

*Le-Didakh:*  
A Defining Directive of the  
Talmudic Tradition

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“There is, and can be, no finality to agonistic but friendly *le-didakh*. It is itself a symbol of the survival and hope of the Jewish tradition.”<sup>1</sup>

– Richard Jakob Bernstein

## Introduction

Rhetorical rituals are rarely nothing more than embellishments or ornaments. At their best, they serve hermeneutic and even heuristic functions, for they facilitate processes not only of interpretation but also of inquiry, indeed, inquiry far beyond the endeavor to ascertain the meaning of an utterance or a text. While they can easily degenerate into empty gestures, the vitality of a discourse, tradition, or conversation demands that rituals of, say, invitation, acknowledgment, affirmation, and disavowal fulfill the functions for which they have evolved. This is manifestly true of Richard J. Bernstein’s *Freud and the Legacy of Moses* (1998).<sup>2</sup> There is a deceptively simple rhetorical gesture made any number of times in this monograph, so simple as to run the risk of not being recognized as such (“According to Freud...” understood in personal terms – “According to *you*...” – that is, *le-didakh*). What is true of this lesser known monograph is, however, equally true of his better known works. What is explicit and central in *Freud and the Legacy of Moses* is implicit but no less central to *Praxis and Action* (1971), *The Restructuring of Social and Political*

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<sup>1</sup> These are the concluding sentences of Bernstein’s *Freud and the Legacy of Moses* (Cambridge, UK: Cambridge University Press, 1998). It seems utterly appropriate to take his conclusion as my epigraph, in effect, my point of departure.

<sup>2</sup> In “Engaged Pluralism: Between Alterity and Sociality,” I devoted a section of this essay (“Tradition, Continuity, and Repression”) in large part to this monograph. In his “Response” to my contribution to *The Pragmatic Century: Conversations with Richard J. Bernstein*, edited by Warren G. Frisina and Sheila Greeve Davaney (Albany, NY: SUNY Press, 2006), Professor Bernstein wrote: “I find his discussion of *Freud and the Legacy of Moses* the most perceptive I have read. He gets right to the heart of the matter” (p. 69). This has encouraged me to return to this work, especially since I felt at the time there is much more to be said about his reading of Freud’s odd and troubling text (see Agnes Heller’s contribution to *Pragmatism, Critique, Judgment: Essays for Richard Bernstein*, edited by Seyla Benhabib and Nancy Fraser (Cambridge: The MIT Press, 2004)). I have seized the invitation to contribute to this issue of *Dewey Studies* to do just that, though this effort also falls short of exploring all I hope eventually to treat.

*Theory* (1976), *Beyond Objectivism and Relativism* (1983), and later writings.<sup>3</sup> At every turn, we encounter in Professor Bernstein's writings, addresses, conversations, and seminars the will to tarry, sometimes indefinitely, with the other, on the other's terms – to inhabit the world from the perspective of Hegel and Marx, Kierkegaard and Sartre, Peirce and Dewey, contemporary analytic theorists of human action (*Praxis and Action*); from the perspective of Robert Merton and Neil Smelser, Wilfrid Sellars and Alfred Schutz, Max Horkheimer and Jürgen Habermas (*The Restructuring of Social and Political Theory*); from that of Thomas Kuhn, Hans-Georg Gadamer, Habermas, Hannah Arendt, and Richard Rorty (*Beyond Objectivism and Relativism*).

Vis-à-vis his auditors or readers, this will is expressed as an invitation: we are in effect being invited to inhabit the world from these diverse and, in critical respects, incommensurable perspectives. The importance of comparison is no more slighted by Bernstein than is the possibility of commensuration taken for granted. His language is telling: it is a question of *living with* (or inhabiting) one or another tradition. "Learning to live with (among) pluralistic incommensurable traditions – which is one of the most pressing problems of contemporary life – is," he insists, "always precarious and fragile."<sup>4</sup> He immediately adds: "There are no algorithms for grasping what is held in common and what is genuinely different. Indeed, commonality and difference are themselves historically conditioned and shifting." This makes the contemporary identification of them "a task and an obligation – an *Aufgabe*." It makes it more precisely "a primary responsibility for reflective participants in any vital substantive tradition." But please note that any substantive tradition is perforce also a methodological affair, carrying directives for *how* the truth is to be discovered or justice rendered, the sacred recognized or the sentient treated, children reared or adults educated. What we say and *how* we not only say it, but also arrive at, the point of utterance are equally important.

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<sup>3</sup> In his response to "Nietzsche of Aristotle?" reprinted as Chapter 4 of *Philosophical Profiles* (Philadelphia: University of Pennsylvania Press, 1986), Alasdair MacIntyre perceptively suggested in 1984 that *Praxis and Action* (1971), *The Restructuring of Social and Political Theory* (1976), and *Beyond Objectivism and Relativism* (1983) "constitute jointly a remarkable achievement, a trilogy which is no less a narrative interpreting the history of recent philosophy and social theory from the nineteenth century to the present" (*Soundings*, 67, 1, 30). But from the publication of *Beyond Objectivism and Relativism* to his last writings, including now the posthumous *The Vicissitudes of Nature*, Bernstein has produced an even more remarkable body of work.

<sup>4</sup> Richard J. Bernstein, *The New Constellation: The Ethical/Political Horizons of Modernity/Postmodernity* (Cambridge: MIT Press, 1992) 66.

### Tradition, Trauma, and Tenacity

Bernstein's hermeneutic ear is as attuned to tone<sup>5</sup> as substance, the unsaid as the said, the latent as the manifest. His work took its singular shape at the intersection of diverse traditions. The very intersection of these traditions was in some instances the direct result of his hermeneutic imagination.<sup>6</sup> In other instances, however, he joined a debate in progress (e.g., the exchange between Hans-Georg Gadamer and Jürgen Habermas or that between Jacques Derrida and Emmanuel Levinas or that between Richard Rorty and his critics, including Bernstein himself!). Substantive and methodological (or procedural) issues defined the stakes of the debate. And part of Bernstein's genius was to be so skillful at identifying the philosophical stakes of even the most abstract or theoretical discussions or debates.

*Freud and the Legacy of Moses* is an exploration not only of a specific tradition (Mosaic monotheism or more broadly the Jewish tradition). It is also a reflection on tradition as such. Against the "traditional" understanding of tradition,<sup>7</sup> Bernstein offers a psychoanalytically informed conception carrying implications beyond the immediate focus of this probing investigation (what about the Jewish tradition has enabled it to survive, in the face of unsurpassed hatred and resentment, as an admirable force in human history?<sup>8</sup>). As a Jew, Freud ultimately has no doubt that the historical achievement of the Jewish people is inseparable from their ethical character, a character displaying undeniable grandeur or sublimity. The tenacity of this tradition however is inexplicable apart from experiences of trauma, including ones harking back to the time of Moses, if not before. But Freud is preoccupied much more with the dynamics of this tradition (and, by implication, possibly, the dynamics of all comparable, if incommensurable, traditions) than strictly with origins. Jews have tenaciously stuck with one another and maintained a recognizable identity across a millennial history. From Freud's perspective, this phenomenon calls for an

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<sup>5</sup> "'Tone,' to be sure," William James stresses, "is a terribly vague word, there is [in some contexts] no other. ... By their tone are all things human either lost or saved." *Essays, Comments, and Reviews* (Cambridge: Harvard University Press, 1987), p. 111; cf. *The Later Works of John Dewey*, volume 13 (SIU Press, 1991) 26.

<sup>6</sup> Alasdair MacIntyre, "Bernstein's Distorting Mirrors: A Rejoinder" in *Soundings: An Interdisciplinary Journal*, p. 30.

<sup>7</sup> Bernstein, *Freud and the Legacy of Moses*, pp. 49-51.

<sup>8</sup> Freud was anything but a self-loathing Jew. He proudly, if qualifiedly, identified himself with his tradition of origin. Bernstein is emphatic on this point: "Freud is the very *antithesis* of a 'self-hating Jew.'" Etc." Bernstein, *Freud and the Legacy of Moses*, p. 87.

explanation. *Totem and Taboo* (1913), *The Future of an Illusion* (1927), *Civilization and Its Discontents* (1930), and other writings on cultural topics eventually led to *The Man Moses and Monotheistic Religion* (1939),<sup>9</sup> published in the year of Freud's death.

While traditions might be incommensurable, they can be rendered comparable. Such at least is Bernstein's approach. There is arguably no more fundamental principle of his hermeneutic approach than the distinction between the incommensurable and the incomparable. In the same essay from which I have quoted above ("Incommensurability and Otherness Revisited"), Bernstein acutely observes: "Incommensurable languages [frameworks, or perspectives] can be compared and rationally evaluated in *multiple* ways. Practically, such comparison and evaluation require the cultivation of hermeneutical sensitivity and imagination."<sup>10</sup> The cultivation of such sensitivity and imagination is however for the sake of rational comparison and evaluation, the hermeneutical task being ultimately subordinated to the critical one.

What greatly complicates both the hermeneutical and the critical tasks is the fact that not only are there rival claimants to truth but there are also irreducibly different genres of truth. Most relevant to *Freud and the Legacy of Moses*, there are the genres of material truth, historical truth, and scientific truth.<sup>11</sup> The fictive nature of historiography is matched by the historical traces inscribed in oral traditions, seemingly incredible legends, and other human inheritances. The writing of history is necessarily selective and perspectival. But the material traces inviting or even requiring possible revisions are more abundant and less decipherable than we tend to appreciate. In one sense, these traces constitute nothing less than material "truth," the evidentiary basis on which a responsible history must be written. The various forms of historical truth indicate that the latter is not so much a genre to be set in contrast to material and scientific truth as nothing less than a family of genres set off from diverse forms of both material and scientific truth. The relationships between and among these three has still not been worked out with adequate clarity or precision. The attempts to superimpose established distinctions, such as that between *histoire*

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<sup>9</sup> For this rendering of the title of Freud's monograph (rather than the abridged *Moses and Monotheism*, see Bernstein, *Ibid.*, p. 88.

<sup>10</sup> *Ibid.*, 65.

<sup>11</sup> See especially Michel de Certeau, *The Writing of History*, trans., Tom Conley (New York: Columbia University Press, 1988); also, Agnes Heller, "Memory Traces, Archive, Historical Truth and the Return of the Repressed: On the Rediscovery of Freud's Moses," in *Pragmatism, Critique, Judgment: Essays for Richard J. Bernstein*, ed. Seyla Benhabib and Nancy Fraser (Cambridge, MA: MIT Press, 2004). Of course, see Freud's own *Moses and Monotheism*.

and *mémoire* (see, e.g., Agnes Heller's contribution to *Pragmatism, Critique, Judgment*<sup>12</sup>), as suggestive as they are, can invite us to do violence to the phenomena. The distinctions already in place are almost certainly not adequate to those needing to be drawn by a truly phenomenological engagement with the irreducibly diverse modes of narrating or reconstructing history, including history as always already "narrated" in the material traces available to the imaginative inquirer.

As history inescapably veers toward the fictive, oral traditions and apparently fantastic legends cunningly bear traces of actual events and thus of historical facticity. The material truth is the totality of available traces providing for the sufficiently ingenious inquirer, and it becomes the evidentiary basis for making corrigible claims. Experimentalists after all trade in the coin of corrigibility, pure apriority and apodictic certainty being inherently suspect to them. What an apriorist such as Kant took to be contraband (hypotheses),<sup>13</sup> experimentalists such as the pragmatists took to be the only goods worth hauling on board. While Freud in *Moses and Monotheism* explicitly disavows the title of historian, his psychoanalytic interpretation of material traces, including especially those intimating erasure, effacement, substitution, and displacement, assumes the status of an alternative form of historiography. That is, his avowed "fiction" or "novel" ineluctably veers toward the historical.<sup>14</sup> Moreover, psychoanalysis is itself a form of historiography, oscillating between a nomothetic and an idiographic discourse. It is at bottom an endeavor to reconstruct the singular drama of a complexly conflicted psyche (or this is how I suggest it is best read).

Some details of Freud's own life are worth recalling here. His daughter Anna was detained by the Nazis and eventually she and her Father, Mother, and siblings make their way into exile, with the aid of friends and even FDR. An inquiry begun in Vienna, with the manifest signs of virulent anti-Semitism abounding at every turn, is abandoned, apparently for good,<sup>15</sup> but then the author exiled in London turns back to the task of confronting the figure of Moses and, therein, aspects of his own identity.

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<sup>12</sup> Agnes Heller, "Memory Traces, Archive, Historical Truth" in *Pragmatism, Critique, Judgment*, especially pp. 225-28.

<sup>13</sup> Immanuel Kant, *Critique of Pure Reason*, trans. Norman Kemp Smith (NY: St. Martin's Press, 1965) 11-12.

<sup>14</sup> Michel de Certeau is especially instructive on the hybrid discursive form being crafted by Freud in *Moses and Monotheism* (see especially *The Writing of History* (New York: Columbia University Press, 1988) especially pp. 322ff. and pp. 342ff.).

<sup>15</sup> Please note the ambiguity of this expression ("for good"). Freud thought it might be better to suppress this work than to finish and then publish it. But he was at this point not only wandering but also wavering.

The godless Jew dying of cancer, witnessing a world on the threshold of self-immolation (the burning of books, including Freud's own, being but a symbol of a more inclusive conflagration), is poised to come to terms with his own Jewishness by seemingly desecrating that which he alleges to honor, in certain respects, to revere, an ethical tradition of singular importance. To "expose" Moses as an Egyptian and, then, to explain his identity as at once a foreigner to, and founder of, the Judaic community could not be seen by Jews as anything but a betrayal, at the worst possible time.

Does such a deracinated, godless Jew deserve a hearing? Like other Jewish intellectuals, Richard J. Bernstein answered this question unequivocally: Yes. Freud is paradoxically being most true to his heritage in pressing the question of Moses's identity, a question inseparably tied not only to his own identity but also to that of anyone who identifies with a lineage going back to the lawgiver who so fiercely condemned idolatry. In Freud's judgment, the renunciation of instinctual drives in the name of impossible demands (in the name of the Divine Father) ultimately accounts for the singularity of Judaism. These drives will have their revenge, the history of humanity being nothing less than the history of idolatry (that of elevating to an absolute status what deserves at best provisional allegiance). The repressed is bound to return, the demands we accept as one with our very being, the ones by which we define ourselves, are no less destined to be overturned, by our own complicity, our own faithlessness. But part of Freud's genius was to grasp just this dynamic and to press it into the service of the very ethical heritage with which he identifies and from which he in some respects distances himself. Yes, the repressed is bound to return. But the sins of the ancestors are our sins. In their patricide, we can, if we have the courage of our convictions,<sup>16</sup> discern the work of our own hands. To an unsurpassed degree, Freud appreciates the complex interplay between heteronomy and autonomy, between being given laws by the Father and identifying with the impossible demands of instinctual renunciation (seeing for ourselves the exigency of such renunciation).

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<sup>16</sup> In a footnote included by the editor in *The Gay Science*, translated by Walter Kaufmann (NY: Vintage Books, 1974), Friedrich Nietzsche writes: "A very popular error: having the courage of one's convictions; rather it is a matter of having the courage for an *attack* on one's convictions!!!" (p. 238, section #296, note #20). As it turns out, Freud had the courage of his convictions by that with which he did not hesitate to attack them but nonetheless critically honored their tenability or legitimacy. In this regard he was a more honest thinker than Nietzsche, for the latter attacked truth in the name of the traditional ideal of truth without being able fully to acknowledge what he was doing. In *Wickedness: A Philosophical Essay* (London: Routledge Classics, 2021), Mary Midgley makes this point in a compelling manner.

While the repressed inexorably returns, the dramas generated by this can be occasions for striking a more harmonious balance than anything yet achieved between instinctual demands and sublime forms of effective renunciation.<sup>17</sup> In time, often quickly, this balance is lost. Any balance can never be more than a provisional or temporary achievement. Analysis must be seen as both terminable and interminable, but in the end (!) the emphasis must fall on interminability, on the realization that there is no definitive end or legitimate closure to the ongoing task of human striving, in any sphere.

To entertain for an indefinite duration how the other understands a claim or interprets a text, assesses the force of an argument or presents a sequence of events in the form of a narrative is an integral part of the Talmudic tradition. It is present in the deceptively simple expression, *le-didakh* (“According to you ...”).<sup>18</sup> In Richard J. Bernstein’s exchange with Yosef Hayim Yerushalmi, the author of *Moses’s Freud: Judaism Terminable and Interminable* (1991), also a figure central to his own monograph *Freud and the Legacy of Moses* (Bernstein 1998), we encounter what almost sounds like a parody<sup>19</sup>: According to you, what is meant by “*le-didakh*” (“According to you ...”) is ...! It escapes being a parody for it brings into focus the force of the directive: the expression “signifies that for the sake of the discussion and its effort to ascertain the truth, one party will provisionally accept the assumptions of the other, and they will go on from there.”<sup>20</sup> Of course, provisional acceptance is one thing, eventual or

<sup>17</sup> In *Human Nature and Conduct*, John Dewey offers a partly parallel, partly intersecting, account of this complex process. See especially MW 14, 108-16. For an instructive but in certain respects flawed comparison between the Freudian concept of drive (*Trieb*) and the Deweyan concept of instinct, see Philip Rieff, *Freud: The Mind of the Moralizer* (Garden City, NY: Doubleday, 1961) 31-35.

<sup>18</sup> Bernstein, *Freud and the Legacy of Moses*, see especially pp. 91, 115, 116.

<sup>19</sup> The expression of the old rabbis is worth recalling here: Do they hear the words coming out of their own mouths?!? These words can become deeply internalized so that one hears in the very act of utterance one’s words and immediately begins to take a somewhat ironic stance toward them. The reflexivity in evidence here is arguably a defining feature of Jewish humor (many forms of humor are ethnically inflected). See Freud’s book on jokes.

<sup>20</sup> Yosef Hayim Yerushalmi, *Freud’s Moses: Judaism Terminable and Interminable* (New Haven: Yale University Press, 1991) 83. Quoted by Bernstein in *Freud and the Legacy of Moses*, p. 91. Yerushalmi introduces this explication by identifying “*le-didakh*” as “a talmudic *terminus technicus*” (p. 83). He does so in that part of his book cast in the form of a letter to Freud (“Dear and mostly highly esteemed Professor Freud”). After rather lengthy preliminaries, the author recalls that, “in 1908, Karl Abraham expressed his feeling of intellectual kinship with you, writing that ‘after all, our Talmudic way of thinking cannot disappear just like that,’ and even adding that your book on jokes was ‘in technique of apposition and even in its whole structure ... completely Talmudic,’ you did not object but took it



ultimate endorsement is another.

In a quite critical response to “Nietzsche or Aristotle?: Reflections on Alasdair MacIntyre’s *After Virtue*” (a text reprinted in *Philosophical Profiles*<sup>21</sup>), Alasdair

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for the compliment it was meant to be” (p. 83). So, Yerushalmi makes this to warrant his own customary or traditional manner of proceeding: “So you will not take it amiss if now, dispensing with any further preliminaries, *I proceed talmudically*” (p. 83; emphasis added). I take Yerushalmi to be substantively correct in identifying Freud’s characteristic manner to be Talmudic (above all, because it pivots around “a talmudic *terminus technicus*” – *el-didakh*). But the point I am driving at in this commemorative essay is that Richard Bernstein no less than Sigmund Freud ought to be seen as beginning and proceeding Talmudically.

<sup>21</sup> Originally published in *Soundings: An Interdisciplinary Journal* 67, 1 (Spring 1984) 6-29. MacIntyre’s “Bernstein’s Distorting Mirrors: A Rejoinder” also appeared in *Soundings* (p. 67, 1, 30-41). MacIntyre concludes this “Rejoinder” by insisting: “Bernstein has misinterpreted some of the central claims advanced in *After Virtue*” (p. 41). He goes on to claim that “the fundamental standpoint of *After Virtue* is, as Bernstein clearly recognizes, deeply incompatible with that of his own overall project and especially with its culmination to date in *Beyond Objectivism and Relativism*. From the standpoint of *After Virtue* the syntheses and reconciliations of Bernstein’s histories can appear only as blurred images reflected in a set of distorting mirrors” (ibid.). The irony here is in part that this might be an instance of what Freud called “the narcissism of small differences.” MacIntyre’s attempt to distance himself from Bernstein seems to be predicated on a failure to appreciate a deep affinity between his project and Bernstein’s, precisely regarding questions of truth. Though Bernstein certainly would not exalt the Aristotelian tradition as the philosophical framework, as revised by Thomas and later inheritors, as the one which historically has proven its superiority to its rivals, he readily would grant MacIntyre’s *general* thesis (some theories have proven themselves historically to be able to account for both the phenomena and the deficiencies, distortions, and limits of their rivals in a demonstrably superior manner than their rivals). But Bernstein would be more pragmatist, thus more pluralistic, in assessing the variety of traditions. Whether consciously or not, he is on this score quite Deweyan. Dewey concludes “Our Current Religious Problem,” originally published in the *Journal of Philosophy* (XXXIII [1936], 212-17), by stressing: “About the importance of tradition – or, better, traditions, in effecting the desired organization I have no doubt. But I am highly skeptical of all arguments that assume there is but one available tradition. We have at our disposal many traditions. There is the great tradition of autonomous literature, of music, of painting, of all the fine arts, in each of which, moreover, there are many significant traditions. There is [also] the tradition of democracy; there is the tradition of experimental science, which if not thoroughly established is yet far from embryonic. For many persons it is a current problem of whether from these traditions, apart from those of historic religions, there can not be extracted the equivalent of observations derived from a tradition they no longer accept; observances, indeed, which no longer nourish their ‘hearts.’ Considering the variety of rich traditions that exist, there is something provincial in supposing that ‘responses to buildings, paintings, music, decorative symbols, songs of praise, gestures and forms of prayer, right rendering of admonitions’ can be drawn from a single confined tradition” (Dewey, LW 11, 117). In brief, Dewey deeply appreciated the power and place of traditions in all areas of our lives (see

MacIntyre opens by highly praising Bernstein.<sup>22</sup> He stresses, “one of Bernstein’s singular talents is for seeing hitherto unnoticed or underemphasized connections between thinkers who, until he took them in hand, had appeared to have little [if anything] in common” (1984, 30). But MacIntyre introduces this praise by proposing: “The epigraph to Bernstein’s this-worldly *commedia* might well be E. M. Forster’s

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especially MW 14, 19). In *Human Nature and Conduct* (1922), Dewey insisted: “There is sound sense in the old pagan notion that gratitude is the root of virtue. Loyalty to whatever in the established environment makes a life of excellence possibly is the beginning of all progress. The best we can accomplish for posterity is to transmit unimpaired and with some increment of meaning the environment that makes it possible to maintain the habits of decent and refined life. Our individual habits are links in forming the endless chain of humanity. Their significance depends upon the environment inherited from their forerunners, and it is enhanced as we foresee the fruits of our labors in the world in which our successors live.” *The Middle Works of John Dewey*, volume 14, MW 14, 19. John Herman Randall wrote, “What I have learned most from [my teachers] ... is presumably not what they intended to teach. Doubtless John Dewey [for example] did not set out to impress me with the overwhelming importance of tradition.” But this is just what he most impressed upon Randall. John Herman Randall, Jr., *Nature and Historical Experience* (NY: Columbia University Press, 1958) 2. It is not too much to say that Dewey’s historical piety is as deep as tends to be tacit (see, e.g., MW 14, 19 and LW 1, 90). As I am using this word, the meaning of *piety* is what George Santayana explicates in Chapter 10 (“Piety”) of volume 3 of *The Life of Reason (Reason in Religion)* (New York: Collier Books, 1962): “we must plant ourselves on a broad historic and human foundation, we must absorb and interpret the past which has made us, so that we may hand down its heritage reinforced, if possible, and in no way undermined or denaturalized. This consciousness that the human spirit is derived and responsible, that all its functions are heritages and trusts, involves a sentiment of gratitude and duty which we may call piety” (125; cf. Dewey MW 14, 19).

<sup>22</sup> MacIntyre opens his rejoinder by asserting, “It is a large compliment to have one’s views expounded and criticized by Richard J. Bernstein.” As I will note again shortly in the body of this paper, this is because “one of Bernstein’s singular talents is for seeing hitherto unnoticed or underemphasized connections” (*Soundings: An Interdisciplinary Journal*, 67, 1 [1984] 30). But it turns out this singular talent carries within itself, in MacIntyre’s judgment, a fatally flawed tendency. This is not accurate and hence not just. A fairer criticism is closer to the mark, but it is not a bull’s eye. “Bernstein treats my account of the relationship of the virtues to the practices in which they are rooted as though it is merely a piece of conceptual analysis. But my claim was not just that the concept of a virtue is partially to be explicated with reference to the concept of a practice; it was that the exercise of the virtues is and always has been actually rooted in practices. The conceptual relationship is only one aspect of a social relationship.” From MacIntyre’s perspective, then, Bernstein fails to appreciate the thick histories in which, say, a distinct ethical tradition is embedded and operative. There is some truth to this charge, but Bernstein is certainly not engaged merely in “a piece of conceptual analysis.” See my “Toward a Pragmatist Account of Human Practices” in *Nóema*, vol. 13 (2022): 1-24.

‘Only Connect’” (ibid.).<sup>23</sup> I am at least doubly dubious about this characterization. I doubt whether it is fair or accurate to christen Bernstein’s efforts as a *commedia*. The very essay to which MacIntyre is responding concludes with Bernstein insisting,

The problem with today is how we can live with the conflict and tension between the “truth” implicit in tradition of the virtues and the “truth” of the Enlightenment. This is what MacIntyre’s own narrative reveals. This is our narrative quest – for no one knows, nor can know, how this quest will turn out. This is the deepest problem with which we must live *after virtue*. (1986, 140)

Individuals entangled in this situation are neither doomed to fail (possibilities for effective conciliation are available) nor guaranteed to succeed. The *hope* of rational consensus, in some areas, does not commit anyone, certainly not Bernstein, to an espousal of a happy ending or a harmonious marriage between rival traditions. It might be to some extent a reasonable hope. For him, we are entangled in an *agon*, not destined to connect with one another in a world in which the aftermath of violence or rupture is necessarily the attainment of reconciliation. One of the ways in which we fail to learn from history is that the cycle of violence is hardly ever decisively broken by an especially clever or stunningly massive deployment of violence.<sup>24</sup> Virtually every resolution of violence, including the most peaceful and even fair ones, tend to sow the seeds of their own dissolution. I take this to be at the center of

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<sup>23</sup> After encountering this text (“The question of hope transposes itself and becomes the hope of questioning, the hope of continuing to pose meaningful, orienting, and fruitful questions. Social conditions and moral qualities are as vital to sustaining this hope as are intellectual ability and rhetorical sophistication”), Bernstein disclosed to the author and the readers of his response to MacIntyre: “If you don’t mind my ‘stealing’ from you, I would use this as an epigraph for all of my writings” (“Response” in *The Pragmatic Century: Conversations with Richard J. Bernstein*, edited by Warren G. Frisina and Sheila Greeve Davaney (SUNY Press, 2006) 71). Rather than Forster’s injunction “Only connect,” as MacIntyre suggested, these words are, in Bernstein’s judgment, the epigraph *he* would have chosen.

<sup>24</sup> “Rulers, statesmen, and nations are,” Hegel observed, “told that they ought to learn from the experience of history. Yet what experience and history teach us is this, that nations and governments have never learned anything from history, nor acted in accordance with the lessons to be derived from it.” *Introduction to the Philosophy of History*, trans. Leo Rauch (Indianapolis: Hackett Publishing Co., 1988) 8. This is nowhere more apparent than in the invincible reliance of nation states on violence, internal and external (i.e., violence directed against some of its own citizens and against other nations).

Bernstein's tragic vision of human existence.<sup>25</sup> His vision hardly warrants the name *commedia*. It is at most a tragi-comedy in which prospects for meliorism are likely more abundant and effective than "crack-pot realists" appreciate (to use C. Wright Mills).

Second, just as *commedia* seems misplaced here, so too does Forster's injunction ("Only connect"). The sense of difference, the appreciation of otherness, the emphasis on alterity are hardly absent in Bernstein's writings. There is nothing excessively irenic or conciliatory in his project. If the accent often falls on connection, is this not itself evidence of a deep sensitivity to nothing less than incommensurable differences (see especially "Incommensurability and Otherness Revisited" in *The New Constellation*)? And the need to distinguish clearly is no less manifest in Bernstein's writings than the impulse to bring into view "hitherto unnoticed or underemphasized connections."

One suspects that, in MacIntyre's judgment, Bernstein does not do enough to defend the ideal of truth.<sup>26</sup> The hermeneutic drive toward mutual understanding

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<sup>25</sup> Cf. Sidney Hook, *Pragmatism and the Tragic Sense of Life* (NY: Basic Books, 1975); also, Cornel West, "Pragmatism and the Tragic" in *Prophetic Thought in Postmodern Times* (Monroe, ME: Common Courage Press, 1993) 31-58. Also, see my "In The Wake of Darwin" in *In Dewey's Wake*, edited by William J. Gavin (Albany, NY: SUNY Press, 2002).

<sup>26</sup> As Megan Craig recalls, her beloved teacher "...was the kind of grown up who understood children and wasn't in the least bit afraid of them. This was part of Dick's magical alchemy and integral to what made him such a good person and an important philosopher. A serious philosopher devoted to family, to friendship, to fun. My memories of him in the seminar room at the New School include him pounding on the table and yelling 'I only want the truth!' ("A Wishing Stone for Dick," *Erraticus*, accessed December 8, 2022. <https://erraticus.co/2022/08/09/richard-bernstein-a-wishing-stone-for-dick-megan-craig/>). See especially Chapter 5 ("Pragmatism, Objectivity, and Truth") of *The Pragmatic Turn* (2010). While he readily confesses to be not at all optimistic that "anyone who holds steadfastly to strong 'realistic intuitions' will ever be satisfied with any version of a pragmatic account" of objectivity and truth (*The Pragmatic Turn*, 123), his pragmatist, pluralistic, historicist sensibility or temperament is itself marked by indefatigable search for truth, an ineradicable hope (see, e.g., his "Response" to me in *The Pragmatic Century*, ed. Frisina and Davaney, 71). With Dewey at the conclusion of "The Need for a Recovery of Philosophy," however, Bernstein could unqualifiedly affirm realistic intuitions (if not militant or scientific ones) no less than idealizing impulses: "We pride ourselves upon being realistic, desiring a hard-headed cognizance of facts and devoted to mastering the means of life. We [equally] pride ourselves upon a practical ideal, a lively and easily moved [or animated] faith in possibilities as yet unrealized, in willingness to make sacrifices for their realization" (MW 10, 48). I suspect Bernstein would be no less appreciative than Dewey in seeing how in the form of *-isms* both tendencies might be corrupted. "Idealism easily becomes a sanction of waste and carelessness, and realism a sanction of legal formalism on behalf of things as they are – the

tends to obscure the inescapable responsibility to display argumentatively why some forms of understanding, including especially self-understanding, are better, because truer, than other forms. At any rate, this seems to be MacIntyre's stance toward Bernstein's efforts. It is itself, however, a stance I am disposed to question. Bernstein's hermeneutic self never eclipses his critical rationality, even if such rationality is always seen by him as an integral part of an ongoing tradition. There is no place apart from our locus in history, though the transcendence of history is, in certain instances, truly possible – but for Bernstein as for me, the transcendence of history is always an achievement in history, to be appraised and reappraised in the ongoing course of interwoven practices, none of which are terminable (i.e., none of which admit, in principle, of being brought to definitive closure or final resolution).<sup>27</sup>

There is at the heart of any tradition an *agon*, one possessing the power of turning its advocates or adherents against one another to the point of implosion.<sup>28</sup> All too often, an escalating frenzy of mutual destruction results: it would be better to tear the house down than allow for our *internal* rivals to claim sole possession or even just present dominance. It is indeed far from unusual to discover traditions collapsing in upon themselves. It may even be the case that any historically thick tradition is one in which the task of renewal has always been, to some extent, one of rebuilding in the midst of ruins (de Certeau's *The Writing of History*, p. 324) and indeed *from* the presently incongruous remnants of monumental achievements destroyed and defaced by the destructive struggles of rival claimants.<sup>29</sup> The Christian basilica was, for example, not only built on the site of the pagan temple but also often with the

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rights of the possessor" (ibid.). Realism and idealism as rival doctrines, as militant forms of *-isms*, are one thing, while being experientially realistic and practically idealistic, precisely as integrated tendencies within a pragmatist temperament, are quite another.

<sup>27</sup> There is hardly a more central traditional image of human beings as religious animals than that of *homo viator*. See, e.g., Chapter V ("Status Viatoris") of Josef Pieper's *Death and Immortality*, trans. Richard and Clara Winston (South Bend, St. Augustine's Press, 2000). It is accordingly ironic that the open-ended character of all human undertakings is so often obscured or effectively denied by the most resolute defenders of traditional religions. A pragmatist such as Bernstein would insist upon just how radical such open-endedness and indeed mutability can be.

<sup>28</sup> These writers "contained both the yes and the no of their culture, and by that token they were prophetic of the future." *The Liberal Imagination* (New York: *New York Review of Books*, 2008) 9. For how Trilling might be read as an integral part of the pragmatist tradition, see Cornel West's *The American Evasion of Philosophy: A Genealogy of Pragmatism* (Madison: University of Wisconsin Press, 1989), 164-81 ("Lionel Trilling: The Pragmatist as Arnoldian Literary Critic").

<sup>29</sup> Susan Steward, *The Ruins Lesson: Meaning and Material in Western Culture* (Chicago: University of Chicago Press, 2020).

materials – even with the very structure or skeleton – of the ruined place of the superseded gods. More to the point, Christian churches were themselves the deliberate renovation of crumbling structures, the broken promise of the forerunner being dramatically on display in the broken pieces of its edifice.

Bernstein was poised between the deep rootedness of Hans-Georg Gadamer’s hermeneutic approach and the relentlessly critical impulse of Jürgen Habermas’s resolute commitment to central features of the Enlightenment project. He was no less poised between the pragmatic recovery of experience, on the one side, and both the analytic engagement with ordinary language and Continental discourses of difference, rupture, and incommensurability,<sup>30</sup> on the other side. While he celebrated the power and promise of pragmatism, he was quick to acknowledge the limits and even evasions of this historical perspective, represented at its best in the monumental texts of the classical pragmatists – and for him this principally meant the writings of C. S. Peirce, William James, John Dewey, and to a less extent G. H. Mead. If his deepest commitment was in the end to pragmatic fallibilism (where fallibilism, not pragmatism, identifies the basic stance), he appreciated as well as the critics of Peirce, James, and Dewey that the exemplification of fallibilism was not uniquely identifiable with a single tradition, however much the classical pragmatists historically did provide indispensable illustrations of thoroughgoing fallibilism and, beyond this, a nuanced theoretical defense of this “doctrine” or, better, temperament. Marx, Nietzsche, Freud, Gadamer, Habermas, Derrida, Levinas, Foucault, and indeed others have provided crucial insights into human fallibility and how a critical awareness of this ineradicable propensity might be used to identify, correct, and counteract our errors, distortions, and evasions.

Because of the depth and detail of Bernstein’s critical engagement with diverse philosophical traditions, he, arguably even more than Putnam, Rorty, Stanley Cavell, Martha Nussbaum, or Christine Korsgaard, is a figure who embodies the defining *agon* of later modern thought (or however one identifies our historical moment). In “Reality in America,” Lionel Trilling writing in opposition to Vernon Parrington’s metaphor of confluence (the process of diverse currents flowing together to form an inclusive current) contends: “Parrington’s characteristic weakness as a historian is

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<sup>30</sup> Of course, the *topos* of incommensurability was one which emerged in a dramatic fashion in Anglophone philosophy, in no small part due to the impact of Thomas Kuhn’s *The Structure of Scientific Revolution*. Like Stephen Toulmin, Alasdair MacIntyre, Charles Taylor, Ian Hacking, Hilary Putnam, Richard Rorty, and countless others of roughly their generation, Bernstein was essentially a post-Kuhnian philosopher.

suggested by his title [*Main Currents in American Thought* in three volumes], for the culture of a nation is not truly figured in the image of a current. A culture is not a flow, nor even a confluence; the form of its existence is struggle, or at least a debate – it is nothing if not a dialectic.” It is not an irenic confluence of diverse currents: it is rather an ongoing struggle. We find in American culture, Lionel Trilling adds in this essay, “that an unusually large proportion of its notable writers of the nineteenth century were ... repositories of the dialectic of their times.”<sup>31</sup> Analogously, we find in our culture today an unusually large proportion of its notable philosophers to be no less repositories of the dialectic of their – that is, of *our* – times. This is manifestly true of Bernstein’s writings.

On this occasion, I want however to retain in a weak form Parrington’s image of culture as a confluence of traditions, but also to stress, in no less a central place, Trilling’s complementary vision of culture as an *agon*, a struggle in which there are not only rival tendencies but also destructive rivalries imminently threatening (to alter the metaphor) to tear the fabric apart, to shred our culture into disparate fragments scattered far apart from one another.

For our purpose, however, two crucial points need to be borne in mind regarding Bernstein’s interpretation of what Agnes Heller calls Freud’s “odd book” on *The Man Moses and Monotheistic Religion*.<sup>32</sup> First, this text illuminates not only a specific religious tradition but also quite generally the dynamic form of any human tradition. Second, Freud’s text is, upon Bernstein’s interpretation, not so much concerned with the origins of Judaism as the immanent, irrepressible dynamic by which this specific tradition, in its utterly remarkable specificity, renews and indeed reasserts itself, across a significant span of human history.

The gaps, erasures, and repressions are not simply features as intimately woven into the fabric of tradition as are the features of continuity, consolidation, and reflexivity. They are also paradoxically often among the very means by which traditions perpetuate themselves, by which they ensure their continuity. Seamless continuity is never more than a superficial and misleading aspect of a complex tradition such as the Jewish religion, experimental inquiry, or American democracy. The continuity of such traditions inevitably encompasses lacunae rendered

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<sup>31</sup> Trilling, *op. cit.*, 9.

<sup>32</sup> “Memory Traces, Archive, Historical Truth, and the Return of the Repressed,” in *Pragmatism, Critique, Judgment*, 225. She astutely notes that the oddity of this monograph derives first and foremost from the fact that “it was not meant to be a book, yet also because it *was* meant to be a kind of testimony of an old, dying man” (225; emphasis added). Cf. Bernstein, *Freud and the Legacy of Moses*, 8.

imperceptible, conflicts made to appear much less destructive than they actually are, and attitudes toward founders more univocal and straightforward than *they* truly are. What Lou Andreas-Salomé so sharply discerned and what Bernstein so appropriately appreciated was an aspect of the return of the repressed hardly ever registered:

[W]hat particularly fascinated *me* in your present view of things [as presented in the monograph on Moses and monotheism] is a specific characteristic of the ‘return of the repressed’, namely the way in which noble and precious elements return despite long intermixture with every conceivable type of material [including ignoble and banal material] ...

Hitherto we have usually understood the term ‘return of the repressed’ in the context of neurotic processes: all kinds of material which had been wrongly [or in some respects debilitatingly] repressed afflicted the neurotic mysteriously with phantoms out of the past . . . which he felt bound to ward off. But in this case we are presented with examples of the survival of the most triumphantly vital elements of the past as the truest possession of the present, despite all the destructive elements and counterforces they have endured [indeed, despite these elements returning interwoven with the most vital].<sup>33</sup>

This suggests a far more nuanced and complex understanding of this pivotal Freudian expression (“the return of the repressed”) than ordinarily is appreciated. In any event, only such a conception can do justice to the immanent dynamic of a vital tradition retaining its drive toward an indefinite future.

For many, a godless Jew is oxymoronic. For others, however, it is perfectly intelligible, not in the least inherently incoherent or aporetic. Something deeper than belief in God binds the Jewish people together; at least, *arguably* something deeper than such belief binds an otherwise disparate people into a vital tradition stretching across a vast history. There is, at once, within and alongside the Jewish tradition those who take themselves to be Jewish, despite not being observant of either the everyday rituals or the special ones by which the holiest days are to be communally recalled.

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<sup>33</sup> Bernstein quotes in full this passage from one of Andreas-Salomé’s letters. *Freud and the Legacy of Moses*, 32. *Sigmund Freud and Lou Andreas-Salomé: Letters*, ed. Ernst Pfeiffer, trans. William and Elaine Robson-Scott (New York: Harcourt, Brace, Jovanovich, 1972) 206-7.



What must a Jewish person observe in order to be, in a minimal sense, an observant Jew? For some, it can only seem far too little to insist that the lifelong practice of thoroughgoing adherence to the Talmudic directive, *le-didakh* (see, e.g., Bernstein's *Freud and the Legacy of Moses*), secures for anyone the status or identity of being Jewish. The inherently troubled space in which a personal identity claimed by a deracinated individual can be a stage on which that individual can assume a communal persona is troubled for an obvious reason. The individual in isolation from others simply does not get to say without regard for tradition, inheritance, and actual observation of the definitive rituals *who* or *what* that individual is.<sup>34</sup> Of course, the question of deracination is less of a disjunction than the polarity of terms – rooted or deracinated – tends to suggest. No one is completely uprooted from every tradition (e.g., Nietzsche's will to truth is a readily recognizable stance, partly because it draws so heavily upon the Prophetic tradition [Heschel] and other traditions within Western history<sup>35</sup>). The singular question, raised in concrete and indeed unique circumstances, of whether one's roots in a tradition are as deep and varied as would need to be the case for a credible claim to a communal identity requires – this singular question – needs itself to be entertained according to the directive of *le-didakh* ("According to you, you are entitled to identify yourself as ...").<sup>36</sup> The depth and form of seriousness, for lack of a better word, can only be measured by the responsiveness of those who eventually feel compelled eventually to express doubts about claims made in this manner.

Socrates was himself a Sophist, not the Platonic hero encountered in one of the greatest rhetorical achievements in literary history, Jacques Derrida was no philosopher, and Richard J. Bernstein no Jew. Or so some are quick to assert, often not feeling the need to argue their for claim,<sup>37</sup> to provide evidence for their

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<sup>34</sup> Hannah Arendt, *The Human Condition* (Chicago: University Chicago Press, 1958) 181.

<sup>35</sup> Cf. Chapter 2 ("Intelligibility and Immoralism") of Mary Midgley, *Wickedness: A Philosophical Essay* (London: Routledge Classics, 2001), especially 31-32.

<sup>36</sup> "Freud's narrative [in *Moses and Monotheism*] has much to do," Michel de Certeau perceptively observes, with *suspicion*, which is rupture, doubt, and with *filiation*." *The Writing of History*, 318-19.

<sup>37</sup> In his contribution to a volume entitled *Deconstruction and Pragmatism*, edited by Chantal Mouffe (London: Routledge, 1996), Jacques Derrida was appropriately outraged by the charge that he cared not at all for evidence or argument: "I am reproached – deconstructionists are reproached – with not arguing or not liking argumentation, etc. etc. This is obviously a defamation. But this defamation derives from the fact that there is argumentation and argumentation, and this is often because in contexts of discussion like the present one where the propositional form, a certain type of propositional form, governs, and where a certain type of micrology is necessarily effaced, where the

identifications (Socrates was a Sophist, Derrida a charlatan and nihilist, Bernstein a philosopher who effectively, if unwittingly, undermines the ideal of truth, being in the end indistinguishable from Rorty<sup>38</sup>) and denials (Socrates was not a pious son of his actual polis in its democratic aspirations,<sup>39</sup> Derrida was not a philosopher, again, Bernstein was not a Jew). If some of us cannot but hear the words of Richard J. Bernstein as those of a New York intellectual, born into a Jewish enclave in Brooklyn, occasionally inflected with a recognizable tone, expressive of a distinctive sensibility or (to use the Jamesian term) temperament, *we* should not be heard as making a reductive claim. The various facets of this philosopher's unique specificity do not contradict his pragmatist propensity to experiment with the limits of generalizability.<sup>40</sup> Origin is not destiny, for, time and again, origins are transcended – even if our efforts to go beyond or rise above them inevitably put in play forces assisting the return of the repressed. Richard J. Bernstein's life and writings dramatically display this capacity, while the traces of his origin, in his tone, tenderness,<sup>41</sup> toughness,<sup>42</sup> and temperament, are everywhere audible. When he

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attention to language is reduced, argumentation is clearly essential. And what interests me, obviously, are other protocols, other argumentative situations where one does not renounce argumentation simply because one refuses to argue under certain conditions" (78). He quickly goes on to acknowledge, deconstruction shares much, and Simon Critchley noted this very well, "with certain motifs of pragmatism." For our purpose, however, what needs most to be highlighted is Derrida's commitment not only to argumentation but also his attention to the conditions in which arguments are formulated, assessed, and supposedly refuted.

<sup>38</sup> Here I am simply reasserting what I take to be one of the central criticisms of Bernstein's pragmatic stance as leveled by MacIntyre.

<sup>39</sup> In *The Trial of Socrates* (New York: Anchor Books, 1989), I. F. Stone strenuously argues that Socrates betrayed Athens by betraying democracy and therefore he deserved to be convicted of impiety and treason. This argument is likely stronger than most professionally trained philosophers would be willing, in the most provisional manner, to consider seriously. While in my judgment the argument fails, there are important lessons to be learned from working through the details of the case mounted by Stone in this brief.

<sup>40</sup> John Dewey, *Experience and Nature* (1925), *The Later Works of John Dewey*, volume 1 (Carbondale: Southern Indiana University Press), LW 1, 147, 150-51.

<sup>41</sup> See Megan Craig's moving remembrance "A Wishing Stone for Dick" (posted August 9, 2022, a little more than a month after Richard J. Bernstein's death).

<sup>42</sup> James Baldwin recalls an incident when Malcolm X, a man legendary for his toughness, was confronting a young black Christian. He feared the youth would be torn apart by Malcolm. What he witnessed instead was the most tender treatment of a younger "brother." Baldwin was struck by "Malcolm's extraordinary gentleness." "And that's the truth about Malcolm: he was one of the gentlest people I've ever met" (quoted by Manning). Manning Marable, *Malcolm X: A Life of Reinvention* (New

juxtaposed Moses and Machiavelli, another godless Jew identified the heart of the matter (or, at least, what counts for me as the heart of the matter):

One misses the elemental reaction against injustice and for justice – that reaction which in the long represents man’s only protection against a relapse into barbarism [cf. James]. I am firmly convinced that the passionate will for justice and truth has done more to improve man’s condition than calculating political shrewdness which in the long run only breeds general distrust. Who can doubt that Moses was a better leader of humanity than Machiavelli?<sup>43</sup>

In Bernstein’s comportment and writings, one never missed the elemental response against injustice and for justice, also the forthright response to the interminable demand to assess the relevant evidence. Precisely because truth is so contested, the painstaking, judicious, critical, including, of course, self-critical weighing of all the relevant evidence is so pressing. Moreover, one never missed in him the eloquent articulation of critical judgments, lacking foundations but not warrants. Finally, we witness what, following Peirce and Whitehead, Bernstein identified as “the lure of ideals.”<sup>44</sup> In the end, the very critical impulses driving us toward rejection and even condemnation of a position or policy drive us toward the *acknowledgment* of the ideals which alone make our judgments persuasive or simply intelligible (see, e.g., Bernstein’s *The New Constellation* [1992], p. 318). While he emphatically stresses affirmation, he implicitly acknowledges the task of acknowledgment.<sup>45</sup> While “we must honestly confront the instability of any project of critique,” we also “must recognize that there cannot be any critique without some sort of *affirmation*.”<sup>46</sup>

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York: Viking, 2011) 487. In general, tenderness and toughness, gentleness and ferocity, coexist in the same psyche.

<sup>43</sup> Albert Einstein, “On Moral Decay” (1937), in *Out of My Later Years* [Revised Edition] (Secaucus: Citadel Press, 1979) 10.

<sup>44</sup> Bernstein, “The Lure of Ideals” in *Peirce and Law*, edited by Roberta Kevelson (New York: Peter Lang, 1991) 29-43.

<sup>45</sup> See one of my essays on Stanley Cavell for what I mean by the task of acknowledgment: “Voice and the Interrogation of Philosophy: Inheritance, Abandonment, and Jazz” in *Stanley Cavell and the Education of Grownups*, edited Naoko Saito and Paul Standish (NY: Fordham University Press, 2012) 123-47.

<sup>46</sup> Bernstein, *The New Constellation*, 318; emphasis added.

Richard J. Bernstein could be unabashedly affirmative, not least of all in his affirmation of the need for acknowledgment, understood in a strictly philosophical sense. Here is where his work potentially intersects with that of another great Jewish-American philosophy. It seems especially fitting to point toward work yet to be taken up. It seems in keeping with both Richard J. Bernstein's pragmatist temperament and interminable Judaism (cf. Yerushalmi's *Freud's Moses*). His utter delight in children, especially very young ones (again, see Craig 2022), is only one of the more vivid expressions of his deep sensitivity to natality. What makes such sensitivity so necessary is above all what Freud saw so clearly (but what Dewey also discerned no less acutely), how much damage can be done to the human animal in its earliest months and years. I hope I am not amiss in giving the last word to the pragmatist side of Professor Bernstein's complex identity. "Descartes marks the period when Philosophy put off childish things and began to be a conceited young man. By the time the young man has grown to be an old man, he will have learned that traditions are precious treasures, while iconoclastic inventions are always cheap and often nasty" (*Collected Papers of Charles Sanders Peirce*, 4.71). Of course, even the most admirable traditions, especially religious traditions, can contribute to the protracted immaturity of human beings (cf. Freud's *The Future of an Illusion*). In other respects as well, they can themselves be sites of immaturity or childishness. "The childishness comes," Peirce suggests, "only when tradition, instead of being respected, is treated as something infallible before which the reason of man is to prostrate itself."<sup>47</sup>

Even as a teenager at the University of Chicago, Dick Bernstein appears to have had a guiding appreciation of countless human traditions as "precious treasures." Even in his attempts to distance himself from aspects of Judaism, he seems to have known that qualified dissociation is more often than not a dramatic instance of genuine, if contestable, identification. Years later, his eloquent plea for "engaged pluralism"<sup>48</sup> will provide an explicit, nuanced, and critical framework for

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<sup>47</sup> Charles Sanders Peirce, the *Collected Papers of Charles Sanders Peirce*, vol. 4, ed. Charles Hartshorne and Paul Weiss (Cambridge, MA: Belknap Press of Harvard University Press, 1933 [1960]), CP volume 4, paragraph #71.

<sup>48</sup> See especially his Presidential Address to the Metaphysical Society of America ("Metaphysics, Critique, and Utopia" [1988]) and his Presidential Address to the Eastern Division of the APA ("Pragmatism, Pluralism, and the Healing of Wounds" [1989]). "Metaphysics, Critique, and Utopia," *The Review of Metaphysics*, 42 (December) 255-74. ("Pragmatism, Pluralism, and the Healing of Wounds," *Proceedings and Addresses of the APA*, 63, 3, 5-18; reprinted as an Appendix to *The New Constellation* (323-40). Finally see my "Engaged Pluralism: Between Alterity and Sociality" in *The*

understanding how the *work* of identification rarely avoids qualification, dissociation, and acts of distancing oneself from one's origins. Some origins provide resources for understanding nothing less than these aspects of identification. Some authors within a tradition – Freud, Buber, Heschel, Einstein, Levinas, Arendt, Yerushalmi, Derrida, Cavell, and of course Bernstein himself – are invaluable for discerning how stories of origin rarely avoid serving to repress events within the tangled sequence of actual events (insofar as available traces and archives provide us with resources for identifying these events and reconstructing their sequence). The story regarding storytelling can all too quickly thrust us into a hall of mirrors. But there is no alternative to reconstructing, at once painstaking and imaginatively, not only stories of the originating events but also those of how these stories themselves have taken shape and been renewed in the contested course of complex histories. Richard J. Bernstein has been a disciplined storyteller who appreciates the argumentative force of a well-narrated history and, no less, the narrative shape of a long-running argument.<sup>49</sup> In his case, the roots of this narrative impulse are varied, but they unquestionably include his ethnic, religious traditions of origin. He would no more apologize for being from Brooklyn or the son of a salesman than he would for his delight in the innate curiosity of young children or his own disciplined interest in the most challenging texts imaginable. He knew just what book to pull off a shelf for a very young child<sup>50</sup> and what commentator might be helpful for a grad student

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*Pragmatic Century*, ed. Frisina and Davaney, 39-68 (Bernstein's "Response," 69-71) as well as "Richard J. Bernstein: Engaged Pluralist and Dialogical Exemplar" in *Philosophical Profiles in the Theory of Communication*, ed. Jason Hannon (New York: Peter Lang, 2012) 65-97. While I take Professor Bernstein to have been excessive in his praise of my efforts ("His account is sharper, more focused, and more vigorous than my attempts to specify the meaning of engaged pluralism"), my account of his stance might assist readers in comprehending something of the depth and detail of his "engaged pluralism."

<sup>49</sup> "The history of a tradition is," John E. Smith notes in *America's Philosophic Vision* (Chicago: University of Chicago Press, 1992), "an indispensable resource for philosophical understanding" (86). Cf. John Herman Randall, Jr., one of Smith's teachers at Columbia, *How Philosophy Uses Its Past* (New York: Columbia University Press, 1963), see especially 47-64. It takes more than one generation to work out in sufficient detail and depth the presuppositions and implications of a significant philosophical position, especially an innovative one.

<sup>50</sup> Megan Craig, "A Wishing Stone for Dick" (*Erraticus*). "A magic pebble. That was the subject of a book that Dick retrieved from a bookshelf in his apartment in New York City several years ago when I was visiting him. He wanted to find a book for my daughter to read, and he had the perfect one in mind. He disappeared into a side room and emerged looking triumphant, a slim, soft cover copy of *Sylvester and the Magic Pebble* (1969) by William Steig in hand. He and my daughter Cora sat down to

struggling with making sense out of one or another of Hegel's writings. The differences here should not blur the similarity. In this sense, the accent does fall decisively on connecting – connecting this child with a book his own children or grandchildren delighted in, connecting this student with a commentator who he himself had found to be so illuminating and trustworthy years after he no longer needed to rely on that expositor. It's the *only* ("Only Connect") not the impulse toward conjunction about which I am dubious. "Significant disagreement presupposes," Bernstein insisted in *Praxis and Action*, "a common universe within which men [and women] can disagree."<sup>51</sup> If he worked so hard to secure a shared universe of *significant* disagreement, it was above all for the sake of ensuring that the intellectual, human, and political stakes at the heart of our disagreements came into sharpest focus. It was not simply for the sake of connecting what otherwise would be disparate. It was first and foremost for the sake of assisting mutual understanding pressed ultimately in the service of rational assessment of rival claims. What provisionally must be taken with the utmost seriousness might not survive as what ultimately might be taken as the most adequate interpretation, narrative, or simply formulation of a claim or the most forceful argument. The *ad hominem* character of philosophical discourse honors the Socratic origins of that distinctive mode of human utterance, for it is addressed to human beings in the concrete circumstances of their everyday lives (i.e., it is addressed to the problems of women and men, not principally to those of philosophers and other intellectuals.<sup>52</sup> The problems of philosophers turn out to be nothing less than the problems of women and men caught up in their struggles to secure a humane existence within inherited circumstances and, beyond this, to transform the actual conditions in which their everyday lives are forced to play out.<sup>53</sup> For the most part,

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read together, and that is how I first heard the story of a young donkey who loves to collect pebbles." In time, Megan will search for just the right stone to place "atop a tombstone to remember the dead." This is, as she notes, "a Jewish tradition."

<sup>51</sup> Richard J. Bernstein, *Praxis and Action* (1971) 1.

<sup>52</sup> "Philosophy recovers itself," Dewey famously wrote in "The Need for the Recovery of Philosophy" (1917), when it ceases to be a device for dealing with the problems of philosophers and becomes a method, cultivated by philosophers, for dealing with the problems of men [and women]" in the concrete circumstances of their everyday lives (MW 10, 46). See, e.g., Bernstein, *Praxis and Action*, 200-229; *Philosophical Profiles*, Chapter 10 ("John Dewey on Democracy – The Creative Task Before Us"); and Chapter 3 ("John Dewey's Vision of Radical Democracy") of *The Pragmatic Turn* (Cambridge, UK: Polity, 2010).

<sup>53</sup> "Men make," Karl Marx insists, "their own history, but they do not make it just as they please; they do not make it under circumstances chosen by themselves, but under circumstances directly found,

we indeed do not make the conditions in which we make history (Marx), but we can to some extent begin to remake (or reconstruct) these conditions. The actual loci of philosophical questioning, at least when philosophy is most vital, are the everyday circumstances of human striving, struggle, survival, and strife as well as accomplishment, etc. If philosophers are possibly as betrayed by Socrates (as he has traditionally been portrayed, beginning with Plato<sup>54</sup>) as the Jewish people have been betrayed by Moses (as *he* has traditionally been portrayed), that does not mean that this mythic figure entirely ceases to be a historical person. Philosophical writings no less than Talmudic debates are sites wherein the return of the repressed, the more or less legible traces of otherwise erased “killings” or violations, are discernible. In being discernible, disconcerting truths become discoverable, far more complex, nuanced, and often disruptive than any sanctioned by traditional authorities. To wrestle with the figure of Moses, even at a time when the rise of a tyrant such as Adolph Hitler was a defining feature of the historical moment, and to consider the possibility that he was other than he has been portrayed to be makes it clear that Moses matters. Michelangelo’s statue in a Roman Church captivated Freud’s attention because, in the riddle of this figure of the origins of religion, ethics, and identity, he could not help but feel there are indispensable clues to this inherently enigmatic figure. If the God whom Moses worships is impossible to pin down, is it not appropriate that Moses himself is in certain critical respects no less so? If the name of this Being is no instrument of command, such that one’s invocation of it ensures its Presence, then perhaps the name of Moses himself needs, for all his steadfastness, to be heard as an immediately recognizable sound signifying an inherently elusive figure. Do we ever truly know the fathers – or the mothers – even simply as fathers, let alone in the totality of their being? Socrates might warrant the designation given to him by Erasmus, but no less the misgivings voiced by I. F. Stone in *The Trial of Socrates*. Our ambivalence toward such figures might accurately register the ambiguity of these figures themselves. Or so, at least, I am led to entertain at this moment in a lifelong engagement with these mythic figures. They are the stuff of stories but these stories are the substance of our lives.<sup>55</sup>

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given and transmitted from the past. The traditions of all the dead generations weigh like a nightmare on the brain of the living.” *The Marx-Engels Reader*, edited by Robert Tucker (New York: W.W. Norton & Co., 1972) 437.

<sup>54</sup> See, e.g., Adriana Cavarero’s *In Spite of Plato: A Feminist Rewriting of Ancient Philosophy*, trans. Serena Anderlini-D’Onofrio and Áine O’Healy (Cambridge, UK: Polity Press, 1995).

<sup>55</sup> Toni Morrison enjoins her listeners in her Nobel Lecture, “Make up a story. Narrative is radical,

The dynamics discoverable in an individual life are allegedly observable in the dynamics constitutive of a tradition. The tenacity with which Jews clung to their tradition of origin, however estranged this or that individual might be to this or that facet of this tradition, is tied to trauma in complex and perhaps even conflicting ways. The tradition itself is, on Freud's account of trauma and its aftermath, rooted in trauma. Moreover, the Jewish tradition provides indispensable resources for both confronting and evading traumatic experiences. Indeed, the history of a tradition – in brief, the tradition, since it and its history are virtually identical – is never anything less than a confrontation and evasion, specifically, an engagement with, and flight from, the partially repressed events inaugurating and sustaining the tradition. But *the return of the repressed* might be as Lou Andreas-Salomé suggests, more than the return (and repetition) of incomprehensible and unresolved destructive elements. The renunciation of instinctual drives cannot but call forth, at some point (however belatedly), opposition to the ideals and authorities demanding such renunciation. But *Der Fortschritt in der Geistigkeit* at the heart of Judaism,<sup>56</sup> according to Freud, exhibits how the return of the repressed might itself be pressed into the service of the ongoing renewal of instinctual renunciation, without destroying the sources of vitality (i.e., without depriving the human animal from joyfully deriving intense satisfaction from sensual desires). The drives are given their due. For the most part, however, they are given their due only as the result of becoming incorporated into an ethical life in which the immense force of sensory images and sensual desires are subordinated, in the one case, to the demands of abstract thought and, in the other, the discipline of sensuous impulses. The tenacity of this tradition is unintelligible without the recognition of the ideals to which a people have clung as the only refuge and solace in a murderous and treacherous world. The pessimist Freud turns out to be no pessimist,<sup>57</sup> for he recognizes the reality of ideals, not least of all in their efficacy

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creating us at the very moment it is being created.” *The Sources of Self-Regard: Selected Essays, Speeches, and Interviews*, (New York: Alfred A. Knopf, 2019) 108. We are not only story-telling animals: we are also story-shaped selves. Stories are indeed radical: they are at the root of our being. Cf. Hannah Arendt, *The Human Condition* (Chicago: University of Chicago, 1958) 181-88. Also, Bernstein himself, e.g., in “The Rage Against Reason” (originally published in *Philosophy and Literature*, 10, 2 (October 1986) 186-210, and reprinted in *The New Constellation*).

<sup>56</sup> See Bernstein, *Freud and the Legacy of Moses*, especially pp. 31-34, 83-85, 114-115, and 116.

<sup>57</sup> “Freud is,” Bernstein stresses, “not a cultural pessimist. He is suspicious of all forms of utopianism. But it is misleading to characterize him as a pessimist. As a cultural diagnostician, he is a *realist* who claims that there is no escape from the psychic conflicts that result from the renunciation of instincts and the guilt that this renunciation engenders.” *Freud and the Legacy of Moses*, p. 74. In his response to



(including their power to inaugurate and sustain a tradition across centuries).

## Conclusion

With the irrevocable loss of a philosophical companion, hence a companionable antagonist, perhaps even “a beautiful stranger” (Emerson’s description of a friend<sup>58</sup>), one is inevitably thrown back on an uncertain sense that life is more complex, precarious, and indecipherable than it had felt just a short time ago. Making sense runs up against the limits of human reason, perhaps also those of a cosmos which is always to some extent a chaos. Responding humanely – simply humanly – to unintelligible events does not require accomplishing the impossible – making sense of the senseless. Of course, the death of a ninety-year-old man is in a straightforward sense hardly unintelligible or unimaginable.<sup>59</sup> But the death of a friend and especially that of a Father (and he was an avuncular figure to many of us and nothing less than a parental one to many others) never quite makes sense. The same is true for the death of a Mother, if not more true.<sup>60</sup> The *experience* of the world being altered in a way

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Yosef Hayim Yerushalmi, Bernstein goes so far as to link the hope characteristic of Judaism with a tempered form of hopefulness animating Freud’s ethical life. “In every generation there is,” he asserts, “the danger of losing our freedom, of falling away from the nobility of our tradition, of succumbing to idolatry and the bondage which our archaic heritage opposes” (*Freud and the Legacy of Moses*, p. 116). But Freud, precisely at the moment Hitler is rising to power, does not succumb to despair. “It is,” as Walter Benjamin noted, “only for the sake of those without hope that hope is given to us” (p. 115). There is no contradiction in seeing Freud, for all his intense opposition to utopian movements, as an unblinking realist who was disposed to bring hope to those who were themselves inclined to feel hopeless. To keep alive the sense of possibility that ideals – above all the ideals of truth and justice – matter, and matter profoundly, is, after all, no insignificant achievement.

<sup>58</sup> In “Friendship,” Emerson suggests, “Let him be to thee forever a sort of beautiful enemy, untamable, devoutly revered, and not a trivial conveniency to be soon outgrown and cast aside.” *Emerson’s Essays*, edited by Irwin Edman (New York: Harper & Row, 1951) 152. The critical point concerns not antagonism or opposition, though this possibility is an ineliminable feature of the greatest friendships; it is rather relinquishing any impulse to tame or, worse, domesticate one’s friend.

<sup>59</sup> Again, I feel compelled to draw upon Megan Craig’s incomparable recollection. “There was nothing surprising about Dick’s death. He was ninety years old. A titan of American philosophy, he lived a long and amazing life” (“A Wishing Stone for Dick,” *Erraticus*). But the dread of losing him, dating back more than two decades, took root the very moment she met him. However intelligible in a prosaic sense, Bernstein’s actual death will take time to fit into the pattern of even her (and my) everyday world, if this is indeed the appropriate way of describing the function of grief-work.

<sup>60</sup> Agnes Heller, “Memory Traces, Archive, Historical Truth, and the Return of the Repressed: On the

which can be communally or privately marked, but never remotely remedied – this experience – need not be written off as simply subjective or illusory. The *Stimmung* befalling one at such times might be revelatory.<sup>61</sup> Indeed, it might reveal a hole in the world, never to be filled, a presence now absent to be celebrated, though never to be equalled.<sup>62</sup> The task of remembering might take diverse forms, from specifically recalling, say, a birthday to a more general devotion to one or another of an individual's singular qualities. The sage guidance of the Talmudic directive, *le-didakh*, echoes throughout Richard J. Bernstein's writings, teaching, and conversations; and, in doing so, a defining feature of the Jewish tradition (and of course much more) echoes through his life and work.<sup>63</sup>

He was a tough-minded, tender-hearted Jewish-American<sup>64</sup> who grew up in Brooklyn and eventually taught in Manhattan.<sup>65</sup> As many New Yorkers have done for decades, he fled the summer in the City to dwell in northern New England (in his case, in Jay, Vermont, where he died on the porch of his home looking out at the

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Rediscovery of Freud's Moses," in *Pragmatism, Critique, and Judgment*, ed. Benhabib and Fraser, 241-42.

<sup>61</sup> Bernstein, *The New Constellation* (1992) 11-12, 44, and 57.

<sup>62</sup> Earlier this year Megan Craig was celebrating July 4<sup>th</sup> – "A day to celebrate the fragile union of a country newly born, a country he [RJB] believed in through all its dark and darkening times." On this night there were where she was with her family "no fireworks." Indeed, it "...was oddly quiet and dark save for the stars. I wouldn't know," she reported," until the next morning Dick was among them, or that I would feel so suddenly alone. A world dimmed in his absence, silent as a stone, so unlike him, so new" ("A Wishing Stone for Dick," *Erraticus*).

<sup>63</sup> Abraham Joshua Heschel, *Thunder in the Soul*, 18-29; also, Martin Buber, *Between Man and Man* (New York: Macmillan, 1948), trans. Ronald Gregor Smith, p. 16; also, in *The Way of Response*, edited by Nahum N. Glatzer (New York: Schocken Books, 1966) 20.

<sup>64</sup> It is extremely instructive to see what Teddy Roosevelt and Woodrow Wilson said about hyphenated Americans versus what James Baldwin insisted. For these two Presidents of the United States, the hyphen is nothing less than a sign of betrayal, at least one of treachery and untrustworthiness. For Baldwin, however, it is an indispensable repudiation of a cultural and political life ("whiteness"). In "On Being White ... and Other Lies," he asserts: "No one was white before he /she came to America. It took generations, and a vast amount of coercion, before this became a white country." "America became white – the people who, as they claim, 'settled' the country became white – because of the necessity of denying the black presence, and justifying the black subjugation. No community can be based on such a principle – or, in other words, no community can be established on so genocidal a life." *The Cross of Redemption: Uncollected Prose*, edited by Randall Kenan (New York: Vintage Books, 2011) 167).

<sup>65</sup> For important details of the life of this New York intellectual, see the biographical sketch offered by Judith Friedlander in "A Philosopher from New York." *Pragmatism, Critique, Judgment*, eds. Benhabib and Fraser, 329-51.

mountains). He was moreover as at home in Berlin or Prague in a seminar on critical theory as he was in New York at the New School in a seminar on classical pragmatism. Finally, he was “an engaged fallibilist” more deeply rooted in the pragmatist tradition than any other, but *as a pragmatist* deeply and widely receptive to other intellectual traditions.<sup>66</sup> Because of this, he was able to mark more precisely the limits of historical pragmatism than its most severe critics and, also, to identify more pointedly its evasions, omissions, and lacunae than these critics. His critical, imaginative engagement with Freud, especially in *Freud and the Legacy of Moses*, is one of the texts in which the distinctive inflections of his Jewish-American voice,<sup>67</sup> in its full pragmatic resonance, is tellingly audible.

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<sup>66</sup> John E. Smith, “Receptivity, Change and Relevance: Some Hallmarks of Philosophy in America,” originally published in *Two Centuries of Philosophy in America*, edited by Peter Caws (APQ Library of Philosophy, 1980) 185-95 and reprinted as Chapter 11 of *America’s Philosophical Vision* (Chicago: University of Chicago Press, 1992). For his own effort to highlight some of the most important hallmarks of philosophic thought in the United States, see Bernstein’s “In Defense of American Philosophy” in *Contemporary American Philosophy*, Second Series, edited by John E. Smith (London: George Allen and Unwin, 1970) 293-311, These are: inquiry, community, experience, and action. Regarding his opposition to Richard Rorty’s efforts, as a pragmatist, to do away with the concept of experience, see Bernstein’s later essay “Experience After the Linguistic Turn,” Chapter 6 of *The Pragmatic Turn* (Cambridge, UK: Polity, 2010).

<sup>67</sup> In “A Wishing Stone for Dick,” Megan Craig disclosed: “I think one of the things I most loved about Dick was his complete indifference to any demarcation between the high and the low. I take this to be part of his Jewish heritage – a sensibility I also find in the work of Emmanuel Levinas. The divine is not distant or otherworldly, it is right here before us, beneath our feet.” I too read this stance in the same light. It is even possible to invoke an authority no less than Rabbi Abraham Heschel to drive this general point home: “Judaism is a theology of the common deed, of the trivialities of life, dealing not so much with the training for the exceptional as with the management of the trivial. The predominant feature in the Jewish pattern of life is unassuming, inconspicuous piety rather than extravagance, mortification, asceticism. Thus, the purpose seems to be to ennoble the common, to endow worldly things with hieratic beauty; to attune the comparative with the absolute, to associate the detail with the whole, to adapt our own being with its plurality, conflicts, and contradictions to the all-transcending unity, to the holy.” *Thunder in the Soul: To Be Known by God*, edited by Robert Erlewine (Walden, NY: Plough Publishing House, 2021), pp. 77-78.

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