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Book Review: God's Call, Moral Realism, God's Commands, And Human Autonomy

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God's Call: Moral Realism, God's Commands, & Human Autonomy, by John E. Hare. Grand Rapids, MI: Eerdmans Publishing, 2001. Pp. x and 122 (indexed). \$14.00 (cloth).

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This book records the three Stob Lectures given by John Hare at Calvin College in October 1999. Overall, Hare's aim is to offer "an account of God's authority in human morality" (p. vii). The subtitle indicates the focus of each lecture.

The first chapter presents a history of the twentieth century debate between *moral realists*, who emphasize the reality of value properties independent of our attempts at evaluation, and *moral expressivists*, who emphasize the role of value judgment in expressing the will or emotion or desire (p. 1). Hare's review and critical assessment of this body of literature leads to an articulation of his own position of *prescriptive realism*, which is "the view that when a person judges that something is good, he is endorsing (from inside) an attraction (from outside) which he feels towards it" (p. viii). In other words, "an evaluative judgment endorses a response to a pull of the good which is there independently of the evaluation" (p. 49). Hare further suggests that we can "identify this pull of the good as God's call to us" (p.49), which leads into a divine command ethical theory. Specifically, an ethics of divine commands "sees our obligations as an expression of God's will, and then our judgments of obligation as an expression of our will to recapitulate God's willing in ours" (p. 49).

Hare remarks that "Divine command theory is an option that most recent ethicists in philosophy have dismissed" and sees natural law theory as having "taken possession of the field as the theist alternative to a secular ethical theory" (p. 49). He proposes two explanations for this state of affairs. The first is "the negative power of an argument by Kant" (p. 50) concerning human autonomy. The second reason is that "ethicists have not taken seriously the complex and difficult writing on this issue by the thirteenth-century Franciscan philosopher and theologian John Duns Scotus" (p. 50).

I will focus my discussion of Hare's book on the second chapter dealing with Duns Scotus. I do this because of the praise Hare lavishes on Scotus in claiming that "the version of divine command theory which Scotus gives us is the best we have" and that "anyone should be interested in it who wants to say that what makes something obligatory for us is that God commands it" (p. 52). While pointing out some rough spots in Hare's understanding of Scotus, I will call attention to two areas of his lecture which can advance our discussion of an ethics of divine commands.

Exegesis of Scotus

To praise Scotus as offering the best version of divine command theory available presupposes that Scotus is to be placed squarely within the divine command camp. However, in even classifying Scotus as a divine command ethicist, a more nuanced exegesis of Scotus is needed than that given by Hare.

In speaking of Scotus as a divine command ethicist, the first text that Hare brings forward is from *Reportata Parisiensia* I, distinction 48, question one: "The divine will is the cause of the good, and so a thing is good precisely in virtue of the fact that God wills it."¹ While this statement seems like a clear commitment to an ethics of divine commands, there are also texts in the *Reportata Parisiensia* which are inconsistent with adherence to an ethics of divine commands, specifically, texts which describe some actions as *evil in themselves*.² Before accusing Scotus of hopeless inconsistency in his ethics, we should take note of Allan Wolter's reminder that the *Reportata Parisiensia* represents "unexamined student reports."³ A more reliable source for Scotus' views is the *Ordinatio*, his revision of his commentary on the Sentences of Peter Lombard.⁴

Hare has correctly recognized that *Ordinatio* III, suppl. distinction 37, on whether all the commandments of the decalogue belong to the natural law, is a critical text in understanding Scotus' ethical views (see pp. 67-78). However, Hare has not correctly interpreted the import of this text with respect to Scotus' commitment to an ethics of divine commands.

In answering the question posed, Scotus distinguishes two senses in which a precept can be said to belong to the law of nature. Speaking strictly, the natural law contains only first practical principles known from their terms, and precepts which are conclusions necessarily entailed by these principles. Speaking more broadly, the law of nature is said to include precepts which are in harmony with the aforementioned first practical principles, although not following necessarily from them. According to Scotus, the first two commandments of the decalogue belong to natural law strictly interpreted while all the commandments of the second table are part of the natural law only in the broader sense. Scotus is more tentative with respect to the third commandment of the decalogue concerning the Sabbath, raising doubts that this precept belongs to the natural law in a strict sense.⁵

Scotus' consideration of the status of the commandments of the decalogue involves the possibility of God granting *dispensations* to these precepts. According to Scotus, "to dispense does not consist in letting the precept stand and permitting one to act against it"; rather, "to dispense...is to revoke the precept or declare how it is to be understood."⁶ After presenting this definition of dispensation, Scotus gives a reformulation of the question whether the commandments of the decalogue are subject to dispensation which clearly indicates that, in this context, he has in mind a situation in which God *revokes* the precept.⁷ And if God can grant such a dispensation from a precept which e.g., forbids a certain type of action, then it is the case that God can bring it about that *act a in circumstances c* is forbidden at one time but is not forbidden at another time. Hence, Scotus' notion of divine dispensation with respect to the commandments of the decalogue is of a case in which God literally changes the moral status of a particular type of action.

Scotus maintains that God cannot grant a dispensation from precepts which belong to the natural law in a strict sense, and hence, from the first and second precepts of the decalogue.⁸ Scotus is thus claiming that it is not within God's power to revoke these precepts and to change the moral status of the actions described in them. In effect, he regards the first and second commandments of the decalogue as obtaining *independently of God*.

Because of this, Scotus cannot be regarded as articulating a *thoroughgoing* ethics of divine commands in this text. He did, however, make progress towards the articulation of the divine command position by his views on the commandments of the second table of the decalogue. For Scotus commits himself to the position that these moral principles owe their status to God, first, in maintaining that God was not required to endorse the precepts belonging to the second table although God in fact did so,⁹ and second, in recognizing God's ability to grant dispensations to the commandments of the second table.¹⁰

Hare recognizes the two ways in which a precept can be said to belong to the natural law, viz., strictly and broadly, and concomitantly, he correctly perceives Scotus' application of this distinction to the first and second tables of the decalogue. (pp. 67, 72). Hare is also cognizant of Scotus' views on divinely granted dispensations to the precepts of the second table of the decalogue (p. 73), and correctly describes the precepts of the second table as "within God's discretion" (p. 73; see also p. 75). However, Hare fails to recognize that the text in question commits Scotus only to a *partial* ethics of divine commands.

Human Nature

Fundamentally, natural law ethics maintains that what is right and wrong is based on human nature. Some natural law ethicists go so far as to claim that moral precepts can be *deduced* from true statements about human nature (p. 54). Hare maintains that Scotus rejects such a deductive model (p. 63).

According to Scotus, the final end of human beings is union with God, more exactly, becoming co-lovers with God and entering into the love that exists between the three persons of the Trinity (pp. 66-7). Hare interprets Scotus as holding that "there is no necessary connection between our created natures and the way we reach our final end" (p. 69). At least with respect to the precepts regarding our neighbor, the *way* by which humans reach their final end is at God's discretion (p. 75). As Hare puts it:

There are innumerable ways God could have ordered us towards union, even given the nature with which we were created. The route God has in fact chosen is binding upon us because God has chosen it. (p. 77)

The correctness of Hare's interpretation of Scotus on this point is evidenced by the dispensations which Scotus thought that God has granted to the precepts of the decalogue. For example, polygamy as well as monogamy was allowed to the ancient patriarchs.¹¹ Or again, Hare himself makes note of Scotus' recognition of both private property and common property as possible structures for life in a community or state (pp. 68-69) and hence as compatible with human nature.

Since human nature is so central to natural law thinking, Hare's discussion is insightful in raising of the question of the relation between moral precepts and human nature within the framework of an ethics of divine

commands. We can look to the historical literature to stimulate our thinking about this.

For example, in his defense of the divine command theory the fourteenth century Franciscan Andrew of Neufchateau considers the objection that the theory entails that God could command a human being to “fly and do contradictory things at the same time.”¹² Andrew replies that “it is impossible to obligate to actions which are inconsistent with human nature.”¹³ For God willing that human beings fly or do contradictory things simultaneously would be “for God to will to do what is not doable and thus for God to will irrationally and in a way subject to frustration...”¹⁴ In effect, Andrew is suggesting that human nature delineates a range of possible actions for human beings and that divine commands concerning right and wrong actions must operate within the parameters established by human nature.

An even stronger connection between divine commands and human nature is postulated by John Locke in his *Essays on the Law of Nature*: “Hence, this law of nature can be described as being the decree of the divine will discernible by the light of nature and indicating what is and what is not in conformity with rational nature, and for this very reason commanding or prohibiting.”¹⁵ That Locke is still placing priority on the divine will is indicated by his comment on natural law immediately following this statement: “It appears to me less correctly termed by some people the dictate of reason, since reason does not so much establish and pronounce this law of nature as search for it and discover it as a law enacted by a superior power...”¹⁶ Nevertheless, in claiming that God chooses the precepts which he does because of their conformity with our rational human nature, Locke is working towards a union of divine command ethics with the perspectives of the natural law ethical system.¹⁷

Making Morality Arbitrary

Hare correctly notes that one of the standard objections to an ethics of divine commands is that it makes morality *arbitrary* (p. 74) as based solely on the choices of the divine will. A standard reply has been to claim that God’s choices are not arbitrary because they are made in accordance with the character of the divine nature (p. 72). Hare develops a different type of reply which a Scotist might make to this objection.

Specifically, although the path to union with God specified in the commandments of the second table of the decalogue holds true only because of divine commands, God’s willing these precepts is *not without reason* since they are chosen as a route to the final end of human beings (p. 73). Further, they take us to a final end, union with God as co-lovers, which is “fitted to our nature” (p. 77).

Hare’s line of reply thus far is not sufficient to defeat the objection. Consider this analogy. As a professor, I am making out the syllabus for a course required for philosophy majors. In determining course requirements, I can try to design exam formats which achieve certain learning goals (e.g., take-home essay exams which require “doing philosophy”) or simply schedule traditional in-class mid-term and final exams. Both the

take-home essay exams and the in-class exams are paths to the end of students passing the course and, in turn, achieving a major in philosophy. Nevertheless, scheduling in-class exams simply because this has traditionally been done has an air of arbitrariness in comparison with course requirements tied to specific learning objectives.

Similarly, God could conceivably choose as the route to the final end of human beings courses of action which seem inherently arbitrary (e.g., prohibiting marriage with any person with red hair) or perhaps downright repugnant to our moral common sense. Indeed, Hare himself raises the question whether we must say that God could have commanded bestiality as the morally right expression of our sexuality (p. 74).

Thus it is critical that Hare goes beyond claiming that our final end of union with God fits our human nature, also proposing that the moral law regarding our neighbor which in fact obtains *fits our nature in our present life* in that "we flourish after keeping the law" and "we deteriorate after breaking it" (p. 75). For example, the "command not to bear false witness fits the human being's deep-seated desire to share life together with other humans on the basis of verbal communication" (p. 77). Unfortunately, such comments represent Hare's own speculations rather than texts from Scotus (pp. 75-78).

What Scotus does say is that the precepts of the second table of the decalogue, which belong to the natural law in the broad sense, are "very much in harmony" with the first practical principles known of necessity which belong to the natural law in the strict sense.¹⁸ It should be noted that Scotus speaks directly of *principles being in harmony with each other* rather than of principles being consonant with our human nature. Nevertheless, the claim that the principles of the second table are "very much in harmony" with natural law strictly speaking can still provide a defense against the objection that they are arbitrary just because their status as moral precepts depends on divine commands. And this still represents a different strategy of reply to the arbitrariness objection than the standard one of invoking the character of God's nature.

NOTES

1. John Duns Scotus, *Reportata Parisiensia* I, dist. 48, q. unica (Lyon: Laurent Durand, 1639) in *Opera Omnia*, vol. 11 (reprint Hildesheim: George Olms, 1969).

2. *Ibid.*, IV, dist. 28, q. 1, n. 5; II, d. 22, q. 1, n. 3.

3. Allan B. Wolter, O.F.M. (ed. & trans.), *Duns Scotus on the Will and Morality* (Washington, DC: Catholic University of America Press, 1997), pp. xviii, 3.

4. *Ibid.*, pp. xvii-xviii.

5. Scotus, *Ordinatio* III, suppl., dist. 37, translated in Wolter, *Duns Scotus on the Will and Morality*, pp. 202-4.

6. *Ibid.*, p. 200.

7. *Ibid.*, pp. 200-1.

8. *Ibid.*, p. 202.

9. *Ibid.*, pp. 201-2.

10. For actual cases of dispensation, see *Ordinatio* IV, dist. 33, q. 1 in Wolter, *Duns Scotus on the Will and Morality*, pp. 208-12; *Ordinatio* III, suppl., dist. 37 in

ibid., p. 201.

11. *Ordinatio* IV, dist. 33, q. 1 in Wolter, *Duns Scotus on the Will and Morality*, pp. 208-12.

12. Andrew of Neufchateau, O.F.M., *Questions on an Ethics of Divine Commands*, edited and translated by Janine Marie Idziak (Notre Dame, IN: University of Notre Dame Press, 1997), p. 99.

13. *Ibid.*, p. 113.

14. *Ibid.*, p. 113.

15. John Locke, *Essays on the Law of Nature* translated by W. von Leyden (Oxford: Clarendon Press, 1958), p. 111.

16. *Ibid.*

17. See W. Von Leyden's Introduction to Locke's *Essays*, pp. 30-60.

18. *Ordinatio* III, suppl., dist. 37 in Wolter, *Duns Scotus on the Will and Morality*, p. 203.