price *but* his willingness to pay it. Zizek’s concern with any system that eliminates the Divinity is not with the loss of objective authority, but with its replacement. This concern is seen in two complaints that he lodges against any self-referential system. The first complaint deals with the inability of humans to create a system of rights on their own. The second is concerned with the inability of a self-referential system to deal with “real evil.”⁵⁵ In between these two Zizekian complaints lies a third, a complaint lodged by Ratzinger, who objects to the Habermasian (and by implication Emersonian) decision to ignore the tyranny of the majority.

In his book *The Fragile Absolute*, Zizek presents his first complaint about any moral system (and this would include both the Habermasian and the Emersonian systems) that denies or ignores Divine authority. He lodges this complaint by launching an indirect attack. Rather than defend the Divine authoritarian system, he examines the consequences that result when people rely on their own self-referential systems to create or identify human rights, something which sits squarely within both the Habermasian and the Emersonian systems. Zizek observes that, whenever people replace the Divine authority of the Judeo-Christian tradition with human made rights, they do little more than create a list of excuses justifying their own selfish and egocentric conduct.⁵⁶ Although Zizek does not name any of the many documents that attempt to create or, at least, enumerate such rights, it is not difficult to imagine that documents such as the United Nations Declaration of Universal Human Rights, the International Covenant of Civil and Political Rights, the Declaration of the Rights of Man and Citizen and the American Bill of Rights, would qualify.⁵⁷ Most of these documents, the ones with impressive names emphasizing universal human rights, actually tell people how to escape the prohibitions placed upon them by the absolute law of the Ten Commandments.⁵⁸

For example, Zizek argues, quite convincingly, that privacy rights, which are often placed in such agreements, are simply a way for people to guarantee that their shameful behavior will remain

⁵³ Jurgen Habermas, *Knowledge and Human Interests*, trans., Jeremy J. Shapiro (Boston: Beacon Press, 1968), 208-209.

⁵⁴ Slavoj Zizek, *The Parallax View* (Cambridge: The MIT Press, 2009), 185.

⁵⁵ *Ibid.*, 182-185.

⁵⁶ Slavoj Zizek, *The Fragile Absolute or Why is the Christian Legacy Worth Fighting For?* (London: Verso, 2000), 101-102.

⁵⁷ For a history of the development of human rights see: Michael Joseph Smith, “Strengthen the United Nations and International Efforts for Cooperation and Human Rights,” in *Just Peacemaking: The New Paradigm for the Ethics of War and Peace*, ed. Glen Stassen (Cleveland: The Pilgrim Press, n.d.), 166-176; and Lynn Hunt, *The French Revolution and Human Rights: A Brief History* (Boston: Bedford/St. Martins, 1996).

⁵⁸ *Ibid.*, 101-102. As noted above, Zizek does not refer to these documents explicitly. Instead, he cites an article entitled “The Subject of Religion: Lucan and the Ten Commandments” by Julia Reinhard Lupton and Kenneth Reinhard as the source of his arguments here.

secret. People call for privacy when they have something that they want to keep hidden from the world. Likewise, free speech, which is numbered among the most important human rights, is actually a license to say or write things that are false or dangerous or that pose a threat to the established order. Similarly, the right to possess firearms grants people permission to kill, while the right to enjoy private property gives property owners the power to steal, exploit, pollute, and eventually destroy that property. Finally, the right to worship grants people permission to indulge in the excesses of any religious cult, sect, or gang regardless of the unhealthy doctrines they might preach or the dangerous behavior that they might encourage.⁵⁹

This disclosure, however, comes as no shock to Zizek. On the contrary, he sees this as fallout from the dangers that are inherent within the myth of the self-referential system. A system based on self-trust alone, he claims, will, by design, converge on the self. Moreover, any system that depends on elevating the self, by focusing on its alleged Divine nature, for instance, will produce a legal system that protects the “self” at the expense of that which is “non-self.”⁶⁰ How could it be otherwise? In contrast, Zizek asserts, the Judeo-Christian tradition is founded on faith in an absolute God who enforces morality from a point that is external to the system, and who, thus, directs people to submerge the self and to focus, instead, on respecting others. Zizek is adamant about this position, insisting that any successful system must be governed by a rule giver who sees goals and objectives that exist beyond the system.⁶¹ (Joseph Ratzinger says essentially the same thing in his book, *Truth and Tolerance: Christian Belief and World Religions*.⁶²) Otherwise the system does nothing more than protect the individual “selves” who profit from establishing and governing the system on their own behalf. The self, he implies, always protects the self as a matter of basic human instinct.⁶³

⁵⁹ Ibid. Of course, Zizek is careful to point out that these statements of rights never expressly promote a willful, premeditated violation of absolute Judeo-Christian law (read the Ten Commandments here). However, these statements of human rights invariably provide the loopholes that permit, even encourage, a wide variety of creative violations of the Decalogue without actually approving of them. This is, however, the essence of a relativistic system.

⁶⁰ Ibid., 99-100. Zizek identifies the current manifestation of this system in a number of different easy including, “New Age Gnosticism,” “neopaganism,” and “New Age neopaganism.”

⁶¹ Ibid., 100.

⁶² Joseph Ratzinger, “The Truth of Christianity?” in *Truth and Tolerance: Christian Belief and World Religions*, trans. Henry Taylor (San Francisco: Ignatius Press, 2003), 140-141.

⁶³ Zizek, *The Fragile Absolute*, 100-101. The Declaration of the Rights of Man and Citizen which was penned during the French Revolution offers the most vivid example of this self-referential selfishness and its destructive subtext of instinctive self-preservation. The Declaration claims to protect the right of free expression. However, when Olympe de Gournay (the pen name of a woman writer named Marie Gouze) pointed out that the Declaration did not mention nor seem to apply to women and when she wrote her own Declaration of the Rights of Woman and the Female Citizen, she was rewarded for her trouble by being guillotined in November of 1793. Donald Kagan, Steven Ozment, and Frank M. Turner, *The Western Heritage* (Upper Saddle River, NJ: Prentice Hall, 2001), 638 and 655; See also: Hunt, 27, 124, and 139.

Zizek, seems to believe that, without an uncompromising, absolute moral standard, such as that provided by Divine law, human beings have no reason to be honest, courteous, or benevolent, let alone, fair and impartial.⁶⁴ Any system that abandons the uncompromising rules of Divine authority faces an inevitable descent into subjectivity. Zizek addresses the true nature of this Habermasian error in his work, *The Parallax View*, when he pinpoints the fundamental flaw in Habermas's solution to the ethical problems associated with science, in general, and biogenetics, in particular.⁶⁵ Habermas, Zizek argues, would like to forge a compromise between the inevitability of scientific research and the ethical difficulties that emerge from that research. Scientific research should proceed, Habermas says, but it should be regulated by new set of ethical rules, rules that will assume the shape of a "state philosophy" that will allow scientific research to move forward but will, at the same time, protect the existing "theologico-ethical" environment.⁶⁶ What Habermas is demanding here, Zizek argues, is a system that empowers his imaginary state philosophy to control biogenetics (or any other "dangerous" scientific pursuit, for that matter) by instituting rules that somehow prevent such scientific pursuits from infringing upon any intellectual territory that ought to be controlled by religion and ethics. To put it simply, Habermas wants a state philosophy that does what religion does, without any reference to Divine authority. Presumably, although Zizek does not address this issue directly, the state philosophy imagined by Habermas would emerge from the collective discourse that Habermas believes controls all self-referential systems.⁶⁷ None of this would be necessary of course, were Habermas simply to defer to the outside authority of the Divine law-maker. There would be no need for the new ethics of a Habermasian state philosophy if he would pay heed to the already existing morality of the Divine.⁶⁸

To understand why this happens we must turn to Ratzinger's complaint about the Habermasian tendency to ignore the tyranny of the majority. In his essay, "That Which Holds the World Together: The Pre-Political Moral Foundations of a Free State," Ratzinger notes that, contrary to protests from Habermas (and, by implication, from Emerson) a self-referential political system

⁶⁴ Zizek, *The Fragile Absolute*, 100.

⁶⁵ Zizek, *The Parallax View*, 179-180.

⁶⁶ *Ibid.*, 180.

⁶⁷ *Ibid.*

⁶⁸ Ironically, adopting the morality of the Divine rule giver may still lead to the same results as the state philosophy of Habermas. In his book, *The Case Against Perfection: Ethics in the Age of Genetic Engineering*, Michael Sandel comes to a conclusion not unlike that of Habermas. The difference is that Sandel does not need a new ethical "state philosophy" to demonstrate the validity of his position. Using traditional absolute moral values, Sandel concludes that many instances of human genetic engineering will violate the Judeo-Christian values of responsibility, humility, and solidarity. See: Michael Sandel, "Mastery and Gift," *The Case Against Perfection: Ethics in the Age of Genetic Engineering* (Cambridge: Harvard University Press, 2007). 85-92

tends to produce a morality of the majority.⁶⁹ Certainly, Emerson and Habermas prefer that it were otherwise. They would like to imagine that, left to their own devices; human beings in a self-referential system will be fair, honest, kind, and benevolent. The French Revolution, Nazi Germany, and Stalin's Soviet Union say otherwise. Simply stated, any self-referential system leads to rules that have no justification beyond the will of the majority. The members of the majority can establish laws that are oppressive and unjust to members of the minority. The fact that these laws represent the will of the majority does not make them ethical.⁷⁰ This is what makes the Divine law giver essential.⁷¹ Without absolute Divine morality, there is no way to determine if the majority has broken the rules. The majority says what the rules are and, therefore, the majority says when the rules have been broken. The members of the majority never admit to this, of course, because they also control how their system is presented to and judged by the people. As should be evident, all self-referential systems, by definition and inclination, lead to either open tyranny, or worse, rule by hypocrisy.⁷²

Emerson and Habermas: Dealing with Real Evil

⁶⁹ Ratzinger, "That Which Holds the World Together," 59-60.

⁷⁰ Ibid., 60.

⁷¹ Ibid., 71-72. Ratzinger's explanation here is a bit disappointing. He actually states that the origin of absolute moral law is found in "natural law," which he later admits is established by "the Creator." He can be forgiven because he is attempting to write a tract that will appeal to a wide variety of faiths. This is probably why he adds that the concept of absolute moral laws can also be found in the Indian world within the concept of "dharma" and in the Chinese world within the "idea of the structures of heaven" and so on. If you want to read a more definitive explanation basing such morality on "responsibility before God" see "The Truth of Christianity?" in *Truth and Tolerance: Christian Belief and World Religions*, 140, note 63 above. For an explanation basing morality on the value of human personality, a value made possible only through Divine Revelation and the Incarnation, see Romano Guardini, *The End of the Modern World*, 114-124, note 46 above.

⁷² Again, the most vivid example of this self-referential, selfishness is the French Revolution and The Declaration of the Rights of Man and Citizen. As part of the reform system the French Republic's National Convention engineered and carried out a De-Christianization Campaign. Under this campaign, Notre Dame Cathedral was renamed the Temple of Reason, the calendar was revised to eliminate the Christian-based year, churches were closed down, and Catholic priests were compelled to get married. Some of the achievements of this de-Christianized nation were the Reign of Terror, the execution of Louis XVI, the execution of Marie Antoinette, the September Massacres of 1,200 people in 1792, the execution of Marie Gouze, and, of course, the execution of Robespierre, one of the architects of the Revolution itself. The total number of victims of the French Revolution was approximately 25,000 people. All of this was, of course, followed by the Reign of the Emperor Napoleon and a decade and a half of war throughout all of Europe. Kagan, Ozment, and Turner, 647-663.

Zizek's final complaint about the Habermasian--Emersonian self-referential system is that any such system can never stand up to real evil.⁷³ Real evil, which Zizek refers to as *shoah*, includes those actions that are so horrendous (the Holocaust, for example) that they represent a *prima facie* case demonstrating that God does not exist. The presence of *shoah*, Zizek argues, creates a problem for those organized religions, including Christianity and Judaism, which assume that God is an all-powerful and merciful Being.⁷⁴ How are we to reconcile the existence of a good and loving God with multiple instances of *shoah*. Zizek raises three sets explanations for this problem, rejects the first two, and then settles on the third. The first set of explanations is offered by those theologians who insist on maintaining a firm belief in an omniscient God. These theologians explain the contradiction by offering a legalistic justification, a hardship justification, and a justification predicated upon divine incomprehensibility. The legalistic justification says that *shoah* is permitted as Divine retribution for transgressions that happened at an earlier period in time. The hardship justification characterizes *shoah* as a way for the Divine arbitrator to judge the faithfulness of human beings. (Zizek connects this justification to the story of Job.) The justification based on the incomprehensibility of God argues that *shoah* can never be explained because human beings, with their limited capacity for understanding God, will never make any sense out of Divine motivations, so there is no point in trying.⁷⁵

These justifications do not satisfy Zizek, who then turns to the second set of explanations those which recognize that God's omnipotence may be restricted. This explanation consists of three levels of justification: a justification based on intrinsic Divine limits, a justification based on self-imposed Divine limits, and a justification based on Divine dualism. The justification based on an innate limit on God's power argues that God does not interfere in cases of *shoah* because God cannot interfere in such cases. Most Western theologians reject this justification because it eliminates Divine omnipotence, and, by implication, the Western concept of God as the source of all power in the universe. The second justification is more palatable because it proposes that God does not interfere in *shoah* because He has chosen not to interfere, since such interference would violate human free will. Most Christian theologians settle on this explanation because it manages to balance Divine free will with human free will. The final justification, the justification based on Divine dualism, imagines the universe as a gigantic war between the forces of good and evil. This image of the universe God is rejected by most Western theologians because the Judeo-Christian tradition cannot admit to the possibility of Divine defeat.⁷⁶

⁷³ Zizek, *The Parallax View*, 182-186.

⁷⁴ *Ibid.*, 182-183.

⁷⁵ *Ibid.*, 183.

⁷⁶ *Ibid.*

None of this persuades Žizek, who moves on to the third and most acceptable of the three explanations. This final explanation, which, unlike the other two, is not a set at all but is, instead, singular in nature, is based on what Žizek refers to as the suffering God. In this explanation, Žizek portrays God as a Divinity who experiences an empathetic attachment to human beings and who suffers along with them. Moreover, it is this suffering and this involvement in human history that gives meaning to human existence, and not coincidentally, meaning to Divine existence.⁷⁷ As strange as it may seem, the existence of *shoah* does not disprove the existence of God; on the contrary, it actually proves that God exists. Moreover, and more to the point here, *shoah* also demonstrates that the self-referential systems imagined by Emerson and Habermas will always be insufficient. These systems may explain the existence of evil, but they will never permit us to handle such evil, nor to move forward in the face of such evil, nor to see continuity and purpose in human existence despite such evil. Unwittingly, by removing a personal suffering God from the universe, Habermas and Emerson have also removed the possibility of human redemption.⁷⁸ Žizek says it this way:

Back to the topic of *shoah*: this brings us to the third position above and beyond the first two (the sovereign God, the finite God), that of a *suffering God*: not a triumphalist God who always wins in the end, although “his ways are mysterious,” since he secretly pulls all the strings; not a God who dispenses cold justice, since he is by definition always right; but a God who—like the suffering Christ on the cross—is agonized, assumes the burden of suffering, in solidarity with human misery. It was Schelling who wrote: “God is life, not merely a being. But all life has a fate and is subject to suffering and becoming...*Without the concept of a humanly suffering God...all of history remains incomprehensible*” Why? Because God’s suffering implies that he is involved in history, affected by it, not just a transcendent Master pulling the strings from above: God’s suffering means that human history is not just a theater of shadows but the place of real struggle, the struggle in which the Absolute itself is involved, and its fate is decided. This is the philosophical background of Dietrich Bonhoeffer’s profound insight that, after *shoah*, “only a suffering God can help us now”—a proper supplement to Heidegger’s “Only a God can still save us!” from his last interview. We should be therefore take the statement “the unspeakable suffering of the six million is also the voice of the suffering God” quite literally: the very excess of this suffering over any “normal” human measure makes it divine.⁷⁹

Thus, meaning in human life comes with a belief in the absolute God not despite *shoah* but because of it. Earlier in *The Parallax View* Žizek describes this type of proof as a *negatively determined concept*, that is, a belief that is inspired by an individual’s inability to accept a counter-truth. The problem that

⁷⁷ Ibid., 184.

⁷⁸ Ibid., 185.

⁷⁹ Ibid., 184

is caused by Emerson and Habermas's rejection of a personal God who imposes rules from outside the self-referential systems is that there is nothing whatever to take its place.⁸⁰

This brings us full circle back to the original proposition offered by Emerson and adopted by Habermas, that is, their insistence that the Divine dimension is a detached supernatural force that envelopes all existence and in which all humans participate as discrete elements within that Divine dimension and their denial of the Incarnation as a unique event involving a personal deity. Without a personal incarnated deity to share in the reality of the human condition, human history can have no meaning. Žižek slices right to the heart of the matter when he declares that the suffering of an individual divinity in the person of Christ, clearly demonstrates that God is immersed within human history. Moreover, this personal God is deeply concerned with that history, not as an aloof and disinterested despot, but as a participant who suffers along with His people. The fact God suffers along with the human race, signifies that the history of humanity is neither happenstance nor theatricality, but is instead, "the place of real struggle, the struggle in which the Absolute itself is involved, and its fate is decided."⁸¹ This is what Emerson and Habermas miss and it is what dooms their theology from the very beginning.

Conclusion: With God Dead, Anything Is Permissible

This problem is more than a mere annoyance. It goes to the very heart of the self-referential system created by Emerson and Habermas and demonstrates why such systems do not work. Emerson knows all of this, which is what makes his transgression all the more troublesome. In "Politics," Emerson states that the human race requires a government built on force of arms in order to maintain order and stability. He knows that people need an outside guarantor to give the law significance. He says this in "Politics" when he writes:

We live in a very low state of the world, and pay unwilling tribute to governments founded on force. There is not, among the most religious and instructed men of the most religious and civil nations, a reliance on the moral sentiment and a sufficient belief in the unity of things, to persuade them that society can be maintained without artificial restraints, as well as the solar system; or that the private citizen might be reasonable and a good neighbor, without the hint of a jail or a confiscation.⁸²

Despite all of this, Emerson is still willing, no, eager to eliminate the personal authority of an Absolute God, based on the naive hope that somehow, by their own devices, humans will evolve into

⁸⁰ Ibid., 80.

⁸¹ Ibid., 184.

⁸² Emerson, "Politics," 265.

creatures who can base a social system on “love.”⁸³ In “Politics” he argues that this future self-referential system will be “a purely moral force.”⁸⁴ Such a government will be actualized only when humans reach a plane of existence in which they are all “pure enough to abjure the code of force (and wise enough to see that how these public ends . . . can be answered.”⁸⁵ He describes this Omega Point as a moment in the future when “thousands of human beings might exercise towards each other the grandest and simplest sentiments, as well as a knot of friends, or a pair of lovers.”⁸⁶ All of this is to be accomplished even though, or perhaps because, human beings have renounced or ignored the one thing that can guarantee its existence, Divine moral authority. As we have seen repeatedly, this simply makes no sense.

References

- Bickel, Bruce, and Stan Jantz. *World Religions and Cults 101*. Eugene, OR: Harvest House Publishers, 2002.
- Emerson, Ralph Waldo. *Emerson on Transcendentalism*. Edited by Edward L. Ericson. New York: Continuum, 2003.
- . *Journals*, III, 390 (1834). *Emerson Handbook*. Edited by Frederic Ives Carpenter. New York: Hendricks House, 1953.
- . *Ralph Waldo Emerson: Selected Essays, Lectures, and Poems*. Edited by Robert D. Richardson, Jr. New York: Bantam Books, 2007.
- Ess, Charles. “The Political Computer: Hypertext, Democracy, and Habermas.” In *Hypertext Theory* Edited by George P. Landow. Baltimore and London: The Johns Hopkins University Press, 1994. 239-246.
- Guardini, Romano. *The End of the Modern World: A Search for Orientation*. Translated by Joseph Theman and Herbert Burke. New York: Sheed and Ward, 1956.
- Gura, Philip F. *American Transcendentalism: A History*. New York: Hill and Wang, 2007.
- Habermas, Jurgen. *Knowledge and Human Interests*. Translated by Jeremy J. Shapiro. Boston: Beacon Press, 1968.
- . “Pre-political Foundations of the Democratic Constitutional State?” In *The Dialectics of Secularization*. Edited by Florian Schuller. Translated by Brian McNeil. San Francisco: Ignatius Press, 2006. 19-52.
- . “The Rational Structure of the Linguistification of the Sacred.” In *The Theory of Communicative Action: Volume 2: Lifeworld and System: A Critique of Functionalist Reason*, Translated by Thomas McCarthy. Boston: Beacon Press, 1981. 99-105.
- Hunt, Lynn. *The French Revolution and Human Rights: A Brief History*. Boston: Bedford/St. Martins, 1996.
- Kagan, Donald, Steven Ozment, and Frank M. Turner. *The Western Heritage*. Upper Saddle River, NJ: Prentice Hall, 2001.
- Martin, Terry. “Ralph Waldo Emerson and the Paradox of Self-Reliance.” Seminar, Lakeside, Ohio, August 20, 2009.
- Norton, Andrews. “A Discourse on the Latest Form of Infidelity.” Cambridge: John Owen, 1839. In *American Transcendentalism: A History*. By Philip Gura. Cambridge: John Owen, 1839, New York: Hill and Wang, 2007.
- Ratzinger, Joseph. “That Which Holds the World Together: The Pre-political Moral Foundations of a Free State.” In *The Dialectics of Secularization: On Reason and Religion*. Edited by Florian Schuller. San Francisco: Ignatius Press, 2006, 53-80.
- . “The Truth of Christianity?” In *Truth and Tolerance: Christian Belief and World Religions*. Translated by Henry Taylor, San Francisco: Ignatius Press, 2003, 138-209.

⁸³ Ibid., 264-265

⁸⁴ Ibid., 264.

⁸⁵ Ibid., 265.

⁸⁶ Ibid., 266.

Forum on Public Policy

- Richardson, Robert D. *Emerson: The Mind on Fire*. Berkeley: University of California Press, 1995.
- Sandel, Michael. *The Case Against Perfection: Ethics in the Age of Genetic Engineering*. Cambridge: Harvard University Press, 2007.
- Smith, Michael Joseph., "Strengthen the United Nations and International Efforts for Cooperation and Human Rights." In *Just Peacemaking: The New Paradigm for the Ethics of War and Peace*. Edited by Glen Stassen. Cleveland: The Pilgrim Press, n.d., 166-176.
- Ware, Henry "The Personality of the Deity," *The American Unitarian Conference* (2005): 6-7. <http://www.americanunitarian.org/warepersonality.htm> (accessed May 6, 2009).
- Zizek, Slavoj. *The Fragile Absolute or Why Is the Christian Legacy Worth Fighting For?* London: Verso, 2000.
- , *The Parallax View*. Cambridge: The MIT Press, 2009.

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