

"Two Pragmatic Moral Universes:

James vs. Dewey and Rorty"

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The American philosophical movement known as "Pragmatism" has a reputation for being thoroughly relativistic, morally and otherwise--for trying to get past "essentialism" and "foundationalism" and accept that no higher standards for thinking and living are available beyond the ever-evolving standards of society. The reputation in the case of most Pragmatist thinkers is well deserved. The greatest of the post-Jamesian Pragmatists, John Dewey, made the basis of moral truth to be the shifting "matrix of human relations."¹ [1] The relativistic impulse reached a fever pitch with the most prominent recent Pragmatist thinker, Richard Rorty, who went so far as to make the cultural relativism implicit in Dewey's thought the foundation and criterion of legitimate thought and discussion. With Rorty, relativism becomes the very basis of communal solidarity, as we learn to understand and accept personal and cultural differences and their historical contingency, and to drive all questions and claims about ultimate reality underground into the private sphere so as to reduce conflict over irreconcilable meta-beliefs.² [2] Refusal to accept relativistic presuppositions becomes grounds for social ostracism and suppression. Ironically, relativism ends in extreme intolerance and suppresses free discussion outside approved topics, and that means suppressing discussion of the most important things in particular. This Rortyan stance is, unfortunately, the rule rather than the exception today in many of our colleges

1 [1] Dewey, *A Common Faith* (CF), 70.

2 [2] Rorty, *Contingency, Irony, and Solidarity* (CIS), xiv, 198.

and universities, where the tyranny of political correctness continues to wreak its revenge on the old Western principles and values.³ [3]

What I want to suggest here is that Pragmatism didn't have to go that way, that, in fact, there was at the beginning a radically different alternative. I want to make a claim that on first blush many--Pragmatists and anti-Pragmatists alike--will think preposterous, even outrageous, but one I think I can justify: that the moral philosophy of at least one of the founders of Pragmatism, William James, is perfectly compatible with natural law theory, and indeed that a good injection of Jamesian Pragmatism would help natural law theory live up to its full potential (something it is not doing today). A close examination of James's moral writings shows that he was not, and did not want to be, a moral relativist in the usual meaning of the term. There is, in fact, a great chasm between James's moral vision, on the one hand, and Dewey's and Rorty's, on the other, such a great gap that he inhabited, philosophically, a totally different moral universe than they did.

The root of the difference is their respective treatments of religious experience and, by extension, of metaphysics.⁴ [4] Dewey, in his *Common Faith*, accepts that there are experiences that can usefully be classed as "religious"--those involving a unification of self through harmonious connection with the larger universe--but he denies that such experiences are qualitatively different from "aesthetic, scientific, moral, political" experience (CF 10). Specifically, he rejects the traditional core of religious faith, the belief in a "supernatural" or

³ [3] A classic analysis of the phenomenon is Dinesh D'souza's *Illiberal Education*, which remains as relevant today as it was in the 1990s when it was published.

⁴ [4] The following comparison of James and Dewey tracks the analysis presented in the introduction to Segrest, *America and the Political Philosophy of Common Sense*.

transcendent divine being. He says the old "views about the origin and constitution of the world and man about the course of human history and personages and incidents in that history" traditionally identified with religion have become "onerous and even impossible for large numbers of cultivated men and women," and therefore should be left aside (CF 30, 86). Rorty, with his usual bluntness, cuts to the chase: it's time we started "doing without God."⁵ [5] Religion is more a source of discord than harmony, it separates rather than unites humanity, and so the world it has made is a "world well lost."⁶ [6]

James's approach to religion is radically different. He took seriously religionists' own interpretations of their experiences, refusing to privilege the judgments of secular "scientific" elites, believing those actually having the experiences better positioned to make adequate interpretations than outsiders. He took this to be the truly empirical approach to the problem, and his own experiences, which he admitted only amounted to an "echo" of those he studied [[cite]], suggested that something like the traditional interpretation was the right one. In his essay "Reflex Action and Theism," he rejects radical monism, gnosticism, and agnosticism in favor of "old-fashioned" theism, finding the former alternatives false to the facts of experience. "Between agnosticism and gnosticism," he says, "theism stands midway, and holds to what is true in each. With agnosticism, it goes so far as to confess that we cannot know how Being made itself or us. With gnosticism, it goes so far as to insist that we can know Being's character when made, and

⁵ [5] Rorty, *Consequences of Pragmatism* (CoP), xliii.

⁶ [6] This is the title of his first chapter in CoP. All the essentials of Rorty's philosophy are contained in that book. On the claim that religion brings discord, Jesus, for one, did not entirely disagree; see Matt. 10:34-42.

how it asks us to behave."⁷ [7] The essence of genuine religion, James concludes, is responsiveness to this higher Being,⁸ [8] which is felt in experience to be Other, intimately related to us but not-us (WB 106).

A critical piece of corroborating evidence, he thinks, is the experience of conscience, which, unlike the profounder, transformational religious events, is something everyone knows first-hand. In the *Principles of Psychology* James describes the moral sense as most essentially a sense of an "ideal spectator" or "higher judging companion," whose expectations we are pained or ashamed to disappoint. "It is probable," he admits, "that individuals differ a good deal in the degree in which they are haunted by [this feeling], but I am sure that even those who say they are altogether without it deceive themselves, and really have it in some degree."⁹ [9] To live morally, James says, is to listen to the "still small voice" of this divine person and hold to its demands against all competing claimants (PoP 1154, 1167).

Rorty's rejection of this understanding is direct and explicit: We need to start seeing morality as a matter of listening not to "the voice of the divine part of ourselves" but to "the voice of ourselves as members of a community, speakers of a common language" (CIS 59). This amounts to replacing traditional theism with a religion of humanity. Rorty is explicit about this, too, as is Dewey. Dewey wants to cultivate a "devotion, so intense as to be religious, to intelligence as a force of social action" (CF 79) and see it become "the common faith of mankind" (CF 87).

⁷ [7] James, *The Will to Believe and Other Essays* (WB), 111.

⁸ [8] James, *The Varieties of Religious Experience* (VRE), 36.

⁹ [9] James, *Principles of Psychology* (PoP), 301.

Rorty wants to "transfer to the human future the sense of awe and mystery which the Greeks attached to the non-human" and jettison the old religious idea of conscience for a new one of sensitivity and devotion to communal desires; his would be a religion of "social hope."¹⁰ [10] James, for his part, finds the religion of humanity totally inadequate to human needs and aspirations. The religion of humanity "lacks," he says, "the note of infinitude and mystery, and may all be dealt with in the don't-care mood"❖No need of agonizing ourselves or making others agonize for these ["men of the future"] just at present❖ When, however, we believe that a God is there, and that he is one of the claimants, the infinite perspective opens out❖The more imperative ideals now begin to speak with an altogether new objectivity and significance, and to utter the penetrating, shattering, tragically challenging note of appeal" (WB 160). The consequence of this faith experience is that our "moral energy" is vastly expanded (ibid.), and we are inspired to go many more extra miles serving our neighbors and mankind than a million Rortyan ironists. The therapeutic culture Rorty promotes is inherently and deliberately easy-going; the mood there is not "we should do something about this" but "chill out, dude."¹¹ [11]

James's suggestion that faith in the classic sense opens us up to "the more imperative ideals" that "speak with an altogether new objectivity and significance" brings us directly to my thesis. My radical claim was that James's moral philosophy has a great affinity to the natural law understanding. The most important support for the claim is his endorsement of the idea of an "eternal moral order," which he thought at least potentially knowable through religious experience

¹⁰ [10] Rorty, *Philosophy and Social Hope* (PSH), 52.

¹¹ [11] James contrasts the "strenuous" and "easy-going" moral moods in WB 161.

and conscience. In his most penetrating comment on morality, "The Moral Philosopher and the Moral Life", James presents as his "final conclusion" concerning ethics that

◆the stable and systematic moral universe for which the ethical philosopher asks is fully possible only in a world where there is a divine thinker with all-enveloping demands. If such a thinker existed, his way of subordinating the demands to one another would be the finally valid casuistic scale; his claims would be the most appealing; his ideal universe would be the most inclusive realizable whole. If he now exist, then actualized in his thought already must be that ethical philosophy which we seek as the pattern which our own must evermore approach. (WB 161)¹²
[12]

We can know these demands empirically and objectively through the "penetrating, shattering, tragically challenging" appeals James just spoke of and through the moral sense of higher demands laid on us. They reveal objective, permanent concrete moral relations, and these are the basis, James avers, of any adequate ethical philosophy. Our immediate moral relations are constantly shifting, to be sure, but their variability with the circumstances takes place within a larger structure of relations permanent in principle. There you have the basic ingredients of natural right, and in understanding divine demands to obtain, of natural law.

The sense of an "eternal order" constituted by the permanent hierarchy of God's desires (as glimpsed through conscience and religious experience) makes a usable, comprehensive metaphysics possible--provides a concrete basis for metaphysics and, by making the higher ideals

12 [12] Compare James's language here to Plato's in Book VII, 540a, of the *Republic* when Socrates' speaks of the philosopher-king's molding the city after the divine pattern discovered on the ascent to the Good.

a living reality to us (the ideals are experienced and not mere abstractions), makes metaphysics practical and not merely speculative. No metaphysics, no systematic theoretization of the structure and substance of reality, is possible without a sense of the larger meaning of existence, and only the experience of divine being can give this sense. The meaning, to James, is revealed in the divine desires, which are the substantial ground of existence, and the ordering of those desires gives us the larger order of nature.¹³ [13] More on this below. First to the metaphysical consequences of Dewey's and Rorty's religious stance. Their abandonment of God made their abandonment of metaphysics logically inevitable. They understood this, and their abandonment of metaphysics was as deliberate and frank as their rejection of theism. Dewey's comment about the onerousness of traditional faith to "cultivated men and women" came in the context of his suggestion that the question of existence--the "why question" Leibniz formulated in terms of Why is there something rather than nothing, and why is the something what it is and not something else?--is "insoluble" and therefore that troubling ourselves with it is at best a waste of time and at worst an obstacle to really useful activities.¹⁴ [14] This attitude is what Rorty loves most about Dewey and sees as the latter's most important contribution to modern thought. As Rorty puts it, we should choose Dewey over Heidegger: we should go beyond dropping the old metaphysical language and drop the concern with Being altogether for the sake of pursuing human solidarity and happiness, solidarity formed from mutual appreciation of difference and happiness defined as enjoying that solidarity in public and pursuing idiosyncratic personal desires in private. What we need, Rorty claims, is a radically "de-divinized" and "post-metaphysical" culture that has given up on the idea of an

¹³ [13] James's is a metaphysics of desire, essentially Augustinian in substance. See his "Moral Philosopher and the Moral Life," and my analysis of that essay in Segrest, Ch. 6.

¹⁴ [14] Dewey, *Moral Writings* (MW), 111.

absolute ground of self and community and concentrates on building his go-along-get-along society (CIS 45, xvi).

Rorty has a clearer sense of the implications than Dewey has, however. What this all means, says Rorty, is giving up on reality. He really says this. Precisely, it means giving up on philosophy that understands "truth as correspondence with reality" (CoP xv), which means effectively giving up on philosophy, too, as he acknowledges when he says we ultimately need a "post-philosophical" culture (CoP xxxviii). When James said in defending himself against critics of Pragmatism that "every living man would instantly define right thinking as thinking in correspondence with reality,"¹⁵ [15] he did not anticipate men like Rorty! Rorty gets even more specific. The specific philosophy that keeps bothering us with reality is "intuitive realism," represented by the likes of Aristotle and Thomas Reid. Dewey hinted at this, but Rorty takes things a step further and rejects common sense itself, which is precisely the intuitive grasp of reality. Dewey had suggested his was a philosophy of "cultivated common sense," taking common sense to be the sense of things that comes from primary experience (MW 12). But Dewey had not had the benefit, Rorty says, of the "linguistic turn" in philosophy, when serious thinkers frankly accepted that we are captive to the language of our communities and can never get under the terms of discourse to some deeper reality beneath (CoP xx-xxi, xxxvi-xxxviii and PSH 48). There is no pre-discursive knowledge, much less ineffable knowledge. Words have meaning only in relation to other words. It was a mistake before to think that the words might relate reliably to anything beyond.

¹⁵ [15] *William James, Writings 1878-1899*, 902.

Now this is all sheer nonsense, as you might have expected the abandonment of reality was. The fact that we know things pre-discursively is proved, if it needs proof (it doesn't), by the fact that people discover things for which no words are currently available. Every new scientific discovery is a case in point. That the word or words chosen are surely conditioned by the broader language and the need to select terms comprehensible to the community does not negate the fact that the discovery preceded the terms. And there is no proof needed, in any case, for pre-discursive knowledge beyond the things known because they have the evidence in themselves--they *are* the evidence. Such direct knowledge is what the classic philosophers and the American founders called "self-evident truth," the kind discovered not through any process of logic but only through intuition, direct conscious experience. James, too, held for direct knowledge of things, and he constantly stressed, as Aristotle did in a different way, that such direct knowledge was the foundation and test of all good reasoning.¹⁶ [16] In fact, on the single epistemological point that matters most for moral philosophy, the question of moral perception, James explicitly sided with the "Intuitionists" (most prominently, the Scottish realists): "Our ideals have certainly many sources. They are not all explicable as signifying corporeal pleasures to be gained, and pains to be escaped. And for having so constantly perceived this psychological fact, we must applaud the intuitionist school" (WB 144). We know moral qualities directly, James says; precisely, we know actually existing concrete moral relations, "directly felt fitnesses between things" (WB 143). The moral sense cannot be reduced to "prepossessions of habit and presumptions of utility" because we have real, objective knowledge that some things (namely, certain relations among sentient beings--WB 145-6) are right and others wrong *inherently*, and not merely by attribution. James is

¹⁶ [16] See my analysis of James's understanding of truth and knowing in Chapter 5 of Segrest, *America and the Political Philosophy of Common Sense*.

not a utilitarian; when he says the standard of truth is "what works" (P♦), he does not mean what is useful in the narrow, vulgar sense.¹⁷ [17] As he explains, "The feeling of the inward dignity of certain spiritual attitudes, as peace, serenity, simplicity, veracity; and of the essential vulgarity of others, as querulousness, anxiety, egoistic fussiness, etc.--are quite inexplicable except by an innate preference of a more ideal attitude for its own sake" (WB 143). Patently, we know hard realities. Truth (moral and otherwise) *is*, then, correspondence with reality, at least on some level.

But Rorty has given up on truth. His attitude no doubt seems bizarre to the uninitiated, but really it is nothing new. It is precisely the same as Gorgias's, who is reputed to have said, There is no reality; or if there is, it is unknowable; or if knowable, it is incommunicable. We are left with nothing to talk about except each other's feelings. Politically, we get the therapeutic culture. This is all very nice and comfortable, until someone realizes that satisfying *his* favorite desire will require him to push people around a little, and realizes further that these therapeutic types are very easy to push around.

I want to draw your attention now to the fact that Rorty came to this pass in the first place from the rejection of religious experience. That rejection, we noticed, was intimately connected with his abandonment of metaphysics, which led to his rejection of common sense and truth and finally reality itself. James, in contrast to Rorty, made common sense--the direct knowledge of reality--the foundation of his philosophy and thought reality-as-a-whole might be glimpsed, at least, through religious experience, the truth of which, when there is truth in it, is verifiable *by*

¹⁷ [17] What he means, precisely, is what works to get us in touch with reality.

common sense. James was quite explicit about this.¹⁸ [18] Loss of religious experience seems to end in a loss of confidence in reason, and specifically in our ability to know what's real.

The moral and political consequences of these differences between Dewey and Rorty on one side, and James on the other, are huge. The deepest consequence of the Dewey/Rorty position is a degrading of human dignity and a destruction of human ambition for excellence. Man as *the imago Dei*, the seeker of divine reality, and the locus of divine activity in the world is reduced to Nietzsche's Last Man, without spirit and thus without substance. You will not find the radical love of the saint in Dewey or Rorty's world. Nor are you likely to find great art or great statesmen or any greatness at all. The moral and political end-game is perhaps not obvious at first glance, but on reflection is predictable. There will, despite initial intentions, be eventually an abdication of responsibility as bad behavior is increasingly blamed on systemic factors, as if systemic corruptions did not originate with corrupt individuals. As Dewey put it, "A very considerable portion of what is regarded as the inherent selfishness of mankind is the product of an inequitable distribution of power." The fundamental human problem for Dewey is not corrupted will but "social conditions" adverse to human growth and the failure to coordinate social conditions with personal capacities (MW 192). He does not explain how the attempt at coordination could be made without dramatically increasing the power of the leading coordinators, who must effectively be the rulers of society whether in government or out of it, but perhaps that does not matter, as on his theory it's not the coordinators we need to worry about but the system they want to overhaul. In any case, getting rid of James's "higher judging companion" means we have no higher law to

¹⁸ [18] See Segrest, chapters 5 & 6.

condemn us, and without a higher law, the sense of personal culpability for social wrongs must be greatly weakened.

Self-reliance, that paramount republican virtue, must be greatly weakened, too, as the mass looks increasingly to those coordinators of social conditions to put things right. Outside of total war, generally speaking, the activity of rulers and of the ruled are inversely proportional: the more government does for the people, the less the people do for themselves. Social democracy--essentially what Dewey is calling for--tends not, as Dewey intended, to energize and mobilize the people but to make them slack and passive, until finally they want government to do everything while they do nothing. We can survey the empirical evidence in the nations of "Old Europe": they are not exactly bustling hives of popular creativity and service. When the people do take action, it's to make further demands of government. Of course, Tocqueville warned us this would happen, but apparently Dewey didn't read Tocqueville.

That French aristocrat also told us that the secret of American vitality was its blending of religion and freedom, religion enabling Americans to govern their own passions and thereby fitting them to govern themselves politically. Self-government--the essence of freedom worthy of the name--started with the individual, and specifically with the individual's sense of obligation to God. James clearly would have agreed. Moral energy and moral order proceed from religious conviction, though the religiously inspired need not be traditional types, categorizable according to prevailing labels or institutional groups. The "religious" impulse here may not be thought of as religious at all, may be for many only a vague sense of higher obligation and inspiration, but it is the root, James thought, of moral vitality and the deepest source of moral development.

The final fruit of Deweyan/Rortyan Pragmatism is the disappearance of the individual. The individual gets lost in the mass. This was not their intention, but it was the inevitable culmination of their presuppositions. What is there in their system to set a man apart, to make a person significant? The individual for them no longer has eternal value. Personal responsibility and ambition are undermined. Social activity in the end becomes a slush of good feeling in which no one's opinion is any better than anyone else's, and all move together in a slow, dissipating wave of mutual comfort-giving. This end-state is much clearer in Rorty's account, of course. Dewey, unlike Rorty, took intellectual, aesthetic, and moral qualities to be objectively discernible and rankable--he had not entirely lost the categories of better and worse--but he had abandoned the connection with higher reality without which genuinely superior intellectual, aesthetic, and moral judgments seem arbitrary, and when people begin to see these as merely arbitrary, they will begin to insist that their opinions, however objectively inferior, are just as good as anyone else's and will increasingly refuse to tolerate anyone who dares to suggest otherwise. By unrelenting social pressure, then, ambition even for truth is stifled and all the really important differences--of intellectual, spiritual, and moral capacity and achievement--are flattened out. Dewey's vision for a creative, vital social democracy ends in the Big Sleep. He believed the noblest sentiments could live on without the pressure and pull of a higher judgment and call, but this is the way things go when the energizing divine spark is gone, or else people, looking for a chance to make something of themselves, find energy in other, less wholesome ways.

In James's philosophy, on the other hand, meaningful individuality is preserved. The individual retains his eternal significance. Moral vitality and the full force of personal responsibility are kept alive. The ambition to be great as well as gentle is legitimized, and the heroic virtues are restored. In a real sense, the driving motive of his philosophizing was to save

individuality against the deterministic tendencies of modern science and the dehumanizing tendencies of the modern human sciences and to promote individual creativity in pursuing a greater good achievable, ultimately, only in cooperation with divine purposes.¹⁹ [19]

This value of the individual under God is really the foundation of natural right and natural law. This is what the Declaration of Independence indicated when, appealing to "the laws of nature and of nature's God," it claimed as "self-evident truths" that "all men are created equal and are endowed by their Creator with certain unalienable rights." James's endorsement of the fundamental principle (James really does bring us down to first principles) of the value of the individual under God and God's "eternal moral order" of ideals or ends is the absolute basis of my claiming him as a proto-natural law theorist. Dewey and Rorty and by extension the Pragmatists in general after James decisively rejected natural law, but James, quietly and probably unconsciously, prepared the ground for a restoration of natural law on an empirical, and not merely logical, basis by drawing our attention again to the experiences of conscience and higher appeal. These experiences are the empirical foundation of natural law. I say "restoration" because natural law theory as it stands today has largely lost sight of the empirics, and consequently is too abstract to inspire conviction in thinkers not already convinced. That is to say, today's natural law theorists do not adequately *ground* their perfectly valid and entirely true natural law abstractions. As a result, the abstractions seem arbitrary, and natural law theory can be dismissed as just one of the host of ideologies out there competing for our interested attention and endorsement.

¹⁹ [19] See James's essays "The Importance of Individuals," "Great Men and Their Environments," and "The Dilemma of Determinism" in WB.

But I myself have been talking too abstractly. Let's get down to a specific case that will bring the differences between Dewey/Rorty and James into sharper relief by showing pragmatically (as James insisted we must to get clear on the issues and the stakes and the truth of the matter in philosophical disputes) what difference their positions make in experience.²⁰ [20] The case I wish to consider is the modern problem of "human rights". To illustrate the problem I point to the fact that on the U. N. Human Rights Council, which was established in 2006, have sat, or shortly will, some of the world's worst human rights violators--China, Cuba, and Saudi Arabia, for instance. The United States withheld support for the Council's creation and has to date declined to be seated on the grounds that no provision was made to exclude such violators from participation. (It remains to be seen whether the Obama administration will continue the policy.) Now, either the world, including most Western nations, has no idea what human rights are, or they are extraordinarily willing to accommodate their violation. Perhaps it is a problem of both understanding and will, of a failure in part to see justice and injustice for what they are and in part to resist injustice when it appears. In any case, we find ourselves confronted with a grotesque situation where many of those most eager to talk about human rights are least willing to defend them or support them more than rhetorically, and where even the rhetoric is weak and insubstantial. It's Neville Chamberlain writ large. In fact, global attitudes today, both of the hollow liberals and

²⁰ [20] This kind of clarification, and the truths it reveals, is the point of the "pragmatic method," which to James is only understanding truth claims in experiential terms and testing them by how they hold up in experience, or in other words whether they can survive contact with reality. See Segrest, Ch. 5 under the heading "The Pragmatic Conception of Truth."

the ruthless aggressors who take advantage of them, are strikingly similar to those in the years building up to World War II.

This sorry state of affairs has been greatly facilitated in recent decades by Rorty's brand of cultural relativism. Jean Bethke Elshtain provides a revealing vignette about Rorty's outlook in her *Just War Against Terror*. In the course of a critique of Rortyan morality, she quotes Albert Camus' brief account of an act of Nazi cruelty:

In Greece, after an action by the underground forces, a German officer is preparing to shoot three brothers he has taken as hostages. The old mother of the three begs for mercy and he consents to spare one of her sons, but on the condition that she herself designate which one. When she is unable to decide, the soldiers get ready to fire. At last she chooses the eldest, because he has a family dependent on him, but by the same token she condemns the two other sons, as the German officer intends.

Rorty's response is to say that the German officer's action could be described from one perspective as heroic, and that his friends might even praise him for "the robustness of his moral stance" as a transcender of "slave morality." Everyone, says Rorty, "tries to whip up a story according to which he or she did the right thing," and, implicitly, there is no higher moral criterion by which to favor the condemnatory tale the Greek mother would tell against the German officer's self-justifying story. We liberals would like hers and dislike his, and that is all we can say. A stunningly weak response, is it not? In his moral writings, Rorty makes opposition to cruelty the central principle of his version of liberal morality (CIS 192-3), but how hard are we likely to oppose it when we've lost the conviction that such actions as Camus describes are really and truly cruel, as opposed to being cruel only by our chosen narrative?

A sizable portion of the Western intelligentsia has reacted to Islamist terrorism in much the same way Rorty reacted to Camus' story, with ironic detachment and breezy nonchalance. Some--the Noam Chomsky types--have even defended 9/11 and other terrorist acts against the U.S. as perfectly reasonable responses to American power. You are all no doubt familiar with the syndromes by now. Anyone acquainted with American and European academics can hardly miss them. We can't blame Rortyan Pragmatism for *all* this, of course, but we can fairly name Rorty as an accessory.²¹ [21]

The much larger share of Western intellectuals who have not like Rorty and his kindred spirits abandoned the concept of human rights altogether have been remarkably selective about whose rights need attention. In the context of outrage about isolated incidents of detainee abuse and considerable hand-wringing about harsh interrogation techniques, the human rights of the victims or potential victims of terrorism--their right not to be arbitrarily and cruelly killed, maimed, or bereaved or have their property and security destroyed--seem to have been completely forgotten. How often do you hear talk of *their* rights? Something is off-kilter here.

The ubiquitous confusion over human rights today stems from the fact that we have had no criteria for distinguishing authentic from bogus rights claims. The heart of the problem is that lost sense of humanity I spoke of before. The only adequate basis of human rights, the only really meaningful basis, is the inherent value of human beings, and we can understand human value and the rights correspondent to it only if we understand what makes human beings human. Article 1

21 [21] See Eric Voegelin's analysis of the German people's culpability in enabling and excusing Hitler's crimes in terms of the Anglo-American legal concepts of accessory before the fact and after the fact, in *Hitler and the Germans*.

of the U.N.'s Universal Declaration of Human Rights, believe it or not, lays out the key elements, but no one seems to know what they mean anymore. This is where James can help us. Here is the language of Article 1: "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood." Very good--now all we need to do is figure out what we mean by "human beings", "free", "equal", "dignity", "rights", "reason", "conscience", and "brotherhood"! Don't worry, I won't enter into a disquisition here elaborating all the meanings. It's sufficient for our purposes here to clarify the core elements and show how the others radiate out of them. The key ingredients of humanity seem to be reason and conscience. These are what makes human beings human, are together the *differentia specifica* that separates men from beasts. But we don't know what these mean anymore. Moderns generally have reduced reason to ratiocination or calculation, which was to Plato and Aristotle and James decisively secondary to intuitive reason--intuitive awareness and understanding. Aristotle called the intuitive kind *nous*, and the other kind *dianoia*, literally "second nous", indicating in the very word the latter's secondary status. You can only reason well in the dianoetic sense if you have first grasped clearly by nous the things you're reasoning about. James's corresponding categories were "knowledge by acquaintance" and "knowledge about", knowing directly and knowing discursively by working out the implications (PoP 216). Most important for showing the unique value and significance of humanity and by implication the reason human beings deserve special respect is the capacity of intuitive reason to grasp divine reality. Plato gave the more complete theoretical elaboration of this capacity and what comes from it (and also what comes from failing to engage it) in the *Republic*, but no one has ever surpassed James in describing the concrete mode of consciousness involved in the experience of higher being, as he does in *The Varieties of Religious Experience*, a mode he explicitly calls "noetic" in his analysis

there of mysticism; nor has anyone ever indicated more clearly the concrete consequences of the experience. This capacity and this potential to connect with eternity and let eternity enter time are the foundation of human dignity. They are the specific base of human equality and the real ground brotherhood, and their activation is the deeper source of freedom in breaking us out of our closed selves and letting loose the creative impulse. The rights to life, liberty, and the pursuit of happiness--that is to say, the rights not to be destroyed, tyrannized over, and stifled--are all founded on these fundamental facts. We will not be able to see what is at stake in the struggle for human rights, what exactly we are struggling for, until we understand the reality and significance of man's relation to higher being.

The other ingredient of humanity, conscience, is subsidiary to religious experience in Plato's and James's sense, but is essential for helping us grasp the consequences. Conscience, too, has been reduced to nothing in modernity, amounting to no more than individuals' idiosyncratic feelings on moral and religious matters and thus useless for providing general standards by which to judge about human rights. Conscience as James understands it, conversely--a sense of divine expectations, which is universally felt--*can* be a basis for such standards. By it we recognize the right and wrong of intentions and acts and can understand why the right is right and the wrong is wrong: intentions and actions that square with the higher demands (the ones felt as higher than the competing ones of passion and interest) are right and those that don't are wrong. The immediate moral criterion is fidelity to those demands. The ultimate moral criterion, recognized only on reflection, is what will conduce to higher experience and the order it engenders when people order their lives in such a way as to keep the higher experience alive and preserve its fruits.

None of this, again, has anything to do with sectarian religion. The experiences of reason and conscience are not restricted to the keepers of doctrine but are available to all. Of course, many, probably most, will remain closed to them anyway, but as James said, "In the interests of our own ideal of systematically unified moral truth♦we♦must postulate a divine thinker, and pray for the victory of the religious cause" (WB, 161).

The specific applications of rational and moral insight cannot be worked out beforehand but have to be developed historically, according to the circumstances we find ourselves in, and so we cannot say once and for all exactly what respect for human rights will look like. But we can get a sense of its general features. In the interest of concreteness, let's take again the case of terrorism. Had the 9/11 terrorists seen the true nature of the people working in the World Trade Center towers, they would never have attacked. Had they recognized the humanity of human beings, they never would have become terrorists. Had the peoples of the world and the intellectuals grasped it, their anger about 9/11 and similar acts, wherever they happened and whomever was harmed, would not have been so transient and contingent on U.S. responses, because whatever concerned any man, woman, or child, they would have felt and understood, concerned them.²² [22] They would have seen the great moral difference, too, between those who try to defend humanity and those who try to destroy it. They would not have taken the terrorists' narratives as seriously, or more seriously, than those of their victims, but would have recognized the terrorists' radical alienation from reason and conscience and seen all the talk about religious devotion and legitimate grievance and freedom-fighting was all a sham and a cover for their lust to dominate and destroy so they could impose their wicked worldview on the world and replace reality with

²² [22] See Voegelin, 153.

their sick second reality.²³ [23] Had the people of the world and the intellectuals been in tune with reason and conscience, they would have been ashamed to make a moral equivalence. But they were not in tune and therefore were not ashamed. They did not know right from wrong and therefore could not distinguish rights from interests, even when the interests involved the subjugation of mankind. The conflict was reduced to a mere power competition in which the aggressors had as much claim to legitimacy as the attacked, power against power with no moral authority on either side, Hobbes's state of nature. This is the unexpected bitter end of the path forged by Dewey and Rorty. It may be time to see where James's path leads.

²³ [23] See Voegelin's use of Doderer's technical term "second reality" in Voegelin, 102, 108, 184, 239, 252-56.

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