

*The Divine Lawmaker: Lectures on Induction, Laws of Nature, and the Existence of God*, by **John Foster**. Oxford: Clarendon Press, 2004. Pp. ix and 191. £27.50  
(Hardback)

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In this fascinating book, John Foster develops a novel argument for the existence of God on the basis of considerations about inductive inference and laws of nature. The key claim that Foster defends is this: that regularities in the behaviour of physical objects in different times and places are only satisfactorily explained on the assumption that the Judaeo-Christian God's causal imposition of regularities *qua* regularities on the physical universe brings it about that the operation of the physical universe is partly governed by natural laws. On Foster's account, for there to be a law of nature is for there to be a certain type of natural regularity of which it is true that it is nomically necessary that things are regular in that way; and for there to be a certain type of natural regularity of which it is true that it is nomically necessary that things are regular in that way, there must be something that causally imposes this regularity on the universe *qua* regularity, i.e. in a way that leaves open all of the details of how things conform to that regularity.

Foster's book begins with some considerations about the justification of 'inductive inferences', e.g. of predictions about the future on the basis of past regularities. In the face of the realisation that it is not easy to see how inductive inference admits of 'rational justification', there are various responses that philosophers have essayed. Foster discusses: *arguments from past success*—dismissed on the grounds that they are question-begging; *pragmatic justifications*—dismissed on

the grounds that they do not provide rational grounds for belief that past regularities are projectible; *the claim that inductive inference is constitutive of rationality*—dismissed on the grounds that this suggestion fails to capture the normative dimension of rationality; *arguments from a priori principles of probability*—dismissed on diverse grounds that I shall not attempt to summarise here; and *the claim that inductive inference is a basic form of sound reasoning whose rationality should just be taken for granted*—dismissed on the grounds that there are cases in which this assumption counts inferences as rational which are, in fact, manifestly irrational. (I think that Foster’s dismissal of pragmatic justifications is too quick; he fails to consider the role that doxastic conservatism—and the principle that outlaws negative undermining of beliefs—might play in resisting sceptical overtures. More importantly, I think that Foster’s objection to the claim that inductive inference is basic also fails, because the case that he takes to defeat the proposal is crucially under-described: once we have information about the *probabilities* that are attributed to, for example, the claims that are assumed to be known, the difficulties that Foster claims to detect simply evaporate).

Next, Foster presents what he takes to be the ‘core’ of the correct (nomological-explanatory) solution to ‘the problem of justifying inductive inferences’. This account has two key aspects. First, it claims that observed regularities justify an inference to the best explanation of the obtaining of those regularities, viz. the obtaining of natural laws that nomically necessitate the obtaining of those regularities. And, second, it claims that the prediction of the obtaining of future instances of the regularities is now a matter of deductive inference (from the laws, perhaps together with information about standing conditions). In order to meet obvious *prima facie* objections to this analysis, Foster insists (at least *pro tem*) that

this account only applies to regularities ‘in the physical world’, and not to regularities that pertain to human psychology and the like; and he also insists (at least *pro tem*) that this account is not intended to handle ‘probabilistic laws’. As Foster notes, a broadly similar account of laws of nature is defended by David Armstrong (and by Michael Tooley and Fred Dretske); one chapter of Foster’s book is devoted to a very interesting critique of Armstrong’s views.

Foster provides detailed responses to two *prima facie* plausible objections to the nomological-explanatory solution to ‘the problem of justifying inductive inferences’. First, in response to the suggestion that there is no reason to suppose that there is anything in the pattern of regularities—simply in virtue of the regularities that are exhibited—that calls for an explanation, Foster appeals (in effect) to Dembski’s ‘explanatory filter’: given that the regularities are both ‘specified’ and sufficiently highly improbable, we cannot reasonably suppose that they are just a matter of chance. Second, in response to the observation that time-restricted laws would fit the data just as well as universal laws—and, hence, to the claim that we don’t really have here a non-question-begging solution to ‘the problem of justifying inductive inferences’—Foster claims that, despite the apparent tension, rationality demands *both* rejection of unexplained regularities and rejection of capricious necessities.

Despite the evident attraction that the proposal has for him, Foster finds one serious *prima facie* difficulty for the nomological-explanatory solution to ‘the problem of justifying inductive inferences’, namely, that it requires that the laws are both ‘nomicallly’ necessary and ‘strictly’ or ‘logically’ contingent. (‘For any law [of nature], we surely have to acknowledge that there are possible worlds in which that law does not obtain’ (83).) I think that it is not nearly so obvious as Foster supposes that this is so. True enough, if we suppose that there are actually laws of nature, then

there is no doubt that there are *doxastically* possible ‘compositionally relevant’ worlds in which there are counter-instances to those laws: we can conceive of worlds in which those laws fail. But, unless we suppose that conceivability is a good guide to *alethic* possibility, it is hard to see why we should not suppose that the actual laws are all alethically necessary. Indeed, if we do not suppose that conceivability is a good guide to alethic possibility, then it is hard to see why we should not suppose that the various regularities that the laws are intended to explain are alethically necessary. Since it isn’t easy to explain why conceivability is a good guide to *alethic* possibility, I take it that there is a real difficulty here to which Foster gives insufficient attention.

Foster considers, and dismisses, various naturalistic accounts of the modal standing of laws of nature. In particular, he very briefly considers the Shoemaker-Swoyer account of properties—according to which certain dispositions are essential to the identity of non-dispositional properties; he even more briefly considers Ellisian dispositional essentialism—according to which laws of nature turn out to be strict necessities because basic natural kinds are constitutively dispositional in character; and, at somewhat greater length, he considers the suggestion that laws are ‘concrete entities that govern the world causally’. I think that Foster’s dismissal of the first two alternatives is too swift: given the conclusions for which he aims, he ought to have given these proposals more extensive scrutiny. (Of course, that’s not to say that he is—or that he is not—mistaken in the conclusions that he draws.)

Foster also considers, and dismisses, various naturalistic attempts to account for the regularities at issue without adverting to natural laws. In particular, he considers: the suggestion that, for any given regularity, there is a lower-level regularity that explains why the given regularity obtains; the proposal that the relevant regularities are to be explained in terms of the *dispositions* of physical objects; and the

suggestion that there might be some kind of naturalistic *causal* explanation of the obtaining of these regularities. Against the first proposal, Foster claims that, even if specific regularities were all explained in terms of lower-level regularities, it would not follow that ‘the overall regularity of the world is self-explanatory’ (114). No doubt this is so. Nothing can be *self-explanatory*: ‘A because A’ is *always* an explanatory solecism. But why shouldn’t we think that, if there are regularities ‘all the way down’, then there is no problem about ‘the justification of inductive inference’? Against the second proposal, Foster objects that, even if we can make sense of the notion of an autonomous disposition—i.e. of a disposition that does not depend upon an underlying law of nature—the existence of individual autonomous dispositions cannot explain collective regularities: we still have ‘no explanation of why different objects of the same intrinsic type have the same dispositions’ (115). And, against the third proposal, Foster claims that there is no way that any natural mechanism can causally dispose objects to behave in relevantly regular ways at different times, even if it is true that aspects of the structure of the world at a time can causally dispose things to behave in the relevant regular ways at that time.

In the face of the foregoing discussion, Foster takes it that the only live alternative is to suppose that the existence of the relevant explanations is to be explained in terms of the deeds of a supernatural (personal) agent. Foster takes it for granted—on the basis of his previous work—that some kind of Cartesian dualism is true, so that there is no conceptual difficulty in supposing that there are supernatural agents that can act directly on the physical world via their intentions. Moreover, Foster also assumes without argument that freedom is properly given a libertarian analysis, and that human agents have libertarian freedom. He then sets himself the task of figuring out the properties of the supernatural (personal) agent correctly

invoked in the explanation of the relevant regularities, guided by the methodological precepts that one ought to avoid unnecessary complexity, and that one ought to minimise residual sources of puzzlement.

According to Foster, it is most plausible to maintain—simply on the basis of the relevant regularities—that there is a single supernatural agent that caused the whole of the physical universe to exist, that is the creator of people, and that is causally primitive. Moreover, he also argues that it is most plausible to suppose—again, on the basis of the relevant regularities—that there is no temporal limitation on the extent of the existence of this supernatural agent; that any degree attributes that are possessed by this supernatural agent are possessed ‘to the highest degree’—so that, in particular, this agent is perfectly rational, maximally knowledgeable and maximally powerful; and that this supernatural agent is perfectly good. (In order to get the last of these claims, Foster assumes—again without argument—that morality is objective and that moral claims are rationally overriding.)

Faced with the objection that the conclusions that he draws conflict with the guiding precepts that he invokes, Foster observes that it is bound to be the case that there are questions that have no answers, unless one supposes that the terminus of explanation has some kind of necessity. Consequently, he countenances the suggestion that his supernatural agent is a necessary existent, while nonetheless insisting that it need not follow from this allowance that there is a successful ontological argument. Here, I think that there are serious questions to be raised. On Foster’s account, there are many different universes that God might have made: we are not to suppose that the existence of our universe is necessary. Furthermore, since God has libertarian freedom, there are possible worlds in which God makes those other universes. When we consider a particular regularity in our universe, the

existence of that regularity is explained in terms of God's desire (or intention, or whatever) to make a universe in which that regularity is instantiated. Moreover, when we compare our actual world with a world in which God makes a universe in which some other regularity obtains, *ex hypothesi*, there is no explanation in either world of why God has the one set of desires (or intentions, or whatever) rather than the other. So, it seems, the naturalist is being asked to trade in (putatively) unexplained regularities in the universe for unexplainable desires (or intentions, or whatever) in God. I do not think that naturalists should accept this deal: if you really think that there must be a *satisfying* explanation for the holding of the regularities—one that does avoid unnecessary complexities and that minimises residual sources of puzzlement—then you have very good reason to deny that Foster has found it.

In the second last chapter of the book, Foster provides a defence of his causal account of laws, and in particular, of the view that God's creative activities should be viewed in terms of the imposition of regularities qua regularities that create laws, and not in terms of the direct creation of the physical universe in all of its details. In particular, Foster claims that, if God creates the entire universe directly, then the only way that God can ensure the truth of individual counterfactuals—e.g. that *this* particular crystal glass would break if it were dropped—is by ensuring that had he decided to create the universe in a way that made the antecedent of this counterfactual true, then he would also have decided to create in a way that made its consequent true as well. But, according to Foster, this won't do, since 'the only disposition involved is the one that characterises God, and this makes no difference ... to how things are with the glass' (164). This argument strikes me as odd. Given that God has libertarian freedom, I don't see how God could ensure that *had* he decided to create the universe in a way that made the antecedent of this counterfactual true, then he would also have

decided to create in a way that made its consequent true as well; but, in any case, no matter what God does, it surely can still be true that, in all of the nearest possible worlds in which the glass is dropped, it breaks—i.e. there is no reason at all to suppose that there is something more that *God* must do in order to ensure that the relevant counterfactual is true.

In the last chapter, Foster tidies up some loose ends. He offers an account of ‘probabilistic laws’—or, more exactly, of *ersatz* probabilistic laws—and defends the proposal that all laws should properly be understood to include an exclusion clause: when God makes laws, these laws can always have the form of causing it to be the case that Fs are Gs except in cases in which God intervenes subsequently to make it the case that particular Fs are not Gs. Moreover, he claims that it is a ‘safe assumption’ that God would not create laws of this kind unless he intends ‘to leave the world to follow its law-ordained course in at least the vast majority of cases’ (181). Even if we accept this contention, we might wonder why we should suppose that God must ordain laws that are universal: if God could ordain laws that are local to places and times, then we still don’t have the promised ‘justification of inductive inferences’. Here, interestingly, Foster adverts to a ‘noseeum’ inference: it is hard to think of anything that might give God a reason to restrict the scope of laws, so it is reasonable to give some credence to the thought that there isn’t anything that might give God such a reason. Given his confidence about his ‘knowledge of the mind of God’, it is interesting to speculate about what Foster would say in response to evidential arguments from evil: it is, after all, hard to believe that regularities involving evil and brutality are compelling evidence for the goodness of his postulated supernatural agent. Foster says no more than that the needed account would ‘make a long story’ (145).

Overall, it seems to me that this book has similar virtues (and drawbacks) to work that Foster—and Howard Robinson, to whom the book is dedicated—have done on other topics. On the one hand, Foster’s critiques of particular naturalistic theories are typically penetrating, and executed with considerable skill: consider, again, his critique of Armstrong’s theory of laws in the present work. On the other hand, because the *major* step in the argument for his preferred theistic alternative is simply that the naturalistic theories that he has examined are all defective in one way or another, there are various ways in which that argument is weak. *First*—as I noted in my earlier remarks about God’s creative desires (or intentions, or whatever)—there is the worry that, when Foster’s theories are examined by the same stringent criteria that are applied to the competing naturalistic theories, it will be pretty clear that they do no better in withstanding critical scrutiny. If we are to take a ride in the critical taxicab, we have no option but to ride it all the way to its destination: once there, it is almost inevitable that we shall reach the view that any theory that people have formulated thus far is capable of improvement in important respects; the more so if we set the bar for the assessment of theories sufficiently high. *Second*, it is clear that those who suppose that there are plenty of good, independent reasons to prefer naturalism to theism needn’t be especially disheartened by telling criticisms of *particular* naturalistic theories: there are naturalistic theories that Foster dismisses without due consideration; and, of course, there are naturalistic theories—including hitherto unformulated naturalistic theories—that he fails to consider at all.