

THE EMERSONIAN JUDGE:

**AN ANALYSIS OF MCCARTHY'S JUDGE THROUGH THE WORKS OF RALPH WALDO
EMERSON**

By

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A Thesis Submitted to The Honors College

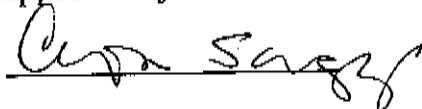
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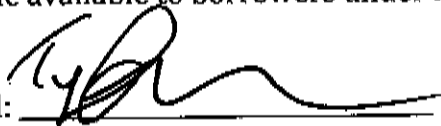
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The Emersonian Judge: An Analysis of McCarthy's *The Judge* Through the Works of Ralph Waldo Emerson

Introduction

Victor Frankenstein is to the Creature, as Emerson is to *The Judge*. Whereas Victor created this creature and then proceeded to abandon and resent its existence, Emerson brought about *The Judge* through no intentional actions of his own. Understanding that *The Judge* and the creature are both mistakes, the creature stands as an effect from an intentional experiment, while Emerson unintentionally produced a character that demonstrates the extreme capabilities of human cruelty. Cormac McCarthy's character, *The Judge*, from his novel *Blood Meridian* might very well be understood in this way in relation to Ralph Waldo Emerson and his works. *The Judge* is a whirlwind of contradictions, violence, and perverse philosophies on the world. As such, his character will be discussed and proven in this piece to be the realization of the Emerson's unforeseen extreme effects of his theories.

Ralph Waldo Emerson wrote on what it was man needed to move forward and progress in an ever-changing society. Examining Emerson's work and its significance to American literature and culture since its publishing, this piece will use it as a lens to look into McCarthy's *The Judge*. Using Emerson's "Self-Reliance," "Fate," "Nature," "The Divinity School Address," and "American Scholar" essays,

among others, this piece will examine the notion that The Judge might be McCarthy's entrance into a dialogue with the theories of Emerson. The Judge will be shown to be a response to Emerson and an embodiment of some unintended consequences Emerson failed to foresee within his theories.

One instance within "Self-Reliance" frames the intentions of this thesis. Emerson addresses his beliefs on man's inner desires, his impulses. This address naturally leads to religious discussions. Emerson inquires, "What have I to do with sacredness of traditions, if I live wholly from within?" (Emerson 268). A religious man questions whether these impulses Emerson lives by be not from above, but below and Emerson responds, "They do not seem to me to be such; but if I am the Devil's child. I will live then from the Devil" (Emerson 270). If only Emerson was aware of the looming McCarthyian creation of The Judge, for he embodies the perverted and unintended reactionary impulses of Emersonian theory at its best. This quote above seems to condone such behavior. After this piece is through, it will be clear that Emerson not only would not have condoned The Judge's character, but condemned it.

As Emerson stares at the effects of industry and society on the American culture, he pushes the masses to find themselves and combat falling into their cookie-cutter molds drawn out by the powers that be. The Judge forges his own mold. Not only is The Judge fighting against the system, he tries to go against nature and create his own dominance. It is within this violent action towards a new nature where Emerson and McCarthy draw some unique contrasting notions of existence. Emerson emphasizes the possibility of realizing man's full potential, whereas The

Judge reflects upon the realization of man's fullest potential in demonic terms. I see this a spectrum game where Emerson intends his readers to yield positive results towards some euphoric epiphany of life's meaning and human potential.

Concurrently, McCarthy creates a character that embodies the same Emersonian principles, but yields results that place him at the entirely opposite and undesired end of the spectrum. This analogy will become clearer as we proceed, but we need to understand the concept of extremes that will come to play a vital role in this piece.

The Judge revealed will push the bounds of what we consider within the parameters of human capability and will push our understanding of what we and Emerson believe humanity to be. The Judge is Emersonian. That will be proven. The question that remains is whether or not it was Emerson's intention to allow for his theories to create such a being.

Emerson's Theory – What It Means To Be Human

Though Cormac McCarthy looks out the window at a world that in many ways does not resemble the place Emerson wrote about, many things remain the same, as both men wrote on experience, life and what it means to be human. Emerson saw, in his horizon, a world on the cusp of the industrial revolution and, ironically enough, the Mexican American War that is essentially the setting of McCarthy's Blood Meridian. Emerson's thoughts deal with the difficulties of life in the 1840s, whereas McCarthy, who sets his novel in the 1840s turns Emerson's philosophy on its head.

The Judge is a moral monster, to put it lightly, and leader of a murderous band of men that define what it means for the Texas-Mexico border to be called the

"Wild West." These men demonstrate no sense of morals, ethics or restraint in their utter destruction and termination of every group of indigenous people they come across, The Judge most of all.

Biological Humanity and The Judge

I would first like to address the biological statements made by McCarthy in terms of The Judge. There arise questions as to the humanity of The Judge that bring about further intrigue on the part of Emersonian juxtaposition. The Judge is hairless, from head to toe. This sort of biological anomaly leads to questions. Should this be a nod towards his perverseness, his uniqueness in the shadow of normal humans, his complete disjunction from all other human life? Not only does this hairlessness alter his physical appearance from those of "normal" human beings, but it also begs the question how human he is. The Judge's lack of hair frames his appearance from the onset of one's interaction with him in the realm of the grotesque. He is set apart from all he encounters merely by his physical features, which ironically enough have nothing to do with deformity or mutilation, but with an absence of a foundational portion of human appearance. I find it interesting that McCarthy chose hair in relation to The Judge. Hair is a human characteristic that is the easiest to manipulate and change. Similarly, The Judge attempts to manipulate, impose and change the world to his satisfaction, much like one does to their hair with the use of product, stylings and/or certain cuts. *Most importantly, the visual nature of his hairlessness leaves The Judge vulnerable to others in that his very appearance indicates his distinct difference from other humans.

The extent of what it means to be human is something that concerns Emerson. Though he does not talk much of humanity in a biological sense, Emerson does discuss different states of being and their constant transition from one state to the next. Emerson discusses the role of this constant transition when he says that there is "one fact the world hates, that the soul *becomes*; for that forever degrades the past, turns all riches into poverty, all reputation to a shame, confounds the saint with the rogue, shoves Jesus and Judas aside equally" (Emerson 281). "Becoming" obviously denotes a transience and an evolution, but why the soul? The soul, according to Emerson, is almost an incarnation of one's character and potential. It takes on a religious connotation, but remains in the secular sense a sort of abstract formulation of the person, such as are one's values. Notice that divine Christ and damned Judas share the same fate in relation to the self that evolves. Both Jesus and Judas exist in the past and in a moral framework of good and evil, but from Emerson's point of view are irrelevant to the self that "becomes."

For McCarthy, Judas is real and is embodied in the living presence of The Judge. The Judge fails to evolve both biologically and morally. His failure to evolve beyond puberty reflects his estrangement from human normalcy. More importantly, if he failed to go through puberty, what other anomalies might one find within the rest of him that illustrate his perverseness of character. However, the crucial question that follows is, what makes a human being human? Certainly, sexual maturation does not encapsulate what it means to be human, but it does form some part of a definition of what it means to be human. To what degree of normalcy does one need to have to be deemed human? It is understood that "normalcy" is a

subjective concept, but the underlying question is, what is necessary to be considered human? The Judge has shown deficiencies in biological terms and moral terms, the latter to be expanded upon soon.

The Judge's hairless appearance leads on to a greater discussion on perception. One interesting statement at the end of the novel as the kid is going into his final encounter with The Judge to stop him once and for all, he states "That it was a naked fact and the judge was a man like all men" (Emerson 297). The phrase, "a man like all men," is a loaded phrase. Let's unpack it. All men bleed. All men are accountable for their actions. The Judge is not unique in these respects, though it felt that way for quite a while when he and his gang met no resistance during their violent rampage of a campaign. Interesting as well is McCarthy's use of diction in his choice of the term "naked." In this context, McCarthy spells out the rawness of The Judge; just as he was naked/hairless in reality, so were his words and theories. The Judge is a character that displays himself to the world openly. He neither hides nor evades the world. He forces the world to deal with him. He shares some biological traits with other humans, but when calling him a "man like all men," this is clearly misleading. Biologically he can be classified as human, but the question is he a "man like all men" does not address the real issue. He is definitely not a "man like all man." He stands apart. Rather, the statement "a man like all men" can more aptly be understood as a descriptive claim about The Judge's vulnerability to that which all men meet, death. As for the rest of The Judge, he stands far apart from the rest in many respects.

A scene leading up to that "man like all men" scene holds some statements about The Judge that prove revelatory is when the "expreist" says to the kid, "Do it. He is naked. He is unarmed. God's blood, do you think you'll be him any other way? Do it, lad. Do it for the love of God. Do it of I swear your life is forfeit" (McCarthy 285). Here arises nakedness once again. He seems completely at ease and comfortable in his nakedness. This comfortability might be pointing to his contentness in himself, which contradicts some of the readings already illustrated earlier. Concurrently, it could just be The Judge's rejection of societal ideologies regarding nakedness, yet again an attachment to the excessive side of an Emersonian ideal. The Judge could very well be making a statement against society's awkwardness with nakedness. Let's not forget how elaborate and time-consuming fashion was in the period of discussion. There were bustles, corsets, three-piece suits, etc. The statement about fashion and its role in society is a valid point.

On the other hand, within the context of the excerpt and the scene, we see that The Judge's nakedness is here referred to with regards to his unarmed status. Is a man of such violent and perverse ideals ever "unarmed?" An argument against the fact would be easy to make. One could always hold that the greatest weapon a man had is his intellect, for without it there is no man. A man like The Judge, through without a firearm or sharp object, is never truly unarmed. His mere psychology and character is enough to be fearful, cognizant, and cautious of him at all times. Moreover, The Judge's weapons to be fearful of do not exist in a tangible form, rather the most frightening part about him is mind. The Judge's psychology will be expanded upon in the chapters to come.

In Emerson's theories there exists quite a sizable portion regarding separating and establishing identity. Emerson even goes as far as to state in "The American Scholar" that Americans "have suffered amputation from the trunk, and strut about so many walking monsters" (Emerson 226). As is evident, this claim quite easily relates to a discussion of The Judge's mindset. However, I would like to first address it as a claim about the biological diction chosen in relation to The Judge. The Judge clearly breaks from the mold in almost every sense of the phrase, like the amputation Emerson describes above. The Judge was amputated from the onset of his life given his lack of hair. We all begin without hair, but grow it as we develop. Perhaps, this figurative amputation is an allusion to The Judge's unique development in other areas, i.e. philosophically or personally. In a psychological manner, it is as if he could not attack himself, but once separated and set apart from the society he came to loath, he set his sights and never relented.

This is a large distinction between McCarthy's The Judge and Emerson in their attitudes toward society. Whereas The Judge is against society in its totality, Emerson is a proponent of the individual remaking the self in order to remake society. They both stand opposed to the tracked and pre-fabricated lives society has set for all. However, they both offer different reactions to a society of conformity and convention. Almost Emerson's entire body of works warns of the dangers of society and the possibilities for negative effects on the person, from which essays like "Self-Reliance" are born. The Judge could be aptly described as a methodical vigilante. He used to be a cog in the societal machine, but ever since he was "amputated," he has *become* something else. Here arises the Emersonian state once

again. The Judge evolves through his amputation. With all of this said, the reaction The Judge had to his amputation was not necessarily an intended one. While the quote in discussion is much more of a descriptive claim on the state of Americans in the 1840's, it is still clear that The Judge's vigilante rampage of violence is not the sort of "monster" Emerson was alluding to. Emerson points towards monsters that are unaware of their true selves. The Judge is aware alright.

Psychology of The Judge

Let us transition slowly from a biological discussion to a psychological one. An Emersonian quote that rests in both realms of discussion is when he states that "man is the word made flesh" (Emerson 285). This societal notion of what it means to be a man is nothing without the embodiment of those ideological philosophies that comprise most Americans' conceptions of what it means to, not only be male, but a "man." The Judge, as a "man like all men" is a qualifying statement about his biological existence, not his manliness. However, if we were to analyze it as such, what might one find? The use of the term "man" could be understood as diffusing in that it makes him human, vulnerable, mortal. Emerson's "man" here is not just a biological man, it is conviction made present in agency. Work and know one's self. Work and have others know you. Projecting this understanding of Emerson onto The Judge, we see his work demonstrates his perversion of Emerson and self.

Let us revisit Emerson's views on the soul becoming constant motion and evolution of man's state and why it is so feared by society. Emerson holds the soul's becoming to be a frightening fact for society. What is it about the soul *becoming* that puts such weight on society, on the structure of civilization? Learning seems to be

the biggest fright here. With evolution, simply building from each moment to the next forces the subject to learn and adapt to the needs of the present. This is clearly troubling for a society or government that desires to stay in positions of power. As well they should be worried, for The Judge seems to encapsulate the worst of their fears. This constant evolution of states of being might have missed the train on The Judge's biological state, but his psychological state is well in tact and has adapted to the point where he no longer fears the system. Emerson takes a wide stroke with this statement above. He delivers a poignant commentary on the perceived value we place on such trivial things, i.e. "riches" and "reputation." The Judge understands and fully accepts the absolutely superfluous and meaningless nature of society's system of value. It all means nothing, from the dollar sign next to your name to the high esteem you are held in at court. The sooner man is not only told this, but accepts this the better. Emerson utilizes Jesus and Judas to attack the psychology of the masses in his time, for Jesus and Christianity were and still are beacons of taboo for discussion. He needed to make a bold statement that would break through their societal formalities. The Judge accepts the absurdity of society and he does so without the need for the shocking language Emerson uses with relation to Christian history, i.e. the taboo juxtaposition of our Christian society's beloved savior with the scorned and damned Judas. Conversely, The Judge cuts through these formalities with the use of a knife to scalp.

The Judge fears not the manmade authorities of the day and believes more exists, as is shown in one of his statements. He states that "in this world more things exist without your knowledge than with it and the order in creation which you see is

that which you have put there... For existence has its own order and that no man's mind can compass" (McCarthy 245). This just lays preface to The Judge's full understanding of universal structure and nature, which he continues on in the scene to completely disprove. McCarthy puts The Judge's submission to the grandiosity of the world as a sort of pathway to a power the rest of us are unable to tap into. An example of this power comes when he holds a coin and demonstrates for the men his power as he makes the coin fly around the fire and come back to him, then off into the darkness of the night and back from the abyss. Nature does not allow things like that to happen. They go against the rules of the universe. Yet, The Judge is able to do this. The Judge is a biological anomaly, but it seems his psychological make-up provides the avenue for his physical expression against nature. I like to think of The Judge as a counterfactual in the world to prove the factual, meaning that we would not know gravity pulls downward unless something went otherwise. One throws an apple, but gravity pulls it down. The Judge exists in his psychology to serve in contrast to the world that we live in. If he is not the way he is, how would we know the capable extent of man? We would not. This alludes to the age old saying that one would not appreciate the good if they never experienced the bad.

Americans and Their Role in Society

The world of civilization was moving quite quickly around the 1840's when Emerson was at his peak of success. In turn, the role of Americans within their own changing society was in constant evolutionary flux in search of some grounding. The Judge might have very well been one of these Americans looking for some truth. Perhaps, he found it in the works of Emerson.

"But do your work, and I shall know you. Do your work, and you shall reinforce yourself" (Emerson 272).

Be not words, but put their meaning on display. Do not display them before they are understood internally and expressed through action. Ralph Waldo Emerson does not make a statement about high school cliques in his most influential and highly regarded essay "Self-Reliance," but, rather, he posits a well conceptualized statement about man's ascension into his own person, his own space, and his own 'man.' The essay purports a grander notion of self-realization. This term, self-realization, is almost a more apt way to characterize Emerson's accomplishments and motives in developing "Self-Reliance," for, within one's cultivation of self-reliance, one must first become themselves.

The question that follows is, where does The Judge rest in the realm of self-realization? This villainous lunatic fraught with philosophies breaking from societal molds, natural molds for that matter, who sits on the fringes of what we might think the threshold of functionality as a human being seems to be as content as any man Emerson might be wishing to purport as self-reliant. In relation to the quote above, it is precisely the type of work that The Judge is doing that makes him such an enigma. His work of conflict, blood and violence seems to be the result of someone we do not want to know. Not only does Emerson seem to be urging the reader to take agency in their lives through the statement about work, but that it is what one does in life that defines them. In that light, The Judge has taken the work as identity aspect of Emerson's statement and ran with it, very very far. Emersonian self-reliance necessitates a sort of agency in not only working, but thinking and actively

choosing the work that one does before engaging in it. As is evident in *The Judge's* mind, he is a deep thinker with purpose in what he says and does. Let us investigate further.

The work *The Judge* does is averse to society and averse to the mere natural constrictions of our world, i.e. communally and physiologically. From a societal perspective, *The Judge* refuses to let others live their lives. He not only impedes on their rights and civil liberties, but rejects their mere dignity as living beings. He sits with a mere child at one point at a fire. Just "ten minutes later... the child was dead and the judge had scalped it." McCarthy, in such a telling way through his use of diction punctuates *The Judge's* attitude towards others in this scene by referring to the "Apache boy" as "it." Not only does the Judge not allow these indigenous people's existence biologically, but also socially, he does not even deign to enter into a relationship of recognition with the other. Scalps are his business. He and his men are celebrated for "one hundred and twenty-eight scalps and eight heads" to the point that the "governor's lieutenant and his retinue came down... to welcome them and admire their work" (McCarthy 167). McCarthy explicitly states it as "their work." Emerson now knows *The Judge*. The question that remains is what he thinks of him. So far, *The Judge* has shown great adherence to Emersonian ideals.

Similar to Hegelian notions of the master-slave and self-consciousness, Emerson assumes people's desire to better themselves. Emerson's work, if anything, is a catalytic body of work towards pushing others to reflect and introspect, while externally working to bring about the desired person one wants post-reflection. However, in the Judge's apparent post-reflection, he has latched onto phrases of

Emerson's that purport a loss of purpose, such as, "The civilized man has built a coach, but has lost the use of his feet" (Emerson 290). Given The Judge's blatant rejection of the term "civilized" in every context, especially in description of himself, it is clear that he has found the use of his feet and he is exercising that newfound use.

Where Character Meets the Mind

Agency: this is a term that Emerson seems to develop throughout the essay.

There is a level of agency one must bring into life. Emerson states that, "Whoso would be a man must be a nonconformist" (Emerson 269). This is not an encouragement of anarchist behavior, but rather an encouragement of agency.

Perhaps, it is the case that the cookie-cutter life paths of society are the best options we have, but it is integral to the cultivation of self-reliance, self-identity, and self-realization that one questions why. The Judge is certainly not a conformist.

Everything from his appearance to his philosophy exists outside of the normal conception of society. Emerson puts forth this notion by continuing the quote just above when he states that man, "must not be hindered by the name of goodness, but must explore if it be goodness" (Emerson 269). Nothing must be taken for granted, but must be proven as correct, valid, or truthful. The Judge is unlike a Kurtz-type character from Joseph Conrad's Heart of Darkness in that he spouts gems of philosophical theory ad nauseum, rather he demonstrates his conceptions of the world in statements about his power.

The Judge embodies both nonconformity, as well as strength in his convictions. He is a man of impulses. Emerson was not advocating for mere agency

though, it was personal identity. These impulses and instant gratification of The Judge point directly toward McCarthy's demonstration of the grotesque endings that Emersonian "whims" may lead to. There is a dark and demonic side man's impulse and The Judge is it. Emerson sees the whim as support for the speaking of one's mind, always in an attempt to urge others to create themselves through thought without restraint for the changes of tomorrow. McCarthy took the notion and identified its grotesque pitfall in The Judge. With that being said, Emerson would have condemned the actions and beliefs of The Judge, but would have undoubtedly commended him in that he created himself, that he knew who he was. Therein lies that most fascinating fact about The Judge. By adhering to all of Emerson's philosophies, he is what Emerson meant to create. However, he also embodies Emerson's failures in lack of clarity or scope for the self-reliant man. Furthermore, reflecting on the scalping of the Apache boy, McCarthy again points to the Emersonian whim, i.e. that the Apache boy represents an instance of some sort of intuition or impulse in man. This understanding might appear to take away from the diligent and precise "work" of The Judge, but I disagree. This just point further to the self-made, self-reliant man of his work, even if his work is whimsical, yet poignant. In this case, The Judge developed a false sense of security with the child and then destroyed it. He was both the creator and destroyer.

Concurrently, if this deliberateness is the reading taken of The Judge, there goes the scariest and most provocative portion of the character, his method. The Judge knows and understands what he does and therein lays his frightening and intriguing qualities. He believes in his actions and his "power" to his core. Similar to

the actions of the Nazis, the irrevocable belief The Judge holds in his actions is what stands unique among the more frightening characteristics about his character. The heinousness of their actions is only magnified by their belief in them and lack of base-level notions of humanity. With that said, it begins an interesting dialogue on whether The Judge was indeed nonconformist in his own right, but creating as sort of conformity within his own men, i.e. Glanton. This contradiction or self-effacement of The Judge's character is something to consider when evaluating his self-reliance. For, as he purports himself the omnipotent and destructive leader, he creates a band of men that conform to his theories. This is ironic and fascinating, as The Judge thus leads these men from a source of anti-conformity against the structure of society, while in doing so creating a conformity of his own. Interestingly enough, this is The Judge's work and Emerson knows him by it.

Speaking of conformity, with statements like, "the freedom of birds is an insult to me. I'd have them all in zoos," it is clear that The Judge has ideologies about the world, how it should be and his agency within making those changes come to fruition (McCarthy 199). He also has a will to impose on other living things. Just as he refuses to conform, he forces others to conform to him. A character, Toadvine, responds to The Judge by saying, "that would be one hell of a zoo," The Judge just smiles (McCarthy 199). Emerson's concept of work identifying a person is turned on its head here. The Judge's work includes preposterous appeals to fantastic impositions of imaginary will on other living beings. "Why" is the underlying question here. Why does The Judge see their freedom as an insult? Their freedom frustrates him in his confined and self-made box of identity. There they fly,

expressing their agency, while society still reaches for The Judge's compliance in their rules, their boxes, their masks of citizens. As he asserts his movements and decisions towards Emersonian self-reliance, though in a negative way as has been shown, the scariest moment for an Emersonian self-reliant person is for them to be prevented their expression and creation of self. The Judge is the master of Hegel's dialectic and the birds are to be his slaves - and they are not obeying his imposition of power.

If one were to investigate where The Judge begins one would ask the question, where does the character of a person begin? It begins in one's convictions, i.e. the fortification of one's principles. Emerson states, "Speak what you think now in hard words and tomorrow speak what tomorrow thinks in hard words again..." (278). The self-reliant man speaks his mind today and speaks it firmly; no man should shy from their convictions one day and not the next. He deems the state of man weak and almost meager, even so far as to be devolved. A man who is without these convictions is, indeed, not a man to Emerson, as he puts it when he states that, "Man is timid and apologetic; he is no longer upright; he dares not say 'I think,' 'I am,' but quotes some saint or sage" (Emerson 279). Using this façade of literary figures to express themselves, their sentiments, their thoughts, these men had devolved from homo-erectus. The Judge does not fear the possibility of being wrong tomorrow or contradicting himself, for most of the people he meets, he kills. Regardless, he is a man content in his ways and person. No one states the things like he did about the birds, unless they are psychotic and/or entirely content. For, no

one in their right mind would open themselves up to explaining something like that the next day over breakfast, let alone in running for office.

The Fate of Man: The Judge as per Emerson

The most important of Emerson's essays in this project, save "Self-Reliance," proves to be "Fate." The Judge plays his own fate, almost earning juxtaposition with loaded dice. The questions addressed in "Fate" appear similar to those of "Self-Reliance." However, "Fate" attempts to answer questions about the threshold of human potential and personal realization, i.e. how much can one accomplish or bring to fruition? Stating that "A man's power is hooped in by necessity, which, by many experiments, he touches every side and learns its arc," Emerson makes a grand commentary on his thoughts pertaining to this previously discussed notion of agency and potential being realized (Emerson 423). Has The Judge done this many times over? Or is his behavior indication of his misunderstanding or unknown boundaries of his potential? There is physically and literally only so much a man can do. He can exert himself and exert himself, but there still exists a basic threshold of his capability. This is what Emerson means when he states "hooped by necessity." The Judge has unhooped himself. The man wields a flying coin through flames and making claims about birds and their insult to him. His potential has been tampered with. However, Emerson was commenting on the set potential available to someone within society. If this is the case, The Judge has transcended that with the help of Emerson. This would now mean that his potential is now unrestricted by the constraints of society. Thus, The Judge gains power in his reality and becomes even more frightening, for we are unaware of his capabilities, his limits. Emerson's

concepts of fate and limitation posit a spectrum of possibility. The Judge represents the complete extent of the negative end of that spectrum. He is what Emerson probably never thought possible. For every measuring tool there are limits, Emerson set the parameters and The Judge proved them possible.

Emerson characterizes "fate" as "The element running through entire nature" and holds that it "is known to us as a limitation. Whatever limits us, we call Fate" (Emerson 424). Not only can this be understood in contemporary notions of fate leading us to a predestined place, but more as literal limitations, both figurative and literal. The Judge is limited by fate to never have the power to assert over birds. To purport such power is preposterous. Emerson would reject such a claim by The Judge and potentially discuss The Judge's level of narcissism hindering any sort of self-understanding whatsoever. In an interesting understanding of fate's role in Blood Meridian, let us think of McCarthy potentially making an appeal to the absurdity of fate in connection with Emerson. True, humans have limitations, but some of these limitations humans believe they have are merely figurative and psychological. We, as a society, are surprised everyday with the abilities of man, both negative in the new and positive in science and technological breakthroughs. The setting of the novel and the writing era of Emerson align in many ways. McCarthy's commentary on the imaginary limitations of mankind as Emerson stares into the world of the industrial revolution illuminates man's potential in The Judge, however dark these possibilities may be.

Rekindling the discussion of states of being and becoming from earlier in the biological discussion, let us reexamine the state under a new scope. Emerson states

that, "Power ceases in the instant of repose; it resides in the moment of transition from past to a new state" (Emerson 280). As soon as a new state is fully assumed, the next transition is upon them. This is the ultimate argument against stagnation and idleness. This sense of idleness Emerson would say is only vulnerability to falling into society's molds without agency being apart of the process. Power comes from evolution and development. Develop, Emerson tells man, cultivate yourself and do not merely follow blindly into the night. The Judge's "infirmity of will" provides tangible proof of his present "instant of repose." Stagnate for a moment and all one's power is lost, for when one loses progress, one loses self. Just as a hand pixelates across a screen as it moves from one side of a frame to the other making it difficult to focus on, so does the man in constant motion from state to state. Once one stops or reflects, the camera pulls focus and you are revealed. You're weakness are revealed in stagnation.

Turning the attention to The Judge, as mentioned earlier, he is a McCarthy response to Emerson's incessant urges for movement, nonconformity, and self-realization without any parameters for doing so or any guidelines for maintaining said cultivation. Let's assume that The Judge happened to be quite the Emersonian, as has been demonstrated. He spoke his mind without fear of contradiction tomorrow, which he does. He worked hard and diligently to create a "man" of his own and so on, which he does. But, as he continued on his trail of self-cultivated reliance, he never stopped. He found resentment in others' lack of reliability or self-identity and became this ubermensch as a result of his constant evolution. He

realized his fateful limit. This would only further the notion that The Judge is the Emersonian man turned on its head.

From Emerson's purported critical approach and active agency in the development of person comes man's fortitude, i.e. his self-reliance. Emerson states that, "the great man is he who in the midst of the crowd keeps with perfect sweetness the independence of solitude" (Emerson 271). Regardless of self-contradiction or the potential sway by others, the self-reliant man can stand among many and find solace in his resilience. Fortified conviction through critical analysis can only make one's foundation by which it is supported that much stronger. No one need fear of toppling if this is backing their play. What happens when someone's so fortified in their convictions, which happen to have potentially disastrous effects on life as we know it, that they are impossible to reach and reason with? Is the Judge too self-reliant? Is there even such a thing? I would be inclined to say yes and yes, on account of McCarthy's creation of The Judge. Emerson failed to hash out the extreme cases of self-reliance, which I would argue is some formulation of absolutism and/or and unhealthy domineering dictatorship of character that imposes one's will onto others regardless of their own sentiment or human dignity – not unlike The Judge.

Let Thy Warful "Will" Be Done...

Emerson states that "Discontent is the want of self-reliance: it is infirmity of the will" (286). This quote most accurately captures Emerson's push towards self-realization. To be unfulfilled with one's self is to live a life amiss of self-reliance, self-realization, and, certainly, agency on one's own behalf. Discontentment is a sickness of the person, the character, the soul. The Judge is discontent, but is he so with

himself or the world as he views it? I think it to be a discontentment with the fact that others are still "in the matrix" as the contemporary man would say. Everyone, save him, are still drinking the narcotic of society that prevents them from realizing the true world before them.

Understanding The Judge's desire to impose his will on others and other living beings, it is important to peer into The Judge's character through the lens of the Emersonian notion of the "discontent." As cited above, Emerson states that "Discontent is the want of self-reliance: it is infirmity of the will" (286). In The Judge's statement about the birds, it seems clear that he is discontent with the way of the world and his place in it. He even tells Toadvine the way he would have it. Here is presented a character with the utmost façade of "self-reliance." He holds to his ideals. McCarthy appears to demonstrate a contrast between the Emersonian self-reliant man and the pseudo-self-reliant man. It is clear The Judge is discontent in the world. It is also clear that he is doing his work. He is not idle. He is not quiet about his thoughts or theories. But, despite his blatant display of biological and social self-reliance, he fails to embody the Emersonian self-reliant man due to him being devoid of contentment.

Some of the most insightful peers into The Judge's psychology occur during a discussion about religion and, in turn, morality. There is an important exchange;

"The good book say that he that lives by the sword shall dies by the sword, said the black.

The judge smiled, his face shining with grease. What right man would have it any other way? he said.

The good book does indeed count war an evil, said Irving. Yet there's many a bloody tale of war inside it.

It makes no difference what men think of war, said the judge. War endures. As well as men what they think of stone. War was always here. Before man was, war waited for him. The ultimate trade awaiting its ultimate practitioner. That is the way it was and will be. That way and not some other way."

Others in this band of men appeal to the "good book," not The Judge. In fact, as one can see, he condemns it. The maxim stating that those who live by violence die by it, is presented and ironically accepted by The Judge, but on alternative grounds. He sees no other proper way to die, but through violent means. This brings us to a moral issue. The Judge then makes a statement about the nature of man, that not only is the "good book" filled with "bad" things, but man is necessarily a violent being and our nature waited for us to act on it before we existed. If this is the case, would this necessitate that The Judge is more "normal" in the human instinct realm of discussion? It might, but the acquiescence to that fact neither purports a world of violence nor holds anything against a peaceful society. We have evolved.

Emerson's "Divinity School Address" discusses good and evil and, in it, he states that, "Good is positive. Evil is merely privative, not absolute" (249). It is the evil portion we are most concerned with. For evil to be privative, it means it is incomplete, not whole, i.e. "not absolute" (249). What that means to say is that evil is never complete in any facet, it is necessarily lacking in some factor. For evil not to be absolute is to point towards its incompleteness, though Emerson's diction ironically indicates a nod towards absolutism within evil. I would like to reawaken the discussion of "goodness" here as well. Earlier we spoke of Emerson's thoughts on

“goodness” and how the self-reliant person must not take something as good if it be told to them, but rather must investigate and discover this item’s goodness themselves. The Judge, yet again, subscribes to this Emersonian belief. He blatantly questions the “good” in the phrase “good book.” Moreover, Emerson might commend him in the dialogue above, for speaking his convictions and, essentially, pushing others to think critically on the object at hand as well. Furthermore, the “good book” makes statement contrary to The Judge’s beliefs on war as well. Neither McCarthy nor Emerson believe war to be avoided entirely in the world in which we live, but McCarthy draws a distinction between goodness/badness and necessary/sufficient. It is sufficient for Toadvine that the “good book” state war to be bad. Whereas The Judge sees war as necessary and in its necessity to the world we live in, good.

This character lives in a world of competition that can only be solved through violence and his imposition of power. The Judge states only shortly after the above excerpt, “War is the ultimate game because war is at last the forcing of the unity of existence. War is god” (249). This statement puts forth an important distinction about The Judge’s thoughts on human nature. He sees the violent conflict of war as merely a game, furthering his devaluation of life. This is directly contradicting Emerson, for Emerson’s main effort in most all of his works was to urge people to better themselves, understand the world around them and understand their role within it. Emerson would not write such works if he did not value life. Furthermore, the essay “Nature” gives great commentary on the deeply integrated and integral functions of nature within our lives as humans. In fact, statements like “war is god”

add more support to arguments in favor of holding The Judge as the antithesis of Emersonian ideals. "The forcing of unity" is a phrase that opens a discussion on Emerson's thoughts on the cohabitation of man and society. Emerson stood against society and wrote how man was to break from it a maintain individuality. Perhaps, this is McCarthy's submission to society's power through violence. Humans are, after all violent creatures. However, looking into some Emersonian statements on agency within "Self-Reliance" there is another reading of the quote above. Emerson states that man "must not be hindered by the name of goodness, but must explore if it be goodness" (Emerson 269). Be an agent in creating one's own beliefs he says. Not only does this further Emerson's push for agency, but it also furthers his notions of moral exploration. The Judge's comments on war and its innate presence in human nature, so much so that it preexisted us, bring about the discussion of morality's origins.

It seems that The Judge might have some conceptions of moral sentiment when he states that "Man fallen into superstition, into sensuality, is never quite without the visions of the moral sentiment" (McCarthy 250). The Judge, as has been shown, undoubtedly holds principles on things unique to his outlook on life, such as the statements on war. This points to his holding of something, even in the loosest understanding, as per Emerson, resembling a moral compass. The Judge, if it is that he is exploring the goodness/validity of certain things, has undeniably gone to the extreme, an undesired extreme that Emerson not only did not discuss, but he most certainly did not intend. The Judge rejects superstition, compassion, and human-like emotion as weak in their paths towards moral values. Self-reliance is a theory to

push man forward and to reject morality and compassion is something that Emerson would condemn. However, within Emerson's theory, to speak one's conviction without hesitation or worry of self-contradiction is to be commended. This is portion of Emerson's theory that seems to habitually catch him in a bind. Thus, The Judge is the privation of goodness. His intense violence towards his fellow man is only indicative of his utter absence from any form of human emotion.

Furthermore, Emerson develops this conception of "home." Once one is self-reliant, self-realized, one is "home" at all times. It is similar to a sort of enlightenment. There is no need for discomfort when one is content and self-reliant. One line that Emerson uses that highlights this is when he states that "The civilized man has built a coach, but has lost the use of his feet" (Emerson 290). There exists this edifice of massive proportions that man has created called "society." However, we have lost sight of our humanity, our ability to function within said society. As a self-reliant man, one can regain their feet and never feel trapped or confined to the use of one means of movement. Has the Judge built his own coach, dare I say, a new mode of transportation? The most intriguing piece from this excerpt is Emerson's use of the term "civilized." The use almost excludes The Judge. Civilization implies a certain set of qualities that are necessitated if humans are to coexist in masses amicably. The Judge does not have these qualities or characteristics. Furthermore, there are rules that one must buy into, The Judge does not do that either. He is the anti-thesis of civilized. However, he holds these grand understandings of life and human nature. These insights might appear deeply articulate philosophical fragments, but they merely point to his rejection of society. Emerson lays out an

approach to what he holds to be the best realized life a person can live, self-cultivation at its best, i.e. the best you that you can be. The Judge's response is a simple, "why?" It is as if The Judge watches the "civilized man" in his "coach" lost without their means of movement and asks them why they even entered the coach to begin with.

The point that Emerson returns to again and again is this notion of "being one's own man." As discussed earlier, Emerson says that "Man is the word made flesh" (Emerson 285). The idea of what a man is finds its origins within the word itself. The word does not merely indicate gender, sexual maturity, or societal role, but so very much more. "Man" may be this idealized concept now, but it is subjective to each individual and this is what Emerson is identifying here. The agent is "a man" and he is his own "man" who does not belong or need to measure up to anyone or anything else. Continuing that line of thought, Emerson, at one point states that "Shakespeare will never be made by the study of Shakespeare" (Emerson 289). Shakespeare did amazing things with literature and the written word, but to attempt to emulate him is discountenance in self. Moreover, Emerson deems travelling a "fool's paradise" (Emerson 288). He deems it so with the motivation of deeming outside inspection beneath and to be reproached in the presence of introspection. There is no need to look out of one's own realm to learn and experience, it is all here within one's self. All of your potential lies within you. This sense of localization is born from Emerson's era and necessitation of America's cultivation of a national identity free from that of the crown's and he will expand on his notions of breaking away from England in his piece "The American Scholar."

However, with the Judge's attempts to impose his will on other, is he engaging in the fool's paradise? For that matter, Emerson's concept of "man" does not include The Judge. As has been stated, The Judge does embody many concepts of Emerson, however his disregard to humanity and societal necessities makes him self-destructive, not self-reliant. He has taken it to the extreme and to an unhealthy and undesirable extent that makes him a harm to others and himself. The issue here is how much he takes on and accepts of Emerson's work. He embodies almost every concept, but is yet still not what Emerson envisioned.

Emerson's works build on each other and form a larger theory in their entirety. In this piece there are a few other works that are to be addressed due to their profundity in regards to The Judge. Emerson uses "The American Scholar" as a platform to urge Americans to break from the molds of European past. No longer did these aristocrats hold their death-grip on the emergence of America. They were now their own country and, as such, needed to create their own identity, customs, and culture. He states that America is a society where its citizens "have suffered amputation from the trunk, and strut about so many walking monsters" (Emerson 226). The trunk being Britain in this line sends an interesting message to Americans. He calls them, America's lifeline essentially. Were they going to whither or grow stronger, newer roots? Might these monsters he refers to be clones of British custom parading around America? Or, rather, might the monster be left over British persons remaining in America? It could be that there was a contingency of British citizens who remained in America and imposed their cultural judgments upon the society from their proverbial throne of cultural superiority. Furthermore, with regards to

Emerson's statements on amputation, might this be The Judge amputating himself from his fellow man and all that came before? Is there an extreme that Emerson does not discuss here? His new customs and ways seem averse to the mere existence of man, let alone a rebirth of self-understanding.

At the end of the novel, as The Judge and the kid exchange words for one of the last times, The Judge states, "Our animosities were formed and waiting before ever we two met. Yet even so you could have changed it all" (McCarthy 307). This goes back to "Fate" and the limitation discussion. Even if The Judge believes in predestination, he is still an awkward place here. Assuming that their animosity was predestined, the rest of the world would hold that same animosity for The Judge, trying to destroy their world. The most nonsensical thing about the statement is the assertion that the kid could have changed it. If things were set the way they were, the kid would necessarily fall into his place. With that being said, Emerson's statements in "Nature" about the flow of life and nature's hand in everything lend nicely as explanatory notions of the statement above. There is a flow within nature and it takes care of itself. Whether predestination be true or not, threats to the flow and cycle, are eliminated.

Emerson's Response/Conclusion

It is now clear that The Judge and Emerson would have disagreed on quite a multitude of issues. The Judge is a violent being that holds no value in others, only the imposition of his own will on all other life forms. That is in no way what Emerson purports in his works. Emerson writes on the necessity of self-introspection. Emerson writes on the role of nature in one's life. Most of all, agency.

One of the biggest points he makes is not only to think critically and not take anything for granted, but to show some agency in the creation of the person the agent wants to be. He pushes Americans to speak their mind each and every day regardless of self-contradictions. Therein lies some issues with Emerson and McCarthy. McCarthy's creation, The Judge, perhaps, takes the agency portion to the extreme, an extreme that is counterproductive to the task in the first place. McCarthy's character, The Judge, might be a commentary on the dangers of excesses. The Judge is in no way moderate. Nothing about the man is temperate, fair, or reasonable. Emerson never addressed an extreme case. McCarthy's character presents the case-study for the matter.

With an utter and complete lack of regard for fellow human beings and a skewed sense of human nature, The Judge puts forth a scary model for the extreme possibilities of radical responses to Emersonian theory. McCarthy's setting of the novel in the time of Emerson, pre-industrial revolution, mid 19th century, lends an interesting piece to the mix too with the potential of McCarthy writing a character the Emerson would have been writing for. While Emerson saw the identity of Americans slipping away, he also had individuals such as The Judge in the far-off southwest of the country contributing to inhumane mayhem.

The Judge is an interesting character in his own right, but analyzing him through the lens of Emerson lends a great amount of intrigue into his character's philosophical make-up and dialogue between the two writers, Emerson and McCarthy.

The period at the birth of industry, lends well to a discussion of human nature and what is acceptable. McCarthy's character of The Judge encapsulates a sort of ultimate greedy and selfishness, a selfishness that Emerson might not have foreseen in the future of industry. Within the monarchs of old, indeed, there was narcissism, greedy, and self-indulgence at the expense of others, but a sort of common-era condoning through civilized structure of oppressive work practices was not openly common or thought to be acceptable. After all, they escaped English rule for that very reason, flee oppressive rule. Ironically, the very societal system created condones and indoctrinates society into its acceptance. Imagine The Judge the CEO of a railroad company back then or even an oil company today. He is scary in any setting, any role, any era. The question is, why? McCarthy's character, The Judge, exudes a deficiencies in human qualities that society feels necessary, i.e. compassion, fairness, integrity, etc. Oddly enough, he took Emersonian notions that pushed the masses to push themselves, find themselves, and create for themselves and ran with them. He ran with them like Forrest Gump ran the continent, so much so, that they transformed into vices that negatively impacted his character to the extreme of creating a monster.

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