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Religion as a Basic Human Good

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Religion as a Basic Human Good

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In recent years, there have been a number of books and articles that have presented arguments for and against the idea that there should be special legal protection of religious freedom. One question to which such treatments respond can be articulated thus: Are there strong philosophical grounds for positing a distinct right of religious freedom that would sometimes justify immunity from otherwise generally applicable laws? Various thinkers working within the tradition of natural law argue that such a distinct right should be protected by law on account of what they argue is a distinct fundamental aspect of human well-being, namely, religion. Up until now, there has not been a book-length treatment of this purported basic good and the various considerations of it that are relevant for the issue of religious freedom. In this work I examine the nature of basic goods in general before analyzing the good of religion specifically. Since a common obstacle to respect for religious freedom is the claim that its pursuit is inherently irrational and even irresponsible, I also defend the basic rationality of religious belief, at least in its paradigm cases. Finally, I discuss the relationship between religion and freedom and respond to any additional objections from those who acknowledge the good of religion but do not see why religious freedom requires specific legal protection.

This dissertation by Thomas D. Howes fulfills the dissertation requirement for the doctoral degree in Philosophy approved by Melissa Moschella, Ph.D., as Director, and by V. Bradley Lewis, Ph.D., and Angela Knobel as Readers.

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For Mom,
Hazel Marie Howes

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Introduction

Imagine there's no heaven
It's easy if you try
No hell below us
Above us only sky...

Imagine there's no countries
It isn't hard to do
Nothing to kill or die for

And no religion, too...[1]

Seven months before his death, John Lennon stood at the helm of his 43-foot yacht, the crew and captain having fallen ill, and with no experience sailing. But there was no other option; he had to guide the ship in a dangerous storm. With tears in his eyes, he felt more than ever the reality of his own mortality. Something in him changed. He would say of the experience: "Once I accepted the reality of the situation, something greater than me took over and all of a sudden I lost my fear. I actually began to enjoy the experience."[2] After the storm ended and his six-day trip from New York to Bermuda was over, he was reinvigorated: "I was so centred after the experience at sea that I was tuned in to the cosmos..."[3]

I was tuned in to the cosmos. Lennon was probably using language he was familiar with from his time practicing transcendental meditation. Maybe this time it was just a figure of speech, a poetic metaphor for his newfound energy. That is plausible. But people who speak this

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1 John Lennon, "Imagine," A-side of *Imagine*, Ascot Sound Studios, 1971, album.
2 Chris Hunt, "Just Like Starting Over: The Recording of Double Fantasy." Chris Hunt: Magazine Editor. http://www.chrishunt.biz/features26.html (accessed April 24, 2019). First published in *Uncut Legends* (December 2005).
3 Ibid.

way seem equally likely to be referring to something deeper than that. Sometimes when one is confronted with death, one lets go of the attachments that burden relationships, including the relationship one has with the Absolute. If Lennon was referring to his relationship with the "cosmos" in some sort of quasi-religious sense, he would not be the only one. My atheist brother once told me that even though he did not believe in God he never denied that there is purpose: "Why can't the universe have a purpose for us?" There is reason to think that at least for some people such talk can refer to something that occupies the same intentional "space" that God has for theists: something open-ended, absolute, transcendent, and purpose-giving.[4]

But why not simply say 'God'? The word 'God' has different connotations for different people. When I say I believe in God, another person might hear this and think I am referring to a bearded man on a cloud, or something very powerful yet finite—just one being among many beings, even if more powerful—but not the limitless and transcendent ground of all existence. Perhaps by 'God' some think of something like the 'God' who chases Homer Simpson with a beam of light from the sky until giving up ("I'm too old and rich for this").[5] If that is what is meant by God then I do not believe in 'it' either. But that is not what I mean by God. When I speak of God, I am not speaking of one most powerful being, like any other but only greater. No, I am talking about the unlimited and transcendent ground of all existence. My understanding of the nature of this "entity" is almost certainly different than how it is understood by the people mentioned above who refer to the "universe" or "cosmos," and it is even in some ways different

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[4] I am not defending this identification of the absolute and transcendent with the "universe," but merely positing that some people do use this term to refer to the transcendent ground of existence, at least implicitly. On the idea of self-identifying atheists or agnostics still believing, even if only implicitly, in some transcendent reality, see Ronald Dworkin, *Religion without God* (Cambridge, MA: Harvard University Press, 2013), 2.

[5] *The Simpsons*. "Treehouse of Horrors XIV." Directed by Steven Dean Moore. Written by John Swartzwelder. Fox Broadcasting. November 2, 2003.

from how many other theists think of God, but I take it that in some general way we are describing the same reality, even if often in a vague, unspecified sense.

Later I will argue that harmony with this transcendent ground of existence is a basic human good, and I will use the word 'religion' to refer to this harmony. I do not want the reader to confuse this usage of the word religion with religion as an institution or any of the religions. I take it that with certain exceptions such religions, insofar as they differ from other forms of human community, have as their goal such a harmony that I call religion. It is not atypical that such communal religions will feature rites and traditions, histories, stories and myths, wisdom and reflection passed on either orally or by written word, but not all religions will have these things, nor will all people who seek the good of religion be a part of any such community.

Religious Freedom

The primary, though not only, reason that I want to address the theme of religion as a human good is that it is relevant to debates concerning religious freedom, especially the most recent debates about whether religion warrants special protection in law.

For most of human history, religion was intrinsically connected with civil society and order, and in some areas of the world this remains the case. After Christianity survived periodic persecution in the Roman Empire, after it became the official religion of the state, the majority of Christians quickly adopted the assumption of an intrinsic connection between civil unity and unity of faith. In the cultural framework of the time, a public break with the orthodox faith of the empire was considered something like sedition.

After the Reformation and the subsequent rise of different 'orthodoxies' in Europe, the doctrine, established at the Peace of Augsburg, of *cuius regio, eius religio* ("whose realm, his

religion")[6] remained the assumption. But this would not last too long due to the bloody conflicts dividing families and nations, as well as the rise of separatist religious groups like the Puritans: the time was ripe for greater respect for religious freedom.[7]

A well-known figure in the defense of religious freedom is John Locke, whose writings on religious toleration would become canonical in the Enlightenment period, but prior to him there were many Christian thinkers of different confessions who argued for greater toleration and respect for religious freedom. To justify a certain separation between the civil and religious authority, such thinkers typically appealed to Christ's adage to "repay to Caesar what belongs to Caesar and to God what belongs to God."[8] To justify tolerance for 'unorthodox' believers, they sometimes cited the Parable of the Tares ("If you pull up the weeds you might uproot the wheat along with them. Let them grow together until harvest"[9]). Moreover, it was commonplace to appeal to the writings of early Christian writers such as Tertullian or Lactantius, who both argued that religious belief ought not be coerced.[10] As a matter of fact, Locke came to a greater respect for religious freedom after spending some time in Germany and seeing people of different confessions living together peacefully in the same cities.[11] Clearly, by the time Locke was writing about religious toleration, his standpoint was not entirely unprecedented.

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6 See, Robert Louis Wilken, *Liberty in the Things of God: The Christian Origins of Religious Freedom* (New Haven, CT: Princeton University Press, 2019), 53, 176.

7 See, Ibid., 176.

8 Matthew 22: 21 (New American Bible [NAB], Revised Edition)

9 Matthew 13: 29-30 (NAB, Revised Edition).

10 Wilken, *Liberty in the Things of God*, 2-3. Wilken noted that among Thomas Jefferson's personal collection of books at the Library of Congress there is the following volume: Q. Septimii Florentis Tertulliani, *Apologeticus et ad Scapulam Liber* (Cambridge, 1686). Wilken notes that in the second chapter of Tertullian's *Ad Scapulam*, contained in that volume, Jefferson underlined a passage in Latin, marking a large 'X' in the margin. Wilken translates this passage as such: "It is only just and a privilege inherent in human nature that every person should be able to worship according to his own convictions. For one person's religion neither harms nor hurts another. Coercion has no place in religious devotion, for it is by free choice not coercion that we should be led to religion. Offering a sacrifice must spring from a willing mind; it cannot be forced" (Wilken, 190).

11 Ibid, 170-1.

In these older debates about religious freedom, the concern was generally about the government not respecting or protecting the religious freedom of those who did not share the official religious beliefs of the state. Fast forward to today: while the possibility of capital punishment for public deviance from official orthodoxy, or even the closing of churches, is no longer thinkable in the United States, one can no longer take for granted that one's interlocutors recognize any value to religion at all. And for this reason, there is no shortage of authors who find no ethical basis for a special protection of religious freedom.[12] These authors do not generally question the constitutional grounds for such a protection, but rather they question the idea that religious freedom *should* be protected by the law. For instance, Micah Schwartzman argues that rights of religious freedom should be considered reducible to rights of conscience.[13] Others argue that religious freedom has the same basis as, and is not significantly different from, many other liberties that law should protect out of respect for the autonomy or privacy of individuals.[14] Of course, I agree that respect for conscience matters greatly, and I also agree it is important to protect the due autonomy of individuals with respect to the pursuit of many goods. But is it really the case that the basis of religious freedom is reducible to these other considerations?

The authors that I mention who oppose special protection for religious freedom are not in favor of shutting down churches. The debate has thankfully shifted in a positive direction in the

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[12] Most notably: Christopher L. Eisgruber and Lawrence G. Sager, *Religious Freedom and the Constitution* (Cambridge, MA: Harvard University Press 2007); Brian Leiter, *Why Tolerate Religion* (Princeton: Princeton University Press, 2012); Ronald Dworkin, *Is Democracy Possible Here?: Principles for a New Political Debate* (Princeton: Princeton University Press, 2006); Micah Schwartzman, "What if Religion Is Not Special?" *University of Chicago Law Review* 79, 4 (2012): 1351-427; Brian Barry, *Culture and Equality: An Egalitarian Critique of Multiculturalism* (Cambridge, MA: Harvard University Press, 2001).

[13] See Schwartzman, "What if Religion Is Not Special?", 1420. With respect to accommodations, Schwartzman's position is not, in practice, much different than Eisgruber and Sager, who defend "equal liberty."

[14] See Eisgruber and Sager, *Religious Freedom and the Constitution*; Leiter, *Why Tolerate Religion?*; Dworkin, *Is Democracy Possible Here?*

last 400 years. But if that is the case one might ask: Why does it matter that there be a special protection for religious freedom? Why cannot such practices be treated as equal to other liberties protected in modern society, or at least be treated the same as other claims of conscience? In the following chapters, I will attempt to convince the skeptics that religion is a unique aspect of human fulfillment—at least conditionally so[15]—with a unique relationship to other aspects of well-being. As regards what I consider the more plausible claim, that protection of religious freedom can be reduced to protection of conscience, I will offer a brief response now and a longer response in the fourth chapter.

Reducing protection of religious freedom to general protections of conscience will not do for two primary reasons: 1) when one is pressured to act in a way one judges to be immoral, one is pressured to act against one's personal integrity, serious in its own right, but when religion is involved, it only becomes graver; 2) more importantly, although laws commanding that someone act against one's conscience are in themselves very serious even when it is not explicitly a matter of religion, there are also laws that *prevent* people from carrying out obligations, or laws that simply limit freedom. But being prevented from carrying out one's obligations, or having one's freedom limited, often does not involve any harm to one's integrity—i.e. it is often not demoralizing—but if it is a religious matter, it does burden one's pursuit of religion. This matters greatly if I am right about the unique relationship that religion has with other aspects of human fulfillment.[16]

Regarding the first reason, I should reiterate that rights of conscience are also very important. It is one thing to make somebody do what they do not want to do, and entirely another

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[15] I will have more to say about the relevance of recognizing the good of religion conditionally in the second chapter.

[16] See Christopher Tollefsen, "Conscience, Religion, and the State," 105-111.

to make them do something that they are morally opposed to doing. The first restriction on liberty is an inconvenience and is even sometimes harmful to the person's well-being, but the second sort of restriction forces the person to act against his or her own personal integrity (or authenticity): it is a direct harm to the person's moral well-being. This is serious enough, but explicitly adding harm to religion only compounds and enhances the problem, as it involves not only damage to one's relationship with oneself but also directly damages the relationship one has with one's transcendent source.[17]

As for the second reason listed above, there are times when burdens are placed on someone's pursuit of the good of religion without forcing the person to act against conscience. For instance, a law that prevents people from going to Church would not force religious believers to act against their conscience if, according to their religious beliefs, such a law excuses them from their obligation.[18] But even if this were the case, the law would nonetheless place heavy burden on their pursuit of religion. Presumably, many religious believers do not go to religious services simply to satisfy an obligation, but also because it is an act that they believe improves the harmony they have with their transcendent source.

Someone might object that the law can make the protection of conscience sufficiently broad so that it not only protects people from having to act against their consciences, but also to follow, within reason, the positive commands of their conscience. Or else, someone might argue that such positive practice can be defended as falling under other basic liberties, such as freedom of association.[19] The problem here is that none of these rights are treated as absolute in practice,

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17 See Melissa Moschella, "Beyond Equal Liberty: Religion as a Distinct Human Good and the Implications for Religious Freedom," *Journal of Law and Religion* 32, no. 1 (2017): 123-46, at 137.

18 Example taken from ibid., 138, n. 58.

19 See Eisgruber and Sager, *Religious Freedom and the Constitution*, 63.

and they should not be, because sometimes demands of the public good give proportionate reasons to justify burdening such pursuits. While the same is true with religion, if religion is not given a special protection, which I will argue it deserves, then it will be undervalued in such considerations by treating it at the same level, and of the same basic nature, as these other pursuits. I will argue in the chapters that follow that religious pursuits are unique and deserving of such special status.

These brief comments will have to do as a preliminary response. I will have more to say about this issue in the fourth chapter.

Natural Law Response: Religion as a Basic Human Good

Several scholars working within the tradition of natural law have argued that religion is a unique and basic good that is a constitutive element of human well-being. They argue, moreover, that since freedom is crucial for achieving this good, it would be unfair to burden someone's freedom in this area without a very good reason.[20] For such thinkers, the proper defense of special protection for religious freedom has its basis in the good of religion itself, defining it broadly in the same or similar senses to how I defined it above: harmony with the transcendent source of existence, or of meaning and value.

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[20] See, for instance: John Finnis, "Does Free Exercise of Religion Deserve Constitutional Mention?" *American Journal of Jurisprudence* 54, no. 1 (2009): 41-66; Christopher Tollefsen, "Religion and the State" *American Journal of Jurisprudence* 54, no. 1 (2009): 93-115; V. Bradley Lewis, "Religious Freedom, the Good of Religion, and the Common Good: The Challenges of Pluralism, Privilege, and the Contraceptive Mandate." *Oxford Journal of Law and Religion* 2.1 (April 2013): 25-49; Moschella, "Beyond Equal Liberty"; Germain Grisez, "Natural Law, God, Religion, and Human Fulfillment," *American Journal of Jurisprudence* 46 (2001): 1-36; Joseph Boyle, "The Place of Religion in the Practical Reasoning of Individuals and Groups." *American Journal of Jurisprudence*. 43 (1998): 1-24. See also, Mark Murphy, *Natural Law and Practical Rationality* (Cambridge: Cambridge University Press, 2001), 131-33; Robert George, *Conscience and Its Enemies: Confronting the Dogmas of Liberal Secularism* (Wilmington, DE: ISI Books, 2016), especially 120-30.

Such a defense of special legal protection for religious freedom based on the good of religion involves various considerations. First, one would have to consider what is meant by basic human goods. What is distinctive about these goods? How are they known? How do they relate to human well-being or fulfillment, i.e. the "good life"? Secondly, one might ask whether religion is truly one of these basic human goods. Does a rational grasp of such a good admit of degrees? Must one believe in a transcendent source of existence in order to acknowledge religion as good? These are questions I will have to address in the following chapters.

But what if a person recognizes the allure of religion, recognizes its hypothetical goodness, but considers its actual pursuit as almost inherently unreasonable? Surely, this is the reason some people do not pursue it, or even respect its pursuit by others. For instance, Brian Leiter claims in the preface to the paperback edition of *Why Tolerate Religion?* that if God exists, or if that claim were reasonable, then his argument against special protection for religion would fail.[21] However, he considers such claims to be baseless. Later in that same work, Leiter argues that a reason for not respecting religious beliefs is that they are, in his mind, "culpably false belief."[22] Leiter makes explicit what is likely an implicit assumption of many of those who argue against special legal protection for religious practice. This was the situation alluded to several years earlier by John Finnis, who stated that arguments for religious freedom go nowhere if it is presumed that religious beliefs are by their very nature opposed to reason.[23]

But even if one acknowledges religion as a good and does not consider its pursuit unreasonable, what does that have to do with religious freedom? What role does freedom play in

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21 Leiter, *Why Tolerate Religion?*, xii.

22 Ibid, 77.

23 John Finnis, "Religion and State: Some Main Issues and Sources." *American Journal of Jurisprudence* 51 (2006): 107-30, at 111.

pursuit of this good? Why is it so harmful to limit religious freedom, when religious persons might presumably be able to find other ways to achieve this good? After all, in addition to the above-mentioned criticisms of religion having special protection under law, there are opponents to religious freedom who do not deny the significance of religion as a basic human good and important aspect of the good life. In fact, there are even critics of religious freedom who consider coercion justified precisely for the sake of the good of religion. I will thus have to respond to such objections, clarifying in the process the relationship between religious freedom and the good of religion.

Overview

To address the relevant considerations concerning religion that are outlined above, I will divide my treatment of this topic into four chapters. In the first chapter, I will introduce the reader to what some in the natural law tradition mean by basic human goods, and I will distinguish such goods from both instrumental goods and apparent goods. In doing so, I will not only elucidate the nature of these basic human goods, but I will also explain how they are known.

In the second chapter I will turn my attention specifically to religion as a basic human good. I will argue not only that religion is a basic human good, and a significant aspect of human well-being, but also that it has a unique status among fundamental human goods, precisely in its architectonic role in relation to the other goods. This chapter will also include analysis of various understandings of the nature of the transcendent source of existence as well as various purported possibilities for harmony with this reality. Along the way, I will identify and examine various existential contexts that provide data for the practical insight that religion is a basic and constitutive aspect of human well-being. I will then respond to some common objections against

religion: e.g. that it promotes or gives rise to fanaticism, or that it is exclusionary. I will close the chapter by highlighting some significant findings of social science regarding religion and its relationship with subjective well-being.

In the third chapter, I will respond to the claim that religious belief, especially religious belief that involves claims of divine revelation, is inherently unreasonable. To carry out this task, I will introduce the reader to three different lines of defense of religious belief. It is not my intention here to convert the non-religious reader to religious belief, or even to present an original contribution to the debate. Instead, it is my purpose to foster what Gadamer calls a "fusion of horizons"[24] with those who are suspicious of the reasonability of religious belief. Achieving such a fusion does not necessarily entail agreement, but it often can lead to greater respect for the rationality of another's perspective.

In the fourth chapter, I will consider the relationship between freedom and the good of religion. I will begin with a consideration of existential freedom (free will), which is a presupposition of what follows. I then will consider the importance of social-political freedom for the pursuit of religion and argue that the unique nature of religion among basic goods warrants special protection of social-political freedom in its pursuit. My analysis in this chapter will extend to examining the relevant elements considered when discerning fairness in both private and political acts. Finally, although social-political freedom is not absolute, I will argue it is a demand of justice that should be taken very seriously, especially as regards matters of conscience or religious pursuit. Finally, I will respond in this chapter to various objections to special protection of religious freedom.

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[24] Hans-Georg Gadamer, *Truth and Method*, trans. W. Glen Doepel, eds. John Cumming and Garrett Barden (London: Bloomsbury Academic, 2013 [1975]), 301.

Many elements go into discernment about the fairness of our actions both as regards individual and communal matters. As regards political and social affairs it sometimes happens that there is a legitimate public good that is sought and necessitates limiting the freedom of others. The discernment of fairness involved in such decisions is complex. This is something I will address in the first chapter and again in the fourth chapter as it applies specifically to the issue of religious freedom. The content of the following chapters—basic human goods, religion as a basic good, the rationality of religion, and the relationship between freedom and religion—is aimed at providing the correct data for such discernment into the fairness of individual or political action that involves matters of religious freedom. This is no small matter. Respect for religious freedom is essential to a just public order, and instrumental to a peaceful one.

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Basic Human Goods

In this chapter I shall discuss the idea of basic or fundamental human goods. The reader might be familiar with this concept and the role it has played in contemporary natural law theory. Or this may be the reader's first acquaintance with it. In any case, a brief treatment of basic goods will serve as a foundation for discussing the good of religion in the next chapter. Before beginning my analysis of such goods, there are some claims that I would like to defend about methodology in ethics and the role that happiness plays in it. This methodological discussion will provide clarity about the context in which the importance of basic goods is recognized, and it will lead into a treatment of the nature of these goods and the role that they play in practical reasoning.

Philosophical Ethics: Reflective or Merely Instrumental?

Some ethicists in the past and present have reduced practical rationality to mere instrumental reason, the prerogative of which is to find the right means for achieving the goals or preferences set by our desires, or perhaps to simply maximize pleasure. For instance, David Hume famously states "reason is, and ought only to be the slave of the passions, and can never pretend to any other office than to serve and obey them."[1] What these perspectives leave out is any role for rational insight into or reflection upon the ends themselves or any questioning about what ends are truly fulfilling; that is, such ethical systems do not bring to the level of ethical

[1] David Hume, *Treatise of Human Nature*, bk. II, pt. 3, sec. 3, ed. L.A. Selby-Bigge, rev. P.H. Nidditch (Oxford: Clarendon Press, 1975), 415. Preference utilitarianism is a clear contemporary example: for an example of this system, see Peter Singer, *Practical Ethics*, 3rd edition (New York: Cambridge University Press, 2011). However, even deontology generally leaves out reflection upon ends other than duty.

reflection consideration of what ends provide some real, and not merely apparent, benefit for the persons who seek them. Aristotle describes practical truth as "truth in agreement with right desire,"[2] but it is not uncommon for ethicists to avoid deep reflection upon what precisely constitutes desire that is *right*.

The insufficiency of such instrumental accounts of practical reasoning becomes apparent when considering the classic *Twilight Zone* episode "A Nice Place to Visit."[3] In that episode, the narrator introduces us to the character Rocky Valentine, a bank robber who blames his unhappiness on his lack of good fortune. At the beginning of the episode, Rocky dies and is taken to some sort of afterlife. There he gets everything he ever wanted: limitless sex, money, and material prosperity. Although he gets everything he ever wanted, he progressively becomes more and more miserable. The problem, it turns out, was not that he could not achieve his ends; rather, it was that he valued the wrong ends all along. What he thought was heaven turned out to be the opposite. Unfortunately, Rocky would have found little help from the above-mentioned ethical systems that reduce practical reason—and ethics for that matter—to calculative reasoning directed at means. What is also needed is reflection on what would constitute the right ends.

Happiness or Fulfillment

Ethical reflection about ends leads us to a consideration of happiness and the role it should play in ethics. A problem arises, however, due to ambiguity in the word 'happiness' itself. Sometimes it is the case that people can talk past one another when discussing this concept. Often enough, when one hears the word happiness, one is likely to think of a subjective state of

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[2] Aristotle, *Nicomachean Ethics*, bk. VI, ch. 2, 1139 a 30, trans. David Ross, rev. Leslie Brown (Oxford: Oxford University Press, 2009 [1980]) p. 103. Hereafter, the *Nicomachean Ethics* will be abbreviated as *NE*.

[3] *The Twilight Zone*, "A Nice Place to Visit." Directed by John Brahm. Written by Charles Beaumont. CBS. April 15, 1960.

joy or peace. Understanding happiness in this way, some have questioned whether it is truly the most important goal in life: someone might say that they would prefer meaning to happiness, or perhaps they would prefer a life lived morally. But this subjective sense is not the only way that happiness can be understood. For instance, there are those who are accustomed to using the word happiness as a translation of Aristotle's *eudaimonia* or Aquinas's *beatitudo*.[4] These philosophers use these terms to refer to the ultimate concern of human beings, their ultimate end, perfection, or fulfillment. Thus, Aristotle takes it as something obvious and without need of defense to say that all people desire *eudaimonia*.[5] At least it needs no defense until one describes its content. But prior to consideration of its content, taken in this more general sense, it does not make sense to contrast happiness with something like meaning or a life lived morally: rather, one could say that there is no true happiness without meaning, or that living morally is an essential part of happiness.

More controversial than the idea that all people desire happiness (or fulfillment) is the question concerning the actual content of that happiness. The two thinkers I mentioned, Aristotle and Thomas, do not share the exact same views in this regard, but there is much that they do share. Without getting into exegetical disputes, I gather that they both believe that happiness is comprised of certain objective goods along with subjective satisfaction that arises from those goods. Neither thinker produces an exhaustive list of these goods, but they do mention some. For

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[4] For Aquinas the beatitude that corresponds to a philosophical ethics like that of Aristotle is an imperfect beatitude, whereas perfect beatitude is only possible in the life to come. See Thomas Aquinas, *Summa Theologiae* (hereafter, *ST*), I-II, q. 5, a.5, corp. See also, John Finnis, *Aquinas* (Oxford: Oxford University Press, 1998), 105–110.

[5] Aristotle, *NE*, bk. 1, ch. 4. See Julia Annas, *The Morality of Happiness* (New York: Oxford University Press, 1993), 43–6.

instance, both consider friendship and knowledge to be objective goods and aspects of a happy life; both believe that a happy life will be lived according to virtue; and so on.[6]

To highlight the objective side of happiness is not to disparage subjective joy, as one might call it. But, if we look closely, we see that any subjective feelings that are truly intrinsic to a good life are the result of participating in something objectively good. If a tyrant gets joy out of bombing a village, we would not say he is living the good life in his own way—it is improbable his mother would be content that her son was at least happy; that joy does not make his action better, in fact most would say it makes it worse. Admittedly, such a tyrant's joy would likely be short-lived and anxiety-ridden, but even if it were a lasting feeling, we would not, or at least should not, envy him. Augustine was aware of such objective considerations when he qualified happiness as "joy in the *truth*" (italics mine).[7]

To make a similar point, John Finnis likes to highlight a thought-experiment devised by Robert Nozick.[8] In this thought-experiment one is asked whether one would like to spend one's life, either for a couple years or indefinitely, hooked up to a machine that will simulate pleasant experiences and all the joys that come from them.[9] Hooked up to this machine, one would play no real active role in such experiences: it would be completely passive.

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[6] See Thomas, *ST*, I-II, q. 94, aa. 2-3, where Thomas lists life, fellowship, the begetting and raising of children, knowledge of God, acting according to reason (virtue), and so on. See *ST* I-II, q. 3, a. 2 in which Thomas agrees with Aristotle that (imperfect) happiness consists in activity that accords with virtue.

See Aristotle, *NE*, bks. I-II, VIII-X. In books I and II, Aristotle will say, among other things, that happiness is an activity in accordance with reason, in book VI he will discuss intellectual virtues such as knowledge, understanding, and wisdom, which he sees as good in themselves, and in books VIII-X he will also discuss the goods of friendship and theoretical contemplation of the truth.

[7] Augustine of Hippo, *The Confessions*, bk. 10, ch. 23, trans. John K. Ryan (New York: Doubleday, 1960), 251–2.

[8] See John Finnis, *Natural Law & Natural Right*, 2nd edition (Oxford: Oxford University Press, 2011 [1980]), 95ff. Hereafter, all citations of this book will be of this second edition.

[9] Robert Nozick, *Anarchy, State, and Utopia* (Oxford: Basil Blackwell, 1974), 42–5.

In my mind, many would reject spending the rest of their lives in such a condition, even if some might agree to do it for a short while. Why is that? I suppose one reason we intuit it as undesirable is because it would be meaningless. Consider an easy candidate for something that we take to be meaningful, friendship. In the above scenario, we would be all alone with no one to commune with and no one to share the experience. Sure, there would be simulations of other people, but one cannot have personal friendships when there is no one with self-consciousness behind the appearances. Moreover, there would be nothing in the scenario we could consider our own accomplishment, whether it be our contribution to friendship, the development of skill, the attainment of knowledge, or the formation of our own character.[10] Surely, being responsible for our own development gives some meaning to our lives.[11] And as Nozick states, the machine would provide no experience beyond human artifice, no deeper, inexhaustible mystery.[12]

What about meaning? Is it part of what we seek in happiness? It seems so, but I think this should be qualified. Meaning does not seem to be something sought as distinct from meaningful goods like those mentioned above. That is, there is meaning in participating in and achieving real goods: e.g. knowledge, friendship, moral character. One way of wording it is to say that authentic meaning is supervenient upon participation in these goods. Consider the harm caused when someone, out of a desire for meaning, is a partisan to a totalitarian regime or an oppressive cult. Or consider the meaning the cult leader gets out of his own self-delusion as 'savior' of his people. In these cases, we would not qualify as good the subjective sense of meaning that these people experience. Of course, one might say that the lifestyles these people live are not truly

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[10] Nozick, *Anarchy, State, and Utopia*, 43. Nozick refers to two distinct reasons, that we would not be able to act and that we would not be able to form our own character.

[11] Consider how much more meaningful it is to work hard to excel at a sport than it is to win at a game of pure chance.

[12] Ibid.

meaningful, even if they take them to be so. I see no reason to deny this, but it also concedes the point that true meaningfulness derives from the goods themselves, e.g. friendship.

To examine this point further, let us consider Nozick's thought experiment again. Here I shall mention an additional detail of the scenario. In Nozick's presentation he adds that even though one would have no active control over anything in the machine, while connected to the machine it would appear as though one was really in control. After making the choice to enter the machine, one would forget that it was only an appearance of control, even if in truth the whole experience were passive. Would we allow ourselves to be so deceived? This is not unlike the reality of everyday self-deception. It also resembles the choice of the character Cypher on *The Matrix*: he asks for his memories of the truth to be erased when he enters back into the Matrix so that he can fully enjoy the experience (and presumably also forget that he betrayed his friends to get there). Perhaps he wants an *experience* of meaningful life even if it is not objectively the case: hence, his paradoxical desire to be deceived.[13] In other words, Cypher has given up.

If happiness cannot be reduced to a feeling, and if the meaning in life we desire depends upon real goods, then we might now ask: what are these meaningful goods that make up happiness or fulfillment?

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[13] If taken literally, the Matrix is different from the experience machine because it is a context in which persons interact, albeit through simulated facsimiles, and presumably it is also a context in which they can make choices that have consequences, and in which they can form their character. Taken as a metaphor, however, it is a useful reference for points like that I am trying to make: the Matrix represents an illusory world, like Plato's cave, and the characters in the story must choose whether or not the truth matters more to them than the feeling or comfort that they get from a simulated reality.

BASIC HUMAN GOODS

One place to begin a consideration of the goods that comprise happiness is a key text in the history of natural law theory, situated in the first part of the second part (*prima secundae*) of Thomas Aquinas's *Summa Theologiae*. In this text, Thomas presents his account of the natural law. The first precept of this law, Thomas states, is "good is to be done, bad is to be avoided."[14] The line of interpretation of this text that I would like to introduce identifies this precept as a practical directive that is in the background of all our practical reasoning.[15] For example, when I go about my day, when I deliberate, when I make choices, I am living out the directive that good is to be done and bad to be avoided. According to this perspective, good and bad here are not to be taken as (fully) moral categories: a vicious person is still operating according to this principle in some imperfect way even when doing what is morally wrong[16]; that is to say, such a person is still acting for (at least apparent) goods, and avoiding what is (at least apparently) bad. The difference in the case of the person acting immorally is that such a person is not acting in a way that is fully reasonable, either because such a person is seeking only an apparent good, or because he or she is seeking genuine goods in an unreasonable way.

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[14] *ST* I-II, q. 94, 2: "bonum est faciendum et prosequendum, et malum vitandum" (Leon.7.170 [this notation provides the volume and page number from the Leonine Edition of Thomas's *Opera Omnia*]).

[15] The philosophical arguments that I present stand or fall on their own merit as philosophical arguments independently of the question of their exegetical accuracy. For what it is worth, I believe, at least in its essential elements, that this is an accurate exegetical interpretation.

For those interested in a more thorough defense of this exegesis, see Germain Grisez, "The First Principle of Practical Reason: A Commentary on the *Summa Theologiae*, 1-2, Question 94, Article 2," *Natural Law Forum* 10 (1965): 168–201; see also Finnis, *Aquinas*, 79–102. For a critique of this interpretation, see Michael Pakaluk, "Is the New Natural Law Thomistic?" *National Catholic Bioethics Quarterly* 10, 1 (Spring 2013): 57–67; and for a response to this critique, see E. Christian Brugger, "St. Thomas's Natural Law Theory," *National Catholic Bioethics Quarterly* 19.2 (Summer 2019): 181–202.

[16] See *ST* I-II, q. 100, a.1, c.: "Each judgement of practical reason proceeds from some naturally known principle" ("omne iudicium rationis practicae procedit ex quibusdam principiis naturaliter cognitis" [Leon.7.206]). See also John Finnis, *Aquinas*, 86ff.

It is precisely in this context that Thomas refers to what I will call, based on a convention of natural law thinkers, basic or fundamental human goods.[17] These basic goods serve in the practical order as first principles. They are the rational motivations—Thomas calls them the objects of our natural inclination[18]—that are the ultimate grounds for rational action.[19] In the last fifty years, inspired by the work of Germain Grisez, John Finnis, and Joseph Boyle, various natural law thinkers have attempted to provide lists of these basic goods. The criterion for being basic or fundamental is that the goods be the ultimate intelligible motivation for human actions and, therefore, that they are not always merely instrumental to other goods. As ultimate rational motivations, such goods can intelligibly be sought for their own sake, even if sometimes they are sought for the sake of other real or apparent goods (e.g. knowledge can be sought in itself, or it can be sought for the sake carrying out one's tasks at work).

The following is an example of a list of basic goods that was proposed by a prominent contemporary natural law theorist, John Finnis: 1) Knowledge (including Aesthetic Appreciation); 2) Skillful Performance (in work and play); 3) Bodily Life (including health, vitality, safety); 4) Friendship [taken in a general sense to include not only close friendships, but also community and even remote relationships of good will and respect]; 5) Marriage [which involves the bond of marriage, the sexual act, and parenthood]; 6) Practical Reasonableness

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[17] Certain contemporary Thomistic ethicists follow Thomas's own terminology more exactly and refer to basic goods instead as the 'ends of the virtues.' See Martin Rhonheimer, "Practical Reason, Human Nature, and the Epistemology of Ethics. John Finnis's Contribution to the Rediscovery of Aristotelian Ethical Methodology in Aquinas's Moral Philosophy: A Personal Account," *Villanova Law Review* 57 (2012): 873–887, at 877.

[18] A plausible and, I think, more philosophically satisfying interpretation of this phrase holds that Thomas is referring to objects specifically of the will, that is, rational inclinations. On this point, see Stephen L. Brock, "Natural Inclination and the Intelligibility of the Good in Thomistic Natural Law," *Vera Lex* 6 (2005): 57–78.

[19] See *ST* I-II, q. 94, a. 2: "Since the good truly has the nature of an end, and thus evil that of its opposite, then it is the case that reason naturally apprehends as goods, and consequently to be pursued, all those things to which the human being has a natural inclination, and the contraries of these [reason apprehends] as evils and to be avoided" ("Quia vero bonum habet rationem finis, malum autem rationem contrarii, inde est quod omnia illa ad quae homo habet naturalem inclinationem, ratio naturaliter apprehendit ut bona, et per consequens ut opere prosequenda, et contraria eorum ut mala et vitanda" [Leon.7.170]).

(including inner integrity and external authenticity)[20]; 7) Religion (harmony with the ultimate reality).[21] Borrowing a distinction made by Germain Grisez, we can divide this list into goods that are 'substantive' and those that are 'reflexive' (or 'existential').[22] The goods listed above of knowledge, skillful performance, and bodily life would qualify as substantive goods because one can participate in them independently of choice. For instance, a small child participates in life prior to making any choices, and one might even participate in knowledge and skillful play to some extent without these being objects of deliberate choice. It is also noteworthy, that even when such goods are the object of choice, they require action that is at least somewhat successful in its execution. For example, it is not enough that I act well in my pursuit of knowledge: to achieve knowledge, I must know something. By contrast, one participates in the reflexive goods

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[20] There is debate among those who work within the Grisez-Boyle-Finnis paradigm of natural law whether practical reasonableness, understood as virtue, is a distinct basic good. I will briefly discuss this complex issue when I treat of this good more in-depth below. Sometimes I might speak of 'personal integrity' to refer more generally to the full moral integration of a person's character, and this integration would involve both the goods of inner integrity (consistency between one's feelings and one's rational judgments), and external authenticity (consistency between one's rational judgments and one's external behavior and speech).

[21] John Finnis, *Natural Law and Natural Right*, 448. The biggest difference between this updated list that Finnis affirms in the post-script of the second edition and the list from the first edition of this book is the inclusion of the good of marriage, which in the first edition was considered reducible to the goods of life (procreation), and that of friendship. There are variations in the lists of thinkers closely associated with the system of Grisez-Boyle-Finnis, but below I include the lists of thinkers who are not as closely associated with this system but still work within a paradigm of basic goods.

See Mark C. Murphy, *Natural Law and Practical Rationality* (Cambridge, Cambridge University Press, 2001), 101–35; there Murphy's list goes as follows: 1) Life; 2) Knowledge; 3) Aesthetic Experience; 4) Excellence in Play and Work; 5) Excellence in Agency; 6) Inner Peace; 7) Friendship and Community; 8) Religion; 9) Happiness.

Murphy includes happiness, but it should be noted that by not including happiness as a basic good the other thinkers who have compiled these lists do not mean to deny that happiness is something that is rationally sought; instead, they exclude it from the list because it is identical with what is sought in and through participation in the basic goods.

See also David S. Oderberg, *Moral Theory: A Non-Consequentialist Approach* (Oxford: Blackwell Publishers, 2000), 41–4, where his list of basic goods is: 1) life; 2) knowledge; 3) work and play; 4) friendship/sociality; 5) appreciation of beauty; and 6) religion.

See also, Alfonso Gómez-Lobo, *Morality and the Human Goods* (Washington, D.C.: Georgetown University Press, 2002), 10–25; where his list of basic goods is: 1) Life; 2) Family; 3) Friendship; 4) Work and Play; 5) Experience of Beauty; 6) Knowledge (practical and theoretical); 7) Integrity.

[22] Germain Grisez, *Way of the Lord Jesus*, Vol. 1, p. 132.

listed above—friendship, practical reasonableness, religion, and marriage[23]—primarily through choices themselves, even sometimes when such choices are unsuccessful in fulfilling their ends. For instance, a mistaken choice made for a good intention can still contribute to a friendship. Nonetheless, effective action contributes to greater participation in such goods.[24]

Is Pleasure a Basic Good?

Another criterion to be met for something to qualify as a basic good is one to which I have already alluded, namely, that the purported good be true and not merely apparent. That is, a true good confers real benefit on the person who participates in it: it can serve as an aspect of someone's happiness, fulfillment or perfection. That is why the pleasure that a drug addict continually seeks, and then feels enslaved by, would not qualify as a basic good; and, since the pleasures that qualify as good are always supervenient upon other goods, pleasure is not included among the basic goods.[25] One might say that even though pleasure can be a basic motivation for action, it is not a rational motivation for action if it is not in some way connected with a basic good. The pursuit of pleasure divorced from basic goods might in some cases be relatively harmless, but at bare minimum such pursuits have a marginal disintegrating effect (see below), and also have an opportunity cost because they distract from genuinely fulfilling goods; and at worst they can be the source of harmful habits or addictions that significantly impede our pursuit of fulfilling goods.

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[23] Insofar as marriage includes both a covenant and sexual activity, it is regarded by those who make use of this distinction as a sort of hybrid good that is both substantive and reflexive: Germain Grisez, "Natural Law, God, Religion, and Human Fulfillment," *American Journal of Jurisprudence* 46 (2001): 3–36, at 8.

[24] Ibid. Cf. Aristotle, *NE*, bk. 8, ch. 13, 1163 a 21-4, p. 161: "In friendships based on *virtue* [...] complaints do not arise, but the purpose of the doer is a sort of measure, for in purpose lies the essential element of virtue and character."

[25] Gómez-Lobo explains why freedom is not listed as a basic human good, pointing out its instrumental and conditional value: *Morality and the Human Goods*, 27–8. Below, I discuss the very important but still instrumental value of autonomy, both that of the individual and that of various levels of association.

However, this point must be analyzed carefully. For instance, one might say that one watches baseball games after work to get some pleasure out of it, and there is obviously nothing wrong with this. But are basic goods really absent from this activity? I would argue that they are present. For instance, the good of aesthetic appreciation is likely involved. Appreciating beauty is not simply appreciating natural landscapes, paintings, music, and so on. It should also include appreciation of the beauty inherent to anything good, in this case the good of skillful performance: one can appreciate the performance of the baseball team, its players and, these days, even its General Manager. Such an activity can also contribute to health insofar as it is relaxing and allows one to recuperate one's mental or physical energy. Moreover, insofar as it is a shared experience, it can contribute to the good of friendship.

What about the practice of riding a roller-coaster? To evaluate cases like these, it is sometimes necessary to look beyond the clearly grasped end of the moment and consider the ends that are implicit in our general appraisal of the activity. The person who decides to ride a rollercoaster might just be thinking he or she is going because it will be fun. But often implicit in such decisions is a habitual evaluation that such fun experiences in moderation are conducive to our health and inner peace. They allow us to wind down, to avoid burnout. So long as such activities contribute to legitimate goods, we do not find any reason to challenge them. In these cases, the basic goods are in the background of our awareness: we only notice an issue when the activities no longer seem conducive to the goods mentioned above. If such activities are overdone, we might get a sense of wasting our life away. And like baseball games, they can also contribute to friendship in the form of quality time spent with friends.

By contrast, other thrills might just be too reckless, addictive, or harmful to be reasonable, and we will often recognize this and develop negative assessments of them. Robert

George and Patrick Lee argue that exclusive pursuit of pleasure divorced from activity related to basic goods is intrinsically opposed to the good of self-integration (an aspect of the basic good of practical reasonableness) because in doing so one makes one's own body a mere extrinsic instrument to one's conscious experience.[26] For example, when someone drinks amongst friends to enhance a social experience, body and mind are integrated in relation to a basic good, friendship.[27] On the other hand, if one shoots heroin only to produce an intense feeling, one is merely using one's body as an extrinsic means, disintegrating our bodily self from our conscience experience. Moreover, hijacking our own bodies like this impedes our pursuit of other real benefits due to its addictive nature, because it draws us into a trap of unnecessary and insatiable desire-satisfaction (e.g. the phenomenon of "chasing the dragon") that competes with, and impedes, activity aimed at real and fulfilling goods.

How Are Basic Human Goods Known?

Before exploring more in-depth the basic human goods, I would like to briefly consider how they are known. In order to identify such basic goods, we might consider our own choices and ask ourselves, like small children like to ask, 'why?'. Often the answer we uncover from such questioning can be reduced to something else. For instance, I might answer the question of why I chose to get a job with the response 'to make money'. But why do I want money? Well, I want money because I can then pay for things. Why do I want to pay for things? Well, because I have wants or needs. What are those wants or needs? Well food, for one, shelter, and so on. Why do I want food? Health primarily, but also for the peace of mind of not being hungry. Why do I want health? Because I value my health: my health is something worth pursuing for its own sake.

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[26] Robert George and Patrick Lee, *Body-Self Dualism in Contemporary Ethics and Politics* (New York: Cambridge University Press, 2009), 95–117, at 117.

[27] Ibid.

Health alone would be a sufficient explanation for making my action intelligible, even if it is also instrumental for engaging in other meaningful activities.

As basic, such goods are not epistemologically—which refers to the order of knowledge rather than being—derivable from something more fundamental. That is, we grasp them through a direct insight into our practical experience. The fact that such goods are perfective of human beings is ontologically/metaphysically based in human nature, but these same goods are not first known from a metaphysical analysis of that same nature. They are first known as grasped from a first-personal practical perspective, and it is on the basis of this first-personal perspective that they influence our understanding of human nature.[28] Thomas Aquinas says they are *per se nota* ("known-through-themselves"), which we can translate as self-evident. However, when I use this expression 'self-evident', I do not mean that everyone explicitly acknowledges such principles, or that they are never under any sort of dispute.[29] For Thomas, to refer to something as *per se notum* or self-evident means that it is something known while not being logically deduced from anything more basic. To call such principles self-evident does not mean that no one can ever doubt them, or cannot doubt that they are self-evident, or cannot doubt that they are basic.[30]

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[28] See Finnis, *Natural Law and Natural Right*, 416. See also Finnis, *Aquinas*, 29: "Nothing is more basic to Aquinas' idea of theory, science, or understanding in general than the following epistemological principle (strategy for getting knowledge): 'the *nature* of *X* is understood by understanding *X*'s *capacities* or capabilities, those capacities or capabilities are understood by understanding their activations or *acts*, and those activations or acts are understood by understanding their *objects*'." Finnis cites as the source of this principle Aristotle, *De Anima*, bk. 2, ch. 4, 415 a 16–22. This perspective of the epistemological priority of a first-personal perspective for matters of practical reason—along with an ontological priority of human nature—is common to all those associated with the Grisez-Boyle-Finnis paradigm of natural law, and it is also a perspective shared by thinkers outside this specific paradigm in Europe by Thomist ethicists such as Martin Rhonheimer, Angel Rodríguez Luño, and Giuseppe Abbà. It was also in its general outlines the perspective of Jacques Maritain—see *An Introduction to the Basic Problems of Moral Philosophy*, trans. Cornelia N. Borgerhoff (Albany, NY: Magi Books, 1990 [1950])—and Wolfgang Kluxen—*Philosophische Ethik bei Thomas von Aquin* (Mainz: Matthias-Grünewald-Verlag, 1964).

[29] See Russell Hittinger, *A Critique of the New Natural Law Theory*, 38.

[30] See the clarification for what is meant by saying the basic goods are known self-evidently in Robert George, "Recent Criticism of Natural Law Theory" in *In Defense of Natural Law* (Oxford: Clarendon Press, 1999), 31–82, at 61ff. This article was originally published in *The University of Chicago Law Review*, 55 (Fall, 1988), 1371–1429.

We can see a case of something known self-evidently with the principle of non-contradiction: that something cannot both be and not-be at the same time and in the same respect. This principle is presupposed in all our (valid) reasoning, even if it never serves as an explicit premise in that reasoning. It certainly cannot be demonstrated, because all demonstrations presuppose it. Some philosophers have tried to call it into doubt, but any attempt to call it into question—in a way that is not arbitrary—presupposes it. Thus, although this principle cannot be strictly demonstrated, to deny it leads to absurdity. Such a *reductio ad absurdum* argument can be useful for defending such non-demonstrative, yet self-evident knowledge.

With philosophical concepts that require introspection and reflection, this process can be more difficult, but it is a similar process insofar as it also involves insight based on the data of experience. Consider the concept in phenomenology of intentionality. The concept of intentionality refers to a quality of our conscious acts, that they are about, or of, something: they have "about-ness" or "of-ness."[31] That is to say, we never just think without thinking about something, e.g. we think *about* what would constitute self-evident knowledge. Recognition of this quality of our conscious acts is not reached by any deduction from something more basic; rather, it is grasped in an immediate way through a direct insight into the data of experience.[32] Once the appropriate conceptual tool is used to describe the phenomenon—a concept that is grasped in the word used to convey it—then it can be 'seen' as evident-in-itself that our

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[31] On intentionality see, Charles Siewert, "Consciousness and Intentionality," *The Stanford Encyclopedia of Philosophy* (Spring 2017 Edition), Edward N. Zalta (ed.), https://plato.stanford.edu/archives/spr2017/entries/consciousness-intentionality

[32] Cf. Bernard Lonergan, *Insight,* 5th ed., revised and augmented, eds. Frederick E. Crowe and Robert M. Doran in *Collected Works of Bernard Lonergan: The Robert Mollot Collection,* Vol. 3 (Toronto: University of Toronto Press, 2013), 31ff.

conscious acts possess this property of intentionality. As with the other cases of insight, this does not mean no one could question or doubt it.

Finally, another example can be drawn from one of the most well-known arguments in the history of philosophy. There is an old debate whether "I think, therefore I am" is a logical inference, an intuition, or both.[33] Whether or not Descartes's argument involves any logical deduction, it seems that his point ultimately depends upon insight. If I think/doubt, then I act; if I act, then I exist. The basic insight into the connection between action and existence is not a logical inference, yet this connection is evident to one who grasps it. What I mean is that grasping the necessary connection between act and existence is not a logical deduction like when one deduces that the bachelor is unmarried. But still I grasp the connection between my act, which is evident to me, and my existence. It is an insight into the nature of the realities signified by the words.[34]

I take it that the acts of insight involved in these examples are not entirely unlike the insight involved in coming to know the basic goods, although the latter are insights of a practical nature (what is to be done) rather than insights of a theoretical nature (what is the case and why). When we are small children we are drawn to act in certain ways, we achieve certain ends, we recognize in the achievement of those ends a certain benefit—often by interpreting our feelings—and we eventually identify such ends as rational goods, as at least implicit reasons for

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[33] For a summary of the debate, see the sub-heading "The *Cogito* and Doubt" of the following encyclopedia article, Lex Newman, "Descartes' Epistemology", The Stanford Encyclopedia of Philosophy (Spring 2019 Edition), Edward N. Zalta (ed.), URL = <https://plato.stanford.edu/archives/spr2019/entries/descartes-epistemology/>.

[34] The basic datum for our recognition of an existent is that its act either interacts with us or with something else that interacts with us, or so on. Taking the connection between existence and act a step further, Thomas Aquinas insists that exist-ing is itself an act, the first act of anything that exists and what makes it an interacting thing that is knowable in the world. See Thomas Aquinas, *De Potentia,* VII, a. 2, ad 9.

which we act. Through such experiences we develop tacit familiarity with such goods that with reflection can become more articulate.

How is it then that we could ever question or doubt what is self-evident? That is a good question, but it is not a question only applicable to the basic goods. It might be the case that reading about philosophers who deny the existence of selfhood will make us question whether our own existence is self-evident; or perhaps reading about those who deny the principle of non-contradiction will lead us to consider whether they are right. To say that these things are self-evident does not in any way imply that we are incapable of questioning our own judgments concerning them. But, if these are examples of self-evidence as I take them to be, I can verify them by reflecting upon my experience, or by considering the implications of denying them.

Tacit Familiarity and Articulate Understanding of Basic Goods

Although a good like that of friendship is known at some level by all who have reached an age of reason, familiarity with this good admits of degrees. My grasp of the nature of friendship when I was in my teen years was much shallower than it is now. Experience, reflection, reading, and conversation can all contribute to greater tacit familiarity with this good, and can also lead to greater articulate and reflective understanding.

What do I mean by this distinction between tacit familiarity and reflective understanding? By tacit familiarity, I refer to how we are normally aware of such goods in our day-to-day first-personal experience of going about our days, deliberating, and making choices. Implied in our deliberations is a certain unspoken understanding of the goods we seek to achieve. By reflective understanding, I am referring to the more explicit, articulate consideration of these practical realities. The tacit familiarity that different individuals have of a good will admit of degrees. An

old sage's familiarity with the good of friendship will likely be much deeper than that of a teenager. Such a familiarity with the good will be in the background, so to speak, when the sage evaluates a friendship as good or bad, superficial or deep. There is an implicit model or concept in the sage's mind of friendship, and it is through such a model or concept that she evaluates friendships.

However, such a sage may or may not have ever taken much time to articulate what she grasps at a more immediate inarticulate level. By explicitly reflecting on the good of friendship, what was articulable becomes more and more articulated in her mind and then in her speech.[35] It is at this reflective, and thus articulate level, that we carry out philosophical conversations about these matters, and what we gain from such explicit philosophical reflection and conversation (taken broadly) can lead to a greater familiarity with goods like friendship, and this in turn can help us in our first-personal deliberations about what to do here and now.[36]

The Possibility of a Deficient Familiarity and Understanding of Goods

I would now like to briefly consider the classic treatment of friendship in the eighth and ninth books of Aristotle's *Nicomachean Ethics*. There Aristotle presents what he considers to be

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[35] Philosophical reflection is its own skill. Practically wise people who are not philosophically trained might not excel at reflective articulation of what they know tacitly. One could make a sports analogy: one quarterback finds it difficult to articulate to someone else his spontaneous thought process when reading a defense and deciding where to throw the ball. Another quarterback might have a much more articulate understanding of the same thing, and the latter person would likely be a more capable coach or color commentator.

[36] Some authors refer to the standpoint of first-personal deliberation as practical reason in its exercised act, following a medieval distinction between practical reason *in actu exercito* versus the more reflective application of practical reason *in actu signato*. This distinction was utilized by the Dominican Thomist, Thomas de Vio (Cajetan). See, for instance, his commentary of Thomas's *Summa Theologiae*, in *S.T.* I-II, q. 58, a. 5, Comm. (Leon.6.378). For recent authors who have made use of this distinction, see Martin Rhonheimer, *Natural Law and Practical Reason. A Thomist View of Moral Autonomy* (New York: Fordham University Press, 2000), 58–61 (This is a translation of the German text first published in 1987 as *Natur als Grundlage der Moral*); Giuseppe Abbà, *Felicità, vita buona e virtù: Saggio di filosofia morale*, 2nd Expanded Edition, (Rome: Libreria Ateneo Salesiano, 1995), 201–2; Angel Rodríguez Luño, *Cultura política y conciencia cristiana: Ensayos de ética política* (Madrid: Rialp, 2007), 18–26.

a focal or paradigm case of friendship.[37] The paradigm case is that between virtuous persons who have mutual love and admiration, and desire for one another's company. Aristotle contrasts this paradigm case with two deficient forms of friendship, those of pleasure and utility. In either of these two deficient cases, what is loved is not the other friend for the friend's sake but something else that one gets out of the friendship. Presumably there are those, especially young people, who not only have deficient friendships but deficient familiarity with, and *a fortiori* deficient reflective understanding of, the good of friendship.[38]

One who has only known friendships of pleasure or friendships of utility might not know what one is missing. It may be the case that such a person has had only glimpses of better forms of friendship. Those glimpses might be the condition for a greater appreciation and a greater understanding of friendship. Perhaps one reads novels or biographies that involve deep friendships; perhaps one knows people who have such friendships; or perhaps one reads philosophical accounts that inspire one to seek greater friendships. Such 'theoretical' data can make the person aware of new possibilities with respect to the good of friendship. Such awareness can give more "power" to the good as a motive for action.[39]

I have been drawing heavily on the good of friendship for examples. But this insight can also be applied to other goods, such as that of knowledge. I can remember a time in my life in which I became more aware that there were important truths to be known that I would not

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37 Aristotle, *NE*, bk. VIII.

38 Melissa Moschella makes the point that one's understanding of a basic good can be deficient, using for an example the deficient forms of friendship listed by Aristotle, in "*Beyond Equal Liberty*," 128.

39 Germain Grisez, Joseph M. Boyle, and John Finnis, "Practical Principles, Moral Truths, and Ultimate Ends," *American Journal of Jurisprudence* 37 (1987): 99–151, at 109. These authors specifically state that such knowledge gives more "power" to the good of religion, but just before this, they say that speculative (descriptive-theoretical) knowledge allows for greater understanding of the reflexive goods (e.g. friendship, practical reasonableness [including self-integration and authenticity], religion). It is implied that the point about greater understanding giving more "power" to the principle of the good also applies to the other goods. See George, "Recent Criticisms of Natural Law Theory," 73.

discover on the evening news. I came to discover that the good of knowledge was more than simply learning facts, as if the ideal were a large encyclopedia that recorded each fact. Like the prisoner who escaped the cave in Plato's allegory, I found that understanding of causes/principles and knowledge through them is a deeper form of knowledge than mere factual knowledge.[40]

Impediments to Greater Familiarity and Articulate Understanding

Coming to new knowledge about the possibilities of participation each of the basic goods can be simply a matter of experience and education. It might be that when one was younger one was surrounded by 'friends' with whom one did not have very deep friendships. Growing older, one may come to appreciate one's friendships in a new way, coming to know what better friendships are like. For some, there is a first experience of better friendships in the relationships one has with one's parents or siblings. Others are not so fortunate.

The experiences of better friendships might assist us in having a deeper articulate understanding of this basic good. We might also learn from what other people have said. But if we have no experience of any superior friendship and then come across someone speaking about friendship, or read a philosopher analyzing friendship, or a literary account of friendship, we can react to these accounts that are foreign to our own experience in different ways: on one hand, we would likely be curious, intrigued by friendship as they describe it, and grasp the good in it. On

[40] In the cave allegory, such causes were the artifacts casting the shadows, the entities outside the cave that such artifacts mimicked, and ultimately the first principle in the allegory, the sun. Knowing the shadows through their causes, the artifacts, represents a deeper knowledge than the factual knowledge the other prisoners had of the shadows. See Plato, *The Republic*, bk. VII. Understanding of causes/principles and knowledge through them constitute two intellectual virtues for Plato's student, Aristotle: see Aristotle, *NE*, bk. VI. Concerning Aquinas's treatment of this good, see Finnis, *Aquinas*, 82-83, and the texts he cites of Aquinas: *ST* I, q. 12, a. 8 ad 4 and I-II, q. 3, a. 8, corp.

the other hand, we might be incredulous or cynical of it being a real possibility; maybe we experience resentment and say that the other person is inauthentic or deluded. Thus, if someone like this is not merely disguising resentment, he or she is likely dismissing the notion that such greater forms of friendship are a real possibility.

Aristotle notes the phenomenon of *akrasia*, typically translated incontinence, in which someone has a solid grasp of what is good but often fails in the moment of choice to achieve it, and this due to inordinate passions.[41] This differs from strict vice, when one instead delights in immoral choices. One might ask if moral character can affect one's familiarity and articulate understanding of the basic goods. If we look to Thomas Aquinas, he will say that evil convictions ("*mala persuasiones*"), depraved custom, and corrupted habits can cause ignorance of more specific moral norms, e.g. the norm against stealing. But he also says that such factors cannot blot out the first precepts of the natural law.[42] That is to say, such things do not prevent people from recognizing the basic goods themselves or the most basic moral principles. That seems accurate. Nonetheless, I consider it consonant with experience that such factors can impede going beyond reductive familiarity and reductive articulate understanding of these same goods, without entirely blotting out the knowledge of them.

Additional Considerations

After having examined briefly the basic goods and how they are known, I shall close this chapter with further analysis of their nature.

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41 See Aristotle, *NE*, bk. VII.

42 *ST* I-II, q. 77, a. 2; and q. 94, a. 6.

Reflexive-Experiential Goods

I would like to reconsider the nature of friendship in order to make some additional points about basic goods. Utilizing a distinction that I mentioned above, friendship is a good that is reflexive or existential, and not substantive. Therefore, it is *primarily* in choices themselves that one participates in this good. Good intentions are essential to the acts that are reflexively beneficial to such goods. Oftentimes, good intentions will contribute to such goods even when they do not lead to wise choices, even though wise choices are the goal and perfection of good intentions. For example, when I make choices for the benefit of my friend I can participate more fully in the good of friendship, even when I do not make a wise choice. For I might think that it is best for my friend to give him advice, so I do so, and insofar as this comes from a good intention, especially if my friend recognizes that intention, it can contribute in a small way to our friendship. But it may be the case that, without fault, the advice I give is not all that helpful, and it would have been better if I simply listened. Choosing the act that is more effective toward my intention would better contribute to the friendship.[43] Taking the time in the future to get to know what is helpful to my friend will also further contribute to it.

[43] Part of what constitutes prudence, in addition to the practical reasonableness described in basic moral principles (see below), is morally relevant familiarity with everyday realities. Such morally relevant familiarity is acquired either through the counsel of the wise, moral science, or from the relevant experience of attempting to live and form one's habits according to the requirements of practical reasonableness: e.g. we are aided by the familiarity we have of other persons and how our words and actions affect them; familiarity with ourselves and how we are affected, for instance, by alcohol or caffeine; familiarity with our own inclinations and tendencies, for instance, one's tendency to waste time on the internet if one tries to do homework on a laptop instead of a notebook; and myriad other examples. Sincere efforts toward virtue make life analogous to practice in virtue because the effort allows the trial and error process towards improvement. It is a dynamic process: 1) someone with imperfect virtue—good intentions and generally good dispositions—seeks to order one's life according to the demands of practical reasonableness, the basic demands of which are known naturally (see below); 2) the effort of good-intentioned striving according to these basic principles gives rise to morally relevant experience that gives rise to morally relevant familiarity with daily realities; 3) morally relevant familiarity with daily realities leads to choices that achieve the ends of developing virtue; 4) better choices lead to better moral habits; and for some privileged persons 5) a point is reached when both the moral virtues directed at the right ends and the wisdom of choosing the right means (prudence) develops out of this dynamic process. For the mutual dependence on different orders between the

There is a dynamic relationship between process and outcome here, in which the process, especially insofar as it is properly moral, has its own value—indeed, it is primary. What is different about a substantive good like knowledge is that reasonable choice alone is not sufficient (or necessary) for any participation in the good: if action is needed at all, it must also be effective action. I do not automatically participate in knowledge by choosing to read, reflect, attend a lecture, watch a documentary, etc. I only have knowledge when I know something. I only participate in health insofar as I am healthy, not simply from taking medicine, and so forth.

In the case of friendship, it need not be the case that I choose something for the sake of friendship—it is enough that I choose something for the benefit of my friend, or I choose to spend quality time with my friend, or I value my friend, etc.[44] Other times, in reflection, I might explicitly decide that I should work on improving my friendship with someone, perhaps my relationship with my wife. To carry out this task will perhaps entail making choices that are for the other person's benefit: e.g. spending quality time with the person, responding with gratitude to something the other person does, reforming my lifestyle and habits, and so forth. In all these cases, there are reflexive benefits that correspond to the good of the friendship. This same principle applies to all reflexive goods.

Self-Transcendence

Frequently it is assumed that what is called selfless behavior is done with no benefit for the person who carries it out. Understanding selflessness in these terms leads to all sorts of unnecessary philosophical issues, and the reaction to this extreme is often a sort of cynicism

moral virtues and prudence, see Angel Rodríguez Luño. See *Ética General*, 6th ed. (Pamplona: EUNSA, 2010 [1st ed.,1991]), 217ff.

[44] Finnis makes a similar point in *Fundamentals of Ethics* (Washington, D.C.: Georgetown University Press, 1983), 142.

about human selfishness. But this is a false problem. Close analysis reveals that in the behavior we call selfless, one foregoes purely individual goals for the sake of the good of another, but in doing so another person's good becomes one's own good. If my daughter's well-being matters to me, her good is my good: it is good for me that she is happy. For Aristotle, a person's love of self is not negated in loving a friend, but that same love expands out to the friend who becomes "another self."[45] In truth, one loves oneself more by loving others, because the good of others is one's own good.

But what about those who are not our close friends: what about strangers? It seems that people often do care about the good of strangers. When people hold doors for strangers, when they respect strangers by acting justly to them, when they support laws that are just even if those laws have no effect on those close to them, in all these everyday cases, and in many others, people care about the good of strangers.[46] A cynic might say people do such things to feel better about themselves. That might be the case sometimes, but is it the case all the time? One will have to consult one's own experience, but I am confident that most people do in fact care about the well-being and rights of complete strangers, and even quite often.

As a general fact this is true even if we sometimes disrespect the goods of others for selfish reasons. It is also generally true even if sometimes ideology, the filters of media, existential remoteness, passions, vices, or cognitive biases prevent us from recognizing the other person's humanity and equality with ourselves.[47] When one speaks with others, communes with them in any way, or even sees their faces it is easier to recognize their humanity, but for more

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45 Aristotle, *NE*, bk. IX, ch. 4 1166a 32.

46 Cf. Finnis, *Aquinas*, 111.

47 Cf. Martin Rhonheimer, *The Perspective of Morality: Philosophical Foundations of Thomistic Virtue Ethics*, trans. Gerald Malsbary (Washington, D.C.: Catholic University of America Press, 2011), 282ff. See also ibid., 230ff.

reflective and conscientious people it can simply be the rational judgment that the other is my equal, whether I have such close-up contact or not. For instance, the filters of media may prevent young teenagers from seeing the humanity of the persons they troll on the internet, thus preventing them from even feeling guilt over such shameful behavior. Perhaps it will take seeing the consequences, or feeling the consequences, to overcome this blindness.[48] Such blindness can also be motivated blindness, such as is the case when vindictiveness, scapegoating, the enjoyment of a feeling of power, or plain hatred are the root cause of such failure to recognize the humanity of others. Thus, although it may be the case that consistent recognition of the equality of others is benefited by practical reasonableness or virtue, this is merely to reiterate what I say above about how moral action benefits deeper familiarity and understanding of the basic goods, in this case the good of friendship/community/sociability/justice.

This capacity for self-transcendence is important to keep in mind when considering not only friendship but all the basic goods, because, as Grisez notes, "as intelligible, the basic goods have no proper names attached to them."[49] My daughter's participation in friendship is her good, it is my good, and in a very real sense it is everyone's good, insofar as even a stranger can recognize it as something good: even if that same stranger's only responsibility in relation to that good is to not unfairly burden it, or to promote it in a more abstract sense through solidarity. Certainly, it is easiest to see with those closest to us. A mom is not thinking about the pain she will feel because of her daughter's surgery; instead she is concerned with the health, and well-being of her child. But this is also the case more often than we think. The good of others does

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[48] I am not trying to exculpate such people but simply explaining one important element of the problem: that the filters of media and other factors causing existential remoteness can prevent perceptual cues that foster the full recognition of the humanity of others. The popular show *Black Mirror* frequently addresses this issue, for instance, in the episode "Men Against Fire," in which futuristic soldiers are made more efficient killers through a system that makes them perceive, even at a sensory level, their enemies as inhuman monsters.

[49] Grisez, Boyle, Finnis, "Practical Principles", 114.

matter to us, independently of any concern about our own feelings; it matters to us because it is our own good. Admittedly, the thinner forms of the good of friendship/community/etc. experienced with strangers, especially existentially distant strangers, has less motivating power than closer relationships, and the good of such relationships is more easily neglected or dismissed by persons less committed to the demands of morality. But, as Thomas points out, we are potentially a friend to all other persons, and this is evident when we aid a stranger that is in need. Reflexively the small 'neighborly' relationships we form in such instances are not insignificant.[50] But disharmony in this regard, due to neglect of others, can make even the morally immature aware of the good, not only of being good and reasonable, but also of having a good relationship with our community, our nation, and our human family in general.

However, although it is the case that the human goods have "no proper name," it is also true that each person has unique personal relationships, responsibilities, authority, and spheres of control. Thus, not all preference for securing the good of one individual over others is arbitrary. For instance, I have a unique responsibility for my own self-determination. Moreover, I have a responsibility for my child that I do not for the children of others. I have greater responsibility for my local community than for those across the world.[51] Such preference does not violate the

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[50] See Thomas Aquinas, *De Perfectione Spiritualis Vitae,* c. 15: "With it being that all human beings share in the same species, every human being is naturally a friend with all human beings. And this is manifest in the fact that someone directs and sometimes aids another in misfortune who is taking the wrong road" ("omnes homines conveniunt in natura speciei, omnis homo est naturaliter omni homini amicus. Et hoc manifeste ostenditur in hoc quod homo alium errantem in via dirigit, et a casu sublevat") (Leon. 41B: 87, lines 27-31). See Finnis, *Aquinas*, 111–17.

[51] See, John Finnis, *Natural Law & Natural Rights*, 107. Due to our shrinking world in which there are real possibilities that our actions can affect the "furthest Mysian" (Plato, *Theaetetus* 209 b; see Annas, *The Morality of Happiness*, 250), such concern is relevant to our own well-being, however remotely. But it is also true that we have greater responsibility when we have unique authority, greater control, and greater reason to believe we are in a unique position of care and knowledge. Such concerns will always have a priority. Of course, we might choose to go work in a foreign country to serve those across the world, but this is one option among many concerning which commitments we will take in order to serve integral human fulfilment (of which I will say more later).

demands of fairness, articulated in the Golden Rule.[52] The rational discernment involved in applying the Golden Rule will include consideration of these preferential relationships and the proper responsibilities of individuals for those within their care. In fact, it is because of the principle expressed in the Golden Rule that I recognize the unfairness of disrespecting another person's legitimate authority to carry out his or her responsibilities: e.g. I respect another parent's rights to raise his or her children;[53] I respect another person's right to freedom in seeking the truth or speaking his or her mind, and so on.[54]

The Incommensurability of Basic Goods

A point about the nature of basic goods that will have considerable consequences for practical reasonableness concerns the incommensurability between these goods. This fact about the basic goods was emphasized by various natural law thinkers of the last decades in polemic with consequentialist ethics, which includes but is not limited to utilitarianism,[55] and which assumes that moral decisions can always, at least in principle, be resolved by calculations of the net consequences arise from an action. Generally, such calculations are only applied to difficult

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52 The Golden Rule is one of various intermediate moral principles that are part of the natural law and which flow from the requirements of full practical reasonableness. I will discuss this principle below, along with other demands of practical reasonableness.

53 Of course, when the rights of the children are sufficiently threatened, a higher level of governance can step in, but this is the exception rather than the rule. The parents of a child have a unique claim to responsibility for raising their children, and they are also generally in a better place to make judgments about the raising of their children due to their unique perspective, experience, and care. See Melissa Moschella, *To Whom Do Children Belong?: Parental Rights, Civic Education, and Children's Autonomy* (New York: Cambridge University Press, 2016).

54 An important ethical basis for rights of autonomy at various levels of association, including the individual level, is that greater fulfillment requires us to act, and not merely be passive beneficiaries: the conclusion drawn from the experience-machine thought experiment (Finnis, *Natural Law & Natural Right*, 146–7). Additionally, there is an advantage of knowledge and care that lower levels of association, including the individual, have that is often not possessed by higher levels. The advantage of knowledge that lower levels have is recognized in the business world and is why businesses hire knowledge/information management consultation, because much of the knowledge valuable to the company is disparate, tacit, not fully codifiable in practice, and shared between employees through example and daily recollections: why water coolers serve a valuable information sharing purpose.

55 Utilitarianism can be further divided: e.g. hedonistic utilitarianism and preference utilitarianism. For an example of preference utilitarianism, see Peter Singer, *Practical Ethics*.

cases.[56] By contrast, natural law thinkers, particularly those working from a paradigm that emphasizes basic human goods, have typically criticized consequentialist ethics by appealing to what is called the incommensurability thesis.[57]

The incommensurability thesis shared by certain natural law theorists claims that various basic goods do not share 'goodness' as if it were a univocal and common measure. For instance, one of my friendships is not so many units of goodness to which I can add the goodness of my knowledge of geography. If there were such units of goodness, one might assume that I could just forego knowledge if I could gain enough goodness from friendship. But it does not seem to work that way, because knowledge and friendship each provide a distinct type of benefit.

Additionally, there is a second type of incommensurability defended by various natural law thinkers. This is the claim that there is incommensurability between the different options involved in a choice, even options directed at the same good. The reason for positing such incommensurability is that in cases in which one option is in every way preferable to the other,

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[56] Singer, *Practical Ethics*, 12: "There are utilitarian reasons for believing that we ought not to try to calculate these consequences for every ethical decision we make in our daily lives, but only in very unusual circumstances or when we are reflecting on our choice of general principles to guide us in the future."

[57] On the related issues of hierarchy among the basic goods and the (in)commensurability of those goods, see Finnis, *Natural Law & Natural Right*, 112–125, and 422–3; Idem, *Fundamentals of Ethics*, 80–106; Idem "Concluding Reflections" *Cleveland Law Review* 38 (1991): 231–50; Idem, "Commensuration and Public Reason," in *Incommensurability, Comparability, and Practical Reasoning*, ed. Ruth Chang (Cambridge, MA: Harvard University Press, 1998), 215–33, 285–9; Grisez, *Way of the Lord Jesus*, 141–64; Grisez, Boyle, and Finnis, "Practical Principles,"137–9; Robert George, "Does the 'Incommensurability Thesis' Imperil Common Sense Moral Judgments," *American Journal of Jurisprudence* 37 (1992): 185–95, reprinted in *In Defense of Natural Law*, 92–101; Idem, "Recent Criticism of Natural Law Theory," *The University of Chicago Law Review* 55 (Fall, 1988): 1371–1429, at 1421–9, reprinted in *In Defense of Natural Law*, 31–82, at 69–75; Joseph Raz, *The Morality of Freedom* (Oxford: Oxford University Press, 1986), ch. 13; Murphy, *Natural Law and Practical Rationality*, 182–6; Gómez-Lobo, *Morality and the Human Goods*, 39–40.

For criticisms of this theory by other thinkers working within the tradition of natural law, see Hittinger, *A Critique of the New Natural Law Theory*, 74–9; Russell Panier, "Finnis and the Commensurability of Goods," *The New Scholasticism* 61 (1987): 440–61; Ralph McInerny, "The Good for Man", in *Ethica Thomistica*, revised edition (Washington, D.C.: Catholic University of America Press, 1987 [1982]), 12–34; Edward J. Furton, "Restoring the Hierarchy of Values to Thomistic Natural Law," *American Journal of Jurisprudence* 39 (1994): 373–95.

I take it that some of the criticisms leveled against the thesis have led to important clarifications and even modifications to the way it was presented in some of the earlier treatments listed above.

there is not really a choice at all between them, but merely a rational judgment.[58] For instance, if I go to the electronics store and they tell me I can pay $5 for one calculator and $10 for another indistinguishable one, then my choice is made, so to speak, so long as I have already decided I will buy one of them.[59] But in the everyday deliberation that results in a real choice there is always something about each course of action that has something distinct in its favor: e.g. I am deliberating about the options of eating in or spending more money to eat out. Each of these options provides distinct benefits—e.g. saving money, on one hand, not having to cook, on the other. Thus, choosing one involves foregoing some sort of benefit one would receive by choosing the other; a real decision must be made. Joseph Boyle argues that such incommensurability between options is a condition for free choice.[60]

But if there is no commensurability between the basic goods themselves, or between the objects of choices aimed even at the same basic good, then consequentialism has a problem.[61] It assumes that the morality of a choice can be determined solely by calculations of aggregate value of the consequences of an action, or at least of consequences that are likely or foreseeable. That is, consequentialists often assume that the foreseeable aggregation of either total 'good' (or pleasure), total 'bad' (or pain), or the net combination of the two, is the sole determining factor of a choice's moral value.

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58 Cf. Finnis, "Concluding Reflections," 234ff.

59 This assumes that I do not have some other reason for giving the store more money.

60 Joseph Boyle, "Free Choice, Incomparably Valuable Options, and Incommensurable Categories of Good," *American Journal of Jurisprudence* 47 (2002): 123–41, at 133ff. See also Finnis, "Concluding Reflections," 234ff.

61 There is also the practical issue of calculating consequences, for which reason consequentialists generally limit the calculation to foreseeable consequences. But if it is thus limited, why should we take it as overriding other moral considerations? Finnis brings up the point that we have no reason for confidence either way whether it was a net gain in consequences to our world if Socrates decided to go home and risk death rather than follow orders to unjustly cooperate in the killing of a political opponent (see Plato, *Apology*, 32 c-e), but we can know that he made the right choice (even if it meant two people, including Socrates, likely dying rather than one): Finnis, "Commensuration and Public Reason," 221–2. See also, Idem, *Fundamentals of Ethics*, 112–20.

I should clarify that to deny commensurability, and thus to deny any univocal unit of goodness that can be used as the sole determinant for making all ethical decisions, does not mean that quantitative considerations are never relevant. All else being equal, it is better to save nine lives than just one. If one were asked if one would rather save nine strangers than one, of course, *ceteris paribus*, one would be most reasonable by choosing to save nine, and unreasonable to choose to save only one. But the reasonability of this judgment does not in any way imply the existence of a univocal quantum of goodness, nor is the quantity of persons being saved the only relevant moral consideration. Consider the case of someone being asked to shoot an innocent person in order to save nine others. Someone in this situation might ask oneself, "do I have a right to choose to end this person's life? Is it ever right to choose to take a life? Is it fair to the person I am shooting to make this choice?"

If the answer to any of these questions is 'no', one knows that one ought not compromise one's own integrity to cooperate with the evil intentions of those who have placed one in this dilemma. One asks oneself, "is a world in which survival entails acting unjustly to others worth it?" In the early seasons of the show *Walking Dead* this point was symbolized by the fact that whenever characters sacrificed some of their humanity for the sake of survival their gait subtly began to resemble that of the 'walking dead'. Some types of choices are never reasonable.

Peter Singer complains that natural law theorists import considerations of proportionality into the analysis of actions that have a 'double effect'. He is referring to the fact that, for natural law theorists, although it is never justified to intend evil, sometimes a person might tolerate the foreseeable side effects of one's direct intention. A criterion for assessing the morality of such a toleration of side-effects is that such tolerated effects must be proportional to the good sought. Because of this consideration of proportionality, Singer claims that a "consequentialist judgment

lurks behind the doctrine of double effect."[62] But there needs to be closer examination to see if such analysis of proportion violates the incommensurability thesis. Consider the case of foreseeable side-effects negating the morality of an action because it would be unfair to someone who is affected. In his developed position, Finnis notes that when assessing fairness there is a sort of commensurability made possible by one's rational discernment of feelings. In such situations, I ask myself how I would feel if someone knowingly allowed this to happen to me? Such judgments are most reliable for someone who is practically reasonable, and for this reason Finnis affirms that there is truth in Aristotle's claim that the practically wise and thus virtuous one is in some sense his own measure (see Aristotle, *NE*, III.4: 1114 a 33).[63] Such commensurability does not negate the incommensurability thesis since it does not imply any sort of univocal, commensurable unit (or quantum) of goodness underlying all the consequences of our actions. The commensuration is made possible by reasoned discernment of feelings, preferably the well-trained feelings of a practically wise person.

A Hierarchy of Goods?

But if there is no single objective unit of measure common to the various goods or their instantiations, is there any objective order among them? This is to raise the question of a hierarchy among the different goods. According to the standpoint that I am advocating, there is no *unique* objective hierarchy among the different goods.[64] Life is primary from one standpoint, because without life one cannot participate in the other goods. Practical reasonableness and

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62 Singer, *Practical Ethics*, 184

63 Finnis, "Commensuration and Public Reason," 227–8. Cf. Oderberg, *Moral Theory*, 97ff.

64 See Finnis, *Natural Law & Natural Right*, 450. By stating in the postscript of the second edition of this work that there is no *unique* hierarchy, but rather different hierarchies according to different orders, Finnis presents an important and subtle clarification regarding the hierarchy of goods that responds to some of the earlier criticisms of the Grisez-Boyle-Finnis paradigm.

religion are architectonic goods, and thus their participation involves ordering our pursuit of the other goods, and the ordering they provide allows for greater participation in these other goods. Moreover, Knowledge of the truth might be said to have a sort of priority insofar as truth, both theoretical and practical, is a regulating principle for all moral actions.

What denying a unique and objective hierarchy between the goods entails is that at no given point is it clear, based merely on consideration of the goods in isolation, that I should make a choice for the sake of participation in this or that good simply by nature of some sort of single objective evaluative hierarchy on the part of the goods themselves. For example, I do not know at the current moment that I should study instead of play basketball simply on account of some objective priority that knowledge has over play. Instead, it is through general and specific considerations of practical reason, also taking account of my state of life, unique responsibilities, discernment of fairness to others, and even personal preferences, that I will schedule my days and order my pursuit of the different goods accordingly. Often there will be myriad reasonable options. The good of practical reasonableness has a special role in this ordering function, and it is this architectonic good that I would now like to examine.

The Architectonic Good of Practical Reasonableness

The basic good of practical reasonableness[65] has a unique role to play in relation to the other goods. Like religion, this good is an architectonic good, insofar as participation in it

[65] Germain Grisez ultimately opts to not include practical reasonableness (virtue) among the basic goods: Germain Grisez, "Natural Law, God....", notes 8 and 9. For a strong defense of this position, see Christopher Tollefsen, "Natural Law, Basic Goods, and Practical Reasoning," in *The Cambridge Companion to Natural Law Jurisprudence*, eds. George Duke and Robert P. George (Cambridge, U.K.: Cambridge University Press, 2017), 133–58, at 154ff. This is a disputed point among those working within the Grisez-Boyle-Finnis paradigm. I am not yet convinced that this move is necessary, but I also do not want to contribute to an exaggeration of the practical implications of this technical disagreement, which, if both positions are fully understood on their own terms, are very slight—or so it seems to me. In fact, if I did not include practical reasonableness as a distinct basic good, there is very little else I would have to change. Those who deny that virtue is a distinct human good do not deny the value

involves the ordering and reasonable pursuit of the other basic goods. As I briefly mentioned above, pursuit of the basic goods is a necessary condition for moral action, but alone it is not sufficient for action to be moral; for action to be right, the goods must also be pursued in a reasonable way. Moreover, as an end of action, even the good of practical reasonableness is pre-moral, insofar as someone can, paradoxically, unreasonably pursue it.[66] For example, one can *seek* authenticity but have one's pursuit of it skewed by competing desires, leading to motivated reasoning (self-deception) resulting in a faux-authenticity achieved by modifying one's beliefs to be consonant with one's actions, rather than the other way around. Or perhaps one's pursuit of virtue is skewed by distorted cultural assumptions or ideology or other sorts of misplaced trust, leading one to think oneself as virtuous, or as becoming more virtuous, when one is not. This does not mean such false efforts truly achieve participation in the good of practical reasonableness, but rather that this good, understood in a deficient manner, might be in some sense the motivation for such actions. In any case, it remains the case that the more reasonable

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of virtue but rather consider it the same thing as carrying out the demands of practical reasonability in one's pursuit of the basic goods, but not motivated by a distinct basic good of practical reasonableness. Tollefsen presents Grisez's two arguments for denying practical reasonableness's status as a distinct good, calling Grisez's arguments "plausible" (ibid., 155). He then proceeds to offer what he sees as a fundamental reason: "To know the first principle of morality, one must first know the goods, so as to be faced with the problem of deliberation; but if one such good is the good *of morality,* then knowledge of the first principle of morality presupposes knowledge of itself. Identifying 'practical reasonableness' as a basic good thus seems to require a problematic circularity that should be avoided" (ibid.). I concede that it is likely the case that primordially one must be motivated to act reasonably by other reasons than by the good of virtue. But could it not be the case that such reasonable action, either carried out by oneself or by another, provides additional data for an insight that practical reasonability or virtue is itself a good worthy of pursuit in its own right? If someone begins changing one's habits, forming resolutions, reorganizing one's life, and then I ask them why they are doing this, it seems perfectly intelligible if their response is: "because I want to be a better person." Not only is it intelligible, I take it that it provides additional benefits to those that arise from participation in the other goods. That is, to become truly humble, courageous, or kind is good and admirable, a growth in perfection, independently of the greater participation of other goods that it makes possible. Nonetheless, it is my own experience that other basic goods are often more powerful motivators for growth in virtue: e.g. one wants to improve one's relationships with one's family, one's spouse, or with the transcendent source of existence. That does not mean that virtue is not its own reward and not an intelligible reason for action.

[66] See Grisez, Boyle, Finnis, "Practical Principles," 139–40; Grisez ultimately denies the possibility that practical reasonableness can be pre-moral, and this is part of his argument against positing it as a distinct good: Grisez, "Natural Law, God…," notes 8 and 9.

one's choices, the more in line one's moral 'habits' are with reason, the more one partakes of this good of practical reasonableness.

At times, I was forced to allude to moral principles in the foregoing discussion. Here I would like to discuss the basic demands of full practical reasonableness. In *Natural Law & Natural Right*, Finnis lists the following basic requirements of practical reason: 1) A coherent plan of life; 2) no arbitrary preferences among values [goods]; 3) no arbitrary preferences among persons [this is expressed in Golden Rule[67]]; 4) sufficient detachment from projects; 5) sufficient commitment; 6) efficiency within reason; 7) respect for every basic value [good] in every act; 8) the requirement of the common good; 9) following one's conscience; and in a later work he adds 10) not choosing merely apparent goods.[68] In *Fundamentals of Ethics*, Finnis clarifies that all these requirements derive from the principle "that one remain open to integral human fulfillment,"[69] which is later further elaborated: "in voluntary acting for human goods and avoiding what is opposed to them, *one ought to choose and otherwise will those and only those possibilities whose willing is compatible with integral human fulfilment*."[70] Finnis states that in content, not in form, this is like Aquinas's Christian master principle: to love one's neighbor as

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67 A certain limitation of the Golden Rule is implied in the following joke: "A sadist is a masochist who follows the golden rule" (Thomas Cathcart and Daniel Klein, *Plato and a Platypus Walk Into a Bar... Understanding Philosophy Through Jokes* [New York: Penguin Books, 2007], 84). This limitation consists in how the Golden Rule is too formal to stand alone as a basis of morality—and this is also a problem for an ethics based exclusively on empathy. Nonetheless, the Golden Rule reflects a true principle of moral reasoning, even if accurate conceptions of the human good are necessary for this rule to be applied correctly. Cf. Rhonheimer, *The Perspective of Morality*, 185f.

68 See Finnis, *Natural Law & Natural Right*, 100–33, 450–7, and for the last requirement, see Finnis, *Fundamentals of Ethics*, 74–79.

See also Grisez, *Way of the Lord Jesus*, 205–228, where he lists eight such requirements of practical reason, which he calls *modes of responsibility*; cf. Germain Grisez and Russell Shaw, *Fulfillment in Christ: A Summary of Christian Moral Principles* (Notre Dame, IN: University of Notre Dame Press, 1991) 81–98.

Cf. Gómez-Lobo, *Morality and the Human Goods*, 41–7, where he lists seven prudential guidelines; cf. also Murphy, *Natural Law and Practical Rationality*, 198–212.

69 Finnis, *Fundamentals of Ethics*, 76.

70 John Finnis, Joseph Boyle, and Germain Grisez, *Nuclear Deterrence, Morality and Realism* (Oxford: Clarendon Press, 1987), 281–4. Some of the requirements listed above, derived from this master principle, impose absolute duties, others provide conditional guidelines (see George, *In Defense of Natural Law*, 79, n. 67).

oneself.[71] He notes that in more specific contexts, there will arise additional principles of practical reasonableness.[72] Moreover, there are also morally relevant considerations of theoretical/speculative knowledge that will affect the reasonability of different choices. Relatedly, it seems that prudential judgment involves both such basic principles of practical reasonableness and morally relevant familiarity with everyday realities: for example, a familiarity with other persons and how they are affected by one's words and actions. Such familiarity, whether tacit or articulate, provides the knowledge needed to translate reasonable intentions into wise choices.[73]

I noted that the mere pursuit of the basic goods is, in a sense, pre-moral, even if the pursuit of these goods is a foundation for morality. However, practically reasonable, and therefore moral, action is necessary for deep participation in reflexive goods. This was pointed out by Aristotle in the case of friendship, that the same qualities that make one good are those that make one a better friend, both to oneself and to others,[74] and so it is in the case of marriage and religion. In addition, practically reasonable action is, while not strictly necessary, highly instrumental for deep participation in substantial goods. For example, intellectual integrity, a moral quality, is very instrumental for achieving deep participation in the good of knowledge; commitment, hard work, perseverance, etc. are moral qualities instrumental for skillful performance and knowledge; responsible habits are generally instrumental for health, even if sometimes, as Socrates found out, virtuous activity is not so conducive to health. None of this is

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71 Finnis, *Aquinas*, 131. The command to love one's neighbor as oneself, Aquinas says, implicitly contains as its end the command to love God with all one's heart. See *ST* II-II, q. 44, a. 2, corp. and ad 4. See Finnis, *Aquinas*, 126, n. 113.

72 Finnis, *Fundamentals of Ethics*, 76.

73 See note 40 above.

74 Aristotle, *NE*, bk. IX, ch. 4.

surprising, because what defines practical reasonableness is its conduciveness to integral human fulfillment.

Walter White and Jesse Pinkman – A Fictional Case Study

The fact that practically reasonable activity makes possible greater participation in the basic goods can perhaps be better recognized with a more concrete illustration. For this purpose, I would like to consider the two main characters on the show *Breaking Bad*, Walter White and Jesse Pinkman. The show is very likely a retelling of the moral tale of *Faust*.[75] Walter White is a high school chemistry teacher who gets cancer and decides to 'cook' methamphetamines to pay for his treatment. As the show progresses, he is given opportunities to abandon this trajectory, but each time that he has such an opportunity to do so, his pride prevents it. He will rationalize what he does by saying he does it for his family, but his family is predictably harmed by his behavior. In the end, it is clear to Walt that the harm he has done to his relationships—to his family, friends, and community—has all been for selfish motives.[76]

In the final season, Walt attempts to explain why he prefers to continue his meth business despite the harm it has caused, and despite having the opportunity to leave it still a millionaire:

> **Walt:** Jesse, you asked me if I was in the meth business or the money business. Neither. I'm in the empire business.[77]

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[75] See Jessica Barbour, "*Breaking Bad*'s Faustian Cast." Oxford University Press Blog. September 28, 2013. Accessed May 28, 2019. https://blog.oup.com/2013/09/breaking-bad-faust-character-casting/.
Although there is no explicit deal with the devil, there is a symbolic reference to it at least once, in the last episode, but I do not want to spoil too much for those who have not seen the show.

[76] In some ways, the creator of *Breaking Bad*, Vince Gilligan, and the actor who plays Walter White, Brayan Cranston, did too good of a job making the audience see the show through White's eyes. It was Gilligan's intention to make White progressively unsympathetic, but the audience has often been tempted to make the same rationalizations for his behavior that the character does. See Michaeleen Doucleff, "Point of View: How So Many Rooted for 'Breaking Bad's' Walter White," *NPR* (Sept. 27, 2013), accessed January 10, 2020, https://www.npr.org/2013/09/27/224437071/point-of-view-how-so-many-rooted-for-breaking-bads-walter-white.

[77] *Breaking Bad*, "Buyout." Directed by Colin Bucksey. Written by Gennifer Hutchison. AMC. August 19, 2012.

It is clear to the audience that he takes himself seriously. He has embraced the rush he gets from his artificial persona, and he protects this persona at the cost of moral self-destruction. But Jesse is not fooled:

> **Jesse:** I don't know... Mr. White, is a meth empire really something to be that proud of?

Jesse sees it clearly, but Walt does not. He does not want to see it. The case of Walter White corresponds well with what Thomas Aquinas says about pride: that it is an unregulated will for one's own greatness,[78] unregulated by the rule of reason.[79] It is unregulated by reason insofar as it is pursued without commitment to the truth.[80] Such an inordinate will manifests itself through an exaggerated evaluation of oneself. We might say that it is a sort of motivated bias[81] through which one places exaggerated emphasis on the qualities for which one has a plausible claim to excellence, making such considerations the primary determinants for evaluating excellence as such. As willed neglect of truth, it is harmful to the good of knowledge [both practical and theoretical] in an especially serious way because it badly distorts one's own practical reasoning and perception of value. Thus, violation of the basic demand of reasonableness, cited above, to

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78 One can also view pride from the standpoint of one's desire for self-esteem, which is the way preferred by Rodríguez Luño, *Ética General*, 250–2.

79 *ST* II-II, q. 162, a. 1, corp. The key to understanding the vice of pride is to understand that it is a will for greatness that is unregulated by the rule of reason. Going beyond reason, the self-assessment of the proud is in a sense arbitrary, and this only impedes true excellence. True excellence would also preclude a need to feel superior to others, or a need to base one's self-esteem in competitive goods at all.

True excellence would preclude taking any short-cuts by changing the rules of the game, so to speak, which is what really happens in the case of pride. Pride skews one's perception of value in favor of the false perception of oneself as being great. Another way pride prevents true greatness is that it leads one to feel above help or the need for correction, or to even shun such help.

80 Another way it can be unreasonable is if, on account of the feeling of pride rather than the object of it, one thinks too much about one's own accomplishments or future accomplishments in order to feel proud, and this competes with other things one could be using one's time to do. This is pride as conceit: see Gabrielle Taylor, *Pride, Shame, and Guilt: Emotions of Self-Assessment* (New York: Oxford University Press, 1985), 47–8.

81 For a good treatment of the psychology of motivated reasoning see Ziva Kunda, "The Case for Motivated Reasoning," *Psychological Bulletin* 108, n. 3 (1990): 480–98. What I describe as 'commitment to the truth', this article describes as having 'accuracy goals' as the dominant motive for one's thinking: see ibid., 481–2. Kunda notes that due to a strong desire we all have to be good and intelligent people, when one acts in a way one takes to be harmful or foolish one feels an uncomfortable feeling of cognitive dissonance, and this can motivate someone to modify one's attitudes about such acts in order to reduce the uncomfortable feeling (p. 484).

respect every basic good in every action, has a particularly pernicious effect in this case. In Walt's case, his intelligence and craftiness are clear to him in the success of his budding meth empire, and in his mind the greater this empire, the greater is his own excellence. That is, he construes a very qualified excellence in an unqualified manner.

The bias created by this pride skews a proper evaluation of what really matters, and surely the 'high' that White experiences due to this self-deception can have the same effect as other passions that make more reasonable choices less alluring. And like other passions pursued unreasonably, it provides only an illusory benefit that gives rise to an insatiable appetite. Walt construes the excellence he seeks as somehow beyond categories of morality, but still considers himself reasonable. Nonetheless, for others, pride can have a more moral facade, as is the case with Javert in *Les Miserables*. For others still, the source of pride might have a more social character, in which an arbitrary ordering of values within a group allows those of the same group to hold up each other's sense of status.[82] The more individualistic case of Walter White has a greater semblance of authenticity than this but it is just as arbitrary. It is arbitrary because it is an evaluation based in a will unbounded by reason, arbitrarily elevating Walt's status in his own mind by giving him just enough grounds for considering himself excellent so as to make possible self-deception about his real condition. "Heisenberg," as he is known as a meth cook, becomes for him an artificial persona, making him feel 'alive'.

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[82] An example of such socially reinforced illusions of superiority, this time with a more moralistic and self-righteous character, is seen in the accounts of the Pharisees who are criticized in the Gospels as "whitewashed tombs" who "strain out the gnat and swallow the camel" (Matt 23:24–27 NAB, revised edition). They place the highest value on norms that they have no difficulty keeping, while placing little value on moral considerations they do not excel in, even if such considerations are objectively more significant. They are also merciless with those who do not follow the same rules that they value. It is not difficult to find similar cliques in almost any group.

Pride is often confused with the immodesty of those who desire friendship, community, and acceptance, but who attempt to short-cut the pursuit of such goods through showiness, bragging, etc. This is sometimes a sign of insecurity, other times it is simply impatience for such friendships to develop.

In any case, such skewed values can interfere with deeper participation in the basic goods. The product of Walt's self-deception and masked inauthenticity is a self-evaluation that gives him a sense of greatness, even if the maintenance of such a fantasy leads him to make choices that are either negligent or directly damaging to his own good and that of others. It also makes it impossible for anyone to have a deep relationship with him. When Walt faces a conflict in deliberation between what is practically reasonable and what will further his illusory excellence, the latter will win out. Through pride, Walter White becomes the capricious and uncaring god of his miserable self: isolated, without any healthy relationship, even with himself. It is all a lie, his lie, and a lie that he believes. The longer White persists on this path, and the more destruction that accumulates, the more difficult it is for him to abandon it because that would entail admitting he was wrong the whole time, and this means admitting that those he deems beneath him are truly better than he, and that the terrible consequences of his actions were all pointless—admissions all the more difficult, of course, because of his pride.

In contrast to Faust, Don Juan is another classic moral tale that focuses on the destructive effects of a different variety of vices, the vices involved in escapism in the immediacy of passions.[83] Most directly, such vices involve violation of the basic demand of reasonableness to not choose merely apparent goods, but like pride, such vices lead to various other sorts of unreasonable behavior. The image of Don Juan is often romanticized in popular references, but the older stories of Don Juan (or Don Giovanni) were that of a sexual predator whose legacy was unambiguously destructive. Such harm was not only to others but also to himself. To commit

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[83] In the first part of Kierkegaard's *Either/Or*, one of his fictional authors writes a tribute to Mozart's *Don Giovanni*, and in this tribute the authors expresses the idea that whereas language is the proper medium for Faust—whose vice is presumably more reflective, intellectual, *spiritual*—the best medium for conveying the character of Don Juan is music, which better conveys the unreflective immediacy of passion: Søren Kierkegaard, "The Immediate Erotic Stages or the Musical-Erotic," in *Either/Or*, trans. Howard V. Hong and Edna H. Hong (Princeton, NJ: Princeton University Press, 1987), 47–135, at 57.

oneself, like Don Juan, to a lifestyle enthralled in such passions can impede any sort of deep participation in the basic goods. This is because, in the moment of choice, the passionate desire has more allure for someone in this state than that of choices that will contribute to, or not harm, participation in basic goods.

This is apparent in a much more moderate yet complex way in the other main character of *Breaking Bad*, Jesse Pinkman. This character has various motives for continuing his trajectory, but escapism plays a significant role. At first this is likely due to immaturity or a lack of purpose, but at certain points in the series it is implied that it is an escape from the guilt that the character feels when he has time for honest reflection about his life and choices. Jesse finds himself in the position of being dissatisfied by fleeting thrills and pleasures, but at the same time his habits now make it the case that even genuine goods are less than satisfying and are difficult to partake in at more than a superficial level. It is a trap that is difficult to escape. In Jesse's case, if he is to turn things around, he will have to address the source of the guilt; and even then, he will have the difficult task of overcoming his addictions.

In truth, few are wholly given to the pride of Faust (or Walter White), or the sensual escapism of Don Juan (or the more conscientious Jesse Pinkman[84]), but these same tendencies show up in all persons in various degrees, harming or inhibiting participation in basic human goods. Thus, the connection between practical reasonableness and greater participation in these goods becomes apparent. Through analysis of the characters Walter and Jesse, we also see the relevance of such concepts as repentance and reconciliation, concepts that relate to the healing of

[84] There are various iterations of the Don Juan character, but surely the 'Don Juan' of Mozart's *Don Giovanni* is far less conscientious (and less sympathetic) than Pinkman. The latter shows much more promise of turning things around.

relationships: the relationship with oneself, with others, and with our transcendent source. I will return to a consideration of these concepts in the next chapter.

Conclusion

In this chapter, I briefly introduced the notion of basic human goods in order to provide a foundation for the rest of my account of the good of religion. I noted that the basic human goods are constitutive elements of happiness: that is, fundamental components of the good life. Moreover, I noted that participation in them—as well as our tacit familiarity and articulate understanding of them—admits of degrees.

Among the claims I made based on consideration of the good of friendship was that concern for the goods of others, in addition to that of oneself, is a regular aspect of the moral life and of daily experience. In fact, I noted that one's own good includes the good of others. Moreover, two related questions I considered were those concerning the (in)commensurability of basic goods, and of a purported hierarchy among the goods. First, I defended the claim that there is incommensurability both among the different basic goods, and among options for choice. I then defended the claim that although there is no unique hierarchy among the goods that would determine at any given time what good I should pursue, there are various priorities among the goods on different orders and viewed from different perspectives. For instance, life has priority as a condition for participating in other goods, and knowledge has a priority insofar as truth is a regulating principle for other goods. Notably, two of the basic goods have a priority in the way that an ordering principle has a priority over what is ordered: these are the architectonic goods of practical reasonableness and religion. These goods have a directive function that affects our participation in all the basic goods. I examined the first of these architectonic goods, practical reasonableness, noting that it was essential for deeper participation in the reflexive (experiential)

goods, and highly instrumental for greater participation in substantive goods. I have left examination of the second architectonic good, religion, for the next chapter. It is to this good that I will now turn.

2

Religion as a Basic Human Good

Contemporary natural law thinkers who defend religious freedom—especially those working within the Grisez-Finnis-Boyle paradigm—typically argue for special protection of religious freedom based on the good of religion. In the present chapter I shall reflect on the nature of this good, which I understand as 'harmony with the transcendent source of existence'. This definition has two parts that merit special consideration: 1) the transcendent source of existence; and 2) harmony with this reality. In the previous chapter, I noted that one's speculative/theoretical[1] beliefs about the possibilities of participation in a good will affect the desirability of pursuing it. In the case of religion, it is relevant to examine speculative/theoretical beliefs about both the nature of the transcendent source of existence and the possibilities of harmony with it.[2] However, before presenting an analysis of both these aspects of the definition of religion, I would first like to provide a justification for my choice to emphasize what I see as richer—and not simply minimalist—understandings of these elements. By a richer understanding, I mean one in which the transcendent source is understood as personal, absolute,

[1] I understand the classic distinction between theoretical and practical reasoning as roughly that between reasoning about what is the case and why (theoretical reasoning), on one hand, and reasoning about what to do and why (practical reasoning), on the other. However, theoretical reasoning is a sort of practice and thus involves deliberation about what to believe (Thomas Aquinas said prudence is involved in theoretical reasoning inasmuch as it involves choices: see *ST* II-II, q. 47, a. 2, ad 2). Moreover, practical reason presupposes theoretical knowledge, and more abstract ethical reflection is a sort of theoretical knowledge about practical things. Thus, theoretical reasoning (and knowledge) and practical reasoning (and knowledge) are in practice and theory distinct but inseparable phenomena.

[2] In this analysis, I draw quite liberally from the thought of Thomas Aquinas simply because I am dealing with themes to which he has made very significant and profound contributions. Nonetheless, I do not limit myself to his thought in any of these areas.

infinite, etc., and by a richer understanding of harmony with this reality I mean something *analogous* to other deep personal relationships.

Dworkin's Approach to Religion

In his book *Religion without God*, the late Ronald Dworkin makes the case that atheists can also be religious.[3] Atheists, he argues, can have religious experiences, or can be religious, insofar as they are capable of: 1) acknowledging the full objectivity of value; and 2) recognizing nature as 'numinous'. For what it is worth, I see no reason to challenge this point. However, Dworkin does not stop at the acknowledgement that atheists can still have some sort of religiosity. The trouble arises when he seems to presuppose that this minimalist form of religiosity is 1) the relevant baseline for considerations of legal protection; and 2) paradigmatic of religion.[4]

Regarding the first point, Dworkin's position is problematic because it is questionable whether recognitions of nature as numinous require any special legal protection at all: in fact, in Dworkin's account it does not.[5] Regarding belief in objective values, an argument can be made in favor of general laws protecting conscience that are independent of considerations of religion (something I support), and the ethical basis of such laws would be the good of authenticity.[6] But

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[3] See Dworkin, *Religion without God*, 1–43. For instance: "The religious attitude accepts the full, independent reality of value. It accepts the objective truth of two central judgments about value. The first holds that human life has objective meaning or importance. Each person has an innate and inescapable responsibility to try to make his life a successful one: that means living well, accepting ethical responsibilities to oneself as well as moral responsibilities to others, not just if we happen to think this important but because it is in itself important whether we think so or not. The second holds that what we call "nature"— the universe as a whole and in all its parts— is not just a matter of fact but is itself sublime: something of intrinsic value and wonder" (ibid., 10).

[4] Ibid., 105–47.

[5] Ibid.

[6] As I noted in the last chapter, I consider the goods of (inner) integrity and (external) authenticity as two aspects of the more general good of practical reasonableness. One could also call both aspects personal integrity inasmuch as they involve the integration of the person's moral character, both as regards correspondence between one's feelings and one's rational judgments (inner integrity), and between one's rational judgments and one's external behavior and speech (external authenticity).

if harmony with the transcendent source of existence is a real personal harmony that has some analogy to good human relationships, then to harm or prevent such personal harmony goes beyond harm to one's authenticity, and it is far graver and more significant than harming or preventing an experience of a numinous, albeit impersonal, universe, even if the latter is an experience that theists and atheists can share.[7] Although Dworkin's use of a common denominator approach might have the semblance of a being a fairer approach, because it is based on an even more inclusive understanding of the good of religion, it is an understanding that does away with what is truly distinct about that good. Melissa Moschella argues persuasively for a more legally relevant baseline definition of religion, sustaining that in order to count legally as religious exercise, the purported harmony sought should be harmony with the *transcendent*—even if one's understanding of the transcendent is obscure or implicit.[8] Applying this baseline ensures that individuals and religious groups are protected in their pursuit of harmony with a transcendent source and not simply protected from more general infringements of conscience—something our laws should do a better job of protecting as well.

For the sake of justifying special legal protections for religion, it is relevant to have in mind the higher purported participations in this good in order to have a greater sense of what is at ultimately at stake for those who seek it. This relates to my second criticism of Dworkin's approach: that it implicitly treats a minimalist conception of religiosity as paradigmatic. This would be like treating knowledge of trivial facts as paradigmatic of knowledge, or friendly acquaintanceship as paradigmatic of friendship. To focus exclusively on such minimalist forms of participation in a good is to undervalue it from the start. In order to avoid this problem, in my

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[7] Melissa Moschella criticizes Dworkin's use of a minimalist understanding of religion for his political-ethical treatment of religious freedom in "Beyond Equal Liberty," 129–32.

[8] Ibid. See, ibid., 142ff for application to applied cases, which includes consideration of some cases when the purported harmony with a transcendent source is understood in an implicit and obscure way.

analysis of the good of religion I will present purported understandings of the transcendent source of existence, and purported forms of harmony with this reality, that go beyond the baseline. In doing so, I seek to give a better sense of the good of religion in its full practical power, leaving aside for now the question of whether such purported possibilities are in fact achievable. Nonetheless, although this has relevance for justifying special protection for religious freedom, I am not implying that the degree of participation in the good of religion should be factored into legal decisions regarding religious immunities and exemptions. What is relevant in this regard is simply that one is dealing with practices or beliefs that are religious in the sense defended above and thus that they relate to the good of religion: harmony with a *transcendent* source, even if only implicitly.

The Transcendent Source of Existence

In the introduction, I mentioned that I would initially avoid using the word 'God' to discuss the transcendent source of existence. I made this choice because I do not know what the reader understands by the word 'God'. Moreover, it seems to me that there are various ways of understanding the nature of the transcendent source, some obscure and inarticulate, and not all people who have belief in a transcendent source would identify it with 'God', and some would even explicitly reject belief in the latter.

I also alluded to the fact that some who call themselves atheists or agnostics nonetheless have a sense of some transcendent source, harmony with which they can grasp as a good.[9] Often enough the Absolute is referred to with such terms as the 'universe' or 'cosmos', and at least sometimes these terms are understood in an obscure, yet open-ended sense, extending out into

[9] See Dworkin, *Religion Without God*, 2.

the absolute and even referring to something purpose-giving. Others who self-identify as atheists or agnostics might speak simply of something greater, something beyond anything that we can imagine, or they might speak of some "force."[10]

Typically, people who speak this way would explicitly deny that such a reality is 'personal'. However, often enough these same people imply that such a reality has quasi-personal, end-directing, quasi-conscious qualities that makes one wonder if it is only because of anthropomorphic connotations that the word 'personal' is rejected. Many theists, after all, mean the word 'personal' as only an analogy with respect to the deity, because they do not want to affirm that the Absolute is in some way impersonal, unconscious, etc., even if the 'consciousness' of such a reality is infinitely beyond anything we can imagine in our finite minds. These theists have grown comfortable with the term 'personal' in this analogous sense; by contrast, those mentioned above who reject the word 'personal' as applied to the Absolute often do so because they understand the word 'personal' only as it is applied to human beings, in all their finitude.[11] In any case, it seems to me that there is no harm in using the language of a 'transcendent source of existence'. However, sometimes when referring to explicitly theistic beliefs, I will simply use the word 'God'.

When I stated that some self-proclaimed atheists have some sort of belief in a transcendent source of existence, I did not wish to imply that there are no real atheists. A question that I must consider is whether atheists or agnostics can still accept as good such

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10 Ibid.

11 Dworkin cites Paul Tillich as affirming such analogous language, which both affirms and denies the personal character of the divine. Dworkin, 35–6. The text he cites is, Paul Tillich, "Science and Theology: A Discussion with Einstein," in Tillich, *Theology of Culture*, ed. Robert C. Kimball (New York: Oxford University Press, 1959), 130–1. Thomas Aquinas states that when speaking about God, we must use analogous language that, although affirming something positive of God, excludes any sense of the term that could only apply to a creature. See, *ST* I, q. 13, a. 5.

harmony with a transcendent ground of existence. How could it be good to have harmony with a non-existent entity? In a certain sense, if one does not believe in such a transcendent source then one will not believe there is any good to pursue. But there is another sense, prior to the theoretical/speculative judgment about the existence of such an entity, in which an atheist or agnostic can recognize such harmony as a good, albeit conditionally. This would be similar to the case of someone who was the last person on earth after an apocalyptic event. Such a person could still recognize friendship as a good in a conditional sense. That is, they could recognize that such friendship "*would* in fact be quite good."[12]

Does such conditional recognition of the good of religion serve our purpose here? I believe it may. For if one recognizes religion as a fulfilling good on the condition that it is possible, then one has enough reason to recognize the importance of seeking the truth about this transcendent source and finding what needs to be done to achieve harmony with it, if such harmony is possible. Someone might judge after investigation that such a reality does not exist but might still recognize the fairness in respecting the freedom of others to carry out their own investigations about this matter and to act accordingly. For an example of how this could be, consider the following case. Imagine someone, Frank, misplaced a lottery ticket. When the lottery numbers are announced, it appears to Frank that he has won. He tells his roommate Joe: "I need to find this lottery ticket; I think I won!" Joe might be incredulous. How unlikely it must be, he thinks, that Frank won. Nonetheless, Joe grasps why this is important to Frank and believes Frank's reaction is understandable. He certainly does not fault Frank for digging

[12] Mark C. Murphy gives the example of a radical skeptic who can still grasp knowledge as a good while at the same time being unconvinced its achievement is possible: in *Natural Law and Practical Rationality*, 132–3. See also Lewis, "Religious Freedom, the Good of Religion and the Common Good," 29–30: "For non-believers the good of religion can still function as a value in so far as it motivates one to seek the truth about God as an obligation just because if one concludes that there is such a being, then harmony with God would be a good."

through all the cushions and under the beds to find that ticket, and he might even help despite believing Frank's memory is mistaken.

Of course, another issue arises when atheists or agnostics consider the pursuit of the good of religion inherently irrational, even culpably so.[13] This situation would be more like the following modified version of the last example. In the modified version of the story, Frank is instead high on drugs and Joe knows it. In this scenario, Joe is understandably quite annoyed with Frank for putting him through the inconvenience of overturning the whole apartment, because he knows that it is all a product of Frank's being high.

Similarly, atheists or agnostics who consider religious belief inherently irrational, and culpably so, will likely not consider the pursuit of religion to be in any morally relevant way like investigations they respect and take seriously. In their minds, such apparently unjustified and culpable ignorance is deserving of no special respect at all. It is especially with non-believers like these in mind that I respond in the next chapter to the objection that religious belief is inherently irrational. However, for the rest of the chapter I will simply assume the existence of a transcendent source. I will also present as hypothetical various purported understandings of the nature of such a transcendent source, as well as possible sources of data, both natural and purportedly supernatural, that can serve as the basis for the insight that religion is a basic good, along with data that affects the motivating power of this same good.

Belief in the Transcendent Source

Throughout the world there remains impressively widespread recognition of the existence of some transcendent reality/realities. Both theists and atheists consider such widespread belief a

[13] See Brian Leiter, *Why Tolerate Religion?*

phenomenon to be explained, and indeed, various explanations have been given. The reformer John Calvin spoke of a natural "awareness of divinity" (*sensus divinitatis*), which some interpret as a sort of hardwired perceptual capacity for recognizing the existence of a divinity once certain conditions are met.[14] Somewhat by contrast, Thomas Aquinas writes in the *Summa Theologiae* that we naturally have knowledge of God in a general (and confused) way insofar as we have a natural desire for happiness.[15] Presumably this natural desire inclines us to seek out and find a notion like the Absolute as an object proper to this desire. In any event, the claim that there is an inherent tendency of human beings toward belief in the transcendent might explain why there are some—even self-proclaimed atheists—who have an obscure and unarticulated conception of the transcendent ground.[16] Even Freud acknowledged an innate tendency of human beings to believe in the transcendent, but he believed that positing the existence of an object corresponding to this desire is simply a case of "wish fulfillment."[17]

Perhaps it is the case that the tendency of people toward belief in transcendent reality/realities is not merely dispositional or inclinational, or simply the product of a unique

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[14] John Calvin, *Institutes of the Christian Religion*, ed. John T. McNeill and trans. Ford Lewis Battles (Philadelphia: Westminster, 1960 [1559]), I.iii.1, pp. 43–4, and I.iii.3, p. 46. This is Alvin Plantinga's interpretation of what Calvin affirms in these texts. See Alvin Plantinga, *Knowledge and Christian Belief* (Grand Rapids, MI: Eerdmans Publishing Co., 2015), 32–3. See also Idem., *Warranted Christian Belief* (New York, NY: Oxford University Press, 2000), 171–2. I will bring up this notion of a *sensus divinitatis* again when I discuss Alvin Plantinga's account of the rationality of faith in the next chapter.

[15] *ST* I, q. 1, a. 2, ad 1. "To know God exists in some common way, and under some confusion, is implanted in us by nature, insofar as God is the happiness of the human being, and the human being naturally desires happiness, and what is naturally desired by the human being is naturally known by him/her" ("Cognoscere Deum esse in aliquo communi, sub quadam confusione, est nobis naturaliter insertum, inquantum scilicet Deus est hominis beatitudo, homo enim naturaliter desiderat beatitudinem, et quod naturaliter desideratur ab homine, naturaliter cognoscitur ab eodem" [Leon.4.28]).

[16] See also what I say about the experience of conscience, hope, gratitude, and inner peace below.

[17] Sigmund Freud, *The Future of an Illusion*, trans. and ed. James Strachey (New York and London: Norton, 1961), 88. Whether or not one accepts the fact that we are hardwired for belief as evidence for or against positing the existence of a divinity will depend on other antecedent assumptions. The believer is not surprised that we are so inclined: it is exactly what a believer would expect. The non-believer will point to this as the only reason there is belief and attempt to show that it is misguided: they might call it a folly that perhaps had evolutionary advantages at one time, or even still does, but which tells us nothing about extramental reality. I will take this issue back up again in the next chapter.

perceptual faculty as Calvin thought. Thomas Aquinas, for instance, in the *Summa Contra Gentiles*, makes a stronger claim than in the *Summa Theologiae* about general knowledge of God's existence: a claim that, as far as I can tell, he never repudiated even if he never repeated it.[18] In this earlier work, Thomas also claims that there is general and confused knowledge of the existence of God, but this time he refers to a knowledge that has a more theoretical/speculative basis. Although he denies that such knowledge of God is self-evident, he says that it can be explained as a product of reason based on the data of experience: in particular, he argues that someone might have a spontaneous inference that behind the orderliness of the world there must be an ordering source. "It can't just be an accident," as my mother would say, presumably expressing this same insight.[19]

Such an inference, however, seems to already point in the direction of monotheism because an ordering principle implies some sort of unity: at least a unitary cause of this world. With it being the case that the popularity of monotheism is still a relatively new phenomenon in human history, perhaps it is more likely that such an inference to a single ordering source of the cosmic order is only common among those who already know to look for it, such as those born into cultures in which such notions are prevalent. Insights often arise when one knows that there is something to look for: e.g., a student is likely to come upon an insight about calculus by simply trying to make sense of what the calculus teacher is saying, but the same student is unlikely to come to such insights completely on his or her own. This would be analogous to when someone sees a sonogram on a desk: it might appear as unintelligible shapes, but if that

[18] Unless one takes his different but not inherently incompatible account in the *Summa Theologiae* as a sign that he abandoned the former account: this is admittedly plausible albeit inconclusive.

[19] It is plausible that for some this unarticulated insight corresponds instead with other explicit arguments for God's existence, such as cosmological arguments that argue for the existence of a first cause or necessary in itself ground as an explanation for the caused/contingent realities of this world.

same person were told by a medical technician what to look for, then such a person might gradually find the objects that the technician indicates through those same shapes.[20] When one inherits a concept of the transcendent source from one's family, religion, or culture, it becomes more likely that through this concept one infers something one would not have otherwise known to look for, but which nonetheless makes sense of the day-to-day contingent and orderly realities one encounters.

In this way, if one is not philosophically trained, but still reflective, and is habitually inclined to see the world as created, one might be more inclined to believe that a denial of God's existence would leave a gap in the intelligibility in one's understanding of the world.[21] Trey Parker (the co-creator of *South Park*), a famous critic of religion, seemed to have a similar sense when he stated:

> Out of all the ridiculous religion stories — which are greatly, wonderfully ridiculous — the silliest one I've ever heard is, 'Yeah, there's this big, giant universe and it's expanding and it's all going to collapse on itself and we're all just here, just because… That to me, is the most ridiculous explanation ever.[22]

Such tacit inferences about a transcendent source as Absolute, even if it is confused with symbolic representations of the imagination, might give to the mind a sufficient ground for the orderliness, directedness, or contingency of the world; or perhaps this will be a belief continually confirmed in one's mind by one's own daily experience in various other ways. Certainly, atheists will deny the rationality of these purported insights. It is not my purpose here to defend these

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[20] Cf. Michael Polanyi, *Personal Knowledge: Towards a Post-Critical Philosophy*, enlarged edition with new foreword by Mary Jo Nye (Chicago: The University of Chicago Press, 2015 [1958]), 101.

[21] Denial of God's existence might also leave unexplained many aspects of the person's experience. The atheistic paradigm, and its alternative explanations of the phenomena, might simply not seem credible to an ordinary theist.

[22] "Secrets of South Park" on *ABC News* (ABC: Sept. 2006). Quote accessed from https://hollowverse.com/trey-parker/. Accessed July 11, 2019.

claims, but in the next chapter I will present one philosopher's defense of such inferences—in more articulated forms—for the existence of a transcendent source of existence.[23]

The Nature of the Transcendent Source

In addition to such general and perhaps confused notions of the transcendent source of existence, one might acquire additional data relevant to one's understanding of this transcendent source through one's parents, one's cultural or religious traditions, education, experience, and philosophical and theological reflection. It seems that the more one understands the transcendent source as absolute, transcendent, perfect, especially morally perfect, the more one grasps this reality as something worthy of honor and love, and the more one considers it important to be in harmony with 'it'. If what is called 'simulation theory' were right, the immediate source of the world that we experience would perhaps be some guy sitting in his basement playing a very advanced version of *Sim City* or *Second Life*.[24] We would not, at least I certainly would not, consider harmony with such a being particularly special. In fact, if we thought this were the case, we would probably feel resentment at such a person for making us pawns in his game. It is worth considering whether there are some who perhaps take the word 'God' as referring to something

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[23] Melissa Moschella argues that one's conviction of God's existence can be rational without one being able to give an articulated defense of it in the same way that one's conviction that murder is wrong is rational without one being able to give articulation of it. See Moschella, "Beyond Equal Liberty," 127. On implicit and unarticulated inferences of God's existence, see also Germain Grisez, *Beyond the New Theism* (Notre Dame, IN: University of Notre Dame Press, 1975), 36ff. Perhaps the philosopher most known for analyzing such unarticulated, tacit, knowledge is Michael Polanyi, whose position is summed up in the affirmation that "we can know more than we can tell": Michael Polanyi, *The Tacit Dimension*, foreword by Amartya Sen (Chicago: The University of Chicago Press, 2009 [1966]), 4. See also Idem., *Personal Knowledge*, parts I-III. For Polanyi all knowledge is rooted in tacit knowledge and while it is very beneficial to bring what is tacit to articulation, the tacit 'coefficient' of our knowledge will never be exhausted in articulation.

[24] I posit this idea to make a point about how our understanding of a transcendent ground affects the data upon which we grasp the good of religion. Of course, if one holds as sound certain cosmological or teleological arguments for the existence of a transcendent ground, positing something like a simulation would simply be a case of kicking the can down the road without resolving the issue: there would still presumably have to be a transcendent ground for the world from which such a simulation arose, but my basis for this claim will be clearer when I discuss W. Norris Clarke's defense of natural theology in the next chapter.

more akin to this guy in his basement, however powerful such a being, yet still finite and imperfect: like Zeus on Mount Olympus.

Let us consider the case of those who identify this transcendent source as 'the universe' or 'cosmos'. They can mean this to refer in an obscure way to the Absolute taken as something open-ended, quasi-transcendent, purpose-giving, as I say above. Perhaps, some will say that the obscurity of this language is a feature, not a bug: they might think, modifying the old saying about the 'Tao', "the Numinous that can be spoken is not the real Numinous." Similar qualifications can be found in the major monotheistic religions, although adherents to these religions generally acknowledge the validity of uttering truths, however imperfectly, about the Absolute. However, if those who speak about the universe/cosmos are referring to this reality as literally composed of this tree, that star, this plant, etc., then it is more difficult to take these words to be referring to a reality that is worthy of a unique devotion in the way that the Absolute calls for it.

Perhaps someone who speaks clearly and explicitly of the universe/cosmos as an object of specifically religious response would apply the distinction, utilized by Spinoza, between *natura naturans* and *natura naturata*,[25] and state that the former, nature as eternal cause, is worthy of devotion, and not the latter, nature as caused (e.g., this tree, etc.). Spinoza, after all, calls nature understood in the first way 'God' (*Deus*). But for Spinoza, the 'nature as eternal principle' (*natura naturans*, lit., "naturing nature") is only distinct from 'nature as caused' (*natura naturata*, lit., "natured nature") in the way that a whole organism is distinct from the organs it develops. Such a romanticized nature—impersonal, unconscious and thus indifferent—

[25] Baruch Spinoza, *Ethics*, Part I, Prop. 29.

is certainly a minimalist conception of deity. Moreover, as I note above in response to Dworkin, the possibilities of harmony with such a reality, and the intrinsic desirability of such harmony, would be limited.

To understand the transcendent source of existence as Absolute and Unlimited, as some of the philosophers and religions have understood it, might give the impression that such a reality is grand but distant and unconcerned with us. Aristotle, who seemed to understand the divine as an especially great but not absolute being, thought-thinking-itself, inferred that friendship with such a god would be impossible.[26] Although he did say that acting so as to be pleasing to 'the gods' is a worthwhile endeavor.[27]

By contrast, Thomas Aquinas believed natural reason could come to recognition of the Absolute as both infinite and the cause of existence of everything else that exists. He believed that such attributes as God's infinity, simplicity, and immateriality[28] could be inferred as necessary features of a reality that is the necessary, uncaused cause of the contingent existence of everything else. That is to say, he believes one can infer through philosophical reasoning that anything without these features must be contingent and caused, and thus not a terminus that can provide a sufficient explanation for all that exists. As the infinite cause of all that exists, the Absolute would also have perfect knowledge of all that exists: thus the grandness of the Absolute, instead of implying a distance with no knowledge of what is below it, would imply a most perfect knowledge, even of the infinitesimal.[29] Moreover, as the cause of existence, God understood in this way would also be, according to Thomas, the cause of goodness, given that

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[26] See Aristotle, *NE*, VIII.7. 1158 b 35. See Finnis, *Fundamentals of Ethics*, 144ff.

[27] Ibid., X.8., 1179 a 30. Cf. Moschella, "Beyond Equal Liberty," 128.

[28] For Thomas, as for many other great theologians of the Christian tradition, to speak of the immateriality of God is to think of God like an infinite mind—not brain(!)—possessing the full power of existence.

[29] See *ST* I, q. 14, a. 11.

anything is good, or has perfection, insofar as it exists. But to create what is good is to will good, and to will the good of something is the same as to love it.[30] Therefore, Thomas, at least, believes that philosophical theology can establish God's love for creatures, even if philosophical/natural theology alone cannot demonstrate that God wants to establish a special relationship with us.

I will leave aside for now the question of whether such inferences of natural/philosophical theology are legitimate. Nonetheless, such a purported notion of the Absolute, as having complete noetic comprehension of creatures down to the most infinitesimal detail, and who creates out of 'love', coheres well with the claim made by some religions that the Absolute has immense care for the well-being of each person. To understand the transcendent cause of existence as having such care is consistent with the possibility of greater forms of harmony with this reality. One who does not believe in a transcendent source can still grasp why it would matter for people to seek the truth about this purported possibility.

Since the different notions of the Absolute that I have mentioned have been defended philosophically and are the patrimony of certain common-sense notions of the transcendent source, it seems fitting to say that if they are true, then they are perfectly consistent with 'natural' religion. I use the qualifier 'natural' to identify such common religious beliefs and practices that are purportedly known and practiced without a purported source in supernatural revelation.[31] Of course, to the atheist all religions are natural, and all belief in God false. Nonetheless, I consider the distinction between natural and supernatural religion useful for my purposes here. Such

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30 See *ST* I, q. 20, aa. 1–2.

31 See John Finnis, "Darwin, Dewey, Religion, and the Public Domain," in John Finnis, *Collected Essays*, Vol. V, *Religion and Public Reasons* (Oxford: Oxford University Press, 2011), 17–41, at 27. This essay was originally published as "Does Free Exercise of Religion Deserve Constitutional Mention?" *American Journal of Jurisprudence* 54 (2009): 41–66. See also, from that same collection, "Secularism's Practical Meaning," 56–79, at 62. This essay was originally published as "On the Practical Meaning of Secularism," *Notre Dame Law Review* 73 (1998): 491–515. See also John Henry Newman, *An Essay in Aid of a Grammar of Assent*, ed. Ian Ker. (Oxford: Oxford University Press, 1985 [1870]), Ch. 10, §1.

commonly held religious notions are relevant for recognizing the possibility and desirability of harmony with the transcendent ground of existence.

Finally, as regards the nature of the Absolute, in addition to material from natural theology, or from 'common sense', there are religions that claim that the transcendent ground of existence has provided some sort of revelation. It is not my purpose to defend any claim to revelation here, but simply to make the point that this data, if accepted, can affect the "power" of the good of religion,[32] insofar as purportedly revealed characteristics about God could give human hearts greater motivation for devotion, gratitude, and love of their Creator. For instance, the Jewish religious belief in God's providential care throughout the centuries for Israel is a source, according to them, of a special familiarity with God, and a reason for gratitude. And of course, Christians believe in God's self-revelation in Jesus Christ, a belief which is also a source of life-altering gratitude and hope.

Analysis of Harmony with the Transcendent Source

Signals of Transcendence

In what follows I will examine different purported degrees of harmony with the transcendent source of existence. As part of this analysis I will point out various *signals of transcendence*[33] from everyday life that are possible points of contact between human experience and the transcendent. These will include, among other things, what I call transcendental hope and transcendental gratitude: spontaneous experiences of hope and gratitude that phenomenologically reveal themselves as directed 'vertically'. I will say more about this below. For someone who

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[32] See Grisez, Boyle, Finnis, "Practical Principles", 109.

[33] I borrow the notion of 'signals of transcendence' from Peter L. Berger, *A Rumor of Angels: Modern Society and the Rediscovery of the Supernatural*, expanded with a new introduction by the author (New York, NY: Anchor-Doubleday Books, 1990 [1968]), 59ff. However, my own list of such 'signals' is significantly different than his.

believes in a transcendent source, such signals are data for discernment and are also relevant as data for grasping the good of harmony with the transcendent source.

I ask the atheist reader to be patient with me here. In this chapter, I am not arguing based on these phenomena that the transcendent source exists. I am aware that taken one by one such signals of transcendence can be given a different interpretation within an atheistic paradigm. The atheist might think of them rather as *transcendental temptations*.[34] In fact, on the 'horizontal' order of natural causality,[35] I do not doubt the best evolutionary explanations for these signals of transcendence. The adaptive value that allowed such phenomena to survive the filter of natural selection may even have little directly to do with the transcendent at all, at least at earlier stages in evolutionary development. But all these evolutionary mechanisms are consistent with a universe that has a transcendent and provident source. The evolved faculties that made possible our recognition of the laws of logic, our capacity for language, our ability to grasp some of the most fundamental mathematical relationships in the universe, or even the mind's capacity to understand evolutionary theory and genetics, etc., all depend upon genes that have in some way been adaptive so that they could survive natural selection and be transmitted. Whether one interprets any one of these phenomena as 'signals of transcendence' or 'transcendental temptations' will depend on one's more comprehensive judgment about the existence of a transcendent source.[36] I do not present them in this chapter as evidence for the existence of this

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[34] See Paul Kurtz, *The Transcendental Temptation: A Critique of Religion and the Paranormal* (Buffalo, NY: Prometheus Books, 1986).

[35] This is in contrast with the 'vertical' order of transcendental causality: I will discuss this further in the next chapter.

[36] I should qualify this claim. Taken one by one, these signals of transcendence might be equally consistent with theistic and atheistic accounts. However, I do not deny that taken all together, as seemingly independent lines that nonetheless converge on a point, these signals of transcendence can provide credibility for theistic belief—and perhaps certain signals of transcendence, such as heightened inner peace, might provide credibility by themselves. But this is a separate argument, discussion of which I will save for the next chapter. For now, I simply assume the existence of a transcendent source, and nothing in this chapter should be taken as a positive argument for the existence of that same reality.

reality. Nonetheless, these are experiences that motivate individuals to seek out whether such a reality exists and, if so, seek harmony with 'it'.

Disharmony with the Transcendent Source

One belief that I consider the patrimony of both natural and purportedly supernatural religion is the inference, made often in a spontaneous way and based on our experience of practical reasoning, that the moral law in our hearts, discussed in the last chapter,[37] is a form of providential guidance. That is to say, it is often inferred that acting according to reason is not only to act morally, but also to cooperate with our transcendent source.[38] It may often be the case that this insight is grasped in the experience of strong feelings of conscience and I will explore the relevance of such experiences below. Although one way of understanding this relationship between our practical reasoning and the transcendent reality is in a voluntarist manner, as if all moral truths were only true because God willed them to be so. I think it a more reasonable account of practical reason, and more consonant with rich conceptions of divine goodness, to consider it in the way Thomas Aquinas understood it: that the moral law within our hearts is a sort of participation in the eternal law of God—that human practical wisdom is a participation in divine wisdom.[39]

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[37] I am discussing these phenomena from the standpoint of transcendental causality and governance: I am not denying the role of natural causes or denying the fact that we have evolved.

[38] See John Finnis, "Darwin, Dewey...," 26–27. Such participation in divine wisdom, or in the eternal law, is called "participated theonomy" in John Paul II's encyclical *Veritatis Splendor*, n. 41. Although the term 'theonomy' can be found in writings of German protestant theologians since the 19th century, 'participated theonomy' was borrowed from Martin Rhonheimer, *Natur als Grundlage der Moral* (Innsbruck-Vienna: Tyrolia-Verlag, 1987). See, for instance, p. 166 (*partizipierte Theonomie*). For the English translation, see *Natural Law and Practical Reason*: *A Thomist View of Moral Autonomy*, trans. Gerald Malsbary (New York, NY: Fordham University Press, 2000), 203. This is a major theme throughout this same work even when it does not refer explicitly to 'participated theonomy'.

[39] See *ST* I-II, q. 91, a. 2, c. Cf. *ST* I, q. 85, a. 5, c.

The objectivity inherent to the Absolute's practical judgment is grasped spontaneously, even perhaps among those who are not at all religious. Consider again the character Walter White from the show *Breaking Bad*, whom I analyzed in the last chapter. In a scene from an episode of the third season, it is apparent that Walt is haunted by an improbable coincidence: on a night that Walt would become responsible for the death of a young woman, he enters a bar and has a conversation with the father of that same woman. Walt was unaware at the time that the man was the woman's father and he only became aware of this fact afterwards.

> I mean, think of the odds. Once I tried to calculate them, but they're astronomical. I mean think of the odds of me going in, sitting down that night in that bar next to that man… The universe is random…It's subatomic particles in endless collision…But what is this saying? What is *it* telling us when, on the very night this man's daughter dies it's me who's having a drink with him? I mean, how can that be random?[40]

Of course, this is a fictional story, but Walter's reaction is quite understandable. He is haunted by what he perceives as likely the practical judgment of 'the universe'. Its objectivity is a big part of what haunts him. It cuts through all the lies he has told himself. The truth about what he has done is unbearable to him. Any hints of the truth of who he has really become will follow him, tormenting him, unless he repents and makes things right. Self-deception can only go so far.[41]

In addition to the torment of an objective challenge against his rationalizations, there is a sense that Walt also feels a guilty conscience. If emotion is a concern-based construal, as Robert Roberts argues,[42] then it seems that the construal involved in guilt can be either directed 'horizontally' or 'vertically'. If it is 'horizontal', and one has done serious harm to someone, then

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[40] *Breaking Bad*, "Fly." Directed by Rian Johnson. Written by Sam Catlin and Moira Walley-Beckett. AMC. May 23, 2010 (emphasis mine).

[41] On the limits of motivated reasoning and self-deception, see Kunda, "The Case for Motivated Reasoning," 482–3. That is not to say self-deception and motivated reasoning cannot do immense damage within their typical limits. I take it that Walter White is a realistic fictional representation of the harm caused by self-deception.

[42] See Robert C. Roberts, *Spiritual Emotions* (Grand Rapids, MI: Wm. B. Eerdmans Publishing Co., 2007), 11–4.

one will likely be hurt by the mere sight or thought of the person one has harmed—the worse the harm the more uncomfortable it is.[43] But in addition to this 'horizontal' guilt there is also the experience, often concomitant, of a more 'vertical' sense of guilt. This seems to be what Gabrielle Taylor is describing when she notes that phenomenologically, whereas the feeling of shame includes an implicit sense of an 'audience' who stand in judgment, the feeling of guilt includes a sense of an absolute authority or "god."[44] I believe this is true of what I am calling a 'vertical' sense of guilt. Philosophical reflection can further clarify the nature of this higher objectivity, determining whether it implies voluntarism or not—I believe it does not. If what Taylor says is correct, and I find it quite compelling, then we could say a guilty conscience features at least an obscure and implicit sense of being out of sync with an objective authority that stands above us, whatever one's understanding of this reality. Analogously to the case of 'horizontal' guilt in relation to a victim, if one who is experiencing such 'vertical' guilt is not ready to repent then one will likely not even want to think about one's transcendent source, however 'it' is understood.[45]

Based on the above considerations, I would like to highlight the phenomenon of a felt conscience as a signal of transcendence.[46] It is the experiential signal that is felt spontaneously, even among atheists, of tension with or guilt in relation to some obscure and implicit but supremely objective authority. Such experiential signals are significant data for the insight that

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[43] See ibid., 101.

[44] Gabriele Taylor, *Pride, Shame, and Guilt: Emotions of Self-Assessment* (New York, NY: Oxford University Press, 1985), 85–6.

[45] Of course, we are dealing with a feeling of guilt here, and I am not claiming that it is infallible—I am confident it is not. When one experiences such guilt one still must discern whether it is rationally based, or simply based on the internalization of a taboo, or mere emotional scruples that have no rational basis.

[46] I am talking specifically of the feeling of conscience experienced as relationally 'vertical', as tension or guilt in relation to an absolutely objective standard standing above us, even if we admit we can be mistaken about this standard. It seems to me, along with Roberts, that strong feelings of conscience, whether mere tensions or positive guilt, can also be in relation to other persons affected by our choices.

disharmony with one's transcendent source is something to be avoided and, consequently, that harmony with the transcendent source is a good to be sought. Germain Grisez recalls an experience as a child in which he disobeyed his father and the latter was visibly upset about it: Grisez relates that from that point onward he grasped that disharmony with his father was something bad and to be avoided.[47] That such a negative experience could be illuminating is not unique. In *Being and Time* Heidegger discusses various breakdowns in our practical and concerned dealings with equipment and media that bring these same phenomena to our explicit attention after they were previously only in our background awareness.[48]

Consider what happens when one is using a hammer to pound in a nail. Normally when one uses a hammer, focal attention on the hammer itself generally recedes into the background of our awareness, to what is called in Gestalt psychology 'subsidiary awareness'.[49] By contrast, one's focal awareness is on the nails themselves, or the task of pounding them into the wood. 'Obstinacy', understood in the Heideggerian sense, would occur in this example when something about the hammer or one's use of it is not working right: perhaps the hammer keeps slipping, inhibiting one's performance. In such a case, one's focal attention goes back and forth between the tool and the task at hand, thus bringing the hammer to one's more explicit/thematic attention. Another example would be when one's internet is working slowly: our attention keeps being distracted from the task at hand by the 'obstinacy' of our web browser loading pages slowly. This is even more the case with 'conspicuousness', when the tool ceases working altogether, or 'obtrusiveness', when what is supposed to be there is absent altogether. We see an analogous

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47 Grisez, "Natural Law, God, Religion, and Human Fulfillment," 11.

48 See Martin Heidegger, *Being and Time*, trans. John Macquarrie and Edward Robinson (New York: Harper Perennial-Modern Thought, 2008), 102–104.

49 See Michael Polanyi, *Personal Knowledge*, 55–65. I include the terminology of Gestalt psychology along with Polanyi because I think it is more comprehensible for the general reader than Heidegger's own terminology or the standard translations of it.

case with feelings of conscience. When there is some tension between one's tendencies and one's implicit or explicit moral beliefs, the feeling of conscience is more pronounced. When one acts explicitly against such beliefs then one feels guilt. It is in this way that such negative experiences can bring to more explicit awareness an implicit relationship with a sometimes obscure and implicit but nonetheless objective authority that stands above us.[50] Of course, I reiterate, I do not mean to imply that this sense is an infallible guide, but rather that it serves as a datum for rational discernment.

If one has a sense of disharmony with the transcendent source, one might choose to ignore it, distract oneself from it, or rationalize it. One might make the more reasonable choice of contrition and seeking to make amends. If one opts for this latter route, the question will arise: how does one make things right? Such a search for restoration and reconciliation with the transcendent source is a critical aspect of the religious quest.

Such disharmony, and an implicit desire for reconciliation, can be seen in the other character we analyzed from *Breaking Bad*, Jesse Pinkman. By the end of the series, Jesse repents of his immorality and destructive lifestyle, but healing does not come for him right away. Previously in the show, Jesse attended a support group for those with addictions. The leader of that group asked them if they had come to the support group in order to improve. Most, including Jesse, raised their hands. The group leader told them that this was a mistake: instead, they are there to accept themselves.[51] Perhaps this is good advice for some, depending upon their circumstances, but for Jesse this was not the right advice. Jesse interpreted this as meaning that he should accept his immoral behavior as part of who he is. Later in the show, when Jesse is

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[50] Perhaps another analogy would be that of one's glasses, how one who wears them often forgets they are there, but they might come to one's attention when they fog up.

[51] *Breaking Bad*, "No Más." Directed by Bryan Cranston. Written by Vince Gilligan. AMC. March 21, 2010.

mired in guilt, he challenges the whole idea that he should just accept himself. But if he cannot simply accept himself, what can he do? How can he be restored? How can he become *worthy* of self-acceptance? It is likely he does not yet know the answers to these questions. Perhaps philosophy, or plausible religious or spiritual traditions will offer some sort of answer, or perhaps an answer can only be found from some sort of supernatural revelation.

Someone might object that the transcendent source could simply grant at fiat reconciliation or restoration of harmony. Demanding anything else seems pointless, perhaps even pusillanimous on the part of any divinity. I do not know if philosophy alone can answer this question. Whatever the transcendent source of existence judges as the way to grant forgiveness for disharmonizing and immoral choices is the prerogative of that reality. I see no reason why such reconciliation could not possibly be achieved purely by fiat, with no need for anything called atonement, but I also consider it, *prima facie*, questionable that such a solution would be best. Such a solution might make light of the dignity of all the persons involved and the relationships that they share: it might simply be a case of "cheap grace."[52] This seems to be intuited by good writers who want to redeem a character who has done something wrong. Consider the crucibles that the characters Jesse Pinkman, Raskolnikov, and even Angela on the *Office* had to endure as part of their redemption stories: these writers intuited that this would be necessary for it to seem right to the audience. This same intuition of cosmic justice seems to be at play in the various rituals of sacrifice and atonement found in many religions.[53] In any case

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[52] Dietrich Bonhoeffer, *The Cost of Discipleship*, foreword by Eric Metaxas (New York, NY: Touchstone 1995 [1937]), 43ff.

[53] Thomas Aquinas makes a similar point to my own about recognizing the good of religion through feelings of conscience. He states that recognition of our own deficiencies leads us to recognize our subjection to a higher authority, a higher authority that people recognize as God. He sees this as part of what leads people of all different cultures to offer something like sacrifices to God. See *ST* II-II, q. 85, a. 1, corp.

one will have to seek out an answer to the question of whether repentance and doing the best one can is enough or if there is something else necessary.

In addition to the issue of discovering how to make things right with one's transcendent source, there is the issue of overcoming one's own inclinations that resist acts in conformity with this harmony. Aristotle spoke of the incontinent person who wants to act well but often fails in the moment of choice due to disordered passions.[54] Paul of Tarsus spoke of an interior struggle: "what I do, I do not understand. For I do not do what I want, but I do what I hate."[55] To know if such harmony can be achieved through one's own natural efforts, or if there is the possibility of something like 'grace', is also of great importance for such a person. In fact, being aware of the possibility of overcoming such obstacles might make all the difference. Such hope is necessary to avoid falling into despair and into the escapism and rationalizations that inevitably follow from it. This theme of hope is one that I would like to now examine.

Transcendent Hope

What I mean by transcendent hope is the sort of hope that "is not destroyed by disappointments, but comes into its own through the loss of all illusions."[56] Such hope points beyond itself. If one does not believe in a transcendent source of existence, it will point outward toward the transcendent without a definite object, but if one does believe in a transcendent source of existence, one knows immediately where such hope is directed. According to Gabriel Marcel, such hope is only possible where there is a temptation to despair.[57] Such a hope is critical for the

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54 Aristotle, *NE,* Bk. VII.

55 Romans 7: 15–20 (NAB, Revised Edition).

56 Avery Dulles, *The Survival of Dogma* (Garden City, NY: Doubleday, 1971), 65. Much of this analysis of hope is dependent upon his treatment and the sources he cites.

57 Gabriel Marcel, *Homo Viator: Sketch of a Phenomenology and a Metaphysic of Hope*, ed. and trans. Emma Craufurd (Chicago: Regnery, 1951), 36.

person who is seeking out reconciliation or greater participation in the good of religion. If such a transcendent hope is well-founded, because there exists a transcendent source, and harmony with such a reality is (still) possible, then it seems plausible that there might already be some sort of increased participation in the good of religion through hope itself, in a way analogous to how trust contributes to the quality of human relationships.[58] Whatever the case, intrinsic to such hope is the very hope of its having some basis in reality. If one knew with absolute certainty that such hope was groundless, it would disappear, and one would have no option but to despair. Similar to the 'vertical' feelings of conscience that I mention above, this transcendent hope is also directed vertically, and thus I consider it another signal of transcendence.[59]

The Virtue of Religion and Transcendent Gratitude

In the *Summa Theologiae*, Thomas Aquinas dedicates one question with eight articles to a virtue he calls religion.[60] According to the taxonomy utilized by Thomas of classifying the human virtues as aspects or forms of the cardinal virtues of prudence, justice, temperance, and fortitude, Thomas treats the virtue of religion as a kind of justice. Like the virtue of piety, by which we give our parents the honor they are due for a gift that we can never repay, so religion is the virtue of rendering due honor to the One who is the "first principle of the creation and governance of things."[61] Thomas states that although such honor is due to God, it is ultimately for our own benefit, so that our minds, presumably both intellect and will, may be united to God:

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58 Augustine, *The Confessions*, Bk. 10, Ch. 20, p. 248–9.

59 Such 'transcendent' hope was implied in Peter Berger's treatment of 'order' as a 'signal of transcendence' in *Rumors of Angels*, 60ff.

60 *ST* II-II, q. 81, aa. 1–8. For additional commentary, see Josef Pieper, *The Four Cardinal Virtues: Prudence, Justice, Fortitude, Temperance*, edition with notes (Notre Dame, IN: University of Notre Dame Press, 1966), 104ff. See also

61 Ibid., a. 3, corp. (Leon.9.180).

that is, it is not for God's perfection but for ours.[62] It is the highest of the acquired (natural) moral virtues, according to Thomas, because in addition to its proper acts of worship, it also directs the acts of other virtues toward the honor of God. Viewed from the aspect of this directive function, Thomas also calls it sanctity or holiness (*sanctitas*).[63] Religion viewed as holiness or sanctity highlights the architectonic quality of this virtue. This directive role should not be taken as negating the other reasons for acting virtuously, but it highlights how virtuous activity can be motivated by and incorporated into one's relationship with God.

One might ask how the *virtue* of religion, so understood, relates to the topic of this chapter, the *good* of religion. Here I define the good of religion as 'harmony with the transcendent cause of existence'. Such harmony seems to coincide not with the object of the virtue of religion, as understood by Thomas—acts that render due honor to God—but rather to the end, or ulterior intention of such acts. Thomas sometimes states that the end of such acts is the union of the mind with God (see a. 6, corp.) or sometimes he simply states the end of these acts is God.[64] But to say that God is the end of such acts is somewhat ambiguous, because one does not intend someone else. To say that someone is the end of action must be taken in a couple of ways. For instance, based on the articles of the question in the *Summa* I have summarized, it can refer to that *union* of one's mind with God. In another closely related sense, one can also say that to have God as an end of one's actions means to do something out of love of God. But these two senses are complementary in the same way that to do something for the sake of a friend can

[62] Ibid., a. 7, corp. Thomas states that for this reason interior acts of religion are primary, whereas exterior acts are secondary.
[63] Ibid., a. 8.
[64] Ibid, a. 5–6.

also be considered under the aspect of doing something for the sake of building one's friendship with that same friend.

The virtue of religion is for Thomas Aquinas, at least initially, a natural[65] moral virtue. It does not presuppose any supernatural grace. It concerns the acts of reverence to the source of our existence (and happiness) for a gift we can never fully repay. In addition to a primary emphasis on acts of gratitude, virtues of gratitude, like religion, can also be viewed under the aspect of feelings of gratitude. It seems that Thomas's treatment puts emphasis on the acts of gratitude, but feelings of gratitude are also significant, for it is also virtuous to be prone to feelings of gratitude when it is appropriate. As McCullough and Tsang point out, the feeling of gratitude by its very nature compels a response either of reciprocation or paying it forward: it is a moral motivator.[66] This inherent tendency of the emotion of gratitude toward benevolent reciprocation or paying it forward complements Thomas's perspective about acts of gratitude toward God, specifically religious acts, and other benevolent acts for the sake of honoring God.[67] Admittedly, Thomas's more act-centered emphasis is primary, for there are times in which one experiences no feeling of gratitude even after having strived to foster that feeling, but one still acts well by carrying out acts of gratitude when it is reasonable and right to do so.

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65 I mean 'natural' as opposed to 'supernatural', and not the natural virtues that Aristotle discusses (*NE* VI, ch. 13) that Thomas prefers to call imperfect virtues (*ST* I-II, q. 65, a. 1, corp.): virtue-like dispositions possessed by someone without prudence.

66 Michael E. McCullough and Jo-Ann Tsang, "Parent of the Virtues? The Prosocial Contours of Gratitude," in *The Psychology of Gratitude*, eds. Robert A. Emmons and Michael E. McCullough (Oxford: Oxford University Press, 2004), 123–144, at 128.

67 Barbara L. Fredrickson alludes to something similar when she says that gratitude as a 'positive' emotion, by its nature it broadens and builds. Barbara L. Fredrickson, "Gratitude, Like Other Positive Emotions, Broadens and Builds," in Ibid., 145–66. That is, gratitude tends to make available to the mind many cognitive possibilities and it tends to strengthen relationships. This is in contrast to more negative emotions, such as anger or fear, which generally reduce our possibilities because they direct us to specific courses of actions. And although such 'negative' emotions' are sometimes appropriate and serve valuable purposes, outside of those appropriate circumstances they tend to do more harm than good to relationships.

One of the classical criticisms of gratitude as a virtue was that it implies the acceptance of being indebted to another. By its nature gratitude is opposed to such resentment.[68] Moreover, *virtues* of gratitude like religion oppose not only resentfulness, but also envy and pride, because they presuppose some level of humility and they help us to escape the trap of basing our self-worth on comparisons with others.[69] Of course, the virtue of gratitude entails being grateful when, and only when, it is appropriate. In the case of gratitude to God, if one understands God as the perfect and loving source of our existence, it seems that there is always a reason to be grateful. But just as gratitude in general can be difficult for some since it implies allowing another person to be one's benefactor, it is likewise difficult for some with respect to God.

Indeed, acknowledging oneself as being in another's debt for life requires a paradigm shift for many who value self-reliance. Viewing God as the non-competitive source of our existence, worship of whom constitutes an element of our perfection, is especially difficult when one's conception of God is some grand but ultimately finite being, a Zeus with his own faults, perhaps demanding our worship because of his damaged ego. However, if one has a richer understanding of God as the morally perfect, loving, infinite, and transcendent source of our existence, then it becomes much easier to accept this perspective. Indeed, such gratitude is based on a recognition that we can never pay our transcendent source back for our own existence and well-being. The free and unique response of gratitude to our Creator that is the nature of worship is, as Thomas points out, primarily for our own benefit: the primary benefit being greater union with God. But it also comes with other benefits: e.g., it is conducive to joy, a moral motivator,

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[68] Robert C. Roberts, "The Blessings of Gratitude: A Conceptual Analysis," in ibid., 58–80, at 66–9.

[69] See, Roberts, "The Blessings of Gratitude," 66–77. Roberts also mentions how gratitude tends to resist the feeling of regret.

and it protects against habits of resentfulness, pride, envy, and regret, which, unmoderated, are so harmful to our well-being.[70] Thomas, along with Cicero, considers it the highest moral virtue.[71]

By specifically transcendent gratitude, I mean the feeling of gratitude that one spontaneously experiences for life as a whole or at moments of great joy, and which implicitly or explicitly points to the transcendent. This transcendent gratitude is even felt by those with no explicit belief in God. Typical examples of such experiences happen in encounters with immense beauty, the happy resolution of a long period of difficulty, the birth of one's child, falling in love, discovering one's calling, or any unexpected and welcome joy or tranquility. The gratitude one can feel at such moments seeks an indirect object. This is because gratitude by its very nature has three terms: the benefactor, the benefit, and the beneficiary.[72] If one is a theist, one knows to whom this general gratitude is directed; if, like Albert Camus, one is not a theist, one will likely direct it at a personified universe.[73] If one reflects enough about the matter, one will grasp that to be grateful for life is to be grateful to its source. Like other passions or emotions, such a feeling of gratitude it is at least partially dependent upon our will, for it is something that virtuous people foster more often than the vicious. But gratitude is also a feeling that strikes us spontaneously, sometimes in a general, global way as mentioned above. As such it can be viewed as another signal of transcendence: it is among the experiences that serve as data for grasping the good of harmony with our transcendent source and it also provides greater motivation for seeking that same harmony.

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70 See McCullough and Tsang, "Parent of the Virtues?" and Roberts "The Blessings of Gratitude."

71 *ST* II-II, q. 106, a. 1, ad 1.

72 This was pointed out by Roberts, "The Blessings of Gratitude: A Conceptual Analysis," 62–3.

73 See, Robert Solomon, "Foreword," in *The Psychology of Gratitude*, viii.

Friendship with the Transcendent Source

Thomas Aquinas, wearing a theologian's cap this time, also offers an examination of friendship with the divine through his consideration of the theological virtue of charity (*caritas*). As a theological virtue, Christian tradition understands charity as a supernatural gift. I present analysis of this purported relationship because it is 'out there', so to speak: in its general outlines it is a mainstream doctrine of Christianity and some of its elements have analogues in other religions. Moreover, it is a particularly robust possibility of harmony with the transcendent source. Thus, it will serve as a fine example for more robust purported participations of the good of religion. Charity, Thomas states, can also be called friendship with God.[74] As friendship, it features mutual, benevolent love in which both parties will each other's good, and this relationship also features a sort of communication, which on God's side is a communication of happiness or fulfillment to the human being.[75] On the side of the human being it entails willing the divine good, which in the particular case of a perfect friend such as God, is the same as formally willing God's will. Moreover, since one cannot perfect God, who is already perfect, to act for the sake of God is to favor what God favors.[76]

Charity understood in this way is closely connected with the two other theological virtues of the Christian tradition,[77] faith and hope, because this relationship features not only a human will seeking conformity with the divine will, but also a firm belief based in a purported revelation and a firm trust in providential care. Such a hope, if legitimate, is the fulfillment of the transcendent hope mentioned above because it is a grounded hope—understood as a grace—

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[74] In *ST* II-II, q. 23, a. 1, *s.c.*, Thomas cites as relevant to this claim John 15:15: "Now I do not call you servants… but my friends."

[75] Ibid., corp.

[76] See Finnis, *Fundamentals of Ethics*, 148ff.

[77] See 1 Cor 13.

supported by and supportive of faith and charity. It is also a participated confidence that raises one's self-confidence, so valuable for daily living, to a higher and more secure plane: it is confidence in one's providential, loving, transcendent source.

Analogous to the directive role of the natural virtue of religion, which commands the acts of other virtues for the sake of honoring God, charity is considered by Thomas Aquinas as informing and elevating human activity by directing all of one's activity toward the friendship one has with the divine:[78] by exercising charity, whatever one wills, in addition to more proximate ends, one also wills for the sake of God (at least implicitly or in a habitual way).[79] For this reason, Thomas states that inasmuch as charity is present, it is the 'form' of the virtues.[80] The acts of love that one does for others, if also done out of love of God (at least implicitly or habitually), are also considered acts of charity. Thomas states that even the love one has for one's enemies has its basis in love of God. Enemies are loved in such cases not as enemies but as those who are loved by God and who matter to God.[81]

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78 I am attempting to provide a broad account of what I take to be Aquinas's view while avoiding the debates about the complex issue of 'infused' virtues and their relationship with 'acquired' virtues. For differing interpretations of this relationship, see, for instance, Angela Knobel, "Elevated Virtue?" *Journal of Moral Theology* (June 2019): 25–39 and John Bowlin, "Elevating and Healing: Reflections on the *Summa Theologiae* I-II q. 109 a. 2," *The Journal of Moral Theology* 3, no. 1 (2014): 39–53; Enrique Colom and Angel Rodríguez-Luño, *Chosen in Christ to Be Saints*, trans. Gerald Malsbary and Thomas Howes (Rome: EDUSC, 2014), Ch. 7, sec. 5. In addition to these three perspectives, there are various additional interpretations concerning the relationship between 'infused' virtue and 'acquired' virtue, or regarding the reality or not of 'infused' virtues within the Christian life.

79 Ibid., a. 4, corp.: "The divine good, insofar as it is the object of beatitude, has a unique intelligible content [as] a good. And, thus, the love of charity, *which is the love of this [divine] good*, is a special love" ("Bonum autem divinum, inquantum est beatitudinis obiectum, habet specialem rationem boni. Et ideo amor caritatis, qui est amor huius boni, est specialis amor" [Leon.8.168]).

80 See Ibid., a. 8.: "In morals the form of the act is taken principally from the end; the reason of which is because the principle of moral acts is the will, whose object and quasi-form is the end. Thus, the form of the act always follows from a form of the agent. Thus, it must be that, in morals, that which gives to the act an order toward the end also gives to it a form" ("In moralibus forma actus attenditur principaliter ex parte finis: cuius ratio est quia principium moralium actuum est voluntas, cuius obiectum et quasi forma est finis. Semper autem forma actus consequitur formam agentis. Unde oportet quod in moralibus id quod dat actui ordinem ad finem, det ei et formam" [Leon.8.172]).

81 *ST* II-II, q. 23, a. 1, ad 2. Willing good in charity in no way diminishes one's love of others or even other goods but places them within the higher vantage point provided by one's relationship with God.

Friendship with God and the Other Basic Goods

The purported transformation of all virtuous acts as now being informed by one's friendship with God allows, according to this perspective, for greater participation in all the basic goods. The grace that is purported to be possible within the context of this relationship makes possible a higher achievement of practical reasonableness, which makes possible greater participation in the reflexive goods of friendship and marriage, and is instrumental for substantial goods like knowledge, skillful performance, and life. This makes sense, given what I said in the last chapter concerning how greater participation in the good of practical reasonableness allows for greater participation in those other goods. The good of religion understood in this way would not simply be instrumental for these other benefits either, but since such goods would be incorporated into the good of religion itself, such benefits would also be benefits of the good of religion: they are received under the formality of gifts.

The Good of Religion as an Architectonic Good

One might be tempted to think that the good of religion, even taken in a rich sense, is reducible to the good of friendship. One making this claim might say that religion is just a particularly special sort of friendship, like the one that one has with one's parents: but not a distinct human good. However, the analysis of both the *virtues* of religion and charity above made clear that this type of harmony has a unique, architectonic character that is not present in human friendships, and this architectonic character alone resists such a reduction. If participation in the good of religion is directive of all the other goods, in a way even more encompassing than the direction of practical reasonability, then it has a distinct place among the basic goods, as the supremely architectonic good. *A fortiori* this is the case if supernatural charity is possible, which would make possible even supernatural participation in other goods.

To affirm that religion is the supremely architectonic good does not deny the previous claim that there is no unique hierarchy among the goods. It is to affirm that from *one* important standpoint religion does have a priority. According to different standpoints, other goods might have priority: e.g., life has a priority insofar as one must be alive to participate in the other goods. We already saw that the good of practical reasonableness (virtue) is architectonic as well. Nonetheless, religion, especially its highest forms of participation, involves a broader ordering role over the other goods. In the case of charity, for instance, virtue itself is elevated to a higher level because: 1) its acts are also done for the sake of one's love of the transcendent ground; 2) purportedly one receives special grace to carry out the acts demanded by reason and charity; and 3) insofar as one is aware of demands of which one would not otherwise be aware—either through divine revelation or through heightened prudence and spiritual/providential discernment.

There is a special way in which the good of personal integrity, encompassing inner integrity and external authenticity, is uniquely affected by higher participations in the good of religion. According to Thomas, the directive end of natural moral virtue is right reason *(recta ratio*[82]), but in the case of the supernatural life, charity becomes the directive end of the moral life, with charity requiring acts that are objectively reasonable but as directed to this higher end. As we noted, even in the case of the natural virtue of religion, religious acts and commands are directed toward the end of honoring God for the ulterior end of union with the same. One can live one's life acting to honor God in one's actions. This integration of one's life according to a single directive principle is inseparable from the peace that supervenes upon a well-integrated character. As Kierkegaard notes, there is a sort of spiritual anxiety from having "two masters."[83]

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[82] *Orthos logos* in Aristotle's Greek: see *NE*, Bk. VI, Ch. 1, 1138 b 18–36, p. 102. In this translation of David Ross, it is rendered 'correct reason'.

[83] Søren Kierkegaard, "The Anxiety Caused by Being in Two Minds," in *Spiritual Writings,* a new translation and selection by George Pattison (New York: HarperCollins e-books, 2010 [1848]), Kindle location, 2527–2719.

Personal integration requires an integrating principle, or else the different elements will simply be at war with one another, or in conflict with realty as we encounter it, and this will be the source of a sort of 'spiritual' anxiety, that is, an anxiety that has its source in the intellect and will. One's relationship with one's transcendent source serves as this integrating principle for those who seek greater participation in the good of religion, both at the natural and purportedly supernatural levels.

An example of the inner peace associated with integrating oneself according to the divine will can be seen in this anecdote of Victor Frankl. In the 1992 preface to his book *Man's Search for Meaning*, Frankl tells the reader that during World War II, before he was arrested and taken to a concentration camp, he was informed that he had an immigration visa for the United States waiting for him at the American Consulate in Vienna. His parents were thrilled at the opportunity for Frankl to escape Austria, but he was unsure whether he should leave them behind by going. To settle this dilemma Frankl sought a "hint from heaven," and just then while discerning what to do he noticed a marble block on the table:

> When I asked my father about it, he explained that he had found it on the site where the National Socialists had burned down the largest Viennese synagogue. He had taken the piece home because it was a part of the tablets on which the Ten Commandments were inscribed. One gilded Hebrew letter was engraved on the piece; my father explained that this letter stood for one of the Commandments. Eagerly I asked, "Which one is it?" He answered, "Honor thy father and thy mother that thy days may be long upon the land." At that moment I decided to stay with my father and my mother upon the land, and to let the American visa lapse.[84]

Frankl never mentions regretting this decision or even worrying about having made a mistake. Presumably, he sought to do what was right, and once he was convinced of what was

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[84] Viktor Frankl, *Man's Search for Meaning*, trans. of part I, Ilse Lasch (London: Rider Books, 2008 [1946]), 13.

right, he trusted in providence to guide him further. Inasmuch as there is trust in God's providence and a will to cooperate with it, there is a self-integration formally directed to the divine will. The result of such self-integration can be called a heightened form of inner peace. This can be seen again from another anecdote of the same book. Frankl felt an inner anxiety after telling another prisoner he would escape with him.

> I came to my only countryman, who was almost dying, and whose life it had been my ambition to save in spite of his condition. I had to keep my intention to escape to myself, but my comrade seemed to guess that something was wrong […] In a tired voice he asked me, 'You, too, are getting out?' […] The unpleasant feeling that had gripped me as soon as I had told my friend I would escape with him became more intense. Suddenly I decided to take fate into my own hands for once. I ran out of the hut and told my friend that I could not go with him. As soon as I had told him with finality that I had made up my mind to stay with my patients, the unhappy feeling left me. I did not know what the following day would bring, but I had gained an inward peace that I had never experienced before.[85]

Frankl discerned that he should stay to help the patients, even if nobody could fault him for escaping with his friend. This was near the end of the war and he had been through the unspeakable horrors that were the concentration camps. He was weak and fighting starvation, and imminent death was a very likely outcome. His ability to follow through with this discernment in peace showed extraordinary courage, and a will to do what he felt called to do.

Such peace goes beyond Stoic resignation, or the cessation of desire one finds in Epicureanism or certain other philosophies; it is rather, a dynamic peace in which desire is not necessarily suppressed so much as subordinated to one's love of God, either implicitly or explicitly.[86] Moreover, such peace goes beyond that which one experiences from a clean conscience: for the peace from a perceived harmony with God comes under the formality of a

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85 Ibid., 68.

86 See Robert C. Roberts, *Spiritual Emotions*, 168–70.

gift, as a confirmation of the harmony underlying it. Moreover, in addition to the sense that one has done all that is within one's control, this peace features a grounded hope, not simply a transcendent hope seeking a ground, but a presumably grounded hope that one can handle any future adversity that divine providence permits. Such a feeling of peace from a will directed formally at God's will, a faith and hope in God's providence, is for the one who experiences it a confirming signal of transcendence, secondary to the harmony with God that it represents, but also a great gift in itself.[87] Frankl exemplifies in the most horrific of conditions that this heightened relationship of love and trust with the transcendent source of existence can endure the worst of conditions and can even transcend the fear of a likely, imminent, and painful death: even it is consistent with other forms of anxiety.[88]

Communal Aspect

As I noted in the introduction, historically there was always a strong connection between the unity of civil society and religion. Even in religiously pluralistic societies the religions tend to be communal, just as human beings are communal. Even the most individualistic philosophers have written books in order to convince others to join them in their beliefs. The issue of inauthenticity in one's beliefs arises not because such beliefs are shared by a community, but rather it occurs when one does not believe that same communal knowledge is in a way consistent with a personal commitment to believing what is true. To have shared beliefs is not in itself inauthentic. If it is the case that one believes that one ought to partake of religion through

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[87] By a will directed 'formally' at God's will, I mean to distinguish it from a will 'materially' directed at doing God's will. The former is more important because it means that within one's control what one desires is God's will, whatever it may be, whereas one might happen to will exactly God's will 'materially' but not *as* God's will, that is, merely incidentally.

The peace that is interpreted by the believer as divine forgiveness is sort of peace that can be a confirming signal of transcendence.

[88] Of course, the nonbeliever believes this is simply in the person's head, so to speak, and I reiterate it is not my purpose here to persuade him or her otherwise.

communal activities, one will recognize the good in doing so for the sake of greater harmony with one's transcendent ground. If one believes that there has been a special revelation and that revelation is safeguarded by a community that has its own authorities, then so long as one comes to believe with honesty and integrity that this is of divine origin, there is no morally significant sense in which such belief is inauthentic.

The fact that religious persons often believe in good faith that they are pursuing the good of religion by acting in accord with religious authorities, or by participating in certain rites, entails that the communal element should not in these cases be separated from the religious believers' pursuit of the good of religion. Sometimes it might be the case that respect for such religious authority or the participation in religious rites is demanding upon the person's conscience. Other times, it will be the case that while not demanding upon the person's conscience, the person has a sincere conviction that following the guidelines of these authorities or participating in these rites are important for greater participation in the good of religion.[89]

Objections to Religion as a Good

I have already implicitly addressed some of the different objections to religion as a good in the process of analyzing the various understandings of the transcendent source and harmony with this reality. In addition to any objections I implicitly addressed, the most obvious objection to religion is that of those who say that it is inherently irrational. There certainly is no shortage of those who sincerely believe that faith is inherently opposed to reason, and thus is not the basis of any justified, warranted, or even respectable pursuit. As I have already stated, I will address this objection in the next chapter.

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[89] See Lewis, "Religious Freedom, the Good of Religion and the Common Good," 28f.

Another common objection to religion as a good is that it is so often associated with fanaticism. In addition to a claim that religious belief is intrinsically unreasonable, this worry of fanaticism extends to other acts of practical unreasonableness with which religion is often associated, such as that exemplified in inquisitions, religious wars, or perhaps the behavior of groups that perform protests at funerals or shout meanspirited insults on college campuses. The argument against religion on the basis that it leads to violent conflict would have likely seemed more plausible in the 1600s, with all the bloody religious conflicts that followed the Reformation fresh in everyone's memories. There were two primary ways of responding to this problem of religious violence: 1) promoting greater religious freedom; or 2) promoting a rationalistic secularism that marginalizes religious practice. I do not know how after almost 250 years of the American experiment in religious freedom one could still plausibly make the argument that the first of these options was a failure or less successful at preventing religious conflict than the second of these options. One need only compare the histories of violent ideological conflicts in the last hundred years in the United States, on one hand, and Spain, Germany, and Russia/USSR, on the other. The new historical data from the last 250 years strongly favors the null hypothesis that the connections noted between religion and violence were in large part the result of failures to respect religious freedom, rather than being indicative of anything problematic about religion itself.[90]

As I allude to above, there are other forms of fanaticism. Certainly, religion can give rise to fanaticism when it leads to a religious zeal unchecked by reasonability and/or respect for the freedom of others. But that same religious zeal can also serve good purposes, as it did for the

[90] For impressive empirical data to back up this claim, see Brian J. Grim and Roger Finke, *The Price of Freedom Denied: Religious Persecution and Conflict in the 21st Century* (New York: Cambridge University Press, 2011).

Quakers who zealously opposed slavery in the 19th century, or that of the anti-segregationists in the south during the 20th century; this zeal was present in the founding of universities, hospitals, and orphanages by religious individuals and groups; this zeal was present in the courageous religious critics of Hitler's Nazi party such as Dietrich Bonhoeffer. The list goes on. Clearly, the issue with unreasonable zeal is not so much the zeal but that it is unreasonable. But is such unreasonable zeal even unique to religion? Consider the zeal of the large scale and destructive secular ideologies in the last century: consider the secular Tamil Tigers of Sri Lanka or the Kamikaze fighters in World War II. As the west becomes more secular, the claim that irrational zeal is unique to religion becomes less and less tenable. What we need is more reasonability, not less religion.[91]

Another criticism against religion is that it is divisive and exclusionary. A little over a decade ago, I watched a politician state something to the effect that Sunday mornings highlight the greatest source of division in our country: of course, he was referring to religion. I wonder if he wants to settle this issue of disagreement by getting us all to agree to become Catholic, or would he prefer it be Unitarianism, or secular humanism. It looks like we still disagree about what it should be.[92] It would be nice if we did agree, but only if we all agreed on something that

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[91] This is partly a response to Richard Dawkins, who argues at one point that even moderate religion gives rise to extremism, but much of this comes down to a misunderstanding he has about the relationship between faith and reason for such 'moderate' religious persons—who are sometimes quite zealous themselves, but reasonably so--: Richard Dawkins, *The God Delusion* (New York: Houghton Mifflin Co., 2006), 301-308. In these pages, Dawkins makes a great deal about how belief in a reward for martyrs, even among more benign religious folk, could potentially give rise to the extremists who do suicide killings in order to be martyrs. I have a difficult time believing that a person raised in a religious environment Dawkins considers moderate or benign is more likely to become an unreasonable and murderous martyr simply because of being taught a belief in an afterlife or that courageous commitment to one's ideals, even in the face of death, is laudable. Again, the problem is unreasonableness, not zeal: courage in the face of death is laudable, when it is *reasonable*.

[92] See the discussion of handling the reality of 'empirical pluralism' without endorsing 'ideological pluralism' in Lewis, "Religious Freedom, the Good of Religion and the Common Good," 34—5. He borrows these terms from Walter Cardinal Kasper, "The Church and Contemporary Pluralism," in *That They May All Be One: The Call to Unity Today* (London: Continuum, 2004), 178–9, 185.

is true. Unfortunately, we disagree about what is true. We are thus left where we started. We can do nothing about the problem of disunity other than committing ourselves to discover the truth about religion, living according to that truth, and perhaps by trying to persuade others. And so it is with science and philosophy. Religion is no more to blame for disagreement than atheism. I would not think to blame Galileo for being the cause of disagreement among physicists of his time. Truth is a good worth pursuing, and to relativize it for the sake of harmony is a fruitless short-cut: a familiar short-cut in authoritarian regimes, because disregard for truth makes people more malleable to fashions more easily controlled by those in power.

Moreover, to make the claim that religion is not a matter of truth or falsehood, as some have tried to do in order to avoid divisiveness in religion, is simply another claim that contradicts the claims of all the religions. There is no avoiding this dilemma. The problem with such critiques of religion is like that of general critiques of philosophy—they are critiques of philosophy that are philosophical critiques. To argue against the value of philosophy is itself to engage in philosophy. To make claims about the impossibility of truth claims is to make truth claims, and so on. Such ultimate questions are unavoidable. Life itself forces us to respond in some way or another. As Giulio Maspero puts it:

> Everyone must necessarily respond to the convergent question that underlies both the philosophical and religious fields: what is truly worth it? What is most true in life? In what should I invest my existence? Even if one is not explicitly preoccupied with metaphysics, or does not even wish to confront the religious question, one's life is a response to such questions, questions which were also the basis of classical philosophical investigations. Plato and Aristotle did not seek the first principle as a mere intellectual exercise, but because they wanted to live truly. Philosophy was always a quest for salvation and, for this reason, always had an essentially religious component, even if implicit[93][…] And everyone, willing or not, responds to such questions, in a way that radically determines the way one views the world. If the existential choice is for power as the most fundamental reality, then the means and methods that lead to it will be the

[93] Cf. Pierre Hadot, *Esercizi spirituali e filosofia antica*. (Turin: Einaudi, 2005).

> principal object of attention. And so it is analogously with money, sex, academic success, science, or family. All will be illuminated by the (metaphysical) response to the (religious) question concerning what really matters…[94]

There is a softer version of the criticism of the exclusionary character of religion. The softer criticism is directed at religions that deny any value to other religions. This is really a matter best left to theology because different religions, different denominations, and even different theologians within the denominations, might have different responses. For instance, the most recent ecumenical council of the Catholic Church stated with respect to various world religions:

> The Catholic Church rejects nothing that is true and holy in these religions. She regards with sincere reverence those ways of conduct and of life, those precepts and teachings which, though differing in many aspects from the ones she holds and sets forth, nonetheless often reflect a ray of that Truth which enlightens all men.[95]

This is an example I draw from the religion to which I adhere. As regards other religions and denominations, one will have to consult their respective theologians to see how they understand the value of religions that disagree substantially with their own. Obviously in the case that another religion contradicts a truth claim of one's religion, then one must hold that the other religion is mistaken in that one regard. To say anything else is senseless or to take a stance that religion is really not about truth at all: just one more stance about the truth of religion among many, but neither less exclusionary nor more tolerant than the rest. And this will have to suffice as a response. How to interpret the value of religions other than one's own is a question that

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[94] Giulio Maspero, "Non c'è due senza tre: relazione e differenza tra uomo e donna alla luce del Mistero di Dio uno e trino" in *Ecologia integrale della relazione uomo-donna. Una prospettiva relazionale*, eds. Pierpaolo Donati, Antonio Malo, and Ilaria Vigorelli (Rome: EDUSC, 2018), 167–203, at 168-9, my translation.

[95] Second Vatican Council, *Nostra Aetate* 4. Vatican.va. Accessed June 24, 2019. http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_decl_19651028_nostra-aetate_en.html.

adherents of the different religions can answer for themselves: it is not a general question for religion. The same goes for questions about salvation outside one's religion, if the notion of salvation applies.

Social Scientific Research: Health and Religious Practice

For the sake of completeness, it would be valuable to briefly review the significance that research into the relationship between religion and subjective well-being has for verifying the claim that religion is a basic human good. It turns out that much research has been carried out on this topic, and much of it is recorded and reviewed in the second edition of the *Handbook of Religion and Health.*[96] It is also helpful for our purposes that the writers of this handbook define both religion and spirituality in terms of the *transcendent*:

> Religion involves beliefs, practices, and rituals related to the transcendent, where the transcendent is God, Allah, HaShem, or a Higher Power in Western religious traditions, or to Brahman, manifestations of Brahman, Buddha, Dao, or ultimate truth/reality in Eastern traditions" (ibid., 45).

Later, they refer to their preferred definitions:

> The dimensional perspective [which these authors prefer] sees persons as having varying degrees of religiosity and spirituality, where religiosity is not confined to organized religion and where spirituality involves the active struggle toward a closer connection to or *union with the transcendent* usually within a religious framework" (ibid., 50, emphasis mine).

It is important to note that such research is very difficult to conduct. The direction of causality is obscured by myriad factors, and these authors frequently qualify claims due to need for further research to pin down the causal mechanisms involved. For instance, in an affluent

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96 Harold G. Koenig, Dana E. King, and Verna Benner Carson, *Handbook of Religion and Health*, 2nd ed. (New York, NY: Oxford University Press, 2012).

society those with great life difficulties might be more prone than the general population to seek out religion as a means of coping with difficulties. Such mobilization will distort the findings regarding correlations between such difficulties or the anxieties associated with them and religious practice. By contrast, those who commit crimes might feel too guilty to practice religion and this could lead to a higher correlation between lack of religious practice and criminal activity without the direction of causality necessarily moving from religious practice to less criminal activity. Moreover, quantifying religious involvement itself is so very difficult. If such research were optimal, we could measure one's harmony with one's transcendent source, but presumably such a measurement is impossible. One must rely on *ceteris paribus* assumptions about the testimony of the surveyed participants in the study, both about their subjective well-being and their degree of religiosity or spirituality, which is defined in terms related to the seriousness of their positive effort toward union with the transcendent.

With all that being said, the authors themselves note general and significant positive correlations between religious practice or spirituality and factors related to well-being: this is especially the case regarding reports of higher subjective well-being,[97] less depression,[98] lower

[97] Ibid., 123–44. "Prior to the year 2000, 81 of 102 quantitative studies (79 percent) reported greater well-being among those who were more religious. Since the year 2000, at least 175 of 224 additional studies (78 percent) found positive associations between greater religiousness and greater well-being. Most of these were cross-sectional, although there were some well-done prospective studies and clinical trials that reported similar findings" (ibid., at 144).

[98] Ibid., 145–173. "In the appendices of the first edition of the *Handbook* and the current volume, we have now identified 443 quantitative studies, 61 percent (271 studies) finding that greater R/S [religion/spirituality] is associated with less depression, predicts faster recovery from depression, or that R/S interventions reduce depressive symptoms faster compared to secular treatments or controls. Many of these studies are of high quality in terms of research design. Fewer studies report no association (22 percent) or link religious involvement with greater depression (6 percent)" (ibid., at 172). The authors note significant qualifications for this research, and they also note well-conducted studies that show no association or negative association between R/S and depression, and even those that contradict the claim that R/S interventions reduce symptoms faster than secular treatments or controls. "Researchers have discovered a lot about how R/S involvement and depression interact and influence each other. Much, however, remains to be learned. The effects of R/S on depression may depend on what kind of depression, what kind of religion, what kind of individual, and what kind of situation that individual is in" (ibid., 173).

suicide rates,[99] lower usage of alcohol and drugs,[100] lower rates of delinquency and crime,[101] greater marital stability,[102] and higher incidence of personality traits that correlate with subjective well-being.[103] All these correlations should be taken with a grain of salt, because there are many different confounding factors to consider, and the authors are quick to note that more research must be carried out in all these areas. Nonetheless, the data is certainly more suggestive than not of a positive relationship between religious practice and active spirituality (which seeks union with the transcendent), on one hand, and subjective well-being and mental health, on the other.

What relevance does all this have for the purpose of this chapter? Well it is certainly at least consistent with, if not suggestive of, the claim that harmony with the transcendent source of

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[99] Ibid., 174–90. "In a systematic review of the literature, we have identified 141 peer-reviewed quantitative studies that examined the relationship between R/S [Religious/Spiritual] involvement and suicidal ideation, suicide attempts, and completed suicide. Of those studies, 106 (75 percent) found lower suicidal ideation and behaviors among those who were more religious; 27 reported no association; and only 4 studies found a positive association between R/S and suicide (each with serious methodological weaknesses)" (ibid., 190).

[100] Ibid., 224–242. "Our systematic reviews have identified 291 original research reports on R/S and alcohol use/abuse and 191 reports on drug abuse. Of the 278 studies examining the association between R/S and alcohol use or abuse, 240 (86 percent) reported inverse relationships; of the 49 prospective cohort studies, 42 (86 percent) found that baseline R/S predicted lower alcohol use/abuse in the future; and of the 145 studies with the best research designs, 131 (90 percent) reported inverse relationships. Of the 185 studies examining the R/S-drug abuse relationship, 155 (84 percent) reported less drug abuse among the more religious; of 35 prospective studies, 33 (94 percent) found that baseline R/S predicted less drug abuse in the future; and of the 112 highest quality studies, 96 (86 percent) reported inverse relationships between R/S and drug abuse" (ibid., at 241).

[101] Ibid., 243–55. "Overall, at least 102 quantitative peer-reviewed studies have now examined the R/S-delinquency/crime relationship. Of those, eighty-one (79 percent) reported inverse relationships between R/S and delinquency or crime. Of the eleven best studies (quality ratings of 9 or 10), 91 percent found significant inverse relationships. Of the studies published during the past ten years that examined relationships between R/S involvement and school performance (GPA or persistence to graduation), all eleven (100 percent) indicated that religious students performed significantly better" (ibid., at 255).

[102] Ibid., 256–71. "Overall, at least seventy-nine quantitative studies have now examined these relationships, and sixty-nine of those (87 percent) found that R/S is related to greater marital stability. This includes less divorce and separation, greater commitment to the marriage, less spousal abuse (with exception as noted), and less infidelity. Of the thirty-eight studies with the best research design, thirty-five (92 percent) reported significant associations. There are many reasons for this relationship, including the role that R/S plays in coping with stress, encouraging forgiveness and prosocial attitudes, providing support for the family, opposing the excessive use of alcohol and drugs, and discouraging separation and divorce" (ibid., at 271).

[103] Ibid., 272–97. "This review centered primarily on the traits measured using the Eysenck Personality Inventory and the NEO Personality Inventory. Studies indicated that R/S involvement was associated with agreeableness (87 percent), conscientiousness (63 percent), less psychoticism (84 percent), and, to a lesser degree, extraversion (38 percent) and less neuroticism (24 percent)" (ibid., at 296).

existence is a basic good. However, it is also consistent with claims that the attempts people make at such harmony, whether such a transcendent source exists or not, are merely instrumental to other goods such as health. Therefore, the value of such research might best be described as strongly suggestive, and ancillary, but not ultimately demonstrative of the point I am arguing in this chapter.

Conclusion

In this chapter I analyzed the good of religion, defined as harmony with the transcendent source of existence. I noted that speculative/theoretical beliefs about the nature of the transcendent source and about purported possibilities of harmony with 'it' are relevant for considering the inherent desirability of such harmony. A belief in a transcendent source as absolute, conscious, paradigmatically moral, and concerned with the well-being of creatures opens the door for beliefs about greater forms of harmony with such a reality. Beliefs about possibilities for harmony with such a reality include those potentially accessible to human reason without divine revelation, either through philosophical theology or plausible common-sense claims about such a reality. Beliefs about such possibilities of harmony can also include claims of a purported supernatural revelation. Such harmonies can involve simply acting in accordance with one's practical reason, understood as cooperation with divine providence; they can also involve repentance and attempts at atonement and reconciliation for one who believes oneself to be out of harmony with the transcendent source; they can involve worship (and other religious acts), gratitude, and living one's life to give due honor to one's transcendent source. There is even the purported possibility of supernatural friendship with the transcendent source, which raises the possibilities for participation in other basic goods, which are elevated and informed by the good of one's friendship with the transcendent source. It was not my purpose to argue on

behalf of any particular understanding of the transcendent source, or to argue for the possibility of any of these purported degrees of participation with such a reality. Rather, it was my purpose by presenting these various understandings to make their motivational force clear. The claim I make is that the goodness of harmony with the transcendent source, in all degrees of participation, is something known self-evidently when one has a sufficiently positive understanding of the nature of this reality and the harmony possible with 'it'.

Whether such a transcendent source exists or not and, if it exists, whether harmony with it is possible, and what sorts of harmony, are all additional questions. In the next chapter, I will present the standpoint of two different authors regarding the reasonability of religious belief, and I will present the standpoint of a third author who defends the legitimacy of philosophical/natural theology. None of this will be for the sake of converting the non-religious reader to my religion or any other religion, but rather to foster a sort of fusion of horizons with committed religious believers, so that even if one does not accept any religion as true, one can accept that a well-intentioned person can reasonably adopt religious faith. My confidence for supposing that such respectful disagreement is possible is based on my experience of knowing atheists or agnostics who do not share any religious faith but still do not think religious belief is inherently, or at very least culpably, unreasonable. I know, and I assume the reader knows, atheists or agnostics who still think religious believers can be reasonable. In fact, religious believers themselves often respect the reasonability of those who have different beliefs, including atheists or agnostics. Of course, anyone, religious or not, will be more reasonable in some areas than in others, or at certain times more than others. Thus, as I hope to show in the following chapter, the reality is far

more complex than the claim that religious faith is inherently opposed to reason, or the claim by Brian Leiter that religious belief in our age is *de facto* culpably false belief.[104]

[104] Leiter, *Why Tolerate Religion*, 77–85.

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Religion and Rationality

In the previous chapter I noted that atheists can still grasp the good of religion, if only in a conditional way. That is, even if they do not believe that harmony with a transcendent source is possible—because they do not believe in God—they can grasp why it would be good if it were possible. Such a conditional acknowledgement can be enough for a person to see the importance of coming to know the truth about this good and acting accordingly. However, if atheists or agnostics believe it is inherently absurd to believe in God or to pursue religion (or *a fortiori* to believe in divine revelation), and they believe this is not at all like the intellectual pursuits that they respect, then they will likely not see why freedom to pursue such belief or act accordingly is worthy of any special legal protection.

Earlier I noted that this would be like the difference between respecting one's roommates attempt to rummage through cushions for a lottery ticket he thinks is the winner even if one thinks he is mistaken, versus a similar scenario in which this belief is due to delusions induced by drug abuse. Thus, I partially agree with Brian Leiter's argument against special respect for religious exercise. He believes religious belief is inherently opposed to reason and thus it is the religious believer's own fault for being unreasonable.[1] If Leiter's understanding of the rationality of religious belief were correct, I believe he would have a stronger argument, but in this chapter I will challenge his assumption that religious belief is inherently unreasonable. In fact, as I will discuss below, even cases of what I take to be unreasonable belief are more complicated than Leiter's account implies.

[1] Leiter, *Why Tolerate Religion*?, 70ff.

That is why I am dedicating this chapter to a consideration of the rationality of religious belief. Obviously, I cannot address the rationality of every religious belief, but I hope to show that religious belief, even belief in divine revelation, is not inherently irrational. None of what I say is for the sake of converting the reader to my religion, or any religion, but rather to foster greater sympathy for the religious practice and aims of religious believers, even those with whom one strongly disagrees. To respect religious pursuits as at least potentially responsible and mature endeavors is a likely precondition for granting that pursuit of the good of religion warrants special legal protection.

In what follows, I would like to consider the contribution of three authors for understanding the rationality of religious belief: the first thinker is a well-respected philosopher of the analytic tradition, and a Calvinist Christian, Alvin Plantinga. The second thinker is a theologian of the Roman Catholic tradition, the late Avery Cardinal Dulles, S.J. They are both Christian thinkers who defend the rationality of Christian belief. But I also believe we can draw from their insights a more general *logic* of religious rationality. Without relativizing religious truth in the slightest—which would undermine this whole treatment—we can still acknowledge some rationality in the religious beliefs of others, even if we believe that those with whom we disagree are mistaken in some way. Finally, I will consider a defense of the legitimacy of philosophical theology drawn from the writings of the late W. Norris Clarke, S.J.—such arguments, if legitimate, can provide further grounds for the credibility of religious pursuits.

PLANTINGA ON WARRANTED BELIEF

When it comes to the question of the rational warrant of religious belief there is perhaps no philosopher of the last fifty years who is more influential than Alvin Plantinga, particularly on account of his trilogy on epistemology which closes with the volume *Warranted Christian Belief*.[2] The thoughts Plantinga expresses in these volumes challenged many of the assumptions about warranted knowledge and belief of 20th century academic philosophy in the anglosphere, but his basic insights are similar to those of earlier critics of modern epistemology such as Thomas Reid.[3]

It is worth clarifying that in *Warranted Christian Belief*, Plantinga gives few positive reasons for a nonbeliever to accept Christian revelation. He is concerned with defending what is called the 'warrant' of Christian belief, if it is true. By warrant, he means the rational grounds for acceptance of a belief. For instance, one might guess what number someone is thinking about, and be right when it is a case of pure luck. In that case, one's opinion about the number the other person is thinking is not really warranted or rationally grounded. Most of us assume, by contrast, that our belief in the existence of Australia is rationally grounded, even if many of our grounds for this belief remain implicit.

Plantinga understands the question concerning the nature of knowledge as being an issue of determining the difference between knowledge and merely true belief. In addition to truth, the other condition needed for knowledge, he claims, is what he calls warrant. What he aims to show is that even if religious faith is something as simple as a gift one receives of perceiving the truth

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[2] The trilogy is comprised of the following three volumes, in order: Alvin Plantinga, *Warrant: The Current Debate* (New York: Oxford University Press, 1992); Idem, *Warrant and Proper Function* (New York: Oxford University Press, 1993); and Idem, *Warranted Christian Belief* (New York: Oxford University Press, 2000).

[3] Plantinga, *Warrant and Proper Function*, x.

of something like the "things of the Gospel,"[4] it is probably warranted belief *if it is true*. By contrast, if it is not true, Plantinga argues, it is probably not warranted. This is a relatively humble claim but significant because it undercuts criticisms like the following: "Even if that religious belief is true, the believer has no grounds for believing it."

The non-believer who accepts Plantinga's argument has two remaining ways of resisting the claims of the Christian or other religious believer. The first mode of resistance is to simply state that one is unconvinced, because after all, Plantinga has not given the nonbeliever a positive reason for accepting any revelation. The second mode of resistance is for the nonbeliever to come up with a 'defeater' for the purported revelation. A defeater would be like sensory phenomena that defeat our reason for accepting an illusion as true: e.g. when we see the stick bent in the water while at the same time feeling with our hand that the stick is not bent, the data from our sense of touch, along with a familiarity with how water sometimes causes such illusions, defeats our reason for accepting what we see as true. True religious belief could be warranted—making it to be knowledge and not only true belief—because, if it is true, it is "produced by cognitive faculties functioning properly (subject to no malfunctioning) in a cognitive environment congenial for those faculties, according to a design plan successfully aimed at truth."[5] That is, if the belief were true, it would meet the requirements of warranted belief according to the standard that Plantinga defends.

Plantinga on the 'Classical Picture' from Descartes and Locke to the Present

In different works of Plato (e.g. the *Theaetetus*) a distinction is made between mere true belief and knowledge. What exactly it is that distinguishes these two phenomena—mere true

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4 Alvin Plantinga, *Knowledge and Christian Belief* (Grand Rapids, MI: Eerdman's Publishing Co., 2015), 66.
5 Plantinga, *Warrant and Proper Function*, viii-ix; Idem, *Warranted Christian Belief*, xi.

belief, and knowledge—is still is a source of heavy debate among scholars. The Aristotelian tradition, for instance, has always held as paradigmatic of knowledge the *scientific* knowledge one has of something by knowing it through its causes.[6] For instance, it is one thing to know that lunar eclipses occur, it is a deeper level of knowledge to know eclipses through their causes, e.g. knowing that a lunar eclipse is caused by the earth blocking light from the sun constitutes a higher form of knowledge concerning the eclipse. In modern science, laws recognized through induction describe a regularity that causal theories can explain; thus, true scientific theory roughly corresponds to what Aristotle understood as scientific knowledge.

Plantinga is seeking to describe the nature of something different than Aristotle's scientific knowledge (*episteme*). One can have a true theory that enables a greater knowledge of a phenomenon without having rational grounds for believing it. Furthermore, one can have varying degrees of rational grounds for a belief, some of which we might acknowledge as grounds but not enough so that we could call that belief knowledge. The 'knowledge' Plantinga attempts to explain is 'knowledge' in that sense, a true belief that one has rational grounds for believing, even enough rational ground that we would be comfortable calling the belief 'knowledge'. In this sense, Plantinga is seeking to answer the same question as the modern epistemologists, such as Descartes or Locke, while providing a different response.

Plantinga gives the name the 'classical picture' to the general perspective about warranted belief coming out of modern authors like Descartes and Locke. In addition to assuming a very high standard of known certainty for knowledge, these thinkers imported moral

[6] See William Wallace, *Causality and Scientific Explanation*, vol. 1 (Ann Arbor: University of Michigan Press, 1972), 11.

considerations into their accounts of epistemology.[7] For Descartes, to be warranted in one's belief meant fulfilling a duty to only believe what was 'clear and distinct'.[8] For Locke, on the other hand, there was a duty to believe either what was evident[9] or at least defended probabilistically on the basis of what is evident, such as through testimony.

This classical picture can be broken up into different elements. The idea of warrant being equated with 'justification' and thus being a moral duty is what Plantinga calls 'classical deontologism'. Moreover, the idea that assent to propositions is only 'justified' insofar as such propositions are successfully argued to follow at least probabilistically from what is evident, which Plantinga calls 'classical foundationalism', which is defined as follows:

> A belief is acceptable for a person if (and only if) it is either properly basic (i.e. self-evident,[10] incorrigible, or evident to the senses for that person), or believed on the evidential basis of propositions that are acceptable and that support it deductively, inductively, or abductively.[11]

This notion of classical foundationalism, along with classical deontologism, is closely associated with 'evidentialism',[12] and Plantinga prefers to call the whole set of these ideas the 'classical picture', which he restates as such:

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7 Plantinga, *Warrant: The Current Debate*, 12.

8 Descartes, Meditation 4 in *Philosophical Works of Descartes*, ed. Haldane and Ross (Cambridge: Cambridge University Press, 1911; reprint, New York: Dover, 1955), vo. 1, p. 176.

9 Plantinga, *Warranted Christian Belief*, 83–84.

10 Plantinga describes the traditional understanding of self-evident propositions, stating that they "are such that we can't even grasp or understand them without seeing that they are true" (*Warrant and Proper Function*, 108). Plantinga attempts to improve on this understanding: "A better position, I think, is that a self-evident proposition is such that a *properly functioning* (mature) human being can't grasp it without believing it" (Ibid., 109). Plantinga's improved understanding is more consonant with how I described self-evidence in chapter 1.

11 Ibid., 84–5.

12 See, for example, Antony Flew, "The Presumption of Atheism," *Canadian Journal of Philosophy* 2, no. 1 (September, 1972): 29–46.

> A person *S* is justified in accepting a belief *p* if and only if *either* (1) *p* is properly basic for *S*, that is self-evident, incorrigible, or Lockeanly evident to the senses for *S or* (2) *S* believes *p* on the evidential basis of propositions that are properly basic that evidentially support *p* deductively, inductively, or abductively.[13]

This adds to the previous definition, the demands of moral justification on the part of the person with the belief. By Lockean sensory evidence, he is referring to how, for example, it is evident to me that I perceive a horse, and Locke is even willing to affirm that this perception is caused by something outside of me, but what is not evident in this sense is that the horse actually exists like a horse independently of my perceptions.[14] It is also worth noting the term 'proposition' as it is used in the second condition for justified belief. According to this picture, for knowledge that is not in itself evident, it must be explicitly *argued* or demonstrated on the basis of what is known as self-evident, showing that what is self-evident evidentially supports the belief, either deductively, inductively, or abductively.

In discussing deductive support, he is referring to the inference whereby one draws out the necessary logical (or mathematical) consequences of a claim: e.g. Bachelors are all unmarried, John is a bachelor, therefore John is unmarried. Induction refers to the inference whereby we come to general claims based on experiential data, such as through ordinary experience, surveying methods, or experiment: e.g. recognizing the pattern of the moon's phases by recording how the moon appears each night.

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13 Ibid., 93–4.

14 "Here I am reading Locke [see Plantinga, *Warranted Christian Belief,* 76–77]… as claiming that what I know immediately is only that my sensations are caused by external objects of some kind or other, not that those objects have the properties of trees, horses, or the other sorts of objects we think there are" (Plantinga, *Warranted Christian Belief*, 93, n. 48). Although Locke was critical of Cartesian certainty as a model for knowledge, we can see how limited his willingness to stray from it is.

Abduction is an additional inference highlighted by C. S. Pierce in the 19th century, and is the inference that occurs when derives causal hypotheses.[15] It seems Plantinga is referring to this kind of inference in combination with induction and deduction, because a causal hypothesis can in itself give varying degrees of grounds for certainty: it can be a real "aha!" moment that provides initial grounds for confidence even prior to verification—or it can be a mere postulate, worth checking out further. But the possibility of abductions providing immediate grounds for confidence depends on the inductive process and prior attempts of the researcher to make sense of the data, and thus it involves induction but retroactively—even in these cases, experimental verification is an important part of the process. In any case, it should be noted that without a separate argument—meeting the demands of the 'classical picture'—that we make mental contact with a world that exists independently of our minds, what is justified according to the 'classical picture' in these cases are likely not beliefs about the world independent of human experiences. I will examine this further when I get to Plantinga's criticism of 'classical picture'.

As regards the 'deontological' aspect of the 'classical picture', Plantinga notes that thinkers working within this framework tend to assume that one's epistemic duties are sufficiently clear internally to the person who is determining whether to believe something. He notes that there is little consideration in this perspective of the distinction between subjective duty and objective duty.[16] Consider someone who believes it is his duty to never drink water with ice cubes in it: perhaps this is based on a taboo he internalized from his culture. Most of us would deny that there is really any objective duty not to drink water with ice cubes in it, but this

[15] See Ernan McMullin, *The Inference that Makes Science* (Milwaukee: Marquette University Press, 1992), 81ff.

[16] Plantinga, *Warrant: The Current Debate*, 16.

person, believing this to be an objective duty, does in a certain sense have a duty to not drink if such a judgment is an honest judgment of conscience.

Plantinga makes use of this distinction between subjective and objective duty to highlight a problem with the 'classical' perspective. Clearly not everyone considers it his or her subjective duty to follow the demands of classical foundationalism—I do not. This duty is certainly not self-evident. Nor does it seem to follow from anything self-evident, either deductively, inductively, or abductively. Thus, in order to accept the classical picture as normative one must avoid being constrained by it in this one case, but by evading the demands of the classical picture one will be violating one's duties as they are determined by it.[17]

In addition to the problem of this 'classical picture' being self-referentially inconsistent, it becomes more difficult to accept when one recognizes its implications. Plantinga points out that if one accepts the classical foundationalism that is contained in this classical picture, one will have to swallow the pill that, according to this perspective, many of the beliefs in which we are very confident would be considered unjustified. He cites John Henry Newman in this regard:

> We are sure beyond all hazard of a mistake, that our own self is not the only being existing; that there is an external world; that it is a system with parts and a whole, a universe carried on by laws; and that the future is affected by the past. We accept and hold with an unqualified assent, that the earth, considered as a phenomenon, is a globe; that all its regions see the sun by turns; that there are vast tracts on it of land and water; that there are really existing cities on definite sites, which go by the names of London, Paris, Florence, and Madrid.[18]

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[17] Ibid., 95–6.

[18] John Henry Newman, *An Essay in Aid of a Grammar of Assent* (Notre Dame: University of Notre Dame Press, 1979), 149.

Plantinga notes that few of these beliefs could plausibly be defended according to the demands of classical foundationalism, and neither could our basic beliefs about our own memory.[19] Is it incorrigibly evident that I was not created 10 minutes ago with a host of memories implanted in my mind at that same time, or could I make arguments of the highest probability on the basis of evident knowledge for such conclusions? It is difficult to see how. There are reasons for trusting our basic faculties, and I believe we are warranted in this belief, but it is difficult to see how this could be if one limits oneself to the restrictive epistemology that Plantinga calls 'classical foundationalism'.

Plantinga: Separating Justification from Warrant

Plantinga does not deny that we can voluntarily influence our beliefs.[20] He is quite aware of the phenomenon of wishful thinking or motivated reasoning. Nonetheless, he is critical of the idea that that we always have control over our own beliefs, and he is also critical of the idea that we often know on the basis of a belief itself that we are acting contrary to subjective epistemic duty.[21] He asks us to consider a Christian who reads all the criticisms of her religion, understands them on their own terms, is not dismissive, and so on, but simply remains unconvinced by the arguments of such critics.[22] She seeks to do God's will in her life, feels nourished by reading the Gospel and finds the teachings contained in them confirmed by her daily experience. Even if this Christian were wrong, would she be in some sense immoral for holding this belief, despite having honestly and charitably listened to those who object to it? Clearly not, according to Plantinga. For reasons like this, Plantinga insists that warrant is not the same thing as moral

19 Plantinga, *Warranted Christian Belief*, 98.
20 See Plantinga, *Warranted Christian Belief*, 213ff.
21 Ibid., 99ff..
22 Ibid.

justification: the grounds for a belief are independent of the moral justification of the believer. But if not moral justification, then what would constitute warrant?

Plantinga's Account of Warrant

Unlike the classical picture mentioned above, Plantinga's account of warrant can account for the difference between mere true belief and knowledge while leaving room for common-sense, everyday beliefs that are difficult to doubt. For instance, we generally believe that our memory is reliable unless we have good reason to doubt it. I might add to Plantinga's account, that any evidence cited against our memory's reliability relies on our memory of previous mistakes, thus undercutting the whole rationale for doubting it in the first place. But even without any rationale for doubting such a basic belief, is it warranted to hold this belief in the first place? Plantinga will argue it is warranted, and I will briefly discuss how he argues this.

A key aspect of Plantinga's alternative account of warranted belief is consideration of the proper functioning of our belief-forming faculties and processes. Plantinga notes that Marx's complaint about religious belief as the "opiate of the masses" that comes about due to "a perverted world consciousness," is an argument that religious belief is a result of cognitive processes malfunctioning.[23] Plantinga points out that this idea of proper functioning of faculties or processes also plays a role in other disciplines, such as biology, medicine, psychiatry, and so forth: consider all the talk about the proper functioning of organs or mental processes.

The next step in Plantinga's account is to point out that proper functionality implies a 'design plan' according to which something is said to work properly. This might seem like he is

[23] Plantinga, *Warranted Christian Belief*, 140ff. The citation comes from Karl Marx, "Contribution to the Critique of Hegel's Philosophy of Right, Introduction," in *On Religion*, by Karl Marx and Friedrich Engels, tr. Reinhold Niebuhr (Chico, CA: Scholar's Press, 1964), 41–2.

importing theological presuppositions into his account. But Plantinga clarifies that he means 'design plan' more generally,[24] consistent with the way the atheist Daniel Dennett uses the term when discussing the design of an organism that is the result of natural selection: "In the end, we want to be able to explain the intelligence of man, or beast, in terms of his design; and this in turn in terms of the natural selection of this design."[25] Thus, he does not intend 'design plan' to necessarily entail a theological underpinning, at least not initially.

Is proper functionality according to a design plan enough to account for that extra quality or quantity (Plantinga is not quite sure what to call it) that makes true belief into knowledge? Plantinga says it is not. After all, one can have properly functioning belief-producing processes or faculties and find oneself in an environment in which such faculties are unreliable. For instance, one might be in a simulation room or a hall of mirrors in which what one perceives is merely an illusion. Thus, another qualification for Plantinga's account of warrant is that the person come to the belief through processes or faculties functioning properly in an environment suitable to their design plan.[26] If one arrives at truth through faculties or processes properly functioning in an environment that is *unsuitable* to their design plan, then such success is somewhat accidental and not based on the proper functionality of the faculties or processes themselves.

However, certain faculties or processes might function properly in environments suitable to their design plan but not be aimed at the truth.[27] For instance, the faculties might be defense mechanisms the function of which is to preserve social or psychological stability: like a sort of

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24 Plantinga, *Warrant and Proper Function*, 13.
25 Daniel Dennett, *Brainstorms* (Cambridge: Bradford Books, 1978), 12.
26 Plantinga, *Warrant and Proper Function*, 11. See Idem, *Warranted Christian Belief*, 155.
27 Plantinga, *Warrant and Proper Function*, 16.

cognitive immune response. Plantinga points out that Freud's contention that religious belief was the result of wish-fulfillment would mean it was a mental process that is not aimed at the truth but rather perhaps psychological stability or well-being.[28] Thus, an additional condition Plantinga adds is that the faculties or processes be aimed at the truth.[29]

But even this is not enough. If these truth-directed faculties and processes are functioning properly in an environment suitable to their design plan, but the design plan is faulty, then the beliefs that they produce will also lack warrant. A final qualification that Plantinga adds is that these faculties function according to a design plan that is reliable for producing true belief or almost true belief most of the time.[30] Thus, if one comes to true belief through faculties or processes that are functioning according to well-designed, generally reliable, design plans in environments for which they were designed, such a belief will be warranted, and not merely arrived at, for instance, by luck. Lastly, it is important to note that Plantinga is dealing with very general considerations concerning paradigmatic instances of knowledge, and he admits that in actual practice things will not be so clean. Thus, outside of the paradigmatic instances there will be plenty of vague instances of true belief that have varying degrees of warrant; and very often it will be less than clear whether such true beliefs are indeed warranted.[31] Nonetheless, an account of focal/paradigmatic instances will be valuable for assessing the warrant of less clear instances.

Applying Plantinga's account of warranted belief, one can easily see how basic trust in our senses or memory faculties is justified insofar as they are properly functioning according to their reliable design plan in an environment suitable to that same plan, and their proper

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28 Plantinga, *Warranted Christian Belief,* 142.
29 Ibid.
30 Plantinga, *Warrant and Proper Function*, 17.
31 Ibid., 46–7.

functioning is conducive to true belief. According to this perspective, my belief that I lived for several years in a small town in Minnesota is warranted.

Plantinga's Extended Aquinas/Calvin Model of Christian Belief

I mentioned at the beginning of the second chapter that Aquinas and Calvin each offered accounts of why belief in God's existence is so common. Calvin's account posits that all people have an innate *sensus divinitatis* (awareness/sense of the divinity). Plantinga describes his own understanding of this faculty as follows:

> Calvin's idea is that the workings of the *sensus divinitatis* is triggered or occasioned by a wide variety of circumstances, including in particular some of the glories of nature: the marvelous, impressive beauty of the night sky [etc.…] But it isn't only grandeur and majesty that counts; he would say the same for the subtle play of sunlight on a field in spring, or the dainty, articulate beauty of a tiny flower. […] "There is no spot in the universe," he says, "wherein you cannot discern at least some sparks of his glory." Calvin could have added other sorts of circumstances: there is something like an awareness of divine disapproval upon having done what is wrong, or cheap, and something like a perception of divine forgiveness upon confession and repentance. People in grave danger instinctively turn to the Lord to ask for succor and support, having formed the belief that he can hear and help if he sees fit. (They say there are no atheists in foxholes.) On a beautiful spring morning (the birds singing, heaven and earth alight and alive with glory, the air fresh and cool, the treetops gleaming in the sun), a spontaneous hymn of thanks to the Lord—thanks for your circumstances and your very existence—may arise in your soul.[32]

Much of this echoes last chapter's discussion of *signals of transcendence*—certain general experiences that provide perceived existential contact with the transcendent. Plantinga also refers to the two accounts, mentioned above, from Aquinas about common belief in God's existence. When Plantinga refers to the Aquinas/Calvin (hereafter, A/C) Model, he is referring to the idea that we have some sort of innate inclination to believe in the existence of a divinity.

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[32] Plantinga, *Warranted Christian Belief*, 174.

As regards God's existence, and not any other religious belief, Plantinga states that if something like the *sensus divinitatis* is real—even if it can be impeded in a fallen world[33]—and God does in fact exist and is the source of this *sensus*, then to believe in God's existence simply on the basis of this innate process or faculty is similar to believing something true on the basis of other processes or faculties that are presumably aimed at the truth and properly functioning in a suitable environment according to design plans that are reliable for reaching the truth,[34] e.g. the trust we have in our perceptual capacities or memories, particularly when we have no reason to believe that they are compromised. That is to say, if God *does* exist and presumably is the cause of this propensity for belief in God, then if we believe in God's existence through this properly functioning and reliable process that is presumably well-designed, then we are quite warranted in our belief in God's existence even without any additional argument.

The atheist will not be satisfied with this belief, because the atheist does not believe God exists, or that the theist has provided enough support for this contention. That is fine. Plantinga's intention is not to defend the claim that God exists, although he thinks there are strong philosophical arguments for defending that claim. Rather, his aim is to refute claims like the following: "whether or not God exists, the normal everyday theist has no warrant for believing that." In sum, if Plantinga is right, it all comes down to the issue of whether or not God exists, not whether the everyday theist can defend that belief through arguments. If God does exist, then the ordinary theist who trusts his or her instincts on this matter probably has as much warrant as anyone who trusts properly basic beliefs such as those based in perception or memory.

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[33] The impediments to our judgment caused by sin plays an explanatory role in Plantinga's account for why our faculties/processes are sometimes impeded from functioning properly and thus impeded from perceiving God's existence based on ordinary experience. See, Plantinga, *Warranted Christian Belief*, 199–240; see also his *Knowledge and Christian Belief*, 48–52.

[34] Plantinga, *Warranted Christian Belief*, 192ff.

What Plantinga seeks to show with what he calls the *extended* A/C model, is that this same logic applies to something like Christian religious belief. That is, if the knowledge-like assurance a Christian has for that belief arises in some way or another from an inner work of the Holy Spirit, as mainstream Christian belief holds, then such a work of the Holy Spirit is part of a reliable design plan set in place by the creator of the human mind.[35] Thus, if the Christian's belief in the "good things of the Gospel" comes from this inner process, then the Christian belief is warranted in the same way that other 'properly basic' beliefs are warranted, such as memory beliefs or our belief in an external world. These beliefs are warranted unless we see a special reason not to trust such purported faculties or processes – that is, unless there is what Plantinga calls a "defeater" for those beliefs.[36]

Before discussing such 'defeaters' and how Plantinga responds to them, it is important to clarify that Plantinga is not denying the possibility of signs of credibility for a religious belief. He is not denying arguments for God's existence, or the value of apologetics. But he thinks such signs of credibility, while important, do not ultimately explain why faith is a kind of *knowledge*, and not merely reasonable belief. I think much more can be said about such a relationship between faith and credibility, but I will consider that when I present the views of Avery Dulles.

If one is not satisfied with the account Plantinga offers regarding the A/C model, one will likely be even more incredulous about the extended version. Indeed, nothing that I have shared of Plantinga's position gives much positive reason to believe Christianity—besides removing certain popular obstacles to belief in it—nor does Plantinga intend this account to accomplish

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35 Plantinga, *Warranted Christian Belief*, 241–89, esp. 258–65; Idem, *Knowledge and Christian Belief*, 62ff.

36 Plantinga, *Warranted Christian Belief*, 357–499 and *Knowledge and Christian Belief*, 89–126.

that.[37] Nonetheless, what Plantinga argues still has significant value. What he aims to show is that the whole debate between believer and non-believer comes down to the truth or falsity of the religious belief. This is because if it is true, it is likely also warranted. His account also casts doubt on claims that one can assess moral culpability of religious belief on the basis of the belief alone. If one cares deeply about the truth, is open-minded, honestly and charitably engages with different perspectives, acknowledges when those other perspectives have a good point, and at the end of the day still cannot be convinced that one's religious beliefs are wrong, then it is unclear that such a person is morally culpable for that belief. According to Plantinga, the real question is: "Is the belief true?" The nonbeliever can simply respond by remaining unconvinced. Or, if the nonbeliever wants to persuade the believer to abandon belief, Plantinga says it is up to the nonbeliever to come up with a *defeater* to that belief, some positive reason why the belief is unlikely.

A Purported Defeater: The Argument from Evil and Suffering

Plantinga considers three purported defeaters for Christian belief: 1) skeptical scripture scholarship; 2) postmodernism and pluralism; and 3) arguments based in the realities of suffering and evil. I would like to focus exclusively on Plantinga's response to the third of these purported defeaters: arguments against God's existence based on the realities of evil and suffering.

Plantinga notes two different forms of argument against God's existence based on evil: 1) the logical form, which attempts to show that God's existence is logically incompatible with the reality of evil; and 2) the evidential/probabilistic form.[38] Plantinga notes that in the last few

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[37] Plantinga admits that the 'warranted-if-true' quality of Christianity would likely also apply to other theistic belief systems like Judaism or Islam: Alvin Plantinga, "Replies to My Commentators," in *Plantinga's Warranted Christian Belief: Critical Essays with a Reply by Alvin Plantinga*, ed. Dieter Schönecker (Boston: De Gruyter, Inc., 2015), 237–62, at 248.

[38] Plantinga, *Warranted Christian Belief*, 460ff.

decades it has generally been admitted by academic philosophers of all stripes that there is no strictly logical incompatibility between God's existence and the reality of evil. One should be wary of appeals to consensus in philosophy, but in this case, there is a very good reason—philosophical and not merely sociological—for the consensus. It is fairly simple: there is nothing incompatible with a good and all-powerful being creating free creatures capable of misusing that freedom to commit evil.[39] Therefore, at the very least it is logically possible that there be an all-good, infinite, all-powerful God who creates a world that contains the reality of evil. Augustine and Aquinas put it more generally, arguing that it is perfectly compatible with the nature of God, insofar as we understand that nature, that God allow evil inasmuch as God can draw greater good from it.[40]

Although the logical form of the argument from evil cannot get off the ground, the evidential or probabilistic form of the argument merits further examination. This form of the argument attempts to show that the sheer quantity of evil and/or the grotesque quality of some evils that we find in this world make it highly unlikely that it was created by a good and all-powerful God. Plantinga points out that the force of the evidence provided by such arguments is relative to the total evidence for or against God's existence. Plantinga points out that all else being equal it is unlikely that he has successfully completed his inside straight in poker, an improbable draw, but upon drawing and seeing the completed straight in his hand, he knows what is otherwise unlikely has occurred.[41] The person sitting in his mansion is confident that what was highly unlikely has indeed occurred, that he has won the lottery.

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39 Ibid., 461–2.
40 See Thomas Aquinas, *ST* I, q. 2, a. 3, ad 1.
41 Plantinga, *Knowledge and Christian Belief*, 118.

One version of the argument that Plantinga mentions is that presented by William Rowe,[42] but later abandoned by that same thinker.[43] I share it because it gives explicit form to a common argument. In this argument, Rowe argues that we do not know of anything that would justify an omnipotent and all-good being from allowing certain atrocities to happen such as the rape of a child. Therefore, it is probably the case that there is no justification for such evils, and thus that there is probably no God. But, as different authors point out, our own mental limitations, especially in relation to an infinite being, give us no confidence that we could make such a judgment, even if we conceded that we could not come up with such a justification ourselves.[44]

This response is another way of pointing out that given our partial, limited perspectives, we should not be surprised by the fact that God's actions or what he permits sometimes baffle us. If an all-good and all-powerful God exists, then it is likely, given our partial, limited perspectives, that our bafflement is analogous to the situation in which we look at a beautiful image on a computer monitor 'zoomed in' so that it is entirely pixilated, ugly and chaotic: if we 'zoomed out' we could recognize its beauty. Moreover, it could be, as some religions claim, that our destiny after this life will make the pain and suffering of the world seem like a drop of water in a large bucket. Of course, such considerations offer limited consolation to those who have experienced serious evils. At the end of the day, even for believers, coping with the reality of evil is a very personal matter. However, for believers it is not seen as a defeater for religious belief or even a frequent cause of significant and extended doubt.

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42 See William Rowe, "The Problem of Evil and Some Varieties of Atheism," *American Philosophical Quarterly* (1979): 335–41.

43 Plantinga, *Warranted Christian Belief*, 465ff.

44 Ibid., 466. See ibid., n. 10 for a list of authors who respond to this argument.

Plantinga's Contribution

It is easy to undervalue Plantinga's contribution because he does not give the non-believer a positive reason to believe the Christian claims, or any religious claims for that matter. What he shows is that if something like Christian belief is true and it is in some way a gift from above, then it is most probably warranted, i.e., properly grounded belief. That is not to say a non-believer might not still consider believers mistaken or even deluded; nor does it mean the nonbeliever cannot produce positive arguments against, or provide defeaters for, religious beliefs. Plantinga's position is not intended to close off debate, but to open the door to the possibility that even if faith is a simple gift of 'seeing' the truth of a divine revelation, it could rightfully be judged as warranted. In any case, Plantinga acknowledges a moral duty for religious believers, and presumably nonbelievers, to be open-minded and committed to the truth, but he points out the implausibility of claiming religious belief is compatible with such moral dispositions. If someone is open-minded, committed to the truth, and listens to alternative viewpoints, but still maintains religious belief, what else could be asked of them? This point of Plantinga has particular relevance for the purpose of this chapter, because the argument against special protection of religious freedom based on the unreasonableness of religion requires that religious persons some way be at fault for holding religious beliefs.

THE THEOLOGICAL EPISTEMOLOGY OF AVERY DULLES

The advantage of exploring the theological epistemology of Avery Dulles[45] is that his account provides a deep analysis of the first-personal rational perspective of the religious

[45] Avery Dulles, S.J. (1918-2008) was the son of the former U.S. Secretary of State, John Foster Dulles, for whom the airport in the Washington, D.C. metro is named. Avery Dulles served in the U.S. Navy during World War II. After the war he converted to Catholicism and joined the Society of Jesus (the Jesuits), and he went on to become a world-famous theologian. He was created a cardinal of the Catholic Church in 2001. For a biography of Dulles, see Patrick W. Carey, *Avery Cardinal Dulles, SJ: A Model Theologian, 1918-2008* (New York: Paulist Press, 2010).

believer and it includes analysis of the role that credible clues play in the rationality of religious belief. Plantinga never denied the value of apologetics or of defending the credibility of faith to non-believers: in fact, he has done much to defend its credibility. But that was not the purpose of his account of the epistemological warrant of faith. Plantinga refers to faith as something like a perception, which is perfectly fine, but even perceptions can be analyzed in terms of the elements that give rise to them.

Certainly, the human mind does some funny things with our perceptions of external objects. We perceive a tree as green, but if we analyze it closely, we see that the actual color we experience, if we had to paint it on a canvas, is something other than green. Our brain, or our subconscious, or whatever it is, has accounted for other clues such as the darkness surrounding us, and thus we perceive this is as a green tree seen in the dark and not a tree of a different color. Nonetheless, the sensory data is still relevant for the perception itself: if this were not so, then we could not mimic external objects through representational artwork. In a similar way, it can be the case that there are credible clues that underlie our 'perceptions' of the divine, or of the judgment that a purported revelation has a divine origin. In Dulles's account of faith these clues are only one element, but they play a more prominent role than in some other accounts.

Those with similar experiences of faith can nonetheless have different reflective accounts of that same faith. Christians hold to a deposit of faith that they believe has been revealed by God, but there are various accounts of the rationality involved in assenting to that purported revelation. This discrepancy of accounts is like that among philosophers concerning knowledge: presumably the internal experience of knowing is similar among epistemologists even if they offer different reflective accounts of it. Dulles's reflective account is one among many theologies of faith that have been presented throughout the centuries. He does not deny that faith is a gift,

but understanding faith as a gift does not preclude the possibility that supernatural action works in a dynamic way, drawing the mind to acknowledge a revelation through credible clues—clues sufficient to settle the rational demands of the particular individual with his or her own unique intellectual dispositions and state of life. For Dulles, faith can be viewed from two standpoints: 'from above', as a divine gift bestowed through providential guidance and enlightenment, and 'from below', that is, from the first-personal standpoint of the individual seeking religious truth or assenting to it. These perspectives are not mutually exclusive but complementary.[46]

Although, from a Christian perspective, a full account of the reliability of belief held in faith will involve consideration both 'from above' and 'from below', the following account will be almost exclusively 'from below'. There is nothing inconsistent in what follows with Plantinga's primary claim that faith, if true, most probably has the warrant of knowledge, even if it is simply a 'perception' received as a gift. What Dulles adds is greater analysis 'from below' of the movement of the religious seeker from various clues to assent to a purported revelation as coming from above. For Dulles the clues that one follows to enter faith are not extrinsic to it:[47] such clues are not merely an "occasion" for belief as Plantinga puts it.[48] That is not to say that Dulles considers faith demonstrable,[49] or that he denies that faith is a gift of God. But for Dulles, faith is a kind of reason,[50] albeit a cooperative reason, a supernatural participation in a higher

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[46] See Avery Dulles, S.J., "Revelation and Discovery," in *Theology and Discovery: Essays in Honor of Karl Rahner*, ed. William J. Kelly, S.J. (Milwaukee: Marquette University Press, 1980), 1–36, at 21.

[47] See, ibid. Dulles's implicit account of the relationship between the human believer and the divine revealer is analogous to the Christological formula of the Council of Chalcedon, which affirmed that Christ is fully human and fully divine. Thus, Dulles's account is more in line with the suggestion of Robert Sokolowski, that as much as possible we should understand the relationship between divine and natural activity as analogous to this same formula of Chalcedon: see *The God of Faith and Reason* (Washington, D.C.: Catholic University of America Press, 1995), 39. See also Avery Dulles, "Revelation and Discovery," 20–1.

[48] Plantinga, *Warranted Christian Belief*, 265.

[49] See Dulles, *The Assurance of Things Hoped For: A Theology of Christian Faith* (New York: Oxford University Press, 1994), 229–34.

[50] See, for instance, Ibid., 218; and Idem., *Models of Revelation* (Garden City, NY: Doubleday & Company, 1983), 258.

reason, a reason incorporated into the friendship one has with the divine. But as a sort of reason, it follows a certain logic, the examination of which Dulles provides and which I shall now examine.

Later, I will divide my treatment of Dulles's theological epistemology into two parts. The first deals with his treatment of what he calls 'the logic of discovery'. This part analyzes the rationality of the mature convert who seeks the truth about religion. In the second part, I will consider Dulles's treatment of the rationality of inherited faith: this concerns the rationality of one who inherits faith through one's parents, one's Church, one's schooling, and so on. But before treating either of these two aspects, I would like to briefly introduce the reader to Dulles's general epistemological framework, which he calls post-critical.[51] For this general outlook, Dulles is especially indebted to two thinkers: the 19th century theologian, cardinal, and now canonized Saint,[52] John Henry Newman, and the 20th century scientist and philosopher, Michael Polanyi.[53]

Dulles's Post-Critical Epistemology

The term post-critical has the benefit of being provocative, but it also has the disadvantage of sounding as though it is opposed to critical thought, as though it favors credulity or gullibility. That is not at all the case. Post-critical—sometimes post-critical philosophy, post-critical epistemology, or post-critical theology—is best understood as a critique of what

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51 See, for instance, Avery Dulles, *The Craft of Theology: From Symbol to System* (New York: Crossroad Publishing Company, 1992), 3–15; and Idem., *John Henry Newman,* foreword by Ian Ker (New York: Continuum Books, 2002), 44–5. He takes the term post-critical directly from Polanyi: it is in the subtitle of the latter's most famous work, *Personal Knowledge: Towards a Post-Critical Philosophy*.

52 As of October 13, 2019.

53 "It would be impossible to understand my theological contributions, such as they are, without being aware of my indebtedness to Newman and Polanyi": Avery Dulles, S.J. "Foreword," in Martin X. Moleski, S.J., *Personal Catholicism: The Theological Epistemologies of John Henry Newman and Michael Polanyi* (Washington, D.C.: Catholic University of America Press, 2000), ix-x.

Plantinga calls 'classical foundationalism'. Taken in this sense, Plantinga's own 'reformed epistemology' might be called one variant of post-critical epistemology. To briefly summarize various important aspects of the post-critical epistemology that Dulles draws from Newman and Polanyi, I would like to examine: 1) Polanyi's critique of doubt; and 2) the post-critical emphasis on informal reasoning and personal knowledge.

Polanyi's Critique of Doubt

One chapter of Polanyi's *Personal Knowledge* is entitled "The Critique of Doubt." The aim of this chapter is to critique the common assumption that critical thinking begins with doubt or skepticism. Polanyi distinguishes three kinds of doubt: 1) positive/explicit doubt; 2) agnostic doubt; 3) and tacit doubt.[54] I will withhold discussion of the third of these until later. For now, I would like to consider positive/explicit and agnostic doubts. A positive doubt, Polanyi points out, is logically the same as an affirmation:[55] it is simply affirming a negative. In fact, any affirmation can be rephrased or reemphasized as a positive doubt concerning the opposite of that affirmation. For instance, to *believe* that God does not exist is the same thing as positively *doubting* that God exists. On the other hand, an agnostic doubt is more complex. It can mean that one believes one will never have enough grounds for belief, and this is a sort of explicit doubt about our ability to come to a certain conclusion—again, logically the same as a positive affirmation. Or one might simply believe one does not *yet* have enough grounds for belief, but even this sort of agnostic doubt presupposes an underlying acceptance of an epistemological framework.[56] What I mean by an epistemological framework are the set of often implicit assumptions that stand behind our judgments of belief or doubt. Recall Plantinga's point about 'classical foundationalism' being

54 Polanyi, *Personal Knowledge*, 272.
55 Ibid.
56 Ibid., 273–4.

self-refuting: if one doubts according to the strict criteria of 'classical foundationalism' it is by adopting that same epistemological framework, but one cannot adopt that framework according to the strict standards of the framework itself. In other words, adoption of that framework implies weaker standards than those allowed by the framework itself.[57]

In addition to epistemological assumptions that cannot be proven, all doubts or affirmations presuppose what Polanyi calls interpretive frameworks. Polanyi's interpretive frameworks are analogous to Gadamer's horizons,[58] Wittgenstein's language games,[59] or Michael Agar's 'languacultures'.[60] They are the conceptual and linguistic frameworks through which we interpret the world. There are specific frameworks in specific communal contexts—e.g. scientific frameworks or philosophical frameworks; there are the shared frameworks of cultures and subcultures, of any group whatsoever, and then there is for each person an ultimate, all-encompassing framework that combines many of these smaller frameworks.

For Polanyi, we dwell in such frameworks and reason through them: they become an extension of our minds as we engage with reality.[61] This 'indwelling' is analogous to how we dwell in tools: e.g. we master the use of a keyboard and are thus able to focus on the words on the screen rather than the keys we are pressing with our fingers—the keys slip into our subsidiary/peripheral awareness as we focus on what we are writing. We thus dwell in the keyboard, making it an extension of our bodies. This is also the case with our perceptions of

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57 See Avery Dulles, "Faith, Church, and God: Insights from Michael Polanyi," *Theological Studies* 45, 3 (1984): 537–550, at 538. "Paradoxical though it may sound, it would in fact be impossible to doubt all that we could doubt; for doubt itself is a fiduciary act. By a brilliant retorsion, reminiscent of some of Augustine's antiskeptical writings, Polanyi shows that every doubt is rooted in faith" (ibid). See also Dulles, *The Craft of Theology*, 59.

58 See Gadamer, *Truth and Method*, 301.

59 See Ludwig Wittgenstein, *Philosophical Investigations*, 2nd ed., trans. G.E.M. Ansombe (Oxford: Basil Blackwell, 1958 [1953]), 5ff.

60 See Michael H. Agar, *Language Shock: Understanding the Culture of Conversation* (New York: William Morrow, 1994.

61 Polanyi, *Personal Knowledge*, 58ff.

external objects: we dwell in the clues of sensory data and through them we focally perceive external objects.[62] Even perception, like the use of tools, requires skill, which is more obvious in skills of perception that are developed after our youth: such as the skill a medical technician learns for interpreting sonograms, or the skill of someone struck blind in adulthood learning how to use a white cane.[63]

Since we dwell within interpretive frameworks, they are generally transparent to us unless we bring them to philosophical attention or unless we run into difficulties interpreting the phenomena that we experience. If we encounter an anomaly that baffles us, then our interpretive frameworks become occurrent in a similar way to how tools that are malfunctioning become occurrent to us.[64] This experience can take the form of bafflement or tacit doubt. Polanyi describes tacit doubt as "an inarticulate hesitancy"[65] and says it is "the *only* kind of doubt that applies to the acceptance of an articulate framework as a dwelling place."[66] In my opinion, it is through intellectual commitment to the truth and honesty about such tacit doubt, allowing it to spark our curiosity, that we progress in our mental contact with reality.

Polanyi lists three general ways that interpretive frameworks maintain stability: 1) through the circularity of the framework; 2) through the framework's capacity for expansion; 3) through what Polanyi calls "the principle of suppressed nucleation."[67] The 'circularity' of the framework is referring to how such frameworks are our only means of articulate interpretation: all phenomena will be described and explained in terms of the framework itself, and thus will

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62 See ibid., 96f.
63 See, ibid., 61.
64 I discussed this phenomenon briefly last chapter, noting Heidegger's analysis of obtrusiveness/conspicuousness/obstinacy in our dealing with equipment/tools.
65 Ibid., 280.
66 Ibid., 272.
67 Ibid., 291. The idea of suppressed nucleation of a framework implies something like a nucleation of frameworks, which although perhaps not the same as Gadamer's 'fusion of horizons', at very least seems analogous.

presuppose the beliefs that are implied in the frameworks we adopt. Each time we are able to interpret a phenomenon through the framework it strengthens in our mind the framework itself.[68] It is only when perplexing anomalies clearly resist our existing concepts that the second and third modes of maintaining stability become relevant.

The second means of preserving the stability of the framework happens when an expansion occurs that does not significantly disrupt any major aspect of the framework itself: it is an *ad hoc* solution. The history of science provides examples of how sometimes such expansions turn out to be legitimate. Neptune was first postulated to explain anomalies in the orbit of Uranus. Other times in the history of science, such expansions turned out to simply fill a gap until the scientific community could agree upon an alternative framework that could explain the previously anomalous phenomenon: e.g. the abandonment of the postulate called 'aether' after 'special relativity' was accepted by the physics community.[69]

The third means of preserving the stability of a framework is through what Polanyi calls "suppressed nucleation."[70] What happens with this third manner of protecting the stability of the framework is that criticisms of the framework are handled one by one, and this prevents one

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[68] Ibid., 289.

[69] Polanyi, *Personal Knowledge*, 291. The mainstream position in physics is to favor the postulation of something like 'dark matter' as an expansion of the standard model in order to account for the behavior of stars on the outer parts of galaxies not breaking off from the rest of the galaxy as the standard model would otherwise predict. It is less mainstream to posit some modified form of gravity or even inertia in order to account for this phenomenon. Only time will tell whether 'dark matter' goes the way of epicycles or if it becomes a verified expansion of the standard model analogous to the discovery of the hypothesized Neptune. The postulate of 'dark energy' is similar: it is posited to account for the fact that spectral analysis of stars shows that the universe is expanding at an accelerated rate. Without positing some sort of hidden energy, this phenomenon would contradict the standard model. This is because the standard model would instead predict that the universe's expansion would decelerate until eventually contracting due to the force of gravity. The postulation of such *ad hoc* solutions allows what Thomas Kuhn calls "normal science" to proceed until such simple solutions are either confirmed or an alternative model that does away with the need to postulate them is adopted by the community of scientists. (see Thomas Kuhn, *The Structure of Scientific Revolutions*, 3rd ed. (Chicago: The University of Chicago Press, 1996 [1962]), 10.)

[70] Ibid.

from rightly grasping the true force of the criticism coming from a competing framework. Polanyi gives the example of members of a small African tribe in the early twentieth century who dismissed a westerner's objection that an incantation used for a poison-oracle added nothing to the natural effect of the poison itself. This tribe had no concept of natural causality underlying such phenomena but rather their very language reflected implicit beliefs in magic, oracles, and incantations.[71] Presumably, such a dismissal of the individual claims of the westerner was easy. However, if someone from the tribe had decided to take seriously the alternative interpretive framework of the westerner, asking serious questions, trying to understand that perspective from within, then—after getting over some massive initial culture shock—this person would likely find the objection quite defeating to the tribe's assumptions. This would constitute a shocking paradigm shift for the tribesman.

But it is noteworthy that the ability of even a very reasonable tribesperson to dismiss, presumably without intellectual dishonesty, each of the claims of the scientist, points to the fact that many of the assumptions of that scientific worldview are not provable in advance or in isolation from the total framework or tradition whereby the scientist operates. Reasonable persons from one framework can quite reasonably dismiss many of the assumptions of another framework one by one. It is only by engaging more seriously with the other traditions 'from within' that an outsider can grasp the strength of such assumptions, a strength of credibility that comes to many of these assumptions only in light of a larger perspective. Here Polanyi is emphasizing the need for, and inescapability of, reasoning within a particular tradition or interpretive framework, even if engagement with reality leads us to modify such frameworks as we go. Such frameworks always include assumptions that are unproven and even assumptions

[71] Ibid., 287.

that lack credibility in isolation from the larger frameworks—I will have more to say about this shortly.

For another example of either permitting or suppressing framework "nucleation," consider the case of students attending a college course on epistemology. When one is teaching students new to a field of study, one has to explain the more technical language of one's field to the students in terms with which they are more familiar. If language fails, one might have to use diagrams, or one might have to use metaphors, or one might have to simply give example after example until the students can understand. This requires something on the part of the student as well. For example, the student will greatly benefit from trusting that the teacher is speaking coherently and offering a well-founded or at least viable standpoint. If the student dismissed each claim one by one, the student might remain a perfectly satisfied skeptic, but he or she would also miss out on any potential benefit the epistemology professor's perspective has to offer.

It seems to me that Polanyi's point about interpretive frameworks, and the preservation of their stability, should caution us against adopting attitudes of dismissiveness. It also highlights the folly of the enlightenment propaganda against tradition. The blanket dismissal of traditions—in contrast to the reformation of tradition when it is mistaken, or even conversion to another tradition—in practice has only meant the dismissal of premodern traditions, and eventually the dismissal of traditions that existed between the classical period and the modern period. But traditions never went away after the enlightenment: they were simply replaced with new traditions. That is not to say that it is not sometimes reasonable to be incredulous of another perspective. Polanyi notes that the westerner's dismissal of the magical interpretation of the tribe

was quite reasonable.[72] There are only so many hours in a day, and never enough time to read all the books or articles we might want to read. There is also only so much money to go around for chairs in the sciences and philosophy, or for research grants. But one can be prudentially skeptical or selective of information without being dismissive to the point of closing oneself off from the value of alternative frameworks.

Informal and Personal Reasoning

The second aspect of Dulles's post-critical epistemological perspective that I would like to highlight is his emphasis on the priority of informal reasoning and personal judgment in contrast to formal reasoning and the application of impersonal standards. This is the biggest theme in all Polanyi's philosophical work, and it is implied in much of what is written above. Our perceptions of wholes rely upon our ability to dwell within the clues whose meaning is grasped in the object of perception; moreover, our conceptual insights rely upon dwelling in concepts or theories that are grasped through insight. Dulles likes to quote Polanyi's brief summary of this perspective: "We know more than we can tell."[73] For Polanyi, all explicit, articulate knowledge is rooted in tacit knowledge and no expansion of articulate knowledge will ever do away with the tacit knowledge that underlies it. Likewise, Newman points out that all concrete judgments concerning factual matters, and also the affirmation of premises upon which demonstrations rely, depend upon personal, complex judgment, the faculty concerning which he calls the 'illative sense': a speculative/theoretical counterpart to prudence. It is a faculty that is ideally fine-tuned through the experience of a committed investigation into the truth. It is often

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72 Ibid., 294.
73 Polanyi, *The Tacit Dimension*, 4.

confined to one subject-matter of which one is curious,[74] but also applies to more global pursuits of truth.

In *Essay in Aid of a Grammar of Assent*, Newman provides many examples of the everyday complex judgments that we make about concrete factual matters that are based upon myriad clues, which often lead to moral certainty and what I call rationally-grounded confidence.[75] He discusses our reasonable confidence that all classical literature was not a forgery of medieval monks, that Great Britain is an island, even if we have never navigated around it; regarding our life, he asks how we are certain that we will die someday.[76] One can come up with myriad other examples, for instance, consider how one who has never used an electron microscope could reasonably feel great confidence about atomic theory.

Why are we so confident about these judgments despite the fact that we have never verified many or all of them first-hand? We probably have never had to articulate our reasoning behind such judgments and even if we tried to articulate it, we probably would never make our implicit rationale fully explicit. What are all the clues, for instance, behind my confident judgment that atoms exist? Well, I learned about them as a child. I have never heard such a claim contradicted by anyone who seems trustworthy, perhaps no one at all. It coheres well with the whole body of knowledge I believe has been thoroughly established by scientists. The history

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74 Newman, *An Essay in Aid of a Grammar of Assent*, 281.

75 For Newman almost all certainty is moral certainty, which is a certainty that suffices for any action, even life-changing, life-giving action. He has a lot to say about certitude, which he says is of what is true and known as true, but it is not the same as infallibility. I do not have the space here to treat of his defense of all these distinctions. It will be enough to speak of moral certainty, or of rationally-grounded confidence. By rationally-grounded confidence I refer to a subjective confidence that is reasonable. One has such reasonable grounds for confidence about that which is morally certain and perhaps about something less certain than that. It is also slightly different than Newman's 'certitude', which is only real certitude when that about which one has certitude is in fact true—and one can be mistaken in one's 'certitude', think one has 'certitude' without having it. I justify my discussion of rationally-grounded confidence because in all cases of moral certainty, about which Newman discusses, there is also present a subjective confidence that is reasonable.

76 Newman, *An Essay in Aid of a Grammar of Assent*, 234–239.

that I have read concerning the theory is elaborate, with many steps along the way of experimental findings, leading to questions giving rise to hypotheses and further verification: something far too complex, elaborate, and ingenious, in my mind, to be a hoax. Moreover, this theory is involved in the explanation of why stars like the sun give off light and heat—namely, because of the fusion of atoms within them. It is presupposed in chemistry and chemical engineering. One could probably write many books fully articulating the grounds for confidence in this theory. For another consideration, the reader might also ask why he or she is confident Abraham Lincoln existed and was the president of the United States. How about one's confidence that Julius Caesar was the Roman Emperor and was assassinated?

John Henry Newman uses the idiosyncratic language of a "cumulation of probabilities"[77] to describe how myriad clues lead us through informal reasoning to moral certainty.[78] For an example of the effect on probability of converging clues, imagine the case of a man who knows that his grandmother has bought a lottery ticket, and he is now watching television as they announce the winning numbers. If his brother asks him, "Do you think grandma won?" the man will confidently state that it is highly unlikely, maybe 1 in 100,000,000. This would be the probability given the information currently at his disposal. But then his grandmother calls: "I won!" It is difficult to compute the new odds, but given the information that his grandmother claims to have won, we can confidently say the odds have increased quite a bit. The person need not think explicitly in terms of statistics, but he will have a sense that it has now gotten much more likely.

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77 Ibid., 230.

78 Martin X. Moleski brought to my attention that William Whewell highlighted this phenomenon in his book *The Philosophy of Inductive Sciences*, *Founded upon their History* (Cambridge: 1840) when he coined the term 'consilience' at aphorism XIV. Consilience describes the confirmation for a theory that comes from its ability to bring together and explain previously independent and disparate facts.

If one put it in more explicit terms, one could apply something like Bayesian analysis to compare the likelihood of true and false positives. One could compare the likelihood that grandma thinks she won but did not, a false positive, to the likelihood that she won. The man's subjective sense of this likelihood will be mediated by his appraisal of his grandmother's reliability to get this right: Is her mind still working right; is her vision fine? Likely, he will ask for reassurance: "Are you sure? Did you double check the numbers?" She reads off the ticket and it is the same as the number he now verifies on the lottery website. The false positive is seeming less likely. But how does one quantify it? Is the false positive, given all the new information, really a 1 in 100,000,000 shot, equal to the 1 in 100,000,000 base probability of a winning ticket? At this stage, people without expertise will likely miscalculate such probabilities, but in real life the additional information generally overcomes such imperfections in our estimation of probability. With more information it becomes more and more unlikely that it is a false positive, and the likelihood of such a false positive approaches null as this man sees his grandmother announced as the winner a day later, and that possibility is forgotten when he visits her new mansion. The same thing happens when a legal prosecution meets the standards of exceeding reasonable doubt even based on an accumulation of circumstantial evidence.

Additional information or additional clues drastically modify subjective likelihood that grandma has won the lottery. Attempts to formalize it might be helpful but there are too many tacit considerations involved, too much background information. Not only do such formal considerations depend upon informal mental processes, but even fully developed they can never replace good sense formed through experience and responsible commitment to the truth. It all depends upon the development of one's personal judgment through experience, education, and commitment: it depends upon what Newman calls the 'illative sense'. A cultivated judgment will

better be able to overcome typical fallacies and biases that distort such judgments. For instance, sometimes people miscalculate the probability of a disease based on test results because they remember that false positives are rare but forget that true positives are also rare. However, more information, more testing, and more fine-tuned judgment from experience can help overcome such flaws in judgment; moreover, recognition of mistaken judgment is itself a product of one's personal judgment. Personal judgment can be improved, it can be fine-tuned,[79] but it cannot be bypassed; in the end, it is all we have: "Such as I am, it is my all; this is my essential stand-point, and must be taken for granted; otherwise, thought is but an idle amusement, not worth the trouble."[80]

Another common pitfall, mediated by a sort of epistemological ideology, is a sort of quantifiability bias, or a quantitative fallacy: when one ignores relevant information that is less easily quantifiable, or not quantifiable at all.[81] Poker players are plenty familiar with how quickly probabilities can change with new information and good poker players become very good at developing their sense of an implicit 'cumulation of probabilities' that involve far too much information to be formalized: e.g. they have to factor in the prior likelihood of the opponent's hands, how the opponent played his or her hand on each round, the opponent's past tendencies, difficult to articulate 'tells', and so on—ideally, one factors in what is quantifiable, one makes

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79 Ibid., 281.

80 Ibid., 272.

81 This is a typical blind spot of those who want to solve the issue of cognitive bias by appealing almost exclusively to quantifiable metrics or research—this is itself a bias that leaves out consideration of relevant and valuable information. It is best to judge based on all the available information, quantifiable or not. For a good article that treats among other things how the dismissal of information not presently quantifiable was a mistake among those involved in the analytics revolution in baseball—as well as it being a mistake to dismiss such analytics—see Josh Levin, "Who Actually Won the *Moneyball* Revolution?" Slate (Sept. 23, 2016), accessed August 21, 2019: https://slate.com/culture/2016/09/fire-joe-morgan-and-the-moneyball-revolution.html

use of objective criteria and methodologies,[82] but one also does not neglect additional non-quantified, or non-quantifiable, yet relevant information.[83]

The Logic of Discovery

I have presented a brief background to the epistemological standpoint of Avery Dulles. I would like now to consider his treatment of religious conversion. Dulles holds that the rationality involved in seeking the truth about religion cannot be reduced to any formal logic but requires what Polanyi calls a logic of discovery.[84] The logic of discovery mostly proceeds according to an informal process and it appears in analogous forms in the creative achievements of science, engineering, art, philosophy, etc. Reasonable confidence often coincides with discovery even before verification, as Polanyi points out: the discovery comes "accredited in advance by the heuristic craving which evoked it."[85]

It is known among philosophers of science that the verification that follows discovery can often involve difficult to articulate judgments based on clues that one's perspective touches upon reality: one example is the verification that comes from the fruitfulness of the theory, that it allows for compelling explanations of other phenomena that one did not foresee prior to discovery. For instance, before stellar parallax was confirmed,[86] the heliocentric theory gave rise

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82 See Moleski, *Personal Catholicism*, 137 and 168. This author notes that neither Newman nor Polanyi denied the value of formal reasoning or formal methods, but rather sought to bring a greater balance by affirming the necessity of also acknowledging informal reasoning and the formation of sound personal judgment through personal commitment.

83 See Barry Greenstein, *Ace on the River: An Advanced Poker Guide*, foreword by Doyle Brunson (Fort Collins, CO: Last Knight Publishing, 2005), Kindle location 1590-1616.

84 See Dulles, *The Survival of Dogma*, 44ff; Idem., "Revelation and Discovery"; Idem., *Models of Revelation*, 257–9; Idem., *The Assurance of Things Hoped For*, 214–8. See also Richard Gelwick, *The Way of Discovery: An Introduction to the Thought of Michael Polanyi* (New York: Oxford University Press, 1977).

85 Polanyi, *Personal Knowledge*, 130. See Dulles, "Faith, Church, and God," 539.

86 Stellar parallax is the phenomenon of a change in the relative position in the sky of a pair of stars at different stages in the earth's yearly orbit around the sun. It was predicted by Galileo and confirmed in the 18th century.

to other significant theoretical explanations, such as Newton's application of his theory of gravity to explain the elliptical orbits of planets around the sun as they were modeled by Kepler.[87] As Polanyi notes:

> Personal knowledge in science is not made but discovered, and as such it claims to establish contact with reality beyond the clues on which it relies. It commits us, passionately and far beyond our comprehension, to a vision of reality. Of this responsibility we cannot divest ourselves by setting up objective criteria of verifiability—or falsifiability, or testability, or what you will. For we live in it as in the garment of our own skin […] I called it the discovery of rationality in nature, a name which was meant to say that the kind of order which the discoverer claims to see in nature goes far beyond his understanding; *so that his triumph lies precisely in his foreknowledge of a host of yet hidden implications which his discovery will reveal in later days to other eyes*.[88]

According to Avery Dulles, it is best to understand the first-hand reasoning process of religious conversion 'from below' along similar lines of a logic of discovery. Although the verification process does not involve controlled experiments, if it touches upon reality it nonetheless involves verification that gives grounds for confidence to the discoverer.

Newman's account of converging and antecedent "probabilities" also plays a large role in Dulles's account. The religious seeker does not simply evaluate the claims of a religion with a clean slate. Certain antecedent considerations will likely precede the seeking itself. Dulles mentions in this regard certain antecedent "desires and expectations."[89] His discussion of such presuppositions has similarities to that of the 'signals of transcendence' in the last chapter, the existential points of contact with the transcendent, such as feelings of conscience—something Newman strongly emphasized[90]—transcendental hope, and transcendental gratitude. Such

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87 Galileo's discovery of the phases of Venus in 1614 effectively killed traditional Ptolemaic cosmology but Tycho Brahe's cosmology still survived for some time after, until the fruitfulness of the Copernican model persuaded all its reasonable skeptics.

88 Polanyi, *Personal Knowledge*, 64 (emphasis mine).

89 Avery Dulles, *The Assurance of Things Hoped For*, 210.

90 See Newman, *An Essay in Aid of a Grammar of Assent*, 97ff.

antecedent considerations also include the recognition of needs, such as one's felt need for atonement, reconciliation, and meaning.

It would be helpful to apply Dulles's discussion of "antecedent desires and expectations" to these existential points of contact and existential need. They can perhaps each individually be explained just as well with a theistic or with an entirely naturalistic account. But as Dulles points out, drawing an insight from Newman, "the convergence of many probabilities all pointing in the same direction is itself a fact to be explained."[91] Such converging considerations can provide grounds for hope that our hard-wired tendency and need for the transcendent is not in vain. Moreover, the personal judgment of the likelihood that there is a religious answer to fulfill these needs might be higher if the person has other reasons for believing that there exists a transcendent and absolute ground of existence. For example, one might have either implicit or explicit grounds for believing there exists such a reality based either on certain specific features of the world—e.g. its contingency, its orderliness, etc.—or as a holistic judgment based on the entirety of one's experience and insight.

Dulles points out that such antecedent desires and expectations, and myriad other considerations, will affect how one then perceives other clues in favor of religious claims.[92] Someone who is completely secular, who sees little need for a relationship with God, and who finds the claim that a God exists not credible, might encounter evidence for some spectacular religious event, something like a miracle, but dismiss it as improbable. Dulles points out that it is

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91 Dulles, *John Henry Newman*, 41.

92 See Dulles, "Revelation and Discovery," 10–1.

unsurprising Hume thought miracle claims never worthy of belief.[93] In light of Hume's ultimate framework and its prior assumptions, they should always appear unlikely to him.

But Hume famously claims that it can never be deemed probable that a miracle has occurred because it runs contrary to our entire experience of nature behaving in a certain regular way.[94] Hume does not have a strong sense for the radical effect of new information on probability judgments. What is the likelihood of miracles happening if there is no reality that transcends nature? If miracles are defined in terms of supernatural agency, then the probability of a miracle would be zero. What is the probability that miracles happen if there exists an infinite creator of the world? I am not sure, but it seems at least somewhat likely. And if there are signs from experience that such a creator is concerned with our well-being, with having a relationship with us, it becomes even more probable. What are the chances such a miracle is happening in the room next to me right now? Probably very low, almost null. What are the chances that miracles happen in some place out there at some time, and that the relevance of such an event is the sort of thing that will become well-known through testimony? It must be much higher than the probability of a miracle happening in the room next to me. What if I witness in-person some inexplicable event that appears as a revelatory sign? The probability is much higher still. What if it corresponds with a coherent story, a story that gives plausible, insightful response to my deepest questions and needs? We see how quickly new information affects the subjective probability of the event.[95]

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93 Dulles, *The Craft of Theology*, 59.

94 See David Hume, *An Enquiry Concerning Human Understanding,* ed. Tom L. Beauchamp (New York: Oxford University Press, 2000 [1748]), sec. X.

95 Dulles does not advocate positivist apologetics that attempt to demonstrate divine revelation has occurred through historical proofs. He prefers to view miracles as divine signs that are interpreted correctly only with the appropriate background knowledge. (Dulles, *The Craft of Theology*, 58–9)

Thus, if one already considers it very plausible that there might be some religious truth out there to be found, and an extraordinary event is well documented and coheres well with the entire narrative surrounding a credible religious figure and/or religion with otherwise compelling teachings, then one might have enough additional information to interpret it as a divine sign. This would be analogous to the claim that grandma won the lottery: additional information can drastically increase or decrease the initial probability of an event, and it thus drastically changes how we interpret what has happened. Such other considerations and clues not only can contribute to the credibility of the claim but also to the interpretation of its significance. If such extraordinary events would be considered well-founded if not for their being so extraordinary, there would be additional credibility to the claim(s): that is, if the historical evidence points strongly in its favor and is only not treated as such due to naturalistic assumptions of historians, then it might seem very credible to one who has assumptions more favorable to it.

What might other clues of the truth of a purported revelation look like? Ideally, someone seeking the answers about such a thing is serious about it and likely praying through the process, committed to the truth where he or she finds it. Doubts about one's own commitment certainly would not contribute to one's grounds for confidence. The person might be inclined toward a certain religious claim or religion but still need to work out problems. Such a person might ask: "How can I take this religion seriously when it believes this one very dubious thing?" The person will be motivated to allow an educated person in that faith tradition to explain the rationale, or perhaps such a person will be motivated to discover how essential such a seemingly problematic belief is to the religion or its coherence. Moreover, if one has been cooperating with one's conscience through this process and feels strongly a sense of providential guidance, of being pulled in a certain direction, then this will be additional, very powerful, information affecting

one's judgment. It may reach a point in which one implicitly senses that one would be acting against one's conscience by failing to assent to the religious belief. In fact, Martin Moleski notes that for Newman the 'illative sense' can be called the conscience of the intellect: "Insofar as it evaluates proposed actions, it seems to be a special dimension of conscience; but insofar as it settles questions of truth, it seems to be a function of intellect."[96] Thus, one might judge that there is a duty to believe.

At the end of the process, if one wakes up one day and realizes one now possesses belief in that religion, the discovery of further grounds for belief do not end there. As with a scientific theory, the new religious framework can be verified through unexpected fruitfulness for explaining other aspects of life, or through unexpected graces: e.g. one radically improves one's habits and lifestyle in a way that is pleasantly surprising, and this improvement is perceived as a gift from above.[97] Perhaps the moral prescriptions of the religion will prove more beneficial and accurate than one ever expected: one is now happier and more at peace from having embraced the new faith.

Dulles points out a common experience of those who, after embracing a faith, perceive it as less dependent on the initial clues through which they first embraced it. Dulles believes this is because the clues have now become entirely transparent, as one's attention is now on the religious object, the perception of which these clues make possible.[98] This is one of the two ways that Polanyi says subsidiary/peripheral clues can fall into more remote consciousness: the other way is when they were never the objects of explicit awareness at all.[99] It is also possible that

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96 Moleski, *Personal Catholicism*, 120.

97 John Lamont considers the effects of grace as the only source of the intrinsic credibility of faith in *Divine Faith* (New York, Routledge, 2016 [2004]), though he does not deny other extrinsic signs of credibility.

98 Dulles, *The Assurance of Things Hoped For*, 214.

99 Polanyi, *Personal Knowledge*, 62.

earlier clues served as temporary pillars only to be replaced by the additional grounds of credibility one receives from practicing the faith. Dulles draws attention to the fact that one who is entirely absorbed in one's relationship with the divine can find grounds for confidence where others cannot:[100] this might be like an experienced medical technician who sees additional details in a sonogram or x-ray that others cannot see.

Even if one experiences strong verification for the religious framework that one has adopted, there will still be involuntary tacit doubts, a discomfort experienced when one is not sure how to fit new information into one's existing framework, and one will have to resolve certain issues for oneself. If one is honest with oneself, one will acknowledge such tacit doubts and seek to resolve them. Such tacit doubts give rise to the sort of curiosity and questioning that leads to deeper understanding: this leads those who are honest, curious, and self-reflective to seek better understanding of the rationale for the belief, or, if necessary, to modify their perspective to be more in accordance with reality. But the presence of tacit doubts that give rise to curiosity and deeper understanding are not unique to religion: they are something experienced in any interpretive framework. Someone who rightly believes a scientific theory might experience tacit doubts due to a lack of understanding for how the theory would explain this or that phenomenon. Such a tacit doubt would lead the person to further study how others have resolved the same issue.

[100] Dulles, *The Assurance of Things Hoped For*, 214.

The Rationality of Inherited Belief

Some religious persons never underwent a conversion experience. There are some who have been raised into that framework their entire lives. Like normal, healthy children, they mostly trusted their parents and teachers. They became initiated into that way of seeing the world. Of course, their understanding of that framework may change with time. They will surely have to adjust to new information and alternative perspectives. Perhaps prior, simpler ways of understanding are replaced by deeper and more nuanced ways of understanding. Engagement with other worldviews might trigger what Polanyi calls tacit doubts, which need to be resolved. This motivates such persons to better understand not only their own perspective but also the alternative perspectives they encounter. Legitimate fusions of horizon will occur even if the essentials of the original religious framework are never abandoned.

Following Polanyi, Dulles points out that literally all persons have been raised within some kind of framework of thought,[101] and no one can do away with any fiduciary framework at all without descending into imbecility.[102] Earlier, I criticized the self-refuting characteristics of frameworks built upon skepticism or doubt. As Polanyi points out, the very practice of science is not consistent with such a program.[103] To become a great scientist, one must become an apprentice to other scientists, study in labs and classrooms with other scientists, engage with the thought of current and prior scientists. If one seeks strict proof at every stage in this process one will severely limit one's capacity to be formed within the current scientific framework and to then be in a place to rationally build upon it or modify it if necessary. Reasonable trust is fundamental to this process. Dulles points out that the formation in faith one receives from one's

101 Dulles, *The Survival of Dogma*, 35ff.
102 See Polanyi, *Personal Knowledge*, 294ff.
103 See ibid., 53ff.

parents, teachers, pastors, etc., is very similar to the intellectual formation of a budding scientist or other researcher.[104] I would like to additionally point out that as one gets older, prudentially choosing one's teachers based on clues that they are trustworthy, and then giving those same teachers the benefit of the doubt that one should to take them seriously, is an important aspect in anyone's intellectual/cognitive formation.

Like any variant of prudence, understood as a type of practical wisdom regarding choices, such prudence presupposes good intentions. Prudence with respect to one's cognitive formation presupposes the intention of honestly getting at the truth, and not simply being reaffirmed in one's ideology or tribal allegiance. Such prudence might also lead one to begin to have more reservations about one's trust of a teacher, leading one to give more attention to other teachers that seem more trustworthy. Such prudential trust is fundamental to our intellectual formation. And trust in accredited experts, so long as it is a trust prudentially judged as warranted, is also an important part of our intellectual life. Returning to Dulles, he highlights how this communal reality of a division of intellectual labor, with variant experts and authorities, is common to both religious and other intellectual traditions, such as those of science,[105]which Polanyi highlights as well.[106]

There are many commonalities in the rationality of the convert and that of the person who has been formed within a religious tradition from one's youth. As I have noted several times, we dwell within interpretive frameworks in a way similar to how we dwell within tools. In the case of Christian revelation, Dulles argues that we dwell in the symbols of that revelation, developing a familiar knowledge of the objects toward which they point, and such familiarity through

104 Dulles, "Faith, Church, and God," 541.
105 Dulles, "Faith, Church, and God," 540.
106 Polanyi, *Science, Faith, and Society* (Chicago: The University of Chicago Press, 1946), 42–50.

dwelling in the symbols of revelation gives rise to propositional claims about that same revelation.[107] If such a person, like the convert mentioned above, continually experiences verification through the experience of dwelling in that framework, in the way scientific frameworks are verified by the fruitfulness of their adoption, though without the benefit of controlled experiment, then many of the elements of rationality for the convert are present in the case of the person raised in the faith as well. Moreover, as Dulles likes to point out, the experience of others being persuaded to embrace the framework provides additional verification for one's belief.[108]

Irrationality in Religion

I would like to briefly address the issue of irrational religious claims in light of what I have discussed in this section. None of what I have covered so far is meant to deny that there are irrational religious claims. There are irrational religious claims just as there are irrational claims made in all areas of life. But to judge the irrationality of someone making a false claim, and especially the person's moral culpability can—*pace* Brian Leiter[109]—often be quite complex. Some claims can be verified independently based on common experience, perception, first principles of rationality and intelligibility, and so on. But others might only make sense in light of the framework that one has adopted, and some might turn out to be temporary issues due to the incompleteness of the framework—due to our incomplete understanding of reality—and the need for deeper understanding.

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107 Dulles, *Models of Revelation*, 257ff.
108 Dulles, "Revelation and Discovery," 9–10.
109 Leiter, "Why Tolerate Religion?", 71.

Such an admission is not foreign to the religious perspective. Most religions I know have some sort of theology in which certain believers try to better understand their perspective and seek answers to unsettled questions. Such an admission is also not foreign to the scientific perspective. When an anomaly is encountered that seemingly challenges the existing scientific paradigm, those in the scientific community will respond to it in different ways. They may dismiss it, ignore it, perhaps shelve it. Or, if it is too difficult to dismiss, they may perhaps come up with a gap-filling solution that does little else to modify the existing paradigm. Until someone can come up with a new paradigm upon which the majority of scientists in that field can agree, 'normal science'[110] will be carried out within the existing paradigm, perhaps with such an *ad hoc,* gap-filling, expansion.[111] In hindsight, such gap-filling solutions might seem laughable or irrational, but they make sense at the time that they are posited or from the standpoint of the individuals working within the framework because at least the majority of the scientists lack confidence in any theoretical alternative.

If hypothetically someday a future revolution in physics leads to the abandonment of the idea of "dark matter," that will not mean that the current physicists who posit it are being irrational or irresponsible. Such a postulate makes sense given the current framework so long as there is no obvious alternative explanation or well-backed alternative paradigm that does away with its need. If someone is operating within a religious framework, something similar can happen, making it difficult to assess when a seeming irrationality is a matter of blameworthiness or simply a blind spot one must resolve. Religious persons may have what they believe are strong grounds for holding onto their framework of belief. From their current standpoint, the

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110 See note 64 above.

111 See Polanyi, *Personal Knowledge*, 291, which I discuss above.

other frameworks they have encountered may not satisfy them for any number of reasons. Unfortunately, they may feel that in order to maintain this framework they must deny what from other standpoints seems quite unreasonable to deny, and indeed might be false. Without additional insight, this is the pill they believe is necessary to swallow.

For instance, from my standpoint there are certain well-established scientific theories that I believe are true but which some religious persons deny. I disagree with them about such things but I also admit that judging their subjective rationality is quite complex: they might have very good reason for believing certain elements of their framework, but do not know how to preserve those elements while also believing the well-established scientific theory. Perhaps one might say that a mature mind can see the tension and still say to oneself "I do not know how to reconcile these things, but there is enough reason to still believe the very well-established theory." But doing the difficult work of finding such a resolution can take time and to not yet have arrived at such a resolution does not *necessarily* imply any subjective blameworthiness even if it *could* imply it. It is complex. The best we can do for such people is charitably to try to persuade them. Such a shift in thinking might require full-scale conversion, a very difficult existential move that changes everything about one's life, and even affects one's relationship with one's family and friends. It is not to be taken lightly. Moreover, abandoning a framework over an unanswered question is often unreasonable as well; just as it would be unreasonable to abandon a standard scientific theory over a few anomalies and without a superior model to replace it.

The Contribution of Dulles

Before considering the contribution to the credibility of religious belief provided by natural theology, I would like to leave a few comments about the contribution of Dulles's account. Avery Dulles worked mainly in the field of Catholic fundamental theology. His

assimilation of the insights of Michael Polanyi and John Henry Newman enabled him to offer a compelling reflective account of the rationality of religious belief that complements the account of Plantinga in that it provides a deeper analysis of the rationality involved in both first personal discovery and inherited belief, 'from below'.[112] This is possible because his theology of religious faith pits no opposition between faith as both a genuine personal discovery, on one hand, and a providential gift, on the other.

By exclusively highlighting faith 'from below', I am not interested in drawing from Dulles an account of how faith is 'knowledge', analogous to the account offered by Plantinga. Nonetheless, one can easily meet the standards of knowledge set by Plantinga if one includes considerations 'from above'. If the discovery discussed above turns out to be a providentially guided process, and thus is presumably properly functioning process according to a quality design plan aimed at the truth and in a suitable environment, and this process indeed leads to the truth, then it seems according to Plantinga it should have the full warrant of knowledge. A skeptic of said religious beliefs would not acknowledge all of this. Yet a skeptic could still acknowledge a certain relevant degree of reasonability in the process 'from below', even if it were wrong, if one sees that it follows a similar logic to other respectable truth-seeking processes in philosophy, religion, history, etc. Thus, by highlighting Dulles's compelling account of religious faith, I aim to cast doubt on Leiter's claim that religious belief is almost by nature, at least in this era, *culpably* false belief. This is important, as I note above, because if religious belief were inherently unreasonable or juvenile, one could simply deny respect for religious

[112] The non-competitive relationship of these aspects of faith is a consequence of two orders of causality, transcendental-vertical and natural-horizontal.

pursuits on the grounds that religious believers, as a whole, are not only wrong—as the non-believer maintains—but morally blameworthy for their belief.

W. Norris Clarke on the Viability of Natural Theology

In the last chapter, I referred to certain general and mostly inarticulate insights concerning God's existence that are based on certain general features about the world. I put on hold until this chapter a more comprehensive defense of such insights. To defend these claims, I will mostly rely on the writings of the late W. Norris Clark, a respected Thomist philosopher who taught for many years at Fordham University.[113] I believe insights into God's existence based upon general features of the world, even if implicit, are more common than is normally thought. While I do not believe such insights are necessary for reasonable belief in God's existence, they certainly can contribute to the credibility of belief, and given that their explicit forms are more public in nature, they are more easily communicable. Moreover, natural theology can help clarify something about the nature of the transcendent ground of existence, by helping one determine what sort of features such a reality must have in order to qualify as a necessary and uncaused (etc.) ground of being.

Natural theology is a branch of philosophy that investigates questions about God, God's existence, and characteristics of God that can be defended philosophically without any appeal to divine revelation. Some of the more popular philosophers of the modern period—e.g., Descartes, Leibniz, and Locke—carried out their own versions of natural theology. But since the times of Hume and Kant it has always been carried out somewhat outside of the "mainstream" of

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[113] For an intellectual biography of the development of Clarke's thought, see Gerald A. McCool, S.J., "An Alert and Independent Thomist: W. Norris Clarke, S.J.," in *The Universe as Journey: Conversations with W. Norris Clarke, S.J.*, ed. Gerald A. McCool, S.J. (New York: Fordham University Press, 1988), 13–47. In this same volume there is also an intellectual autobiography of Clarke: W. Norris Clarke, S.J., "Fifty Years of Metaphysical Reflection: The Universe as Journey," 49–92.

philosophy—if there is ever really such a thing as a "mainstream" in philosophy—even if it has been carried out by many philosophers who were, or are, excellent philosophers and very well-respected.

From the standpoint of natural science, Clarke notes that if anything the situation has improved in the last hundred years with respect to the credibility of theistic belief. Although Clarke is wary of arguments based on gaps in our current scientific knowledge of the world[114]—that is, he is wary of defending the "God of the gaps"[115]—he does note that the discoveries of contemporary physics have only boosted the credibility of the claim that mind is the ultimate principle of reality.[116] Clarke insists, however, that natural theology should not be carried out on the shaky foundations of any gap in our current scientific understanding, but rather should be based on rigorous metaphysical arguments based on the conditions for "the existence of any determinate world at all, or from the existence of any dynamic order at all."[117]

Clarke's standpoint must be characterized as idiosyncratic, because it reflects a fusion of many different perspectives. Clarke firmly believed in acknowledging truth where he found it, and he drew particularly from Gadamer and Polanyi the following insights:

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[114] Clarke admits that the "fine-tuning" of the cosmological constants is impressive. However, such arguments based on this fact are generally dismissed by skeptics because if our universe were only a pocket universe or derivative of a larger multiverse that is potentially infinite in scope, we should not be surprised that we are in one part of it that was so finely-tuned: otherwise we would not be asking the question. This is the so-called "Weak Anthropic Principle." Arguments based not on probability but rather the possibility, necessity or even intelligibility of the created order evade such a response.

[115] Ibid., 151. He cites in this regard the philosopher of science, Ernan McMullin, "Natural Science and Belief in a Creator: Historical Notes," in *Physics, Philosophy, and Theology: A Common Quest for Understanding*, eds. R. Russell, W. Stoeger, G. Coyne (Rome: Vatican Observatory, 1988—distributed by Notre Dame University Press), 49–79. Another good treatment of the boost in credibility of theism over the last hundred years coming from the findings of the natural sciences is Stephen M. Barr, *Modern Physics and Ancient Faith* (Notre Dame, IN: University of Notre Dame Press, 2003).

[116] Clarke, "Is a Natural Theology Still Viable Today?" 152. He is referring to the well-known 'fine-tuning' of the cosmological constants. "A Princeton scientist, Don Page, recently calculated that the odds against our present universe are something like one in 10,000,000,000[124]" (ibid., 151). Clarke also cites D.E. Thomsen, "The Quantum Universe: A Zero-Point Fluctuation?" *Science News* 128 (Aug. 3, 1985), 7.

[117] Ibid.

> A self-aware contemporary thinker in any field should be willing to admit (1) that our human reason must always see the world from some limited (incomplete) historical perspective or vantage point; (2) that what is seen from other vantage points is—if we have done our work carefully—complementary, not contradictory; (3) that we cannot come intellectually naked to understand the texts of man and his world, but must go through some apprenticeship in a living hermeneutical tradition; (4) that the reliable knowledge we can indeed attain about the real is not the Cartesian ideal of absolute certitude such that the opposite can be shown to be a logical contradiction—this is attainable only in mathematics and logic—but is "reasonable affirmation," as Bernard Lonergan puts it, achieved not by impersonal, automatic, clearly specifiable rules for correct thinking, but by personalized responsible thinking (taking possession of oneself and one's drive to know and committing oneself to it), striving for intelligent insight into the meaning latent in the data and for personally responsible judgment based on evidence recognized as sufficient for its purposes; (5) finally, that all of our perception, concepts, and understanding are, as Polanyi has shown so well, a synthesis of focal and peripheral (or background) knowledge, such that it is neither possible nor necessary to make formal and explicit all that is in this background knowledge (for it is a mode of existential lived knowledge, acquired by sharing in a practical "form of life" never fully susceptible of explicit conceptual formulation), and that is not as Deconstructionists so often overlook, crippling to our capacity to understand, but positively enabling […] It should always be remembered that no matter how limited or incomplete a perspective may be, it is still an opening onto something beyond the viewer. A perspective that opens onto nothing, or only inward into the viewer, is not a perspective at all, but a hall of mirrors. Similarly, no matter how much one may have to start within a hermeneutical tradition to learn a tradition and skills of inquiry and interpretation, a hermeneutics that effectively does its job is one that enables us to understand a situation or text that needs interpretation and, by a sensitively intelligent "fusion of horizons," come to understand significantly—though never totally—a different or older tradition.[118]

As will be clear from his treatment of the principles of metaphysics, Clarke does not deny that there are principles and insights of philosophy that once grasped will never be supplanted by later developments,[119] but such principles or insights will not likely be reached through entirely isolated thought, but through entering into a conversation, entering into a tradition, that in some cases extends thousands of years into the past, and in which generations of thinkers have built

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[118] Ibid., 155–6.

[119] Even in the natural sciences this is probably true. I am confident that the general insights of atomic theory will not be supplanted by future developments in science; although, perhaps it is possible that certain aspects of this remarkably well-established theory will be reinterpreted or better understood in the light of some new scientific paradigm.

upon the shoulders of their predecessors.[120] And to enter into such a tradition requires honesty, charity, and willingness to make oneself vulnerable to that different perspective: it means putting away dismissiveness and committing oneself to understanding the other perspective from within, as much as one is capable.

Clarke's Argument from Any Conditioned Being to an Unconditioned Being

In his article "Is a Natural Theology Still Viable Today?" and in his later book *The One and the Many*, Clarke presents an argument for an unconditioned ground of the existence of conditioned existents; from this starting point he proceeds to argue that such an unconditioned reality must be infinite and unique. Clarke is of the opinion, and I share this opinion, that Thomas's famous *five ways* found in the first part of the *Summa Theologiae*, q. 2, a. 3, are not the best arguments Thomas presents for God's existence, but perhaps they are more accessible than ones that require more acquaintance with Thomas's metaphysical thought.[121] With that being said, the arguments found in the *five ways* are fine as *starting points* for arguing the existence of a reality that many people would call 'God.'[122]

The main reason Clarke opts to initially use the language of conditions, or conditioned existence, and not causality, is because those trained in the sciences have been taught a definition of causality that is methodologically appropriate for their disciplines, namely, as "predictability

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220 Clarke grasps the affinities between Polanyi's "interpretive frameworks" and Gadamer's "horizons." Clarke grasps that the implication of the basic insight into language, culture, and human thought behind all these notions is that to properly understand the perspective of another requires effort to understand what the other is saying from within that other's same perspective.

121 For an excellent and extensive treatment of various arguments for God's existence in the writings of Thomas Aquinas, see John F. Wippel, *The Metaphysical Thought of Thomas Aquinas: From Finite Being to Uncreated Being* (Washington, D.C.: The Catholic University of America Press, 2000), 379–500.

122 At least four of the five ways are good starting points. The *fourth way* points to an excellent path for knowing God's existence but in its form in *ST* I, q. 2, a. 3, it is confusing and unconvincing to those unfamiliar with the metaphysical principles that underlie it.

according to law," but it is not what is meant by efficient causality as the notion is used in metaphysics. In traditional metaphysics, an efficient cause is a "productive power."[123] Put more simply, it is what is meant by 'cause' in ordinary discourse: like the parent as cause of the child, or the pitcher as the cause of the baseball hurling toward the catcher. Later, I will reintroduce the notion of causality into the argument, asking the reader to keep this clarification in mind. An unconditioned source, however, is also an uncaused source because causes are conditions for something to exist. Thus, the argument leads to the conclusion that an unconditioned/uncaused source exists.

Step One: From a Conditioned Existent to an Unconditioned, Self-Sufficient Reality

Here Clarke asks the readers to consider anything that exists in their everyday experience: e.g. a dog, a tree, another human being, themselves, a carbon atom, and so forth.[124] All of these things only exist if certain conditions are met that allow them to exist. For instance, I depend upon my parents, air, food, a certain environmental temperature, and so on. And so it is with trees, or dogs, or all living things. But even molecules require certain conditions: for instance, they depend upon the atoms of which they are composed "and on many other conditions of space-time, fields or force, temperature, and so on."[125] Atoms, originally hydrogen and helium atoms, could only form after there was a cooling from the initial conditions following

123 Clarke, *The One and the Many*, 216.

124 I do not have the space here to defend the ontology presupposed here, which includes acknowledgement of the existence of substances such as human beings, dogs, etc., which are irreducible to their parts and distinct from the rest of the universe. But none of what is said depends upon this ontology. These entities are only mentioned as examples.

125 Ibid., 217.

the Big Bang.[126] Even quarks cannot exist alone but must exist as joined with two or three other quarks.[127] Thus, wherever we look we find only things that exist if certain conditions are met.

The next step is to show that such conditions cannot apply all the way down. That is to say, it cannot be the case that everything is a conditioned existent, or else nothing could exist. Why? An analogy is useful. A conditioned existent is to existence what an extension cord is to electricity. After all, an extension cord is not a source of power, just as a conditioned existent is not its own source of existence. Now, if a TV that is turned on is plugged into an extension cord that runs out of the room, I presumably know that either that particular extension cord is plugged in, or it is connected to another cord that itself is plugged in, and so on, but eventually one of the extension cords needs to be plugged into a power source to explain the TV being turned on.[128] Just as extension cords do not produce their own power, neither do conditioned existents, by definition, provide their own existence. What is needed is an existence source. This is the famous problem of infinite regress. Clarke also presents it in logical form.

> Given that being A here and now exists, categorically, not conditionally (i.e., as an "is," not an "if" statement). Now suppose one tries to explain the actual existence of A thus: A exists only if B, B only if C, C only if D, and so on to infinity, in an endless series of "only if" statements. In this case, since each member depends on the conditions for its existence being fulfilled by another, and these conditions in turn remain endlessly unfulfilled, the entire series remains conditional ("iffy") in its existence. Unless one of the members along the line exists unconditionally, categorically, with no more conditions to be fulfilled, then the original existence of A itself becomes only conditional […] But the original A does exist…[129]

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126 Ibid.

127 Ibid.

128 A religious sister I know teaches this point to students by having them stand in a circle holding hands. She then tells the students to squeeze the hand to their right as soon as they feel their left hand squeezed. They quickly discover the need for an unprompted hand-squeezer.

129 Ibid., 218–9.

The implication of this argument is that there must exist at least one unconditioned existent that can be the source of the conditions for other existents. I noted above that an unconditioned being is also an uncaused being, so this argument also leads to the same conclusion as that based on efficient causality. Before proceeding to the second stage of Clarke's argument, I would like to further examine the implications of this argument in terms of efficient causality. I ask the reader to recall that the understanding of efficient causality implied is a productive power, a cause in the everyday sense of the word, and is not to be taken in the restricted methodological sense of the term as it is used in science.[130]

But if there must be an unconditioned/uncaused cause, it seems that such a source of existence must have never begun to exist but must have always been. This conclusion is based on the common-sense principle that Clarke draws from the writings of Thomas: "Every being that begins to exist requires an efficient cause."[131] I take it that this principle should be relatively uncontroversial among the general public. If a cow appeared out of nowhere in the middle of the room in which one was standing, almost no one would be satisfied by the claim that it just happened (that there was no cause).

Such a claim is unintelligible. That is not to say, however, that it is a logical contradiction. As Clarke notes, "being *is* non-being" is a contradiction, but "being *comes from* non-being" is not.[132] Still, contradiction is not the only form of unintelligibility or absurdity to which a mistaken position can lead. To see the absurdity of denying this principle, consider what

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130 Clarke likes to point out that the Greek word for cause from which such reflections arose was a legal term referring to the one who was "guilty" or "responsible." See idem, *The One and the Many*, 188; and idem, *The Philosophical Approach to God*, 2nd ed. (New York: Fordham University Press, 2007 [1979]), 66. This is the everyday use of the word. There is nothing in science itself that refutes this metaphysical and everyday sense of the word.

131 Ibid., 181.

132 Ibid., 182.

it would entail if true. If anything whatsoever could just happen without any cause then there would be *nothing* to prevent literally *anything* from happening at *any* time.[133] On this hypothesis, we should expect inexplicable events to happen all of the time or else we have no explanation for why they do not. There would be no order to nature, or better yet, no possibility of nature having order. It would not simply be a case of improbability, because then one might reply that we should not be surprised to find order in this universe or else we would not be here to ask the question. If there were no need for a cause of something coming into existence, then there would not even be a *possibility* much less a likelihood for order. Order would perpetually be disrupted by the unlimited possibilities of new beings or occurrences needing no cause.

Sometimes it will be claimed by physicists that something might be able to arise out of "nothing" due to a fluctuation in quantum state. This claim always involves an equivocation of the word "nothing" distinct from any strict metaphysical use of the term. Regarding this equivocation,[134] the physicist Stephen M. Barr replies:

> One isn't starting from "nothing." The "no-universe state" as meant in these speculative scenarios is not nothing, it is a very definite something: it is one particular quantum state among many of an intricate rule-governed system. This no-universe state has specific properties and potentialities defined by a system of mathematical laws.[135]

We are now in a position to ask what implications this well-founded principle has concerning the unconditioned and uncaused ground(s) of existence—which I will call for now 'Alpha'.[136] One answer is straightforward. In order to qualify as uncaused, the Alpha (the

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133 Clarke makes this point in *The One and the Many*, 182.

134 See, for instance, Stephen Hawking and Leonard Mlodinow, *The Grand Design* (New York: Bantam, 2010).

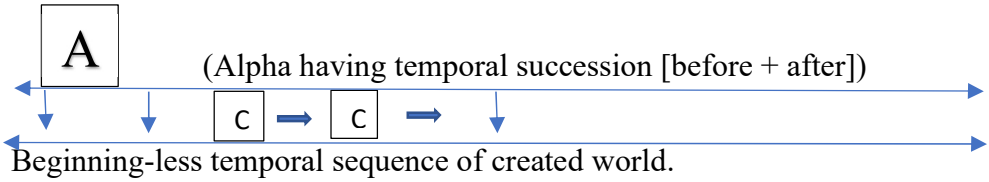
135 Stephen M. Barr, "Much Ado about 'Nothing': Stephen Hawking and the Self-Creating Universe," *First Things* (Sept. 10, 2010), accessed July 29, 2019. https://www.firstthings.com/web-exclusives/2010/09/much-ado-about-ldquonothingrdquo-stephen-hawking-and-the-self-creating-universe

136 I take this terminology of 'Alpha' from Norman Kretzmann, *The Metaphysics of Theism: Aquinas's Natural Theology in* Summa Contra Gentiles I (Oxford: Oxford University Press, 1997), 84ff.

uncaused cause) could not have begun to exist at any time. This either means that Alpha always existed in the past or that Alpha exists eternally, and thus outside time altogether. If the Alpha is unconditioned and uncaused, and it cannot have a beginning, then it must exist by its very nature. This is unlike the conditioned and caused beings, which, by themselves and without any help, do not exist by nature but require outside help to do so. Thus, one can quickly reach at this point the conclusion of Thomas's *third way*: that the unconditioned/uncaused reality, this *self-sufficient being*,[137] is necessary-in-itself.

It is important to note that this argument does not imply that there cannot be an infinite temporal past, or even a series of temporal universes, one begetting the other, into infinity. Thomas did not believe that philosophy alone could rule out an infinite past: rather he believed the past was finite because he is a Christian and that is what Christian revelation seemingly says.[138] But if there were an infinite past, or an infinite series of temporal universes, and if these were all composed of conditioned existents (or caused causes) then there still would have to be an unconditioned ground for them all. Therefore, as I see it, the following four models are still live options at this stage for the self-sufficient and necessary reality's relationship to conditioned existents.

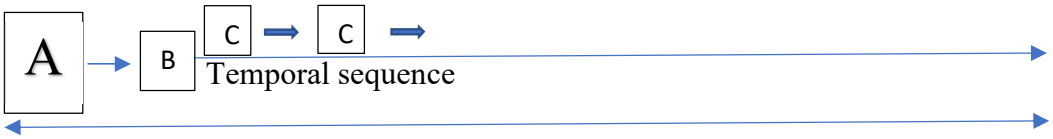
Model 1: Alpha as Temporal Uncaused Cause of beginning-less past (C=Conditioned Existents)



137 Clarke, *The One and the Many*, 219.

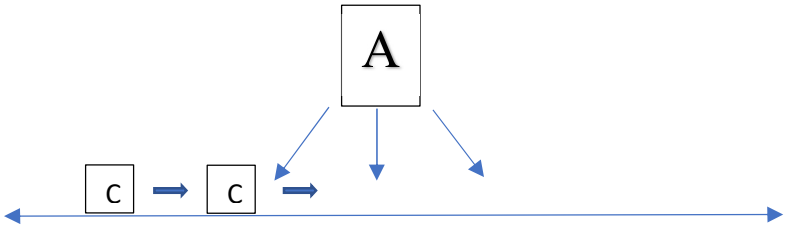
138 See Thomas Aquinas's short work from later in his career *De Aeternitate Mundi* (*On the Eternity of the World*).

Model 2: Alpha as Temporal Uncaused Cause (C=Conditioned Existents) (B=Beginning)



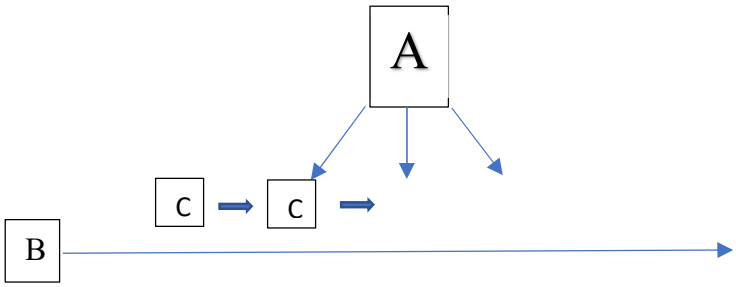
(Alpha's temporal succession [before+after]

Model 3: Alpha as Eternal (Outside Time) Uncaused Cause of Beginning-less Past



Temporal Sequence with Beginning-less Past

Model 4: Alpha as Eternal (Outside Time) Uncaused Cause: Universe Has Beginning (B)



Note that in the last two models the causality grounding the universe stands over the whole causal sequence. The last model is the one defended by Thomas Aquinas. These models also highlight what I have called the two non-competitive dimensions of vertical-transcendent causality and horizontal-natural causality.[139]

[139] I do not mean to imply that there is no synchronic (simultaneous) causality among natural causes, but the 'horizontal' in the horizontal-natural cause refers to the fact of a causal sequence in nature, whereas the vertical-transcendent causality of Alpha in relation to the world springs from eternity and has no succession in the eternal cause itself. Moreover, the transcendent causality of the Alpha sustains the whole causal order, and it also sustains the natural causal capacities of created realities.

Intermediate Analysis Between Steps 1 and 2. Thomas's Procedure after the Five Ways

Some who are sympathetic to the first three of Thomas's *five ways* make the mistake of assuming that work is finished after having established that there must be an unmoved mover, uncaused cause, and necessary-in-itself being. But that is unfortunate because it has not yet been established what such an uncaused and necessary-in-itself being must be like in order to qualify as such, or even if there is only one and not many such beings.[140] The *fourth way* does argue that there must exist something that is absolutely perfect but it is notoriously unconvincing for those who have no background in the metaphysical underpinnings of the argument.[141]

Before proceeding to Clarke's second step. I would quickly like to offer an example of Thomas's own procedure, which will also help clear away some popular misunderstandings. In the question of the *Summa* that immediately follows that of the *five ways*, Thomas opted to show first that the entity established in the *five ways* must be absolutely simple. This follows from the principle that anything that is composite must have a cause. This is so, firstly, because any composite thing is ontologically posterior either to its parts or its principles—and the first, unchanged, uncaused, necessary-in-itself reality must be, by definition, something absolutely prior to everything else—and, secondly, on account of the principle that diverse components of a

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[140] Thomas must still argue why it is that what is pure act, an uncaused cause, a necessary in itself being, and a directive cause of the universe must be, for instance, simple (*ST* I, q. 3), perfect (q. 4), infinite (q. 7), eternal (q. 10), and one (q. 11). Richard Dawkins's criticisms of the first three ways lead one to believe he is unaware that the questions that follow the *five ways* clarify that such an uncaused cause must have 'qualities' that people understand as the 'qualities' of 'God'. See Dawkins, *The God Delusion*, 77. In defense of Dawkins, Thomas somewhat invites this confusion by ending the *ways* stating that such a reality is what people call 'God'. In reality, most modern people who are unacquainted with the rest of Thomas's metaphysical thought are left asking, "Why must the uncaused cause be some personal being, or why can it not be the universe itself, or the multiverse?"

[141] See Cornelio Fabro, "Sviluppo, significato e valore della «IV via»" in his *Esegesi tomistica* (Rome: LEPUL, 1969), 351–85, which was originally published in *Doctor Communis* 7 (1954): 71-109, and also from *Esegesi tomistica*, "Il fondamento metafisico della «IV via»," 387–406, which was originally published in *Doctor Communis* 18 (1965): 1-22. See also Wippel, *The Metaphysical Thought of Thomas Aquinas*, 469–79. Clarke's argument from any finite being to an infinite source is based on a very similar insight to that which underlies Thomas's various arguments connected with the fourth way.

composite cannot be coordinated together without an external cause.[142] If one accepts the principle, it implies that the Alpha must be altogether simple, or else it would not qualify as an Alpha, an unconditioned/uncaused cause.

Interestingly, Richard Dawkins made it the central argument of his book, *The God Delusion,* that God cannot serve as an explanation because "however little we know about God, the one thing we can be sure of is that he would have to be very very complex."[143] Thomas's point is not about complexity or the improbability of complex things coming about by chance. His point is that anything composite at all must have a cause. This does not preclude that this happens sometimes through causes converging in an unexpected or even improbable way that we call chance. Rather, God/Alpha cannot be a composite, and thus cannot be complex, because then God/Alpha must be caused and thus could not serve as the ultimate explanation demanded by the first three *ways*. Thus, Thomas would partially agree with Dawkins: something complex, or even composite at all, cannot be uncaused. He would disagree with Dawkins that God is complex or even composite.

What would an absolutely simple entity be like? Dawkins clearly has trouble imagining how something like God could be absolutely simple, probably because more advanced physical things tend to be more complex: e.g. the human brain. For one, such a self-sufficient reality cannot be something material or bodily, as Clarke points out following Aquinas. This is because matter implies a composition of parts. This would rule out the material universe as the self-sufficient reality. What about the atoms of the atomists (not to be confused with the atoms of atomic theory one can see in an electron microscope)? These 'atoms' were posited as

142 Ibid.
143 Dawkins, *The God Delusion*, 125.

unbreakable, immutable, without parts. They are posited as something approaching simplicity, but it seems they could not qualify as simple absolutely, because they are material.

Moreover, in addition to the fact that it is difficult to see how such atoms could be absolutely simple—and the fact they are finite, something addressed below—it seems that the 'atoms' could not be uncaused for a different reason. Treating of the theme of efficient causality, Clarke posits the following principle: "Every being which, in order to exercise its natural properties, must belong to a system, requires an efficient cause."[144] Such a reality is one that by its nature, to carry out its natural interactions, "requires correlation with the other active members of a dynamic system of interacting beings."[145] Thus, Clarke notes, "every hydrogen atom in our universe is intrinsically correlated to combine regularly with every oxygen atom in the proportion of 2 x 1, and reciprocally every oxygen atom with every hydrogen atom in the reverse relation, and so for all the other elements in the basic atomic scale with their fixed chemical valences."[146] The capacities for interaction between any one member of the system are defined in terms of their interactions with the others. "But such a being, whose active nature is defined by relation to others, cannot be self-sufficient for its own existence as this dynamic nature. For then it would also have to be responsible for the existence for the whole rest of the system, without which it itself cannot act, since it presupposes it."[147]

This is worth reading a few times. If it is the case that the whole universe, or the multiverse, cannot be self-sufficient because it is an aggregate depending upon its parts, neither can its parts be uncaused because each can only interact with all the rest because of an intrinsic

144 Clarke, *The One and the Many*, 185.
145 Ibid.
146 Ibid.
147 Ibid., 185.

correlative relationship that it has with all the rest. This coordination of the entire system, or any possible system, can only come about on account of an extrinsic cause. This provides a supplemental reason why no part of a larger physical whole can be an uncaused cause. Thus, in addition to the problem of a theoretically postulated 'atom' necessarily still being composite on account of its materiality, and thus not a candidate for being uncaused, the same postulate runs into this additional difficulty. Moreover, if the uncaused cause must be simple, the only candidate remaining is something immaterial. Interestingly, this point connects with the traditional argument from the ordered nature of the world—and can quickly be made an argument that the cause of an ordered system must be intelligent. Indeed, in such a system as our own cosmic system, the different elements come together in mutual interaction, and this unity of order can only be explained by some external, unifying cause that is the source of the order. Such an external cause can only be something like a mind. Clarke provides two reasons for this conclusion:

> (1) These overarching laws of reciprocal interaction are each a one-over-many, gathering many different elements into an intelligible unity […] This is a space-and-time-transcending unity that can only be constituted by an idea—which in turn can only be generated by a mind. Such a unity of many in one, leaving intact the distinction of each, is almost a definition of an idea. […] (2) The ordering of the natural properties of these elements toward dynamic interaction must be constituted prior […] to their actual operations of interacting, since they interact according to their (already constituted) natures. But this means they must be ordered toward […] not yet existing future actions, or possible future actions. Now only a mind can constitute out of possibility a future order.[148]

This latter point also provides a path for making sense of the claim that the uncaused cause must be immaterial. To speak of something as immaterial often leads to confusion because even some very intelligent people have no concept of immateriality. For instance, Thomas

[148] Clarke, "Is a Natural Theology Still Viable Today?", 174–5.

Jefferson once wrote "To talk of immaterial existences is to talk of nothings. To say that the human soul, angels, god, are immaterial, is to say they are nothings."[149] The easiest thing to grasp that is immaterial is an idea, such as the number '4' or the idea of natural selection. Such things have intentional or mental reality: they are not quite nothing because unlike 'nothing' they can be distinguished. Otherwise, if '4' were nothing and '5' were nothing then 4 would equal 5. But for such intentional realities, to-be is to-be-thought: such 'mental beings' are simply specific objects of thought. But they do not exist in the strict sense: they do not act, inter-act, and re-act as real things do.

Then what would a substantially existing immaterial reality be like? The only reality I know of that traditionally is acknowledged as both substantially existing and immaterial is something like a mind (not a brain). A bodiless mind[150] with no quantitative dimensions or locality in space, but only interacting with physical entities through some sort of effective/productive intentionality, would be an altogether simple entity, and also non-material insofar as materiality is defined in terms of quantitative dimensions and locality in space. I am not sure how demonstrative it is to assume that substantial immateriality necessarily implies mind, but the latter is the only conceivable example of substantial immateriality of which I am aware, and it coheres with the above argument that the cause of the world must be intelligent.[151] Nevertheless, this will have to suffice as an example of something like Thomas's procedure of

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149 Thomas Jefferson, Letter to John Adams, August 15, 1820. Accessed July 31, 2019. http://www.let.rug.nl/usa/presidents/thomas-jefferson/letters-of-thomas-jefferson/jefl262.php

150 Indeed, even embodied minds are immaterial, but this is more difficult to grasp, so I try to make it even clearer by emphasizing that it is disembodied.

151 While perhaps not demonstrative, positing that God must be intelligent as a consequence of being immaterial is one of several arguments Thomas makes for God's intelligence in the *Summa Contra Gentiles*: *SCG* I, q. 44, First "*Item*…" In addition to the arguments Thomas provides there, the teleological arguments for God's existence that he provides in the *fifth way* and other places (e.g. *SCG* I, ch. 13) also provide argumentation that the cause of the world must be intelligent.

denying anything of the uncaused cause (etc.) that would preclude it from being uncaused (unmoved, etc.). Now I can proceed to the second step in Clarke's argument, which shows that the self-sufficient reality cannot be finite because anything that is finite must be caused.

Step 2 of Clarke's Argument: A Self-Sufficient Being Must Be Unlimited in Perfection

The next step in Clarke's argument is to show that any self-sufficient reality must be unlimited or infinite in qualitative perfection. This is based on the metaphysical observation that anything that is limited or finite in qualitative perfection requires a cause, thus disqualifying it as the self-sufficient, unconditioned reality, the existence of which Clarke establishes in the first part of the argument. But why must any finite, limited being be caused? Consider all the finite, limited realities of our experience: minerals, plants, animals, and so forth. Each has a determinate nature with its own limitations: try getting a diamond to win a race or try getting a plant to teach a class. Each limited being has its own determinate capacities for acting. The dog has a capacity to hear sounds that I do not, but I also can read English literature and the dog cannot. Neither of us exhaust the full power of existence.[152]

Clarke states that such limited things cannot be self-sufficient for their existence for two primary reasons: 1) there must be some principle of determination for why a limited being is this particular and limited instantiation of possible existence and not another, but it could not self-determine its own nature because that would mean it would precede its own existence; 2) if something is a self-sufficient being it must be the source of any perfection it contains, but if a

[152] A significant aspect of Thomas's metaphysics that has often been forgotten is that he distinguishes between the mere fact of existence, *that* something exists or not, and the *act* of existence that underlies that fact. The act or power of existence is the acting-interacting-reacting presence of something in the world of acting-interacting-reacting things: it is the *being of beings* in the specifically Thomist and not Heideggerian sense. It is that act—which underlies the mere thought of something—making it present in the world of things. A plant partakes of existence-as-act in a plant-like way, a dog in a dog-like way, a carbon atom in a carbon-atom-like way, and so on.

limited being were the source of its own perfection there is no reason that it would be only this limited instantiation of that perfection and not any other degree of it, or even its fullness.[153] Thus, any being limited in its perfection, limited in the power of existence, must be caused if there is to be an explanation as to why it has this particular limited power of existence and not another.

This point applies specifically to anything that is limited and thus determinate in its qualitative perfection. It might be the case that the universe is of infinite magnitude: presumably it is either infinite in magnitude or finite but unbounded,[154] but we do not presently know which of these it is. But even if it were infinite in magnitude, this would be an infinity of magnitude and not of qualitative perfection. The universe as we know it is one determinate universe with its four basic forces and all its other determinations. Clarke's point is that for something to be uncaused it must exhaust the full power of existence, and not merely have a limited participation in it.[155]

Step 3: The Perfect, Unlimited, Self-Sufficient Reality Can Only Be One

According to Clarke, the conclusion of the final step is shared by all who posit an infinite reality as the source of all reality.[156] Clarke provides two different reasons that an unlimited, self-sufficient reality can only be one: 1) for there to be a distinction between two such realities, one of them must lack some qualitative perfection (even in an equivalent form) the other possesses, thus no longer exhausting the full power of existence; and 2) as noted by Scotus, if there were two such self-sufficient and unlimited beings, they could not both know one another because to

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153 Clarke, *The One and the Many*, 220–1; see also ibid., 184–5; Idem, "Is a Natural Theology Still Viable Today?" 166–7; Idem, *The Philosophical Approach to God*, 56–60.

154 If the universe is finite but unbounded it might be like a sphere or a doughnut such that if one travelled long enough in one direction one might find oneself back where one began.

155 Note, we already disqualified the universe as the uncaused, self-sufficient ground of existence because it is a composite, and thus depends upon its parts.

156 Clarke, *The One and the Many*, 221; Idem, "Is a Natural Theology Still Viable Today?" 168; Idem, *The Philosophical Approach to God*, 60.

know something one must either cause what is known or be acted upon by that other—even mediately—in either case this would make one dependent upon the other for some perfection of its existence, namely, knowledge of the other reality (something precluded by the hypothesis of both being self-sufficient, unlimited realities).[157] Drawing a conceptual tool from Thomas, I would like to add a third reason: if the two realities were entirely unrelated causally to one another, and were both uncaused, requirements of their being both self-sufficient and distinct from one another, there is no reason they should share something in common, the unlimited perfection of existence.[158]

In sum, the argument of Clarke that I have presented and analyzed argues: 1) that there must be at least one self-sufficient reality in order for anything at all to exist; 2) this self-sufficient reality must be unlimited in qualitative perfection, possessing the full power of existence, or else it could not be uncaused and serve as an ultimate explanation for existence—a requirement defended in the first stage of the argument; 3) such an absolute reality, possessing the full *ratio* of existence in its fullness can only be one: for a plurality of such realities would imply something lacking or dependent in all but one of the realities, something precluded by the hypothesis. The second and third stages of this argument follow the basic logic intended by the *fourth way* of Thomas's *five ways*, even if the *fourth way* is a poor presentation of this line of argumentation.

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157 These two reasons are found in his treatment in *The One and the Many* and "Is a Natural Theology Still Viable Today?" Thomas presents different arguments for why the uncaused, necessary-in-itself first cause must be unique in various places: see *De Ente*, ch. 3; *SCG* I, q. 42; *ST* I, q. 11, aa. 3–4; *De Potentia* III, 5, corp.

158 Here I import an insight from Thomas's "many-to-one" argument of *De Potentia* III, 5, corp. Clarke also affirms the insight of this argument: *Philosophical Approaches to God*, 50ff.

Summary of Clarke on Natural Theology

The ultimate assumption of any metaphysical analysis that goes beyond mere description, and into the realm of explanation, is that the universe is intelligible. The intelligibility of the real is the ultimate presupposition not only of metaphysics and natural theology but of inquiry itself. The procedure of metaphysics and its offshoot, natural theology, for making any claims at all about the transcendent is based on a consideration of the conditions for such intelligibility. It is carried out by noting either that any alternative explanation will ultimately lack some intelligibility, or at least that one explanation has something in its favor over alternative accounts.[159] In addition to the unintelligibility that is a logical contradiction—which violates a first logical principle, the principle of non-contradiction—Thomistic metaphysics also acknowledges another sort of absurdity or unintelligibility, the denial of first metaphysical principles such as the principles of causality. For example: "every being that begins to exist needs an efficient cause"; "every composed being requires an efficient cause"; "every finite being requires an efficient cause"; "every being which, in order to exercise its natural properties, must belong to a system, requires an efficient cause"; and so forth.[160]

All these principles depend upon what Clarke considers the dynamic principle of intelligibility: "every being has the *sufficient reason* for its existence (i.e., an adequate ground or basis in existence for its intelligibility) either in itself or in another."[161] This is a non-Leibnizian principle of sufficient reason, non-Leibnizian because it denies the unnecessarily deterministic and deductive assumptions of Leibniz's similar principle. Notice at no point did I mention a principle of causality formulated as "everything that exists must have a cause," a principle never

159 Clarke, *The One and the Many*, 16–23.
160 Clarke lists five such principles in *The One and the Many*, 181–186.
161 Ibid., 21.

defended by any of the great metaphysicians but presented as a strawman account of the principle by thinkers such as John Stuart Mill, Bertrand Russell and, recently, Daniel Dennett.[162]

In my own experience, there are those who can follow the logic of such arguments of natural theology but ultimately lack confidence in the conclusions of such abstract reasoning. Such persons, often very intelligent, will simply say that they do not think our minds capable of such grand conclusions. Some of these persons even believe in God but for different reasons. As Clarke acknowledges, we are dealing with arguments and not proofs—proofs being limited to mathematics and logic. However, I believe such arguments of natural theology are quite strong as philosophical arguments, and they provide credibility for theistic belief in a way that is more easily communicable than other means for arriving at that same belief. I also believe they provide an explicit defense of certain common insights that are often more implicit in form.

CONCLUSION

In this chapter, I have drawn a defense of the basic rationality of religious belief primarily from the writings of three thinkers. I drew from the first two thinkers, Plantinga and Dulles, a more general defense of religious belief, and from the third thinker, Clarke, I drew a defense of natural theology, a supplemental contribution to the first two perspectives. I did not offer any arguments for my religion or for any other religion, but rather I kept the analysis as general as possible, focusing on what I see as paradigmatic instances of the rationality of religious belief. It

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[162] John Stuart Mill, *Autobiography* (London: Oxford University Press, 1924), 36; Bertrand Russell, *Why I Am Not a Christian: And Other Essays on Religion and Related Subjects* (New York: Simon and Schuster, 1957), 6–7; Daniel C. Dennett, *Breaking the Spell: Religion as a Natural Phenomenon* (New York: Viking Penguin, 2006), 242. Clarke states that this tradition likely began with David Hume, *Dialogues on Natural Religion*, part IV: see, *English Philosophy from Bacon to Mill*, ed. E. Burtt (New York: Modern Library, 1939), 714–5. Clarke addresses the issue of this strawman frequently repeated in anglophone philosophical circles in W. Norris Clarke, S.J., "A Curious Blindspot in the Anglo-American Tradition of Antitheistic Argument," *The Monist* 54, no. 2 (April 1970): 181–200. Note that the above-mentioned book of Dennett was written in 2006.

was not the aim of this chapter to convince the non-believing reader to embrace religious belief or to even believe in God, but rather to draw the reader to a place in which he or she can better appreciate the basic rationality of religious belief, at least in paradigmatic instances. Moreover, even in the cases in which one holds unreasonable religious beliefs, I noted that it is not easy to determine when the person holding such beliefs is morally culpable. This point contradicts the claim that we need not have any special respect for religious pursuits because it is the fault of those with religious faith for 'chasing fairy-tales', so to speak. As I hope is clear from this chapter, such a claim is based in a misunderstanding of the rationality of religious faith.

4

Religion and Freedom

In the last chapter, I had to take somewhat of a detour to address a common and significant objection against special legal protection of religious freedom, namely, the claim that religious faith is inherently unreasonable. With that out of the way, it is worthwhile to bring back to mind what was discussed in the chapter that preceded it. There, in the second chapter, I analyzed the good of religion. I considered how one's understanding of the nature of the transcendent source of existence affects the recognition of the good of religion and its motivating power. I also analyzed varying degrees of participation in this good—varying degrees of harmony with the transcendent source of existence. In the process, I highlighted various common points of existential contact with the transcendent. These experiences could serve as the basis for an insight into the good of religion. Such experiences include feelings of conscience, transcendental hope, transcendental gratitude, and the sense of peace that comes from perceived harmony with the transcendent source. In addition to these experiences, there is the epistemic possibility of supernatural revelation, which would provide additional data about the nature of the transcendent source and the possibilities for harmony with that reality.

In that same second chapter, after having elucidated what I see as more paradigmatic understandings of the transcendent source and of possible harmony with it, I included more general analysis of the nature of this harmony. As part of this analysis, I highlighted the existentially pervasive character of participation in the good of religion, and, relatedly, I noted the uniquely architectonic relationship it has with other human goods. With these points in mind, I now proceed to an analysis of the relationship that this pervasive and architectonic good has

with freedom, which is relevant because it is ultimately *freedom* for religious practice that I argue deserves special legal protection.

Existential Freedom

There are two main types of freedom that are relevant to this chapter: existential freedom and social-political freedom. I will begin with a brief discussion of the former.

By existential freedom I am referring to the freedom associated with the notion of 'free will'. Properly defending the reality of this existential freedom would take a much longer treatment than I can offer. Thus, I will only provide a few summary remarks in defense of it. I will begin by noting that existential freedom is a presupposition for paradigmatic cases of *personal* relationships and thus of all existential-reflexive goods like the good of religion. In the first chapter, I analyzed the role that intention and choice play in one such personal relationship, friendship. There I noted that good intention has a primacy for contributing to quality friendships but that it also presupposes, as good intention, an intention to choose correctly, and is perfected in the same correct choice. The value and meaningfulness of friendship so understood would dramatically diminish if such intentions and choices were not truly free but only appeared free to those who made them. If we were merely automatons who believed ourselves free this might still be subjectively pleasant but would be objectively tragic.

Moreover, as Thomas Aquinas notes, free will is a presupposition of moral praiseworthiness or blameworthiness, reward and punishment,[1] and even a presupposition of moral philosophy itself.[2] The good of virtue would lose its heightened dignity if it were merely a natural phenomenon, not at all the product of free choice. There would be some intrinsic value

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1 *ST* I, q. 83, a. 1, corp.
2 Thomas Aquinas, *De Malo*, q. 6, corp.

unique to us over and above animals because of the higher level of consciousness we possess but our lives and relationships would be objectively less meaningful, our dignity severely limited, if we did not have at least a radical, albeit limited,[3] capacity, rooted in our nature, of self-determination or free choice. If free will were only an illusion, the quality of our harmony with the transcendent source would be unaffected in principle by our choices, just as the harmony a tree has with the transcendent source is apparently unaffected by anything it does. Thus, concern for the good of harmony with the transcendent source, in its full value and meaningfulness as it is understood by the bulk of humankind, presupposes the reality of existential freedom. It is thus worthwhile to briefly defend this purported human capacity.

I cannot prove that free will exists, but if it is not real then I am apparently compelled at this moment to believe in it, and the determinist would be compelled at this moment to be skeptical. There would be no space for prudential deliberation about the relevant aspects of the issues under discussion. Intellectual honesty and commitment, and any truth-seeking dialogue, presuppose freedom. Without freedom, any fortunate outcome as regards truth or falsity would be either pre-determined or blind luck. Thus, even if I cannot prove free will exists, it remains the fact that I cannot reasonably argue against it without finding myself involved in a performative incoherence: for this would involve deliberating and deciding that determinism is more rational, deliberation and 'decision' that was, *ex hypothesi*, out of my control.[4]

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[3] It is odd that Sam Harris beliefs free will requires a radical, unlimited capacity for autonomy that would allow us to be aware of the origin of all our desires and to radically choose them. By defending free will, I am defending our capacity to choose freely, to be the origin of the determination, between this or that option of which I am cognizant. Even if such options came to my attention as a result of desires and tendencies over which I had no control, or whose origin was unknown to me, that would not prevent the possibility of a free choice among them. See Sam Harris, *Free Will* (New York: Free Press, 2012), 6, etc. See also Alvin Plantinga, "Bait and Switch: Sam Harris on Free Will" *Books & Culture* (2013), accessed January 14, 2020, https://www.booksandculture.com/articles/2013/janfeb/bait-and-switch.html?paging=off.

[4] See Finnis, *Fundamentals of Ethics*, 127–8. See also Joseph Boyle, Germain Grisez, and Olaf Tollefsen, *Free Choice: A Self-Referential Argument* (Notre Dame and London: University of Notre Dame Press, 1976).

Moreover, even ignoring the self-referential issue of reasonably concluding that free will is illusory, I do not think that those who believe in free will have anything to fear. A certain popular set of arguments for determinism—disbelief in any free causes in nature—is based on reductionist assumptions that I do not believe stand up to scrutiny. Because physics, chemistry, and a good part of biology and even neuroscience deal with phenomena that are deterministic or indeterministic—such as quantum realities—but not free realities, and our own bodies are made up of such parts, then if reductionism is right and we are all merely the sum of our parts, we too would have to behave deterministically (or indeterministically) and not freely. But there are many good reasons for rejecting reductionism: the most obvious reason provided by the reality of consciousness. Unless one is willing to swallow the pill of panpsychism[5]—the idea that everything in the world is conscious—then human beings and animals have conscious capacities that are not present in their material parts.

Yet from a scientific standpoint, we do not have the slightest clue how consciousness arises. As far as the natural world is concerned, we are only confident that it exists in animals, perhaps not all animals, but especially in human beings—and certainly in oneself. Nonetheless, many fail to recognize just how mysterious consciousness is. This is apparent from popular beliefs that real artificial intelligence, full-blown artificial conscious intelligence, is something imminent. Yet there is no good reason to believe consciousness can be recreated artificially

[5] See Philip Goff, William Seager, and Sean Allen-Hermanson, "Panpsychism", *The Stanford Encyclopedia of Philosophy* (Winter 2017 Edition), Edward N. Zalta (ed.), URL = <https://plato.stanford.edu/archives/win2017/entries/panpsychism/>. This is no insult to those who believe in panpsychism: consciousness baffles all analysis; if one wants to avoid what is obviously false one will adopt a position on consciousness that sounds strange and counterintuitive. My own beliefs on this matter also probably sound strange and counterintuitive, but I believe I have good reasons for holding them.

without at least recreating the hardware of a living animal brain.[6] The great advances of 'artificial intelligence' have all been what John Searle calls 'weak' artificial intelligence, as opposed to 'strong' artificial intelligence.[7] The former is merely a simulation of activity normally associated with conscious agents, whereas the latter would feature true conscious understanding on the part of the machine. The great physicist Richard Feynman explains the difference between computers and human minds: "the key to it all is: dumber but faster."[8] He later states that the computer is "a glorified, high-class, very fast but stupid filing system."[9] By 'stupid' here, he is referring to the fact that such machines have no conscious understanding or awareness. As John Searle puts it:

> Because the formal symbol manipulations by themselves don't have any intentionality: they are meaningless; they aren't even symbol manipulations, since the symbols don't symbolize anything. In the linguistic jargon they have only a syntax but no semantics. Such intentionality as computers appear to have is solely in the minds of those who program them and those who use them, those who send in the input and who interpret the output.[10]

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[6] See the following article by the cognitive neuroscientist, Bobby Azarian, "The Myth of Sentient Machines" *Psychology Today* (June 1, 2016), accessed Nov. 20, 2019, https://www.psychologytoday.com/us/blog/mind-in-the-machine/201606/the-myth-sentient-machines.

[7] This distinction is made in the context of John Searle's presentation of his "Chinese Room Experiment." This thought-experiment highlights the difference between semantics (meaning) and syntax (sign manipulation), and relatedly the difference between computation and understanding. See David Cole, "The Chinese Room Argument", *The Stanford Encyclopedia of Philosophy* (Spring 2019 Edition), Edward N. Zalta (ed.), URL = <https://plato.stanford.edu/archives/spr2019/entries/chinese-room/>. See John Searle, "Minds, Brains, and Programs," *Behavioral and Brain Sciences* 3 (1980): 417–57, and Idem., *Minds, Brains and Science* (Cambridge, MA: Harvard University Press, 1984). In this thought experiment, Searle asks the reader to imagine a room in which a person who does not speak Chinese is given messages with Chinese characters through a slot in the door and then follows instructions about what Chinese characters to write down based on those inputs. After following these instructions, he presumably places what he writes down in some sort of outbox for those outside the room to read. Someone outside the room might assume that the person inside, or the room, knows Chinese, but all that person inside the room really does is follow the instructions for producing an output appropriate for the input he receives. He has no understanding of what either the input characters or output characters mean. This is one way of highlighting that there is no reason to believe a computer understands anything even if it can produce outputs that are intelligible to both human programmers and users alike.

[8] "Richard Feynman Computer Heuristics Lecture." YouTube video, 1:15:46. "Muon Ray," June 2, 2012. https://www.youtube.com/watch?v=EKWGGDXe5MA, at approx. 15:50.

[9] Ibid., at approx. 52:30.

[10] John Searle, "Minds, Brains and Programs," in *Artificial Intelligence: The Case Against*, ed. R. Born (Abingdon, UK: Routledge, 2018), 18–40, at 35.

Furthermore, none of this changes with more and more advanced algorithms, or even machine learning.[11] We understand the basic principles for how such advanced computers work and conscious mind is not a hypothesis needed to explain anything about them. Although the things that can be done with 'weak' artificial intelligence (non-conscious, simulated intelligence) are already very impressive, there is not a single reason to suppose that out of greater complexity of computing 1's and 0's with silicon and electricity that there will emerge a conscious 'I'.[12] In other words, there is no reason to suppose a quantitative increase in processing power or in the complexity of the programming will give rise to the qualitative change necessary to move from computation to conscious intelligence—from a mechanistic process of inputs and outputs to the mysterious reality of conscious subjectivity. The case is different with animals and especially human beings. We are absolutely certain of the presence of consciousness in the latter—at least individually—because we in fact experience consciousness.

Is the fact of consciousness any less mysterious because it arises out of living animal brains? No, it is not, but unlike claims about artificial intelligence this fact cannot be explained away: our own consciousness is evidently present, and we have good reason for supposing it is present in other human beings, and in some way even in animals. And yet we have no idea how something like consciousness could arise from the materials studied in physics or the other natural sciences.

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[11] Regarding machine learning or "artificial neural networks," and how it has no effect on this basic fact, see Constance de Saint Laurent, "In Defense of Machine Learning: Debunking the Myths of Artificial Intelligence," *Europe's Journal of Psychology* 14, 4 (November 2018): 734–747, at 737–742.

[12] See also the arguments for why our minds cannot completely computational based on the 'incompleteness theorems' of Gödel, who also recognized this implication: see Kurt Gödel, *Collected Works III*, ed. S. Feferman (New York: Oxford University Press, 1995), 301. See also J.R. Lucas, "Minds, Machines and Gödel," *Philosophy* 36 (1961):112–27; see also Roger Penrose, *The Emperor's New Mind* (Oxford: Oxford University Press, 2002). Like anything else involving this subject, the Lucas-Penrose argument is controversial. Nonetheless, I am convinced that it is sound.

The purported benefits of explaining away free will were to make our minds more explicable in terms of the categories of the natural sciences. Yet a necessary condition for free will, consciousness, cannot be explained by the current paradigms of the natural sciences either.[13] Yet we are certain that we have consciousness. The fact that free will is dependent upon conditions that are evidently present, yet inexplicable in terms of current paradigms of natural science, undercuts any of the theoretical benefits of explaining away or denying the reality of free will.[14] We are left with no good reason[15] for not trusting our basic experience of self-determination and self-responsible agency.

Lastly, I should note an important point made by Thomas Aquinas that free will is also a faculty or ability closely connected with our capacity for conceptual thought.[16] Conceptual thought makes it possible for us to have various options to choose, because it allows us to consider various aspects of the same sought good, or to consider various goods all falling under the conception of goodness itself.[17] Thus, in addition to consciousness, free will presupposes conceptual thought. But the reader can be assured of this capacity by simply understanding this

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13 Thomas Aquinas also recognizes cognition as a precondition for free will: see *ST* I, q. 83, a. 1, corp. It is difficult to see how something without consciousness could be free because such freedom presupposes a capacity to be aware of various objects of choice.

14 For additional commentary on these matters, see Martin Rhonheimer, "Moral Reason, Person, and Virtue: The Aristotelian-Thomistic Perspective in the Face of Current Challenges from Neurobiology," *Journal of Moral Theology* 3, 1 (January 2014): 1–17.

15 For several decades there were many who interpreted the phenomenon of "readiness-potential" as evidence that brain activity determines our conscious experience of deliberation and choice: see Benjamin Libet, et alia, "Time of conscious intention to act in relation to onset of cerebral activity (readiness-potential). The unconscious initiation of a freely voluntary act," *Brain* 106, 3 (1983): 623–42; it seems this was most probably based on a mistaken interpretation of the data: see Aaron Schurger, Jacobo D. Sitt, and Stanislas Dehaene, "An accumulator model for spontaneous neural activity prior to self-initiated movement," *Proceedings of the National Academy of Sciences* 109 (October 16, 2012): E2904–13, https://www.pnas.org/content/pnas/109/42/E2904.full.pdf. See also Bahar Gholipour, "A Famous Argument Against Free Will Has Been Debunked" *The Atlantic* (September 10, 2019), https://www.theatlantic.com/health/archive/2019/09/free-will-bereitschaftspotential/597736/.

16 See, Thomas Aquinas, *De Malo*, q. 6, corp.

17 Reason itself is also directed by the will. One can choose to deliberate, to deliberate further, or to stop deliberating altogether (see, ibid.). One can be concerned with getting at the truth or one can be prejudiced in one's deliberations away from fidelity to truth. But even among wise choices, there can be various beneficial yet incommensurable options, and to choose one freely also presumably constitutes self-determination.

paragraph. To understand this paragraph is not a possibility—either by reading, sign language, or speech—for any animal on this planet but human beings, and as with these other closely aligned phenomena, we do not yet fully understand how it is possible.[18] Thus, there are actually two preconditions of free choice that are facts about ourselves about which we do not have sufficient explanations, further undercutting the desirability of explaining away free choice rather than accepting it as a basic fact yet to be explained.

Religion and Social-Political Freedom

Having given a brief defense of existential freedom, I would like to now turn to the freedom that is the primary concern of this chapter: social-political freedom. Social-political freedom can be further analyzed in terms of both political and social freedom. By both these terms, I refer to external freedom in relation to others, both its positive aspect (freedom to participate in political and communal life) and its negative aspect (freedom from coercion). By political freedom I refer to such freedom in relation to the state, whereas by social freedom I refer to freedom in relation to non-state actors. This distinction is relevant because it sometimes happens that infringements of religious freedom are carried out not by the state but by private individuals or groups; for instance, Grim and Finke refer to infringement of religious freedom by "religious cartels."[19] However, it is also a failure of the state's protection of religious freedom for it to allow non-state actors to unjustifiably infringe upon the religious freedom of others. From here on, therefore, I will simply refer to this freedom as social-political freedom. Social-political

[18] Our ability to think conceptually is closely allied with our capacity of using specifically human language: regarding the uniqueness of human language see Robert C. Berwick and Noam Chomsky, *Why Only Us: Language and Evolution* (Cambridge, MA: MIT Press, 2016), 7–12, 145–148. Chomsky highlights irreducible differences between human language and animal 'language'. It seems we need such language as a tool to form explicit concepts and to make concepts explicit to ourselves in articulable thought.

[19] See Grim and Finke, *The Price of Freedom Denied*, 8.

freedom understood in this way is presumably the freedom implied in the eighteenth article of the U.N. Declaration of Human Rights:

> Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.[20]

Social-political freedom is instrumental for the pursuit of the good of religion because it allows for greater scope of the possibility of choice. And as I have pointed out, existential or reflexive goods like religion, practical reasonableness, friendship, or marriage, require free choice for their participation. Does that mean that one cannot partake of the good of religion, even to a great extent, without the historically high degree of social-political freedom we take for granted? Not at all. Such freedom is instrumental for pursuing religion, but persons facing religious persecution, even those who are jailed for their religious beliefs or practices, might very well partake of the good of religion to a high degree. They might, or they might not.

But just because some persons thrive under persecution does not justify persecution. A John of the Cross might experience a deeper relationship with God after being severely beaten, but that certainly does not justify those beating him. It is harmful to pressure others to act in ways that are harmful to themselves or others—put in more technical terms, it is harmful to impede their pursuit of fundamental goods, the aspects of human fulfillment. What sort of system unnecessarily punishes those who are attempting to act conscientiously? What sort of system concerned with the common good unnecessarily pressures people to harm their most important

[20] UN General Assembly, "Universal Declaration of Human Rights," (Paris, 1948), art. 18, https://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf (accessed October 4, 2019).

relationships? To apply such pressures makes it more difficult for people to act well and thrive, even if there are heroic figures who overcome such burdens.

If pressure is applied that makes it harder for married couples to have strong relationships, or pressure is applied to friendships, or pressure is applied to make it more difficult for someone to get an education, these are all very serious burdens, even if it is possible for someone to have greater participation in all these goods despite that same pressure. However, even if it were the case that such compulsion backfired and led to greater participation in the good of religion for many people—a fortunate accident—or even if somehow one believed this was actually an effective process for that goal, what interests us most here is whether such compulsion is right or just. If it is sometimes just, when? To answer these questions will involve a consideration of the general demands of fairness.

I have previously discussed the golden rule.[21] Now I will reconsider it in relation to religious freedom. This is relevant because there are clearly cases in which the state ought to limit the religious freedom of an individual or institution. But this is only when such limitation or infringement is consistent with fairness or justice, or even demanded by it. Analysis of the golden rule and its application will elucidate the presuppositions of the rational discernment that goes into determining whether such a limitation is justified. I will begin by considering the discernment carried out by individuals applying the golden rule and then proceed to a consideration of how this applies to discernment about the fairness of laws or exemptions to those same laws.

[21] In second half of the first chapter, I discuss the golden rule both explicitly and implicitly when I discuss the discernment of fairness in cases of 'double effect'. Moreover, the discussion of recognizing our moral equals relates to this as well.

Judging Fairness: The Golden Rule

I have argued that religion is a basic good and an important aspect of human fulfillment. Inasmuch as our practical reasoning is working properly and is not obscured, we recognize a duty to treat our moral equals—those who equally deserve to be treated with fairness and respect—how we would like to be treated or, negatively, to not treat them how we would not like to be treated. That does not mean we always behave accordingly, but we typically recognize this duty.[22] When I was discussing the point about recognizing our moral equals in the first chapter, I mentioned how one's speculative judgment about who qualifies as one's equal can be clouded for various reasons. But it remains relatively uncontroversial to admit—and embarrassing to explicitly deny—that one's moral equals are all human persons. Any attempt to argue that other human persons are not our moral equals reveals itself as arbitrary.[23] Moreover, the closer our proximity to someone else, the more we get to know someone, the more difficult it is for us to deny we are dealing with our equal.

This point is apparent in the case of Daryl Davis, the African American musician who befriended dozens of members of the Ku Klux Klan. Davis has had real conversations and formed real bonds with these people, and such a process of deep human interaction made it very difficult for these Klansmen to treat him as anything but their moral equal. According to Davis, his work has led to some 200 people leaving the Klan.[24] Provided that our practical reasoning is working right and we are making sound speculative judgments about who qualifies as our equals,

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22 I leave aside cases of atypical neurology or psychology of which the person is not responsible or not wholly responsible, and I also leave aside cases of extreme moral depravity, a condition for which such individuals are, by the nature of the case, responsible.

23 See Rhonheimer, *The Perspective of Morality*, 282ff.

24 Dwane Brown, "How One Man Convinced 200 Ku Klux Klan Members to Give Up Their Robes" *NPR* (August 2017), accessed Oct. 13, 2019, https://www.npr.org/2017/08/20/544861933/how-one-man-convinced-200-ku-klux-klan-members-to-give-up-their-robes.

we recognize at a basic practical level something like the golden rule as a basic moral requirement: we recognize that to violate this rule is intrinsically unreasonable.

Nonetheless, there is more that must be said regarding the application of the golden rule. Although the golden rule as a formal principle of justice is nearly universally agreed upon in some form or another, there are still many disagreements about what is fair in this or that instance. There are some types of choices I have no right to make, and are intrinsically unfair to others. But there are other choices, good in kind, that can also be unfair to others due to their unintended but foreseeable effects. Determining the fairness of these choices can be quite complex. For instance, when discerning whether a choice, good in kind, is fair to those adversely affected by it as a side-effect, I must imagine how I would feel if someone made an equivalent choice affecting me.[25] I must discern based on such sympathetic feeling whether the burden is too much for the benefits I seek to attain through an otherwise acceptable choice. As I already noted, the better one has trained one's emotional reactions according to virtue, the better one has trained one's desires to be in conformity with reasonability, the better the foundation one has for carrying out such rational discernment.

Imagine that in World War II, the allied powers bombed a munition factory as part of their strategy to win the war. Imagine that the allied powers were scrupulous about bombing it at nighttime when fewer persons would be present, and they used a bomb that would limit the damage to the building itself. Such precautions are carried out to limit the damage to human life: nonetheless, it is almost certain there will be workers present even into the night. I would like to ask how a wise person might determine whether such foreseeable side-effects were fair to the

[25] Once again, see John Finnis, "Commensuration and Public Reason, 227–8.

workers harmed in the bombing. It seems to me that in such judgments of fairness we have in mind the ideal response of the person affected: if the person harmed, a janitor,[26] were granted a split second before death to assess the situation, with full knowledge, and this janitor was virtuous: how would he feel? Of course, he might be sad because he is being taken away from his life and all his loved ones. But would he, as ideally reasonable, feel any anger, resentment, or personal 'hurt' in relation to the bombers? According to this idealization, the person knows the bombers are seeking to prevent the Third Reich from spreading its injustice. But that is not the only consideration. His response will likely depend on various factors: was the good sought significant, were serious precautions taken to limit the damage; overall, was my humanity respected? If the good sought were relatively minor, it would seem a lot less understandable: e.g. if it were a factory that made bullet casings for guns rarely used by the Nazi soldiers.

Note that such assessments of proportionality of tolerated side-effects cannot be made on the bases of any strict quantification of the goods and evils involved, as if there were univocal quanta of goodness or badness. As I briefly noted earlier, such a commensuration between the intended good and its negative side effects is only possible through a sort of sympathetic and rational discernment of feeling, ideally the feeling of one who has habitually formed one's feelings and desires in accordance with reason.[27] The ideal condition for such discernment, involves a proper respect for the goods involved. If someone is speeding and cuts me off in

[26] To make it less complicated, assume the janitor is unaware until the moment of death that the factory was producing munitions.

[27] Those who have not developed values according to reason, or who have not formed their affectivity according to the demands of practical reasonableness, will make such judgments less reliably. For instance, a man who is prone to anger because of unreasonable pride will not have as reliable sense of proportionality in such cases. He might be angered not only over his humanity being disrespected but rather his *superiority* being disrespected ("Do you know who I am?"). Or, or another example, a practical hedonist might have a disproportionate sympathetic response to any action that causes pain or limits the seeking of pleasure, when a more prudent person would disagree with such an assessment.

traffic, I find it more understandable when I understand they are carrying a seriously wounded person to the hospital, whereas I would be quite upset if they were simply trying to make it to the movie theatre in time. The former case, it seems to me, is consistent with a proper respect for human life and of the other drivers on the road (depending upon how reckless the driving is).

This can be applied to situations that involve proper respect for the good of religion. If one grasps religion as a basic element of human well-being, then one will quickly grasp the maliciousness of directly willing to harm one's relationship with the transcendent source. Such a direct intention is almost diabolical and most probably rare. Perhaps that would be like Hamlet, overcome with passion for revenge, not wishing to kill his uncle in prayer because he was worried that his uncle might then still go to heaven.[28] But judgment about the fairness or unfairness of an action does not only apply to cases in which one *directly* intends to harm someone else.[29] It is cases such as these where the rational discernment of one's own feelings benefits most from one having trained one's feelings and desires to correspond with the demands of practical reasonableness and virtue. [30] Ideally, in such cases one has proper respect for the good of religion and awareness of its demands.

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[28] William Shakespeare, *Hamlet*, act III, scene III. A less clear case might be that of tyrants who seek to stamp out a religion by commanding persons to publicly desecrate sacred symbols or act against their beliefs. It is uncertain of such tyrants are intending harm to religion as a means here or simply harm to authenticity, demoralization that makes the citizens more amenable to being controlled—of course, in either case it is evil.
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[29] According to the natural law theory that I outlined in the first chapter, which is implicit in this treatment, direct or intentional harm to basic human goods, fundamental aspects of human fulfillment, is always contrary to practical reasonableness, and is thus always wrong. It is important to note, to avoid a common misconception, that one can intentionally harm a basic human good by either act or omission. For instance, choosing to not act with the intent that this omission causes the death of another person would still involve a direct intention to harm that person. However, such an outcome would only be indirectly intended if one was only tolerating the death as a bad side effect of one's choice to not act for another reason.

[30] Finnis, "Commensuration and Public Reason," 227–8.

The discernment involved in instituting laws and mitigating their negative effects through exemptions has an analogous rationale to that concerning the bombing of the munitions factory. The laws and regulations of a government will have, in addition to their intended effects, unintended consequences that create various burdens on individuals and groups. Some burdens are mere inconveniences, others are more serious. A serious effort to be fair with such laws and regulations will involve honest attempts to avoid unnecessarily causing such burdens, and to mitigate within reason such negative effects. This is the responsibility of lawmakers and of those entrusted by the law with discretion about such things—such as regulatory agencies and the judiciary branch. It is also the responsibility of voters to promote just policies.

In such cases in which otherwise acceptable laws cause burdens on someone's religious freedom, it is helpful to ask: How would I feel if such a burden fell on me? In addition to practical wisdom, which presupposes reasonable intentions and dispositions, one is benefited by being informed about all the relevant aspects of the case. In the case of burdens to one's religious freedom, something like what came to be called the 'Sherbert Test' provides relevant criteria for such discernment. This test was inconsistently applied to burdens on religious exercise resulting from generally applicable laws from the time of *Sherbert v. Verner* in 1963[31] until the Supreme Court ruled that the free exercise clause of the First Amendment did not justify exemptions from generally applicable and religiously neutral laws in *Employment Division v. Smith* (1990). The essential elements of the 'Sherbert Test' were then resurrected in the Religious Freedom Restoration Act of 1993, which states that a person's exercise of religion should not be burdened

[31] Sherbert v. Verner, 374 U.S. 398 (1963). It should be noted, as Ira C. Lupu points out, *Sherbert v. Verner* was not an exemption case. The Sherbert Test was not applied to grant an exemption from a generally applicable law until *Wisconsin v. Yoder* in 1972: "*Hobby Lobby* and the Dubious Enterprise of Religious Exemptions," *Harvard Journal of Law and Gender* 38 (2015): 35–101, at 49–50. Lupu points out that the courts rarely followed the lead of *Wisconsin v. Yoder* between 1972 and the decision in *Employment Division v. Smith* (ibid., 48ff).

by the government, even if it is the unintended consequence of a generally applicable rule, unless the rule "is in furtherance of a compelling governmental interest […] and is the least restrictive means of furthering that compelling governmental interest."[32] This quoted text represents the essence of the so-called 'Sherbert Test'.

Leaving aside jurisprudential debates, I would like to comment on what I think such a test should ideally accomplish to prevent unjust burdens on religious practice. Discernment as to whether a compelling interest is compelling enough to warrant burdening religious exercise would involve: 1) a proper estimation of the importance of the governmental interest; 2) granting religion its full weight as a basic, uniquely pervasive and architectonic aspect of human fulfillment; 3) assessing the sincerity of the belief of the person seeking exemption; and 4) assessing the degree of burden this would cause to the person's conscience or pursuit of religion.

For instance, in *Wisconsin v. Yoder* (1972), the Supreme Court ruled that the State did not have a sufficiently compelling interest to prevent Amish parents from taking their children out of school two years early for vocational training in their communities.[33] The Amish way of life was based in their well-established beliefs, and thus the sincerity of their belief was quite credible. Moreover, this way of life was an important feature of what they believed was their religious calling. Thus, there were good reasons for placing the burden of proof on the state to show that its interest was sufficiently compelling to preclude an exemption. The state's interest in educating children both for their own well-being and for the sake of their becoming responsible citizens, the Court argued, was not severely hampered by allowing an exception for these Amish parents.[34] There are other rights involved in this case, such as parental rights of educating one's

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32 42 U.S.C. §§ 2000bb to 2000bb-4 (1993).
33 406 U.S. 205 (1972).
34 Ibid., 224–5.

children, but even on the basis of rights of religious freedom alone prudent persons could argue that this was the right decision, at least from the standpoint of fairness to the Amish parents and their children—setting aside the question of whether it was a sound interpretation of the law. But there are other cases that are more difficult to assess, and prudent and well-informed persons can often disagree about the importance of the governmental interest, whether it is the least restrictive means for furthering that interest, or whether the persons involved have a sincere religious objection, etc. I do not intend to provide an easy answer for all cases but rather to defend the basic elements of such discernment, which includes giving religion its proper weight.

Responding to Objections

However, there remains much more to be said. There are various objections that can still be posited against both the general idea of special legal protection of religious exercise and, specifically, to the idea of religious exemptions from generally applicable laws. In the United States, criticisms of religious exemptions are far more prevalent than any challenge to the basic idea of religious freedom. Nonetheless, I have mentioned that there have been strong academic efforts in recent years to reduce claims of religious freedom to other freedoms such as those of association or conscience.[35] Moreover, there are other more specific objections that merit attention. In what follows I will respond specifically to the four following objections.

First, as I have mentioned, there are influential academics who argue that freedom of religion receiving special legal protection is a mere historical artifact and that in the future it

[35] I repeat here the authors that I mentioned in the introduction, with full citations: Christopher L. Eisgruber and Lawrence G. Sager, *Religious Freedom and the Constitution* (Cambridge, MA: Harvard University Press 2007); Brian Leiter, *Why Tolerate Religion* (Princeton: Princeton University Press, 2012); Ronald Dworkin, *Is Democracy Possible Here?: Principles for a New Political Debate* (Princeton: Princeton University Press, 2006); Micah Schwartzman, "What if Religion Is Not Special?" *University of Chicago Law Review* 79, 4 (2012): 1351-427; Brian Barry, *Culture and Equality: An Egalitarian Critique of Multiculturalism* (Cambridge, MA: Harvard University Press, 2001).

would be better to protect freedoms related to religion under more general protections of freedom such as those of association or conscience.

Second, one might wonder why respect for the good of religion demands such delicate scrutiny of the burdens caused by general laws. One might ask: If special protection of religion is based in a good of 'harmony with the transcendent source of existence', then why could someone like the Amish parents mentioned above not simply practice religion in a different way? In other words, why cannot lawmakers allow such burdens whenever they wish, so long as they leave open myriad other ways that religion can be practiced?

Third, one might ask: Is it not unfair to grant exemptions to this person or group and not others simply because of the former's religious belief? Is this not granting an unfair privilege to an interest group?

Fourth, and on the other end of the spectrum, one might wonder whether an appeal to the good of religion might just as well be used to justify coercion for the sake of promoting that same good. Put as a question: Could not someone use the good of religion as a justification for coercing religious belief or practice?

Does Religious Exercise Deserve Special Legal Protection?

I briefly discussed this issue in the introduction, but it is good to briefly reevaluate this issue keeping in mind what I have written in the last three chapters. I noted in the introduction that various scholars in recent years have challenged the philosophical legitimacy of special protection for religious freedom. The plausibility of this objection can rely on various presuppositions, for instance: 1) the implicit denial of religion as a distinct, irreducible, aspect of human well-being; 2) belief that most religious belief is inherently irrational and not to be taken

seriously; or 3) a lack of recognition of the uniquely pervasive and architectonic nature of religion as a human good that makes it truly unique among human goods and a special candidate for protection.

What I have written in the last two chapters is meant as a challenge to all three of these assumptions. In the second chapter, I highlighted more paradigmatic understandings of the transcendent source of existence and possible harmonies with this reality. I also argued in that chapter that even an atheist, so long as he or she does not consider religion inherently foolish, can still see the importance of this good for believers and thus respect their pursuit of it. In both natural and revealed religion, the very nature of the good of religion tends toward it having a pervasive and all-encompassing role in life as a whole and being a good directive of one's pursuit of other goods. Thus, pursuit of union with the transcendent source of existence tends by its nature to be an integrating principle in the life of religious persons. When people discuss making something their god or worshiping something it is generally considered unhealthy unless the object of that worship-like attitude is in fact the Deity. Therefore, special protection of such an all-encompassing, and architectonic aspect of human fulfillment is not arbitrary. It is unique among all goods in its pervasive and architectonic character. In practice, reducing protection of religion to other protections, like that protecting free association, would not do justice to the comparative burden that infringement of religious conscience involves.

Reducing claims of religious freedom to general conscientious claims is the strongest proposal of the above-mentioned scholars. As a theoretical claim about religious freedom not warranting protection, it loses merit if one grasps the unique nature of religion among basic human goods. However, as a merely practical objection it merits a longer response. This proposal does not necessarily assume that religion is not a unique good worthy of protection, but

it can simply mean that in practical terms there is no need to give special protection for religion when it can simply be protected under a more general protection of conscience. To respond best to this objection, it would be worthwhile to consider the different ways that conscience can be infringed upon and see whether special protection of religion over and above conscience would still be necessary to ensure justice. The best analysis I have found on the relevant distinctions between types of infringement of conscience has been provided by Christopher Tollefsen.[36] He distinguishes six different ways that conscience can be infringed upon.[37] He organizes these various forms of infringement according to three variations of conscientious judgments, progressively more serious in kind: 1) judgments of permissibility; 2) judgments of obligatoriness; and 3) judgements of prohibition. Moreover, he notes a morally relevant difference between 1) directly intending to infringe upon someone's conscience and accepting it as a likely or certain side-effect, and 2) making an act or set of practices more difficult or strictly forbidding them.

Conscientious Judgments of Prohibition. The most serious infringement of conscience is to compel someone to act in a way that the compelled person judges immoral. This relates to what Tollefsen calls 'judgments of prohibition'. This is most grave when it is a direct intention, as is the case with the tyrant mentioned above who compels persons to desecrate sacred symbols. Less serious but still very grave is indirectly compelling someone to act in such a way, i.e. when this is not the direct intention but a known side-effect. It is possible in principle for such indirect infringement of conscience to be justified, but the seriousness of this sort of infringement of conscience creates a heavy burden to show that such actions are necessary. For instance, some

[36] Tollefsen, "Conscience, Religion and State," 104–11.
[37] Ibid. 104.

believe that public health and safety might justify denying a public benefit such as public schooling to children whose parents refuse to vaccinate them.[38] In such cases, one does not will directly that someone else violate his or her conscience but rather one wills that someone act in a way that will promote public health and safety, knowing that it also violates his or her conscience as a side-effect. Whether such sanctions are justified is another question. One must discern the fairness of such a measure by applying the elements I discussed above, e.g., one must determine: 1) how significant is the governmental interest, and this will involve assessing the value to public health of the vaccinations; 2) how great a burden is placed on the person; 3) how sincere are the beliefs involved; and 4) in this case, one must also consider additional issues like parental rights and the rights of the children themselves. In any case, someone who does not agree with the judgment of this case can acknowledge the possibility of situations in which indirectly compelling others to act against judgments of prohibition could be justified.

Infringements against judgments of prohibition are by far the most serious type of infringement of conscience, and they not only burden one's pursuit of the good of religion but also the good of authenticity—the external aspect of personal integrity. Such cases involve applying coercive pressure on someone to act in a way contrary to his or her judgment that an action is morally forbidden. To *directly* intend to infringe upon another's conscience in this way, either as an end or a means, is to choose to demoralize that person—an inherently disrespectful and unjust act. Such efforts at demoralization are the modus operandi of so many tyrants or

[38] I am unsure how to handle the issue of vaccinations for those who have conscientious objections. At very least, there must be a heavy burden on those who support such a thing to show that it is strictly necessary for ensuring public safety. In any case, denying a public benefit such as public schooling is a much slighter burden than forced vaccinations under the threat of government coercion, e.g. fines and imprisonment. This is an example of a case in which those who apply the principles of discernment that I defend here can disagree on prudential grounds about this or that case. I am concerned primarily with principles, leaving, for the most part, prudential discernment of individual cases for another time.

totalitarian regimes. One can gain hints of the severity of acting against conscience either repeatedly or regarding serious matters if one considers the way we respond psychologically to such acts.

Psychologically, we all desire to think ourselves intelligent and good. When there is tension or discrepancy between our beliefs and values, on one hand, and our actions, on the other, this creates an uncomfortable feeling that psychologists call cognitive dissonance.[39] There are two ways to respond to such a feeling: rationalization or repentance. Sometimes the rationalization is a legitimate exercise in bringing clarity to an uncertain judgment of conscience, but if it is not guided by respect for the truth it easily becomes a case of self-deception. To repeatedly act against conscience, or to act even once against conscience about something grave, and to fail to repent through rationalization, creates a weakening of conscience and disregard for truth, both theoretical and moral. This is also to lose one's rational autonomy over contingent passions and external circumstances. It is easier for those in power to control such external contingencies, thus making citizens with weakened consciences amenable to totalitarians of various guises.

To demoralize someone intentionally is a grave evil. To allow coercive pressure against conscience as a known side-effect of one's personal or political act requires more careful discernment, but it should never be taken lightly. No matter what condition one finds oneself in, it is of the highest existential importance to safeguard one's authenticity, and it is morally imperative that we respect the authenticity of others. The second formulation of Kant's categorical imperative summarizes the demands of fairness in this regard when he states: "Act in

[39] See again, Kunda, "The Case for Motivated Reasoning," 484.

such a way as to treat humanity, whether in your own person or in that of anyone else, always as an end and never merely as a means.[40] It is a serious requirement of justice to respect the moral authenticity of others. To do so is to respect the locus of the determinations that make possible deep participation in all other goods. This is the case even when the person's sincere judgment of conscience is mistaken. This is because a person can be mistaken through no fault of his or her own. But to act in a way that one judges to be morally forbidden is to harm one's relationship to moral truth. As I have stated several times, as regards the goods of practical reasonableness (including authenticity), friendship, marriage, and religion—existential-reflexive goods—between good intention and wise choice, good intention is the essential element even if wise choice is the goal of such an intention and its perfection.

Such infringement upon conscientious judgments of prohibition is far more serious and harmful than an ordinary limitation of liberty, and thus it warrants special attention. It seems clear that for cases such as these, legislation for protection of conscience would be justified even for persons who have no specifically religious objections. Nonetheless, there is reason for special protection of religion over and above conscience even in such cases that involve a conscientious judgment of prohibition. When religion is involved, there is clearly harm to an additional aspect of human fulfillment, religion. It is true that, as I have pointed out, all harm to the good of authenticity (or personal integrity in general) is also harmful to one's relationship with the transcendent source of existence; nonetheless, explicit effort to be faithful to one's God adds an additional element in such cases. However, I must admit that the practical need for special

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[40] Immanuel Kant, *Groundwork for the Metaphysics of Morals*, trans. Jonathan Bennett. *Early Modern Texts*. *https://www.earlymoderntexts.com/assets/pdfs/kant1785.pdf*, p. 29. Accessed December 23, 2019. For commentary on this formulation of the categorical imperative, see "Humanity Formula" in Robert Johnson and Adam Cureton, "Kant's Moral Philosophy", *The Stanford Encyclopedia of Philosophy* (Spring 2019 Edition), Edward N. Zalta (ed.), URL = <https://plato.stanford.edu/archives/spr2019/entries/kant-moral/>.

protection of religion over conscience is less obvious when one is dealing with judgments of prohibition; the need is much more obvious when one considers judgments of obligatoriness and permission.

Conscientious Judgments of Obligatoriness and Permission. Although it is most serious to pressure someone to act against judgments of prohibition, allowing reasonable freedom to act in accord with other judgments of conscience is also important. The two other judgments of conscience that Tollefsen lists are judgments of obligatoriness and permission. By the former, I mean cases in which one judges some action to be obligatory. In cases such as these, to not act according to one's judgment of obligation due to external pressure is not necessarily to act against conscience. It might be that one recognizes a religious obligation to make a pilgrimage on certain days, but the church to which one adheres allows for exemptions based on the serious burdens involved in compliance. A law preventing travel on those days would not force the individual to act against conscience. However, it still would be a burden on religious exercise. In other words, if an obligation is religious in its nature, to burden someone in its fulfilment would precisely constitute a burden on one's pursuit of the good of religion even if the person was not at the same time forced to act against the good of authenticity. Thus, a need for special protection of religious freedom over and above the protection of conscience is much more obvious in the case judgments of obligation that pertain to religion.

This is also the case with judgments of permissibility, which are simply judgments that an action is permissible. Normally, burdening activity according to such judgments results in a mere inconvenience. It should not be done in any case without good reason; done once or twice, it is an inconvenience, done often and over many spheres of life it can cause a real burden. But as regards religious matters, given the nature of religion as an architectonic and pervasive aspect of

the person's well-being, it is a matter that requires additional scrutiny. Growth in religion involves prudential judgments about what will further one's relationship with the transcendent source. It is difficult enough to act faithfully in one's religion, to seek this good of highest significance according to one's prudential judgments, but it is made all the more difficult by unnecessary legal obstacles. One might judge that one is called to help with charitable activity, or to attend a spiritual retreat, or to organize a prayer group, and so forth. Inasmuch as the government makes such activities more difficult it is not only creating an inconvenience or preventing the satisfaction of a preference; it is getting in the way of what someone discerns to contribute to one's relationship with the transcendent source of existence. I will have more to say about this point when responding to the next objection.

In sum, the majority of what I have written in these four chapters constitutes elements of a response to those who deny that religion merits special legal protection. As I note above, most of these arguments presuppose either: 1) denial of religion as a basic aspect of human well-being; 2) an implicit belief that the pursuit of religion is inherently irrational and thus not worthy of respect; or 3) failure to recognize religion's pervasive and architectonic character in relation to other goods. Much of what I have written in the first three chapters challenges these presuppositions and thus obviates the challenges presented by these authors. Having responded to such theoretical objections, I also presented a practical objection to special protection for religion: that religious freedom can be protected in practice through a general protection of conscience. Admittedly, this practical objection has more plausibility if one only considers infringements of what Tollefsen calls 'judgments of prohibition', but this objection loses its force when one considers infringements to what Tollefsen calls 'judgments of obligation' and

'judgments of permissibility' which do not necessarily involve burdening one's participation in the good of authenticity, but still involve burdening one's pursuit of the good of religion.

Is Careful Scrutiny of Burdens on Religious Freedom Warranted or Necessary?

I have in mind an objection that is closely related to that above but specifically aimed at the granting of religious exemptions to generally applicable and religiously neutral laws; responding to it will involve further elaborating on a certain aspect of my response to the previous objection. This objection might be posited as such: The burdens caused as a side effect of generally applicable laws are generally at most a burden on this or that practice, leaving untouched myriad other ways of practicing religion. These laws are not causing people to be jailed for their beliefs or causing churches to be shut down. Therefore, it is difficult—so the objection goes—to give such considerations of religious freedom enough weight to warrant the granting of exemptions. To respond to this objection, I will return to a consideration of the good of religion and its relationship with other basic goods.

When dealing with such a closely-knit nexus of phenomena like that of human goods, one should keep in mind that distinctions often must be made between realities that are inseparable. We often direct our pursuit of one good according to what is demanded by the pursuit of another good. When one good is directive of other goods, those other goods are obviously also involved. Moreover, such directive ordering of goods can also be mutual if the various directive primacies are on different orders, a phenomenon I will now examine.

Consider the case of friendship. Pursuit of this good will involve a primacy of friendship, knowledge, and practical reasonableness on different orders. I mentioned in the first chapter that good intentions—embodying one aspect of practical reasonableness—often contribute to a

friendship even when such intentions do not terminate in the best decision. But good intentions and good choices also involve authenticity and concern for the good of knowledge (the pursuit and ideally the achievement of some sort of truth). In fact, the goods of practical reasonableness, religion, friendship, and marriage are all reflexive goods.[41] Unlike substantive goods, participation in reflexive goods requires free choice and, for greater participation, wise free choice. In all these reflexive goods, good intentions are primary, but they are also not everything. I might think it is best to visit my friend, while in fact he really wants to be alone. Insofar as this is a free choice coming from good intentions, and especially if the intention is recognized as such by my friend, it could contribute to the friendship. But wise decisions that benefit one's friends contributes something extra to those friendships. Moreover, and this is important, even merely good intentions imply real effort to make decisions that effectively benefit one's friends and thus benefit one's friendship. If I continue to make no effort to learn to make better decisions, it is difficult to say that I truly have the best intentions. Therefore, wise choice, which is the *truth* of practical reasoning, is also very important for the good of friendship. We thus see here the goods of practical reasonableness and practical knowledge/truth co-inherent to greater participation in the good of friendship.

The relationship between knowledge/truth and practical reasonableness can also be viewed from the standpoint of one aspect of practical reasonableness, personal integrity—encompassing both inner integrity and external authenticity. I have already discussed how personal integrity is established by acting according to an integrating principle. Leaving to one side the consideration of how this principle is elevated by religion, this integrating principle was

[41] See Grisez, *Way of the Lord Jesus,* 132; see also Grisez, "Natural Law, God, Religion, and Human Fulfillment," 8.

called in the Aristotelian tradition "right reason" (*orthos logos* in Greek or *recta ratio* in Latin). Moreover, the *right* in right reason is judged insofar as the judgments of reason follow a reasonable process properly ordered toward truth, both theoretical and practical.

Even at the level of what some call 'natural' religion, the hints that we receive from lived experience concerning a possible relationship with our transcendent source—the clues I mentioned in the second chapter—point in the direction of religion being a relationship with certain important similarities to other personal relationships. Thus, even based only on what we gather from experience concerning the nature of this relationship—leaving aside right now anything one might learn from divine revelation—to follow the demands of practical reason, to act according to conscience and thus have good intentions, should only contribute to this relationship. In fact, there is an especially intimate connection between practical reasonableness and the good of religion. I noted in the second chapter how spontaneous feelings of conscience can have a vertical dimension, directed out toward the transcendent. Such feelings make clearer the spontaneous insight that our practical reason is itself a transcendent gift, and to abuse it is harmful to our relationship with the transcendent source: when we violate it we sense a feeling of guilt to, and a desire to hide from, what is transcendent.

Moreover, since the truth about religion is of the greatest importance for the person who seeks a relationship with the transcendent source, one who has a deep grasp of its importance will want to find out if a greater participation in this good is possible and, if so, one will want to learn how to achieve this. Indeed, inasmuch as it is a duty to act reasonably, it is a duty to seek out the truth about this good. It is not merely trivial knowledge but the most significant knowledge. Here again we see a co-inherence of goods—knowledge and religion. In fact, for

Thomas Aquinas, knowledge of God is paradigmatic of the good of knowledge,[42] while at the same time being relevant for participation in the good of religion.

The good of religion is only truly a distinct good if it pertains to a real relationship and not merely a feeling. There are reasons for believing that certain activities contribute to this relationship more than others, and some activities truly harm it. To discover precisely which activities are beneficial and harmful to it is an essential goal of the well-intentioned seeker of religion. One follows the best lights one believes are at one's disposal. This is analogous to the good intention that contributes to friendship. One seeks the right choice that will aid one's friend and thus contribute to one's friendship with that person. If the transcendent source has provided some sort of revelation, and if one cares deeply about the good of one's relationship with this transcendent source, one will want to discover this revelation and to conform one's activity and belief to such guidance.

Therefore, if one takes seriously the well-intentioned and honest attempts by others to seek greater participation in the good of religion according to the best of their knowledge, one will recognize that each individual cannot simply carry out just any religious practice, but those that the person judges in good conscience to truly contribute to his or her relationship with the transcendent source. Even if a religious practice is objectively misguided, it is not necessarily expendable from the subjective standpoint of a well-intentioned person who sincerely believes he

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[42] See *ST* I-II, q. 94, a. 2. When Thomas discusses the precepts of the natural law, he mentions explicitly that knowledge of the *truth* of God is something evidently known as a good to be pursued, and he later says it is also evident that ignorance is something to be avoided. In other places, he speaks of knowledge alone as good: see *ST* II-II, q. 109, a. 2, ad 1 and I-II, q. 9, a. 1 ad 3. Finnis conjectures that this might imply a point about Thomas's understanding of knowledge as a good: that it is primarily and paradigmatically about the most significant knowledge. In other places Thomas states that we desire to know the basic kinds of things and their explanations/causes, not simply trivial knowledge: Finnis, *Aquinas*, 82-83. Finnis cites in support of this last point *ST* I, q. 12, a. 8 ad 4 and I-II, q. 3, a. 8, corp. This latter point is consistent with calling knowledge of God paradigmatic, because God is the first cause of all things.

or she is called to act a certain way. And even when one does not feel a strict duty to act a certain way, one might sincerely believe it is the most prudent means for strengthening one's relationship with the transcendent. To encourage someone to not act on the best of one's lights in such a relationship is very serious indeed, even if the person being encouraged to act in this way is mistaken about what is best for improving his or her relationship with the transcendent source. Insofar as such a person is acting with a good will and intention, such a person is very plausibly—based on what can be gathered even from 'natural religion'—acting in favor of the good of religion, even if imperfectly.

In these last few paragraphs, I have highlighted again the architectonic and pervasive character of religion, and the fact that it involves the whole of one's life and prudential discernment about both one's calling and other specific ways that one can further one's relationship with the transcendent source of existence. Having this in mind makes it easier to shed light on some more difficult objections to religious exemptions. For instance, Eisgruber and Sager likely share the bafflement of many when they wonder why a religious group should have an exemption from zoning laws to establish a religious charity organization in an area when a secular charity effort would not receive the same exemption.[43] The key difference that these authors do not see is that religious organizations are formed on the basis of attempts by persons to seek in such activity not only the intrinsically valuable goods that directly pertain to these activities—the well-being of others affected by these missions—but also cooperation with the transcendent source of existence according to the dictates of conscience and the discernment of one's calling.

[43] Eisgruber and Sager, *Religious Freedom and the Constitution*, 9ff.

One exclusion of a religious group due to a zoning law is one thing, but if this becomes permissible in principle then religious organizations can be barred from their proper activities in myriad other communities, thus severely burdening a valuable mission that they consider motivated in large part by their religious calling. Moreover, to open the door to such exclusion in principle would make it easier for such communities to be excluded on the basis of animosity: after all, it would be very difficult to determine if this were the case especially if secular charities were excluded to maintain consistency. Areas that feature a secular majority could easily exclude religious communities from downtown areas altogether, preventing them from an important aspect of their mission. Now, the specific concern of Eisgruber and Sager is that it seems arbitrary to exclude a non-profit secular charity from such exemptions.[44] It might be an abuse of municipal zoning laws to exclude such things, but that does not mean that religion does not create a separate reason for opposing such exclusions. That is not to say that cities are never justified in excluding religious organizations from setting up shop in this or that area: my argument, again, is that a proper place for the good of religion and its unique nature among goods should be included in such deliberations.

This last example highlights the communal aspect of the good of religion. For many religious believers, an important element of what they feel called to do as part of their participation in the good of religion is to promote not only their own individual harmony with the transcendent source, considered in isolation, but also communal harmony that involves the material and spiritual health of those in and out of the community of believers.[45] The communal element is present in religious practice spanning centuries and across the globe. It is one

[44] In fact, they think it unfair to grant an exemption to one person or group and not another based on the spiritual beliefs of one over the other. See, ibid., 11. I will respond specifically to this objection below.

[45] V. Bradley Lewis highlights the communal aspect of religious practice in "Religious Freedom, the Good of Religion, and the Common Good," 28ff.

additional way in which the pursuit of religion by its very nature is existentially pervasive and architectonic with respect to other goods.

As was the case with strictly individual religious freedom, there are degrees of burden that can be placed on institutional religious practice. While certain regulations applied to such institutions will inevitably be justified as necessary means for the state to ensure the common good, over-regulation—and *a fortiori* unnecessary prohibitions—can also create significant stresses that limit the effectiveness of such institutions. For instance, in the United States religious organizations receive tax exemptions. Such organizations are not completely unburdened by taxation because employees of such organizations are still taxed on their income and any tax on employee incomes is indirectly a burden on the organization, which is, *ceteris paribius*, compelled to offer greater compensation to employees because of it. But the exemption that is allotted to such organizations is a substantial lessening of burden. Not only would taxes make the mission of such organizations more difficult, it could effectively destroy religious organizations that are having more difficulty meeting the bottom line.[46] Therefore, such tax exemptions are valuable for lessening the burdens on such religious organizations and the free exercise of their members.[47]

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[46] Sometimes one hears the argument that churches that get involved in political matters should lose their tax-exemptions. From the standpoint defended here that would be unwise. That would effectively give government undue influence over the churches, allowing the government to create additional burdens if churches do not conform to the demands of the regime.

[47] For a general discussion of the rationale, pros and cons, of various tax exemptions related to religion or not, and with an emphasis on jurisprudence, see Kent Greenawalt, "Tax Exemptions and Deductions," in *Exemptions: Necessary, Justified, or Misguided?* (Cambridge, MA: Harvard University Press, 2016), 47–63.

Are Religious Exemptions from General Laws Unfair?

In a recent article in the *Wall Street Journal*, lawyer Marci Hamilton argues that the practice of granting exemptions from neutral and generally applicable laws on account of religion, which is justified at the federal level by the Religious Freedom Restoration Act (1993), has provided religious persons with an instrument for unfairly evading laws that others are obliged to follow:

> The problem from the beginning with RFRA (and with the similar laws passed in over 20 states after it was struck down) is that it led believers down an illegitimate path. They were told that they have a "right" to ignore laws enacted for the general good and to focus solely on their religiously motivated conduct. On this view, harm to others is simply collateral damage necessitated by one's faith. Where such statutes still apply, they have been a recipe for culture wars driven by religious triumphalism.[48]

I should clarify that Hamilton has no issue with First Amendment protections against laws that specifically target religion. Specifically, she has no objection to the majority opinion of *Employment Division v. Smith* which holds that such discriminatory laws warrant "searching scrutiny."[49] Her criticism is limited to granting religious exemptions to otherwise religiously neutral laws.

Are exemptions from generally applicable and religiously neutral laws simply providing unfair privilege to religious believers? Do such exemptions give religious persons and organizations the right to "harm" others as "collateral damage"? It depends what one means by harm. What I have advocated are certain conceptual tools and background knowledge that will facilitate prudential judgments about what is the fairest solution in these difficult cases. Such

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[48] Marci Hamilton, "No, American Religious Liberty Is Not in Peril," *Wall Street Journal* (July 26, 2019), accessed Dec. 7, 2019, https://www.wsj.com/articles/no-american-religious-liberty-is-not-in-peril-11564153070. (paywall).

[49] Ibid.

judgments are aimed at reducing undue harm to persons caused by general legislation. One may agree on the general principles and easily disagree about individual cases because such cases will feature many unique elements that cannot all be accounted for with more general rules.

Consider the case of exemptions granted to members of the Sikh community in Canada allowing them to wear a *kirpan* (dagger or sword) even in public schools that have a policy of not allowing weapons.[50] Those who agree with the general principles I defend here might disagree on whether such persons should receive an exemption in this case: one person might believe in the sincerity of this belief, respect the persons involved, but deem it too much of a risk to the safety of others to allow the exemption. Another person might judge the risk insufficient to disallow the practice. One can find similar disagreements about exemptions from mandatory vaccinations of children. What I wish to highlight here is that concern for collateral damage to other parties is not absent from the sorts of considerations I am advocating. What I am advocating, instead, is that religious liberty be granted its proper weight in such judgments. It should be recognized that the burden of proof is on those who claim that a state interest warrants the burdening of conscience of religious believers in each case.

Returning to Hamilton's point that religious exemptions are used as an instrument to cause harm, let us reconsider the scenario of the Sikh students being granted an exemption to wear a *kirpan*. I choose this example because it is relatively controversial, even among advocates of religious freedom. Whatever one's opinion about the case, one might ask if such an exemption would entail giving these Sikhs the right to harm others? At very least, that is a misleading way of describing such an exemption. They are certainly not given the right to hurt others with these

[50] Leiter mentions this case of a religious exemption at the beginning of *Why Tolerate Religion*?, 1ff.

daggers. At most, one could argue those given such an exemption are given the right to cause fear in others, but that does not seem to be the intention of such persons. Taken in a strictly literal way, anyone has that right to cause fear in others, within limits. I can enter a post office with intimidating dress and tattoos that might cause fear in others even if it is not my intention. Therefore, it is at least very misleading to describe such an exemption as giving a right to harm.

Eisgruber and Sager also argue against the fairness of religious exemptions.[51] They present a hypothetical case in which two women who live across the street from each other with the same name both want to open up a soup kitchen where zoning requirements would preclude such an establishment. One of these women wants to do so for religious motivations and the other wants to do so simply for humanitarian purposes. Eisgruber and Sager argue that it would be unfair to grant an exemption for one and not the other purely because of the former's spiritual beliefs. Now, this is a general scenario, and I do not know enough of the relevant facts about the zoning ordinances to judge whether either should be granted an exemption. Nonetheless, if it were the case that an exemption was granted to one party because the person wanted to set up a religiously motivated soup kitchen and not the other, I do not see how that would constitute an injustice. It would be an injustice if the grounds for granting the exemption in one case and not the other were arbitrary, but they are not, or at least not per se. The grounds for granting one of the women an exemption and not the other is presumably because it burdens the first woman's religious practice, a uniquely pervasive fundamental aspect of human well-being.

It perhaps could be the case that the purportedly non-religious woman had an implicitly religious motivation for founding a soup kitchen—that is a separate issue that I discuss below. It

[51] Eisgruber and Sager, *Religious Freedom and the Constitution*, 11.

could also be that the city government should just let the other woman open a soup kitchen. In any case, everything I have written above about the good of religion implies that removing burdens on religious practice over other preferred types of activity is not at all arbitrary. Such exemptions are aimed at mitigating unique and unfair burdens caused by general laws—unfair because whatever end that is sought in the law is not proportionate to the burden placed on such persons in their sincere attempts to cooperate with their calling, and to grow in their relationship with the transcendent source of existence. However, this analysis does not preclude other exemptions from general laws when persons are unduly burdened with respect to other reasonable pursuits.

Is Religious Truth a Reason for Compulsion?

The case for religious freedom was often based on the idea, articulated in the second century by Tertullian,[52] and later by others, that faith is not something that can really be compelled. Perhaps that formulation might seem a bit over-simplistic. Perhaps compulsion can lead one to certain thought processes, or to seek out certain guides and thereby arrive at belief. Would such compulsion really achieve the goal of belief? *Prima facie*, it seems it would only compel people to enter the temple, send their children for catechetical instruction, and so on. Nonetheless, it seems somewhat plausible that over time the tension that one feels between one's external words and actions and one's internal beliefs might lead one to overcome it either by accepting that belief internally or by rebelling against the external authority that is imposing it. It would likely more easily compel those who were less concerned with the truth to conform their thoughts to the official orthodoxy, but it would be less effective with those who care about the

[52] See Tertullian, *Apology*, 24; see Wilken, *Liberty in the Things of God*, 11–2.

truth—for such people it would more likely lead to rebellion. Therefore, by its very nature, such laws would discourage greater participation in the good of authenticity.

But whatever the case may be, such a plan would place religious belief as the end goal of the process, instead of the good of religion. Would it benefit one's relationship with the transcendent source for one to believe at the expense of authenticity, the pursuit of which is regulated by commitment to the good of knowledge/truth? If in human relationships benevolent intentions are of primary importance and are aimed at wise decisions that perfect them, something analogous would be the case in one's relationship with one's transcendent source—as I note above. Or so it seems. What would the alternative be? That the relationship was equally benefited by free decisions as by reluctant concessions to external compulsion? Such an idea seems not only absurd on its face, but it is also not the conclusion we normally draw from the experiential hints that lead to our recognition of the good of religion in the first place.

After all, I have already pointed out that if there is a transcendent source of our existence, that reality is also the source of these inclinations. Moreover, there is the spontaneous and almost universal belief that when we act against conscience, we harm our relationship with the transcendent, and when we cooperate with our conscience and act according to the dictates of reason, we achieve greater harmony with the transcendent. How then would it be consonant with growth in our relationship with the transcendent to act against our personal integrity, sacrificing our formal commitment to the truth by giving into the compulsion of an external authority? Clearly it is not conducive to the good of religion at all: it would be better if that person's intention was pure despite an error in judgment.

However, someone might carry out certain practices and come to belief in an inauthentic way now, but later embrace such beliefs and practices in an authentic way. However, for another

person to achieve this outcome through coercion would be to choose bad means—compelling someone to act against conscience—to achieve a good end. This would violate the Pauline principle that it is never reasonable to choose evil so as to achieve good: in this case, such a strategy would involve compelling someone to act against the goods of both authenticity and religion out of a hope this will eventually lead to a deeper participation in the good of religion, or at very least create a greater environment for others to do so. It would be an inherently disrespectful act that fails to respect the basic humanity of the other person and his or her authentic pursuit of the truth.

If such compulsory legislation is unjustified, one might ask whether this would constitute an argument against any state action promoting good behavior? Does not the logic of this argument imply that any legislation, say, to discourage hard drug use, is unjustified as well? Robert George makes a valuable distinction in this regard.[53] He notes that if the government were to institute policies to promote healthy behavior, it would be for the sake of motivating citizens to overcome negative tendencies that incline them away from rational judgments of conscience. For instance, suppose the government had a policy of mandating rehabilitation for those who have been caught with possession of heroin. It is unlikely that a heroin addict feels a moral obligation to do heroin, and thus there is no real risk of infringing upon the person's conscience. In fact, such compulsory rehabilitation would be aimed at helping the person achieve what he or she probably deep down knows is best: quitting heroin. There is much disagreement between people of good-will about whether such paternalistic policies should be enacted. It is not my intention to defend a given stance. Instead, I argue that there is a morally relevant distinction

[53] Robert George, *Making Men Moral: Civil Liberties and Public Morality* (Oxford: Oxford University Press, 1993), 226–8.

between the state using its power to promote activity according to conscience, on one hand, and the government encouraging people to act against conscience (or preventing people from acting according to conscience), on the other hand. Even if one is opposed to all paternalistic legislation, one can at least admit that the latter type of government infringement on liberty is far more serious and harmful in kind.[54]

Summary of Chapter and Brief Analysis of Existing Law in the United States

What I have written in the first three chapters constitutes the foundation for defending special legal protection of religion. In those chapters, I make the case that religion is a fundamental aspect of human fulfillment—the pursuit of which is intellectually respectable—and that among basic goods it has a uniquely pervasive and architectonic character. In this chapter, I have considered the relationship between the good of religion and both existential and social-political freedom. I argue that the latter is an important instrumental good for the pursuit of religion and merits special respect according to the demands of fairness. I have also responded in this chapter to various cited or anticipated objections to both the idea of special legal protection of religion and religious exemptions. I would now like to close this chapter with a very brief analysis of existing law in the United States, examined in light of the prior considerations.

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[54] All that I have said also applies to atheists and agnostics. Again, George points out that coercion in religious matters of atheists, agnostics, or others who currently have no interest in religion is to potentially harm their greatest claim to harmony with a transcendent source: their personal integrity or, more specifically, their authenticity: Robert George, "Religious Liberty: A Fundamental Human Right," in *Conscience and Its Enemies*, paperback edition with additional material (Wilmington, DE: ISI Books, 2016), 120–130, at 129. His exact words were: "To compel an atheist to perform acts that are premised on theistic beliefs that he cannot, in good conscience, share is to deny him the fundamental bit of the good of religion that is his—namely, living with honesty and integrity in line with his best judgments about reality" (Ibid.). Thus, even the right of nonbelievers to not believe or not practice religion finds a basis in both the good of authenticity (rights of conscience) and even the good of religion (rights of religious freedom).

The First Amendment of the U.S. Constitution

> *Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof*; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances (italics mine).

The Bill of Rights was added to the U.S. Constitution on December 15, 1791. The First Amendment, very short, and written by James Madison, is presented above in its entirety. The first two clauses relate to religion and these are later referred to as the Establishment Clause and the Free Exercise Clause. It is the latter, Free Exercise Clause, which directly pertains to what I have argued in these four chapters. It is a constitutional recognition, in very general terms, of what I have argued is the right of all people, according to the moral demands of fairness, of social-political freedom in the exercise of religion. Obviously, from the standpoint of constitutional law it leaves much open for interpretation, but it has served as an important protection for religious freedom over the last two hundred and twenty-eight years. Shortly, I will reexamine how the Supreme Court interpreted its protections as not applying to generally applicable and religiously neutral laws, and how congress responded with the *Religious Freedom Restoration Act* (RFRA) of 1993 and subsequent legislation.

Before discussing the RFRA, I would like to say a few words about the Establishment Clause of the first amendment. Setting aside jurisprudential debates about what the Establishment Clause entails from a legal standpoint, I believe it serves a valuable role for protecting religious freedom. It seems that in principle, and perhaps even sometimes in practice, a confessional state can include an adequate degree of respect for the religious freedom of its citizens. Nonetheless, in the United States with its history of a very high degree of religious pluralism, the Establishment Clause is a prudent measure for ensuring the rights protected in the

Free Exercise Clause. I see it as a prudential measure for protecting the rights of religious minorities to practice their religion (or not practice religion) according to the dictates of their consciences: it thus protects both their positive social-political freedom (e.g. religious minorities can participate in the political life of the community) and even more importantly their negative social-political freedom (i.e. their freedom from coercion regarding religious practice). It would take much more space for me to adequately defend this claim. But since I do not foresee any threat of the United States adopting an official religion in the near future, I will limit my treatment of this clause to these few comments. I am more primarily concerned with the Free Exercise Clause of the first amendment.

Religious Freedom Restoration Act (1993)

Earlier I mentioned the *Religious Freedom Restoration Act* (RFRA) in the context of discussing what is called the "Sherbert Test" for assessing whether to grant religious exemptions. The RFRA was introduced to the House of Representatives by Chuck Schumer, representative from New York, in 1993. It received broad bipartisan support and was signed into law by President Bill Clinton. Such legislation was considered necessary after the Supreme Court's decision in the Supreme Court case *Employment Division v. Smith* (known as the "Peyote Case").[55] In that case, members of the Native American Church were denied unemployment benefits after being fired from a drug rehabilitation clinic for using peyote, a substance which was illegal in Oregon, even though the peyote was used as part of a well-established practice of their religion. Antonin Scalia wrote the majority opinion in that case, arguing that the first amendment of the United States protects against laws that are explicitly aimed at restricting

[55] 494 U.S. 872 (1990).

religious exercise, but it does not grant exemptions from generally applicable laws that in themselves are neutral with respect to religious practices.[56]

By contrast section 3 of the *Religious Freedom Restoration Act* of 1993 states:

> (a) In General.—Government shall not substantially burden a person's exercise of religion even if the burden results from a rule of general applicability, except as provided in subsection (b).
>
> (b) Exception.—Government may substantially burden a person's exercise of religion only if it demonstrates that application of the burden to the person—
>
> (1) is in furtherance of a compelling governmental interest; and
>
> (2) is the least restrictive means of furthering that compelling governmental interest.
>
> (c) Judicial Relief.—A person whose religious exercise has been burdened in violation of this section may assert that violation as a claim or defense in a judicial proceeding and obtain appropriate relief against a government…[57]

There are different ways to protect the religious freedom of citizens, but within the context of our legal landscape, in light of the ruling in *Employment Division v. Smith*, it seems to me something like the RFRA is necessary for adequately protecting religious freedom in this country. That is not to say that congress has no responsibility for crafting laws that respect the religious liberty of citizens, or that exemptions should not be included in legislation, lessening the burden on courts. The RFRA has the merit of clarifying the conditions for limiting religious freedom, essentially codifying the "Sherbert Test": The government may only "substantially" burden religious freedom when it can "demonstrate" that such a burden is "in furtherance of a compelling governmental interest" and is also the "least restrictive means" for doing so.

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56 Ibid.

57 42 U.S.C. §§ 2000bb to 2000bb-4 (1993).

Although the RFRA was a great step in the right direction, it could be improved.[58] For instance, it only protects substantial burdens and not lighter burdens. Even lighter burdens should be given some weight in discerning the need for exemptions. The RFRA does not include distinctions between kinds of burden on religious freedom like those made between types of infringements of conscience mentioned above.[59] For example, there is a big difference between: 1) commanding one to do what one's religion states is prohibited; 2) forbidding one from doing what one's religion teaches is obligatory; and 3) prohibiting or placing obstacles from doing what is suggested or recommended by one's religion. Lastly, although the protections of the RFRA can plausibly be applied to beliefs or practices that are religious in only the most implicit sense, there remains a need for some sort of protection for general rights of conscience. The good of authenticity is very important and it deserves protection even when one is not dealing with a specifically religious belief or practice.[60] It is a serious thing to act against conscience. It is never right to directly intend to pressure someone to act against conscience. Sometimes one can allow it as a necessary effect of a proportionate end, such as protecting the rights of others or the public good. But to do so out of a lack of care for the importance of the other person's authenticity is a great injustice and a failure on the part of government, whose purpose it is to preserve and promote the public good.

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58 This paragraph adds very little substantially to the suggestions for improving the RFRA made by Melissa Moschella, in "Beyond Equal Liberty," 144n85.

59 I noted that Christopher Tollefsen had the best treatment I have found concerning various kinds of infringement of conscience in "Conscience, Religion and State," 104–11.

60 There is also the issue of the jurisdictional scope of laws like RFRA. Currently it only applies at the federal level. Various states have enacted their own versions of the law, which I believe is necessary for preserving the rights protected at the federal level by the RFRA. There was some limited aid in this regard provided by the *Religious Land Use and Institutionalized Persons Act* of 2000 (RLUIPA, 42 U.S.C. §§ 2000cc, et seq., which adds protection against religious discrimination caused by local zoning and landmarking laws, and in cases involving institutionalized persons.

Nonetheless, protection of religious exercise should not be simply reduced to rights of conscience because burdens on religion are different in kind and are, all else being equal, weightier than matters of conscience. In fact, such burdens on religious exercise involve harm to the good of authenticity while also involving one's relationship with the transcendent source of existence. Moreover, as I note above, beyond issues of judging oneself morally compelled to act or not act, much of religious exercise involves matters of counsel, discernment and prudence geared toward acting in a way conducive to growing in one's relationship with the transcendent source of existence. Such freedom has greater weight than other freedoms. This is because religion has a special place among goods due to its character as the supremely architectonic good, which I reiterate many times above.

Identifying Properly Religious Exercise

Melissa Moschella offers a solid criterion for determining which exercises should be treated as properly religious and thus protected as such. For something to qualify as religious it should be in some way, explicitly or implicitly, aimed at harmony with what is *transcendent*. She calls this the "transcendence criterion."[61] It is because harmony is sought with something/someone transcendent that the good of religion receives its "uniquely architectonic, pervasive, and meaning-giving role in human life."[62] To provide a good idea of what would constitute even an implicit instance of religion understood in this sense, she analyzes some more borderline cases. For instance, in *United States vs. Seeger,* Seeger's beliefs were described as follows:

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61 Moschella, "Beyond Equal Liberty," 140.

62 Ibid.

> He declared that he was conscientiously opposed to participation in war in any form by reason of his "religious" belief; that he preferred to leave the question as to his belief in a Supreme Being open, "rather than answer 'yes' or 'no'; that his "skepticism or disbelief in the existence of God" did "not necessarily mean lack of faith in anything whatsoever"; that his was a "belief in and devotion to goodness and virtue for their own sakes, and a religious faith in a purely ethical creed." R. 69-70, 73. He cited such personages as Plato, Aristotle and Spinoza for support of his ethical belief in intellectual and moral integrity "without belief in God, except in the remotest sense."[63]

Moschella is willing to grant benefit of the doubt in a case like that of *Seeger* of an implied belief in something like God even "in the remotest sense." She notes that in Plato and Aristotle, whom Seeger mentions, there are doctrines of the Prime Mover and the Idea of the Good, respectively, and these can be said to be transcendent in some way.[64]

Admittedly, it is difficult to be certain if a case like Seeger's would properly constitute a matter of religion. But given the seriousness of the matter, I would advocate erring on the side of acknowledging such claims. Also, implicit cases of religious exercise are a real phenomenon. Earlier, I defended the likelihood that even many self-proclaimed atheists have an implicit belief in a transcendent source of existence, which they might call 'something greater', 'something beyond all our known categories', some 'force', or perhaps 'the universe'. This should be kept in mind when judging whether it is truly a matter of religious exercise. Moreover, I would support the possibility of exemption from otherwise general laws simply on the basis of the good of authenticity. Such legislation would also make it easier to give legal protection of conscience in these more borderline cases of religious freedom.

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63 Unites States v. Seeger, 380 U.S. 166 (1965).
64 Moschella, "Beyond Equal Liberty," 141.

Conclusion

In general, freedom is not a basic good, and neither is religious freedom. Freedom is an instrumental good: it is good insofar as it contributes to human fulfillment. I have mentioned repeatedly that among the basic goods religion is supremely architectonic, and that its participation can make possible, even at the level of natural religion, a higher participation in all other goods. Religion is also what some authors call a reflexive good, and as such it requires free choice to partake in it. I have discussed certain clues from basic human experiences that lead to insight into the good of religion, and I noted that such clues favor understanding religion as analogous in important respects to other personal relationships. What is common to all good personal relationships is the value of good intentions and of following the demands of conscience and practical reason. Truth, both practical and theoretical, and both as intended and achieved, makes all the difference for participation in this good. Even if the reader and I might disagree about what constitutes true religious belief, we should be able to agree that one is morally bound in conscience to sincerely seek out the truth about religion according to one's best lights. To burden sincere religious pursuits is very serious indeed, and thus religious freedom demands a great deal of respect and protection.

Conclusion

SUMMARY

In previous chapters, I defended religion—understood as harmony with the transcendent source of existence—as a basic human good and a significant element of human fulfillment, happiness, or well-being. An atheist or agnostic can still grasp this good without believing its achievement is possible. Nonetheless, someone who recognizes this good conditionally but considers its pursuit almost inherently unreasonable will not likely see the point in granting any special respect or legal protection to its pursuit. For this reason, in the third chapter I argued that the pursuit of religion can be—and I would say it often is—reasonable. In the fourth chapter, I examined the relationship between freedom and the good of religion. I argued for the importance of respecting religious freedom because of its importance for participation in the good of religion. Moreover, I analyzed the factors that go into discernment about fairness or justice as it related to the issue of respecting the religious freedom of others. I responded to four primary objections: 1) that religious freedom does not merit any sort of special protection over and above other freedoms; 2) that burdening religious freedom should not matter very much because the person is free to pursue religion in myriad other ways; 3) that religious exemptions are unfair; 4) that the good of religion itself justifies some government compulsion in order to promote it in truth. I closed the chapter with a brief analysis of relevant existing law in the United States.

CURRENT CULTURAL CHALLENGES

In the United States, it seems that we are living in a very politically and culturally divided time. Such division seems to fluctuate in ebbs and flows, and there is a temptation to recall a golden age of harmony that never was. Nonetheless, there has to be some truth to the claim of increasing polarization in recent years. One issue that has become especially polarizing is that of religious freedom. This is unfortunate for various reasons, including those I have already articulated.

Particularly controversial is the idea of granting immunities to generally applicable laws based on the right of religious freedom. Often, the controversy starts from a specific disagreement about an immunity and progresses to general suspicion of the practice of granting immunities at all. But each case must be evaluated individually. As I have said before, the government is sometimes justified in limiting the religious liberty of individuals. Undoubtedly there are cases about which reasonable and conscientious people disagree. But proper discernment about the fairness of such legal action or inaction is best done with a proper perception of the gravity of such acts and the unique nature of the good of religion as an aspect of human fulfillment. Thus, the burden should always be on the one trying to justify a personal or political act that inhibits religious exercise.

Another obstacle that must be overcome in order to successfully defend the importance of religious freedom is a general lack of healthy communication in our culture between those who disagree. It is easy these days to find ourselves always fighting a 'weak-man', or better a 'stupid/evil man'—the lowest common denominator of those with whom we disagree. Many of us contribute to this problem by feeding clicks and ratings to the grand political entertainment industry, which is incentivized to always present the most foolish instances or sound bites of the

audience's political rivals.[1] Such political entertainment perhaps has its place, but its oversaturation likely comes with negative consequences for our culture. Political discussion devolves quickly into a cousin of professional wrestling. Moreover, social media can augment this problem because those who experience strong emotional reactions are more motivated to comment or post. Not only does the overrepresentation of such extreme viewpoints generate clicks, but these further confirm the priors of those on opposite extremes. Intellectual bubbles begin to form.

Thus, it is important to create room for serious, good-faith discussion about serious matters. In this case, the issue of religious freedom is an especially serious matter that requires a serious treatment. Religious freedom affects all of us: the political instigators, trolls, and clowns, to be sure, but also those who are unheard and unseen in this political theatre. If we allow ourselves to be swept away by these emotionally charged, tribal fights, we risk losing protection of a social-political right that I have argued is foundational to a just order and highly instrumental for a peaceful one. Those who do not see that might not see it until it is too late. Some of them have never known a world in which basic religious freedoms were not protected.

Last Words

I opened the introduction with a quote from John Lennon's song "Imagine." We all know the words. He was famous for his critique of religion. At the same time, he picked up from his practices in eastern mediation a practical recognition of the value of some sort of harmony with what he called the "cosmos." There are many like him out there. They are not convinced by the claims of any religion, but they can recognize that harmony with something transcendent,

[1] See the discussion of the issues of political entertainment and the polarization business model in Ben Sasse, *Them: Why We Hate Each Other–And How to Heal* (New York: St. Martin's Press, 2018), chs. 3–4.

something absolute, is something inherently desirable and would be very good. In my mind it is eminently reasonable to seek out and discover if there is any credibility to the claims made concerning the possibility of this good. Certainly, if one remains unconvinced one can at least recognize why it matters to others. I have merely been making a case for basic respect of others in their authentic pursuit of religion. People can respectfully disagree on religion. People can lovingly disagree about religion. We live in a religiously pluralist society and that is not changing anytime soon. What can change sooner is greater civility and respect for one another, and greater respect for one another's conscientious efforts to seek the truth about, and act accordingly, with respect to this most significant of questions.

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