

Part Two:

Are Appeals to a Divine Law Problematic?

In Part One I located within several representative branches of Christianity a common argument against feticide that I termed the Alexandrian Argument. The Alexandrian argument consists of three propositions:

[1] Killing a human being without justification violates the law of God.

[2] A formed conceptus (i.e. a fetus) is a human being.

[3] In the case of feticide (at least in the majority of cases) insufficient or no justification is forthcoming.

In Part Two I will defend the first of these premises. Premise [1] states that killing without justification is contrary to a divine law.

I. The Sixth Commandment

In the previous section I noted that proponents of the Alexandrian argument appealed to the sixth commandment of the Decalogue. This commandment occurs in the 20th chapter of the book of Exodus and the fifth chapter of the book of Deuteronomy. In its most well-known rendition, the King James Version (K.J.V.), this commandment states succinctly “thou shall not kill”.¹ The Hebrew term translated as ‘kill’ here is *rasah*. The New International Version (N.I.V.) and New Revised Standard Version (N.R.S.V.) translate it as “murder”.

1. The Universality of the Command

I will address the question of how to interpret this commandment in section 2 below. It needs to be noted that while this commandment occurs in the Decalogue, which is ostensibly part of the law of Moses and hence a stipulation of a covenant between the Jews and Yahweh, it is clear from allusions or direct appeals to this commandment elsewhere in scripture that the Mosaic Law is stipulating a principle which is considered to be binding on humanity per se and hence binds gentile Christian believers as well as Jews.

This is evident from two things. Firstly, something like the sixth commandment is alluded to and affirmed prior to the giving of the Mosaic Law and its scope is universal. The most obvious example is the story of Cain and Abel. Cain is condemned for killing his brother Abel before the Mosaic covenant is enacted. Even more explicit is the first epistle of John which states that believers “must not be like Cain who was from the evil one and murdered his brother. And why did he murder him? Because his own deeds were evil and his brother’s righteous”.² Here John sees Cain as violating a moral principle forbidding killing. Similarly, in Genesis 9 God prohibits Noah and his descendants from killing other human beings and states that those who do “will die at the hand of man”. In the narrative, Noah is the father of the whole human race and not just the Jews. The language used alludes to the creation account in Genesis 1 suggesting that this commandment has universal scope. Moreover the commandment is universal; it is part of a covenant made with Noah “and his descendants” and with “every living creature ... the birds, the

¹ Exodus 20:13 K.J.V.

² 1 John 3:12 N.I.V.

livestock and all the wild animals”. A comparison with Gen. 9:5-6 and the application of the sixth commandment in Ex. 21:12, Deut. 19 and Num. 35, as well as the laws governing a goring ox in Ex. 21:28,³ suggest that the Torah simply restates, applies and interprets a commandment that is universally binding on human beings and part of the entire creation.

Secondly, the commandment is explicitly repeated in the New Testament e.g. Matt 19:18. In the Sermon on the Mount Jesus repeats the commandment and offers a more stringent interpretation suggesting it prohibits not just killing but also verbal abuse and anger without just cause.⁴ Paul appeals to the commandment in his critique of Gentile culture in the first chapter of Romans.⁵ Elsewhere in the same epistle Paul exhorts his followers to follow this command and suggests it is required by the commandment to love one’s neighbour as oneself.

Let no debt remain outstanding, except the continuing debt to love one another, for he who loves his fellowman has fulfilled the law. The commandments, “Do not commit adultery”, “Do not murder”, “Do not steal”, “Do not covet”, and whatever other commandment there may be, are summed up in this one rule: “Love your neighbour as yourself”. Love does no harm to its neighbour. Therefore, love is the fulfilment of the law.⁶

Similarly, James exhorts his readers to “Speak and act as those who are going to be judged by the law that gives freedom”.⁷ It is clear from the context that he is referring to the Decalogue. In the verse earlier he states, “he who said, “Do not commit adultery” also said “Do not murder”. If you do not commit adultery but you do commit murder, you have become a lawbreaker”.⁸ Similarly, in 1 John we see an appeal to the commandment, an allusion to Cain and the idea seen earlier in Paul that the commandment is required by the duty to love one’s neighbour.

This is how we know who the children of God are and who the children of the devil are: Anyone who does not do what is right is not a child of God; nor is anyone who does not love his brother. This is the message you heard from the

³ See J.J. Finkelstein, “The Ox that Gored,” *Transactions of the American Philosophical Society* 71:2 (1981): 1-89, for an argument that these laws are an ancient Near Eastern Application of the laws of Gen. 9:5-6.

⁴ Matt. 5:21. See also 5:38-48; 26:52.

⁵ Rom. 1:29.

⁶ Rom. 13: 8-10 N.I.V.

⁷ James 2:12 N.I.V.

⁸ James 2:11 N.I.V.

beginning: We should love one another. Do not be like Cain, who belonged to the evil one and murdered his brother. And why did he murder him? Because his own actions were evil and his brother's were righteous.⁹

Jesus' claim that the commandment seeks to prohibit not just overt actions of killing but also an attitude of hate and contempt is restated by John "Anyone who hates his brother is a murderer, and you know that no murderer has eternal life in him".¹⁰ Elsewhere James states, "With the tongue we praise our Lord and Father, and with it we curse men, who have been made in God's likeness. Out of the same mouth come praise and cursing. My brothers, this should not be".¹¹ This appears to be an interpretation of Gen 9:6¹² with the commandment to not kill understood as prohibiting not just killing but reviling others.

In the Pastoral Epistles support for murder is stated to be incompatible with "sound doctrine".¹³ Moreover, in the apocalyptic vision presented at the end of the book of Revelation murderers are excluded from the heavenly Jerusalem and are consigned to the "fiery lake of burning sulphur. This is the second death".¹⁴ "Outside are the dogs, those who practice magic arts, the sexually immoral, the murderers, the idolaters and everyone who loves and practices falsehood".¹⁵

Therefore, the sixth commandment of the Decalogue is universal, unlike circumcision and dietary laws. The New Testament does not teach that it is not a command particular to the Mosaic covenant that Gentile believers are not required to follow. Rather it is reiterated, repeated and expanded upon in the New Testament. The scriptures affirm that all people have a duty to love their neighbours. This means not having an ill will towards them. Abusing, reviling and killing a human being made in the image of God is both forbidden and contrary to sound doctrine. It will result in exclusion from the community of God.

⁹ 1 John 3:12.

¹⁰ 1 John 3:15

¹¹ James 3:9-10 N.I.V.

¹² Gen. 9:6 grounds the commandment not to kill in the fact that man is made in God's image. Jesus argues in the Sermon on the Mount that the commandment condemns verbal abuse and hatred without just cause. In this passage James suggests that verbal abuse or cursing is wrong because man is made in God's image. The continuity of thought is evident.

¹³ 1 Tim. 1:9-10 N.I.V.

¹⁴ Rev. 21:28 N.I.V.

¹⁵ Rev. 22:15 N.I.V.

2. Interpreting the Commandment

I noted above that in its most well-known formulation the commandment is rendered “thou shall not kill”. Taken on its own and out of its context this raises problems, some of them known since at least the time of Augustine. After all, does not eating plants or harvesting food involve killing? Plants are living creatures and can be killed. As Augustine notes, “for though this class of creatures has no sensation, yet they also are said to live, and consequently they can die; and therefore, if violence be done them, can be killed”.¹⁶ He then asks rhetorically, “Must we therefore reckon it a breaking of this commandment, “Thou shalt not kill”, to pull a flower?”¹⁷ In fact, modern knowledge brings other perplexities. Scraping the inside of my mouth kills hundreds of living cells. Understood strictly as a prohibition of all killing, the command is manifestly absurd.

However, contemporary translators have noted that “kill” is not the best English equivalent of *rasah*, as *rasah* is not the general Hebrew term for killing. Rather, it is a term that is used only of killing humans; the word literally means “to slay”. For this reason, the N.R.S.V. frequently interprets the noun as “manslayer”. However, even as a term for homicide, *rasah* is comparatively rare in Hebrew. It appears only 46 times in the Hebrew Bible compared with other more frequently-used terms such as *harag* and *hemit*,¹⁸ which also refer to killing. It is also not lost on readers of the Hebrew Bible that in many surrounding passages certain forms of homicide are either permitted, such as killing a thief in the night, Ex. 22: 1-2,¹⁹ or even commanded, such as the execution of murderers, Ex. 21:12.

Most modern translations translate the verb as murder, as we saw in the NRSV. and N.I.V. However, this is inadequate. Childs notes, “it was soon recognised that the basic distinction between murder and killing, namely the factor of intentionality, cannot be

¹⁶ Augustine, *The City of God*, 1:21.

¹⁷ *Ibid.*

¹⁸ Johann J. Stamm, *The Ten Commandments in Recent Research* (London: S.C.M. Press, 1967), 98.

¹⁹ This passage is perhaps best illuminated by a passage in Job 24:14. “When daylight is gone, the murderer rises up and kills the poor and needy; in the night he steals forth like a thief.” This suggests that a person who broke in at night could not be distinguished from a person with murderous intent. The law also contrasts with Ancient Near Eastern case law of the same period, which allowed a person to summarily execute a thief caught on his property. The Torah states by contrast, “A thief must certainly make restitution, but if he has nothing, he must be sold to pay for his theft.” Hence, it teaches that a thief cannot be executed for theft. He can be killed only if he is perceived to be a threat to one’s life. If he is not, he must pay restitution.

sustained for the verb *r.s.h*”.²⁰ In several places the verb is used to designate what we would call manslaughter; accidental or unintentional killing. Koheler suggested that it probably prohibited taking the law into one’s own hands and hence had the sense of private killings.²¹ However, as Smedes points out,

As a matter of fact, however, *rasah* is used at least once for capital punishment (Num. 35:30) and also for accidental manslaughter (Deut. 4:41-43; Josh. 20:3). From a textual point of view, we do not have a clear case for limiting the commandment to private killings or murder.²²

One of the more thorough studies is that of Stamm. After analysing several uses of *rasah*, Stamm concludes that *rasah* means “illegal killing”. He suggests that the most concise English would be “you shall not manslaughter” which would be clarified along the lines that “the life of an Israelite” was to be protected from “illegal impermissible violence”.²³ Stamm’s analysis is arguably one of the best to date; however, there are a couple of problems with it. Firstly, as Stamm himself admits, *rasah* is used at least once of a lawful execution and hence does have a range of meaning which includes killing in a context where killing is lawful. Secondly, and perhaps frequently less noted, Stamm’s analysis turns the law into a tautology. To claim, “you shall not kill when it is against the law” is hardly informative. Of course it is illegal to kill when it is illegal. It is illegal to do any action when that action is illegal. I think that the commandment is supposed to be saying something substantive so I doubt Stamm is completely on the mark here.

The study of Reventlow modifies Stamm’s position somewhat. Reventlow argues that the vast majority of uses of the verb *rasah* relate to the idea of “blood vengeance”.²⁴ This is an idea which has origins in Gen. 4, that in some cases of killing, the victim’s blood metaphorically cries out to God for vengeance, and guilt and responsibility for the crime attaches to the person who committed it, and in certain circumstances, the land and community in which it occurs. This is atoned for only by the death of the murderer, if the killing was premeditated, or the natural death of the high priest, in cases where the killing

²⁰ Brevard S. Childs, *Exodus: A Commentary* (London: SCM Press, 1974), 419-420.

²¹ *Ibid.*, 420.

²² Lewis B. Smedes ““Respect for Human Life” Thou Shall not Kill,” in *On Moral Medicine: Theological Perspectives in Medical Ethics*, ed. Stephen E. Lammers & Allen Verhey, (Grand Rapids, MI: Eerdmans Publishing Company, 1987) 144.

²³ Stamm, *The Ten Commandments in Recent Research*, 99.

²⁴ Childs, *Exodus*., 420.

was accidental, or a sacrifice, only in cases where the community authorities are unable to ascertain who is guilty. Milgrom elaborates this motif.

The most vivid examples of this belief appear in connection with unlawful homicide, where innocent blood (*dam naki*’; Jonah 1:14) cries out for vengeance (Gen. 4:10). Rejected by the earth (Isa. 26:21; Ezek. 24:7), it attaches itself to the slayer and his family, literally “dancing around their heads”(2 Sam. 3:28-29) for generations (2 Sam. 21:4-6 2 Kings 9:26) and even affecting his city (Deut. 21:1-9; Jer. 26:15), nation (Deut 19:10,13), and land (Num 35:33-34). The latter two citations illustrate the variant grounds that provide the rationale for homicide laws in the Deuteronomic and priestly texts. In the former, the people Israel bear bloodguilt; in the latter, it is the land that is polluted by it. The technical term for bearing bloodguilt *damo bo* or *damo be-ro’sho*, meant originally “his blood [remains] on him/on his (the murderer’s) head” (Josh. 2:19; I Kings 2:33; Ezek. 33:5), and the legal formula *mot yumat damav bo* (Lev 20:9-16) means that in the case of lawful execution, the blood of the guilty victim remains on his own person and does not attach itself to the executioner.²⁵ [*Emphasis original*]

Reventlow suggests that *rasah* means a homicide liable for blood vengeance. The problem with this analysis is that it appears to get things backwards. A killing is liable for blood vengeance and requires punishment or atonement, presumably because it is wrong or unlawful. It is not unlawful because it requires punishment. The commandment must be prior to the ground for blood vengeance and not vice versa. This observation also leads to a conclusion that does not really differ from Stamm’s. After all, a killing is liable for blood vengeance only if it is wrong, so a killing liable for blood vengeance and an unlawful killing are in fact co-extensive.

A. Augustine’s Interpretation

I want to suggest that an adequate understanding or account of the sixth commandment was suggested by Augustine (or at least can be constructed from his writings). In Book One of *The City of God* Augustine addressed the question of whether suicide is lawful and concluded that it is not. What is interesting is how Augustine interpreted and applied the sixth commandment in doing this.

Augustine’s argument against suicide consists of three observations. Firstly, Augustine takes the commandment fairly literally as forbidding homicide. He states, “The

²⁵ Jacob Milgrom, *Numbers: The Traditional Hebrew Text with the new JPS Translation* (Philadelphia: Jewish Publication Society, 1990), 509.

commandment is “Thou shall not kill man”.²⁶ We saw above that there is a sensible basis for this. The term literally means to slay and is predicated only of human beings and, moreover, while in most instances it is used of unjustified killing it can be used of a lawful execution. The slaying of humans is a common meaning to the different nuances that it takes in the text.

The obvious problem for such a reading is that the text elsewhere seems to allow, even command, killing in certain instances. This does not perplex Augustine.

However, there are some exceptions made by the divine authority to its own law, that men may not be put to death. These exceptions are of two kinds, being justified either by a general law, or by a special commission granted for a time to some individual. And in this latter case, he to whom authority is delegated, and who is but the sword in the hand of him who uses it, is not himself responsible for the death he deals. And, accordingly, they who have waged war in obedience to the divine command, or in conformity with His laws, have represented in their persons the public justice or the wisdom of government, and in this capacity have put to death wicked men; such persons have by no means violated the commandment, “Thou shalt not kill”.²⁷

Augustine’s answer is straightforward. The universal prohibition is the general rule while the specific commands are the exceptions to this rule. The law prohibits homicide; however, the law must be read in its context and not in isolation and, when this is done, one realises that other commands and prohibitions offer qualifications or exceptions to this general rule.

There are several reasons for accepting this way of interpreting the sixth commandment. Firstly, it is in other areas a matter of common-sense, as Bahnsen notes,

Human communication by means of language would come to a grinding halt if it were illegitimate ever to express yourself by way of generalizations which do not explicitly acknowledge qualifications and exceptions. Lawyers may specialize in the fine print of complicated legal contracts, but even they do not speak that way in ordinary discourse. A father who asserts that his son is a fine basketball player is not guilty of falsehood or deception simply because he does not add that, of course, his son has some bad games.

²⁶ Augustine, *The City of God*, 1:20.

²⁷ *Ibid.*, 1:21.

Generalizations which state an accurate summary or the prevailing principle are not, as generalizations, faulty or inaccurate.²⁸

In fact, not only is this a matter of common-sense, it is a method followed elsewhere in scripture. For example, in Exodus 21:12,

Anyone who strikes a man and kills him shall surely be put to death. However, if he does not do it intentionally, but God lets it happen, he is to flee to a place I will designate. But if a man schemes and kills another man deliberately ...

Here we see a universal principle “Any one who strikes a man and kills him shall be put to death” and then immediately this principle is qualified in the proceeding verses. Moreover, contrary to Bahnsen, this type of writing is common even in legal circles. Even contemporary, legal codes often have a general, universal principle laid down regarding homicide or assault and then add specific exceptions which one can appeal to as a defence to committing actions which fall within the broad definition of the general rule.²⁹

Secondly, the hermeneutical principle of the analogy of scripture supports this kind of interpretation. We have a general command prohibiting homicide; then we have more specific rules commanding or permitting homicide in certain situations. To interpret the command as absolute and unqualified would be to render the text internally incoherent. This leaves two other options; either one understands the general prohibition as the exception to the more specific ones or the specific ones as exceptions to the general rule. The former option is problematic. If a command permitting killing in a certain context is subject to an exception that you never kill at all then the specific command is redundant and pointless. On the other hand, a general rule that states “do not kill,” except in certain specified circumstances, is not redundant. This then seems the more sensible approach.

A third reason for Augustine’s interpretation follows from a voluntarist understanding of the moral law. In Chapter II, Part One, I defend a voluntarist account of the moral law, one that states that actions are right or wrong in virtue of their being commanded by God. On this account, what is fundamentally wrong about homicide is that it violates the law of God. Now, just as homicide is wrong because it violates the law of God, when God

²⁸ Greg L. Bahnsen, “Cross Examination: In Defense of Theonomy,” *The Counsel of Chalcedon* XIV:5-6 (1992). <<http://www.cmfnow.com/articles/pe141.htm>>

²⁹ I am thankful to David Simpkin for bringing this point to my attention.

commands or permits homicide in a certain context the very property that makes killing wrong ceases to be present and hence the law is not being broken in that instance. It follows then that the killing in question is not wrong in this instance. This voluntarist understanding of Augustine's position has a long history and is suggested by Bernard of Clairvaux³⁰ and Aquinas,³¹ as well as those 14th century voluntarists such as Andreas de Novo.³² Contemporary defenders of this position are Philip Quinn³³ and William Lane Craig.³⁴

Augustine's position then is to interpret the command as a prohibition of homicide, understanding that in its context it is subject to qualification and exceptions provided elsewhere in the other commands of the law. His basic insight is that the law lays down the general principle "Thou shall not kill man". Given this is the general norm, one is to assume any given act of homicide is prohibited *unless* the law elsewhere qualifies this rule or lays down an exception.

This means that in practice the commandment forbids killing a human being without justification, where justification is construed as an excuse or permission granted by God's law. In the absence of any other command or permission to the contrary, one should refrain from homicide. In this respect homicide differs from an action that is permissible. One does not need a reason or justification for engaging in a permissible action as one can do it for any reason at all or even no reason.³⁵ However, because God condemns homicide one needs a reason drawn from the law of God itself before one can engage in it licitly.

³⁰ Bernard of Clairvaux, *On Precept and Dispensation*, III.6.

³¹ Aquinas, *Summa Theologicae*, I-II q 800, a. 8, ad 3.

³² Andrea de Novo Castro, *Primum Scripturum Sententiarium*, d 48, q 2, a 2 Concl. 2. I.

³³ Phillip Quinn, "The Recent Revival of Divine Command Ethics," *Research Philosophy-and Phenomenological Research*, (Fall 1990): 345-365.

³⁴ William Lane Craig & Edwin Curley, "Does the Christian God Exist?" A debate held at the University of Michigan, (5 February 1998). <<http://www.leaderu.com/offices/billcraig/docs/craig-curley12.html>>

³⁵ Anthony Fisher disputes this. In correspondence he suggests, "All practical reasoning is towards choosing the wisest course and not choosing purely arbitrarily amongst options not forbidden." I agree that when reasoning practically about permissible options a person should choose the wisest course and that a person who fails to do so can choose, unwisely, imprudently and go so far as to be downright stupid and that this is undesirable. However, this does not mean that all such decisions are *morally wrong*. The immoral is not the same as the imprudent.

Fisher appears to demur; he argues, "Unreasonable or arbitrary action is wrong, even if the act itself is not evil. Why? Because we must not only avoid evil but also pursue good; because in our every choice we forgo alternatives which, if they are better, we might be bound to pursue; because we must fulfil our vocation; etc." I agree that in addition to avoiding evil we have a duty to pursue good. However, once

This interpretation clarifies Augustine's argument that suicide is unlawful. Augustine justifies his conclusion by defending two points. Firstly, "he who kills himself still kills nothing else than man".³⁶ Secondly, "It is not without significance, that in no passage of the holy canonical books can there be found either divine precept or permission to take away our own life". He adds, "in the commandment, 'Thou shalt not kill,' there is no limitation added nor any exception made in favor of any one, and least of all in favor of him on whom the command is laid!"³⁷

In other words suicide is homicide and the law does not qualify or grant exclusions to suicide, so suicide is unlawful. It is clear that this inference presupposes the interpretation of the commandment I have defended above. Homicide is unlawful unless the Law of God provides grounds or exceptions to the general rule.

In summation, the sixth commandment offers a general prohibition of homicide. This prohibition is binding unless a specific exception or qualification is found elsewhere in the law of God showing that a particular instance of homicide is licit. The procedure in applying the law is then as follows; first, ascertain whether the action in question is homicide and then ask whether it falls under any lawful exception. This is the procedure that will be followed in the remainder of this discussion. In Part Three I will argue that there are good reasons for thinking feticide is homicide. In Part Four I will argue that attempts to show that feticide falls under some lawful or justified exception to the rule of homicide fail.

forbidden options are excluded there are numerous different good pursuits open to us, one cannot pursue all of them and some are such that pursuing one entails the non-pursuit of the other.

Further, it is not clear that we must always pursue the best of all good pursuits. First, in many cases, it may not be the case that there is a best option, perhaps several pursuits are equally good or perhaps things are such that no matter which option we take there is always a better one available. Second, if everyone has a duty to pursue the best option, no one will pursue those good causes that though good are less good than others are. I think it is up to a person's discretion which good things he or she will pursue and which he or she will not. Provided he or she is pursuing the good and avoiding the forbidden options, he or she does not need moral justification for pursuing one over the other. Therefore, it seems that in many cases, which option to pursue will be at our discretion and there will be no compelling reason for choosing one over the other.

³⁶ Augustine, *City of God*.

³⁷ *Ibid.*

However, before turning to this application, three objections need to be addressed. Firstly, in arguing for the claim that God prohibits killing a human being without justification I have appealed to the Christian scriptures. Such appeals presuppose that these scriptures are authoritative, that they are a reliable source of information about whether divine commands exist and, if they do, what their content is. An obvious question arises as to what is the basis for this presupposition, what reasons or arguments are there which justify accepting it?

I am inclined to think that this question relies on an erroneous assumption that one cannot rationally believe in a divine command on the basis of scriptural testimony unless one has good arguments or reasons for thinking scripture is reliable. This assumption has been labelled in the literature as Evidentialism. Contemporary movements in philosophical theology, particularly the reformed epistemology movement associated with Alvin Plantinga, call Evidentialism into question. Chapter 3 will elaborate this point.

Secondly, while the claim that killing a human being without sufficient justification is morally wrong remains largely uncontroversial, the Alexandrian argument does not merely state that killing without justification is wrong. It conceives this wrongness as being unlawful or contrary to a divine law. The moral status of actions is seen as co-extensive with whether they are in accord with a divine law. This way of understanding ethics is widely disparaged as unacceptable, as Peter Geach notes.

In modern ethical treatises we find hardly any mention of God; and the idea that if there really is a God, His commandments might be morally relevant is wont to be dismissed by a short and simple argument that is generally considered to be irrefutable.³⁸

In Chapters 2 and 4, I will examine several influential examples of such arguments. I will argue that despite their popularity these arguments fail. Belief in and/or appeal to Divine Commands is nowhere near as problematic as many contemporary theorists allege.

³⁸ Peter Geach, "The Moral Law and the Law of God," In *God and the Soul*, ed. Peter Geach (London: Routledge Publishing, 1969), 117.

II. The Euthyphro Dilemma

A representative example of the kind of argument Geach has in mind is the Euthyphro argument, first articulated by Plato and utilised by numerous critics of divine commands ever since. A representative example of this line of argument occurs in Peter Singer's widely-acclaimed monograph *Practical Ethics*. In the first chapter of *Practical Ethics* Singer offers the following argument.¹

[E]thics is not something intelligible only in the context of religion. I shall treat ethics entirely independent of religion.

Some theists say that ethics cannot do without religion because the very meaning of "good" is nothing other than "what God approves". Plato refuted a similar view more than two thousand years ago by arguing that if the gods approve of some actions it must be because those actions are good, in which case it cannot be the gods' approval that makes them good. The alternative view makes God's approval entirely arbitrary: if the gods had happened to approve of torture and disapprove of helping our neighbours, torture would be good and helping our neighbours bad.²

Several features of this critique are noteworthy. Singer attacks a position known as Voluntarism that he construes as the view that "the very meaning of "good" is nothing other than "what God approves." He bases this on the testimony of "some theists". Singer's argument here consists of three stages. He proposes the famous dilemma proposed by Socrates in Plato's dialogue *Euthyphro*. He then claims that Voluntarism makes God's commands arbitrary. He asserts that acceptance of Voluntarism entails that paradigmatically-evil actions such as torture could be good. He concludes that Voluntarism makes God's goodness redundant,

Some modern theists have attempted to extricate themselves from this type of dilemma by maintaining that God is good and so could not possibly approve of torture; but these theists are caught in a trap of their own making, for what can they possibly mean by the assertion that God is good? That God is approved by God?³

¹ I will use Singer's comments as a springboard for critiquing such objections in this chapter. I have chosen Peter Singer's discussion as he is an influential ethicist and his book, *Practical Ethics*, (Cambridge: Cambridge University Press, 1993) is a widely-read and distributed text. Further, Singer's discussion and treatment is standard. In many ways, he summarises the kinds of arguments and objections found elsewhere in the literature. Moreover, Singer's critique occurs as part of a justification for certain foundational assumptions in an argument for abortion.

² Singer, *Practical Ethics*, 3.

³ *Ibid.*, 3-4.

In response, I will argue three things. Firstly, I will comment upon Singer's description of his opponents' position. Secondly, I will examine the arguments he proposes and argue they are unsuccessful. Finally, I will address several related arguments proposed by others that agree with Singer's overall assessment.

1. Singer's Interpretation of Voluntarism

As I stated above, Singer's argument is an attack upon a position known in the literature as 'Voluntarism'. Schneewind notes that in the late Middle Ages two schools emerged as to the relationship between God and the existence of an objective law. The first and older position is known as Intellectualism. In this view, God does not create morality; rather, God's will is guided by his intellectual knowledge of eternal moral standards. The second position is Voluntarism. Voluntarism grounded the moral law not so much in God's intellect but in his will. God himself creates the moral law.⁴

It is worth noting at this juncture that Voluntarism is only one possible way of construing the nature of divine law and since Singer only offers an argument against this position, even if his argument is sound it fails to establish that the idea of divine law is problematic. Nevertheless, even as a critique of Voluntarism the argument appears to attack a straw man.

Singer construes Voluntarism as claiming "the very meaning of 'good' is nothing other than 'what God approves.'" It appears then that Singer characterises Voluntarism as a theory about the meaning of the evaluative term "good"; however, this is a caricature of Voluntarism.

Few, if any, notable defenders of Voluntarism propose it as a theory about the meaning of the term 'good'. This is demonstrated by examining the literature of those contemporary theists who do defend versions of Voluntarism. A notable, contemporary defender of Voluntarism is Robert Adams. In *Divine Command Ethics Modified Again* and later in his monograph *Finite and Infinite Good*, Adams puts forward the view that "ethical

⁴ Jerome Schneewind, *The Invention of Autonomy* (Cambridge: Cambridge University Press, 1998), 8-9.

wrongness *is* (i.e., is identical with) the property of being contrary to a loving God”.⁵
 [Emphasis original]

Note two things here; firstly, Adams does not offer a theory about ‘the good’ but explicitly limits his theory to deontological properties such as wrongness. Secondly, his theory is not about the meaning of terms; rather it is a metaphysical claim about identity.

This last distinction is important. Contemporary philosophy of language offers several examples of this distinction between two terms having the same meaning and two things being identical. One of the most famous is the relationship between water and H₂O. Water is H₂O. This is a claim of identity. The liquid on earth that we call water is hydrogen hydroxide. However, this is not a claim of meaning. The claim that water is H₂O is not an analytic truth that is true in virtue of the meaning of the words, rather it is a claim discovered by empirical investigation. Moreover, a competent language user could refer to water and understand the meaning of this term without needing to know about the atomic structure H₂O. Similar examples are available with such claims as ‘the morning star is the evening star’ or ‘Superman is Clark Kent.’ In each case, we have a statement of identity that is distinct from the claim that two words have the same meaning. Adams then explicitly denies he is proposing the position Singer attributes to modern theists.

Similar things can be said about the other major defenders of Voluntarism. William Alston holds that divine commands are constitutive of deontological properties and notes Adam’s identity claim as a paradigm of the type of relationship he is defending.⁶

Philip Quinn defends a version of Voluntarism that is limited to the deontological status of actions.

In speaking of the deontological status of an action, I mean to refer to whether it has such properties as being morally permitted, being morally forbidden or prohibited, and being morally obligatory or required.⁷

⁵ Robert Adams, “Divine Command Meta-Ethics Modified Again,” *Journal of Religious Ethics* 7:1 (1979): 76.

⁶ William Alston, “Some Suggestions for Divine Command Theorists,” in *Christian Theism and the Problems of Philosophy*, ed. Michael Beaty (Notre Dame, IN: University of Notre Dame Press, 1990), 303-304.

Quinn argues that God's commands cause or bring about these properties. He specifically denies that he is offering a theory of 'the good' in general or that the relationship between God's commands and moral properties is one of meaning. In fact, he argues against such a view.⁸

Edward Weirenga defends a similar theory proposing that divine commands are those properties of actions that make them possess deontic properties such as right and wrong. He does not affirm that the word 'good' means commanded by God.⁹ Similarly, John Hare argues, "that what makes something obligatory for us is that God commands it".¹⁰

This is not just true of contemporary defenders of Voluntarism. In a survey of the historical literature, Janine Marie Idziak notes that, historically, Voluntarism was usually understood as a theory about what makes actions right and wrong and not a theory about the meaning of moral terms.¹¹ Moreover, historically, Voluntarists such as Locke¹² and Puffendorf limited it to deontological properties and not to broader axiological properties such as goodness.

Robert Adams did defend a semantic theory in some of his earlier writings but, as noted, he later rejected his theory in favour of the one I sketched above. Moreover, the semantic theory Adams did initially defend bears little resemblance to the interpretation of Voluntarism made by Singer. Adams explicitly asserted that his theory was limited to analysing the meaning of the word wrong and not broader notions such as goodness.

⁷ Phillip Quinn, "An Argument for Divine Command Theory," in *Christian Theism and the Problems of Philosophy*, ed. Michael Beaty (Notre Dame, IN: University of Notre Dame Press, 1990), 291.

⁸ *Ibid.*, 293.

⁹ Edward Weirenga, *The Nature of God: An Inquiry into the Divine Attributes*, (Ithaca, NY: Cornell University Press, 1989), 215-27. See also "Utilitarianism and the Divine Command Theory," *American Philosophical Quarterly* 21 (1984): 311-318 and "A Defensible Divine Command Theory," *Nous* 17 (1983): 387-408.

¹⁰ John Hare, *God's Call: Moral Realism, God's Commands and Human Autonomy*, (Grand Rapids, MI: Eerdmans Publishing Company, 2001), 49.

¹¹ Janine Maree Idziak, "In Search of Good Positive Reasons for an Ethics of Divine Commands: A Catalogue of Arguments," *Faith and Philosophy* 6:1 (1989): 60.

¹² For a defence of the claim that Locke was a voluntarist see Francis Oakley & Elliot W. Urdang, "Locke, Natural Law and God," *Natural Law Forum*, 11 (1966): 92-109.

Moreover, it was limited to an analysis of what the word means in Judeo-Christian discourse not what the word meant in general.¹³

It is difficult then to ascertain to whom exactly Singer is referring when he states “Some theists” hold this view and he fails to provide any citations as to whom he is referring. He appears to attack a straw man that has little resemblance to the theory as it has usually been articulated and defended in both historical and contemporary literature.

Not only does Singer attack a straw man but attention to the arguments he uses reveals that in the very next sentence he changes his interpretation from a theory of meaning to a dependence or causal theory. Immediately after stating, “the very meaning of “good” [is nothing other than] what God approves”, Singer follows Plato in suggesting that either something is good because God approves of it or God approves of it because it is good.¹⁴ However, this presupposes that the relationship between divine approval and goodness is some kind of asymmetrical relationship where one entity in the relationship is temporally or ontologically prior to the other.

If, as Singer maintains, Voluntarism is the claim that “the very meaning of ‘good’ is nothing other than ‘what God approves’,” then the relationship between divine approval and goodness is not an asymmetrical relationship but rather a relationship of meaning so this dilemma simply does not apply.

Consider the following example. A person tells you that a bachelor is an unmarried man because the word bachelor means unmarried man. It would not make sense to respond to this claim ‘yes, but is he a bachelor because he is unmarried or is he unmarried because he is a bachelor?’ A person’s unmarried-ness is not prior to or the cause of his bachelorhood nor is his bachelorhood the cause of his being unmarried. His being unmarried is just a different way of referring to his bachelorhood. The relationship between a bachelor and an unmarried man is not causal; the relationship is one of meaning.

¹³ Robert Adams, “A Modified Divine Command Theory of Ethical Wrongness” In *Divine Commands and Morality*, ed. Paul Helm (New York: Oxford University Press, 1981), 83-108.

Immediately after stating that Voluntarism is a theory about the meaning of terms, Singer offers an objection that presupposes it is not a semantic theory but a causal one. However, only a few lines later he offers the following objection to Voluntarism “what can they [theists] possibly mean by the assertion that God is good? That God is approved by God?”¹⁵ Here Singer’s objection relies on the claim that good means approved by God in order to generate the trap he refers to. Not only does Singer attack a straw man but also his target appears to change throughout the discussion. In fact, it appears to change in order to fit the objections raised.

The defender of Singer could argue that this is an unfair reading. While he does say, “the very meaning of “good” is nothing other than “what God approves”, the word “means” can be used in contexts where it does not attribute semantic identity to the phrases in question. The person who states ‘by Venus I mean the morning star’, for example, probably does no more than assert that Venus and the morning star are the same thing and does not intend to make a claim about what the word “Venus” means.

I am inclined to reject this view as the context suggests Singer does have semantic meaning in mind. As we have seen, only a few lines after claiming, “Some theists say that ethics cannot do without religion because the very meaning of “good” is nothing other than “what God approves”” he asks “what can [those theists] possibly mean by God is good? That God is approved by God?”

Moreover, even if Singer did intend to make an identity claim as opposed to a semantic one, this does not escape the charge that he is attacking a straw man. Adams makes the claim that *wrongness* just is the property of being contrary to God’s command. As we saw above, other prominent Voluntarists advocate a causal relationship between God’s commands and *deontic* properties. Few, if any, theists propose Voluntarism as a claim about the nature of *goodness*. The straw man charge then appears to stand.

It is worth emphasising that this type of straw man is not unique to Singer. Similar mistakes motivate several other objections to Voluntarism, such as the claim that

¹⁴ Singer, *Practical Ethics*, 4.

¹⁵ *Ibid.*, 3-4.

Voluntarism, if true, leads to problems with the ethical discourse of non-believers. Gensler offers three versions of this argument.

Imagine an atheist who says the following: “kindness is good, but there is no God”. If “x is good” meant “God desires x”, then this claim would be self-contradictory (since it would mean “God desires kindness, but there is no God”). But it isn’t self contradictory. So “x is good” doesn’t mean “God desires x”.¹⁶

As argued earlier, few, if any, notable defenders of Voluntarism claim “x is good” means “x is desired by God”. Some affirm that ethical wrongness is the property of being contrary to God’s commands. For Gensler’s argument to defeat such positions, the objector would have to affirm that if two words refer to the same thing then those words have a synonymous meaning. This is false. A person who affirms that Alexander the Great’s tutor was wise but Aristotle did not exist does not assert a contradiction. The terms ‘Alexander’s tutor’ and ‘Aristotle’ refer to the same person but their meaning is not synonymous.

The same problem afflicts Gensler’s second and third arguments.

It’s also difficult to believe that our atheist friends use “good” this way. Imagine that you’re discussing a moral issue with an atheist friend. In the middle of the discussion, you suggest that you both stop using the word “good” and in its place use “desired by God”. Would this substitution change the discussion? It would probably *end* the discussion. The atheist surely does not use the two expressions as equivalent in meaning.¹⁷ [*Emphasis original*]

He finally notes,

[It is] difficult to see how believers and atheists can have fruitful moral discussions. If both sides really mean something different by “good,” then they can’t really agree or disagree morally. If I say “This is good” (meaning “God desires this”) and the atheist says “This is good” (meaning something else), then we aren’t agreeing - other than verbally.¹⁸

Both arguments criticise the claim that “good” means “is desired by God”; however, as noted, this is not what is being claimed nor is it typically what Voluntarists do claim.

¹⁶ Harry Gensler, *Ethics: A Contemporary Introduction*, (London: Routledge Publishing, 1988) 39.

¹⁷ *Ibid.*

¹⁸ *Ibid.*, 40.

2. Singer's Objections to Voluntarism

Singer raises several objections to Voluntarism.

A. Euthyphro

Singer contends that a proponent of Voluntarism faces a choice either he or she holds that something is good *because* God approves of it or he or she maintains that God approves of it *because* it is good.

I have already pointed out that this argument relies upon a straw man. Voluntarism is not typically proposed as a theory about what is good but is usually restricted to deontic properties such as right and wrong. However, this objection is not fatal to Singer's position; it is possible to develop analogies to the Euthyphro that do not rely on this straw man.

James Rachels suggests that an action is right either because God commands it or he commands it because it is right. He then offers the same arguments Singer does to suggest that only by embracing the second horn of the dilemma which amounts to giving up Voluntarism, can one escape absurdity.¹⁹

It is important to note two crucial premises involved in this line of argument. Firstly, it assumes that Voluntarists must affirm one horn of the dilemma, that there is no other option available and secondly, that the first horn of the dilemma is problematic. Singer does provide some arguments for this second premise and I will critique them shortly; however, for now it is sufficient to note that the first premise is false.

I have already noted this dichotomy assumes that the relationship between morality and God's commands is an asymmetrical, dependence relationship that leaves two mutually-exclusive possibilities; either being right is ontologically prior to God's commanding or God's commanding is ontologically prior to what is right.

However, as I noted in the same section, not all Voluntarists propose a causal theory. Some, like Robert Adams, state that the relationship between wrongness and God's

commands is one of identity; it is identical with being contrary to God's commands. This does not expound an asymmetrical relationship but one of identity. Identity relations are symmetrical and the Euthyphro dilemma simply does not apply to a relationship of identity. To ask which of two identical things was ontologically prior to the other is to ask whether something was prior to itself.

At best then, this objection applies only to a certain kind of Voluntarism, the broadly-causal theories proposed by people like Quinn and Weirenga. While this is significant, it somewhat limits the scope of the objection.

John Owens suggests that this conclusion is erroneous. He asks,

Is it so clear that there can be no (formal) causal dependence when it is a question of ontological identity? Take as an example 'the evening star' and 'the planet Venus'. One can ask why the evening star behaves as it does, and receive the reply 'because it is the planet Venus'.²⁰

He suggests that here two identical properties (the property of being Venus and the property of being the evening star) function in such a way that the former explains the latter. Moreover, there is an asymmetrical relationship between them; the former explains the latter and not vice versa.

I think Owens is mistaken here. Firstly, two identical relationships cannot be in a "formal, causal relationship" because in any causal relationship the cause precedes and is prior to the effect. Yet two identical objects can never be such that one of them precedes the other. Nor is the example Owens suggests an exception to this. Owens' example is a case where one appeals to the fact that the evening star is Venus to explain the *movements* of the evening star. Now it is clear, I think, that the existence of an object is ontologically prior to the movements of an object. However, contrary to Owens's suggestion, this relationship is not one of identity. Venus is not identical to the movement of the evening star; it is identical to the evening star itself.

¹⁹ James Rachels, *Elements of Moral Philosophy* (New York: Oxford University Press, 1986) 42.

²⁰ John Owens suggested this to me in personal communication.

B. Arbitrariness

I have argued that the Euthyphro dilemma applies only to a certain kind of Voluntarism, the broadly-causal theories suggested by Quinn and Weirenga. It is clear which horn those who adopt such a theory must take. If a person believes that something is right because God commands it, then she or he must adopt the horn that specifies this option. To state that God forbids an action because it is wrong independently of God's commands whilst simultaneously affirming Voluntarism is incoherent.

However, Singer thinks that accepting this horn is problematic. The first reason he suggests is that to do so "makes God's approval entirely arbitrary".²¹ This appears to be a non-sequitur; the fact that God does not prohibit things because they are wrong does not entail that He has no reason for prohibiting them. It just follows that whatever the reasons He does have, the wrongness of the action is not one of them.

More careful versions of this objection are available. For example, Baruch Brody sketches an argument purporting to demonstrate that Voluntarism is incompatible with God having any reasons for commanding as he does.²² James Rachels offers a similar argument,²³ summarised as follows. According to a causal theory of Voluntarism, the reason an action is wrong is that it is contrary to God's commands. However, if God has a reason for forbidding this action then it follows that the action is wrong because of this reason and not solely because God forbids the action.

This argument has two major flaws. Firstly, it assumes that the 'reasons for' relationship is transitive. However, this is false. This is illustrated by the following analogous inference. The reason Jack came home is that his wife asked him to. The reason Jack's wife asked him to come home is that she wants to argue with him. Is Jack's reason for coming home that he wants his wife to argue with him?²⁴

The second reason the argument is invalid is that the phrase 'reasons for' has a different meaning in each premise. In the first premise it refers to a causal, ontological relationship.

²¹ Singer, *Practical Ethics*, 3.

²² Baruch Brody, "Morality and Religion Reconsidered," in *Divine Commands and Morality*, ed. P Helm (Oxford: Oxford University Press, 1981): 142-145.

²³ Rachels, *Elements of Moral Philosophy*, 41-44.

According to a causal theory of Voluntarism, an action is right because God commands it. In the second premise, however, the word ‘reasons’ specifies an epistemological relationship; it refers to the reasons God issues a particular command.²⁵

An analogy with positive law is helpful in illustrating these points. There may be some reason a lawmaker makes some particular law but what makes the act illegal is the fact that the legislative body has enacted this law and not the reasons the law was made. The lawmaker may not be capricious or whimsical but whether an act is law depends solely upon the will of the lawmaker. An act is illegal if, and only if, the lawmaker forbids it.

1. Supervenience

There is a further version of the arbitrariness objection that escapes the above counter-arguments. This is the suggestion that although God has reasons for commanding as he does, the reasons offered are not that the action is wrong. It is claimed that this is arbitrary in an objectionable sense. The key question here is why this type of arbitrariness is objectionable. Owens suggests the following, “if a precept of a moral law could have been seriously otherwise, given that all the rest stayed the same then surely it cannot be a moral law”.²⁶

Owens suggests that moral law is such that it cannot change unless some other feature of the world changes as well and he implies that Voluntarism entails that this is false. Mark Murphy articulates the same line of reasoning in a much more vigorous form in his monograph, *An Essay on Divine Authority*. Murphy suggests that an essential feature of deontic, moral properties such as right and wrong is that they supervene on other features of the world. He cites Michael Smith,

²⁴ Brody, “Morality and Religion Reconsidered,” 143 stresses this point.

²⁵ A good example of this distinction is to consider the reasons a person like me rejects moral relativism. If by reasons one means epistemological reasons, then the answer is that my reasons are certain arguments proposed by various critics of this meta-ethical thesis. The reason I reject relativism is because of these arguments. On the other hand, if by reasons one has in mind an ontological, causal or quasi-causal relationship then the answer is different. What causes me to believe this are certain neurons and electrical impulses in my brain. These are conjoined with various other physiological factors, such as oxygen pumping to my brain from the heart, etc; however, it would be mistaken to cite oxygen as the epistemological reason that I reject relativism.

²⁶ John Owens suggested this to me in personal communication.

Everyone agrees that moral features of things supervene on their natural features. That is, everybody agrees that two possible worlds that are alike in all of their natural features must also be alike in all their moral features; that the moral features of things cannot float free of their natural features. Moreover, everyone agrees that this is a platitude; that is, an a priori truth. For recognition of the way in which the moral supervenes on the natural is a constraint on the proper use of moral concepts.²⁷

According to Murphy, however, Voluntarism entails the denial that moral features supervene on other features of the world. His argument is as follows. According to any plausible account of God's freedom, God's commanding is not determined or fixed by the nature of the world.

What I mean by saying that God has at least some freedom in commanding is that even if the world were in relevant respects otherwise the same, God might have given slightly different commands: God could have given an at least slightly smaller or larger number of such commands.²⁸

Alternatively, God "could have given different commands to different people"²⁹ or God "could have given commands with slightly different content".³⁰ However, according to Voluntarism, divine commands are just moral properties; the two are identical. Hence, it follows that moral properties can be different without non-moral properties changing.

In assessing this argument it is necessary to note an important equivocation that occurs. When Murphy characterises the supervenience thesis he states, "Everyone agrees that moral features of things supervene on their *natural* features" and this means, "everybody agrees that two possible worlds that are alike in all of their *natural* features must also be alike in all their moral features". It was *this* understanding of supervenience that he cites as agreed upon by all, a platitude and a constraint on the proper use of moral concepts.

The problem here is that God's freedom to command differently is entirely compatible with this understanding of supervenience. A world where God commands *a* and another where he does not command *a* will differ in their natural properties, in that in one world

²⁷ M Smith *The Moral Problem* (Oxford: Blackwell Publishers, 1994), 21-22 cited in Mark Murphy, *An Essay on Divine Authority* (Ithaca, NY: Cornell University Press, 2002), 85-86.

²⁸ Murphy, *An Essay On Divine Authority*, 84.

²⁹ *Ibid.*, 84.

³⁰ *Ibid.*, 84.

God issues a particular command and in the other he does not. What God commands is a natural feature of the world, at least according to the sense that the word natural is used in meta-ethical discourse, and hence Voluntarism is compatible with supervenience, at least as Murphy, in citing Smith, defines it.

When Murphy applies the supervenience thesis to the question of Voluntarism, he does not interpret it in terms of natural properties. Instead, he suggests that moral properties must supervene not on natural properties but upon non-moral properties, whether these properties are natural properties or not.

[W]e want to allow that God's commanding is free, and that what God commands us to do, we are obligated to do. In one possible world, God commands us to perform religious ritual R_1 , and we are obligated to perform it; in another possible world, God commands us to perform a distinct ritual R_2 --though R_2 in itself differs from R_1 in no morally relevant way--and we are thus obligated to perform R_2 . Our being obligated to perform one of these rituals or the other does not supervene, then, on the intrinsic features of the rituals.... we want to say here that the property that distinguishes the required ritual from the non-required ritual in each world is being commanded by God. But that appeal is precisely what the defender of [Voluntarism] is barred from making. By identifying the property being obligatory with the property being commanded by God, defenders of [Voluntarism] remove the property being commanded by God from the set of non-moral properties on which the property being obligatory can supervene.³¹

Here, Murphy interprets the supervenience thesis as the claim that moral properties supervene on non-moral properties and that no property that is identical with moral properties can be included in the set of properties upon which moral properties supervene.

The problem here is that this interpretation of supervenience is no longer one that is platitudinous or one that 'everyone agrees' upon. It is rather one controversial version of this thesis and this weakens Murphy's argument substantially. Murphy is arguing that Voluntarism is unacceptably arbitrary because it violates a kind of platitudinous consensus on what is involved in ethical concepts. However, he fails to show this. What he shows is that it violates one controversial interpretation of a platitude. In the absence of strong reasons for accepting this interpretation, why does this constitute a problem?

Michael Almeida points out that Murphy's interpretation of supervenience is problematic. Almeida notes that Murphy's following comment is false.

By identifying the property being obligatory with the property being commanded by God, defenders of [Voluntarism] remove the property being commanded by God from the set of non-moral properties on which the property being obligatory can supervene.³²

He notes that numerous paradigms of the supervenience relationship involve properties that are identical to each other, "being water is identical to H₂O, and water supervenes on the property H₂O ... being a tiger is identical to being a member of a certain species S and being a tiger supervenes upon being of species S".³³ Consequently there is,

[N]o reason to conclude that identifying the property being obligatory with the property being commanded by God removes being commanded by God from the set of non-moral properties on which the property being obligatory can supervene.³⁴

Almeida suggests supervenience should be interpreted as the claim that the moral supervenes upon the descriptive and because the property of being commanded by God is a descriptive property, Voluntarism is compatible with supervenience.

In response to these criticisms, Murphy suggests that Almeida's own interpretation of the supervenience thesis cannot be clearly and non-arbitrarily formulated in a way that does not become vacuous. He then goes on to state that his responses to Almeida "do not constitute an argument that the moral supervenience thesis can be formulated only in the way I formulate it".³⁵ However, "it is a challenge to those who wish to formulate it otherwise".³⁶ This is because, according to his own interpretation, it "provides a clear sense to the moral-supervenience thesis" and "preserves its status as non-vacuous".³⁷ Unless this challenge is met, Murphy contends his argument is undefeated.³⁸

³¹ Ibid., 91-92.

³² Michael Almeida, "Supervenience and Property-Identical Divine-Command Theory," *Religious Studies* 40 (2004):329.

³³ Ibid.

³⁴ Ibid.

³⁵ Michael Murphy, "Reply to Almeida," *Religious Studies* 40 (2004), 337.

³⁶ Ibid.

³⁷ Ibid.

I am inclined to think Murphy is mistaken here. Almeida has shown problems with Murphy's interpretation and all Murphy has done is demonstrate some problems with Almeida's interpretation of supervenience. He has not given any reason why his interpretation is correct or why all others are mistaken. All we are left with is the observation that Voluntarism contradicts one, controversial interpretation of a difficult, metaphysical notion, an interpretation that has some problems and which we have no reason to accept. Why this renders Voluntarism problematic is difficult to discern.

C. Abhorrent Commands

Another objection Singer raises against Voluntarism is, "if the gods had happened to approve of torture and disapprove of helping our neighbours, torture would be good and helping our neighbours bad".³⁹

Singer's objection is that Voluntarism entails a certain, counter-factual conditional; if God commanded torture then torture would not be wrong. While he does not state that this conditional is false, he appears to take it for granted that it is. After all, if the conditional were true then the fact that Voluntarism entails it would not constitute an objection to Voluntarism. Unfortunately, Singer provides no reason for thinking this conditional is false. He appears to think that it is obvious.

Phillip Quinn has given reasons for questioning this assumption. Quinn notes that a counter-factual conditional such as 'If God commands torture then torture is not wrong' is false only if the antecedent is true and the consequent false.⁴⁰ In other words, the conditional is only false in a situation where God in fact does command torture and torture in that situation is wrong. In order for Singer's objection to be sound there needs to be a logically-possible situation in which God does offer the command in question and the action he commands is wrong. Is such a scenario logically possible?

It is doubtful it is. God is perfectly and maximally good. Hence, the first premise is true only if a perfectly-good being would command an action such as the torture of children.

³⁸ Ibid.

³⁹ Singer, *Practical Ethics*, 3.

⁴⁰ Phillip Quinn, "Divine Command Theory," in *Blackwell Guide to Ethical Theory*, ed. H LaFollette (Cambridge: Blackwell Publishers, 2000) 70.

This is unlikely. The claim that a perfectly-good being would command something morally abhorrent is on the face of it incoherent. Hence, it is unlikely that such a situation is possible.

Both Mane Hajdin and Roy Perett have suggested that such a situation is possible. Hajdin argues,

[I]t is assumed that being good involves being loving, forgiving, etc, in all possible worlds. But why should we assume that? Why aren't there worlds in which being good involves being cruel, ruthless, etc? To simply assume that, in this context, may leave the impression of begging the question.⁴¹

Perett bolsters Hajdin with Aristotelian observations,

Consider the familiar Aristotelian picture of a virtue as a character trait that conduces to human flourishing... Clearly, which traits actually conduce to human flourishing is at least partially dependent on the non-moral factual structure of the world. Now consider the divine virtues. If they too are character traits that conduce to human flourishing then which traits are virtues must once again depend on the non-moral, factual structure of the world. Hence, what is a virtue in one world need not be a virtue in another.⁴²

Perett's suggestion is that there are possible states of affairs where the contingent and factual structure of the world would be so different that what we take as paradigms of virtue in fact are not. In such a world, torture may be conducive to human flourishing or be, in fact, a virtuous activity.

It is not clear that Hajdin or Perett's examples are logically possible. Anthony Fisher argues,

It is in the very logic of human flourishing that attacks upon body and mind such as torture are attacks on human flourishing. It is also in the very logic of torture that its goal is to undermine or at least threaten rather than contribute to human flourishing.⁴³

Perhaps torture by definition must be something that is painful, unpleasant and an evil to its victim. However, even if one grants this point it is perhaps coherent to imagine cases where torture, while harming one person, benefits numerous others. Perhaps Hajdin and

⁴¹ Mane Hajdin suggested this to me in personal communication.

⁴² Roy Perett suggested this to me in personal communication.

Perett's point could be amended to refer to such cases. A good example of the situation he describes is seen in the novel *The Brothers Karamazov*. In this novel Ivan asks his brother to imagine a situation in which killing an innocent child would inevitably result in infinite, utopian happiness for the entire, human race and no alternative course of action would have this result.⁴⁴ While it is unlikely that such a situation could ever occur in reality, this case is logically possible and it is at least arguable that in such a case killing the child would not be wrong. Examples like this suggest that there are logically-possible situations, although they are not actual, where a perfectly-good being could command an action like torture.

The problem with this response is that it still fails to provide reasons for thinking that the above-mentioned conditional is false. In order for this conditional to be false it must be logically possible not just for God to command an action but for that action to be wrong in the given situation. Perett and Hajdin provide us reasons for thinking that it is possible for a perfectly-good being to command actions such as torture. However, the situations envisaged are ones in which torture is not, in fact, wrong. In the situation Perett envisages, torture is, in fact, virtuous and in Hajdin's torture is good. In such examples it is the virtuous nature of torture that makes it plausible to assume that a perfectly-good being could command it.

It remains doubtful whether a logically-possible situation in which God commands an action and that action is wrong could exist. This is because a perfectly-good being would not command wrongdoing. To the extent that we think a perfectly-good being could command a particular action, we have reasons for thinking the action permissible. On the other hand, to the extent that we think it is impossible for the action to be wrong we find it impossible to envisage how a perfectly-good being could command it.

1. Voluntarism Compromised

One rejoinder to this line of argument is to suggest that appealing to God's character in this way compromises Voluntarism. In reality, it is not divine commands that determine what is right and wrong but rather God's nature. This appears to transform Voluntarism

⁴³ Anthony Fisher suggested this to me in personal communication.

into something like the Intellectualist theories of ethics, which Voluntarists claim to reject.

I think this is mistaken. The fact that there are some actions that a maximally-excellent being would not command does not entail that there is one set of actions that a maximally-excellent being would command. Conceivably, there are several different commands, each of which is mutually exclusive, that are each compatible with the divine nature so that only those commands which God does, in fact, choose to command are binding on human beings as duties while the others are not.

An analogy with positive law is again helpful here. Presumably, a wise and just government will not permit its citizens to engage in sex with minors. Nevertheless, within this constraint different legislators can issue different commands. Some, for example, define the age of consent at 16, some at 14, some at 17 and some at 18. As far as I can tell, each of these options is compatible with being a just legislature; justice requires no specific answer to the question of when a minor ceases to be a minor.

Similarly, a just government can decide to make a law that everyone drive on the right-hand side of the road, while another decides that everyone will drive on the left. Being just, wise or rational does not commit one to any specific determination of what side of the road to drive on. A just government must decide on a side but justice does not claim that any particular side is better than the other is.

I believe that divine law is similar to this. An example may help illustrate this point. Consider the command to the Jews to keep the seventh day as a Sabbath. Even if one thinks that God's goodness entails that he requires that people take a day off work and rest, it seems obvious to me that God's nature did not require him to choose Saturday as a Sabbath as opposed to, say, Friday or Monday.

Perhaps, more controversially, I am inclined to think much of sexual morality is like this; refraining from sexual intercourse outside of a monogamous, life-long, heterosexual

⁴⁴ Fyodor Dostoevsky, *The Brothers Karamazov*, trans. by David Magarshack (Harmondsworth, Middlesex: Penguin Books, 1958), 287-288.

union is one of several possible rules that a loving, wise God could lay down for the good of His creatures. However, it is the rule he has chosen to lay down. Hence, it, as opposed to the others, is the one that defines our moral duties.⁴⁵ Robert Adams suggests that the ethics of killing have a similar feature; “It is not obvious to me, for example, that there is not a diversity of principles regarding euthanasia that could have been commanded by a supremely good God”.⁴⁶

What these examples show is that divine commands are not fixed or determined by divine attributes such as being loving, rational, just, etc. It is true that as a rational and just being there are some types of things that He will not command. However, what is right and wrong is not determined by these attributes; rather, it is a matter of what He wills, what He chooses to command. What He commands is consistent with these attributes but it is not determined by them.

2. *Infantile Heteronomy*

A further rejoinder to the above argument is that it involves an uncritical, childish acceptance of authority. In a widely-anthologised essay Nowell Smith argued, “religious morality is infantile”.⁴⁷ It is clear from his definition of religious morality that it is Voluntarism he has in mind.⁴⁸ Smith’s thesis is that a Voluntarist possesses an ethical consciousness that is frozen or arrested at the pre-critical stage of a child. A mature adult whose cognitive faculties are functioning properly would have outgrown it.

In arguing for this thesis, Smith draws upon the theories of moral development proposed by Piaget.⁴⁹ According to Piaget, children start out with a view of morality that Smith labels deontological, heteronomous and realist. Children view morality as obedience to certain rules (deontology) which hold because an authority figure, usually the parent, has

⁴⁵ Something like this is suggested and defended by Murphy, *An Essay On Divine Authority*, 177-184.

⁴⁶ Robert Adams, *Finite and Infinite Goods*, (New York: Oxford University Press, 2002), 256.

⁴⁷ Patrick H. Nowell-Smith, “Morality: Religious and Secular,” in *Christian Ethics and Contemporary Philosophy*, ed. Ian T. Ramsey (London: SCM Press, 1966) 95.

⁴⁸ *Ibid.*, 96. Nowell-Smith characterises the view he critiques as follows: “They have simply assumed that just as the legal propriety of an action is established by showing it to emanate from an authoritative source, so also the moral propriety of an action must be established in the same way; the legal rightness has the same form as moral rightness, and may therefore be used to shed light on it. ... Morality, on this view, is an affair of being commanded to behave in certain ways by some person who has a right to issue such commands; and once this premise is granted, it is said with some reason that only God has such a right.”

⁴⁹ *Ibid.*, 100.

promulgated them (heteronomous) and wrongdoing is perceived as any external action that violates these rules (realism). This view of ethics is appropriate for small children; however, as they mature and become more rational their consciousness changes. They begin to see the point of certain rules and understand the reasons behind them and the function of such rules. This is the stage where ethics become in Smith's words "autonomous". Instead of just accepting a parent's word for it the child learns to figure these things out for him/herself.⁵⁰

Smith goes on to argue that these same features of heteronomy, realism and deontology are present in "religious morality" or, more specifically, Voluntarism. Consequently, Voluntarism reflects a childish way of viewing ethics, one not worthy of a grown-up, educated adult.⁵¹

Smith's analogy between Voluntarism and childish morality ignores a fundamental dis-analogy between the case Piaget describes and that of the divine/human relationship. As Richard Mouw has pointed out, Piaget views the transition from heteronomy to autonomy as corresponding to the time when a child begins to be on an increasingly-equal footing with his or her parents. The infantile stage of morality is appropriate while the child is in infancy because of its limited rationality and knowledge. In this state the child is unable to make decisions as competently as the adult, hence it relies on and defers to the judgement of adults. However, as the child grows equal to the parent in these respects he or she ceases to rely on parental judgement. He or she is now just as competent to answer these questions as his or her parent is and so his or her thinking becomes autonomous.⁵²

Consequently, Piaget's model of development applies to situations where the subordinate is temporarily in a stage of inferiority to the authority but is undergoing a process of growth towards equality. It is when this equality is reached that the authority relationship is no longer appropriate. However, the relationship between adult humans and God is fundamentally different. Adults are not growing into divinity so that when mature they will equal God in rationality and knowledge. Rather, they are permanently in a state

⁵⁰ Ibid., 100-103.

⁵¹ Ibid., 103-108.

⁵² Richard Mouw, *The God Who Commands: A Study in Divine Command Ethics* (Notre Dame, IN: University of Notre Dame Press, 1990), 12.

where they are inferior to God in these respects. In this context the failure to reach a moral consciousness that is equal to God's is not a sign of arrested development and the infantile charge loses its sting. It is inappropriate for adults to behave like children but not inappropriate for them to fail to think like God.⁵³

D. Redundancy of God is Good

Singer's last objection comes as a response to the line of argument proposed in section C above.

Some modern theists have attempted to extricate themselves from this type of dilemma by maintaining that God is good and so could not possibly approve of torture; but these theists are caught in a trap of their own making, for what can they possibly mean by the assertion that God is good? That God is approved by God?⁵⁴

The problems with this response have already been demonstrated. Singer suggests that the modern theists who propose this response hold that 'good' means approved by God. However, this is not what they propose. Some, like Quinn and Weirenga, suggest that what makes actions right or wrong are the commands of God. Adams holds that wrongness is the property of being contrary to God's commands. Neither of these views entails that 'God is good' means 'God is approved' by God.

In order for Singer's objection to be something other than a straw man, it needs to be reformulated to deal with theories like the ones actually proposed by defenders of Voluntarism. One such formulation is suggested, though not endorsed, by Edward Weirenga.

[I]f to be morally good is to do no wrong, and if what is wrong is what is forbidden by God, then to say that God is good is just to say that he never does what he forbids himself to do. But there is no moral value in never doing what one forbids oneself to do.⁵⁵

This objection is problematic. Firstly, the last premise affirms that there is no moral value in never doing what one forbids oneself to do; i.e. there is no moral value in living by the standards you set yourself, so to speak. This is false. There very clearly is moral value in

⁵³ Ibid., 12-14.

⁵⁴ Singer, *Practical Ethics*, 3-4.

⁵⁵ Weirenga, *The Nature of God*, 222.

avoiding hypocrisy and hypocrisy involves, in part, not following the standards one lays down for one's own behaviour. Moreover, the very notion at the heart of much contemporary, ethical theory is that of autonomy. Autonomy refers to the act of regulating one's own behaviour in light of the laws or principles of which one approves.

Finally, note that Weirenga's objection begins with "*if to be morally good is to do no wrong ... then*". [*Emphasis added*]. The argument assumes that goodness is defined purely in terms of doing one's duty. This was not claimed in the theory proposed and this assumption is at best controversial. Many ethical theories define 'right' in terms of a relationship to what is good and others see rightness as involving side constraints upon the quest for good. At best, what is needed is an argument as to why a theist must accept such a definition and none has been offered.

Paul Faber notes that within Presbyterian tradition there are strong precedents for not characterising goodness this way. He notes how God's goodness is characterised in the Westminster Confession.⁵⁶

[M]ost loving, gracious, merciful, long-suffering, abundant in goodness and truth, forgiving iniquity, transgression, and sin; the rewarder of them that diligently seek Him; and withal, most just, and terrible in His judgments, hating all sin, and who will by no means clear the guilty.⁵⁷

Here God's goodness is not defined so much in terms of conformity to duties but in terms of various character traits or excellence. Virtues such as being loving, truthful, forgiving, etc, hating actions that are wrong, praising and rewarding what is right. Nothing in Voluntarism entails that God cannot have such attributes. Voluntarism might have this implication if it also maintained that God has such traits because he is required to or if the virtues mentioned cannot be attributed to God without defining them in terms of various commands he has issued. However, none of this is necessary. God does not have to have a duty to have something in order to have it and such things as being loving, truthful, forgiving, etc. can all be understood without specifying any divine command.

⁵⁶ Paul Faber, "The Euthyphro Objection to Divine Normative Theories: A Response" *Religious Studies* 21 (1985): 564-567.

⁵⁷ Westminster Confession of Faith, Ch. 2, Article 1, 145.

Greg Dawes has suggested a second formulation of this objection.⁵⁸ He suggested that Voluntarism makes it impossible for a person to claim substantively that God's commands are just and right. After all, if wrongness is the property of being contrary to God's commands then they become right and just by definition. Claiming 'God commands what is right' becomes a tautology.

Dawes is mistaken. Consider the claim that water is H₂O or that Superman is Clark Kent. These are both identity statements yet one who utters them is uttering a substantive, non-tautological statement. The fact that two things are identical does not mean that they are a non-substantive tautology. Similar things can be said about causal Voluntarism.

1. God and Praiseworthiness

At this point in the discussion, a counter-objection can be raised; does not Voluntarism make it impossible to maintain that God is a being worthy of praise and worship? Thomas Morris refers to this line of argument,

A more substantial objection would go as follows. If God does not actually have any moral duties he satisfies, we have no basis on which to praise him. Praise, according to this line of thought, is appropriate only for acts which satisfy moral duties, and only for agents in so far as they perform such acts. On this understanding of praise, a theology which claims that God can have no duties thereby debars God from ever being praiseworthy.⁵⁹

This line of argument appears to be unsound. As Thomas Morris notes, it is,

... based on a very common mistaken assumption about moral praise. It is the position that fulfilment of duty, and that alone, merits praise. I would argue, on the contrary, that praise is never strictly appropriate for duty satisfactions. The proper response of one moral agent to another when the latter has done his duty, and when none other than moral considerations obtain, is something weaker than, and distinct from, praise. One who does his duty ought to be morally acknowledged, accepted, or commended by his fellows, not praised. Admittedly, in this world of ours, where duty fulfilment under difficult conditions is somewhat rare, there can be significant social utility in praising such accomplishment. But strictly speaking, praise is morally proper only for acts of supererogation.⁶⁰

⁵⁸ Greg Dawes suggested this to me in personal communication.

⁵⁹ Thomas V. Morris, "Duty and Divine Goodness," in *The Concept of God*, ed. Thomas V. Morris (Oxford: Oxford University Press, 1987), 118.

⁶⁰ *Ibid.*

3. Epistemic Asymmetries

Singer's objections then are unsound. Before ending our discussion on this matter it is important to note that similar mistakes underlie various other objections that Singer does not mention but are ubiquitous in the literature. These objections contend that Voluntarism is rendered implausible by the fact that people can know the truth of moral claims independently and prior to any beliefs they have about divine commands. I will examine three versions of this objection.

A. Non-Believers have Moral Knowledge

The first is that people who do not believe in God do know that certain actions are right and wrong. If wrongness is just the property of being contrary to God's commands, then they would not know this, hence Voluntarism is false. Eric D'Arcy hints at such an argument.

[I]f immoral actions are immoral merely because God so wills it, merely because God legislates against them, it would be sheer coincidence if someone who knew nothing about God or His law happened to adopt the same view about particular actions as God did.⁶¹

It does not follow that if wrongness is being contrary to God's commands then those who do not believe in God cannot know that certain actions are wrong. An analogy will help here. It is true that water is identical to the substance that has a structure H₂O. However, this does not mean that a person ignorant of modern chemistry cannot recognise water or that no one knew what water was prior to the discovery that water consisted of hydrogen and oxygen atoms.

Fisher suggests that this reply misses the point of D'Arcy's question which is how a person who does not believe in God would recognise an act if it is not revealed to him.⁶² If this is D'Arcy's question, I fail to see the force of it. As noted, voluntarism states that deontic properties are ontologically dependent upon divine commands or are identical with such commands. It is not part of voluntarism to state that one must know what these commands are by special revelation. In fact, a voluntarist could in principle argue that one could determine right and wrong empirically. Berkley and Paley, for example, argued that

⁶¹ Eric D'Arcy "Worthy of Worship: A Catholic Contribution," in *Religion and Morality: A Collection of Essays*, ed. Gene Outka & John. P. Reeder (New York: Doubleday and Company Inc, 1973), 194.

given the criteria for right and wrong is the will of God and seeing we know God desires the happiness of his creatures, one can determine what actions are right or wrong by examining which general rules are such that conformity to them tends to promote the happiness of his creatures.⁶³ On this understanding, a person could know right and wrong empirically without any appeal to revelation.

In a similar way, an intuitionist could argue that God has constructed people so that they immediately perceive certain actions to be right or wrong.⁶⁴ Even those who do not have the law revealed in special revelation “show that the requirements of the law are written on their hearts, their consciences also bearing witness, and their thoughts now accusing, now even defending them”, and hence, know what is right and wrong “by nature”.⁶⁵

Whichever way one can know what God has commanded, this is compatible with affirming both that deontic properties are dependent on divine commands and that one can know the existence of these properties without believing that God exists.

B. The Epistemic Priority of Morality

Another argument appears in Nowell Smith’s article, *Morality: Religious and Secular*. Here Smith offers an argument that is “familiar to philosophers but of which the force is not always appreciated”.⁶⁶ The argument essentially points out,

[W]e must be persuaded *independently* of his goodness before we admit his right to command. We must judge for ourselves whether the Bible is the inspired word of a kind and benevolent God or a curious amalgam of profound wisdom and gross superstition. To judge this is to make a moral decision, so that in the end, so far from morality being based upon religion, religion is based upon morality.⁶⁷

James Cornman and Keith Lehrer express the same argument.

⁶² This was suggested in correspondence.

⁶³ William Paley, *The Principles of Moral and Political Philosophy* (Indianapolis: Liberty Fund, 2002) 33-61. C. D. Broad, “Berkeley’s Theory of Morals” *Revue Internationale de Philosophie*, Vol. 23-24 (1953) 72-86. Stephen Darwall, “Berkeley’s Moral and Political Philosophy,” in *The Cambridge Companion to Berkeley*, ed. Kenneth P. Winkler (Cambridge; New York: Cambridge University Press, 2005) 311-38.

⁶⁴ Plantinga suggests something like this; see the discussion of his epistemological views in the next chapter.

⁶⁵ Romans 2:14.

⁶⁶ Adams, *Finite and Infinite Goods*, 97.

⁶⁷ *Ibid.*, 97.

Consider what we would do if we read that Moses had returned with such commandments as ‘make love to thy neighbor’s wife,’ ‘steal thy neighbor’s goods,’ and ‘take advantage of thy parents.’ We would decide that what-ever was revealed to Moses, it was not the will of God, because these are immoral commandments. We do not justify that something is moral by showing it is God’s will, because the only available way to evaluate conflicting claims about what God wills is by finding which one is in accordance with what is moral.⁶⁸

This objection notes that in order to know whether a given action is, in fact, the type of thing God has commanded, one first needs to know whether the act is wrong. Therefore, ethics is prior to, and independent of, theology.

This objection again confuses the question of epistemological priority with the question of metaphysical independence. What these examples show is that we can know certain ethical truths prior to and independently of our knowledge of theological truths. However, it does not follow from this that deontic principles are metaphysically independent of, or non-identical to, theological ones. Consider the following analogy. In order to know that a clear liquid in front of me is water I need to examine its atomic structure to see if it is H₂O. It would not follow from this that water is not H₂O. Similarly, the fact that in certain contexts one needs to examine the moral appropriateness of commands to ascertain whether they are from God or not does not make it follow that wrongness is not the property of being contrary to God’s commands.

C. Irrelevance Objection

Earlier I noted that people could know various moral requirements without knowing that God had commanded them. This concession generates a further objection. If one can discern right and wrong independent of one’s knowledge of divine commands, then Voluntarism is simply irrelevant and makes no difference to how one engages in ethics. Bentham notes,

We may be perfectly sure, indeed, that whatever is right is conformable to the will of God: but so far is that from answering the purpose of showing us what is right, that it is necessary to know first whether a thing is right.⁶⁹

⁶⁸ James W. Cornman & Keith Lehrer, *Philosophical Problems and Arguments* (New York: MacMillan, 1979), 429.

⁶⁹ Jeremy Bentham *An Introduction to the Principles of Morals and Legislation* (New York: Hafner Press, 1789), 22.

This objection seems to presuppose that a moral theory is irrelevant if one can find out what actions are right or wrong without utilising it. However, this is false. For example, we know that actions such as rape or the Holocaust are wrong independently of any utilitarian calculus or any awareness of the categorical imperative. In fact, a lay-person, unschooled in ethical theory, would be similarly horrified by such actions. Knowledge of ethical theory is not a necessary condition to viewing rape and decapitation of infants as unacceptable practices. Hence, if one accepted this presupposition it would follow that Utilitarianism, Kantianism and the whole array of current ethical theories are irrelevant. However, a quick foray into applied ethics will amply show that ethical theory is of huge relevance to our moral endeavours.

The point is that while one may be able to know the truth of particular moral judgements without knowing what makes the actions wrong or what a correct account of moral rightness involves, this latter question is still important and can be useful in answering particular ethical questions clearly and rationally.

III. The Evidentialist Objection to Divine Commands

In his book, *Humanity*, Jonathan Glover suggests a further objection to the notion of Divine Commands.

In Europe at the start of the twentieth century most people accepted the authority of morality. They thought there was a moral law, which was self evidently to be obeyed. Immanuel Kant had written of two things which fill the mind with admiration and awe, ‘the starry heavens above me and the moral law within me.’ In Cambridge 1895, a century after Kant, Lord Acton still had no doubts: ‘Opinions alter, manners change, creeds rise and fall, but the moral law is written on the tablets of eternity.’¹

Glover goes on to claim that the 20th century shattered this confidence so that belief in divine law was no longer intellectually acceptable. He states, “The challenge to [belief in the existence of] the moral law is intellectual; [we need] to find good reasons for thinking it exists and that it has any claim on us”.² Glover thinks we lack compelling evidence that such a law exists. He suggests that most people who believe in the existence of such a law do so based on revelation of some sort and have failed to provide any adequate argument apart from this revelation that such a law exists.

What Glover advocates is a version of what has been labelled the Evidentialist Objection to Theological Belief. Normally this objection is raised against theistic belief per se but, as Glover notes, it can be articulated with equal force against belief in divine law. The paradigmatic example of Evidentialism can be seen in Clifford’s famous article, *The Ethics of Belief*.³ Clifford writes, “it is wrong always, everywhere, and for anyone to believe anything on insufficient evidence”.⁴ This claim, when conjoined with the proposition that the evidence in favour of a given divine command is inconclusive, entails that believing in such commands is intellectually unacceptable.

Clifford is not alone in this sentiment. The same thesis can be seen in the writings of prominent atheists such as Michael Scriven,⁵ Bertrand Russell,⁶ Anthony Flew,⁷ Gordon

¹ Glover, *Humanity*., 1.

² Ibid.

³ William Kingdon Clifford, “The Ethics of Belief,” in *Lecture and Essays*, ed. William Kingdon Clifford (London: Macmillan, 1879), 339-63.

⁴ Ibid., 186.

⁵ Michael Scriven, *Primary Philosophy* (New York: McGraw Hill, 1966), 87.

Stein,⁸ Michael Tooley⁹ and Michael Martin.¹⁰ In *The Miracle of Theism*, one of the most brilliant defences of atheism, John Mackie writes,

If it is agreed that the central assertions of theism are literally meaningful, it must also be admitted that they are not directly verified or directly verifiable. It follows that any rational consideration of whether they are true or not will involve arguments . . . it [whether or not God exists] must be examined either by deductive or inductive reasoning or, if that yields no decision, by arguments to the best explanation; for in such a context nothing else can have any coherent bearing on the issue.¹¹

Similarly, Anthony Flew asserts,

[T]he debate about the existence of God should properly begin from the presumption of atheism, that the onus of proof must lie upon the theist...What the protagonist of my presumption of atheism wants to show is that the debate about the existence of God ought to be conducted in a particular way, and that the issue should be seen in a certain perspective. His thesis about the onus of proof involves that it is up to the theist: first to introduce and to defend his proposed concept of God; and second, to provide sufficient reason for believing that this concept of his does in fact have an application.¹²

Central to these writers is the notion that a person is only rational in accepting theological assertions if there is good evidence for them. However, what is meant here by adequate evidence is not clear. A couple of points of clarification are necessary.

Firstly, the quotations by Flew and Mackie show that when they talk about evidence in this context they clearly have in mind arguments. Their contention that there is insufficient evidence is defended by critiquing various arguments, usually variations of the arguments associated with natural theology such as ontological, teleological and cosmological arguments and concluding that none is successful. Consequently, the question of whether there is good evidence for theism is synonymous with the question as to whether there are valid, non-circular, adductive, deductive or inductive arguments from some other body of propositions to the conclusion that a divine command exists.

⁶ Bertrand Russell, "Why I am not a Christian," in *Why I am not a Christian*, ed. Bertrand Russell (London: Routledge Publishing, 2004), 3.

⁷ Anthony Flew, *The Presumption of Atheism* (London: Pemberton Publishing, 1976).

⁸ See his debate with Bahnsen, <www.geocities.com/jeremyandrob/bahnsensteindebate.html>

⁹ See his debate with Craig, <http://www.origins.org/articles/craig_tooley_2.html>

¹⁰ Michael Martin, *Atheism: A Philosophical Justification* (Philadelphia: Temple University Press, 1990), particularly Chapter 1.

¹¹ John Mackie, *The Miracle of Theism* (Oxford: Oxford University Press, 1983), 4-6.

Here the second point of clarification emerges, what sorts of propositions can legitimately be appealed to as premises in constructing such arguments. The answer can best be seen by reflecting on responses to an early objection to Evidentialism proposed by Alvin Plantinga.

[Sceptics] keep insisting that we believers must offer *reasons* or *evidence* for our belief. And they insist further that we must show that what we take to be reasons for a given belief *really are* reasons for that belief, really do support the belief they are taken to support...

But this procedure is unfair and discriminatory. For there are many beliefs we all hold, and hold with no detriment to our rationality, for which we cannot produce both evidence and proof that the evidence really is evidence. Indeed, some of these beliefs are such that to *show* that our reasons for them are good reasons, we should have to provide solutions to certain philosophical problems which (to my mind, at least,) have not yet been solved.

Suppose, for example, that on a given occasion I believe that someone other than myself is in pain; and suppose that my reason for so believing is that the person in question utters certain words and behaves in a certain characteristic fashion. To show that my reason for thinking that he is in pain, really is an *adequate* reason, or a *good* reason for my belief about him, I should have to have a solution to at least a part of the traditional problem of other minds. Now I don't have any solution to that problem. And the fact is, I don't think anyone else does either.¹³ [*Emphasis original*]

Plantinga's point can be appropriated in the context of this discussion as follows; the Evidentialist objector suggests that one cannot believe in divine commands based on scriptural affirmation unless one either provides a good argument for the existence of such a command or that one provides an argument for the contention that scripture is reliable. This suggests that beliefs about divine commands must meet a standard that other paradigmatically-rational beliefs do not meet and are not required to meet.

Consider my belief that I was in Wellington two days ago. I reflect on what I did two days ago and automatically find myself strongly inclined to accept the belief 'I was in Wellington'. In this instance I believe 'I was in Wellington' because I remember being there. Yet I am unable to provide any argument for this premise. Nor can I provide a non-

¹² Flew, *The Presumption of Atheism*, 14-15.

¹³ Alvin Plantinga, "The Strategy of the Skeptic," in *Faith and the Philosophers*, ed. John Hick (London: Macmillan, 1986), 226-227.

circular argument to the conclusion that my memory is reliable.¹⁴ Nevertheless, my belief and others like it are commonly taken to be rational. Why then are theological beliefs subject to a standard that other beliefs are not?

Plantinga makes the same basic point in *God and Other Minds*. In this monograph Plantinga argues that the traditional arguments for God's existence and the traditional arguments for God's non-existence all fail. He then goes on to note that the traditional arguments for the existence of other minds also fail for analogous reasons, yet we are still rational in believing in other minds. Why then are theological propositions irrational in the same circumstances?

In a review of *God and Other Minds* James Tomberlin introduced into the discussion a technical, epistemological notion of a basic belief.¹⁵ According to Tomberlin, a basic belief is one that is intellectually acceptable to hold independently of any argument either for it or for the reliability of the ground on which it is based. Conversely, a non-basic belief is intellectually acceptable to hold only if one has a good argument for it. Tomberlin notes quite plausibly that not all beliefs can be non-basic. If I infer a proposition P from several premises, the argument is acceptable only if the premises themselves are rationally held. This means that either I need arguments for these premises or that they themselves are basic. If the former is the case, then these arguments will utilise further premises that are either basic or non-basic and so on. If knowledge or rational belief is to be possible at all, any argument will ultimately have its terminus in a set of premises that are basic.

In a later articulation of his position in *Reason and Belief in God* Plantinga introduces the locution 'properly basic belief' as opposed to 'basic belief'.¹⁶ Plantinga suggests a basic belief is one a person believes independently of any argument for it or for the reliability of its ground. A properly-basic belief is a belief that it is intellectually acceptable to hold as a basic belief. Plantinga's terminology will be used for the rest of this discussion.

¹⁴ See later discussion in Section 4. Sub-section A. Greg Dawes's Objection: Circularity in this Chapter.

¹⁵ James Tomberlin, "Is Belief in God Justified," *Journal of Philosophy* (1970), 31.

¹⁶ Alvin Plantinga, "Reason and Belief in God," in *Faith and Rationality*, ed. Alvin Plantinga and Nicholas Wolterstorff (Notre Dame, ID: Notre Dame University Press, 1983).

Properly-basic beliefs such as ‘I was in Wellington that weekend’ or ‘he is in pain’ are rationally held although there is no argument for their truth or for the reliability of their grounds. The only grounds for such beliefs might be that I remember going to Wellington for a weekend or that I observed a man behaving in a manner that suggested he was in pain. I do not have an argument for these beliefs, I cannot infer these beliefs from these grounds nor can I provide a non-circular argument for their reliability, yet they remain intellectually acceptable.

It needs to be noted that such beliefs are not groundless. While one does not believe a basic belief based on an inference, basic beliefs are often based on some form of experience. Plantinga discerns two types of experience; “sensory evidence”, such things as appearing to see, hear or feel a given object and doxastic evidence, which he refers to as “the belief feels right, acceptable, natural”.¹⁷ An example of doxastic evidence is belief in the corresponding conditional of modus ponens; when one entertains the conditional of modus ponens it just seems to be correct. Modus ponens feels obviously true in a way that an overtly-fallacious inference does not. Similarly, with memory beliefs. For me the claim that I used to live in Hamilton seems true. I have a strong experiential pull towards it. It feels right in a way that the belief that I used to live in Iran does not. I seem to remember one being the case and not the other.

The question then is why belief in a divine command based on scriptural testimony, confirmed by faith, cannot be properly-basic? I shall say more below about what is involved in the notion of a belief being confirmed by faith.

1. Why the Evidentialist thinks Belief in God is not Properly-Basic

In an early response to Plantinga, Kai Neilson articulated what I think is the heart of the Evidentialist’s reason for excluding belief that God prohibits a given action from the category of properly-basic beliefs. Neilson writes,

I think Plantinga overlooks an important difference between the cases. All of us can agree, at least for a large range of cases, whether somebody is in pain, whether he’s thinking, feeling anxious or the like. We do in general agree about these things. Only a madman would claim that no one is ever in pain or that no

¹⁷ Alvin Plantinga, *Warranted Christian Belief* (New York: Oxford University Press, 2000), 110-111.

one ever knows that another person is in pain. The same is true for thinking, feeling anxious or sad and the like... Now the situation is very different in religion.¹⁸

Others have offered similar criticisms,

Part of the justification for believing that our perception or memory is not faulty is that in general it agrees with the perception or memory of our epistemological peers ... one knows that one's memory is reliable by determining whether it coheres with the memory reports of other people whose memory is normal and with one's other experiences. As we have already seen, lack of agreement is commonplace in religious contexts.¹⁹

Richard Grigg argues in response to Plantinga,

[T]here is a universality about the genesis of the paradigm beliefs that does not attach to the genesis of belief in God. For example, nearly all persons upon having the perceptual experience X, will automatically form the belief that they are seeing a tree.²⁰

Ernan McMullin has made a similar suggestion as to why belief in God cannot be utilised as a premise, as opposed to a conclusion, in an argument in scientific theorising, this is because "It appeals to a specifically Christian belief, one that lays no claim to assent from a Hindu or an agnostic".²¹ An examination of Mackie's work suggests a similar structure. Reviewers of Mackie have pointed out that he views theism as an hypothesis designed to explain some body of evidence *shared by believer and unbeliever* alike.²² Theism is rational if it adequately explains this evidence better than any alternative hypothesis and irrational if it does not. Moreover, Mackie in the quote above appeals to the lack of direct verifiability of theism as a reason for argument being necessary. He appears to have in mind theism as a kind of scientific hypothesis either inferred from or postulated to explain some observable data.

¹⁸ Kai Neilsen, "The Sceptics Reply," in *Faith and the Philosophers*, ed. John Hick (London: Macmillan, 1964), 274.

¹⁹ Martin, *Atheism*, 274.

²⁰ Richard Grigg, "Theism and Proper Basicity: A Reply to Plantinga," *The International Journal for Philosophy of Religion* 14 (1983): 123-27. See also "Crucial Disanalogies between Properly Basic Belief and Belief in God" *Religious Studies* 26 (October 1990): 389-401.

²¹ Ernan McMullin, "Plantinga's Defense of Special Creation," *Christian Scholars Review* XXI:1 (1991): 55-79. <<http://www.asa3.org/ASA/dialogues/Faith-reason/CRS9-91McMullin.html>>

²² See in particular this review article, Alvin Plantinga, "Is Theism Really a Miracle" *Faith and Philosophy* 3 (1986): 109-134. See also *Warranted Christian Belief*, 91-92.

Behind all these comments is the notion that theological beliefs lack certain properties that are necessary for them to be properly-basic. The defenders of Evidentialism note that in obvious paradigms of properly-basic belief such as perceptual beliefs about the external world,²³ beliefs about other people's mental states or memory beliefs, the beliefs in question display a certain type of universality. All people but the mentally insane display such beliefs and there is no serious doubt over their truth. With theism things are different as there is scepticism regarding belief in God. A person can be mentally healthy and yet be a Hindu, Buddhist, agnostic, atheist, naturalist or a liberal theologian.

The Evidentialist objection then contends:

[A] Theistic belief is intellectually acceptable only if it can be shown to be true from public or neutral premises acknowledged by all parties to the dispute.

[B] Such demonstration has not been forthcoming.

2. Critique of Evidentialism

Over the last forty years Alvin Plantinga has argued against what has been labelled the Evidentialist Objection to Theistic Belief.²⁴ The standard approach amongst Christian apologists has been to call into question [B];²⁵ however, a significant minority associated with Reformed Protestantism have contested the first premise [A].²⁶ Plantinga's work is

²³ A belief such as 'that wall is red' is not based on an argument from the claim 'I appear to see a red wall' to the conclusion that 'there is a red wall'. Rather one forms the belief that one can see a red wall immediately because of the ground. Any ability to argue for this case would be difficult, if not impossible.

²⁴ Alvin Plantinga, "The Strategy of the Skeptic"; *God and Other Minds: A Study of the Rationality in Belief in God* (Ithaca, NY: Cornell University Press, 1967); "Is Belief in God Rational?" In *Rationality and Religious Belief*, ed. C. Delany (Notre Dame, ID: Notre Dame University Press, 1979) 7-27; "The Reformed Objection to Natural Theology," *Proceedings of the American Catholic Philosophical Association* 54 (1980): 49-62; "Reason and Belief in God"; "Replies to my Colleagues," In *Alvin Plantinga: Profiles*, ed. Peter Van Inwagen & James Tomberlin (Dordrecht: D. Reidel Publishing Company, 1985), 313-69; "Coherentism and the Evidentialist Objection to Belief in God," in *Rationality Religious Belief and Moral Requirement*, ed. Robert Audi & William Wainwright (Ithaca, NY: Cornell University Press, 1986), 109-38; "Is Theism Really a Miracle?"; *Warranted Christian Belief*; "Rationality and Public Evidence: A Reply to Swinburne," *Religious Studies* 37 (2001): 215-222.

²⁵ George Marsden has pointed out that the majority of Anglo-American, evangelical apologists saw their job as to offer evidence for the truth of the Christian faith. George Marsden, "The Collapse of American Evangelical Academia" In *Faith and Rationality*, ed. Alvin Plantinga & Nicholas Wolterstorff (Notre Dame, IN: Notre Dame University Press, 1983), 219-264. Evidentialism can be seen in the works of writers such as Benjamin B. Warfield, Josh McDowell, Clark Pinnock, John Warwick Montgomery, Norman Geisler, John Porter Moreland and Richard Swinburne.

²⁶ Edward Carnell, Gordon Clark, Abraham Kuyper, Francis Schaffer, Greg L. Bahnsen and perhaps, most significantly, Cornelius Van Til. This movement has often been dubbed Presuppositional Apologetics. For a

best seen as a philosophical development of the Reformed theme. This theme has been central to his apologetic work from his first work, *God and Other Minds*, to his more recent work of *Warranted Christian Belief* and *Science and Religion: Conflict or Concord*. Plantinga's articles on this and related topics span several volumes. Here, I will focus on two lines of argument.

A. Counter-Examples

The first is that Evidentialism is subject to several counter-examples. Consider my belief that rape is wrong. Upon hearing about a woman being raped, I feel deep disgust and form the belief "that action is wrong". According to Evidentialism, this belief is intellectually acceptable only if it is properly-basic or can be inferred from properly-basic beliefs via a valid argument.

It is unclear that these criteria are met. Firstly, consider the fact that this belief is not properly-basic. There are some people who do not believe that rape is wrong. Moral nihilists deny the existence of right and wrong. Emotivists think that moral claims are cognitively meaningless. Some evolutionary theorists deny that rape is wrong; they believe that rape being wrong is merely a kind of illusion created in us by evolution to advance the survival of our genes. Moreover, there have been cultures where rape has been sanctioned as part of a courting ritual, where it is a legitimate method of betrothal. Some cultures view rape as appropriate when those raped are female captives in war. The belief that rape is wrong is not universal.

If the belief that rape is wrong is to be intellectually acceptable, a valid argument from universally-accepted premises is necessary to establish it and the prospects for this appear bleak. It is hard to find an argument for this conclusion that will have premises that are less controversial than the conclusion that rape is wrong. In ethical theory today there are numerous, different reasons or theories given as to why rape is wrong. The utilitarian argues it is wrong because it fails to maximise happiness; others deny both that this is the correct criterion and that rape always meets it. The Kantian argues that rape is wrong because it disrespects a rational creature. The rights-based theorist argues it violates a right to bodily autonomy. The virtue theorist suggests it displays a vicious character, and

discussion of the differences between Presuppositional and Evidentialist approaches to Apologetics see

so on. Each of these arguments will appeal to a theoretical, moral premise that is controversial and not universally agreed upon or accepted as basic by all sane people.

Similar things can be said about introspective beliefs. If I feel a pain in my left side, it is difficult to see how I could offer an argument from universally-accepted premises that I am in pain and it is not clear that this belief can be properly-basic on the criteria advanced. After all, access to my mental experiences is private.

Examples can be multiplied. Most philosophical theses of any significance are such that one cannot establish their truth from arguments appealing to premises accepted by all sane individuals. The failure of theological propositions to meet these criteria is not grounds for calling their epistemic credentials into question.

B. The Incoherence of Evidentialism

Assume for the sake of argument that Evidentialism is correct. It follows that any belief is rational only if it is neutral or the person who holds it is aware of a valid, non-circular argument from neutral premises to its truth. Now Evidentialism itself is not universally agreed upon. In Grigg or Martin's sense, a person can disagree with it and not be mentally insane and there are many alternatives, such as Plantinga's Reformed Epistemology, Rortian Pragmatism, Post-Modernism, Classical Foundationalism or Coherentism. Therefore, belief in Evidentialism is not properly-basic.²⁷

Consequently, one is rational in accepting Evidentialism only if one becomes aware of a valid, non-circular argument that utilises only neutral premises to the truth of Evidentialism. However, as noted above, few philosophical theses can be argued for in such a manner and Evidentialism is not one of them. Consequently, accepting Evidentialism is irrational by Evidentialism's own criteria.

In a reply to criticisms made by William Alston, Plantinga points out that there is a real irony in this situation.²⁸ Theists are castigated because they do not provide arguments for

Steve Kumar, *Christian Apologetics: Think Why You Believe* (Auckland: Foundation for Life, 1990).

²⁷ Plantinga suggests this line of argument in his "Replies to my Colleagues," 391.

²⁸ Plantinga's reply to Alston. "There is a certain irony in the fact that our evidentialist objector is in just the position with respect to (1) [his criteria of rational belief] that he claims the theist is in with respect to

theism yet Evidentialist objectors are in precisely the same situation. If one were to accept the Evidentialist critique of theism then one would be in the same irrational position that one was trying to avoid. If lack of evidence is to be decisive against various, theological beliefs then it must also be decisive against Evidentialism. It would be irrational for a theist to give up belief in theism based on the Evidentialist challenge.

1. Philip Quinn's Rejoinder

In a response to *Reason and Belief in God*, Philip Quinn suggested that a broadly-inductive argument in favour of Evidentialism was possible. In its original context Quinn's comments were aimed at Plantinga's critique of Classical Foundationalism.²⁹ However, an analogous line of argument could be offered defending the broader type of Foundationalism suggested above. According to Quinn's objection, the Evidentialist objector escapes incoherence by utilising an inductive procedure. One gathers a set of beliefs that are pragmatically properly-basic and a set of beliefs that are paradigmatically not basic. One then infers via induction that all the beliefs in one, the former, are appropriately universal and none in the latter sample are. Hence, it is probable via the normal rules of inductive reasoning that only beliefs that are accepted by all people in certain situations are properly-basic.

There are two problems with this response. If we start with a sample set of beliefs that are recognised as paradigmatic cases of properly-basic beliefs then in order to assemble it we must first believe that each of these individual samples is itself a paradigm of a properly-basic belief. The question arises as to whether this belief about the status of the samples is itself appropriately universal and it is obvious it would not be.³⁰ Classical Foundationalists would reject the claim that any belief that was not self-evident or

belief in God. The objector claims that the theist cannot produce propositions that are [properly-basic by the criteria the evidentialist lies down] that support theism, and on the basis of which he accepts theism. He then draws a conclusion: perhaps, that there probably aren't any such propositions, that the theist is probably irrational; at any rate he concludes that the theist is in some kind of trouble. But he himself, then, is in precisely the same sort of trouble with respect to (1) [his criteria of rational belief], the very principle he uses to reproach the theist. So suppose then that you are a theist. The objector proposes to give you a reason for believing that belief in God is in some way defective; the reason he proposes is that it does not conform to (1). But this will be a reason, for you, for thinking theism is irrational only if you accept (1). And belief in (1), if (1) is true, is defective in just the way theism is, if (1) is true. Suppose, therefore you are moved by the objector's impassioned appeals, accept (1), and give up theism. Even if (1) were true, you would not have improved your noetic situation; for whatever reason there is, if (1) is true, for rejecting theism, is a reason, if (1) is true, for rejecting (1)". Plantinga, "Replies to my Colleagues," 387.

²⁹ Phillip Quinn, "In Search of the Foundations of Theism," *Faith and Philosophy* (1985): 2:4.

incorrigible could be a paradigm of proper basicity. Some Epistemologists would reject the notion of proper basicity altogether. Consequently, even these inductive arguments would employ premises that are not appropriately universal and so would be, by Evidentialism's own standards, insufficient to rationally justify Evidentialism.

The second problem is that those who propose this type of response to date have only suggested it as a possibility. No one to my knowledge has attempted an actual sampling of paradigms and done the full, inductive work. The Evidentialist challenge maintains that a belief is irrational unless an argument from universal or neutral premises is, in fact, available. It does not allow a belief to be rational because a certain line of argument is possible. If it did then the theist could easily meet the Evidentialist challenge; the theist could simply point out that a certain line of argument in favour of theism might be possible although no one has yet offered it. No Evidentialist to my knowledge would accept this line of response. Actual arguments, not hypothetically possible ones, are required.

2. *The Response of Anthony Kenny*

In a series of lectures published jointly in *What is Faith?* Anthony Kenny attempts to develop a version of Evidentialism that escapes the incoherence charge levelled by Plantinga. Kenny proposes that to be properly-basic, a belief must be either:

- (a) Self-evident.
- (b) Fundamental.
- (c) Evident to the senses or memory.
- (d) Defensible by argument.³¹

By a fundamental belief, Kenny means a belief that meets two conditions. Firstly, everyone who accepts it holds it as basic. Secondly, it must be impossible to doubt such a belief without calling into question a huge number of beliefs one holds that themselves

³⁰ This reply is modelled on Plantinga's reply to Quinn in "The Foundations of Theism: a Reply," 298-303.

³¹ Anthony Kenny, *What is Faith?* (Oxford: Oxford University Press, 1992), 20-32.

are more certain and believed more strongly than the premises of any sceptical argument that calls it into question.³²

The most interesting of Kenny's criteria is (d). There is some ambiguity here. When Kenny says 'defensible by argument' does he mean that there must be good arguments in favour of the belief or only that one can rebut and call into question any serious arguments or objections urged against it? It is clear from Kenny's own discussion that he means the former. Later in *What is Faith?* Kenny admits that he thinks both the arguments for and against theism inconclusive and this fact leads him to embrace agnosticism.³³

Kenny contends that his version of Evidentialism escapes the incoherence charge. However, it is difficult to see how. Consider the claim that a belief must meet these four criteria to be properly-basic. This claim is not self-evident, nor evident to the senses, nor evident to memory, nor is it a fundamental belief. Consequently, it is either non-basic or basic because it is defensible by argument. Whichever of these two alternatives are adopted, Kenny's criteria mean that it is irrational to accept his claim unless there is a valid argument from premises that are themselves self-evident, evident to the senses or fundamental.

Unfortunately, nowhere in *What is Faith?* does Kenny offer such an argument. After criticising Plantinga's earlier paper *Is Belief in God Rational?*³⁴ in Chapter One, Kenny then articulates in Chapter Two the criteria of proper basicity he means to employ in the rest of the discussion. The rest of the book argues that the standard arguments for theism fail. Nowhere, however, does he attempt to offer an argument from beliefs that are fundamental, self-evident, evident to memory or the senses in favour of his criteria for basicity. We see in Kenny not an escape from but rather an example of the very problems Plantinga articulated. Pages are spent criticising theists for not proportioning belief to evidence yet the very premises that make this criticism possible are believed on no evidence whatsoever.

³² Ibid., 21-23.

³³ Ibid., 43-45.

3. *The Response of Coherentism*

A final response to the arguments made by Plantinga is to note that they are levelled only against forms of Foundationalism. William Alston suggests that Coherentist accounts of knowledge provide a way whereby beliefs in theological propositions are non-basic. “[T]ake the various forms of coherence and contextualist epistemology. These serve admirably for the purpose, since on these views there are no properly-basic beliefs at all”.³⁵ Similarly, Michael Martin suggests that Plantinga’s position is problematic because he has not offered rebuttals of coherentist theories of knowledge such as those put forward by Laurence Bonjour.³⁶

Much could be said in response to this objection. Here it will suffice to note that, as argued above, Evidentialism presupposes a form of Foundationalism. The Evidentialist challenger states that theism is irrational because there is no good argument in its favour. This is a telling objection only if rationality requires that beliefs be based on argument. Foundationalism requires that rational beliefs must be based on good arguments or be non-basic. Coherentism on the other hand requires neither. On a Coherentist account of knowledge, a belief must cohere with various other beliefs to be considered rational. If it does it is rational, if it does not it is not rational. Hence, if Coherentism is correct Evidentialism is mistaken. The issue is not whether there are good arguments for the existence of God or divine commands, the question is whether belief in such things is coherent and best coheres with numerous other things a person believes. That is a different question.³⁷ In the previous chapter, I argued that Voluntarism does appear to be coherent and arguments attempting to demonstrate that it is incoherent fail.

3. The Reformed Epistemology Model

If Evidentialism is mistaken, the question arises as to how belief in divine law can gain warrant if not based on argument. One clear answer to this question is provided by Alvin

³⁴ Plantinga, “Is Belief in God Rational?” 7-27.

³⁵ William Alston, “Plantinga’s Epistemology of Religious Experience,” in *Alvin Plantinga Profiles*, ed. Peter Van Inwagen & James Tomberlin (Dordrecht: D. Reidel Publishing Company, 1985), 296.

³⁶ Martin, *Atheism*, 276-277. In fact, Plantinga offers a rebuttal of Bonjour in *Warrant: The Current Debate*. Further, contrary to Martin, he address Coherentism in “Coherentism and the Evidentialist Objection to Belief in God,” 109-38.

³⁷ Moreover, even if it could be shown that belief in such things did not cohere with other things a person believed, it would not follow that these beliefs were mistaken. It merely follows that one is mistaken in holding these beliefs alongside various others.

Plantinga's reconstruction of Calvinist or Reformed positions on faith and reason. In a series of articles and monographs, Plantinga sketches a Calvinist or Reformed model proposing how theological beliefs could gain warrant and be basic. In the literature this perspective has been dubbed Reformed Epistemology.

In *The Reformed Objection to Natural Theology*³⁸ Plantinga notes that, historically, numerous thinkers in the Reformed or Calvinist, theological tradition repudiated natural theology. Calvin is one such example.

There is within the human mind, and indeed by natural instinct, an awareness of divinity. This we take to be beyond controversy. To prevent anyone from taking refuge in the pretense of ignorance, God himself has implanted in all men a certain understanding of his divine majesty. . . . Since, therefore, men one and all perceive that there is a God and that he is their maker, they are condemned by their own testimony because they have failed to honor him and to consecrate their lives to his will. . . .there is, as the eminent pagan says, no nation so barbarous, no people so savage, that they have not a deep seated conviction that there is a God. . . . Therefore, since from the beginning of the world there has been no region, no city, in short, no household, that could do without religion, there lies in this a tacit confession of a sense of deity inscribed in the hearts of all [The "eminent pagan" is Cicero].³⁹

Plantinga notes that several other Calvinist thinkers including Herman Bavinck concur.

We receive the impression that belief in the existence of God is based entirely upon these proofs [the proofs of natural theology]. But indeed that would be "a wretched faith which before it invokes God, must first prove his existence". The contrary, however, is the truth. There is not a single object the existence of which we hesitate to accept until definite proofs are furnished. Of the existence of self, of the world around about us, of logical and moral laws, etc., we are so deeply convinced because of the indelible impressions which all these things make upon our consciousness that we need no arguments or demonstration.⁴⁰
[*Emphasis added*]

Calvin and Bavinck affirm that people naturally have a belief in God. Moreover, this is not a belief based on argument or evidence but is rather, in the language of contemporary epistemology, properly-basic. Plantinga, in his more recent book, *Warranted Christian*

³⁸ Plantinga, "The Reformed Objection to Natural Theology," 49-62.

³⁹ John Calvin, *Institutes of the Christian Religion*, s I: iii 144.

⁴⁰ H Bavinck *The Doctrine of God*, transl. by William Henderickson (Grand Rapids MI: Eerdmans, 1951), 78-79.

Belief, gives a more thorough analysis of this natural knowledge of God that, following Calvin, he labels the *sensus divinitatis*.

In clarifying this Plantinga notes that in certain respects the *sensus divinitatis* parallels various other doxastic practices such as memory or belief in other minds. Suppose I perceive a person with a particular facial expression and movements and form the belief that that person is in pain. I do not infer this belief from the person's behaviour via deductive, adductive or inductive reasoning. As the literature on the so-called problem of other minds demonstrates, such an inference would be invalid. Similarly with memory, when I remember something, I have a type of internal phenomenology that inclines me to think that I was at a lecture by Chris Marshall on hermeneutics yesterday but I do not infer this belief from the phenomena. As the Cartesian demon or the modern-brain-in-the-vat-hypothesis demonstrates, such an inference would be invalid. In the same way, Plantinga suggests that in certain circumstances one finds oneself forming various theological beliefs.

Upon reading the Bible, one may be impressed with a deep sense that God is speaking to him. Upon doing what I know is cheap, or wrong, or wicked, I may feel guilty in God's sight and form the belief *God disapproves of what I have done*. Upon confession and repentance I may feel forgiven, forming the belief *God forgives me for what I have done*. A person in grave danger may turn to God asking him for help; and then of course he or she has the belief that God is indeed able to hear and to help if he sees fit.⁴¹

One does not infer the beliefs in question from the existence of such conditions; rather, these conditions occasion or trigger the belief in question.

There are several other significant parallels. In the case above of the person I perceive to be in pain, the beliefs produced are in fact specific, particular beliefs that a person has pain (a specific mental state) in his elbow (a specific place). In these circumstances, one does not form the general belief that other minds exist. Rather, this general belief is self-evidentially entailed by beliefs about a specific person in pain at a specific time and place. Similarly, with the *sensus divinitatis* what is properly-basic is not the general belief that God exists but rather certain, specific beliefs about God's attributes and activities.⁴²

⁴¹ Plantinga, "Reason and Belief in God," 80.

⁴² *Ibid.*, 83.

A third parallel is that while the beliefs that produced sympathy or memory are basic and hence rationally believed in the absence of evidence, they can not be considered properly-basic. In fact, they can be shown to be not properly-basic if one can provide reasons for thinking they are false. If I see John screwing his face up in a particular way and grasping his leg, I form the belief that John is in pain. However, later John tells me that he was not in pain but rather rehearsing his death scene in the coming dramatic play he is acting in. Therefore, I take his word for it and believe he was not in pain. The initial belief was properly-basic; however, because of what I later discovered its rational status is defeated.

Properly-basic beliefs, then, are beliefs that one is rational in believing independently of any argument for them in the absence of any good reasons for them. However, sometimes there are reasons to the contrary. Sometimes we form other beliefs that lead us to question or deny these basic beliefs. Plantinga refers to these types of beliefs as *defeaters*. There are two types of defeaters, undercutting defeaters and rebutting defeaters. The former are beliefs that cause you to question the grounds on which the original belief was held. The latter are beliefs that are inconsistent with the original belief so that accepting the defeater means rejecting the original belief.⁴³

Hence, claiming that theological beliefs are basic does not make them immune to argument or criticism. Consider the example mentioned by Plantinga whereby one comes to believe that God disapproves of what one has done. After forming this belief, a person in this situation could come across a good argument to the conclusion that the action in question was not objectionable but is, in fact, praiseworthy. If the argument were sufficiently strong and persuasive, then the original belief would be defeated.

Finally, Plantinga notes that Calvin and others viewed this natural knowledge through the meta-narrative of creation, fall and redemption. Humans have a natural disposition to form properly-basic beliefs that self-evidentially entail the existence of God; however, the noetic effects of sin affect this disposition. The entrance of sin into human society and its

⁴³ For further elaboration of Plantinga's understanding of defeaters see Alvin Plantinga, "Naturalism Defeated" (1994). <<http://philofreligion.homestead.com/files/alspaper.htm>>

contagious effects upon society lead to the knowledge it produces being obscured, suppressed and extinguished. Calvin wrote,

[T]hough experience testifies that the seed of religion is divinely sown in all, it is the case scarcely one in a hundred is found who cherishes it in his heart, and not one in whom it grows to maturity, so far is it from yielding its fruit in season.⁴⁴

Similarly, Paul in the book of Romans notes,

For although they knew God, they neither glorified him as God nor gave thanks to him, but their thinking became futile and their foolish hearts were darkened. Although they claimed to be wise, they became fools and exchanged the glory of the immortal God for images made to look like mortal man and birds and animals and reptiles.⁴⁵

However, God through Christ acts in history to restore humanity to its original image. This is done through a kind of spiritual renewal which is initiated and carried out via the Holy Spirit. One aspect of this regeneration is cognitive; the Holy Spirit internally persuades people of the truth of the gospel. Here, Plantinga distinguishes a threefold process; proclamation, internal persuasion and faith. The message is proclaimed orally through the church and verbally through the scriptures. The Holy Spirit uses this proclamation to draw people to God, to convict them and persuade them of the truth of this message. This process culminates in faith, a firm assurance of the truth of the message and its personal application to oneself.

Like memory and the *sensus divinitatis*, this inner persuasion is a cognitive process whereby one forms beliefs and the beliefs produced are basic beliefs. One does not hear the proclamation of the gospel by the church and reason from this fact - the fact that one has heard such proclamation - to the truth of what was said. As I will argue later, few beliefs that one believes on the authority and/or say-so of others are like this. Rather, after hearing this proclamation one comes to believe that what is proclaimed is true. Consequently, the beliefs in question will be basic beliefs.⁴⁶

⁴⁴ Calvin, *Institutes of the Christian Religion*, Ch 4 S 1.

⁴⁵ Rom. 1: 21-23 N.I.V.

⁴⁶ This basic status is limited only to what Plantinga calls "Christian Belief", the main lines of the gospel. Plantinga does not claim that everything one believes as a Christian is properly-basic. There are many aspects of Christian teaching that are not properly-basic. Is baptism for infants or only adults? Do the charismata persist after the apostolic age? What is the genre of Genesis 1? Any rational beliefs about these

This process of faith stands in an interesting, dialectical relationship to the *sensus divinitatis*. This can be seen via analogy with perception. When functioning reliably, perception gives us various, properly-basic beliefs about the world around us. However, in certain circumstances this faculty is subject to malfunction. People can have impaired vision. However, people can have this malfunction repaired by the use of glasses; an artificial apparatus which when added to the eyes compensates for perceptual malfunction and enables the eyes to again perceive the world accurately.

Similarly, the *sensus divinitatis*, when functioning properly, produces properly-basic beliefs about God. However, due to the noetic effects of sin this faculty is subject to malfunction and consequently humanity is spiritually blind; it has an impaired, blurred or obscured understanding of divinity. Calvin likens the beliefs produced by faith to glasses. Just as glasses correct our focus, enabling our eyes to see clearly, so faith corrects the errors of the *sensus divinitatis* and enables people to sense and perceive God in the world around them in a clearer manner. The implication is that the *sensus divinitatis* can be used to gain properly-basic beliefs about God provided it is used alongside and within the parameters of information one knows by faith.

A. The Model Applied to Divine Commands

Plantinga intends to use his reconstruction of Calvin as a way of defending belief in God as well as what he, following Jonathan Edwards, calls the great things of the gospel, as the main lines of Christian belief that are common to the major creeds of the central branches of Christendom. However, I think his line of argument applies with equal force to beliefs about what the law of God prohibits. Several lines of Plantinga's discussion suggest this.

Firstly, when Plantinga gives examples of properly-basic, theistic beliefs, he states the following as a paradigm "Upon doing, what I know is cheap, or wrong, or wicked, I may

issues will be believed based on inductive, deductive and adductive reasoning associated with Biblical exegeses. (Though when the results are in, the proposition is believed on the basis of authority, i.e. that this is an accurate account of what scripture says and is not reasoned to from neutral premises). It is only the main outlines of Christian belief that are properly-basic.

feel guilty in God's sight and form the belief *God disapproves of what I have done*".⁴⁷ Plantinga suggests that natural knowledge of God produces properly-basic beliefs about whether a given action is contrary to God's prescriptive will, i.e. His commands or law. Later in *Warranted Christian Belief*, Plantinga suggests that the *sensus divinitatis* produces beliefs not just about God but beliefs about what things are loveable and contemptible.⁴⁸ I presume by 'things' Plantinga would include actions and the context of this comment suggests this.

This is also suggested by a further comment Plantinga makes,

[W]e seem to have a moral sense: certain kinds of behaviour and certain kinds of character seem to be wrong, bad, to be avoided; others seem right, good, fitting, to be promoted. It is obviously wrong (all else being equal) to hurt young children or to refuse to care for your ageing parents; perhaps we see this by way of a certain moral sense.⁴⁹

Secondly, the theological sources that Plantinga draws upon make it difficult to resist this claim. Consider the passage from Romans quoted above. One important point that Paul is making here is that human beings are without excuse, i.e. they are *morally culpable*. They perceive that they have certain duties to God but either deny or fail to fulfil them. In using the *sensus divinitatis*, people are aware not just of God but also of certain obligations that they have towards Him. Moreover, moral knowledge is a central theme in Paul's argument. Here he proceeds to note that human beings, in departing from the true knowledge of God, also exchange what they know to be morally right for various perversions, although they know that God's righteous decree, i.e. His law, condemns such activity.

A more obvious example is a quote from Herman Bavinck that Plantinga appeals to in *Reason and Belief in God*. In this citation Bavinck states,

There is not a single object the existence of which we hesitate to accept until definite proofs are furnished. Of the existence of self, of the world around about us, of logical and *moral laws*, etc., we are so deeply convinced because of the

⁴⁷ Plantinga, *Warranted Christian Belief*, 80.

⁴⁸ *Ibid.*, 208.

⁴⁹ *Ibid.*, 148.

indelible impressions which all these things make upon our consciousness that we need no arguments or demonstration.⁵⁰ [*Emphasis added*]

Bavinck clearly includes knowledge of moral laws amongst those beliefs considered properly-basic.

Thirdly, Plantinga also suggests this when he discusses the noetic effects of sin. In discussing how the natural knowledge of God is distorted by sin Plantinga states,

[W]e love and hate the wrong things. Instead of seeking first the kingdom of God, I am inclined to seek first my own personal glorification and aggrandizement, bending all my efforts toward making myself look good. Instead of loving God above all and my neighbor as myself, I am inclined to love myself above all and, indeed, to hate God and my neighbor.⁵¹

Similarly, he notes,

In this condition we know (in some way and to some degree) what is to be loved (what is objectively lovable), but we nevertheless perversely turn away from what ought to be loved and instead love something else. (As the popular song has it: “My heart has a mind of its own”.) We know (at some level) what is right, but find ourselves drawn to what is wrong; we know that we should love God and our neighbor, but we nonetheless prefer not to.⁵²

Plantinga’s point is that just as people can perceive various attributes of God in the natural world around them but through sin suppress and corrupt this knowledge so people can perceive that certain actions are contrary to God’s law.

Finally, Plantinga’s model of faith also applies with equal cogency to knowledge of God’s law. Similar things can be said about the role of the Holy Spirit in regeneration with regard to divine commands as can be said with regard to the great things of the gospel. One function the Holy Spirit performs in regeneration is convicting potential converts of their sins, i.e. transgression of God’s law. However, this implies that the Holy Spirit produces not just conviction of the truth of certain theological doctrines but also certain ethical or normative beliefs. In addition, as is repeated numerous times throughout the New Testament, in regenerating the believer the Spirit writes the law of God upon the believer’s heart, suggesting that regeneration by the Spirit also produces at least some

⁵⁰ Plantinga, “Reason and Belief in God,” 64.

⁵¹ Plantinga, *Warranted Christian Belief*, 208.

form of cognitive awareness of God's law.⁵³ Earlier, I noted this involves a threefold process; proclamation, internal persuasion and faith. The law of God is proclaimed orally through the church and in writing through the Hebrew and Greek scriptures. Secondly, the Holy Spirit uses this proclamation to draw people to God, convict them and persuade them of the Law's rightness. This process culminates in faith; a firm assurance that the standard proclaimed is right as well as its personal application to one's own life.

The other features of the model apply as well. The dialectical relationship between faith and natural knowledge applies. When the *sensus divinitatis* functions properly, it produces properly-basic beliefs about what is correct behaviour in certain particular circumstances. However, due to the noetic effects of sin, this faculty is subject to malfunction and consequently humanity is spiritually blind and has an impaired, blurred or obscured understanding of ethics. The faith corrects the errors and enables one to sense and perceive obligations more clearly. The implication is that people can still gain properly-basic beliefs about obligations. One's moral sense is an appropriate source of information provided it is used alongside and within the parameters of God's law as revealed through the scriptures. Further, given that faith and the *sensus divinitatis* give us knowledge of the same object, the two can correct and clarify each other.

4. Defending the Model

In his recent book, *Warranted Christian Belief*, Plantinga develops the fullest articulation of this position. A couple of important clarifications are necessary to understand his argument.

Firstly, one needs to bear in mind a distinction that Plantinga himself draws in "On being Evidentially Challenged". Plantinga distinguishes between:

⁵² Ibid.

⁵³ John Murray notes, "Cf Rom 2:14 Jeremiah 31;33, If fallen man has the work of the law written upon his heart so that by nature he does the things of the law, how much more must this have been in true original integrity. And if the renewal of man after the image of God can be described in terms of writing the law of God upon the heart, surely creation of the divine image at the beginning must have carried with it inscription of the law of God on the hearts of our first parents. The image of God in which man is recreated cannot be principally different from that of which he was at first created." John Murray, *Principle of Conduct* (Grand Rapids, MI: Eerdmans Publishing Company, 1957), 25-26.

... an internal question and an external question. The first question is whether I am rational in holding my beliefs in the sense in which whether for all I can tell from the inside, so to speak, my beliefs meet the appropriate internal standards ... whether I have properly taken account of other things I know, whether I have paid proper attention to objections and to what others say.⁵⁴

The internal question differs from the external question. The latter asks whether one's beliefs are warranted, whether they have the property that turns true belief into knowledge. This goes beyond internal rationality.

Later in *Warranted Christian Belief* Plantinga draws the same distinction; here he distinguishes between being “internally rational” and “externally rational”. ‘Internally rational’ refers to a person whose cognitive apparatus is appropriate, “downstream from experience”. By experience he means not just “sensory experience” but also what he calls “doxastic experience”. Internal rationality involves forming beliefs correctly in response to such experience. Plantinga suggests there are at least three components to internal rationality. Firstly, if I am internally rational “I will form beliefs appropriate to the phenomenal imagery I enjoy”; for example, “when appeared to in the way that goes with seeing a grey elephant, I will not form the belief that I am perceiving an orange flamingo”. Secondly, internal rationality also involves coherence, such things as avoiding contradictions and either accepting the logical implications of one's beliefs or ceasing to hold them. Thirdly, this involves drawing the correct inferences from what is presented in experience, avoiding fallacies and accepting the logical consequences of one's beliefs. An internally rational person will have “carefully considered the objections” they have encountered, they will have “compared notes with the right people”⁵⁵ and “considered how it fits with other beliefs they hold”.⁵⁶

By contrast, external rationality involves forming the appropriate experiences (those experiences upon which various inferences are based) in the right cognitive environment in the first place. For example, an externally-rational person has the experience of seeing a tree when a tree is in fact there and does not have experience of seeing pink elephants in

⁵⁴ Alvin Plantinga, “On Being Evidentially Challenged,” in *The Evidential Argument from Evil*, ed. D Howard-Snyder (Bloomington, IN: Indiana University Press, 1996), 259.

⁵⁵ Plantinga, *Warranted Christian Belief*, 255.

⁵⁶ *Ibid.*

an empty room. It is the latter sense which Plantinga associates with what he calls “warranted” beliefs.

It is important not to conflate these two senses of rationality. It is possible, for example, for someone to suffer from a coherent delusion, whereby he or she rationally (in the first sense) believes all sorts of things but yet is not warranted in doing so.

Rene Descartes notes that there are people “whose cerebella are so troubled and clouded by the violent vapours of black bile, that they...imagine that they have an earthenware head or are nothing but pumpkins or made of glass”. That sort of response is *not* (necessarily) precluded by internal rationality. Perhaps these mad men are subjected to overwhelming doxastic experience here. Perhaps the proposition—that their heads are made of glass—seems utterly obvious to them, as obvious as that $3+1=4$. Then the problem lies with this *seeming*, with their having this kind of doxastic experience. *Given* this doxastic experience, what [rationality] requires (all else being equal) is forming this belief; and that they do. They display *external* irrationality, but not *internal* irrationality.⁵⁷
[*Emphasis original*]

The “all else being equal” here refers to such things as the absence of defeaters, drawing correct inferences from whatever beliefs are formed in response to experience, having a set of beliefs that is coherent, avoiding contradictions and ceasing to believe things when good defeaters are provided for them, as well as carefully considering and responding to counter-arguments, etc. Of course, mad men and pathological people may lack these features as well but then the problem is with lacking these features, not believing what one’s experience mistakenly suggests.

A second distinction Plantinga draws is between what he calls de facto objections to Christian belief from de jure objections. De facto objections are arguments for the conclusion that Christian beliefs are false. De jure objections, on the other hand, are “arguments or claims to the effect that Christian belief, whether or not true, is at any rate justifiable. Or rationally unjustified, or irrational or not intellectually respectable”. They are “not up to snuff from an intellectual point of view”.⁵⁸

Plantinga notes correctly that the Evidentialist objection is a de jure objection. It argues not that theism is false but that whether it is true or not that the believer is irrational in

⁵⁷ Ibid., 111-112.

some way in believing because he or she lacks sufficient evidence. Construed as a de facto objection the argument is clearly fallacious. It is a version of the *ad ignorantiam* fallacy, reasoning something is false because it has not been demonstrated as true.

Moreover, the Evidentialist objection is a criticism of the practice of *believers*. It is claimed the *believer* is doing something intellectually sub par by believing, in the absence of evidence. The idea is that a rational person who believed in God would, when made aware of the lack of public evidence for this proposition, cease to believe.⁵⁹ Therefore, any theist who continues to believe theistic propositions without public evidence acts irrationally. Plantinga takes the argument on its own terms.

Many - Christians or not - may have an inclination, even a powerful inclination to Christian belief, but may also have been heavily influenced by various alleged de jure objections to it. For example, such a person may think that Christian belief can be justified, rational or warranted only if it can be shown to be probable with respect to public evidence. She may also have serious doubts as to whether it can be shown to be thus probable. As a result, she may feel that to accept Christian belief is to violate an intellectual duty of some kind; she may therefore reject it, or hold it in a half-hearted, apologetic and unintegral way. It can be useful for such people to see that there is little or no reason to accept the sort of evidentialism that provokes these qualms, and that Christian belief can be rational, justified and warranted even if it is not probable with respect to public evidence.⁶⁰

Plantinga here notes that he is refuting a de jure argument aimed at believers. He aims to show that *a believer* who is aware of the lack of public evidence and continues to believe is not irrational by virtue of this fact. It is important to be clear on this. Plantinga is not offering an argument to unbelievers for the truth or even intellectual acceptability of Christian belief. His project is limited to rebutting an objection to the doxastic stance taken by believers and to show that this particular objection lacks cogency.

A complete account of all the nuances of *Warranted Christian Belief* is beyond the scope of this chapter. However, a summary will suffice. Plantinga essentially argues three things; firstly, the believer typically does not hold theistic beliefs based on some argument from public evidence. Rather he believes in the basic way. This means both that

⁵⁸ *Ibid.*, ix.

⁵⁹ Note that this is a different question from the one of whether an agnostic, who examines the evidence and discovers no public evidence exists, is rational if he continues to withhold belief.

⁶⁰ Plantinga, "Rationality and Public Evidence: A Reply to Swinburne," 252.

he does not believe based on an argument and that the person has some doxastic or perceptual experience that makes it seem to the person that the belief is true. Secondly, he provides a possible, epistemic model of how such a belief practice could be warranted. Thirdly, he argues that if Christian belief is true then the believer is probably warranted in believing in this fashion. It follows from this that the believer's stance is unwarranted only if what he believes is in fact false.

I believe Plantinga means us to draw three inferences from these claims. The first is that this *de jure* objection depends crucially upon the assumption that Christian belief is false. Only if one first assumes the falsity of Christian belief from the outset does the argument hold.

If the *warrant* enjoyed by belief in God is related in this way to the *truth* of that belief, then the question of whether theistic belief has *warrant* is not after all independent of the question whether theistic belief is *true*. So the *de jure* question we have finally found is not, after all, really independent of the *de facto* question; to answer the former we must answer the latter. This is important: what it shows is that a successful atheological objection will have to be to the truth of theism, not to its rationality, or justification, or intellectual respectability, or rational justification, or whatever. The atheologist who wishes to attack theistic belief will have to restrict herself to objections like the argument from evil, or the claim that theism is incoherent, or the idea that in some other way there is strong evidence against theistic belief. She can't any longer adopt the following stance: "Well, I certainly don't know whether theistic belief is *true*--who could know a thing like that?--but I do know this: it is irrational, or unjustified, or not rationally justified."⁶¹

This leads to the second claim. Now of course the believer does not think his or her beliefs are false. She or he believes them and sees them as true. Consequently, she or he has no reason whatsoever for accepting the claim that they are irrational or unwarranted.

Moreover, to accept this claim would be internally irrational. The believer believes something *P*; it seems to him or her to be true and correct and in the light of Plantinga's argument he or she has reason for thinking that this belief is warranted. He or she is aware of a true conditional, that if *P*, then *P* is warranted. Consequently, if the believer is rational, he or she should affirm that the belief is warranted independently of public evidence.

⁶¹ Plantinga, *Warranted Christian Belief*, 191.

In the absence of any de facto argument for *P*'s falsehood, it would be whimsical, if not arbitrary, to give *P* up based on an Evidentialist objection. To do so would be to reject something based on a belief one believed was false. Moreover, it would mean one was both committed to claiming that *P* is properly-basic and that one should give it up because there is no evidence for it.

Plantinga's conclusion is that unless the critic of Christian belief actually formulates a viable de facto objection and thus provides believers with reasons for thinking the theological beliefs in question are false, the believer is not (internally) irrational in continuing to believe merely because he has not demonstrated these beliefs from public evidence. Moreover, if the beliefs are true the believer is not externally irrational either.

A third conclusion Plantinga suggests is that there is no neutral vantage point, one which presupposes neither the truth or falsity of Christian belief, from which the question of whether theistic beliefs are properly-basic (in the external sense of rational) can be answered.

What you take to be rational, at least in the sense in question, depends upon your metaphysical and religious stance. It depends upon your philosophical anthropology. Your view as to what sort of creature a human being is will determine, in whole or in part, your views as to what is rational or irrational for human beings to believe; this view will determine what you take to be natural, or normal, or healthy, with respect to belief. So the dispute as to who is rational and who is irrational here can't be settled just by attending to epistemological considerations; it is fundamentally not an epistemological dispute, but an ontological or theological dispute....the question whether it is rational to believe in God without the evidential support of other propositions is really a metaphysical or theological dispute.⁶²

I agree with Plantinga on each of these conclusions. Moreover, I think a similar line of argument is available regarding belief in divine commands.

⁶² Alvin Plantinga, "Theism, Atheism and Rationality" *Truth Journal* 3 (1991).
<<http://www.leaderu.com/truth/3truth02.html>>

Firstly, I think it is true that most people who believe in the existence of a divine command forbidding homicide or sodomy or adultery do so based on scriptural testimony. They read the scriptures, hear it preached and find themselves convicted and convinced of the truth of what is affirmed.

Secondly, I think, as I argued in the previous section, the model Plantinga appropriates and applies to Christian belief applies with equal cogency to divine commands.

Thirdly, if it is true that these divine commands exist then one is warranted in believing in them in such a fashion. I argued earlier that a central feature of the model proposed by Reformed Epistemologists is faith. A person believes various propositions based on their proclamation in the scriptures. This suggests that faith is merely a species of a wider practice frequently labelled testimony. Wolterstorff defines the paradigmatic case of testimony as believing X based on the say-so of someone else, Y.⁶³ The question is whether one is warranted in accepting testimony where the testimony is not merely from some human being but God Himself mediating His discourse through human authors.

In defending an affirmative thesis, Plantinga and those who follow a similar tack utilise a highly-influential theory of knowledge known as Reliabilism. Reliabilism holds that a belief is warranted if, and only if, the source, grounds or mechanism that produces the belief, or that it is based on, is reliable, i.e. likely to produce true beliefs on the topic in question. Robert Nozick, Alan Goldman, John Armstrong, Alvin Plantinga and William Alston have advanced versions of this theory.

The exact version of Reliabilism does not matter too much but for clarity I will use Alston's version. Alston suggests that a belief is warranted if it is based on a reliable ground or grounds.⁶⁴ A person's belief is warranted if the grounds on which the belief is held are reliable grounds for holding a belief of that sort. He also adds that the person who holds the belief must not have a reason for thinking that the belief is false nor a reason for thinking that the belief is not reliable. He must therefore lack defeaters.

⁶³ Nicholas Wolterstorff, "Evidence, Entitled Belief and the Gospels" *Faith and Philosophy* 6:4 (1989): 445.

⁶⁴ William Alston, "The Concept of Epistemic Justification," in *Epistemic Justification: Essays in the Theory of Knowledge*, ed. William Alston (Ithaca, NY: Cornell University Press, 1989), 77.

Suppose a person upon reading scripture and hearing the scriptures expounded through preaching from the pulpit believes that God has prohibited a certain class of actions. The believer is aware of no conclusive argument either for God's existence or for the affirmation of the command in question. Nor is he or she aware of any cogent arguments for the reliability of scripture. The believer on discerning that God affirms this in scripture, takes it at its word and finds himself or herself deeply convinced or persuaded that the action is wrong.

Is the believer warranted in doing this? On a reliabilist account such as Alston's he or she will be warranted if scripture is what Christians purport it to be. If scripture is a medium of divine discourse and hence accurately and reliably mediates divine commands then the beliefs will be warranted. Hence, whether beliefs about God and what He has commanded, that are based solely on scriptural testimony, are warranted will depend on the truth of the beliefs in question. If the beliefs are true, if God does exist and has mediated various commands through scripture then it is warranted. On the other hand, if God does not exist or if he has issued commands radically different from those recorded in scripture or has issued no commands at all then the belief will be unwarranted.

Hence, it seems both that believers typically accept belief in divine commands in a basic fashion and also that, if these beliefs are true, believers are warranted in doing so. In the absence of any reason for thinking these beliefs true, there appears no reason for giving up these beliefs.

A. Greg Dawes's Objection: Circularity

In a recent lecture expounding Calvin's view of faith, Greg Dawes criticises faith as circular.

One can concede that it would be perfectly reasonable to believe something on the authority of God, even if one had no other evidence for its truth (what could be more reasonable than to believe something told me by an omniscient and morally perfect being). But on the face of it one would still need evidence in support of one's belief that (a) that these propositions are revealed by God; and,

(b) that God is a reliable source of knowledge. We'll see in a moment how believers have responded to this demand.⁶⁵

Here Dawes claims that although it is true that one is warranted in accepting things on a reliable authority such as God, before one does so one needs evidence that the authority in question is, in fact, reliable, that the testimony is from God and that that God is a reliable testifier.

Dawes goes on however to argue that in the case of faith in scriptural testimony, no non-circular evidence is forthcoming. In questioning what makes believers think God speaks authoritatively through Scripture he states,

The more common response ... is to 'bootstrap' the believer's sense of certainty: to base the certainty of his belief on the very revelation in which he believes. ... Religious faith believes certain propositions on the authority of God on the authority of God. (This is not a typographical error.) The authority of God is simultaneously that which (*id quod*) and that by virtue of which (*id quo*) one believes.

The circularity in this position might seem to be the Achilles' heel, not just of the Protestant system, as David Friedrich Strauss suggested, but of this traditional, 'bootstrapping' view of faith in whatever form it is expressed.⁶⁶

Dawes's argument rests on two assumptions. Firstly, that the believer has no non-circular reasons for thinking that the scripture is a medium of divine discourse. Secondly, that the believer must have such reasons if he or she is to be warranted in accepting anything on these grounds. I think both assumptions are false.

1. Does the Believer Need Reasons for Thinking his Source Reliable?

I suspect Dawes conflates two separate questions in the second of his assumptions; whether a given ground is, in fact, reliable and whether one has grounds or reasons for thinking it is reliable. These are not the same question. It is possible for a ground to be reliable without knowing or having any reason for thinking it is. Likewise, the fact that a person has no reason for thinking something is reliable does not entail that it is not reliable.

⁶⁵ Greg Dawes, "Faith and Reason", a paper presented to the University of Otago Theology and Religious Studies Faculty. This is contained in Dawes, *Philosophy of Religion*, (so far unpublished) 46.

On a reliabilist account, it is the former and not the latter condition that must be met for a belief to be warranted. Alston's Reliabilism entails that a belief is warranted if it *is* based on a reliable ground; it does not hold that it must be based on what one has reason for thinking is a reliable ground. The same can be said for most Externalism and Reliabilism theories in general. Noting that a person has no reason for thinking that something is reliable does not show that this condition is not met and hence, does not show that the belief in question lacks warrant.

An obvious response to this line of argument would be to claim that there is some kind of epistemological principle or requirement to avoid believing something based on a given ground or source until one has reasons for thinking that such sources are reliable and that the believer violates this requirement. However, this position has at least two problems.

Firstly, it leads to absurd conclusions. If I cannot believe any thing on a given ground until I have good reasons for thinking the ground reliable, then I cannot believe anything because I remember it happening. To do so I would need good reasons for thinking my memory is reliable. Clearly, such reasons are not forthcoming as any argument I use to try to demonstrate my memory would be circular. I could attempt to show that most of the times I used my memory in the past it was correct but then I would need to remember how I had used my memory in the past and remember whether or not it was accurate. However, I am not permitted to utilise memory in this way until I have reason for trusting it and hence, any such argument could not get off the ground. Similarly, I would be unable to rationally rely on the deliverance of reason. After all, how can I show that a reason is reliable? This can only be done by offering reasons.

The problems do not stop here because memory is essential to any given line of reasoning one engages in. Reasoning is a temporal process; one begins with the first premise and follows an inference through to a conclusion. One does not hold every step of an argument in one's mind at the same time. Rather one relies on one's memory to remember the first steps while the second is assessed and then remembers this step while the third is examined and so on. Hence, without memory one cannot reason at all. This creates an unsolvable sceptical situation. One cannot trust memory if one does not have a

⁶⁶ Ibid.

reason for thinking it is reliable but one cannot get any such reason unless one trusts one's own memory. Moreover, one cannot engage in reasoning at all if one does not trust it. This position leads to the destruction of all reason.

The second problem created by this kind of stance is that it leads to an infinite regression. To show that the source were reliable, I would have to appeal to certain premises that are based on some other source but then I would have to show that this source was reliable and so on. The claim that one needs reasons for thinking a ground is reliable before one can be warranted in believing anything on the basis of that ground appears problematic.

A further rejoinder suggests that it is *in general* true that I do not need to have reasons for thinking a ground reliable before I am warranted in accepting a given proposition on this ground. However, I do need such reasons if the ground of my belief is testimony, that is, the say-so of some other person. Dawes suggests something like this in his paper.⁶⁷ He distinguishes beliefs based on testimony from basic beliefs. He states that basic beliefs are such that one is warranted in believing them independently of any argument for them, whereas beliefs based on authority are warranted by "indirect evidence". By indirect evidence, he means evidence that the testimony in question is reliable. A person who believes something based on testimony will, if they are rational, have "reasons to believe the trustworthiness of the source" from which he or she "gained the information".⁶⁸

However, this view of testimony is mistaken. Coady summarises the problem. If one is going to have grounds for the reliability of a given authority or testimony then these grounds will be either some other testimony or authority, in which case there is a problem of circularity, or it will be based upon sources apart from testimony.⁶⁹ The problem with this second horn of the dilemma is that if we exclude what we know by way of testimony we will have so little to go on that such grounds will be almost impossible to come by.

To demonstrate this, consider an example Dawes himself provides, the belief that $E=MC^2$. Dawes writes,

⁶⁷ Ibid., 38.

⁶⁸ Ibid.

⁶⁹ C.A.J. Coady, *Testimony: A Philosophical Study* (New York: Oxford University Press, 1995).

Very many of our beliefs are held on the basis of testimony. (In this context I shall sometimes refer to these as beliefs held on the basis of authority.) Does $e=mc^2$ represent the rate at which matter can be transformed into energy? I believe so, although I would not have the faintest idea how to demonstrate its truth I have it on good authority that it is true...Of course, there is a sense in which I *do* believe this on the basis of evidence. I have reasons to believe in the trustworthiness of the sources from which I gained the information.⁷⁰

Dawes suggests that a non-physicist can rationally believe $e=mc^2$ because he or she has reasons to believe that his or her sources are trustworthy. I believe this last comment is incorrect. Consider, for example, what reasons he could offer for believing that the source of his information was reliable. Presumably, it would be because the author of the book in which he read it or the person who told him it was a physicist. Nevertheless, how does he know this? He could have read the person's qualifications off a faculty list, off the dust-jacket of the book or been told them by the person himself but in each case he is relying on testimony and so, in the absence of further reasons he cannot believe these sources. Suppose, however, Dawes was to investigate thoroughly and locate the address of the university where the degree in physics was awarded in order to check its original records. Yet again, he will be relying on testimony in the form of an address list and records. He would also have to have trusted the testimony of maps and road signs in getting to the university in question.

Consider then what Dawes would have left to go on if he did not use testimony. He could not rely on any information which he himself did not observe first-hand. This would exclude any information about events prior to his own lifetime, any events in his own lifetime that he did not remember witnessing first hand and any event that happened in a place other than where he was at the time. Nothing read in journals, books, heard in lectures, taught to him by his parents or teachers could be used. Nothing heard on the news, read on the computer, told over the phone or reported on would be included. Almost everything he had learnt through his entire education would be excluded because nearly all of it is based on testimony. It seems, then, that if Dawes were really to comply with the epistemic standards he laid down, he could not rationally believe in $e=mc^2$. It appears he is mistaken in thinking that one needs to have reasons for thinking a given authority is reliable to be warranted in believing in testimony.

⁷⁰ Dawes, "Faith and Reason," 34.

I think this example shows that this is not isolated. What we know by way of being told by others accounts for a huge and pervasive amount of what we believe. Everything I know about other places, other times, everything learnt at school, university, from parents, friends, books, newspapers, television, etc. is based on testimony. If I were to try to verify any of these beliefs without first relying on some other piece of testimony, I would be unable to.

2. Does the Believer have Non-Circular Reasons for Believing in Scripture

These observations also give us grounds for calling into question the first contention Dawes makes in his criticism of believing in scriptural testimony. Dawes assumes that the believer has no non-circular grounds for thinking that scripture is a medium of divine discourse.⁷¹

Here his argument appears to be as follows. Dawes grants that if scripture is a medium of divine discourse then one is warranted in accepting theological beliefs in a basic way. He then notes that the only way one could get to the conclusion that such beliefs are warranted is by affirming the antecedent of this conditional and affirming that scripture is in fact a medium of divine discourse.

However, he goes on to argue that this latter belief is typically believed based on scriptural testimony and hence the argument is circular.

What is mistaken here is Dawes's assumption that this practice involves some form of argument in which the proposition that scripture is a medium of divine discourse serves as a premise. On the above model a person believes propositions affirmed in scripture not by inferring them via argument but by simply taking scripture's word for it and hence believes such propositions as basic. Consequently, these propositions are not based on any argument at all and cannot be based upon a circular argument as Dawes suggests.

Perhaps what Dawes is driving at is not that this claim that scripture mediates divine discourse is based on a circular *argument* but rather, it is circular in some other fashion.

The distinction between logical and epistemic circularity is helpful here. Logical circularity occurs when a person affirms in the premise of the argument what he or she is attempting to establish in the conclusion. Such circularity can then only apply to arguments and not to basic beliefs. However, William Alston has pointed out that there is also such a thing as epistemic circularity. This occurs when one in practice relies upon a particular source or type of ground in order to establish the reliability of the type of ground in question. A person who relied on perceptual judgements to argue for the reliability of sense perception would be an example. This approach is not logically circular; the person need not argue from premises affirming the reliability of perception. However, it is circular nevertheless.⁷²

It is clear, I think, that the model is epistemically circular. The real question is whether there is anything wrong with such circularity. This is borne out by another point Alston stresses, that every, major, doxastic practice, even ones that are paradigmatically rational, are epistemically circular.⁷³ I noted this with memory above; one can only establish that memory is reliable by relying on the deliverance of memory as premises in a deductive argument. Similarly, with beliefs based upon a sound, deductive argument. Such arguments can be shown to be reliable only with other arguments and so on. Even an omniscient being could not demonstrate that his cognitive faculties are reliable without appealing to those faculties. Hence, if the practice of believing in divine commands because they are affirmed in scripture is problematic because one cannot believe the reliability of scripture without engaging in epistemic circularity, then various paradigms of rational belief are also problematic. In fact, rationality is impossible. This is, of course, absurd.

B. Epistemic Permissiveness

Another objection raised against Reformed Epistemology is the charge that it entails almost any belief a person strongly believes in to be warranted. Michael Martin asserts for example, “Plantinga’s Foundationalism is radically relativistic”.⁷⁴

⁷¹ Ibid., 9.

⁷² William Alston, “Epistemic Circularity,” in *Epistemic Justification: Essays in the Theory of Knowledge*, ed. William Alston (Ithaca, NY: Cornell University Press, 1989), 319-349.

⁷³ By doxastic practice, I refer to the practice of forming beliefs in response to certain grounds, whether the ground is argument, some form of experience or the assertion of some authority.

⁷⁴ Martin, *Atheism*, 276.

At first glance, this appears a non-sequitur. Plantinga has sketched a model of how one could have properly-basic, theological beliefs and I have argued that if certain theological beliefs are true then someone who did believe in this manner has no reason for rejecting them. How does this entail that truth is non-objective or that what is true or false depends on whether a person or community believe it? If this objection is to be anything more than just an assertion then we need to be shown how accepting these propositions logically entails that these things are relative. We need a valid, non-circular argument from these claims to the conclusion that truth is relative. Until such an argument is forthcoming, no actual reasons have been offered for thinking this objection correct.

In *Atheism: A Philosophical Justification*, Michael Martin offers several arguments that he thinks demonstrate that the Reformed Epistemology position is relativistic.

1. Does Reformed Epistemology make Argument Irrelevant?

One argument Martin suggests is more of a statement. He claims that by making certain theological beliefs basic one puts those beliefs beyond rational appraisal.⁷⁵ Once a belief is declared basic one cannot rationally evaluate it.

This objection is incorrect. As noted above, a belief is properly-basic only if no defeaters are forthcoming for it. Consequently, the belief is not immune to argument. Sceptics could offer rebutting defeaters of theological beliefs, give arguments to the claim that theism is false or they could argue that the concept of God is incoherent or inconsistent. They could offer arguments that certain actions are not in fact wrong or not condemned by God. Further, sceptics could offer undercutting defeaters that the grounds that produce theological beliefs are questionable. Alternatively, sceptics could attempt to show that accepting belief in God or divine law entails all kinds of absurdities.

There are further ways sceptics and believers can engage in dialogue. One could point out inconsistencies or incoherence in a person's belief set, even if one does not accept the beliefs in question. One can grant a proposition held by one's opponents for the sake of argument and then point out its implications, show that these implications or the beliefs

themselves entail things that the person themselves rejects or considers absurd. Further, one can show that the views one person holds follow from beliefs his opponent holds and so his opponent has good reasons for accepting these beliefs, and so on.

Moreover, as Plantinga has suggested in several places,⁷⁶ one can reason “conditionally”, one can reason that *if* one accepts certain premises or propositions as basic beliefs, then certain other positions, hypotheses and theories are likely and people from all sides of the dispute can assess and debate whether the reasoning is cogent. Plantinga notes,

The conclusions of theistic science may not be *accepted* by non-theists, but the method - trying to see how best to explain the relevant phenomena from a theistic perspective - is indeed open to all.⁷⁷

What is precluded by accepting certain, theological beliefs as basic are Evidentialist objections to these beliefs, arguments which suggest they are irrational because they are not inferred via an argument from some set of publicly-agreed-upon premises. However, the fact that one type of argument or reasoning is precluded does not mean that all are.

2. *Does anything go?*

Another objection Martin suggests is that accepting certain, theological beliefs as properly-basic entails or implies that any belief can be properly-basic. Alvin Plantinga anticipates this objection in *Reason and Belief in God*.

If belief in God is properly basic, why cannot *just any* belief be properly basic? Could we not say the same for any bizarre aberration we think of? What about voodoo or astrology? What about the belief that the Great Pumpkin returns every Halloween? Could I properly take *that* as basic? Suppose I believe that if I flap my arms with sufficient vigour, I can take off and fly around the room; could I defend myself against the charge of irrationality by claiming this belief is basic? If we say belief in God is properly basic, will we not be committed to

⁷⁵ Ibid.

⁷⁶ See Alvin Plantinga, “Creation and Evolution: A Modest Proposal,” in *Darwinism Design and Public Education*, ed. John Angus Campbell & Stephen C. Meyer (East Lansing: Michigan State University Press, 2004), 521-232. Also, “Reason and Scripture Scholarship,” in *Behind the Text: History and Biblical Interpretation*, ed. C. Bartholomew, C. Stephen. Evans, Mary Healy & Murray Rae (Grand Rapids, MI: Zondervan, 2003), 98-100.

⁷⁷ Alvin Plantinga, “On Rejecting The Theory of Common Ancestry: A Reply to Hasker” *Perspectives on Science and Christian Faith* 44 (December 1992): 258-263. <<http://www.asa3.org/ASA/dialogues/Faith-reason/PSCF12-92Plantinga.html>>

holding that just anything, or nearly anything, can be properly taken as basic, thus throwing wide the gates to irrationalism and superstition?⁷⁸

His response is to note correctly that this is a non-sequitur. Suppose I do believe that belief in God is properly-basic; why do I suddenly have to believe in Great Pumpkins and astrology? Why does the objector think this follows? The mere fact that one type of belief is properly-basic does not mean that all are, any more than the mere fact that one person with blue eyes caught stealing, means that all blue-eyed people are thieves.

Realising this problem, Michael Martin attempts to offer a modified version of the argument.

Plantinga's claim that his proposal would not allow just any belief to become a basic belief is misleading. It is true that it would not allow just any belief to become a basic belief *from the point of view of Reformed epistemologists*. However it would seem to allow any belief at all to become basic from the point of view of *some* community. Although reformed epistemologists would not have to accept voodoo belief as rational, voodoo followers would be able to claim that in so far as they are basic in the voodoo community they are rational and, moreover, that reformed thought was irrational in this community.⁷⁹

Martin suggests,

- (a) Reformed Epistemology entails that any belief can legitimately be rational and basic from the point of view of some community.
- (b) This implication is absurd or clearly false.

Unfortunately, Martin's objection is obscured by its ambiguity. When he affirms that a belief is basic from the point of view of some community he could mean either that the belief is perceived to be properly-basic in that community, the people in the community think it is or he could mean that because they believe it is, it will in fact be properly-basic in the community.

On either reading, Martin's argument is mistaken. On the first his conclusion is perhaps true but of little significance. Perhaps Plantinga's position does entail a community of Voodoo followers could believe that Voodoo was a basic belief. Why is this an objection

⁷⁸ Plantinga, "Reason and Belief in God," 74.

to his position? Surely, it is not absurd to think that a given community could think that a given belief was properly-basic when it is not. It is difficult to perceive any objection here.

I suspect Martin is suggesting that the second reading is the case; that the arguments of Reformed Epistemology are such that any community could utilise them to argue that any cherished belief they have is properly-basic and surely it is absurd to suggest that such beliefs are properly-basic? Granted, it is not absurd for a community to incorrectly or unwarrantedly hold a given belief as properly-basic but the proposition that such beliefs are, in fact, properly-basic is absurd.

I agree that Plantinga's position is absurd if it has this implication, however, I maintain it does not. Presumably, Martin means something like the following. Just as one can argue that if divine law exists and scripture reliably records the contents of this law then one is warranted in believing in such a law on the basis of scripture. A Voodoo could argue that he has a book of sacred scriptures that is a basis for various Voodoo beliefs he holds and that if these Voodoo beliefs are true, his belief is warranted and basic as testimonial belief. Similarly, a Muslim could make the same argument via the Koran.

This argument fails to note an important feature of the argument defended above, that a person is warranted in accepting a belief as basic based on authority only if the authority was in *fact* reliable and the beliefs in question were *actually true*. Once this is realised, it is clear that Voodoo beliefs would be properly-basic only if they were in fact, true. The point of Plantinga's argument is not to establish the truth of the basic beliefs but to defend their rationality.

Martin then faces a dilemma; he grants either that Voodoo beliefs are true or he does not. If he does, then Plantinga's arguments do entail that Voodoo beliefs are warranted. Of course, in accepting these beliefs as true this implication is no longer absurd. If Voodoo beliefs were true and Voodoo communities had scriptures or oral traditions that were reliable, then I maintain belief in them would be warranted and so Martin's objection is disarmed. On the other hand, Martin may wish to deny that Voodoo beliefs are true and

⁷⁹ Martin, *Atheism*., 272.

that belief in them is absurd. However, an analogue of Plantinga's argument would not entail that they are warranted and again his objection fails.⁸⁰

3. Dawes' Version of the Pumpkin Objection

Greg Dawes suggests a variant on the Great Pumpkin objection. He notes Martin's objection and quite correctly suggests that Martin is mistaken.

One is tempted to conclude from this remark that by virtue of Plantinga's arguments, all these incompatible sets of beliefs would be warranted, a fact (if it were a fact) that would destroy his case. But as he himself points out, a set of beliefs is warranted only if true and since these cannot all be true, they cannot all be warranted.⁸¹

I think this response is correct. According to Plantinga's argument a person is warranted in believing propositions about such things as Great Pumpkins or Voodoo only if it is true that the Great Pumpkin exists and it is obvious that not any and every belief is true. Moreover, it is doubtful that either Dawes, Martin or any defender of theism would believe that such beliefs are true. Hence, the Plantingan argument sketched above does not provide reasons or grounds for anyone (except perhaps a person who already believes in the Great Pumpkin) for thinking that this belief is warranted.

Dawes advances his own version of this objection,

This is correct, but as a response it misses the point of the Great Pumpkin objection. The objection is not that any set of bizarre beliefs could in fact be warranted on the basis of Plantinga's arguments. It is that the holders of such beliefs could *claim* their beliefs to be warranted on the basis of Plantinga's arguments. They may of course be wrong. But that's not the point. It is the fact that *anyone* could claim warrant in this way, for *any* set of beliefs, that is worrying.⁸² [*Emphasis original*]

Dawes' argument is based on two premises:

⁸⁰ In fairness to Michael Martin, his argument was written in response to an earlier position Plantinga took in "Reason and Belief in God" where he suggested one construct theories of proper basicity inductively from those beliefs one took to be basic. In the literature, however, Martin's objection has come to be used against the arguments of *Warranted Christian Belief*. Moreover, I believe an analogue of the response I give applies with equal force against his objection to Plantinga's earlier argument.

⁸¹ Dawes, "Faith and Reason," 129.

⁸² *Ibid.*

- (a) That a holder of “any set of bizarre beliefs” could utilise analogues of Plantinga’s argument in order to claim these beliefs are warranted.
- (b) That it is worrying that anyone could claim warrant in this way.

I believe that both premises are false and I will address each in turn.

(a) Can Anyone Utilise an Analogue of Plantinga’s Argument?

Consider first (a) where Dawes suggests, “anyone could claim warrant in this way, for any set of beliefs” on “the basis of Plantinga’s arguments”. I think this is false. Plantinga’s argument consists of three points.

- (i) The believer does not typically hold theistic beliefs on the basis of some argument from public evidence. Rather, the belief is a basically-held belief.
- (ii) Plantinga provides an epistemically-possible model of how such a practice could be warranted.
- (iii) He argues that if Christian belief is true then the believer is probably warranted in believing in this fashion.

It follows from this that the believer’s stance is unwarranted only if what he or she believes is in fact false. In the absence of a viable reason for thinking Christian belief false, the believer is rational in continuing to believe despite the lack of public evidence available.

Now for it to be the case that “any set of bizarre beliefs could in fact be warranted on the basis of Plantinga’s arguments” one would need to hold that analogues of (i), (ii) and (iii) could be pressed by “anyone” who held “any set of bizarre beliefs”. I do not think it is either clear or obvious that this is possible.

Take the first claim (i). For this to be true of “anyone” who held “any set of bizarre beliefs”, it would need to be the case that anyone who held such beliefs did so in a basic fashion and this is simply not the case. Not all beliefs are held this way. Many beliefs a person holds are held because of an argument or inference she or he has become convinced of. Hence, it is false that (i) is true of any belief a person holds.

Here we need to remember that basic beliefs are not groundless; they are typically based on experience. The exception is perhaps beliefs based on testimony where a person believes on the basis of some authority. Hence, in order for (i) to hold correct it is not enough that a person believes *P* without evidence. A person must have grounds for affirming *P*, he or she must have an experience of some sort which makes it appear compelling to him or her. Now it is not clear or obvious that people are constructed so that any or every possible belief that occurs to them will elicit this kind of response. Certain theological beliefs clearly do but I doubt that belief in Great Pumpkins can. The reason these examples are appealed to by the objector is that the objector assumes that all, or most people, will intuitively perceive belief in such things as absurd.

I suspect there is incoherence in the objector's position. The objector wants an example that is clearly and obviously absurd to anyone who considers it. Yet for the example to work an informed, educated person would need to find such beliefs compelling, have a coherent set of beliefs and have no defeaters for them. I am not convinced the objector can have it both ways.

Of course, a person could deceptively claim that his or her beliefs are believed in a basic fashion when they are not, perhaps because they desire to hold the belief in question and are convinced that the grounds they actually hold it on are inadequate. The person could then defend his or her position only by lying or deceiving others. However, the fact that a person can advance a spurious conclusion by lying about a crucial premise is not unheard of and certainly not something that calls Plantinga's argument into question.

Similarly, with analogues of (ii), it is not given that any model proposed for an epistemic practice is epistemically possible. Nor is it true that an analogue of (iii) applies to "any set of bizarre beliefs". It applies only if the beliefs are to be such that if they were true then it is probable that one is warranted in believing them in the basic way. Not all beliefs stand in this probabilistic relationship. There are some beliefs that if true they entail their own irrationality.

In the first two chapters of *Warranted Christian Belief* Plantinga argues that the theology suggested by Gordon Kaufman entails its own falsehood. Similarly, he suggests certain forms of religious pluralism are also such that if they are true they entail their own rejection.

In other works Plantinga argues that Classical Foundationalism⁸³ and Naturalism⁸⁴ are beliefs whose truths entail or make probable their own irrationality. I think various forms of Relativism and Hinduism also do this.⁸⁵ Plantinga and I may be mistaken here but a person would have to *argue* this question and it is not a given that the argument would be successful. It is an open question to be determined by argument; it cannot just be claimed.

It should be stressed again that Plantinga's conclusion is that the believer is rational in continuing to believe despite the lack of public evidence available and in the absence of a viable reason for thinking Christian belief false. It is not the case that any or all sets of belief are such that we have no viable defeaters for them. Many beliefs people profess to hold can be defeated by argument. It can be shown that the grounds on which they are based are unreliable or that they are false. For example, one might claim that he or she believes that the Tasman Sea is made of vanilla milk. Simply testing a sample of the liquid that makes up the Tasman Sea or drinking it could defeat such a belief.⁸⁶ Nor is it uncommon for people to irrationally ignore such objections, not give them due weight or deal with them adequately. People often believe something P, which entails something else Q, which they do not believe, sometimes they affirm contradictory or incoherent positions. The claim then that holders of "any set of bizarre beliefs" could successfully utilise Plantinga's argument is false.

At best then, analogues of Plantinga's arguments are applicable to only some beliefs; those that a person finds himself or herself inclined to believe that seem to him or her to be true independently of any argument, are such that there are no viable defeaters for them, where there is an epistemically-possible model explaining how such beliefs could

⁸³ Plantinga "Reason and Belief in God," 16-93.

⁸⁴ Plantinga "Naturalism Defeated".

⁸⁵ I think the case is well made in Robin Collins, "Eastern Religions," in *Reason for the Hope Within*, ed. Michael Murray (Grand Rapids, MI: Eerdmans Publishing Company, 1999), 182-216.

⁸⁶ This example was suggested to me by Madeleine Flannagan.

have warrant in this way and are such that if they are true it is probable that the beliefs are warranted. Only beliefs with a certain degree of coherence will meet these conditions.

(b) Is it worrying that anyone could Claim Warrant in this way?

The more crucial problem with Dawes' argument is (b). What does he mean by the phrase "that anyone *could* claim warrant in this way?" One way of reading this is to understand "could" in a descriptive way; it is logically, metaphysically or physically possible for a person to claim that a set of bizarre beliefs he or she holds is warranted. On this interpretation, Dawes is suggesting that if Plantinga is correct it is logically or physically possible for a person with bizarre beliefs to claim they are warranted. If this is what Dawes means then (b) is false.

There is nothing problematic about affirming the *possibility* for a person to *claim* warrant for a given set of bizarre beliefs. In the real world people regularly do claim that bizarre beliefs are in fact warranted: alien abductions, Voodoo, Elvis being alive, etc. If people do make such claims, then it is possible for people to do so. Why Dawes believes that admitting that someone *could* make such claims is problematic is unclear.

(c) The Zeeoplean Believers

Perhaps Dawes has in mind a more normative reading of "could"; that Plantinga's arguments might give rational status to bizarre beliefs. This is evident from his second objection.

Then consider the following statement of my warranted Zeeoplean faith. The Zeeopleans are members of a highly-advanced alien civilization, from a far-off part of the universe. For some years now, one of their spacecraft has been in stationary earth orbit, directly above New Zealand. Its presence cannot be detected because, like the Zeeopleans themselves, it occupies another dimension of what we think of as space-time, one unknown to earthly science. (This is how the Zeeopleans have explained it to me, but in talking about "dimensions," they are speaking metaphorically, to accommodate the truth to the weakness of my human intellect.) They are kindly disposed towards humanity and have chosen me to be their spokesman on earth. So you should listen carefully to me. But I should warn you. If you don't listen to me, the Zeeopleans have authorised me to use violence against you. While they are kindly disposed, they are prepared to allow some people to suffer, even to suffer horribly, for the good of humanity as a whole.

How do I know this to be true? I have no arguments, at least no arguments that you would see as convincing, in support of this belief. It simply came to me one night as I was out walking, looking at the stars, and I immediately formed a conviction of its truth. So it is a basic belief. What makes me think it is a warranted basic belief? Well, one of the things the Zeeopleans have revealed to me is that when I was three years old they abducted me for a time — my parents thought I was lost in a shopping centre — and implanted in my brain a reliable cognitive mechanism. (I think of it as the *sensus alienorum*.)

...

I cannot see why my arguments in support of my Zeeoplean faith should be considered different in kind from Plantinga's arguments in support of his Christian faith. If Plantinga's argument grants epistemic entitlement to believers in Christianity, then it grants epistemic entitlement to believers in the Zeeopleans. (I am assuming that both sets of believers are sincere believers)... If we would not be prepared to grant epistemic entitlement to the Zeeoplean believer, then neither should we grant it to the Christian believer.⁸⁷

This is an argument from analogy and, as Dawes acknowledges, it appropriates a line of argument suggested by Keith De Rose.

There are some possible wildly bizarre/weird aberrations of irrationalism such that Plantinga's defensive strategy against the charge of irrationality would be as successful in defence of them as it is in Plantinga's hands in defence of Christian belief.⁸⁸

I think this argument is mistaken for two reasons. I will start by limiting myself to Dawes' concrete example of Zeeoplean believers. Firstly, the argument rests on the claim that the hypothetical argument of Zeeoplean believers is analogous to the one proposed by Plantinga. It is not clear that this is the case. I noted above that Plantinga argued three things.

- (i) The believer does not typically hold theistic beliefs on the basis of some argument from public evidence. Rather, the belief is a basically-held belief.
- (ii) Plantinga provides an epistemically-possible model of how such a practice could be warranted.
- (iii) He argues that if Christian belief is true then the believer is probably warranted in believing in this fashion.

⁸⁷ Dawes, "Faith and Reason," 134.

⁸⁸ Keith De Rose. "Voodoo Epistemology" (1999). <<http://pantheon.yale.edu/%7Ekd47/voodoo.htm>> The difference is that De Rose suggests that analogues of Plantinga's argument allow "Some bizarre beliefs" to be rational, not, as Dawes suggests, that "any" could be. As I argue above, I think De Rose is correct on this point; however, the remaining critique, which I offer below, applies to both versions.

It follows from this that the believer's stance is unwarranted only if what he or she believes is in fact false. Further, the believer is internally rational in believing in the absence of any cogent objections to Christian belief. On the other hand, Plantinga acknowledges that one could demonstrate the falsity of Christian belief if there were a good, rebutting defeater. If such a defeater could be found, then one would believe irrationally and the belief would be unwarranted.

For the Zeeoplean believer's position to be analogous, Zeeoplean believers would have to be able to establish that analogues of (i), (ii) and (iii) apply with equal force to Zeeoplean beliefs. Moreover, they would have to also rebut and respond to potential defeaters of Zeeoplean belief. Plantinga argues for these claims. He provides detailed monographs and articles in favour of each premise. Dawes, on the other hand, merely states that a Zeeoplean believer is in such a position and yet it simply is not given that he or she is.

Dawes appears aware of this situation,

It might be argued that my Zeeoplean faith could not withstand the various defeaters that might be brought against it. Perhaps it wouldn't. Only a detailed examination would reveal the answer. But bear in mind that I could deploy the same strategy against potential defeaters as does Plantinga. Whenever an objector brought forward evidence against my view - evidence which made it improbable, given everything else we know, that the Zeeopleans exist- I could simply reply that my belief in Zeeopleans is not based on such evidence. It is a basic belief, one which does not arise by inference from my other beliefs. So the fact that my beliefs render Zeeoplean faith "evidentially challenged" matters not a whit, for the truth is that faith is evident to me, independently of any other beliefs I hold. My suggestion is that such a strategy would make my Zeeoplean beliefs all but unassailable.⁸⁹

I will argue below that this line of argument is an inaccurate assessment of Plantinga's position. However, even if it were accurate, it would not follow that the hypothetical, Zeeoplean-believer's argument was analogous to Plantinga's. I noted above that, in addition to responding to alleged defeaters of Christian belief, Plantinga also argued that (i), (ii) and (iii) apply to Christian belief. No such argument is even forthcoming from the Zeeoplean believer except for a few, suggestive comments.

⁸⁹ Dawes, "Faith and Reason," 134-135.

Secondly, this response betrays an inaccurate reading of Plantinga's argument. Dawes refers to Plantinga's position that when belief is "evidentially challenged" it does not constitute a rational challenge to the belief. This is a position Plantinga defends with some detail in *On Being Evidentially Challenged* and, more briefly, in *Warranted Christian Belief*. However, Dawes equates being "evidentially challenged" with evidence against one's view "which made it improbable given everything else" that the belief in question was true. However, it is clear from the articles mentioned that Plantinga means something quite different by the phrase "evidentially challenged".

P is *evidentially challenged* for a person *S* if and only if *S* believes *P* and there are propositions *Q* and *R* such that *S* believes *Q*, *R* is incompatible with *P*, and *Q* is much more probable with respect to *R* than with respect to *P*.⁹⁰ [*Emphasis original*]

According to Plantinga, a belief is evidentially challenged if its denial renders *one other* belief that a person has more probable than the belief itself does.

Similarly, Dawes suggests that Plantinga's strategy consists of simply stating that his belief is not based on the counter-evidence provided. This is clearly false; Plantinga responds to the objection that theological statements are meaningless because they are unverifiable by arguing that Verificationism is false.⁹¹ He responds to Rowe's allegation that evil provides good grounds for denying God's existence⁹² by questioning a crucial premise in Rowe's argument.⁹³ He responds to the objections from Pluralism by suggesting Pluralism is self-referentially incoherent⁹⁴ and so on. It is hard to resist the claim that Dawes' comments rest on a misinterpretation of Plantinga's arguments.

⁹⁰ Plantinga, "On Being Evidentially Challenged," 247.

⁹¹ Plantinga, *God and Other Minds*, 156-168.

⁹² William Rowe, "The Problem of Evil and Some Varieties of Atheism," in *The Evidential Argument from Evil*, ed. D. Howard-Snyder (Indiana, IN: Indiana University Press, 1996), 1-11.

⁹³ He refers to the infamous Noseum premise and the critiques of this premise by Stephen John Wykstra, William Alston and Van Inwagen. See Chapter 13 of *Warranted Christian Belief*. See also "Rowes Noseum Arguments from Evil." In *The Evidential Argument from Evil*, ed. Daniel Howard-Snyder (Indianapolis, IN: Indiana University Press, 1996), 126-50; William Alston, "Some Temporary Final Thoughts on the Problem of Evil," in *The Evidential Argument from Evil*, ed. Daniel Howard-Snyder (Indianapolis, IN: Indiana University Press, 1996), 311-32; Peter Van Inwagen "The Problem of Evil, The Problem of Air and the Problem of Silence," In *The Evidential Argument from Evil*, ed. Daniel Howard-Snyder (Bloomington, IN: Indiana University Press, 1996), 151-74.

⁹⁴ Alvin Plantinga, "Defense of Religious Exclusivism," in *God Matters: Readings in the Philosophy of Religion*, ed. Raymond Martin (New York: Longman-Publications, 2003), 510-524. See also *Warranted Christian Belief*, Chapter 13.

Finally, Dawes himself admits that his argument is only a “suggestion” and that one needs a “detailed examination” before one could determine whether Zeeoplean beliefs “could not withstand the various defeaters” raised against them. This is tantamount to admitting that one does not know whether the Zeeoplean analogy holds in the way Dawes suggests. Merely *suggesting* that one position might be analogous to another is hardly a strong objection to that position. What is needed is an argument showing them to actually be analogous.

Suppose one puts these problems to one side and suggests that the Zeeoplean believer’s argument is analogous to Plantinga’s position. There is an even-deeper problem with Dawes’ argument here. Dawes rejects the notion that Zeeoplean believers are “epistemically entitled” to Zeeoplean belief and he claims that Plantinga’s argument commits one to this conclusion. However, this phrase “epistemically entitled” is ambiguous. Plantinga distinguishes between internal and external rationality and it is unclear which of these senses Dawes has in mind.

I am inclined to think Dawes has external rationality or warrant in mind. This fits with the rest of what he says in the same section of *Philosophy of Religion*. However, if this is what he means he misconstrues Plantinga’s argument. As noted above, what Plantinga argues is that *if* Christian belief is true, the believer is warranted in accepting Christian beliefs even if there is no evidence for them. The appropriate analogue for the Zeeoplean believer then is not the claim that Zeeopleans *are* entitled to believe but the more-modest claim that *if* Zeeoplean beliefs *are true* then the Zeeoplean believer is *warranted* in believing as he or she does.

Now, contrary to Dawes, I fail to see the absurdity here. It seems clear to me that *if* Zeeoplean beliefs were true then the Zeeoplean believer would be warranted in accepting these beliefs in a basic fashion. Suppose that Zeeopleans do exist and they did implant a reliable, cognitive mechanism into the believer’s brain. Under such circumstances, the Zeeoplean faith would be warranted, as one would have reliable grounds for its truth. I suggest that if Dawes did believe both conditions were met he would consider the beliefs

in question to be warranted. It is because he does not believe Zeeopleans exist that he takes the claim to be absurd.

Perhaps Dawes then means internal rationality when he talks of Plantinga's argument granting "epistemic entitlement to believers". He would be taking issue with the conclusion that in the absence of a viable *de facto* objection the believer is internally rational in continuing to believe despite lack of public demonstration for his or her beliefs.

If this is so, then the appropriate analogue for Zeeoplean believers is not the obvious absurdity that Zeeoplean believers are rational in all senses of the term rational. Rather, it is the specific claim that they are internally rational in continuing to believe in the absence of public evidence. Of course, this is compatible with saying they are internally irrational for some other reason and it is compatible with claiming they are externally irrational. The fact that a person is not irrational in one aspect or sense does not entail that he or she is not irrational in any sense.

Again, once the specific analogue is identified it is not at all clear that the conclusion drawn is absurd. While I agree with Dawes that there is something irrational and absurd about the Zeeoplean's stance, this irrationality is not due to the fact that they lack internal rationality in virtue of believing without public evidence. If a person found Zeeoplean beliefs highly plausible and had reasons for thinking such beliefs were reliable then, in the absence of arguments to the contrary, it is reasonable to think that he or she would be acting in an internally-rational fashion in continuing to believe.

This is not to say that the beliefs themselves are not irrational in some other way, perhaps the result of some form of delusion or cognitive malfunction but, given that a person was subject to such a delusion and did not know he or she was subject to it, then continuing to believe in the absence of public evidence would not be irrational. Certainly, Dawes offers no reason for thinking that it is the lack of public evidence that renders the belief irrational as opposed to it being irrational for some other reason. He merely suggests that in some sense the Zeeoplean believer lacks "epistemic entitlement". This is correct but it does not show that this is by virtue of the believer's lack of argument for it.

I think this response highlights the problem with all versions of the Great Pumpkin objection. The objector claims:

- (a) Plantinga argues that Christian belief is rational.
- (b) Analogous arguments show that Great Pumpkin or Voodoo is rational.

Therefore:

- (c) Plantinga's arguments entail that belief in the Great Pumpkin and Voodoo are rational.

The problem is that this argument commits the fallacy of equivocation, slipping between different senses of the term rational. When one specifies exactly what Plantinga means by rational, his argument either does not have the implication suggested in (c) or it only applies rationality to these beliefs in some limited sense and when this sense is specified it is not at all obvious that Voodoo believers or Great Pumpkin followers are irrational in this sense.

4. John Worrall's Version of the Pumpkin Objection

John Worrall states Plantinga's position "seems to rest on the simple-minded relativism that I have taken throughout to be eschewed".⁹⁵ Worrall *asserts* that Plantinga's view is relativistic. What is the basis for this assertion? Worrall's answer,

His response, for example, to the obvious question of why in that case one couldn't take belief in a flat earth (or come to that the innate superiority of the "Aryan" race) as "properly basic" seems to be simply that no Christian would in fact take - or is under any obligation to take - such beliefs as properly basic. This, however, is plainly not the issue. The question is what such a Christian would say to someone who *did* assert as "properly basic" (that is, on no basis at all) a claim that she, the Christian, found abhorrent - and assuming that she would want to challenge that claim, how would she deal with the tu quoque objection. Long live Evidentialism.⁹⁶ [*Emphasis original*]

Worrall then suggests that the real problem is how a Christian could challenge a person who held a bizarre or irrational belief as a basic belief.

⁹⁵ John Worrall, "Science Discredits Religion," in *Contemporary Debates in Philosophy of Religion*, ed. Michael Peterson and Raymond J Van Arragon (Malden, MA: Blackwell Publishing, 2004), 71.

⁹⁶ *Ibid.*, 71-72.

If the believer wanted to challenge a proponent of the flat-earth thesis she or he could provide arguments or evidence against the proposition that the earth is flat. I will assume that Worrall does not dispute such evidence exists.

Perhaps Worrall's concern is that Plantinga's arguments make some positions unassailable. A person with a bizarre set of beliefs could utilise it to claim that his or her beliefs were basic and the Christian could not construct adequate arguments against this belief.

It is not as easy for defenders of absurd beliefs to do this as objectors appear to think. For the sake of argument, let us suppose it is possible but why would this be of concern? It needs to be remembered that Plantinga's conclusion is only that the *believer* has no reason to give up Christian belief despite the fact that she or he has no evidence (in terms of positive argument) for it. He is not arguing that sceptics or non-Christians have reasons for accepting Christian beliefs or even that Christian beliefs are true. Hence, even if a believer in a flat earth could offer a defensible argument that an analogue of (i), (ii) and (iii) applied to his or her beliefs and even if he or she could deflect or rebut arguments proposed against his or her position, it would not entail that those who do not believe in a flat earth had reasons for accepting Flat Earthism, nor would it entail that Flat Earthism is true. It would merely show we could not give believers in a flat earth reasons for rejecting Flat Earthism.

I think at the heart of this objection is the belief that any irrational or crazy belief must be refutable. I do not think this is true. Consider a person who believed that he or she was a brain in a vat or who seriously entertained the thesis that the world, including all apparent evidence to the contrary, came into existence six seconds ago. If a person seriously believed this, I doubt one could provide him or her with a reason for rejecting this. It seems plausible to me that it is at least possible for a person to have a delusion so coherent that one could not refute it. Whether this is common or not is another question but I see no reason for denying it and Worrall gives us none. We are apparently to accept it without evidence and embrace Evidentialism, which would, of course, teach us not to accept claims of this sort without evidence.

It appears that the absence of any argument from neutral premises for the conclusion that divine commands exist does not provide the believer with a rational reason to cease believing in them. These beliefs are typically held in a basic fashion and if they are true then one is warranted in holding them this way. Hence, in the absence of any argument showing they are false, they can be (internally) rationally maintained. Moreover, the question of whether one is warranted (or externally rational) in believing in such commands cannot be answered independently of assumptions about the truth or falsity of propositions about such commands. If God did issue the commands that scripture attributes to Him then basic belief in them does appear to be warranted. If He did not then it is not. Consequently, in the absence of any argument against the existence of such commands, those who believe in them do not face a viable defeater in the Evidentialist objection.

IV. Excluding Divine Commands from Public Life

The final objection to divine commands I will examine argues not that belief in such commands is irrational or subject to conceptual or philosophical difficulty but that, even if they are defensible, it is inappropriate to appeal to them in public debate on matters such as the morality of feticide. It is widely held that even if these contentions of truth and rationality hold, it is problematic in a pluralistic society to appeal to such concepts in any public debate or discussion on the morality of feticide. Nicholas Wolterstorff notes,

[I]t is also definitive of liberalism, as I shall be taking it, to embrace a certain view as to the proper basis of public political debate, and of political decision making, in a society which incorporates a diversity of religions- when that society regards its normal adult members as free and equal. The view is that those members are neither to base their political debate in the public square, nor their political decisions, on their own particular religious convictions, nor on such religious convictions that they might all share. When it comes to such activities, they are to allow their religious convictions to idle. They are to base their political debate in the public space, and their political decisions, on the principles yielded by some source *independent* of any and all the religious perspectives to be found in the society.¹ [*Emphasis original*]

Richard Rorty expresses a similar view. He advocates what he describes as the ‘Jeffersonian Compromise’ which the ‘Enlightenment reached with religion.’

[This] consists in privatising religion keeping out of what Carter calls ‘the public square’, making it seem bad taste to bring religion into discussions of public policy.²

If this objection is correct then a person who held that feticide is wrong because it violates the sixth commandment can only act on this belief in private. He or she can never appeal to it in public discourse or debate. This does not call into question the belief itself but it severely restricts its relevance or the scope in which people can act.

This “Jeffersonian Compromise” is, on the face of it, very puzzling for two reasons. Firstly, if it is the case that a sound argument for the conclusion that feticide is unjustified homicide has been constructed, then abortion is unjustifiable homicide. A sound argument cannot have a false conclusion. However, the objection above suggests that even if this is

¹ Nicholas Wolterstorff, “Why we Should Reject what Liberalism tells us about Speaking and Acting in Public for Religious Reasons,” in *Religion and Contemporary Liberalism*, ed. Paul. Weithman (Notre Dame, IN: University of Notre Dame Press, 1997), 166.

² Richard Rorty, “Religion as a Conversation-Stopper” *Common Knowledge* 3:1 (1994): 2.

the case and it is a fact that feticide is unjustified, one should ignore this conclusion if the premises are theological. Why should this be the case? Surely, if a conclusion is true and it has relevance to an issue in public debate then one should consider it. Normally, in assessing any question, in either public or private, one should take into account all the relevant evidence to date and not just some of it.

Secondly, this stance appears *prima facie* unfair to people who have such beliefs. Such people are asked to simultaneously believe that a given conclusion is true, to accept that their reasons may be sound and coherent and are then asked to act in public as though they were not, merely because the belief is theological. This is to counsel self-deceptive behaviour and to discriminate against those who hold such beliefs. Such people will correctly note that secular ethicists are not subject to such restraint and their beliefs are not ignored in public debate. Why should theologians, especially if, as has been conceded for the sake of argument, their views are correct, restrain themselves in this manner? What reasons are there then for adopting such a procedure? In this chapter I will review several of the reasons provided in the literature and will argue that they fail.

1 Ad Hominem Arguments

One pervasive line of argument against theological beliefs being manifested in public debate is advanced by portraying those who express them as dangerous and threatening in some manner.

A. Religious Terrorism

One version of this type of argument is to associate those who appeal to divine law in the debate over feticide with fanaticism or terrorism. In her highly-regarded book, *The Abortion Myth*, Leslie Cannold does just this in a chapter devoted to letting readers know why one should reject the arguments proposed by her opponents.

There, [in the United States] the anti-choice movement has turned its attention to eroding women's access to abortion services by both practical and legislative means. Having realized that it was unlikely to see the dream of prohibiting abortion legally (either through the adoption by congress of the "Human Life" amendment or the overthrowing of the *Roe v. Wade* Supreme Court decision legalizing abortion). The most prominent and most successful tactic of the

erosion strategy has been the stalking and harassment of abortion providers, the fire-bombing of abortion clinics, and murder of abortion doctors.³

As will be demonstrated, Cannold uses the term “anti-choice” to refer to theologically-conservative movements that criticise abortion on the grounds that it violates the law of God. Cannold goes on to compile a list of “anti-choice” crimes that includes arsons, attacks, bombings, murders, death threats, stalking, firebombing and kidnapping.

Several things can be said in response to this line of argument. Firstly, Cannold fails to provide references or citations for any of the numerous crimes she alleges opponents of feticide have engaged in. This seems odd given the copious documentation she provides for her numerous other empirical claims throughout the book.

Despite this omission, which given the seriousness of the claims Cannold makes is reprehensible, it must be conceded that there have been documented cases of incidents such as those Cannold mentions. One prominent example is Paul Hill, who was a minister in the Orthodox Presbyterian Church. Hill began arguing that killing abortion doctors constituted justifiable homicide under the law of God. Later he put this belief into practice and shot two abortion doctors outside a clinic in Pensacola, Florida. He was found guilty of first-degree murder and was executed while this chapter was being written.

Such events do occur. However, it needs to be noted that Cannold goes further than simply reporting the occurrence of such events. She deliberately gives the impression that such tactics are the most prominent tactics of the “anti-choice movement”. She then attributes them to a movement or group of people as a whole and, as noted, she provides no evidence for this claim.

Her claim is untrue. Actions, such as those of Paul Hill, have been met with almost universal condemnation from even very theologically conservative opponents of feticide. In 1994, *First Things*, a religious, neo-conservative magazine published a symposium

³ Leslie Cannold, *The Abortion Myth: Feminism, Morality and the Hard Choices Women Make* (Hanover, NH: University Press of New England, 2001),18.

where some of the most prominent leaders within the United States Right to Life movement condemned such actions.⁴

The orthodox Presbyterian Church in which Hill was a minister excommunicated him for his teaching about justifiable homicide prior to his shooting of the abortion doctors and even Gary North, a member of the Christian Reconstructionist movement, condemned Hill's actions.⁵ The insinuation that such tactics are part of the strategy of this movement, as opposed to some individuals or sub-groups on the fringe of it, is simply slander.

However, given that some opponents of feticide do use such tactics, what follows from this? It certainly does not follow that such opponents are mistaken in their belief that feticide is unlawful homicide. Nor does it follow that their arguments against feticide can be ignored. A couple of examples bring out this point.

The first is the issue of slavery. Prior to the United States Civil War, John Brown attacked and killed five, pro-slavery settlers in Kansas. Brown was motivated by religious beliefs that slavery was a violation of the law of God. After taking some slaves across the Canadian border, Brown and his supporters took over an armoury in Harpers Ferry intending to set up an independent state. Brown and his men then killed four other people, including the mayor of the town, which led to a shoot-out that cost twelve further lives. Later, a Senate investigation revealed that Brown had stored arms and ammunition to equip 1,500 men bought with donations from abolitionist sympathisers. Brown was hanged for murder and treason in 1859.⁶

Here we have a documented case where a movement, in this case the movement committed to the abolition of slavery, funded and supported acts of violence. Are we to conclude from this that slavery, as practised in the ante-bellum South, was morally permissible and that the abolitionists were wrong to oppose it in public discourse?

⁴ Helen Alvare & Arkes Hadley, et al., "Killing Abortionists: A Symposium," *First Things* 48 (1994): 24-31. For a clear argument against Hill's actions from the perspective that feticide is homicide see Christopher Tollefsen, "Donagan, Abortion and Justifiable Revolution" *Public Affairs Quarterly* 11:3 (1997), 303-312.

⁵ Gary North, "Letter to Paul Hill" 29 September 1994.
<http://www.reformed.org/social/let_2_paul_hill.html> See also his book *Lone Gunners for Jesus* (Tyler, TX: Institute for Christian Economics, 1994).

⁶ Dennis Teti, "John Brown Redux" *First Things* 52 (1995): 13-19.

A second example is apartheid in South Africa. It is well documented that many of those who opposed apartheid advocated and engaged in terrorism to advance their cause. Whatever their tactics, these facts do not mean that the arguments the ANC levelled against apartheid were problematic. Such arguments stood or fell on their own merits and not on the actions of those who proposed them.

B. Hypocrisy

Another recurring argument asserts that those groups who appeal to divine law and oppose feticide on this basis are made up of people who are hypocrites, people who want to tell others what to do but are unwilling to take measures to rectify wrongdoing, either in their own lives or in the world at large. An example of such argument comes from Brody, whose otherwise excellent critique of abortion begins with the almost apologetic statement,

I regret the nature of some of the support, however inadvertently, a position like mine is bound to attract. But that consideration cannot still my argument. I would like to point out, however, that if all the moral tenderness that rises in some quarters, so self righteously against abortion had been turned in decades past to an alleviation of those conditions that have driven so many individuals to seek abortions, I think we should find the crucial judgement we now must make much easier. Any individual or group that opposes only abortion is immediately suspect.⁷

Brody suggests that anyone who opposes abortion and does not attempt to provide alternatives (such as, perhaps, adoption) to the abortion is immediately suspect. He appears to assume that many of those who oppose feticide fall into this category. This suggests that he believes both:

- (a) Many people who oppose feticide are unwilling to provide viable alternatives.
- (b) Until they do, their position is suspect.

Brody is an opponent of feticide. However, many have utilised this line of reasoning as a reason why theological premises are out of place in public life. This line of argument

⁷ Baruch Brody, *Abortion and the Sanctity of Human Life: A Philosophical View* (Cambridge, MA: Massachusetts Institute of Technology Press, 1975), 2.

receives a telling critique by Frank Beckwith in his monograph, *Politically Correct Death*.⁸ Beckwith notes that neither of these assumptions is plausible.

Regarding the first, this is an empirical claim that states that people who hold a particular belief omit to perform a particular action. To be warranted, a claim of this nature cannot simply be asserted. It needs to be backed up by an inductive study whereby a correlation between those with the beliefs in question and those who failed to or were unwilling to provide alternatives was discerned. To my knowledge, no such study has ever been published. Moreover, those who make this claim certainly do not cite such a study. What then is the basis of this assertion? An honest answer, I think, is that it is simply an unwarranted accusation or generalisation about a particular group, a stereotype, as it were. As such, it should not be taken seriously.

The second assumption, that those who fail to provide viable alternatives are suspect is also questionable. Imagine if a person said ‘I have two children. One is two months old, the other fourteen months. I do not want them. I will kill them at midnight if you do not provide me with an alternative to caring for these children such as an offer to adopt them yourself. If you do not personally provide an alternative to caring for the child then you are morally suspect in opposing infanticide.’⁹

Such a claim is absurd, yet it is precisely analogous to the one being made, except that it is an infant and not a fetus that is being killed. Behind the assertion then is the assumption that feticide and infanticide are normatively in a very different category. Infanticide, unlike feticide, is treated as homicide. This, of course, is the very assumption I call into question in Part Three.

Beckwith goes on to offer numerous counter-examples to this line of reasoning. He asks us to “think of all the unusual precepts”¹⁰ that would result if this line or argument were sound. ‘Unless I am willing to marry my neighbour’s wife I am morally suspect in

⁸ Francis Beckwith, *Politically Correct Death: Answering the Arguments for Abortion Rights* (Grand Rapids MI: Baker Books, 1993), 88.

⁹ I am grateful to Frank Beckwith for this example.

¹⁰ Beckwith, *Politically Correct Death*, 88.

opposing wife-beating' or 'unless I am willing to adopt my neighbour's daughter I am morally suspect if I oppose my neighbour abusing her.'¹¹ Such assertions are bizarre.

There are other problems that affect the argument that a given person or group of persons who appeal to the law of God are hypocrites. Even if one were to grant that this claim were true, it is difficult to discern what follows. It would not entail that the thesis that feticide is unlawful homicide is false or unwarranted. Nor would it follow that appeals to the law of God are objectionable in some way. It would simply show that the people who hold to this thesis have a particular moral flaw, that they are hypocrites. That may be so but it is beside the point. Strictly speaking, nothing in the argument over feticide turns on this. A hypocrite can hold numerous true, correct and warranted beliefs and have unobjectionable grounds upon which to appeal.

There is an even-deeper problem here. Often one of the things that makes hypocrisy wrong, is that what the hypocrite believes is, in fact, correct. If failure to live up to an ideal or to practise what one preaches is a vice this is usually because the idea or thing preached is correct, it is what the person should be doing. If what a person preached was cruel, unjust or horrendous then failure to practise it would not in fact be wrong but would be a good thing for him or her to do. Consequently, to establish that a person is a hypocrite does not call into question the veracity or warrant of his or her beliefs or appeals; if anything, it presupposes their cogency. If a person is a hypocrite, is not practising what he or she preaches, then that is a reason for him or her to start practising what he or she preaches. It is not a reason to stop preaching.¹²

¹¹ Ibid.

¹² A similar point is made by William Vallicella. It is worth quoting his comments on hypocrisy at length. Vallicella notes, "The main point that needs to be made is that a hypocrite cannot be defined as a person who espouses high moral standards but fails to live up to them. For on that definition, all who espouse high moral standards would be hypocrites. Since to fall short is human, defining a hypocrite as one who fails to live up to the high standards he espouses implies that the only way to avoid hypocrisy is to renounce high moral standards, a course of action seemingly pursued by many nowadays. No one can call you a hypocrite if you have no standards, or standards that are easily satisfied.

No, a hypocrite is not one who espouses high standards and falls short of them: your humble correspondent espouses high standards, falls short of them on a daily basis, but is no hypocrite. A hypocrite is one who espouses high moral standards, but makes little or no attempt to live in accordance with them. He is one who pays 'lip service' to high ideals, by 'talking the talk,' but without 'walking the walk.' Someone who talks the talk, walks the walk, but stumbles a lot cannot be justly accused of hypocrisy. That's my main point.

A second point is that there is something worse than hypocrisy, namely, having no ideals. One who pays 'lip service' to ideals is at least recognizing their legitimacy, their oughtness-to-be-realized. Such a person is morally superior to the one who avoids the accusation of hypocrisy by having no ideals.

C. Celibate Males

Another reason often cited by feminist writers is to claim that those who oppose feticide are males. Beverly Harrison makes this type of argument specifically to discredit appeals to divine or natural law against feticide. She suggests that the theological tradition that condemns feticide as a violation of the law of God was developed, defended and transmitted predominately by celibate males.¹³

It is difficult to ascertain the relevance of this sociological fact. Why should the acceptability of a certain type of argument depend upon the gender and sexual experience of the arguer? A couple of suggestions are apparent in Harrison's work.

One is moral: often such argument is based on the assumption that a person has no right to an opinion or to express an opinion on a question he or she is unlikely or unable to face. Men, being incapable of getting pregnant, are unable ever to be in a position to choose whether to abort a fetus and hence should not hold or express an opinion on the issue.

This assumption is false. A sterile woman may never be in the position to have children but it does not follow that she can have no opinion on the morality of infanticide. Asian women can never be members of the Ku Klux Klan but it does not follow they can have no opinion about the morality of joining such an organisation. Similarly, I can never be a Jew in a concentration camp at Auschwitz yet I can comment on the morality of what occurred in such camps. Finally, no male is ever in a position to undergo female circumcision or a coerced abortion yet they can and should condemn such activities.

Moreover, this argument fails to provide any grounds for thinking that the arguments expressed by celibate men are problematic in any way. What if a woman were to hold and

Perhaps we need four categories. **Saints** espouse high ideals and never fail to live in accordance with them. **Strivers** espouse high ideals, make an honest effort to live up to them, but are subject to lapses. **Hypocrites** espouse high ideals, but make little or no attempt to live up to them. **Scamps**, being bereft of moral sense, do not even recognize high ideals." [*Emphasis Original*]

See "Hypocrisy." (2005). <<http://maverickphilosopher.powerblogs.com/posts/1122572074.shtml>>

¹³ Harrison, *Our Right to Choose*., 135 also Harrison, "Theology and Morality of Procreative Choice," 425.

express the very same position a man was expressing on the subject? Would it make a difference as to whether the argument was sound or its premises correct or to the validity of the inference? It is hard to see how the gender of the arguer makes any difference as to whether the argument is sound or not.

Harrison suggests a second reason in *A Theology of Reproductive Choice*. Harrison suggests that celibate men are situated so as to be ignorant of certain facts or realities about child-rearing. If they were aware, it would lead them to different conclusions about the question.¹⁴ However, this raises the question of what facts Harrison is talking about. If the argument is mistaken and there are facts that refute it, surely it is incumbent on her to point them out. Simply affirming that they exist and citing the gender and sexual choices of the person offering the argument is not adequate.

D. Intolerance and Bigotry

Another pervasive argument is that appeals to divine law are an expression of bigotry. The *Pocket Oxford English Dictionary* defines a bigot as someone who is obstinate in his or her beliefs and is intolerant of others. Presumably, the objector claims that one who appeals to the law of God to condemn feticide displays or expresses these features. Why hold this? Why must a person who holds these beliefs do so in an obstinate manner? Could they not have come to these beliefs as a result of careful reflection? Alternatively, could they hold to them because they are not convinced the counter-arguments are sound? What is needed here is some argument to preclude such options and none is forthcoming.

Perhaps what lingers behind this accusation is the belief that theologically-based opposition to abortion is obviously mistaken and the case against it so compelling that no rational, informed person could think otherwise. If so, then this is not so much an argument against such appeals but an assumption that those who make them are mistaken on other grounds. The objector should come clean about what these other grounds are and put forward the compelling, unassailable arguments that everyone else should apparently already know about.

¹⁴ Ibid.

Moreover, the concern about intolerance implicit in this objection is mistaken. Even if the proponents of divine law were intolerant, this would only constitute an objection to their behaviour if it were first assumed that people have a duty to refrain from intolerance and this assumption is problematic.

In many contexts intolerance is appropriate and a virtue. Imagine a society that tolerated rape, child molestation or infant sacrifice. Moreover, if unqualified, the assertion that people have a duty to be tolerant entails that one should tolerate intolerance, something deeply paradoxical. For this charge to have any substance, the objector needs to specify what sorts of action he or she thinks one should tolerate and which ones are such that intolerance is inappropriate. He or she needs to justify this distinction and then provide reasons for thinking that appeals to divine law in a subject like feticide fall into the latter category. Yet no argument of this sort has been forthcoming.

If feticide is an action on a par with infanticide, then intolerance towards it is justified. In asserting that it is not, the objector implicitly assumes that feticide is not homicide without offering argument. I argue against this assumption in Part Three and until some actual argument is forthcoming demonstrating the falsity of what has been defended, objections based on the notion of tolerance merely beg the question and have no impact on the thesis being advanced.

2. Pejorative Classifications

Another type of argument used against appeals to Divine law in discussions of feticide is to claim, often without argument, that those who make such appeals belong to a certain group. This group is then described and labelled in pejorative terms. Citing membership of the group is supposed to be sufficient to refute the proposed argument.

A. Fundamentalism

Perhaps the most common example of this rhetorical strategy is to dub such appeals to divine law as ‘fundamentalist.’ However, it is difficult to find any cogent objection behind this strategy. Plantinga wittily notes,

[W]e must first look into the use of this term ‘fundamentalist’. On the most common contemporary academic use of the term, it is a term of abuse or disapprobation, rather like ‘son of a bitch’... Still, there is a bit more to the meaning of ‘fundamentalist’ (in this widely current use); it isn’t simply a term of abuse. In addition to its emotive force, it does have some cognitive content, and ordinarily denotes relatively conservative theological views.¹⁵

Plantinga goes on to note that the term ‘fundamentalist’ tends to expand or contract depending upon who uses it. Atheists such as Carl Sagan tend to use the term synonymously with theists. In the mouths of certain theological revisionists, it denotes anyone who accepts traditional Christianity as expounded by people like Calvin, Luther or Aquinas. In evangelical colleges the term tends to be reserved for strict inerrantists and dispensationalists. When the term modifies the noun Muslim, it appears to mean ‘terrorist’. Roman Catholic apologists often use the term to designate evangelicals. Evangelicals use the term to designate dispensationalists. Sometimes the term is used to describe Pentecostal groups like Destiny Church and other times it is used to designate evangelicals with a strict adherence to scripture in contrast to the experiential theology associated with Pentecostalism. In light of this Plantinga concludes,

[T]he term has a certain indexical element: its cognitive content is given by the phrase ‘considerably to the right, theologically speaking, of me and my enlightened friends.’ The full meaning of the term, therefore (in this use), can be given by something like ‘stupid sumbitch whose theological opinions are considerably to the right of mine’.¹⁶

The conclusion Plantinga draws is hard to resist.

It is therefore hard to take seriously the charge that the views I am expressing are fundamentalist; more exactly, it is hard to take it seriously as a charge. The alleged charge means only that these views are rather more conservative than the objector’s, together with a certain distaste for the views of those who express them. But how is that an objection to anything, and why should it warrant the contempt and contumely that goes with the term. An argument of some kind would be of interest but merely pointing out that they differ from the objector’s (even with the addition of that abusive emotive force) is not.¹⁷

If, as Plantinga plausibly suggests, the allegation of fundamentalism is simply an expression of distaste for views more conservative than one’s own, then calling someone ‘fundamentalist’ has no rational force at all. What is needed is:

¹⁵ Plantinga, *Warranted Christian Belief*, 244-245.

¹⁶ *Ibid.*, 245.

- (a) Some definition of the term fundamentalist that is non-evaluative and descriptive.
- (b) An argument to show that opposition to feticide in question falls under this definition.
- (c) An argument to show that whatever falls under this definition is problematic.

However, almost no one bothers to do this. Yet until such a line of argument is proposed it is hard to see what rational merit labelling a position ‘fundamentalist’ has.

Harrison does provide an attempt. Harrison labels appeals to God’s law “Biblicist”¹⁸ and characterises the theology behind such appeals as “neo-conservative” and “fundamentalist”,¹⁹ a theology that she then critiques. However, her argument is unsuccessful.

Firstly, Harrison fails to provide any consistent definition of what “fundamentalism” is and appears to equivocate on the meaning of the term in key points of her argument. At the start of her discussion, Harrison defines fundamentalism as “the theological conviction that ‘God’s Word’ is unchanging and readily identifiable in specific theological formulas”.²⁰ This definition entails either that to avoid being a fundamentalist a person must believe that God’s word changes or that his word cannot be identified in theological formulas such as creeds or confessions. This is a very sweeping definition and most theologians throughout history, such as Calvin, Aquinas and Augustine, would fall into this definition. Most branches of Christianity have creeds that they think accurately summarise and identify the teaching of the word of God. The Apostles Creed, The Nicene Creed, The Westminster Confession all assume that God’s word is, at least to some extent, identifiable in a theological formula.

Moreover, Harrison’s disdain for a belief in an “unchanging” word of God is puzzling. Consider the belief that God’s word teaches that the world was created a finite period ago

¹⁷ Ibid., 245.

¹⁸ Harrison, “*Theology and Morality of Procreative Choice*,” 423.

¹⁹ Harrison, *Our Right to Choose*, 57-63.

²⁰ Ibid., 57.

or that it teaches that Christ rose from the dead. These appear to be beliefs that, if true, cannot change. If it is a fact that God created the world and Christ rose from the dead 2000 years ago, then how in the future could these things happening in the past become false? It would be a metaphysical absurdity. Consider such mundane, Biblical, moral claims that ‘it is wrong to rape women’. Does Harrison believe that God’s word on this matter changes? Apparently, a fundamentalist is someone who believes in a Creed or Confession and avoids metaphysical and ethical absurdities.

However, Harrison almost immediately contradicts her position, stating that fundamentalism “has little in common with orthodox or genuinely traditional versions of Christianity”.²¹ She goes on to attribute very specific, theological positions to fundamentalists that are at odds with orthodoxy. She states that mainstream Christianity “affirms both the goodness of the created order, and the capacity of human beings to exercise responsible freedom in the world, not so fundamentalism”.²² One wonders how exactly this relates to what she stated above. Does Harrison suppose that orthodox Christianity denies the creeds or believes that God’s word changes? Does believing in a confession and/or an unchanging word of God entail that the created order is evil and human beings lack responsible freedom? How does Harrison deduce the latter from the former exactly?

Harrison’s critique of fundamentalism is unsound and contradicts her own definition of the term. When Harrison proceeds to critique fundamentalism she starts by attributing very specific beliefs to it. For example, she suggests that fundamentalists believe that abortion must be abolished because it “militates against the God-given, patriarchal family as the central institution in God’s scheme of “personal salvation”.²³ She goes on to affirm that those who share this theological world-view perceive a threat to the family in “nonconstraining divorce laws and *all legal protections against wife-battering and child abuse*”.²⁴ [*Emphasis added*] She suggests they oppose interracial marriage and adoption and support segregation.²⁵

²¹ Ibid., 58.

²² Ibid.

²³ Ibid., 60.

²⁴ Ibid.

I find these comments puzzling given the way Harrison defines fundamentalism above. It is simply false that fundamentalists believe these things. Believing one can identify the word of God in a theological formula or that God's word does not change does not commit one to believing that people have a right to beat their spouses or that interracial marriage is wrong.

Further, Harrison provides no citation to support this assertion. She notes no theologian representative of 'fundamentalism', as she defines the term, who affirms any of these things, leaving one with the impression that slander is masquerading as theological analysis in her monograph.

Moreover, an examination of the historical record with regard to an example such as Calvinism shows the opposite. At least from the sixteenth century, Puritan divines were almost unanimous in denying that a husband had a right to beat his wife. Moreover, the theological confessions of the Reformed tradition have detailed statements about what types of marriage are and are not acceptable and none of them mentions a prohibition on interracial marriage.²⁶

Harrison goes on to contend that fundamentalism is a threat to people's civil liberties. She contends that these groups use such freedoms as "freedom of speech" but in reality think "ill of the First Amendment".²⁷ She speaks of "a compact" between the political right and fundamentalism that inaugurates a zeal for a "Christian State unseen since the ratification of the Bill of Rights".²⁸ This is powerful and alarming rhetoric so what arguments does Harrison provide for this conclusion? Surprisingly few.

Harrison provides one citation from a Roman Catholic author, Gary Potter, who affirms his opposition to pornography, gay rights and the existence of a Church of Satan.²⁹ How exactly the citation of one Roman Catholic establishes that Protestant fundamentalist opposition to abortion entails an abolition of the Bill of Rights is unclear. Moreover, it is dubious that any of these practices in fact contradicts the Bill of Rights. Even if they did,

²⁵ Ibid.

²⁶ See for example the Westminster Confession and Catechisms.

²⁷ Harrison, *Our Right to Choose*, 59.

²⁸ Ibid.

why does opposition of them by a Roman Catholic discredit fundamentalism as she defines it?

B. Anti-Choice and The Religious Right

Leslie Cannold raises similar objections to utilisation of divine law in debates on feticide.

In the United States, the feminist rejection of the moral had a strong connection to the anti-choice religious right's promotion of itself as the "moral" voice of the Republican movement. The agenda of the Christian right is, to put it rather baldly, to make the Bible (rather than the secular U.S Constitution) the supreme law of the land. The United States religious right, like most religious extremists, believe their political beliefs are actually God's will. ... [Feminism is opposed] to one religious group's imposition of its rather narrow version of morality on a pluralistic society. Unfortunately, the arrogant belief of anti-choice supporters that they have exclusive knowledge of the moral is not limited to the United States.³⁰

Like Harrison, Cannold perceives a threat to a person's civil liberties in appeals to divine law being utilised in public debate on abortion. I will examine some of her reasons shortly. Here, however, I will note two other attempts to discredit such appeals by pejorative labelling, dubbing such appeals "anti-choice" or "religious right".

The first of these, Cannold argues, is simply an accurate and neutral way of framing the debate.

I find the term "pro-life" so offensive that I cannot use it without feeling angry: offensive because of its purposeful and highly inaccurate suggestion that those on the opposite side of the argument are enthusiastic supporters of - or "pro"-death. Throughout this book I use the terms "pro-choice" and "anti-choice," which I think are a fairer description of each side's position: either in favour of or opposed to a woman's right to choose an abortion".³¹

A couple of points are in order here. Firstly, Cannold interprets the label 'pro-life' to entail that those who accept abortion are opposed to life *in general*. She then notes that, understood this way, the term is both offensive and inaccurate. The problem is that the exact same thing can be said about the term 'pro-choice'. One could interpret the label

²⁹ Ibid.

³⁰ Cannold, *The Abortion Myth*, 32.

³¹ Ibid., XXV.

pro-choice to entail that opponents of feticide are opposed to choice in general, this too is both offensive and inaccurate.

When she uses the term 'pro-choice', however, Cannold immediately notes that this refers to choice only in a specific context; that is, the choice whether or not to procure an abortion. However, if this is a sensible interpretation of the term 'pro-choice', then it is equally sensible to limit the term 'pro-life' to pro-the-life of the fetus and understand denial of this as pro-the -death of the fetus. Taken in this qualified sense it is accurate to claim that opponents of feticide are pro-life, and not anti-choice.

Later in her monograph, Cannold draws a distinction between terminating a pregnancy and killing a fetus. She notes that the theoretical possibility of ectogenesis means it is possible for a person to remove a fetus from the uterus, thereby terminating the pregnancy but placing the fetus alive in an artificial womb. Hence, it is possible for a person to support a woman's right to choose whether to terminate a pregnancy and to simultaneously oppose the killing of a fetus. This possibility disturbs Cannold and one of the main theses of her book is that, even if this possibility were actualised, the woman would have a right to kill her fetus.³²

To suggest that she is merely pro-choice and not pro-death then is inaccurate. Cannold believes not just in a right to terminate a pregnancy but also in a right to kill the fetus. The whole point of her study is to find a moral justification for killing a fetus in situations where the woman's choice to terminate her pregnancy had been respected and yet technology enabled the fetus to be preserved.

The same distinction shows that proponents of the argument defended in this dissertation are pro-life and not pro-choice. These arguments object to abortion on the ground that it is homicide. If an abortion were performed in such a manner that the fetus was not destroyed, then these arguments would not apply. Whether a woman chooses to abort then is strictly irrelevant from this perspective; what matters is whether the woman kills her fetus. If she does not then there is no objection to abortion.

Cannold's use of this term involves a subtle equivocation. The phrase 'pro-life' is inaccurate if it implies that proponents of abortion (such as her) support killing in general; however, it is accurate if it implies only that she supports killing fetuses. On the other hand, the phrase 'anti-choice' is inaccurate whichever way it is used. It is inaccurate if it refers to opposition to freedom in general and equally inaccurate if it is used to refer to the choice to abort in isolation from the act of feticide.

This may appear pedantic; however, it is not. By using the term 'anti-choice' Cannold exploits the very ambiguity that she objects to when she argues that the term is accurate. She starts by arguing that 'anti-choice' refers only to the choice to abort and falsely states that this is an accurate label. However, when placed in the context of an argument such as the one cited above, alongside allegations of abolishing constitutions, the term 'anti-choice' has a connotation much broader than merely the choice to abort. The desired conclusion is established by semantic sleight of hand, rather than substantial argument.

The second pejorative label Cannold uses is the phrase "religious right". This way of characterising theological opposition is common in the literature. I noted earlier that Beverly Harrison uses similar terminology adding the phrase "masculinist neo-conservative" and "fundamentalist". Given that these terms are used so widely, it is useful to unpack them somewhat, at least to expose the sophistry involved.

In order for these terms to have the pejorative function they express in such writings, three things need to be defended. Firstly, the term 'religious right' needs some consistent meaning or application. Secondly, it needs to be the case that the theological position falls under this application. Finally, it needs to be established that there is, in fact, something objectionable about any view that falls under this application so that referring to a movement as part of the 'religious right' actually constitutes an objection, rather than simply an evaluative, neutral description.

It is difficult to see how labelling a view 'right wing' does this. In fact, it is difficult to see how such pejorative labelling even gets over the first of these hurdles. The label 'right' is ambiguous. The term 'right' as a political characterisation has its roots in the French

³² Ibid., 2-9.

Revolution; those who supported the revolution (change) were on the left of the political spectrum, whereas defenders of the establishment (status quo) were on the right. On this understanding, 'right wing' means something like conservative. I think it is clear that on this definition of 'right' the theological position Cannold refers to is not 'right-wing'. Abortion as a right is after all the current status quo. Hence, the argument in this dissertation is an argument against the established position, an argument for change. Moreover, as Cannold portrays her opponents, it is clear they are not supporters of the status quo. She claims they want to get rid of the U.S. Constitution (which Cannold believes is secular). This is a portrayal not of people who wish to conserve the establishment but to radically overturn it. If this were an accurate portrayal of this theological position, which I doubt, then the correct definition of this group would be the 'religious left'.

A second use of the term 'religious right' or 'right wing,' which is perhaps more common in New Zealand, is to refer to where one stands in terms of the statist/individualist spectrum. Those on the left support more state control and intervention, particularly in the economy, whereas those on the right support less of such intervention and control. On this understanding, anarchists and libertarians would be far right and both communists and fascists far left. Again, however, it is hard to see how theological arguments of the sort articulated in this dissertation are to be accurately described as being 'right-wing'. It is not as if arguments against abortion or, as Cannold suggests, the abolition of the U.S. Constitution, constitute a form of libertarianism. If, as Cannold suggests, such arguments are anti-choice and committed to the destruction of civil liberties, it would appear that they are opposed to individual freedom, not enthusiastic supporters of it.

A third use of the term is associated with the European political situation in WWII. On this understanding, Fascism is on the right and Communism on the left. To lean right is to be closer to Fascism. I think this is perhaps what Cannold means; the picture she paints is of a theological movement opposed to freedom and wanting to subvert a constitutional republic.

If this is Cannold's meaning then the question needs to be asked; exactly why does believing in and appealing to divine law commit one to opposing a constitutional republic

and establishing a more fascist style of government? Why could not a person be committed to a republic based on a belief in divine law, as John Locke and the English Puritans were in their critique of the divine right of kings? What reasons are available for these allegations?

3. Freedom and Pluralism

The best answer to this question is found in the rest of what Cannold writes. It is worth citing her again.

The United States religious right, like most religious extremists, believe their political beliefs are actually God's will. ... [Feminism is opposed] to one religious groups imposition of its rather narrow version of morality on a pluralistic society. Unfortunately, the arrogant belief of anti-choice supporters that they have exclusive knowledge of the moral is not limited to the United States.³³

Here Cannold sums up several concerns raised by numerous other writers on the relationship between theology and public life. She suggests that appeals to the will of God are:

- (a) Attempts to impose narrow views upon a pluralistic society.
- (b) Arrogant claims that a certain moral stance is the will of God.

These concerns lead her, like many others, to conclude that appeals to the law of God are contrary to the ideals and constitutional commitments of a liberal democracy.

A. Imposition of Narrow Beliefs on a Pluralistic Society

Cannold objects that any appeal to divine law as laid down in scripture constitutes an unjust imposition of one's view upon others.

The first point to be emphasised here is that there is nothing objectionable about imposing one's moral beliefs or values upon others. There are two reasons for this. Firstly, the contention that it is wrong to require others to comply with one's moral principles is subject to serious counter-examples. Secondly, it is self-referentially incoherent.

³³ Ibid., 32-33.

Turning to the first, consider an act like rape, assault or infanticide. I believe each of these practices is wrong. Further, I expect others to refrain from doing them. I even support their commission being considered a crime punishable by the state. However, if it were wrong to impose my moral beliefs upon others, my position on rape, assault or infanticide would be unacceptable. I would have to leave others free to choose whether they wished to rape or kill children and hold that my own qualms about these matters do not apply to others. This would be absurd.

Secondly, the contention that it is wrong to require others to comply with one's moral principles is self-referentially incoherent. This is clear when one realises the contention itself is a moral principle. Those who defend it assert that it is *wrong* to impose one's beliefs upon others, that one is *required* to refrain from such an imposition and any attempts to do so *should* be prevented. However, given that this contention expresses a moral principle then those who defend it have no right to expect that others will comply with it, nor can they force people to do so. If it is wrong to require others to comply with one's own moral principles then those who reject this principle, such as I, are free from having to follow it since no one has the right to impose it upon me.

In fact, this contention that imposing your moral principles upon others is wrong has all sorts of curious consequences. Paul Hill believed that it was morally permissible to shoot abortionists. I think Paul Hill was wrong. However, if this contention is correct it is wrong for me to demand that Mr Hill comply with my beliefs as that would be forcing my beliefs on to him. Consequently, the laws that ban shooting abortionists are unjust as they impose someone else's morality on to another. The same thing can be said about 'rescuing',³⁴ and clinic bombing. The alleged duty not to impose one's beliefs onto others is a double-edged sword. Not only does it proscribe the criminalisation of abortion but it also proscribes making laws against preventing people from having abortions. It simultaneously entails both that people should be free to have abortions and free to force others not to have abortions. It is incoherent.

³⁴ 'Rescuing' is the term used for the practice of non-violently blocking the entrance to an abortion clinic. Those who do this trespass on the abortionist's property by getting large numbers of people to stand in front of the entrance to the building.

By itself, the observation that people are imposing their beliefs upon others is of little consequence. However, Cannold does not object to such imposition in an unqualified manner. Her objection is that it is inappropriate to impose certain kinds of moral principles upon others in certain circumstances.

The types of principles Cannold wants to reject as a basis for public debate are those she labels “narrow”. What is meant by this spatial metaphor is unclear; however, I presume she means that this is the view of one segment of society. The circumstances she mentions are those of a pluralistic society where large numbers of other groups exist who do not accept this view or reject it and are free to do so.

If this is Cannold’s position then her argument is not uncommon in the literature. Tooley, for example, argues,

For it is surely true that it is inappropriate, at least in a pluralistic society, to appeal to specific theological beliefs of a non moral sort... in support of legislation that will be binding upon everyone.³⁵

Dan Brock makes a similar argument in discussing the nature of homicide. He notes that the view he defends,

... it is not, of course, universally shared. Many people’s moral views about killing have their origins in religious views that human life comes from God and cannot be justifiably destroyed or taken away, either by the person whose life it is or by another. But in a pluralistic society like our own with a strong commitment to freedom of religion, public policy should not be grounded in religious beliefs which many in that society reject.³⁶

Despite its pervasiveness, this argument is erroneous. Tooley, Brock and Cannold exclude appeals to divine law because not everyone accepts that such a law exists. Any decisions made based on such a law would be binding upon these people in spite of the fact they do not accept such theological doctrines.

³⁵ Michael Tooley, “A Defense of Abortion and Infanticide,” in *The Abortion Controversy: 25 Years after Roe v Wade A Reader*, ed. Francis Beckwith & Louis Pojman (Belmont, CA: Wadsworth Publishing Company, 1998), 220.

³⁶ Dan Brock, *Life and Death: Philosophical Essays in Biomedical Ethics: Cambridge Studies in Philosophy and Public Policy* (Cambridge: Cambridge University Press, 1993), 213.

The problem is that exactly the same thing can be said about numerous secular, non-theological beliefs. Phillip Quinn articulates this point,

... if the fact that religious reasons can not be shared by all in a religiously pluralistic society suffices to warrant any exclusion of religious reasons for advocating or supporting restrictive laws or policies, then much else ought in fairness also be excluded on the same grounds.³⁷

Quinn notes correctly that secular moral theories such as Utilitarianism or Kantianism, Intuitionism, Socialism, Libertarianism, can all be reasonably rejected in a philosophically-pluralistic society.

Indeed, it would seem that the appeal to any comprehensive ethical theory, including all known secular ethical theories, should be disallowed on the grounds that every such theory can be reasonably rejected by some citizens in a pluralistic democracy. And if justification of restrictive laws or policies can be conducted only in terms of moral considerations no citizen of a pluralistic democracy can reasonably reject, then in a pluralistic democracy such as ours very few restrictive laws or policies would be morally justified, a conclusion that would, I suspect, be welcome only to anarchists.³⁸

Quinn is substantially correct here. There is special pleading going on whereby theological beliefs are rejected on certain grounds while secular ones are not, even though the same grounds and reasons should lead to their rejection as well. This is evident most clearly in Brock's citation. Brock states, "public policy should not be grounded in religious beliefs which many in that society reject".³⁹ However, only a sentence earlier he states that the perspective he is offering "is not of course universally shared" and notes that many reject it on religious grounds.⁴⁰ If Brock were consistent, not only would appeals to theological beliefs be excluded from public life but also his own beliefs. This would in essence make public discourse impossible.

It could be added that such arguments are frequently incoherent. After all, such beliefs propose a moral viewpoint that many reject - the view that theological beliefs are not to be appealed to in public. Given that many reject this view, it should not be appealed to in public debate. Moreover, since this position is generally defended by appeals to

³⁷ Phillip Quinn, "Political Liberalism and their Exclusion of the Religious," in *Religion and Contemporary Liberalism*, ed. Paul Weithman (Notre Dame, IN: University of Notre Dame Press, 1997), 144.

³⁸ Ibid.

³⁹ Brock, *Life and Death*, 213.

⁴⁰ Ibid.

normative principles about freedom or pluralism or conceptions of equality that many reject, many of the arguments for this conclusion should not be utilised in public debate either.

Jim Peron, suggests a further reason appeals to a theological position not shared by all people are unacceptable in public life.

To admit religion into that sphere requires admitting some specific religion. You can't admit them all equally and the advocates of bringing religion into the public arena don't mean equal access at all—they mean access for their own religion... The biggest problem for a free society in admitting religion to the public arena is that there is no way to determine which religion or which views on religion to admit.⁴¹

Peron goes on to give two examples; first, the teaching of creationism in public schools and, second, the issue of religious-based public holidays.

But why the Christian theory of creationism only? They don't lobby to include Hindu views. We have lunatic sects who argue we were created by aliens from across the universe. The Christians don't want that theory in the science course as an acceptable version of creationism.

They appeal to "fairness" but in fact want other faiths excluded. They must since we can't admit all faiths equally to the public sphere. We couldn't have laws respecting every religious holiday that anyone and their sect might want to practise. It would be endless.⁴²

The question of the propriety of laws enforcing religious holidays and teaching creationism in public schools is beyond the scope of this dissertation. What is significant is Peron's claim that it is unfair or unjust to admit religion into public life. This is because one cannot allow all theological views to govern public life, what laws are made or what is taught at school and hence, one will have to choose one set of theological values and those who hold an alternative view will be excluded.

Here again we see special pleading, as the same is true of numerous, if not all, non-religious viewpoints as well. Just as there is a diversity of religious understandings of ethics, so there are numerous differing and conflicting secular ones. By parity of

⁴¹ Jim Peron, "Why we should Exclude Religion from the Public Arena." *Institute for Liberal Values* (30 November 2004). <http://www.liberalvalues.org.nz/index.php?action=view_journal&journal_id=123>

⁴² Ibid.

reasoning, it would be unfair to allow any secular view in the public sphere. This is because we cannot base a given public policy on all of them. If we select one, e.g., the moral views of libertarianism, then those who disagree, e.g., socialists, will have it imposed upon them, and so on. Again, if theological beliefs are to be excluded on this basis then all beliefs should be excluded. This entails that no laws of any sort would be justified. In fact, this argument can be used to exclude from public life all beliefs; we cannot include all beliefs that exist so it would be unfair to include any.

1. Rawls and Public Reason

One influential attempt to avoid these problems is proposed by John Rawls in *Political Liberalism*.⁴³ Rawls defends the thesis that it is wrong to appeal to religious or theological beliefs in debates pertaining to “constitutional essentials and questions of basic justice”.⁴⁴ Rawls does this on the same grounds that Quinn refers to above; such beliefs can be “reasonably rejected by some citizens in a pluralistic democracy”.⁴⁵ Rawls states:

Our exercise of political power is proper and hence justifiable only when it is exercised in accordance with a constitution the essentials of which all citizens may reasonably be expected to endorse in light of principles and ideals acceptable to them as reasonable and rational.⁴⁶

On the other hand, Rawls concedes Quinn’s point, “it would seem that the appeal to any comprehensive ethical theory, including all known secular ethical theories, should be disallowed on the grounds that every such theory can be reasonably rejected by some citizens in a pluralistic democracy”.⁴⁷ Rawls acknowledges this and argues that it is not just wrong to appeal to theological premises but also, “*no comprehensive doctrine* is appropriate as a political conception”.⁴⁸ [*Emphasis added*] Rawls maintains that contemporary society,

[I]s always marked by a diversity of opposing and irreconcilable religious, philosophical, and moral doctrines. Some of these are perfectly reasonable, and this diversity among reasonable doctrines political liberalism sees as the

⁴³ John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993).

⁴⁴ *Ibid.*, 214.

⁴⁵ Quinn, “Political Liberalism and their Exclusion of the Religious”, 144.

⁴⁶ Rawls, *Political Liberalism*, 217.

⁴⁷ Quinn, “Political Liberalism and their Exclusion of the Religious”, 144.

⁴⁸ Rawls, *Political Liberalism*, 135.

inevitable long-run result of the powers of human reason at work within the background of enduring free institutions.⁴⁹

In summary, Rawls states there is a plurality of comprehensive doctrines that are irreconcilable with each other. Each doctrine is reasonably held by some people and reasonably rejected by others. Yet, respect for others forbids us to appeal to premises that we can expect reasonable people to reject.⁵⁰ It follows, then, that in questions of “constitutional essentials and questions of basic justice” that no one should appeal to premises that require the truth of a comprehensive doctrine that some people can and/or do reasonably reject.⁵¹

However, unlike Quinn, Rawls denies that this has anarchistic implications. He rejects Quinn’s claim, as cited above, that this rationale entails that “in a pluralistic democracy such as ours very few restrictive laws or policies would be morally justified”. Instead, Rawls maintains that one can construct answers to “constitutional essentials and questions of basic justice” by utilising what he calls “public reason”. Peter de Marneffe explains this idea.

The central claim of Rawls’s idea of public reason is that, when the exercise of political power is in question, citizens should take only those positions on the scope of basic liberty (and other matters of basic justice) that are supported by some *liberal political conception of justice*.⁵² [*Emphasis original*]

Public reason, then, involves a *political* and *liberal* conception of justice. Each of these two ideas consists of three essential elements. A political conception of justice is one that is,

[F]ramed to apply solely to the basic structure of society, its main political, social and economic institutions as a unified scheme of social co-operation; that it is presented independently of any wider comprehensive religious or philosophical doctrine; and that it is elaborated in terms of fundamental political ideas viewed as implicit in the public political culture of a democratic society.⁵³

A liberal conception of justice,

⁴⁹ Ibid., 3-4.

⁵⁰ Christopher J Eberle argues that Rawls’s rationale here is incoherent as it conflicts with the method that purports to justify it. See *Religious Convictions in Liberal Politics* (Cambridge: Cambridge University Press, 2002), 140-150.

⁵¹ I am grateful to Glenn Peoples for helping me to develop this argument.

⁵² Peter de Marneffe, “Rawls’s Idea of Public Reason,” *Pacific Philosophical Quarterly*, 75 (1994): 232.

First, ... specifies certain basic rights, liberties, and opportunities (of the kind familiar from constitutional democratic regimes); second, it assigns a special priority to these rights, liberties and opportunities, especially with respect to claims of the general good and of perfectionist values; and third, it affirms measures assuring all citizens adequate all-purpose means to make effective use of their basic liberties and opportunities.⁵⁴

If a person appeals to a liberal political conception of justice he or she will address basic questions of “constitutional essentials and questions of basic justice” by appealing only to ideas implicit in the shared political culture of society. Nicholas Wolterstorff calls this the “*consensus populi*”.⁵⁵ Rawls explains this process:

[B]y looking to the public culture itself as the shared fund of implicitly recognized basic ideas and principles. We hope to formulate these ideas and principles clearly enough to be combined into a political conception of justice congenial to our most firmly held convictions. We express this by saying that a political conception of justice, to be acceptable, must accord with our considered convictions, at all levels of generality, or in what I have called elsewhere, ‘reflective equilibrium.’⁵⁶

In addition to appealing to the *consensus populi*, public reason can utilise “presently accepted general beliefs and forms of reasoning found in common sense, and the methods and conclusions of science when these are not controversial”.⁵⁷ However, in using public reason people, “are not to appeal to comprehensive religious and philosophical doctrines”.⁵⁸

(a) *Wolterstorff's Critique*

There are numerous problems with Rawls's contention here. Wolterstorff sums some of them up.

Suppose, then, that someone has followed that strategy; she has analyzed our political mentality into its constituent ideas and has elaborated these ideas into principles of justice. I submit that no matter what those resultant principles of justice may be, the reasonable thing for her to expect is *not* that all reasonable

⁵³ Rawls, *Political Liberalism*, 223.

⁵⁴ *Ibid.*

⁵⁵ Nicholas Wolterstorff, “The Role of Religion in Decision and Discussion of Political Issues,” in *Religion in the Public Square; The Place of Religious Convictions in Political Debate*, ed. Nicholas Wolterstorff & Robert Audi (Lanham, Md: Rowman and Littlefield Publishers Inc, 1997), 91.

⁵⁶ Rawls, *Political Liberalism*, 8.

⁵⁷ *Ibid.*, 224.

⁵⁸ *Ibid.*

people who use their common human reason will agree with her results, but that *not all* reasonable people will agree. It would be utterly *unreasonable* for her to expect anything else than disagreement. The contested fate of Rawls' own principles of justice is an illustrative case in point. There's no more hope that all those among us who are reasonable and rational will arrive, in the way Rawls recommends, at consensus on principles of justice, than that we will all in the foreseeable future, agree on some comprehensive philosophical or religious doctrine.⁵⁹ [*Emphasis original*]

Here Wolterstorff emphasises two points. Firstly, he suggests that the contents of public reason are such that it is to be expected that reasonable people will disagree over them. Secondly, Wolterstorff hints that this renders Rawls's position incoherent. Rawls rejects appeals to comprehensive doctrines because people can reasonably reject them and there is a duty to not decide questions of basic justice this way.⁶⁰ If this is true then we should reject appeals to public reason as well; in fact, we have a duty to not follow public reason. However, if we cannot follow public reason and we cannot follow comprehensive doctrines, we are left with nothing; few restrictive laws or policies could be morally justified. This is precisely the implication that Quinn suggested.

Wolterstorff's argument depends on his claim that it is reasonable to expect disagreement over the contents of public reason. He cites Rawls's own theory of justice in support of this. In *A Theory of Justice*, Rawls attempts to develop an account of basic justice based on public reason.⁶¹ However, there is widespread disagreement amongst reasonable people not only over the conclusions reached but the methods and implicit principles themselves.

Of course, merely appealing to one case is unpersuasive; it is possible this is a single anomaly. However, in an earlier work Wolterstorff cited other examples where public reason appeared unable to be used in a manner that would be agreed upon by reasonable people.⁶² In "The Role of Religion in Political Issues," Wolterstorff cites the work of Kent Greenawalt to illustrate that not only is public reason incapable of resolving

⁵⁹ Wolterstorff, "Why We Should Reject What Liberalism Tells Us," 174.

⁶⁰ I am grateful to Glenn Peoples for helping me to develop this argument.

⁶¹ John Rawls, *A Theory of Justice*, (Cambridge MA: Harvard University Press, 1971).

⁶² Wolterstorff, "The Role of Religion in Political Issues," 102-104.

questions of contentious political issues but also on many issues it is “simply irrelevant”,⁶³ public reason has “nothing to say”.⁶⁴

For example, Wolterstorff refers to the debate about whether the state has a duty to provide social welfare.⁶⁵ In this debate not only is there disagreement about the conclusions but also debate about the very basic principles or concepts involved. Both supporters and opponents of state welfare appeal to such things as ‘freedom’ and ‘equality’ but have radically different conceptions as to what freedom and equality are. Also involved in this debate are different assumptions about whether there are property rights and if there are, how such rights are weighed against social utility. It is unlikely that the *consensus populi*, common sense and uncontroversial science provide answers to these questions that all reasonable people would accept.

Wolterstorff is not alone in these observations. Christopher Eberle makes similar observations about such things as abortion and freedom of religion.⁶⁶ De Marneffe argues that on contentious moral and social issues public reason will fail to offer any substantive answer.⁶⁷ Jean Hampton suggests that public reason cannot provide an answer to the question of abortion.⁶⁸ Quinn makes similar observations.⁶⁹ The point is, that if we genuinely limit ourselves to principles upon which no reasonable person can be expected to reject, what we are left with is inadequate to provide answers to many, if any, substantive questions. Only if we supplement these with premises drawn from some comprehensive doctrine will answers be adequate.

The case of abortion that these authors refer to is particularly instructive. Wolterstorff notes that central to our shared political culture is the idea “all persons who come within the jurisdiction of the state are to be granted equal protection under the law. But that does not tell us who is a person”.⁷⁰ Reasonable people disagree about this question and it is difficult to see how any answer is possible if one does not appeal to some comprehensive

⁶³ Ibid., 102.

⁶⁴ Ibid.

⁶⁵ Ibid., 103-104.

⁶⁶ Eberle, *Religious Conviction in Liberal Politics*, 217-222.

⁶⁷ de Marneffe, “Rawls’s Idea Of Public Reason,” 232-250.

⁶⁸ Jean Hampton, “The Common Faith of Liberalism,” *Pacific Philosophical Quarterly*, 75 (1994), 208-209.

⁶⁹ Quinn, “Liberalism and Their Exclusions of the Religious,” 149-150.

⁷⁰ Wolterstorff, “The Role of Religion in Political Issues,” 104.

doctrine about what human persons are. Rawls's comments on this issue unwittingly confirm this:

Suppose first that the society in question is well-ordered and that we are dealing with the normal case of mature adult women. It is best to be clear about this idealised case first; for once we are clear about it, we have a guide that helps us to think about other cases, which force us to consider exceptional circumstances. Suppose further that we consider the question in terms of these three political values: the due respect for human life, the ordered reproduction of political society over time, including the family in some form, and finally the equality of women as equal citizens. ... Now I believe any reasonable balance of these three values will give a woman a duly qualified right to decide whether or not to end her pregnancy during the first trimester. The reason for this is that at this early stage of pregnancy the political value of the equality of women is overriding, and this right is required to give it substance and force. Other political values, if tallied in, would not, I think, affect this conclusion. A reasonable balance may allow her such a right beyond this, at least in certain circumstances. However, I do not discuss the question in general here as I simply want to illustrate the point of the text by saying that any comprehensive doctrine that leads to a balance of political values excluding that duly qualified right in the first trimester is to that extent unreasonable; and depending on the details of its formulation, it may also be cruel and oppressive; for example if it denied the right altogether except in the case of rape and incest. Thus, assuming that this question is either a constitutional essential or a matter of basic justice, we would go against the ideal of public reason if we voted from a comprehensive doctrine that denied this right. However, a comprehensive doctrine is not as such unreasonable because it leads to an unreasonable conclusion in one or even in several cases. It may still be reasonable most of the time.⁷¹

Here, Rawls simply *asserts* that reasonable people will agree that in the early stages of pregnancy the right to equality overrides our due concern for human life. However, he seems to countenance the idea that reasonable people may limit abortion in the second trimester in certain circumstances. Now this, clearly, is not an obvious intuition shared by *all* reasonable people - unless one wishes to stipulate 'reasonableness' to rule out anyone who does not hold Rawls's substantive normative views on abortion.

Moreover, it appears that one cannot adjudicate any dispute between Rawls and a critic on this issue without appealing to a comprehensive doctrine. Suppose, for example, that a fetus is a person in the first trimester of pregnancy then Rawls's suggestion that the value of equality overrides in the first trimester but may not always in the second is false. Why

would it be acceptable in the name of equality for a woman to kill a person in one trimester and not the other in otherwise identical circumstances? It seems that Rawls's intuition is justified only if one assumes that a first trimester fetus is not human. On the other hand, if one assumes that a fetus is human at this point then Rawls's position is erroneous. Hence, only by addressing this issue can such a debate be settled.

However, addressing this issue by appealing to public reason or common sense can hardly provide an answer. As Quinn notes, "common sense is divided on or simply perplexed on the question of abortion".⁷² Uncontroversial science can tell us facts of fetal development but it cannot tell us the moral significance of those facts or what facts are important for determining personhood. In addition, there is no *consensus populi* on this issue; the political culture of many countries is divided on this question. It seems impossible to offer any argument one way or the other without utilising a premise drawn from some comprehensive doctrine over which reasonable people do not agree.

Similar points apply to Rawls's claim that a right to abortion is necessary so as to give the right to equality "substance and force". This follows only if one assumes a particular understanding of equality yet neither the *consensus populi* nor common sense will produce this conclusion. In fact, it is arguable that much of the popular appeals to equality are confused and ambiguous.⁷³ Moreover, even if such a consensus on the nature of equality were available, it does not follow that a right to abortion is necessary for giving it force unless one supplements this concept with understandings of sexuality and gender drawn from some comprehensive perspective.⁷⁴

I do not think abortion is an isolated case. The same would apply to other substantive questions such as homosexual marriage, affirmative action, capital punishment, welfare, etc. Wolterstorff's contention that public reason will not, un-supplemented with comprehensive doctrines, provide information that all rational people can be reasonably

⁷¹ Rawls, *Political Liberalism*, 243-244.

⁷² Quinn, "Liberalism and Their Exclusions of the Religious," 150.

⁷³ See Louis Pojman, "Theories of Equality: A Critical Analysis," *Behavior and Philosophy* 23:2 (1995): 1-27, and his "Equal Human Worth: A Critique of Contemporary Egalitarianism."

<http://72.14.209.104/search?q=cache:CvaEU_1lw5IJ:www.louispojman.com/equalworth.pdf+Equal+Human+Worth+Pojman&hl=en&gl=nz&ct=clnk&cd=8>

⁷⁴ See de Marneffe, "Rawls's Idea of Public Reason," 234-235.

expected to accept or even provide an adequate base for deciding many substantive issues appears justified. If this is so, the suggestion that Rawls's position is incoherent or ad hoc appears to follow.

(b) Audi's Rejoinder

In a response to Wolterstorff, Robert Audi argues this conclusion is mistaken. He argues that Rawls's position is more qualified than Wolterstorff appears to think. Audi points out that Rawls is only "speaking above all about coercive state power in relation to matters of basic justice, not about *every* political issue. ... Moreover, the emphasis is not on actual agreement, ... but on its realistic *possibility* given rationality".⁷⁵ [*Emphasis original*] Audi suggests that concerning issues of constitutional essentials and questions of basic justice there are "some very basic moral intuitions that are common to mature rational adults who are conscientiously devoted to living together in harmony".⁷⁶

However, Wolterstorff has not just argued that public reason is problematic because it will not deliver actual agreement. His argument was that such agreement was not a realistic possibility. He said, "It would be utterly *unreasonable*" for a person using Rawls's method to "expect anything else than disagreement". Wolterstorff claims that agreement is not a realistic possibility because while some will agree, some will not. "[T]he reasonable thing ... to expect is *not* that all reasonable people who use their common reason will agree with ... [the] results, but that *not all* reasonable people will agree."

Audi's other points seem to be that Rawls limits his position to "basic issues of justice" and "constitutional essentials" and that on these matters agreement is a realistic possibility. However, I noted above that on many substantive matters there is not a realistic possibility of agreement. The question then needs to be asked, are these matters of basic justice or constitutional essentials? If they are, then Audi's position appears false. On these types of matters, it is simply not true that there are sufficient common sets of intuitions for a reasonable hope of agreement to occur.

⁷⁵ Robert Audi, "Wolterstorff on Religion, Politics, and the Liberal State," in *Religion in the Public Square; The Place of Religious Convictions in Political Debate*, ed. Nicholas Wolterstorff & Robert Audi (Lanham, Md: Rowman and Littlefield Publishers Inc, 1997), 133-134.

⁷⁶ *Ibid.*, 134.

On the other hand, if these are not matters of basic justice or constitutional essentials then Rawls's position lacks any bite. If, for example, the question of feticide is not a question of basic justice or constitutional essentials then Rawls's position entails no objection to appeals to divine law on this topic. It is only on constitutional essentials and basic justice that such appeals are wrong and this is not such an issue.

Note that if Audi is correct here, much of the sting is taken out of Rawls's position. One cannot appeal to comprehensive doctrines in contexts where there is widespread agreement on basic issues; one can only appeal to such doctrines where there is widespread disagreement. Therefore, on deeply contentious issues like abortion, euthanasia, homosexual rights, etc appeals to divine law are perfectly appropriate. Appeals to divine law are only wrong when there is widespread consensus amongst rational people.

However, Wolterstorff does address this issue in the article Audi refers to. In "The Role of Religion in Political Issues" Wolterstorff states, "if my using reasons that I know you do not endorse really does constitute my not treating you as equal, then it constitutes that whether or not the issue is constitutional essentials or matters of basic justice".⁷⁷ On this, he seems correct. Consequently, if Rawls's claims about why one should bracket comprehensive beliefs on such matters are cogent then we should bracket them on other matters as well. This would of course mean that on many questions of public debate, if not most, no answers would be forthcoming. Moreover, as Wolterstorff himself points out, it would mean one could not appeal to the values of political liberalism either. Liberalism presumably is a comprehensive doctrine so again Rawls position would be rendered incoherent.⁷⁸

On the other hand, if Rawls's reasons for bracketing comprehensive beliefs are incorrect with regards to non-constitutional matters, if on these issues of coercive legislation one can appeal to theological beliefs that are rejected by rational people yet not disrespect them, then it is hard to see how they can become incorrect just because the topic has

⁷⁷ Wolterstorff, "The Role of Religion in Political Issues", 106.

⁷⁸ Ibid.

changed. Hence, it is doubtful that Rawls can limit his restriction in the way he wants to and given this, all the problems of applying public reason to non-constitutional issues apply with full force.

These responses all assume Audi's contention that on matters of basic justice and constitutional essentials, agreement between reasonable people can be reasonably expected. Audi bases this claim upon a rhetorical question.

But is there not a strong consensus, at least among citizens of democratic societies, that justice requires not only equal protection of the laws but also laws that protect liberty, including political and religious liberty and freedom of speech, up to a certain level? There are of course disagreements on matters of detail...⁷⁹

The problem here is that each of these examples involves appeal to an ambiguous and vague notion. However, as soon as an attempt is made to fill out these concepts with substantive content the apparent consensus disappears.

Consider the example of freedom of speech. Audi notes that most people agree that there should be freedom of speech, however, what does this mean? Free from what? From prior restraint? From the initiation of force? From no restraint upon content but not upon the manner of expression? Is this a negative freedom so that it forbids merely coercive attempts to prevent speaking? Is it a positive freedom so that the state has a duty to provide public funds to subsidise expression? Reasonable people can be expected to disagree on the answers to these questions. Moreover, these are not just matters of detail, they are disagreements over the very meaning of the term 'freedom' in the phrase 'freedom of speech'. It may be true that people use the same terms but the substantive content and the meaning that they understand the terms to denote differs widely.

Similar disagreement arises over what sort of speech is referred to in the term 'freedom of speech'. Does it include a right to engage in hate speech? Does it include speech denying the Holocaust occurred? What about racist and sexist speech? Does it include speech that is blasphemous or defamatory? Again, reasonable people disagree; not only do they

⁷⁹ Audi, "Wolterstorff on Religion, Politics, and the Liberal State," 132.

disagree over the meaning of the term “freedom” they also disagree over what types of speech one is free to engage in.⁸⁰

I think the same thing occurs concerning freedom of religion. In his book *Foreordained Failure*, Steven Smith demonstrates that there is no such thing as a right to freedom of religion. Instead there is a spectrum of views about religious tolerance that comes in degrees; no state tolerates all religious sects and very few states tolerate none. He notes that Aquinas, Cromwell, Locke and Mill all advocated and defended forms of religious tolerance. However, each disagreed as to which religions such tolerance should apply to and the proper limits upon those they disagreed with.⁸¹

Smith argues further that these differing accounts of freedom of religion all depended upon comprehensive views and one cannot adjudicate between them without appeal to such views. Attempts to articulate a right to freedom of religion from a neutral or public stance are quite hopeless.⁸² Similar things can be said about the idea of ‘equality’ within the term ‘equal protection of the laws’. Hence, it appears that even on these issues of basic justice and constitutional essentials public reason will not utilise principles that all reasonable people can be expected to endorse, nor will one be able to get very far without utilising comprehensive doctrines of some sort.

It appears that Rawls’s position does not escape the problems alluded to by Quinn. If anything, it provides a good illustration of these problems. If one attempts to exclude theological beliefs from public discourse because reasonable people can reject them, then secular comprehensive beliefs must also be excluded. If this occurs, then there is precious little to go on. One will have to appeal to some comprehensive belief to answer the

⁸⁰ Ibid. Audi argues that in these types of situations one means substantially the same thing by the term, agrees on the paradigms of its application and yet offer differing definitions. This is because “providing definitions is a demanding task” and “many different definitions can be applied to the same finite range of cases”. However, this misconstrues the situation. As noted it is not that these people use the term the same way but that they use it and understand it in a very different way. They disagree over the paradigms and hold to a different range of finite cases even if there is some overlap between them.

⁸¹ Steven Smith, *Foreordained Failure: The Quest for a Constitutional Principle of Religious Freedom*, (New York: Oxford University Press, 1995).

⁸² Ibid.

questions that one faces but a restriction upon comprehensive beliefs will render one's position incoherent.

2. Majoritarianism

A variant of the above argument suggests that what makes appeals to divine law problematic is not merely that its existence is disputed but because the belief that feticide is wrong because it violates the law of God is a minority view. Belief in the existence of God's law is not widely held in society or by the vast majority of people. Hence, publicly-accepted rules or laws based upon it would be unjust.

Implicit in this argument is the claim that a necessary condition for any principle to be utilised in public debate is that the majority accepts it as true. However, this is subject to numerous counter-examples. Consider a culture where the majority believes that a husband has the right to beat his wife. Would an advocate of majoritarianism contend that in such a society criticism by a feminist minority of this practice and the advocacy of norms forbidding spousal abuse is an unacceptable imposition of a narrow, feminist perspective in a pluralistic society? Would it be true that in such a society public policy could not be based on the moral principle that it is wrong for a man to beat his wife?

Consider an Islamic society where the majority believe that conversion to a rival, monotheistic religion is immoral and should be a capital offence. Not to execute converts to Judaism or Christianity in such a society would, by this reasoning, be unjust. In societies where a racial majority thinks a racial minority is sub-human, it would be unjust to grant equal human rights.

There is a further objection to this argument. Many normative positions that are currently supported by the majority or a wide section of the populace were once minority views. Over time, however, the minority has persuaded others and or converted them to its cause. If "narrow" views are to be excluded, this type of reform is not possible. A minority would never be able to propose its ideas until it was no longer a minority view. However, it cannot cease to be a minority view unless it is proposed in the first place. Consequently, this stance freezes societies in whatever popular prejudices currently exist. The reforming

minority that critiques contemporary culture would be effectively silenced if we were to hold that only the views of the majority are the just ones.

B. Arrogance

A final reason Cannold refers to is “the arrogant belief of anti-choice supporters that they have exclusive knowledge of the moral”.⁸³ The belief she refers to is the claim that a particular stance on abortion accurately reflects the will of God.⁸⁴

Cannold’s argument is a non-sequitur; if I claim that a particular act is contrary to the law and will of God, it does not follow that I have exclusive knowledge of the moral, nor does it follow that I am claiming that I do. As I argue in the discussion of ‘epistemic asymmetry’ objection to Voluntarism in Chapter II of Part Two (above), believing that moral claims are expressions of God’s law is compatible with attributing moral knowledge to non-theists and Cannold certainly provides no reason for thinking otherwise.

There is a second issue here in that, even if one did have exclusive knowledge of the moral on a particular topic, it does not follow that this is arrogant. This might be the case if one believed that one possessed this knowledge because of one’s superiority over others but that need not be the case.

This charge of arrogance is worth examining further. On conversing with people about this topic it is not unusual to find a common belief that affirming the rightness of one’s position and claiming that those who disagree are wrong is viewed as arrogant. Perhaps something like this underlies Cannold’s complaint. However, this common belief is mistaken; in fact, it is incoherent. The person who affirms it is affirming that it is wrong to hold that one’s own position is the correct one and that those who think this are mistaken. In making this claim, the asserter must adopt the very stance of affirmation and negation that he or she claims to be inappropriate.

⁸³ Cannold, *The Abortion Myth*, 33.

⁸⁴ *Ibid.*, 32.

Perhaps part of what Cannold is driving at here is a concern that believing that God shares one's moral opinions is itself arrogant. God, after all, is infallible, omniscient and good; humans are not. Hence, to claim that one's own opinions are the will of God on a matter is presumptuous.

However, this objection is mistaken too. Consider the divine attributes mentioned in this argument, God's omniscience, infallibility and goodness. It follows from the fact that God possesses these attributes that any action that is morally right will be one that God wills. Moreover, it follows that any belief that is true is one God affirms and any belief that is false is one he denies. If it is presumptuous to affirm that one's beliefs are God's beliefs and that one's moral stances reflect the law of God accurately, it will also be presumptuous to believe that one's beliefs are true and that one's normative stances are correct.

This is an absurd conclusion. Surely, no rational person holds a belief that he or she believes not to be true or accepts a moral stance that he or she does not believe is correct. The very act of accepting such beliefs involves affirming and accepting them. Moreover, if merely thinking that you are right and others are wrong constitutes arrogance, then Cannold's position is incoherent. Cannold is, after all, criticising the "anti-choice movement". She is suggesting they are wrong for being arrogant.

Another suggestion Cannold raises is that certain people "believe their political beliefs are actually God's will".⁸⁵ She seems to see this as extremist or fanatical. It is unclear why this follows. After all, if God is omniscient then it follows that any view that I hold that is correct is a view shared by God. Similarly, if God is just then any cause I advocate that is just will be the one God supports. From these premises it follows that one's political views are God's will purely from the contention that these views are correct. Presumably, everyone thinks that the views he or she expounds are correct. Rational people are not in the habit of believing things they think are false; in fact, to believe something is to think it is true. The upshot of this is that any one who thinks that she or he holds a correct view on a matter and believes God exists and is omniscient should, if they are rational, believe that she or he and God's thoughts coincide on the matter. Cannold appears committed to the

view that any person who is both logically consistent and a theist is a fanatic and an extremist.

The oddity of Cannold's claim can be seen by asking what one would think of a devout person who did not believe she or he were acting in accord with God's will. Surely, it is strange for a person to do something he or she believed was not God's will or who held to and advocated a belief which he or she thought God disagreed with.

C. Immutability and Infallibility

Concern about the infallible nature of divine will is the basis for another criticism of appeals to divine law. In correspondence, an objector noted that in a democratic society people have freedoms to question a law, to work towards getting it changed and to debate its merits. However, with the law of God, which is infallible and immutable, one cannot change it or question its veracity. Audi suggests something similar,

[C]onflicting secular ideas, even when firmly held, can often be blended and harmonized in the crucible of free discussion: but a clash of gods is like a meeting of an irresistible force with an immovable object.⁸⁶

This objection points to the immutable and infallible nature of divine law as being incompatible with human law as it is enacted in a liberal, democratic society. Several things need to be said in response.

Firstly, the fact that the law of God is infallible does not entail that there is or cannot be debate over what the law of God in fact is. Claiming that God's law is infallible is not to claim that any human never errs in his or her discernment of what this law is, his or her interpretation of it or his or her application of it to particular cases. Claiming that there is debate over the interpretation of divine law and debate over how to apply various precepts of divine law to specific cases, is compatible with affirming that divine law is infallible.

In this, the law of God is analogous to deductive reasoning. By definition, a sound argument can never have a false conclusion. It is impossible for the conclusion to be false

⁸⁵ Ibid.

⁸⁶ Robert Audi, "Separation of Church and State and the Obligations of Citizenship" *Philosophy and Public Affairs* 18 (1989): 296.

if the argument is sound, hence sound arguments are infallible. It does not follow from this that people never err in constructing arguments that they mistakenly believe are sound or that there is no debate over which arguments are sound. Reason is authoritative; however, human reasoners are not. It is hard to see why the infallibility of the law of God means that appeals to this law are any more problematic than appeals to logic.

A similar response is available on the immutability of divine law. The fact that God's law is immutable does not mean that any person's understanding of this law cannot change. He or she may find his or her particular beliefs about God's law were mistaken or that he or she had applied it incorrectly.

In this respect, the law of God is analogous to numerous things that it is unobjectionable to appeal to. Consider an appeal to facts and reason; these too are immutable. If it is a fact that the world was round at the time of Columbus then this is something we cannot change. It cannot be true 100 years from now that the world was not round when Columbus sailed. Moreover, whether an argument is sound is also immutable; we cannot repeal the laws of logic. Therefore, both facts and reason are as immutable as God's law is.

Moreover, consider a precept such as it is wrong to torture children for entertainment. Is this mutable so that society could repeal it tomorrow? Is the claim that rape and genocide of Jews is wrong something that is mutable, that human beings can change and repeal these things? Obviously not. Immutability is a feature of any serious, ethical viewpoint. If you cannot base civil law on immutable things, then you cannot base it on facts, reason or secular values.

4. Theological Beliefs as Dangerous

One pervasive reason for excluding theological argument from public life is that to allow it is 'dangerous'. This idea has lurked behind many of the above arguments. It suggests that either religious people or religious beliefs themselves, unless kept private, are a threat to concepts such as freedom, pluralism or safety from terrorism. Wolterstorff notes this line of argument.

One reason which liberals have offered ever since the emergence of liberalism in the seventeenth century is that it's just too dangerous to let religious people debate political issues outside of their own confessional circles, and to act politically, on the basis of their religious views. The only way to forestall religious wars is to get people to stop invoking God and to stop invoking canonical scriptures when arguing and determining politics.⁸⁷

Elsewhere he states,

One reason regularly cited, more in the past than now, for insisting that citizens not use religious reasons for their decisions and/or debates on political issues ... is that it is simply too dangerous, in a situation of religious pluralism, to allow religion to intrude into politics in this way. Religion stirs up too many passions. The amity of society will be endangered and thereby the stability and endurance of the state.⁸⁸

Similarly, Quinn notes, "Some people fear that religious argument is apt to be dangerously divisive".⁸⁹ Both Quinn and Wolterstorff observe that appeals to divine law of the sort defended in this thesis are widely portrayed as dangerous in the way mentioned. To assess this position we need to examine various arguments that attempt to demonstrate that such beliefs are dangerous.

A. Argument from Abuse

One objection is that in the past people have appealed to divine commands to justify all sorts of atrocities. Jim Peron recently proposed a paradigmatic example of such argument.

To admit religion into the "public arena" is "dangerous." And long term the results will be just as bloody and violent as they were in the past. ... To put religion into that sector is to ignore centuries of history and return to the conflict-ridden, bloody world of the Dark Ages.⁹⁰

Why does Peron believe that allowing religion in public debate will have such catastrophic consequences? The reason appears to be based on historical examples that

⁸⁷ Wolterstorff, "Why we should Reject what Liberalism tells us," 167.

⁸⁸ Wolterstorff, "The Role of Religion in Political Issues," 78.

⁸⁹ Quinn, "Political Liberalism and their Exclusion of the Religious," 143.

⁹⁰ Peron, "Why we Should Exclude Religion from the Public Arena". A similar argument is made by other writers such as Jeffrey Stout, *Ethics after Babel: The Language of Morals and Their Discontents* (Princeton, NJ: Princeton University Press, 1988), 223. Interestingly Peron here appeals to the idea of a Dark Age after the fall of Rome. Rodney Stark notes this idea is now widely recognised as mistaken, see his *For the Glory of God: How Monotheism Led to Reformations, Science, Witch-Hunts, and the End of Slavery* (Princeton NJ: Princeton University Press, 2004).

run along the lines of ‘when we admitted God into the public arena or the realm of the state, the result was bloody conflict’. He goes on to bolster this with several examples,

When Spain admitted religion into the public arena it decided that people had to be good Christians to get the good things in life. If you were a Jew or Muslim then you were excluded from much that was good. If you "converted" to get the equal rights denied you otherwise, but still practised your own faith, you were hunted down and burned at the stake.⁹¹

In particular, Peron singles out Calvinism, citing Jefferson’s reference to Calvinism as “demonism” and its doctrines as “blasphemy”. He cites with approval Jefferson’s claim, “The Presbyterian clergy are the loudest, the most intolerant of all sects; the most tyrannical and ambitious, ready at the word of the law-giver, if such a word could now be obtained, to put their torch to the pile”.⁹² He then goes on to give two examples of this,

In Calvin's Geneva the victims of faith in the "public arena" were other forms of Christians. Servetus, who described the circulation of blood, was executed for holding beliefs about the Trinity that were contrary to those of Calvin. Calvin wrote a friend that if Servetus ever appeared in Geneva, "I shall never let him go out alive if my authority has weight." Servetus made the mistake of attending a sermon by Calvin, who recognised him and had him arrested. He was tried for "heresy" along Calvinist lines and executed with Calvin's approval.

While many of the American colonies were secular enterprises some of them were started by Puritans, a brand of fundamentalism akin to Calvinism. In those areas the "public arena" required everyone to fund the Puritan church and it banned the practice of other faiths. Quakers were stripped and forced to run through the streets while being whipped. Christians preaching unacceptable doctrines were executed. Many of them. The Baptist Roger Williams was forced into exile in Rhode Island, where he set up a colony that excluded religion from the public arena.⁹³

Peron’s argument then is,

(a) That in the past when religion was utilised in public debate it led to atrocities.

⁹¹ Ibid. It is worth noting that Peron’s comment, “When Spain introduced religion into public life” is historically dubious. Religion had guided public life in Spain for centuries before the introduction of the Inquisition, Spain had in fact been ruled by Muslim rulers who practiced a degree of religious tolerance prior to this time. Moreover, the picture he gives of the Spanish Inquisition is exaggerated. See for example Edward Peters, *Inquisition*, (London: Collier Macmillan, 1981) for a documentation of the history of mythology and exaggeration about the Spanish Inquisition; see also Henry Kamen, *The Spanish Inquisition: A Revisionist History* (New Haven Conn : Yale University Press, 1998).

⁹² That the Puritans were the most intolerant of sects is vigorously disputed by Leland Ryken, *Worldly Saints: The Puritans as They Were* (Grand Rapids, MI: Zondervan, 1990), 5.

⁹³ Ibid.

From this he argues (perhaps via induction),

(b) Theological beliefs being used in the public square are dangerous.

This argument is flawed. Two analogies of the above argument will demonstrate this. Firstly, if his argument were sound, an equally-compelling argument could be constructed for the conclusion that secular beliefs are dangerous when utilised in public debate. Peron argues that because appeals to theology in public life in the past have led to atrocities, such appeals are dangerous. However, many appeals to secular, ethical theories and norms have also been used to justify atrocities. The reign of terror during the French Revolution appealed to liberty, equality, fraternity and the rights of man.⁹⁴ Millions have been slaughtered by appeals to the greater good of society or the liberation of the oppressed classes. If the fact that divine law has been used to justify atrocities is grounds for rejecting such appeals, then presumably appeals to liberty, equality, liberation and societal good are all dubious, a conclusion that is clearly false.

The selective nature of Peron's analysis is evident when he suggests that Europe "was destroyed by centuries of religious conflicts and religious wars"⁹⁵ but that,

Once religion was privatised, it was civilised as well. The Inquisition stopped. The witch burnings stopped. The persecution of people for their faith, or lack thereof, stopped.⁹⁶

This is simply false; since religion was privatised, millions have lost their lives in Europe in wars fought between secular ideologies such as Communism and Fascism. Secular wars have been far more brutal and total than most wars that occurred during the Middle Ages. Moreover, the claim that witch trials ended is also mistaken, as millions have been killed in socialist states in show-trials every bit as hysterical and rigged as any witch trials were.⁹⁷ The claim that privatisation of religion ended inquisitions is equally dubious. As many writers point out, the Committee for Public Safety in revolutionary France was in

⁹⁴ A victim of the guillotine during the French Revolution famously remarked, "Oh, Liberty, what crimes are committed in your name".

⁹⁵ Peron, "Why we Should Exclude Religion from the Public Arena".

⁹⁶ Ibid.

numerous respects much worse than the medieval or Spanish Inquisition. The multitudes tortured and killed in Europe for refusing to renounce their faith under socialist regimes demonstrate conclusively that secularising public life does not end wars, inquisitions or persecutions.

In fact, not only does this argument rule out appeals to various secular norms, it also rules out appeals to scientific theories. Darwinism, for example, has been used numerous times to justify racism, colonialism and assimilation. Moreover, nearly every evil cause has appealed to some scientific study or fact to back it up. Yet clearly, appeals to science are not problematic in moral debate.

Secondly, an analogous argument can be constructed to demonstrate that appeals to theology in public life are not dangerous but progressive. Peron cites several examples of atrocities justified in the name of religion and then argues that these show religion is dangerous. However, one could just as well cite several cases where divine law has been used to justify progressive or beneficent measures and hence infer from these cases that such appeals are progressive.

Here it is evident that Peron's argument is very selective in its examples. He ignores entirely the numerous atrocities of secular states and the examples where religion in public life has been progressive. Peron notes various wars that were justified on theological grounds yet he ignores the long history of theological argument that led to restrictions on warfare and even ignores the theological arguments against various wars.⁹⁸ He notes the Servetus affair and apart from the fact that Calvin's level of involvement in Servetus's execution is a matter of dispute and has been greatly exaggerated⁹⁹ and apart from the fact that that such heresy prosecutions were not typical in Geneva,¹⁰⁰ Peron ignores the numerous Calvinist writers who argued against the state suppressing heresy

⁹⁷ In fact, the treatment of political dissidents in some secular, communist regimes is significantly worse than anything that occurred in, for example, the Salem witch trials.

⁹⁸ See for example James Turner Johnson, *Ideology, Reason and the Limitation of War* (1975) and *Just War Tradition and the Restraint of War* (Princeton, NJ: Princeton University Press, 1981).

⁹⁹ Alister McGrath *A Life of John Calvin: A Study in the Shaping of Western Culture*. (Cambridge, MA: Blackwell, 1990),

¹⁰⁰ *Ibid.*

and who contributed to the development of religious tolerance.¹⁰¹ In fact, Roger Williams, who Peron himself cites, offered a theological justification for freedom of conscience. It was not then a case of those who supported religion in the public arena suppressing those who did not but rather two different theological arguments for different conclusions being brought to bear on public issues.

These two analogies show that, as formulated, Peron's inference from (a) to (b) is erroneous. It is not enough to note that sometimes theology has been used to justify atrocities in order to justify singling religious beliefs out for total exclusion from public life because they are dangerous. Instead, one would need to show that theological beliefs have overall had a negative effect on public life and that they have done so in a manner significantly worse than secular beliefs have.

To the best of my knowledge such an inference has not been successfully made nor is it clear that it could be. Peter Van Inwagen is suggestive,

The Enlightenment makes much of the suffering and death caused by the awful things Christians have done--the Crusades and the Inquisition seem to be the standard examples,

...

But with whatever justification these things can be ascribed to the Christian religion, such episodes as the Terror of the 1790s, the Great Terror of the 1930s, and Pol Pot's experiment in social engineering in the 1970s can with the same justification be ascribed to the Enlightenment. And these caused thousands of times as many deaths and incomparably greater suffering than all of the pogroms and religious wars in the history of Europe. The Crusades et al. were quite ordinary episodes in the immemorial string of crimes that mainly composes what the world calls history and what St Paul called 'this present darkness.' The French Revolution was, as Burke was the first to realize, something new, a new kind of horror. The new kind of horror did not, of course, really hit its stride till about seventy years ago.¹⁰²

Similarly, Greg Bahnsen notes,

Even as extreme an example as the witch trials at Salem (where, once, twenty people died) would not be worthy to be compared to the one and a half million

¹⁰¹ (John Owen or John Milton or the arguments of people such as Bayle and Locke) Joseph Lecler *Toleration and the Reformation*, trans. by TL Weslow (New York: Association Press, 1960), documents nearly two millennia of theological arguments for religious tolerance within Christian moral theology.

¹⁰² Peter Van Inwagen, "Quam Diletca," in *God and the Philosophers*, ed. T Morris (New York: Oxford University Press, 1994), 56.

babies slaughtered by Western humanism every year or the sixty million (plus) killed by Eastern communism in this century. All sense of proportion is lost by selecting a divine-command theory of social ethics for expenditure of *ad hominem* criticism.¹⁰³

These are merely sketches but they illustrate that it is not at all clear that religion or theological beliefs are more dangerous and conducive of more atrocities than non-theological or secular beliefs.

Bahnsen raises a further issue that any attempt to compare the beneficent and malevolent effects of religion will depend in part on what changes or reforms one considers positive and on what events or practices one considers justified. There are around 40 million abortions a year internationally. If abortion is homicide, then this would constitute an annual atrocity on a large scale. If it were a woman's right, this would be progress. However, it is not unlikely that some secularists and theologians may differ on the moral status of feticide or numerous, other questions that affect the conclusion. The argument from abuse then appears to be another case of special pleading.

B. Divisiveness

Quinn notes another argument "Some people fear that religious argument is apt to be dangerously divisive".¹⁰⁴ Peron proposes a similar line of argument,

The biggest problem for a free society in admitting religion to the public arena is that there is no way to determine which religion or which views on religion to admit. ... But if that debate is then opened equally to faith questions there is no way to come to any reasonable conclusion. The only possible result is an aggrandisement of state power, the diminution of civil society and a bloody mess for everyone.¹⁰⁵

Why does Peron believe religion has this tendency? In his article, he appears to cite two reasons.

¹⁰³ Greg L. Bahnsen, "Should We Uphold Unchanging Moral Absolutes?" *Journal of the Evangelical Theological Society* 28:3 (1985). <<http://www.cmfnow.com/articles/pe063.htm>>

¹⁰⁴ Quinn, "Political Liberalism and their Exclusion of the Religious," 143.

¹⁰⁵ Peron, "Why we Should Exclude Religion from the Public Arena".

1. Disagreement amongst Theologians over the Content of Divine Commands

Firstly, Peron notes that there is a diversity of religious positions. He notes there is disagreement among religious practitioners over which text reliably reveals God's commands.

The same is true for the Pentateuch of the Hebrews and the New Testament for Christians. The Latter-Day Saints would say the same for the Book of Mormon but all other church groups would disagree. Catholics have the Apocrypha that Protestants reject. Martin Luther was suspect about the New Testament book of James.... Baptists say God wants adult believers immersed in water upon conversion. Other's pour, some sprinkle. For some it is infants not adults who are baptised. All insist they are obeying their faith.¹⁰⁶

A couple of initial points here, Firstly, while it is correct that there is disagreement over which texts are divinely inspired and mediate divine discourse, it does not follow that this disagreement entails that these texts are all unreliable or that there is disagreement over the content of all divine commands; this point is often overlooked. The *moral* teachings among Islam, Judaism, Mormonism, Lutheranism and Catholicism are very similar and these traditions all attribute very similar commands regarding moral behaviour to God. Hence, a Jew, for example, could hold that the Koran is not authored by a prophet but that much of what Mohammed wrote is correct and the text reliably articulates numerous, divine commands. A Protestant could take a similar stance regarding the moral teaching of the Roman Catholic Magisterium.¹⁰⁷

Secondly, while it is true that there is disagreement among religious practitioners over what God commands, such disagreement is common in secular, ethical discourse as well. Liberals disagree with conservatives who disagree with socialists who disagree with libertarians who disagree with anarchists. There is diversity of opinion amongst secularists on numerous issues of applied ethics, such as when abortion, affirmative action, capital punishment, et al. are acceptable. In this sense, theological argument is no more divisive than secular argument.

¹⁰⁶ Ibid.

¹⁰⁷ It is worth emphasising that the Reformation was primarily over issues of soteriology and not ethics.

2. *Impervious to Rational Debate*

The second reason Peron cites is not just that there is disagreement but that, unlike disagreement among secular ethicists, this disagreement cannot be rationally resolved.

When I argue that free enterprise is best I can point to physical evidence. I can show the statistics for the various nations. We can compare how one nation with market policies compares to other nations. We can see the results. But how do you argue with someone with a faith statement?

...

But a faith statement can't be tested. If they come in and say "God says that this is wrong" there is nothing testable. We can't subpoena God to testify. And if we turn to "His Word" we can't even get the God advocates to agree as to which "Word" that is or how it should be interpreted. We are in a realm where rational debate is excluded.¹⁰⁸

This argument is mistaken. Firstly, Peron suggests that debates over whether free enterprise is the best system can be resolved by appeals to empirical evidence. This is incorrect. Peron here appears to commit the naturalistic fallacy. Appeals to physical evidence only tell us the effects of free enterprise. It cannot tell us whether the effects are good, bad, just or unjust. Determining this requires normative values that themselves are not determined by empirical evidence.

Secondly, Peron appears to think that theological claims cannot be tested or rationally assessed.

Religion is a series of faith statements which are outside the realm of reason. There is no real debating. If one says that the Koran is God's word that is a statement of faith. No one can prove it.¹⁰⁹

Elsewhere he writes,

Now what is religion or faith? It's a series of beliefs about "spiritual" things and the supernatural. It is beyond reason. Faith is not reason. It's not a different word for the same thing. It's impervious to investigation and outside the realm of proof and logic. A person can have faith in a God even if everything they know tells them there is no such being. Faith can be, and often is, contrary to reason.¹¹⁰

¹⁰⁸ Peron, "Why we Should Exclude Religion from the Public Arena".

¹⁰⁹ Ibid.

¹¹⁰ Ibid.

There are multiple problems with this argument. Firstly, religious beliefs are not just about spiritual things; there are often moral claims made. In addition, within religious beliefs, there are frequently historical beliefs e.g. there was/is a town called Capernaum or Jericho or beliefs made about the empirical world e.g. Christianity teaches that the world exists objectively and some forms of Hinduism believe that the material world is an illusion.

Secondly, Peron's claim that religious beliefs are outside the realm of proof and logic, and therefore, impervious to investigation is also false. While it is correct that some theological claims cannot be argued to and are basic, it does not follow that they are impervious to investigation.

Some religious claims can be shown to be incoherent; Kaufman's claim that God is transcendent and that no properties can be attributed to him is incoherent.¹¹¹ Similarly, a given, religious belief could be shown to entail an absurdity such as the claim by various new-age sects that there is no truth. The beliefs of a given religion could contradict each other; for example, it is contended that the Pentecostal belief that contemporary prophets exist contradicts their belief in a closed canon.¹¹² Some beliefs can be decisively falsified such as the belief of various cults that the world would end in 2000 or that if one of the faithful is bitten by a poisonous snake one will not die. Others, such as the claim that the universe had a beginning, can be argued for with philosophical and scientific evidence.¹¹³

Peron's claim, "a person can have faith in a God even if everything they know tells them there is no such being. Faith can be, and often is, contrary to reason",¹¹⁴ is simply a caricature of how faith is understood in traditional, Christian circles and certainly contrary to the conception of faith that I sketched in the previous chapter, that explicitly allows for the possibility of defeaters.

¹¹¹ See the first two chapters of Plantinga, "Reason and Belief in God".

¹¹² This is because if a contemporary prophet writes his prophecy down then one has written prophetic literature which, being the word of God, is authoritative writing alongside scripture.

¹¹³ See Quentin Smith & William Lane Craig, *Theism, Atheism, and Big Bang Cosmology* (New York: Oxford University Press, 1993) also William Lane Craig, *The Kalam Cosmological Argument* (London: Macmillan, 1979).

¹¹⁴ Peron, "Why we Should Exclude Religion from the Public Arena".

Again, there appears to be nothing problematic about appeals to divine law in this way. While it is true there is disagreement about what God has commanded, there is also disagreement about what is right and wrong in secular ethics as well. Further, the debates in theology seem no more or less resolvable in principle than the debates in contemporary, secular ethics. Robert Adams sums this up.

[N]othing in the history of modern secular ethical theory gives reason to expect that the general agreement on a single comprehensive ethical theory will ever be achieved – or that, if achieved, it would long endure in a climate of free inquiry... the development and advocacy of a religious theory, therefore, does not destroy a realistic possibility of agreement that would otherwise exist.¹¹⁵

¹¹⁵ Robert Adams, “Religious Ethics in a Pluralistic Society,” in *Prospects for a Common Morality*, ed. Gene Outka & John P. Reeder Jr. (Princeton: Princeton University Press, 1993) 97.

V. Conclusion to Part Two

From the outset of this work I articulated a three-premise argument against feticide:

- [1] Killing a human being without justification violates the law of God.
- [2] A formed conceptus (i.e. a fetus) is a human being.
- [3] In the case of feticide (at least in the majority of cases) insufficient or no justification is forthcoming.

I have now examined three of the most influential objections to [1]. These objections are that there was something either philosophically problematic or irrational about divine commands or that appeals to them were inappropriate in a pluralistic context. I have argued why these objections fail. If, as I suspect, these objections are representative of the reasons why it is widely suggested that divine commands have little or no place in ethical theorising, then I think the appropriate conclusion to draw is that this widely-held position is mistaken. Theologians can and should unashamedly utilise divine commands in their ethical theorising and appeal to them in argument.