

Economy or Explication? Telling the Truth about God and Man in a Pluralist Society

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The identification of human flourishing's basic aspects can be made, and defended against objections and misunderstandings, without appealing to any idea of divine causality, still less to any idea of a divine will about what we should and should not choose. The inquiry into human flourishing can proceed without adverting to the question of divine existence; the good of relating appropriately to a transcendent and intelligent source of everything we know of can be postulated without being affirmed -- can be left, that is, as a kind of space in the account of human flourishing, to be occupied by the good we call *religion* if further inquiry shows that such a being must be judged to exist. In this way, both (a) the enquiry into the principles of practical understanding that direct us towards the basic aspects of human flourishing, and (b) the enquiry into the rational requirement that one remain open in all one's deliberation and choice to the directiveness of each of those first principles, and likewise (c) the enquiry into the implications of that requirement, implications we call morality, can all be pursued, rather as the natural sciences can be, without adverting to the *further question*: the question whether the fact that all these principles are true, and the fact that we have the capacity to recognise that and to shape ourselves and the world accordingly, are facts that can be explained only, and *should* be explained, as effects of a causality that, by reason of *what* its causer is, needs no further explanation. That further question could be postponed to the end, or at least to the end of my books on the matter; obviously, if its answer were positive, the implications would need taking up, and being given their due importance, in due course.

The decision to structure my books that way was in some respects methodologically motivated: the study of metaphysics, of the foundations of all knowing and being, properly comes last, as Thomas Aquinas says, adopting what he takes, surely rightly, to be the position of philosophy's architectonic metaphysician and methodologist, Aristotle. But my procedure was also an exercise in what John Henry Newman, following the Alexandrian Church Fathers of the third century AD, called *economy*: the adapting of exposition to the receptiveness, the state of mind, of one's expected audience. The idea of economy, in this or related senses, has got a bad name: a recent head of an Oxford college, when he was Secretary of the Cabinet and Head of the UK Civil

Service, was pilloried for testifying that he thought it proper in the interest of the state sometimes to be “economical with the truth”. Newman himself was given occasion to write his famous *Apologia pro Vita Sua* by widely applauded accusations of dishonesty made by Charles Kingsley because that best-selling children’s author and cleric equated economy with deviousness, evasion, deception. But from the outset of his teaching, Newman had insisted on the line separating those vices of dishonesty from a rightly discreet *stewardship of the truth* by presenting always what is true, withholding no more of the relevant truth than the ignorance or prejudices of one’s hearers would prevent them from properly understanding and assessing.¹ My procedure was indeed less economical than the decision of my mentor and editor H.L.A.Hart to leave undisclosed in all his public work his own atheism and his vigorous doubt that there are any moral truths whatever. After all, chapter XIII of my *Natural Law and Natural Rights* is right there in the hands of every reader of the book, with its argument, pursued over some pages, that the “further question” of the origin of everything we come to acknowledge can only be answered reasonably by judging that – to put the matter as shortly as it can be put -- God exists, and that God’s intelligent and necessarily free choice to create is that needed explanation.

Practising a similar economy even more strenuously in my *Aquinas*, I abstracted from – mpassed over in silence -- the great theologian’s theological concerns and foundations until, again, the last chapter, where I set out a version of each of the five kinds of ways of posing and pressing the “further question”, ways which he rightly thinks show that it is unreasonable not to judge that the universe as a whole and in every aspect is the effect of the creative action of a being that is pure actuality free from every shadow of mere potentiality, a reality whose *what* it is includes *that* it is, a being with all the uncaused and necessary existence that the entire universe would lack even if it happened to have existed from eternity, a being whose projection of some of its own intelligent intelligibility into the universe that it has freely – from among all alternative possible universes -- brought into being and actuality. “The causing, ordering, and sustaining of the universe must, therefore, be an intellectual act which in one and the same timeless act both projects (by practical understanding) and effects (by willing), in every detail, this world with all its causal/explanatory systems, its unimaginable galaxies, subatomic particles, and fundamental

¹ For Newman’s thoughts on this economy, which like the tradition’s draw upon several of the senses of the Greek term *oekonomia* and appeal to telling Scriptural sayings (no pearls before swine, no crushing the bruised reed, the tares left among the wheat) and examples (Paul’s address to the Areopagus in Athens: *Acts* 17.22-31), see his *Fifteen Sermons Preached before the University of Oxford* ([1843], 3rd ed. 1871, 1909), 341-50; *Apologia Pro Vita Sua* ([1864, 1865], combined ed. 1913), 45-6, 270, 343-6; *The Ariens of the Fourth Century* ([1833], 1871), 65-77.

forces—a world, too, of genomes, cells, and brains; of mathematics and logic which (even without aspiring to) fit that world; of loyalty, justice, and remorse; of computers, symphonies, chess, and constitutions.”²

In my book on Aquinas, from which I have just been quoting, I turn from that point to try to explicate, in barest outline, how these conclusions affect the understanding of the ethical and political principles and virtues explored in the preceding eleven chapters. Again let me quote just a snatch from this explication:

The principles of practical reasonableness are now understandable as having the force and depth of a kind of sharing in God’s creative purpose and providence.³ The good of practical reasonableness {bonum rationis} is now understandable as good not only intrinsically and for its own sake but also as a constituent in the good of assimilatio [making oneself like]⁴ and adhaesio [uniting oneself] to the omnipotent creator’s practical wisdom and choice. The truth of the practical principles is now understandable not only as the anticipation of the human fulfilment to which they direct us,⁵ but also as their conformity to the most real of all realities, the divine creative mind, the mind which is nothing other than the very reality of that pure and simple act, God.⁶

There is a lot more to be said along these lines, but there are two points to be made here, about what is going on in these and similar discussions. The first is that the whole course of reflection, heading towards the reasonable judgment that God exists and is relevant to understanding more adequately why our responsibilities matter, is an exercise in *public reason*. The second is that the argument’s conclusion entails that neither atheism nor radical agnosticism is entitled to be treated as the “default” position in public reason, deliberation, and decisions. Those who say or assume that there is a default position and that

² John Finnis, *Aquinas: Moral, Political and Legal Theory* (Oxford University Press, 1998) [hereafter *Aquinas*], 305.

³ “And so it is clear that the natural law is precisely the sharing out of the eternal law in the rational creature {participatio legis aeternae in rationali creatura}”: *Summa Theologiae* I-II q. 91 a. 2c. It is as the natural law in this sense that the eternal law is the standard for human willing {regula voluntatis humanae}: I-II q. 71 a. 6c.

⁴ Plato attributes much the same importance to achieving likeness with God: see *Laws* 4. 716; *Republic* 6. 501. The ideal is the more attractive when put in the frame of Christian revelation’s disclosure of God as intelligent, free, self-possessed and generous, as well as (to use the predicate that Plato picks on as central) moderate. See *Aquinas*, 314-5.

⁵ [See *Aquinas*, 99-100.]

⁶ *Aquinas*, 308-9.

it is secular in *those* senses⁷ (atheism or agnosticism about atheism) owe us an argument that engages with and defeats the best arguments for divine causality. Only if some counter-argument of this kind were successful would they be entitled to set aside the judgment of the countless many who, even when they could not articulate formal arguments for it, have been able to judge that the reality and intelligibility of this world has been brought (and is kept) from nothingness by something that utterly transcends it and whose “glory is declared by the heavens”⁸ – the heavens being the part of this world we most easily contemplate for what it *is* without mixing in our own concerns with using or relating to it.

Still, public reason’s deliberative, practical part does deal with matters that concern us because, unlike God, they could be brought into being, changed, or averted by our choice and action. These are the deliberations for which the principles understood in practical reason – of natural law, if you like – give their directions, their prescriptions. The purpose of all the earlier chapters in these books of mine was to show how moral rules and principles, not least those we use more or less uncontroversially throughout our law, are explicable by reference to the more general and first principles of intelligent thinking about what to do, taken with a sound and exact understanding of what – what kind of act – one elects to do when one has deliberatively shaped alternative proposals for action and made one’s choice by adopting one of them. The common objection to this whole idea is that it fails because the principles it identifies command none of the consensus that, say, good science confidently expects and commonly gets. The objection uses the fact of pluralism as an argument for scepticism about natural law, but really (therefore) about all ethical propositions.

The objection is invalid. The truth of ethical claims is assessed, not by looking to facts such as people’s agreement or disagreement with them, but by considering whether they correctly identify how the kind of action (or abstention) in issue relates to the wellbeing of human persons (human flourishing), and whether it rightly evaluates that relationship. The standards of rightness and wrongness in such assessments are identified in the reflective, critically clarified practical understanding and reasoning we call ethics. Consensus around those standards is not what makes them true, and is not a necessary condition of that truth in any sense save this: that under *ideal* epistemic conditions, there

⁷ On the legitimate secularism which is part of Christian doctrine, see e.g. *Aquinas*, 322-5; John Finnis, “On the Practical Meaning of Secularism”, *Notre Dame Law Review* 73 (1998) 491-516 at 491..

⁸ *Psalm* 19.1; and see *Romans* 1.19-20ff, which opens up into the Pauline account of natural law: 2.14-16.

would be consensus on them. For consensus under ideal conditions on a proposition's truth is a "mark" – not a criterion – of that proposition's truth.⁹ But the conditions under which any and every moral proposition is in fact assessed are very far indeed from ideal. We have strong emotional interests in securing certain outcomes which would be blocked by any reasonable ethical standard. Our capacity to devise rationalizations for departing from reasonable ethical standards to secure those interests is very great. The tendency for language, institutions and culture to crystallise around such plausible (albeit unreasonable) rationalizations is very strong, resulting in local (but perhaps widespread and rather lasting) subscription, tending towards consensus, on distorted standards and ethical falsehoods. The pluralism of ethical opinions about more or less specific kinds of action is precisely the kind of diversity one would expect, even though there is some impressive consensus on the more general principle.

The past forty years have provided illuminatingly clear examples of the way in which the descent from high level general principles to specific moral rules and judgments is waylaid by emotions, mixed motives, and rationalization. Even in the mid-1960s, after eighty years of passionate feminist campaigning about birth control as a necessary alleviation of the difficulties and dangers faced by women in and after pregnancy, the idea that a mother has a right, moral or legal, to choose to seek the death of the child she has conceived was virtually unheard of, had no perceptible presence in the literature, and had been implicitly repudiated as unethical and unacceptable by main leaders among the feminist advocates of birth-control. But then, within ten years, that idea became, as it remains, a commonplace for many (albeit without consensus about its basis or limits). Yet it remained and remains in the view of many others a simply false claim of right. To me, its acceptance seems a paradigm instance of the process by which moral truth becomes obscured, and a vivid illustration of the way that non-ideal epistemic conditions block the attainment or retention of consensus on moral propositions. But there are plenty of other paradigmatic instances. In my book with Joseph Boyle and Germain Grisez on nuclear deterrence, we trace the historical process on which a consensus that civilians should not be intentionally selected for destruction was lost, and the moral truth considerably though by

⁹ For this use of "mark" (a term much used by Newman), see the summary and discussion of David Wiggins's account of truth, in John Finnis, *Fundamentals of Ethics* (Oxford University Press and Georgetown University Press, 1983), 63-6.

no means wholly obscured, under the non-ideal epistemic conditions prevailing in Europe in 1941 and in the Pacific in 1945.¹⁰

But of course, epistemic conditions are never ideal, even in the natural sciences and mathematics, where ambitions, fears, uncriticised conventions and assumptions, and other such factors can and do distort rational inquiry and judgment. All the more so in moral reasoning. Moral reasoning always concerns premises and conclusions, principles and judgments that are liable to affect profoundly our *interests* and the passions, strong or calm, whose objects are wrapped up in those interests. And the impact of familial, local, and national conventions and prejudices is particularly formative of the elements with which we conduct our moral reasoning. (As Aristotle says,¹¹ you should pray that you happened to grow up in a morally more or less sound culture, since if you didn't your ability to do ethics soundly is all but irremediably weakened. He did not mean, of course, that culture or convention, even when morally sound, is the *criterion* of what is sound and unsound in ethics.)

Hence it is hard, though by no means impossible, to think soundly about moral matters, not least about the issues that do not concern the forms of human good, but rather the make-up and dignity of human persons, or the proper description of human acts – issues that, though not in themselves practical, normative, “ought” questions, nonetheless directly enter into and affect moral judgments. Now if (1) consistently sound moral thought is difficult to achieve and maintain, and if (2) at the same time it is the case that the moral principles which are the criteria of moral soundness and unsoundness are, like every other intelligibility that we find not make, to be attributed to the wisdom and will of a divine creator – as the arguments I sketched earlier indicate they should – then (3) it is reasonable to anticipate that this supremely intelligent creator of less adequate intelligences like ours might communicate those same moral principles in a way that renders them more clearly accessible and more palpably warranted. And that anticipation is satisfactorily met, fulfilled, as one aspect of the public revelation in Jesus the Christ.

So the issue at the heart of my reflections today is the status of public revelation in public reason. Revelation of God's nature and intentions for us is ‘public’, in the focal

¹⁰ John Finnis, Joseph Boyle and Germain Grisez, *Nuclear Deterrence, Moralit, and Realism* (Oxford University Press, 1987), 38-44.

¹¹ *Nicomachean Ethics*, 1.4: 1095b4-8.

sense, when it is offered in public preaching attested to by signs or miracles such as resurrection, otherwise inexplicable healing, fulfilment of prophecies, and so forth. But the evidentiary force of these is immeasurably enhanced by, perhaps even dependent upon, the further fact that the teaching to whose authenticity they are meant to attest, a teaching by word and deed, is itself *morally* attractive. As I once summarised Aquinas, “the revelatory power and credit-worthiness of Christ’s teaching should be ascribed also to [besides miracles and other public signs] his persuasive authority and manifest personal virtue, and the inherent excellence of what he taught – something he deliberately left to be judged from the public preaching and writing of those who had witnessed his own public life and works.”¹²

In other words, we bring to our hearing of the preaching and assessment of its teachers and witnesses, our prior understanding of human good, an understanding that is, as I have argued, at root our natural reason. And we use that as a criterion in judging, for ourselves, the authenticity, the divine origin, of what is being proposed and displayed to us. Yet, in turn, the preaching, the witness, and the exemplary lives of the teachers can and do change our prior moral understanding, enhancing and correcting it. There is a reciprocity and a certain kind of epistemic interdependence of natural reason and divine public revelation, which heads towards kind of reflective equilibrium (as Rawls might say).

That reflective equilibrium is not in all respects a once-for-all achievement, but rather is to some extent developmental, both in the life of the believer and in the teaching of the community established to bear the historical revelation through history. This does not exclude the making of definitive judgments by those with the authority to make them. But the implications of even such definitive judgments, and the meaning and implications of the rest of the revealed message, come to be understood more adequately. Experience provides the matter for more differentiated insights into the principles of practical reason, as well as into the data of revelation and the doctrine that rests upon and transmits revelation.¹³

¹² Aquinas, 320-1, citing *Summa Theologiae* III q. 40 a. 1c and ad 4, q. 42 a. 1 ad 2, a. 4c.

¹³ See Vatican Council II, Dogmatic Constitution on Divine Revelation, *Dei Verbum*, 8.2: “...crescit enim rerum quam verborum traditorum perception, tum ex contemplatione et studio credentium, qui ea conferunt in corde suo..., tum ex intima spiritualium rerum quam experiuntur intelligentia...Ecclesia scilicet, volventibus saeculis, ad plenitudinem divinae veritatis iugiter tendit...”: “For insight into the realities and words handed down grows, through the reflection and study of the faithful who ponder these things in their hearts, and through the penetrating understanding of the spiritual realities of which they have experience... Thus, over the centuries, the Church is constantly heading towards the fullness of divine truth...” On development of doctrine through differentiation, see e.g. John Finnis, *Moral Absolutes* (CUA Press, 1991), ++++.

A fine example of this process of developing reflective equilibrium is provided by the Second Vatican Council's Declaration on Religious Liberty (1965). This document, which repays study, identifies some of the soundest and steadiest foundations of the "public square" (and much more). It often goes by the first two words of its Latin text, *Dignitatis Humanae* – of the dignity of the human person.¹⁴ Its core teaching can be stated quite shortly. All persons have a right, as individuals and as groups, not to be coerced by government either to perform or not perform religious acts. This right is fully held even by people who hold false religious beliefs – indeed, even by individuals or groups who have formed their own religious beliefs without due care for truth. It is limited *only* by the needs of public order, that is, by the need to protect the rights of others, and uphold public peace and public morality. The document divides its consideration of the right into two parts. The first defines, explicates, and justifies the right by reference to natural reason (i.e. natural law) alone. The second shows how it is rooted in Christian revelation and doctrine. The principal justifying argument from natural reason is this: *so important* is it for each human being to seek, find, and live according to *the truth* about God and man – religious truth – that coercion, which prevents, distorts, or tends to render inauthentic that search for religious truth, is wrongful. The wrong done is a wronging of the person whose search for truth, had there been no coercive pressure to conform, might have been authentic and centred on truth (about the most important things) at least as an aspiration, ideal, or goal. So that person (and thus any person) has the *right* (claim-right) correlative to the government's *duty* not to commit that wrong. And all this reinforces the document's further justifying argument, which recalls the classic Christian distinction between the secular and the ecclesial, and the idea (already coming to flower in Aquinas)¹⁵ of limited state government: religious matters as such transcend the sphere of the state, and so "it would clearly transgress the limits set to [the state's] power, were it to presume to command or inhibit religious acts."¹⁶

The principal argument from revelation is this: God created human beings with the dignity, the elevated status, of rationality and freedom, and adds to that dignity by inviting

¹⁴ This should not be translated as "of human dignity", since the document's first three words are "Dignitatis humanae personae", and in the context of the whole sentence the adjective *humanae* qualifies *personae* not *dignitatis*.

¹⁵ See *Aquinas*, 222-8.

¹⁶ *Dignitatis Humanae*, sec. 3.4

all to share the divine life as his sons and daughters, an invitation which, for all who can choose, can only be fittingly accepted by a fully voluntary response:

Redeemed by Christ the Savior and through Christ Jesus called to be God's adopted son or daughter, one cannot give one's adherence to God revealing Himself unless, under the drawing of the Father, one offers to God the reasonable and free submission of faith. It is therefore completely in accord with the nature of faith that in matters religious every kind of human coercion is to be excluded.¹⁷

The document treats as foundational for its newly accented teaching the historically continuous Catholic doctrine that no one can rightly be coerced into the faith:

It is one of the major tenets of Catholic doctrine that one's response to God in faith must be free: no one therefore is to be forced to embrace the Christian faith against his or her own will [citations omitted]. This doctrine is contained in the word of God and it was constantly proclaimed by the Fathers of the Church.... In the life of the People of God, as it has made its pilgrim way through the vicissitudes of human history, there has at times appeared a way of acting that was hardly in accord with the spirit of the Gospel or even opposed to it.

Nevertheless, the doctrine of the Church that no one is to be coerced into faith has always stood firm.¹⁸

The underlying thought is this: reflection on historical experience leads the Church's teachers and members to the judgment that that doctrine – faith is not to be coerced -- or its rationale, has wider implications. The authenticity and reality of the search for religious truth -- and of the act of faith in which that search under ideal epistemic and volitional conditions would end -- are so prejudiced by threats of coercion that coercive measures for the sake of religious truth, whatever their apparent success, are self-stultifying and in opposition to the nature of human persons, because they are willy nilly in opposition to the flourishing of human persons in one of its basic (and most over-archingly important) aspects, the willing and thus whole-person-shaping *adhaesio* to God.

¹⁷ *Dignitatis Humanae*, sec. 10.

¹⁸ *Ibid.*, secs. 10, 12.1. For critical observations on the coercion that from the 4th to the 18th century was often applied, with ecclesiastical and theological approval, against those who departed from the Catholic faith (as distinct from pagans, Jews, Muslims, etc.), see *Aquinas*, 292. The unbelief of pagans etc. was judged harmful to the common good (*Summa Theologiae* II-II q. 10 aa. 7c & 10c) but not culpable like heresy, which was (mis)conceived of as a breach of promise and met with punishment; the thesis that these were distinguishable from compulsion of belief (a compulsion always rejected: see II-II q. 12 a. 2c & ad 2; *Scriptum super Libros Sententiarum* IV d. 13 q.2 a. 3 ad 5) was inherently unsound.

The natural law version (and so one might say the economical version) of the Council's teaching is in the first part of the document, the fully explanatory version is in the second, or rather in the two parts taken together in their achieved equilibrium. Is the second part necessary? Cannot natural law and natural rights be affirmed confidently without the benefit of revelation? That is a question that I began to answer when I was pointing to the humanly necessary interdependence of natural reason and revelation. Consider, for example, equality.

That human beings are radically equal in dignity is entailed by the revelation that we are all made in God's image, and are called as sons and daughters into his household in the transcendent Kingdom.¹⁹ Can we have much confidence that, without benefit of those revealed teachings, this radical equality would have been steadily understood and affirmed – practically, that is, precisely as ground for true entitlement of all to equality in basic rights – or much confidence that it will be long maintained if they are set aside?²⁰ I do not think so.²¹ Without those revelatory insights, or confirmations of insight, into our nature and potential destiny, people – even people who understand human consciousness and character with the immense penetration of a Plato – gravitate towards some version of views that treat dignity as variable, waxing and waning, predicable of us at some time after the start of one's existence as a human being, perhaps at or perhaps quite a time after one's birth, and ceasing in “terminal” debility or disability. Or towards some variant of the view that human dignity is merely *ascribed* or *attributed*, not without flattery and speciesist bias, to beings whose

¹⁹ *Dignitatis Humanae* does not mention the concept of being “made in God's image”, but it was adopted and promulgated simultaneously with the much more expansive document *Gaudium et Spes*, the Pastoral Constitution on the Church in the Modern World, which devotes sections 12 to 22 to “The Dignity of the Human Person”, and begins sec. 12 with the heading *De homine in imaginem Dei*: on the human being as made in the image of God.

²⁰ Writing of Charles Larmore's (and, he might have added, Ronald Dworkin's) notion that equality of respect for persons requires state neutrality about the good life, Kent Greenawalt pertinently says: “Although many defenses of equality rely on moral capacity, it remains unclear why people should be owed equal respect based on a capacity *if* the capacity itself is unequal among people and is exercised to unequal degrees. The problem is *resolved* by some comprehensive views, most notably by the religious idea that all human beings are equally loved by God and are equal in God's sight, but it seems doubtful if the basic principle of equal respect can be grounded without reference to some comprehensive view.” Kent Greenawalt, *Private Consciences and Public Reasons* (Oxford University Press, 1995), 82.

²¹ In its discussion of atheism in *Gaudium et Spes* 19-21, at 21, Vatican II states (rightly, I think) that acknowledging God in no way diminishes human dignity, a dignity grounded and brought to perfection in God, and that when people are deprived of [the] divine support [of hope in life to come, and knowledge that one has been placed in the world by God who created us as intelligent and free beings] “their dignity is deeply impaired, as may so often be seen today.” The whole of this section repays study, not least its condemnation of discrimination by civil authorities between believers and unbelievers, and its invitation to unbelievers to weigh the merits of Christ's Gospel with an open mind.

true condition is like the other animals' and substances' in an indifferent universe, and whose claims and acknowledgements of rights are truly no more than conditions of peace affording a working basis for a life of comfort and satisfaction of desires while we may.²²

Rawls's famous theory of political liberalism is that in one's decision-making as a citizen or public official, on matters of basic importance, one should never draw upon one's "comprehensive world view" -- one's deeper reasons for assenting to the principles and propositions that inform and direct one's decision -- unless those reasons are part of an overlapping consensus, in the sense that all reasonable people could be expected to agree to them. The theory is riddled with ambiguity and unprincipled exception-making, as I and many others²³ better have shown. Anyone who thinks a proposition true thinks, or should think, that under ideal epistemic conditions all reasonable people would assent to it. So if it refers to ideal epistemic conditions, Rawls's radically ambiguous criterion -- "all reasonable people can be expected to agree"²⁴ -- excludes precisely nothing (except perhaps the opinion of the many liberals who think that value judgments are all relative and have no truth to them). But if the criterion refers to the actual prevailing epistemic state of affairs, then it again excludes little or nothing, because Rawls accepts that reasonable people can and do hold some unreasonable views,²⁵ from which it follows that for all practical purposes there is no interestingly substantive view that *all* reasonable people agree to. So Rawlsian political liberalism's exclusionary principle rests on a mere *double entendre*, and once disambiguated proves quite empty. As for the arbitrary exception-making in his theory, one can see a good example when he envisages "rationalist believers" confronting what would otherwise (but for their beliefs) be a consensus. Helping himself to the assumption that "we" are inside this would-be consensus and the believer outside, Rawls says that we should simply draw upon our comprehensive world-view to declare the rationalist believers' belief either false or so undemonstrated as to be, in either case, ineligible to affect the consensus (without our judging that the believers themselves are unreasonable).²⁶ Here Rawls achieves his "consensus"-preserving exclusion by imposing on these rationalist believers a condition

²² See *Aquinas*, 297.

²³ See e.g. Jean Hampton, "The Moral Commitments of Liberalism", in David Copp, Jean Hampton, and John E. Roemer, *The idea of democracy* (Cambridge U.P., 1993), 292-313; John Finnis, "Practical Reason, Abortion and Cloning", *Valparaiso University Law Review* 32 (1998) 361-83.

²⁴ On the ambiguity of "can be expected to", see "Practical Reason, Abortion and Cloning", at 365-6.

²⁵ John Rawls, *Political Liberalism* ([1993], paperback ed., New York, Columbia University Press, 1996), lvi nn. 31, 32; 244 n. 32.

²⁶ *Ibid.*, 152-3.

that he does not impose on “us”, who are never required by him to be able to “demonstrate” any of our principles or positions to others.²⁷

Rawls fails to take seriously the fact that “political liberalism” of his or any other kind may need to demonstrate its positions in the face of an existing or emerging anti-liberal “consensus” or would-be consensus, not to mention the curious and the uncommitted. We may not be able to ignore this indefinitely, if large Muslim minorities or even, a bit later, majorities emerge in, say, European countries, and if these adhere, for whatever reason, to that important variety of Islam that teaches the legitimacy of forced conversion, expulsion of anti-Islamic views and practices from the public domain, and the capital guilt of apostasy from Islam.²⁸ Where is the defence of freedom of religious (including irreligious) expression and practice to come from? Even setting aside the unreasonable self-denying ordinances proposed in Rawls’s theory of liberalism, where are we to find the bases for a defence of that freedom, or for a defence of the radical equality of men and women? Nowhere, I think, and certainly nowhere better than from the developed Christian teaching. About that teaching, and the whole doctrine of revelation that underpins it, we have sufficient reason to be confident that its truth would be recognised under proper epistemic conditions of free and open-minded discourse – that is, of public reason, properly understood and participated in – conditions that have scarcely been allowed to obtain in

²⁷ Cf. e.g. *ibid.*, lv: “if when stand-off occur, citizens invoke the grounding reasons of their comprehensive view [as they do when they discount the rationalist believer’s ideas: JMF], then the principle of reciprocity is violated.” In the same passage (in the Introduction to the Paperback Edition, lvi n. 31) Rawls says that on, questions like abortion, he doesn’t know whether there are any “most reasonable or decisive” arguments (within the domain of public reason). He continues to avoid confronting the question why it is outside public reason to argue from the premise that human rights belong equally to all human beings/persons, and the premise that unborn children are human beings/persons (as is obvious whenever the baby is wanted), to the conclusion that unborn babies have the equal right to life. In 1993 he seemed committed (*ibid.*, 243) to regarding such an argument as paradigmatically unreasonable; in 1996 he seems to regard it as perhaps reasonable or perhaps unreasonable but in any case capable of being either held or rejected by reasonable people, and to be decided in practice by voting. To me it seems reasonable, and his own position paradigmatically unreasonable. (NB. the issue as he sets it up concerns not obstetrical emergencies but the unborn during early pregnancy and the overriding of their life by concerns such as “equality of women” (with men) (243n).

²⁸ Abdullah Saeed (Professor of Arab & Islamic Studies in the University of Melbourne) and Hassan Saeed (Attorney General of the Maldives), *Freedom of Religion, Apostasy and Islam* (Aldershot, Ashgate, 2004) argue, in relation to Malaysia (chosen because one of the most moderate Muslim-majority states) that capital punishment for apostasy is not warranted by the Quran. They note that “there does appear to be general consensus within the Malaysian Muslim community that some form of action ought to be taken to check the growing influence of Christianity in the region” (164), and predict that legal penalties (“coated with euphemisms such as ‘rehabilitation’ and ‘education’”) for apostasy from Islam are likely to continue, despite their incompatibility with the Constitution adopted at the end of British rule. Their final word is that, throughout the Muslim world, “only a few are arguing for doing away with apostasy laws that adversely affect the individual’s basic rights as a person...”).

communities subject to Islamic rule.²⁹ If one should have that confidence in relation to a confrontation between Muslim and Christian claims to revelatory authenticity, one should, of course, also have it in relation to confrontation between the Catholic claims and atheistic or agnostic denials of them, denials which proceed from a position less reasonable than the Muslim thesis that everything has its explanatory origin in the decision of the one eternal and all-powerful Creator. In this discourse between atheistic secularism and Christian secularism with transcendent foundations, what generally makes the epistemic conditions non-ideal is not lack of political freedom from coercion but a complex of myths, images, and memories that block and distract from the Christian position and its evidences.

None of this is a prediction of what, in our world, will be the results of political freedoms of the kind that everyone has a right to participate in.³⁰ No one can foresee how the interaction between atheistic secularism, Islam, and Christian faith (with its affirmation of secularity alongside the sacred) will play out over this century – or foretell the interaction between development of doctrine and fundamentalism or radical orthodoxy within the competing sects in Islam.³¹ Violations of rights³² and of the other aspects of public order are indeed the responsibility of law and government to repress with judgment, equity, and an eye to consequences. But our reflections and inquiries should be directed, not so much to speculations about the future, but to fulfilling the duty that is the foundation of religious

²⁹ In reflecting on the outcome of a free discourse about Islam and Catholic Christianity, recall that its core is necessarily a comparison between (the moral characters of) Muhammad and Jesus: see text and n. 12. And see Aquinas, *Summa contra Gentiles* I, c. 6 n. 7.

³⁰ The bible is the Catholic Church's book and confirms its teachings, but for many centuries the Church's leaders predicted that if it were generally available to everyone in their own languages, it would be extensively misunderstood and turned against the very doctrines that, understood as a whole, it fully supports. The prediction has been very amply fulfilled over the centuries since 1500. But it would be a mistake to infer that people do not have the right of access to all the materials of public revelation, and equally a mistake to predict that in the long run the result of giving effect to that right will be to defeat the Church's evangelical mission.

³¹ Joseph Butler, who preceded Newman at Oriel College Oxford by about a century, and influenced his philosophical theology, prefaced his *Analogy of Religion Natural and Revealed to the Constitution and Course of Nature* (1736) with the observation: "It is come, I know not how, to be taken for granted, by many persons, that Christianity is not so much as a subject of inquiry; but that it is now, at length, discovered to be fictitious. And accordingly, they treat it as if, in the present age, this were *an agreed point among all people of discernment*; and nothing remained, but to set it up as a principal subject of mirth and ridicule, as it were by way of reprisals, for its having so long interrupted the pleasures of the world." (emphasis added). Predictions made by elite intellectuals in 1735 about the likely condition of Christianity two and a half centuries later would very probably have been wide of the mark.

³² Note that "any action which seems to suggest coercion or dishonest or unworthy persuasion, especially when one is dealing with the uneducated or poor,...must be considered ... an infringement of the rights of others": *Dignitatis Humanae* 4.4.

liberty, of morality itself, and of all decent political existence and coexistence: to seek the truth about God, and to follow it when one has found it as best one can judge.

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