

FIRST THINGS

Why We Can't All Just Get Along

Stanley Fish

February 1996

Whenever I teach *Paradise Lost*, the hardest thing to get across is that God is God. Students invariably (one is tempted to say “naturally”) fall in with the view declared by William Empson in *Milton's God* when he says that “*all* the characters are on trial in any civilized narrative.” In Milton's narrative, of course, God is a central character, and the entire story gets going, Empson observes, when Satan “doubts his credentials.” Empson analogizes the situation to that “of a Professor doubting the credentials of his Vice-Chancellor,” and remarks with some sarcasm that “such a man would not be pursued with infinite malignity into eternal torture, but given evidence which put the credentials beyond doubt.”

In this account of the matter, “civilization” and “evidence” go together and dictate our chief responsibility as readers—which is, Empson says, “to use our judgment about the characters.” It is also the obligation of the characters in the story, and the fact that they perform it differently is what gives the plot its energy: the loyalist Abdiel, Empson observes, tells Satan and his rebel followers “that God should be obeyed because he is good, and they deny that he is good,” and as far as Empson is concerned, they have good reason to do so. Actually the scene Empson is remembering is somewhat more complex. When Abdiel rises, “Among the faithless, faithful only he” (V, 897), what he says is not that God is good (which would imply a conclusion reached by submitting God's actions to the judgment of independent criteria). Rather he says that God is God, which implies that even to put God to such an evidentiary test would be a category mistake—how can you give a grade to the agent whose person defines and embodies value?—that would constitute the gravest of sins, whether one calls it impiety (“Cease . . . this impious rage”), self-worship, or simply pride.

What Abdiel says is: “Shalt thou give law to God, shalt thou dispute / With him the points of liberty, who made / Thee what thou art?” (V, 822–24a) Earlier Satan had justified his rebellion by invoking freedom and liberty; Abdiel now points out that these terms have no weight when the agent from whom you would be free made and sustains you. Satan in turn finds this argument preposterous and replies to it with a classic statement of rational empiricism:

That we were form'd . . . say'st thou?
. . . strange point and new!
Doctrine which we would know whence learnt: who saw
When this creation was? remember'st thou
Thy making, while the Maker gave thee being?
We know no time when we were not as now;
Know none before us, self-begot, self-rais'd.

[/ (V, 853, 855–60) /]

This is the philosophy of the man from Missouri: show me, seeing is believing, and since no one, including you, has seen the moment of his creation, I don't believe in it. There is nothing in the present scene or in my experience that leads me inescapably to the conclusion you urge. Where did you ever get this absurd notion? What's your proof? (“Doctrine which we would know whence learnt?”) I must have made myself.

Satan's way of thinking is contrasted directly in the poem with Adam's. Recalling the moment not of his creation, but just after his creation, Adam reports “Myself I . . . perused . . . limb by limb” and found that I could speak and name, “But who I was, or where, or from what cause / Knew not” (VIII, 267, 270–71). Like Satan, Adam knows no time before he was what he now is, but he gives a quite different answer to the question he immediately poses: “how came I thus, how here? / Not of myself, by some great maker

then / In goodness and in power preeminent” (VIII, 277b–79). The goodness and power for which Satan seeks independent evidence is here *assumed* by Adam; and once the assumption is in place it generates a program for action and a life—project: “how may I know him, how adore, / From whom I have that thus I move and live?” (VIII, 280–1)

It might seem that in presenting these two moments in *Paradise Lost*, I am placing in opposition two ways of knowing, one by evidence and reason, the other by faith. But in fact on the level of epistemology both are the same. Satan and Adam begin alike from a point of ignorance—they know nothing prior to (the precise word is “before”) the perspective they currently occupy; and the direction each then takes from this acknowledged limitation follows with equal logic or illogic. Adam reasons, since I don't remember how I got here, I must have been made by someone. Satan reasons, since I don't know how I got here, I must have made myself, or as we might say today, I must have just emerged from the primeval slime.

In neither case does the conclusion follow necessarily from the observed fact of imperfect knowledge. In both cases something is missing, a first premise, and in both cases reasoning can't get started until a first premise is put in place. What's more, since the first premise is what is missing, it cannot be derived from anything in the visible scene; it is what must be imported—on no evidentiary basis whatsoever—so that the visible scene, the things of this world, can *acquire* the meaning and significance they will now have. There is no opposition here between knowledge by reason and knowledge by faith because Satan and Adam are committed to both simultaneously. Each performs an act of faith—the one in God and the other in materialism—and then each begins to reason in ways dictated by the content of his faith.

That is why each performs as he does when confronted with a new (or apparently new) situation. When Eve worries that the growth of the garden will overwhelm the unfallen couple's efforts and prevent them from carrying out their assigned task, Adam replies by reasoning *against* the evidence of empirical circumstances and declaring that however things might seem,

God, preeminent in goodness and power, will provide: “These paths and bowers doubt not but our joint hands / Will keep from Wilderness with ease” (IX, 244–45a), a confidence unsupported by anything either of them sees. Satan, on the other hand, rather than beginning from the first premise of a benevolent and provident God, has as his first premise the radical contingency of outcomes. In a world ruled by chance and opportunity, the world in which he can emerge, as it were, out of nothing, who knows what the next turn of fortune's wheel might bring? Perhaps God will nod or make a misstep; after all, Satan reasons, on the evening of the first day of the war in heaven, God has thrown everything he has at us and we're still standing; we “have sustain'd one day in doubtful fight, / And if one day, why not Eternal days?” (VI, 423–4)

“If one day, why not eternal days?” has exactly the same structure as “I wasn't witness to my creation, therefore it didn't happen.” In both instances, there is a refusal—no, an inability—to conceive of possibilities not already included in the field of empirical vision, the evidence of things seen. The habit of identifying the limits of reality with the limits of his own horizons defines Satan—it makes him what he is and is everywhere on display. Listen, for example, to his earlier rehearsal of the strategy he will employ in the actual temptation. He has heard Adam and Eve in conversation and found out about the forbidden fruit and the penalty attached to eating it, and he exclaims to himself:

O fair foundation laid whereon to build

Their ruin! Hence I will excite their minds

With more desire to know, and to reject

Envious commands, invented with design

To keep them low whom knowledge might exalt

Equal with Gods; aspiring to be such,

They taste and die: what likelier can ensue?

[/(IV, 521–27)/]

That is to say: God has set the conditions of their lives; if they violate those conditions they will die. I will get them to eat the apple, and they will die. What else could happen? What else could happen is that the apparently iron logic of God's justice—he says at one point of Adam, “die he or justice must”—can be broken by the exercise of his mercy, which, he has said, “first and last will brightest shine” (III, 134). The idea of mercy is literally unthinkable by Satan, who can only imagine agents with motives and goals just like his. He certainly cannot imagine an agent who would contrive to circumvent the force of his own decree and who would do so by paying himself the price his own law exacts. *It is not a thought Satan could entertain* because the very structure of his consciousness—grounded in self-worship and selfishness—excludes it as a possible insight.

I make the point strongly because it is so alien to the modern liberal-enlightenment picture of cognitive activity in which the mind is conceived of as a calculating and assessing machine that is open to all thoughts and closed to none. In this picture the mind is in an important sense not yet settled; and indeed settling, in the form of a fixed commitment to an idea or a value, is a sign of cognitive and moral infirmity. Milton's view is exactly the reverse: in the absence of a fixed commitment—of a first premise that cannot be the object of thought because it is the enabling condition of thought—cognitive activity cannot get started. One's consciousness must be grounded in an originary act of faith—a stipulation of basic value—from which determinations of right and wrong, relevant and irrelevant, real and unreal, will then follow.

For the modern liberal, beliefs are what the mind scrutinizes and judges by rational criteria that are themselves hostage to no belief in particular; for Milton, beliefs—in God or in oneself or in the absolute contingency of material circumstances—are the content of a rationality that cannot scrutinize them because it rests on them. Milton's motto is not “seeing is believing,” but “believing is seeing”; and since what you see marks the boundaries of your knowledge, believing is also knowing; and since it is on the basis of what you know—whether what you know is that there is a God or that there isn't one—that you act, believing is acting. What you believe is what you see is what you know is what you do is what you are.

It is a tenet of liberal enlightenment faith that belief and knowledge are distinct and separable and that even if you do not embrace a point of view you can still understand it. This is the credo Satan announces in *Paradise Regained* when he says “most men admire / Virtue, who follow not her lore.” That is, it is always possible to appreciate a way of life that is not yours. Milton would respond that unless the way of life is yours, you have no understanding of it, and that is why, he declares in another place, that a man who would write a true poem must himself be a true poem and can only praise or even recognize worthy things if he is himself worthy.

In this, as in so much else, Milton follows Augustine. Repeatedly in his *On Christian Doctrine*, Augustine begins a sentence by declaring, “No one would be so stupid as to say” or “It is obviously absurd to assert” or “It is utter madness to believe” or “No reasonable person would believe in any circumstances that. . . .” What invariably follows, however, is an assertion that has been found reasonable by millions, and one wonders what Augustine means by a “reasonable person.” The answer is that a reasonable person is a person who believes what Augustine believes and who, like Augustine, can only hear assertions contrary to that belief as absurd.

Moreover, the belief whose prior assumption determines what will be heard as reasonable is not itself subject to the test of reasonableness. Reason's chain does not ratify it, but proceeds from it. After all, Augustine explains, the logical validity of a chain of inference is independent of the validity or

nonvalidity of the proposition with which the chain begins: “Correct inferences may be made concerning false as well as true propositions.” It follows that a conclusion reached will be really—as opposed to formally—true only if a true proposition anchors it, and “the truth of a proposition is inherent in itself”; that is, its truth cannot be established by some procedure to which it must submit. A reasonable mind, then, is a mind closed to the possibility that certain basic propositions—Augustine's example is “Christ is risen”—could be questioned. A reasonable mind is a mind that refuses to be open.

Of course an open mind, a mind ready at any moment to jettison even its most cherished convictions, is the very definition of “reasonable” in a post-Enlightenment liberal culture; and in the ears of those who have been socialized into that culture, a position like Augustine's will have the sound of obvious irrationality. That is certainly how John Stuart Mill, with whom Milton is often linked, incorrectly, as a precursor of modern thought, hears it. For the Mill of *On Liberty*, what “no reasonable person would believe” is that the highest value is the value of obedience. Mill is incredulous before a philosophy according to which “all the good of which humanity is capable is comprised by obedience,” and he is aghast at an ethics that requires nothing of man but “the surrendering of himself to the will of God.” He thinks it barbarous that Christians hold obstinately to an article of faith and then “stigmatize those who hold the contrary opinion as bad and immoral men.” That is no way, he complains, to know the truth, which can be known only “by hearing what can be said about it by persons of every variety of opinion.” It is a man's obligation to keep “his mind open to criticism on his opinions” and “to listen to all that could be said against him.” He must strike the stance not of the “impassioned partisan,” but of “the calmer and more interested bystander” who exercises his “judicial faculty” and sits “in intelligent judgment.” The duty of the reasonable man is to be tolerant of all views, and he identifies intolerance with religious thought, for “in the minds of almost all religious persons . . . the duty of toleration is admitted with tacit reserves”; that is, with the reserve of whatever position they hold sacred. It is intolerance that leads Christians to “teach infidels to be just to Christianity” while they themselves show no disposition to be “just to

infidelity.”

One wonders how Mill could have written these words without some sense of how oddly they sound: be *just* to infidelity, that is, to error, apostasy, evil? What could he possibly mean? In fact what he means depends on not taking the word “infidelity” seriously, that is, as a value judgement. As Mill uses it, “infidelity” is simply the name of an opinion, a point of view to which we are to accord the respect due all points of view. It is neither true nor false, good nor evil; it is rather one vendor in a marketplace whose business—a business never, by definition, concluded—it is to separate out the truths from the falsehoods, a process that cannot be fairly conducted, Mill would say, if a particular point of view—for example, “Christ is *not* risen”—is stigmatized in advance. The trouble with Christianity, and with any religion grounded in unshakable convictions, is that it lacks the generosity necessary to the marketplace's full functioning. Christianity, Mill declares, in what he takes to be a devastating judgment, is “one-sided,” that is, insistent upon the rightness of its perspective and deaf to the perspectives that might challenge it.

I am hardly the first to observe that Mill's position contains its own difficulties and internal inconsistencies. The imperative of keeping the marketplace of ideas open means that some ideas—those urged with an unhappy exclusiveness—must either themselves be excluded or be admitted only on the condition that they blunt the edge of their assertiveness, and present themselves for possible correction. Willmoore Kendall asks, if a society is dedicated, as Mill urges that it be, to “a national religion of skepticism, to the suspension of judgment as *the* exercise of judgment par excellence,” what can it say to a man who urges an opinion “*not* predicated on that view,” a man who “with every syllable of faith he utters, challenges the very foundations of skeptical society”? To such a man, Kendall answers, the society can only say, “You cannot enter into our discussions.” “The all-questions-are-open-questions society,” he concludes, cannot “practice tolerance toward those who disagree with it”; those “it must persecute—and so on its very own showing, arrest the pursuit of truth.”

This is a very powerful argument, and one to which I shall return, but it is not the argument I will finally want to stress, because to use it as a weapon against the doctrine of liberal toleration is to win a debating point but concede the larger point by accepting toleration as the final measure of judgment. If you persuade liberalism that its dismissive marginalizing of religious discourse is a violation of its own chief principle, all you will gain is the right to sit down at liberalism's table where before you were denied an invitation; but it will still be *liberalism's* table that you are sitting at, and the etiquette of the conversation will still be hers. That is, someone will now turn and ask, "Well, what does religion have to say about this question?" And when, as often will be the case, religion's answer is doctrinaire (what else could it be?), the moderator (a title deeply revealing) will nod politely and turn to someone who is presumed to be more reasonable. To put the matter baldly, a person of religious conviction should not want to enter the marketplace of ideas but to shut it down, at least insofar as it presumes to determine matters that he believes have been determined by God and faith. The religious person should not seek an accommodation with liberalism; he should seek to rout it from the field, to extirpate it, root and branch.

Liberals, on the other hand, need not be so aggressive (although they will always be passive-aggressive) since the field, as it is presently demarcated, is already theirs. That is why Martha Nussbaum, in a recent piece in the *New York Review of Books*, feels that, in order to discredit him, she need only quote Michael McConnell when he argues for a notion of truth that has reference to "authority, community, and faith." Someone who would link truth to concepts of authority and faith—the equivalents of Mill's hated "obedience"—is obviously beyond the pale and constitutes a danger, or so Nussbaum asserts, to "the very norms of academic freedom and academic objectivity." McConnell, Professor of Law at the University of Chicago, is among the most vocal of those who have been challenging the domestication and trivializing of the religious sensibility, but a reading of the article Nussbaum cites ("God Is Dead and We Have Killed Him: Freedom of Religion in the Post-Modern Age," *Brigham Young University Law Review*, Winter 1993) suggests that he poses no danger at all.

McConnell begins by examining a brief filed by Robert Abrams, former Attorney General of the State of New York, in defense of a ruling that refused a religious group the use of a public meeting room for the showing of a film. Noting that the Attorney General grounds his position in a characterization of religious experience as “inviolately private” and therefore out of place in a public forum, McConnell angrily declares it “inconceivable that a public official would say that about any other worldview”: “If feminists, gay rights advocates, Afrocentrists, or even secular conservatives tried to communicate their ideas . . . to the public Abrams would never say they should keep their ideas to themselves.” In an age, McConnell observes, “when previously marginalized voices are welcomed to the public dialogue,” only religion is “privatized and marginalized” and “must be kept under wraps.”

McConnell is here making two points which he thinks go together, but which in fact are finally in tension with one another. The first point is that a religion privatized to the extent that the world is kept quarantined from its potential influence is a religion not taken seriously. In his *Areopagitica* Milton pokes some high literary fun at a man who, uncomfortable with the sharp demands placed on him by religious faith, decides to hand his religious obligation over to a hired agent who will, for a fee, breathe out the appropriate prayers and perform the required acts of piety. This surrogate is well paid and provided for, “is liberally supped and sumptuously laid to sleep,” and after having been “better breakfasted than he whose morning appetite would gladly have fed on free figs between Bethany and Jerusalem, walks abroad at eight, and leaves his kind entertainer in the shop trading all day without his religion.” Milton's scorn at this picture of a faith held so lightly that it leaves the everyday world unaltered is matched by McConnell's distress at a public/private split that assures the same lack of practical efficacy: **a religion deprived of the opportunity to transform the culture in its every detail is hardly a religion at all.**

But McConnell immediately allows this point to be swallowed up by another, by the debating point I have already identified: this exclusion of the religious impulse from the public sphere runs contrary to the professed

liberality of an open society. “In an open society, we presume that the uninhibited, robust, and wide-open exchange of viewpoints benefits us all.”

The key to what is happening here is the fact that the phrase “uninhibited, robust, and wide open” comes from *New York Times v. Sullivan*, a 1964 case in which the Supreme Court dislodged from its position of primacy in libel matters the standard of truthfulness. In place of truth, the Court substituted the standard of free-for-all debate in relation to which false and defamatory statements are on a par with true and accurate statements, on the deeply skeptical reasoning that both alike are opinions: “Erroneous statement is inevitable in free debate, and . . . must be protected if the freedoms of expression are to have the ‘breathing space’ “ they need; and “this is true even though the utterance contains ‘half-truths’ and ‘misinformation.’ “ In this and other passages, the court privileges expression as a value over the substantive worth and veracity of that which is expressed.

Religious discourse, however, cannot be unconcerned with the substantive worth and veracity of its assertions, which are in fact presupposed, and *presupposed* too is the urgency of proclaiming those assertions—the good news—to a world asked to receive them as the whole and necessary truth. The ethos of *New York Times v. Sullivan* is finally inimical to the religious impulse, which does not value talk for its own sake, but values the end—spiritual regeneration leading to regenerate action—to which some, but not all, forms of talk may bring us.

By couching his brief for religious expression in the terms of free speech doctrine, McConnell falls in with the very trivializing of religious expression he deplores, for under a *New York Times v. Sullivan* standard, religious expression is just one more voice in a mix that refuses the claim of any particular voice to be prior and controlling. When McConnell characterizes his own essay as a “plea for old fashioned broadmindedness”—that is, for toleration—he seems not to realize that broadmindedness is the opposite of what religious conviction enacts and requires. Religious conviction, as Mill sees from the enemy position, requires narrowmindedness, the discovery of

and hewing to the straight and narrow way. Broadmindedness is what *liberalism* requires and, by invoking it as a standard, McConnell gives the game away to his opponents.

He does it again when he unmask the liberal claim of neutrality. “Liberal neutrality,” he complains, “is of a very peculiar sort,” for it defines “neutral” so that it means “secular”—neutrality between “conceptions of the good life” so long as they are not God—centered, “as if agnosticism about the theistic foundations of the universe were common ground among believers and nonbelievers alike.” Since this neutrality has no obligation to the theism it does not recognize except as a negative limit-case, theism will lose out when the supposedly neutral state weighs its claims. “Virtually any plausible public purpose,” McConnell laments, is “deemed sufficient to override the right of religious exercise.” The result is the “strange phenomenon” of a liberalism that “proclaims its neutrality toward competing ideals of virtue . . . but is committed in practice to the promotion of particular ideals and—even more—to the eradication of others.” By marginalizing religious ideals, liberalism has failed to live up to its own ideal. The trouble with liberalism is that it is not liberal enough.

Here again is the familiar debating point, but it is itself *beside* the point; for what McConnell describes is not a liberalism enmeshed in self-contradiction, but a liberalism being perfectly true to its principles, a liberalism that is neutral in the only way it could be and still remain liberal. McConnell's mistake (one he shares with many liberals) is to think that liberal neutrality is, or should be, pure, a practice of making no a priori substantive judgments at all. But liberalism rests on the substantive judgment that the public sphere must be insulated from viewpoints that owe their allegiance not to its procedures—to the unfettered operation of the marketplace of ideas—but to the truths they work to establish. That is what neutrality means in the context of liberalism—a continual pushing away of orthodoxies, of beliefs not open to inquiry and correction—and that is why, in the name of neutrality, religious propositions must either be excluded from the marketplace or admitted only in ceremonial forms, in the form, for example, of a prayer that opens a session of Congress in which the

proposals of religion will not be given a serious hearing.

McConnell's true antagonist, then, is not a liberalism gone sour, but liberalism, pure and simple; and his request that liberalism become more liberal—open itself up to forces that do not place openness in the position of highest value—will be resisted because for liberalism to accede to it would be tantamount to committing suicide. What McConnell should want is not an expansion of the marketplace of ideas, but its disbanding and replacement by a regime of virtue as opposed to a regime of process. He should want an end to the public/private split which, by fencing off the arena of political dispute from substantive determinations of value, assures the continual deferral and bracketing of value questions. He should want what Milton wants, a unified conception of life in which the pressure of first principles is felt and responded to twenty-four hours a day.

But so far is McConnell from recognizing the shape of his own interests as a committed Christian that he ends his essay by declaring that “the public/private distinction . . . is utterly indispensable to a theory of religious freedom. We cannot have religious freedom without it.” One knows what he means: without the public/private split religion will not be protected from state action; were the state not barred from interfering with the free exercise of religion, that freedom might disappear. But of course the freedom thus gained is the freedom to be ineffectual, the freedom “to be confined to the margins of public life—to those areas not important enough to have received the helping or controlling hand of government.”

What is not allowed religion under the private public distinction is the freedom to *win*, the freedom not to be separate from the state, but to inform and shape its every action. That idea never even occurs to McConnell because it is so antiliberal and in the end a liberal is what he is. “From a secular point of view,” he writes, “it is difficult to appreciate the religious impulse.” His essay is a testimony to that difficulty, which registers even here in the use of the word “appreciate,” a word borrowed from the vocabulary of taste, a word that falls far short of taking the measure of what the religious impulse, fully felt, might be like.

The same failure characterizes Stephen Carter's *The Culture of Disbelief: How American Law and Politics Trivialize Religious Devotion* (1993), a book that begins by calling religion a “very subversive force,” and ends by diluting that force in a theory of accommodation. There are more than a few places where Carter seems to understand that from a secular point of view it is not merely “difficult” but impossible to appreciate the religious impulse. Early on he notes that the invocation of a common rationality (in the manner of a Thomas Nagel or Bruce Ackerman) is a device for limiting the conversation to premises that would “exclude religion from the mix,” since, invariably, the “common rationality” will stigmatize as “irrational” the strong claims of religious persons. He also sees that to ask a religious person to rephrase his claims in more mainstream terms is to ask that person to cut himself off from the very source of his conviction and to become in effect the opposite of what he is, to become secular: “The proposed rules to govern discourse in the public square require some members of society to remake themselves before they are allowed to press policy arguments.” And at his strongest he points out that the fact-value distinction, which allows theorists to bracket off a public sphere whose deliberations are procedural rather than substantive, is itself a substantive stipulation that has the effect of prejudging what will and will not be considered a fact.

“Liberal epistemology,” Carter explains, “is not capable of treating as a factual inquiry a question like ‘Can the Jehovah's Witness achieve salvation after receiving a blood transfusion?’—or for that matter, a question like, ‘Is there life after death?’ “ The liberal response would be, of course not: facts are what is verifiable by independent evidence; questions of salvation and life after death are matters of faith. But of course they are both matters of faith, for, as Carter points out, the establishment of a fact depends on “what counts as evidence.”

That is to say, evidence is never independent in the sense of being immediately perspicuous; evidence comes into view (or doesn't) in the light of some first premise or “essential axiom” that cannot itself be put to the

test because the protocols of testing are established by its pre-assumed authority. A “creationist parent whose child is being taught . . . evolution” protests not in the name of religion and against the witness of fact; he protests in the name of fact as it seems indisputable to him given the “central” truth “that God is real.” Given such a “starting point and the methodology” that follows from it, “creationism is as rational an explanation as any other”; or rather (it is the same point from the other direction), given the starting point of a material world that caused itself—the Satanic starting point—evolution is as faith-dependent an explanation as any other. This is not to debunk rationality in favor of faith, but to say that rationality and faith go together in an indissoluble package: you can't have one without the other.

Taken to its conclusions this argument is devastating for the liberal project. For it is only if rationality and faith can be separated that one can establish a public sphere in which issues of civic concern can be discussed by persons who have left their religious convictions at home or checked them at the door. If you can't have one without the other, behind any dispute that occurs will be a conflict of conviction that cannot be rationally settled because it is also and necessarily a conflict of rationalities, and when there is a conflict of rationalities, your only recourse is, well, to conflict since there is no common ground in relation to which dialogue might proceed. Here looms the specter of liberalism's collapse, but Carter will not look it in the face, and in the last part of his book he puts asunder what he had previously joined.

He does this by insisting on a distinction between disagreeing, say, with the religious right or with David Koresh because their positions are “wrong” and disagreeing with them because their positions are presented in religious terms.

If the Christian right is wrong for America, it must be because its message is wrong on the issues, not because its message is religious. . . . We must be able, in our secular society, to distinguish

a critique of the content of a belief from a critique of the content of a belief from a critique of its source.

What is remarkable about these statements is that they subscribe fully to the liberal assumptions that have been the object of Carter's critique. Suddenly rationality and faith and, along with them, fact and value *can* be separated, and with separation returns the liberal public sphere and the possibility of assessing agendas without inquiring into the worldviews from which they emerge. As Carter uses the phrase, “wrong on the issues” can only mean wrong on the issues as they are identified apart from anyone's religious convictions; but this assumes that the specification of what the issues in fact *are* can be made uncontroversially. But as Carter himself has argued (when, for example, he points out that in the mind of a creationist parent, his “child is being taught a pack of lies”) the reverse is true: in the bitterest debates, it is the very shape of the issues that is in dispute, and what ultimately fuels the dispute, and renders it incapable of resolution, are the incompatible first assumptions—articles of opposing faiths—in the different lights of which the issue takes form.

A pro-life advocate sees abortion as a sin against a God who infuses life at the moment of conception; a pro-choice advocate sees abortion as a decision to be made in accordance with the best scientific opinion as to when the beginning of life, as we know it, occurs. No conversation between them can ever get started because each of them starts from a different place and they could never agree as to what they were conversing *about*. A pro-lifer starts from a belief in the direct agency of a personal God and this belief, this religious conviction, is not incidental to his position; it is his position, and determines its features in all their detail. The “content of a belief” is a *function* of its source, and the critique of one will always be the critique of the other. Of course we can and do say, “I don't care where you got that idea from; it's wrong.” But what we mean is that we can't see where such an idea came from, and we can't see that because the place it came from is not one where we have ever been; it is the place, the source, we

object to even when we fail—we could hardly succeed and be ourselves—to recognize it.

One understands why Carter wants to separate the message from its source: he is bothered by the fact that liberals tend to dismiss certain views just because they are motivated by religious conviction. But when he urges that we bracket the conviction and attend just to the view, he does exactly what he inveighs against: he asks religious persons to “remake themselves before they can legitimately be involved in secular political argument,” or, rather, he invites us to remake them when he urges that we receive them respectfully so long as their arguments can be made sense of in secular terms.

When he counsels us to reject Patrick Buchanan's views on the merits and not because they come provided with a “religious justification,” he is producing one more example of “how American law and politics trivialize religious devotion.” Religious devotion is trivialized when its words are admitted into the forum, but its claims to be not just one truth but the truth are disallowed. This “accommodation,” as Carter calls it, is the very program of liberalism that will always “accommodate” religious doctrine so as to avoid taking it seriously. Accommodation is a much better strategy than outright condemnation, for it keeps the enemy in sight while depriving it of the (exclusionary) edge that makes it truly dangerous; and best of all, one who accommodates can perform this literally disarming act while proclaiming the most high-sounding pieties.

It is the history of this killing of religion by kindness that is the great subject of George Marsden's *The Soul of the American University: From Protestant Establishment to Established Nonbelief* (1994). The book begins with a question—“How was it that distinctively Christian teaching could be displaced so easily from the substantive role that it held in American higher education for over two centuries and in the universities of Christendom for many centuries before that?”—and then proceeds to answer it in twenty-two closely reasoned and densely packed chapters.

The answer has many components, including the Jeffersonian project of softening sectarian aggressiveness and establishing a general religion of peace, reason, and morality, the identification of common sense philosophy with Christian morality within the assumption that each supported the other, the rise of the cult of the expert whose skills and authority were independent of his character or religious faith, and the substitution for the imperative of adhering to an already-revealed truth the imperative of continuing to search for a truth whose full emergence is located in an ever-receding future.

This last was particularly important because if truth was by definition larger and more inclusive than our present horizons declared it to be, obedience to traditional norms and values was no longer a virtue, but a fault, and a *moral* fault at that.

The higher truth was an ever progressing ideal toward which the human community . . . always moved, yet never reached. Since truth was by definition always changing, the only thing ultimately sacred was the means of pursuing it. No religious or other dogmatic claim could be allowed to stand in its way.

It is not the business of a university, declared Charles Eliot of Harvard, “to train men for those functions in which implicit obedience is of the first importance. On the contrary, it should train men for those occupations in which self-government, independence, and originating power are preeminently needed.” (Or, in Satan's more succinct formulation, “self-begot, self-raised.”)

As Marsden is quick to note, “Freedom was the principle that tied everything else together.” If it is assumed, as it was by many, that the truth to which free inquiry is leading us is the same truth that religion names “God,” then, as one cleric put it, “the cause of Christ and the Church is advanced by whatever liberalizes and enriches and enlarges the mind.” The

more capacious and inclusive the individual consciousness, the closer one is to comprehending the life-principle or soul of the universe. “Hence,” Marsden concludes, “any entirely free and honest inquiry into any dimension of reality simply *was* part of true religion.”

The only thing excluded, then, was exclusion itself; that is, any position that refused to submit its basic premises to reason's scrutiny. Princeton's Francis Patton declared that “the rationality or rather the reasonableness of a belief is the condition of its credibility.” That is, you believe it because reason ratifies it, a view Augustine would have heard with horror, one that John Webster, writing in 1654, rejects as obviously absurd. “But if man gave his assent unto, or believed the things of Christ . . . because they appear probable . . . to his reason, then would his faith be . . . upon the rotten basis of human authority.” By the end of the nineteenth century, human authority has been put in the place of revelation; or rather human authority, now identified with the progressive illumination afforded by reason, has become the vehicle of revelation and of a religion that can do very nicely without any strong conception of personal deity.

Of course, this process by which an ethic of free inquiry supplants and liberalizes an older ethic of obedience to settled truth was not without opposition, and Marsden duly records the voices that were raised in protest. In the last quarter of the nineteenth century, Yale's Noah Porter scoffed at the supposed neutrality and evenhandedness of secular educational theory, which, he pointed out, was its theology: “The question is not whether the college shall or shall not teach theology, but what theology it shall teach—theology according to . . . Moses and Paul or according to Buckle and Draper.” By the beginning of this century it was all too evident which of these directions had been taken by American education. In tones recently echoed by conservative polemicists, the editors of *Cosmopolitan* magazine complained in 1909 that

In hundreds of classrooms it is being taught daily that the decalogue is no more sacred than a syllabus; that the home as an

institution is doomed; that there are no absolute evils . . . that the change of one religion to another is like getting a new hat; that moral precepts are passing shibboleths; that conceptions of right and wrong are as unstable as styles of dress.

“The neutrality we have,” thundered William Jennings Bryan in 1923, “is often but a sham; it carefully excludes the Christian religion but permits the use of the schoolroom for the destruction of faith and for the teaching of materialistic doctrines.” From a quite different perspective, Walter Lippmann agreed: “Reason and free inquiry can be neutral and tolerant only of those opinions which submit to the test of reason and free inquiry.” What this means, as Marsden points out, is that “two irreconcilable views of truth and education were at issue”; but of course the issue was never really joined, because the liberal establishment thought of itself as already reconciled to everything and anything and therefore was unable to see how exclusionary its policy of radical *inclusion* really was: “Groups that were excluded, such as Marxists and fundamentalists, often raised the point that they were being excluded by liberal dogmatism, but they were seldom heard.”

That they were not heard is hardly surprising, since what they were saying was that a state of “warfare” existed, and warfare—deep conflict over basic and *nonnegotiable* issues—was precisely what liberalism was invented to deny; and it manages that denial by excluding from the tolerance it preaches anyone who will not pledge allegiance to the mimicry of tolerance.

This then is the story Marsden tells, and he tells it with a dispassionate equanimity that sits oddly with the strong point of view he announces in his introduction. “My point of view,” he declares, “is that of a fairly traditional Protestant of the reformed theological heritage. One of the features of that heritage is that it has valued education that relates faith to one's scholarship. Particularly important is that beliefs about God, God's creation, and God's will . . . should have impact on scholarship not just in

theology, but also in considering other dimensions of human thought and relationships.” But in the long narrative that follows, these beliefs become objects of study rather than informing principles of the scholarship. It is as if Marsden had discharged his obligation to his “point of view” simply by announcing it, and can now proceed on his way without being unduly influenced by its values. “It is perfectly possible,” he asserts, “to have strong evaluative interests in a subject, and yet treat it fairly and with a degree of detachment.”

But it is possible to detach yourself from a “strong evaluative interest” only if you believe in a stage of perception that exists *before* interest kicks in; and not only is that a prime tenet of liberal thought, it is what makes possible the exclusionary move of which Marsden, McConnell, and Carter complain. If such a base-level stage of perception does in fact exist, it can be identified as the common ground in relation to which *uncommon*—that is, not universally shared—convictions (like, for example, Christ is risen) can be marginalized and privatized. By claiming to have set aside his strongly held values in deference to the virtue of fairness—a virtue only if you are committed to the priority of procedure over substance—Marsden agrees to play by the rules of the very ideology of which his book is in large part a critique.

He is still playing by those rules in a concluding postscript in which, he tells us, his own interest, hitherto not strongly in play, will be elaborated. He now adds himself to the list of those who complain that “the only points of view . . . allowed full academic credence are those that presuppose purely naturalistic worldviews.” The resulting exclusion of religious perspectives, he explains, was justified by the supposed objectivity and neutrality of naturalistic descriptions, but since post-structuralism and postmodernism have denied the claims of any discourse to be objective and neutral, “there seems no intellectually valid reason to exclude religiously based perspectives.” This, however, is a self-defeating argument because it amounts to saying that when it comes to proof, religious perspectives are no worse off than any other. It is an argument from weakness—yes, religious thought is without objective ground, but so is everything else; we are all in

the same untethered boat—and if a religious perspective were to gain admittance on *that* basis, it would have forfeited its claim to be anything other than a “point of view,” a subjective preference, a mere opinion. It would have joined the universe of liberal discourse but at the price of not being taken seriously. If a religious perspective is included because there is “no intellectually valid reason” to exclude it, neither will there be any intellectually valid reason to affirm it, except as one perspective among others, rather than as the perspective that is true, and because true, controlling.

That is what Marsden should want: not the inclusion of religious discourse in a debate no one is allowed to win, but the triumph of religious discourse and the silencing of its atheistic opponents. To invoke the criterion of intellectual validity and seek shelter under its umbrella is to surrender in advance to the enemy, to that liberal rationality whose inability even to recognize the claims of faith has been responsible for religion's marginalization in the first place. Marsden wants to argue against that marginalization, but his suggestion for removing it is in fact a way of reinforcing it. He calls it “procedural rationality.” The procedure is to scrutinize religious viewpoints and distinguish between those that “honor some basic rules of evidence and argument” and those that “are presented so dogmatically and aggressively as not to be accommodated within the procedural rules of pluralistic academia.”

One could hardly imagine a better formula for subordinating the religious impulse to the demands of civil and secular order. Presumably it will not be religion that specifies what the rules of evidence and argument to be honored are; and it surely will not be religion that stigmatizes as dogma any assertion that does not conform to the requirements of those rules. Dogma, of course, is a word that once had a positive meaning: it meant the unqualified assertion of a priori truths and was indistinguishable from a truly strong religiosity. It is only under the liberal dispensation that dogma acquires the taint of obdurateness, of a culpable refusal to submit to the test of reasonableness as defined by the standards and norms of the civil establishment.

It is no accident that Marsden here begins to speak of the “enforcement of rules of civility,” of rules that protect the flow of conversation from those who would bring it to an authoritative conclusion, for in spite of his profession of religious faith, civility has become his religion. When civility is embraced as a prime value, tolerance and freedom cannot be far behind, and it is in the name of this quintessentially liberal trinity that Marsden makes his appeal in the closing pages of a book that began by invoking the will of God.

In the end Marsden's own argument enacts the journey he has been describing, from a religious conviction so strong that it requires no justification to a religious impulse so weakened that he can say of it, without any irony, that it poses “scarcely any danger” to the ideal of “free inquiry.” On the back of the jacket cover one prepublication reviewer predicts that “George Marsden's book will raise hackles.” It is not clear whether that is an expression of anxiety or hope; what is clear is that whichever it is, it will not be realized.

What does it all mean? What can we conclude from these examples of three intelligent and learned men who lament the trivialization of religious discourse at the hands of liberal rationalism, but who turn to the vocabulary of that same rationalism when it comes time to offer remedies and alternatives? One thing we can conclude is that in the end McConnell, Carter, and Marsden are moved more by what they fear than by what they desire. What they desire is the full enfranchisement of religious conviction. What they fear is the full enfranchisement of religious conviction, for if the religious impulse were unchecked by the imperatives of civility, tolerance, and freedom of inquiry, the result would be the open conflict the Enlightenment was designed to blunt.

It is simply too late in the day to go back; as a member of one of Carter's audiences put it, “We already had the Enlightenment” and religion lost. The loss is not simply a matter of historical fact: it is inscribed in the very consciousness of those who live in its wake. That is why we see the spectacle

of men like McConnell, Carter, and Marsden, who set out to restore the priority of the good over the right but find the protocols of the right—of liberal proceduralism—written in the fleshly tables of their hearts.

STANLEY FISH is Arts and Sciences Professor of English and Professor of Law at Duke University, and also Executive Director of Duke University Press. His latest book is Professional Correctness: Literary Studies and Political Change (Oxford University Press).

© Copyright FIRST THINGS 2012 | Visit www.FirstThings.com for more information.