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Review of John Foster The Divine Lawmaker (Oxford UP, 2003)

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Book review

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John Foster *The Divine Lawmaker: Lectures on Induction, Laws of Nature, and the Existence of God*. (Oxford: Oxford University Press, 2003). Pp. viii + 191. £35.00. ISBN 0199250596.

The notion 'law' seems to have arisen primarily in social contexts, referring to rules set by kings or other powers that be. Speaking of 'laws of nature' thus invites the question whether the meaning of the term in the new context is sufficiently analogous as to say that there might be someone who has set these laws. This book deals with the argument from laws of nature to a giver of those laws. Foster holds that 'laws of nature' provide a strong basis for an argument for the existence of God. This is the topic developed in ten concise lectures, originally given at the University of Oxford.

Such an argument about the divine giver of laws, obviously of interest to readers of *Religious Studies*, requires a careful consideration of the notion of a law of nature in the first place, and this brings Foster to a discussion of the problem of induction. A common-sense understanding of laws of nature suggest that we conclude to their existence on the basis of regularities perceived in past observations. Foster makes clear that this cannot be a valid deductive argument, but that this does not work as an inductive argument either. An inductive argument from finite regularities to laws assumes the uniformity of nature, which is precisely what is to be shown and thus begs the question.

He then decides to bite the bullet, not providing an inductive argument for laws, but rather accepting the fact that induction seems to work as the basis for an argument that one might call 'transcendental' or, as he takes it to be, 'inference to the best explanation': induction works because there are laws (universal and naturally necessary regularities) which express the way things necessarily behave and interact in a regular way; 'we can be justified in postulating laws as a way of explaining the regularities which have held good in our past experience, and can then appeal to the presence of these laws to justify the belief that the regularities will, or will on certain conditions, continue to hold for the unexamined cases' (44). He calls this the nomological-explanatory solution to the problem of induction. Thus, the law is itself postulated as an objective,

ontological feature of the behaviour of individual objects; induction relies upon the postulated lawfulness.

The epistemological weakness of induction, as one may have extrapolated wrongly, is not resolved by this understanding of laws. Thus, we may have to revise again and again our understanding of the uniformity of nature, but that is not what is at stake here. The issue is whether there is such an uniformity at all, and thus whether we have any reason to avoid ad hoc strategies or a totally sceptic, agnostic attitude about cases not yet examined, including future events. Foster does consider some alternative grounds for accepting our reliance upon induction, such as past success and pragmatic usefulness, but finds them all wanting. He also comes to discuss possible objections, such as the question of whether one could not do without any explanation of the regularities, but finds such dismissal of the search for an adequate explanation unsatisfactory.

Once Foster has argued for his nomological-explanatory view of laws, he is able to move towards the more metaphysical issues, first of which is to argue for the character of a law as expressing a natural necessity. This brings him closer to discussions typical of the ontological argument (in its modal forms at least) than to the cosmological argument and the argument from design. The move is not immediately from laws to an explanation of lawfulness or of these specific laws, but via regularities to laws, claiming that we need a particular concept of necessity to make sense of the concept of laws of nature. 'It is an argument over the intelligibility of the notion of a law, and that, in the end, we can only satisfactorily deal with this problem in a theistic way' (79). The nomic necessity he explains as weaker than logical necessity, as there could be possible worlds in which these natural necessities (laws) would not be the way they are in our world.

In this context he comes to discuss David Armstrong's view. Armstrong has defended a similar solution to the problem of induction by appeal to laws of nature as forms of natural necessity. Armstrong has moved on to construe laws of nature as relationships between universals (all F's are R-related to G). The implied realism with respect to universals is one of the points on which Armstrong's view might be challenged. It did not become clear to me in what way Armstrong's approach offered any deeper understanding of the nature of laws, rather than offering a particular reformulation of it.

At some point, Foster seems to despair of whether a consistent notion of laws is possible. An alternative might be to abandon the role of laws in explanatory accounts. Foster considers explanations rooted in personal agency to be the only non-nomological explanation of regularities: 'So to the question "Why are things thus regular?", the answer in each case would be "Because this being or these beings have deliberately made them so"' (128). The intentional acts of these beings would be free in the sense of not being constrained or determined. Foster then, in the eighth of his lectures, comes to present the theistic account, more or less along lines typical of Richard Swinburne and others. Foster opts for divine

eternal temporality, as a timeless view of God would treat God as an abstract entity, lacking the concreteness of a personal being. In this lecture, he also comes to argue for the divine as being eternal, that is, without beginning or end of the temporal existence, and for the being's omnipotence and omniscience.

In the lecture on theism the issue of laws of nature, or of regularities, has receded in the background. The ninth lecture returns to this topic, by suggesting that there are, roughly speaking, three basic schemes for the creation: all of reality for all times at once created directly in a single divine master act, direct creation of events instant by instant, and initially creation with certain prescribed modes of transition from one stage to the next one. Only the third scheme has a causally significant role for laws; the first and second scheme do not need anything like laws, though humans might discern laws as reflections of divine consistency. This third model does allow for a consistent concept of 'law of nature'. Thus, the idea discussed a few lectures earlier that there is no such consistent concept, and hence that the only recourse we have would be personal explanation, is to be abandoned.

In its place, Foster sees a different argument as possible and successful. If there are laws, there must be something that imposes that regularity on the universe. He concludes that:

... whatever view we take of the existence and explanatory role of laws, the need to explain the basic regularities leads us, in one way or another, to a theistic conclusion. If nomological explanations are excluded, there is a strong case for explaining the regularities by appeal to the agency of God. And if nomological explanations are accepted, there is a strong case for concluding that it is God's imposing of the regularities that creates the relevant laws. (160)

The third model (with laws created by God) is preferable, as it also allows for a meaningful concept of dispositions, such as a particular glass being fragile, even if these dispositions do not manifest themselves in actual events.

I found this an interesting and well-argued book. However, I am not fully convinced that the emphasis on the problem of induction in the earlier chapters was really helpful to the main point. In scientific practice, laws of nature are not empirical generalizations and extrapolations, but creative constructs in which new concepts may be involved, invoking a world with additional entities and causal processes may be postulated. In fundamental physics, laws have become fairly abstract notions, even to the point where the notion of law itself dissolved into the concept of symmetry (though symmetries are closely related to conservation laws and forces). Thus, induction could have been less prominent, with more attention given to the practice of inference to the best explanation and other hypothetical-deductive models, and to the transformation of laws into symmetries in current theoretical physics. But that having been said, I found the discussion on laws illuminating and, by and large, convincing.

The later stage in the argument, from laws to God, raises other questions. Towards the end Foster discusses two models – direct creation of every event or creation of initial conditions and laws. Both lead to theism, but there is no reflection as to whether they lead to the same variant of theism. It seems that one model is quite voluntarist, and in its second version may well lead to occasionalism, as God creates everything instant by instant.

It also appears as if the author is less concerned about circularity than in his discussion of induction, as the understanding of God introduces assumptions that are precisely those that have to be argued for if this is to be an argument for the existence of God. Thus, the claim is strong ('we have seen that the only plausible way', 145), without giving proper weight to the various conceptual and substantial choices made on the way. I have not been convinced that a more modest conclusion, that upon a theistic perspective laws of nature can be understood as God's creation, would not have been more in line with the arguments presented.

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