

Murphy, Mark C. *God and Moral Law: On the Theistic Explanation of Morality*. Oxford: Oxford University Press, 2011.

Mark C. Murphy's book, *God and Moral Law*, is a difficult read, but well worth it. The book ultimately provides a theistic account of morality, but along the way it also offers much of general interest regarding explanation, the laws of nature, and the essential importance of moral laws. In addition, it includes detailed critiques of natural law theory and theological voluntarism (e.g., divine command theory). Murphy is widely read and current in the relevant literature, and his discussions are thorough, careful, and fair-minded. Anyone working in the philosophy of science, ethics, or philosophy of religion should be able to find material of importance in this book.

In presenting the book's key arguments and claims, I will first address those of general interest to both theist and non-theist. One particularly important distinction employed throughout is that of *explanandum*- versus *explanans*-centered considerations. The former reflect the first step toward achieving any adequate explanation, that is, to furnish possible explanations of the explanandum fact. Using Murphy's example, suppose that after a week, all of the water that filled a tray in a locked room has disappeared. This might be because the water has evaporated or was drunk by a cat in the room. On explanandum considerations alone, neither account is to be preferred over the other since both can adequately explain the explanandum. Suppose, though, that we add that a cat has survived the week in that room; this immediately gives us reason to prefer the cat-based explanation, as it is part of a living cat's essential nature to consume water. This makes the cat an *essential explainer* of the water's disappearance; a cat "*necessarily* does that sort of explanatory work" (p. 4). These facts present an explanans-centered consideration: when such an explainer (a cat) is available to account for that explainer's usual effects (water disappearing), that explainer ought to appear in the explanation. Applied to moral laws, explanandum considerations may suggest several seemingly plausible ways that laws could be explained. Given an available explainer, explanans considerations can indicate important constraints on how the explanation may proceed and even how we should understand the explanandum fact itself. As will be seen, Murphy's discussion makes considerable use of explanans-centered considerations—particularly in determining the way moral laws must be explained, given certain facts about God's existence and nature.

Murphy's discussion of laws of nature is also of general interest. He compares two ways of explaining natural phenomena: David Lewis's *systems* account, and the *universals* account of David Armstrong/Fred Dretske/Michael Tooley. Lewis's account characterizes laws as true

statements of natural regularities that together comprise a deductive system, a system that must appropriately balance simplicity and strength (p. 22). While Lewis's account avoids some of the familiar objections to simple regularity accounts (e.g., problems with substitutivity, furnishing genuine explanations, etc.), there are still serious objections. One has to do with the vagueness and inevitable uncertainty involved in "balancing" simplicity and strength. Murphy also worries that since there is no objective aspect of reality that can determine what the proper balance should be, any balance we might choose between strength versus simplicity can only be a matter of human psychology. Murphy's most important objection to Lewis, however, is that Lewis construes laws of nature as *non-governing*—as mere summaries of what takes place in the world. But mere summaries—"A-type things regularly lead to B-type things"—cannot adequately explain why, in some particular case, A led to B. In contrast, the universals approach *does* yield governing laws. On the universals account, a law describes how the instantiation of one universal (e.g., a sufficient voltage has been applied to electrodes an inch apart) selects, as a matter of physical necessity, the instantiation of another universal (a spark arcs between the electrodes): necessarily, "F-ness selects G-ness" (p. 32). This makes it possible for laws to express genuine governing relationships, and so to serve in informative explanations.

Because *moral laws* also ought to be governing—that is, they must be able to support adequate explanations of moral facts—Murphy models his account of moral laws upon the universals account of laws of nature. Thus, he claims, "A moral law holds when F morally necessitates G; F morally necessitates G when F morally selects G such that it is morally necessary that if x is F, then x is G" (p. 38). Of course, moral necessity isn't physical necessity; rather, it is a species of practical, reason-giving necessity. If A is morally necessary, then a morally non-defective agent under optimal conditions does A (p. 37); alternately, we might describe A as morally necessary when A is done in all morally optimal worlds.

To be governing, then, moral laws must employ a sufficiently robust notion of moral necessity, where the fulfillment of some (usually non-moral) universal necessitates a particular agential response. It is only by appealing to governing laws, furthermore, that any moral fact can be adequately explained. This yields another result of considerable general significance: according to Murphy, *all* moral theories must, in some form or another, acknowledge the existence of moral laws.

Note that, so far, the considerations I've mentioned have been explanandum-centered—being about what can or cannot furnish adequate explanations. Turning now to Murphy's specifically theistic claims, explanans-centered considerations come into play as well. We should first note that Murphy's understanding of God employs perfect-being theology, while also striving to remain orthodox. Thus, God must be sovereign, which entails that God must be the source of and have control over all that is non-divine. Sovereignty requires that God be a creator *ex nihilo*; furthermore, it requires that everything else must be dependent upon God. Murphy argues

that these points make God an essential explainer of all things: God must figure into the explanation of everything, and must figure into every explanation *immediately*, not *mediately* as deism would have it. (Deism describes God as the ultimate originator of all things, so God indeed figures into the explanation of everything at its starting point, but this amounts only to a mediate role in explanations. Since everything then continues without God's further intervention, what occurs from then on calls for no immediate action by God.)

Adopting an explanans-centered perspective, it's clear that such an immediate and essential explainer will have profound implications for all explanations. Murphy first explores these implications for laws of nature. Obviously, God must have a central place in laws of nature and in any explanation of natural phenomena. But must this role be as the complete and sole cause of all natural phenomena, as the occasionalist would have it? According to occasionalism, highly charged electrodes lead to electrical arcing only and entirely because God intervenes to cause the arcing on each such occasion. Contrary to appearances, there is nothing about the nature of charged electrodes that causes the arcing itself; God alone does that. But many reasons militate against the occasionalist view and instead favor an essential role for natural objects as well. While God *must* play a role in any account of laws of nature, there must be selecting properties inherent in, say, living cats and charged electrodes that also play a role (both of these points are motivated by explanans considerations). According to this concurrentist account, laws of nature depend on both God and the properties of natural things. How? The selections described by laws of nature depend upon "the specific effects that creatures can cause [and which] *are* fixed by the natures of those creatures" (my addition). God, meanwhile, supplies the "general . . . power" that remains available to imbue these selections with necessity (p. 145).

We must now take a brief detour into Murphy's critique of both the natural law and theological voluntarist accounts of moral laws, which is needed to clear the field of rival accounts. While he devotes a great deal of space to each critique, I will largely confine my summary to stating his main conclusions.

With regard to natural law theory, Murphy considers it to be on the right track in the way it generates moral right from moral good, where the good for any creature-kind depends significantly upon the nature of that kind. For instance, knowledge is a good for human beings, so truth-telling is a moral necessity because it ensures the good of knowledge and avoids the bad of false beliefs. Natural law theory is thus broadly correct in how it employs specific creaturely goods to determine the moral laws that hold for those creature-kinds. However, there is the explanandum-centered worry that natural law theory cannot furnish an adequate sort of moral necessity. Even more important is the explanans-centered objection that no standard natural law theory appears able to include God immediately in the explanation of any moral law or fact. This makes natural law theistically unacceptable; indeed,

“standard natural law theory seems on its face to be at odds with theism” (p. 96).

Murphy next turns to theological voluntarism, which encompasses any theory that immediately and completely bases at least one sort of moral property (e.g., obligation) upon God’s will. Voluntarism thus includes classic divine command theory, according to which all moral necessity and every moral property originates solely in God. Murphy has several objections to voluntarism. One particularly damning objection involves its denial of any role for creaturely natures in moral considerations. Since voluntarism maintains that God completely explains, no creaturely features can contribute to moral necessitation. This is the moral version of the objection against occasionalism that physical properties ought to figure into the explanation of physical laws and facts. Murphy levels his second major objection against Robert Adams’s voluntarist account,¹ which Murphy represents as the most promising (but still unacceptable) version of voluntarism. According to Adams, the moral concept of obligation (and thus of the right) is essentially *social*: in some way or other, for me to act wrongly entails the existence of some other person who could react adversely. But, Murphy replies, even if essentially social, obligations must further involve God as “the active cause of obligation,” being “the source of the moral norms . . . that renders them obligatory” (p. 125). Adams’s voluntarism doesn’t seem able to meet this further requirement. Thus, if moral obligation is social, even the best voluntarist account remains inadequate; if obligation is not social, there are no other voluntarist accounts that can satisfactorily take its place.

Let’s summarize the most critical points. First, an explanans-centered theistic perspective requires that God play an immediate role in explaining moral laws and facts. Voluntarism readily gives us that, but goes too far in also making God’s role complete. On the other side, natural law theory rightly assigns an essential role to creatures in its treatment of moral laws, but cannot accommodate the explanans-centered and sovereignty requirements that God also be involved immediately in moral laws and facts. Furthermore, the framework for moral laws has been set out for us: Moral laws are to be explained much as laws of nature via a concurrentist account in which God plays an immediate role by contributing the basis of physical necessity (the part carrying over from voluntarism), while creaturely features play the limiting role by which an instantiated physical property selects a certain physical result (the part carrying over from natural law theory). While not discussed at any length above, Murphy also maintains that creaturely features relate to the good to the degree that they resemble the goodness of God, but only as far as they can be realized within the limitations and fixed capabilities belonging to each creature’s essential nature.

We can now describe Murphy’s own view, which attempts to establish a concurrentist account of moral law that incorporates the best of

¹ Robert Adams, *Finite and Infinite Goods: A Framework for Ethics* (New York: Oxford University Press, 1999).

both natural law ethics and theological voluntarism. Analogously to the laws of nature, moral necessity arises most fundamentally from the “pull of divine goodness” (the goods in specific creaturely natures that resemble God) (p. 162), while moral laws (concurrently) derive their more specific content from the selecting role of creaturely properties. For instance, the life of a harmless child is a good resembling, in a creaturely way, the goodness of God. This good is the basis from which there can be the moral necessity of not harming the child. If, then, there lives a harmless child who one could act so as to injure or destroy, this state of affairs selects—morally necessitates—that one ought not harm this child. If successful, Murphy thus does justice to the roles of both God and creaturely natures. He ensures a robust realism for moral laws and accounts for their unique normative power (moral necessity), and ensures that moral laws and facts can adequately be explained.

My hope is that the above summary is sufficiently comprehensive and stated so as to convey a reasonably accurate understanding of Murphy’s book. If it is not already obvious, I must add that I find myself in sympathy with most of what Murphy’s defends in his book. Still, a careful reading raises at least a few questions in my mind, which I now mention in closing.

As has been mentioned, Murphy holds that moral laws *must* figure into every moral explanation. How, then, should we deal with those “special” situations, often emphasized by virtue and care theorists, where it seems possible for there to be several equally right responses? Or, if it turns out that such situations only *appear* to allow for several right responses, how is this appearance to be explained? Suppose that the needed explanation grants that even the slightest differences between apparently similar situations lead to the selection of different right responses. In that case, there may have to be a very great number of rather precise moral laws to ensure that each distinct situation selects the right response. Rejecting this, Murphy might instead maintain that such appearances are best explained by the defeasibility of moral laws. If moral laws typically include several qualifications, then even slight situational differences may defeat one law and call in another that selects a different response. Even this account, though, seems to require the availability of quite a few moral laws so that there is always some more applicable law that can “step in” and take the place of each defeated law. We thus seem to have a dilemma: Either there are aspects of morality that cannot adequately be captured by moral laws (making Murphy’s account incomplete) or morality must include a large number of moral laws (though we would much prefer our theories to distill the moral realm down to a relatively small number of fairly powerful moral laws).

Another question arises. Murphy’s discussion draws heavily upon analogies between laws of nature and moral laws. Interestingly, however, he focuses only upon deterministic laws of nature, not statistical or probabilistic laws. It’s not that I think he is a determinist, but does it matter that the analogy is only pressed this far? The universals account of laws of nature admirably accommodates dispositions and, in turn, could further accommodate propensities (objective non-deterministic dispositions that produce effects

probabilistically). Might there be any analogue to these in the moral realm? Does the notion of non-deterministic moral laws make any sense? Perhaps such laws could be used to address the issue of multiple right responses.

Finally, Murphy incorporates elements of natural law theory within his own account. In doing so, does his account inherit the natural law difficulties with moral discoverability? First, orthodox theism maintains that both humanity and nature are now corrupt. Our observations of the world, therefore, are of at least partly corrupted states of affairs, not fully reflecting the goods that God originally intended. But surely this must interfere with our discovering some moral laws in their true form. Furthermore, it doesn't seem likely that *every* moral law includes creaturely features; some moral laws might arise purely from God. How, then, could we discover the latter sorts of laws? Knowledge of such laws might only be made possible through revelation. If so, then to cover the entire moral realm, Murphy's account would have to extend beyond theism and into religion. This might be just fine, but it surely gives rise to a whole new set of worries.

Murphy's book is not easy. This is partly because Murphy practices paradigmatic analytic philosophy at its best, which may discomfit some readers. Furthermore, he draws upon a large number of recent works that immerse the reader in such a wide range of issues that few are likely to be familiar with them all. Still, he is extraordinarily adept at filling in the background so that any reader can follow the discussion. At one place, Murphy comments that his book is meant constructively to "contribute to ongoing debates in moral philosophy" (p. 52). In my view, it has admirably achieved that goal, and then some.

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