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# INTRODUCTION

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## ON TRANSCENDENTAL METAPHYSICS

The importance of metaphysics to both philosophical theology and moral and political theory has been on my mind for some years, where philosophical theology asks about God and this world, and moral and political theory ask about the principles for our decisions and our decisions together in the political community. I have chosen the chapters collected in this volume with a view to that importance. As a kind of thinking about pervasive conditions, metaphysics is also, on my intention, a kind of critical reflection—where “critical” means simply reflection that seeks not only to formulate but also to validate relevant understandings. “Metaphysics” designates, then, in two systematically related senses. On the one hand, “metaphysics” has a strict sense, which means an explication of all possible reality or existence as such—where “as such” means the character or nature of existence in its most general sense. On the other hand, “metaphysics” has a broad sense and means an explication of all possible subjectivity or subjectivity as such.

The two are united in the most general moral and political principles—because they are themselves metaphysical in the broad sense, even while the good or telos, whose pursuit is what those principles prescribe, is defined metaphysically in the strict sense. Moreover, the metaphysics commended here is transcendental, where this means that both existence as such and subjectivity as such are literally designated, and is neoclassical, where this means that all possible reality and all possible subjectivity are best understood in terms of becoming rather than being (the meaning of both terms is further clarified later in this introduction and, respectively, in chapters 1 and 5).

Several of the chapters that follow have been previously published, although each has been revised in minor ways in order to ensure consistency in the concepts and terms used throughout. The introduction and chapters 5 and 8 appear here for the first time. The common theme throughout is the importance of metaphysical necessity both to philosophical theology and, through it, to moral and political theory. Precisely because this theme persists, I wish to speak of metaphysics in both strict and broad senses. If some thinkers within the current philosophical context allow the metaphysics of subjectivity, most reject or are suspicious of the metaphysics of existence. In this context, surely the first task is to make a case for the latter. Chapter 1, then, is an argument for metaphysics in the strict sense, and the following chapters of part 1 exploit this conclusion for several discussions in philosophical theology: about Thomas Aquinas's concept of theistic analogies, Friedrich Schleiermacher's account of how dogmatics relates to philosophy, and whether either Augustine or Reinhold Niebuhr is convincing in describing the relation between God and the source of temptation to human fault or sin.

The importance of metaphysics to philosophical theology is, then, background for the discussion of morality and democracy, which concerns metaphysics in the broad sense. In part 2, I am especially concerned to clarify what Immanuel Kant called "the supreme moral principle" (although, as I argue, that principle is a comprehensive purpose, not Kant's categorical imperative) and its significance for religious freedom. Chapter 5 includes an argument for a comprehensive purpose, whose telos is defined metaphysically in the strict sense, and serves for part 2 what chapter 1 does for part 1. In other words, chapter 5 seeks to bridge the two senses of metaphysics, so that a supreme moral principle results.

This conclusion is then exploited in chapter 6 through a conversation with Ronald Dworkin, a thinker whose political judgments I have long admired but whose moral and political account of religious freedom, as that of many others, I find problematic. I propose, in contrast, the way of reason as the form of political community constituted by religious freedom and consistent with transcendental metaphysics. The subsequent chapter addresses the problem of religious liberty, that is, claims for exemptions from generally applicable laws, and argues, given transcendental metaphysics, that opposition to the law is not cause for such an exemption. The final chapter seeks to confirm the importance of transcendental metaphysics to historical interpretation by showing how the former provides a resolution to the enduring debate between the so-called states' rights and the so-called national view of the US Constitution's authority.

In sum, then, these chapters have been chosen to commend transcendental metaphysics in its neoclassical mode, and to confirm its importance by application to abiding problems for philosophical theology and human existence—including talk about God and the world and morality and democracy.

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## METAPHYSICS

If “transcendental metaphysics” designates in both strict and broad senses, we may say of the former that it explicates the features or conditions all possible things have in common, and of the latter that it explicates the features or conditions all possible subjects have in common. I will call metaphysics in the strict sense a set of statements about existential necessities and will also use this term to mean the features or conditions thereby made explicit—and I will sometimes speak of such statements or necessities as strictly metaphysical. Similarly, I will call metaphysics in the broad sense a set of statements about subjective necessities and will also use this term to mean the features or conditions thereby made explicit—and I will sometimes speak of such

statements or necessities as broadly metaphysical. The two senses of “metaphysics” are systematically related because, as I will argue (in chapters 1 and 5), broadly metaphysical features include those that are strictly metaphysical; that is, some but not all subjective necessities are existential necessities. Subjects are, in other words, a specific kind of thing among all possible things, so that subjects as such also exemplify specific features or conditions, or subjects are specifications of existence as such.

That metaphysics (as a kind of critical reflection) is properly “transcendental” is something of which I have become convinced more recently—and some brief attention to uses of this term may be useful. On the whole, the scholastic use of “transcendental” designated features or conditions of the possible as such or existence as such, which I have called metaphysical in the strict sense; hence, transcendentals characterize anything real, given the differing senses in which something can be real—and these conditions were said to be either convertible or disjunctive. For instance, the terms “being,” “one,” “true,” “good,” and (sometimes) “beautiful” were said to name convertible transcendentals; that is, each designates a feature of anything real in the sense that it is real. On the other hand, the term “necessary or contingent” was said to be a disjunctive transcendental because anything real, in the sense that it is real, was said to be either necessary or contingent.

Transcendental metaphysics was also central to Kant’s project, but he redefined the term. For him, the conditions in question were specifically human, that is, features of human reason, theoretical and practical—although these include a moral law that is “valid . . . for all *rational creatures generally*” (Kant 1949, 26, see also 42), even if, for Kant, there could be no (theoretical) knowledge of rational creatures other than humans. In any event, critical reflection on the features necessary to human reason did not, for Kant, explicate any that humans share with all possible things, because he denied possible knowledge of things-in-themselves and thus transcendentals in the scholastic sense. For Kant, *all* (theoretical) knowledge of metaphysical conditions was specific to human reason as such.

In this work, “transcendental” will always designate metaphysical necessities. In either its strict or broad sense, then, transcendental metaphysics is here said to consist of statements that are necessarily true or statements that designate a form or forms of necessity. Clarity about why this is so will be aided by attention to the differing ways in which a critical statement may be necessarily true, such that its denial is self-contradictory. In one sense, a statement may be *pragmatically* necessary, and thus its denial may be pragmatically self-contradictory. A statement is pragmatically necessary when it designates

a feature or condition implied by the subject in question. For instance, “I am an American” or “some subject is an American” is pragmatically necessary *if* that statement is uttered by an American, and “I am not an American” or “no subject is an American” is pragmatically self-contradictory *if* uttered by the same subject. Among statements that are pragmatically necessary, the important statements for the present discussion are those uttered by any one among all possible subjects because these statements designate conditions implied by subjects as such. If Kant, for instance, is convincing when he argues that all subjects are bound by a moral law, then any one among all possible subjects who states “I am bound by a moral law” or “some subject is bound by a moral law” states a pragmatic necessity, and any one among all possible subjects who states “I am not bound by a moral law” or “some subject is not bound by the moral law” is pragmatically self-contradictory because this subject implies as a feature or condition of all possible subjects what it also denies. A pragmatic necessity is, we may say, external, in the sense that its denial is contradicted by the implication of the act stating the denial—and the pragmatic necessities I will discuss in these chapters are the subjective necessities, those that no possible subject can deny without pragmatic self-contradiction or those that are metaphysical in the broad sense.

In contrast, the necessity may be internal to the statement itself and is so in either a *syntactic* or *semantic* sense. A syntactic necessity occurs in the structure of the statement’s signs, independent of its meaning. For instance, “ $x$  is  $p$ , and therefore  $x$  is  $p$ ” is necessarily true, and “ $x$  is  $p$  and *not*- $p$ ” is self-contradictory, whatever meaning is given to  $x$  and  $p$ , stipulating only that  $p$  is a predicate of  $x$  in the same respect. Alternatively, a semantic necessity is dependent on a statement’s meaning. For instance, “something that is a yellow rose is a colored rose” is necessarily true because being yellow implies being colored; hence, “something that is a yellow rose and is colorless” is semantically self-contradictory.

In the chapters that follow, I will confine use of “necessarily true” and “self-contradictory” to their semantic designations and, further, to statements of existential necessities, and pragmatically necessary or pragmatically inconsistent statements of subjective necessities will be called pragmatically self-verifying or pragmatically self-refuting respectively. Focused on transcendental metaphysics, in other words, this book attends to (1) necessarily true statements having the form “something that is  $x$  exists” (so that “something” implies the features of any possible existence or features otherwise unspecified), denial of which is always self-contradictory, and (2) self-verifying statements having the form “some subject that is  $x$  exists” (so that

“some subject” implies the features of all possible subjects or subjective features otherwise unspecified), denial of which is always pragmatically self-refuting. Given this focus, transcendental metaphysics is a form of logic, in distinction from a contingently true or false statement. Here, the latter means a statement at least some denial of which is neither self-contradictory nor self-refuting—although we should note that a certain statement, “some subject that is  $x$  exists” (where  $x$  designates a subjective necessity), is *not necessarily true*, and in that sense, the statement and its denial are contingently true or false *semantically*, but self-verifying *pragmatically*.

As noted above, transcendental metaphysics is possible, I think, only if it is also neoclassical. Neoclassical metaphysics is explicated at some length in chapter 5 and may be summarily described as including the systematic assertion that becoming rather than being is the basic character of reality; for such metaphysics, in other words, each instance of this basic character is a becoming or event. One neoclassical distinction, which is metaphysical in the strict sense and important to these discussions, is that between individuals (which endure, at least through more than one state and thus through a given length of time) and the momentary states, which I will call actualities, that actualize a given individual or of which they are parts. The actualities, each of which is fully concrete or particular, belong to an individual when they occur sequentially and when the individual is defined genetically. In other words, no two actualities are contemporaries, and both earlier and later actualities exemplify in common a distinguishing identity (or distinguishing characteristic) of the individual in question through internal relation of the later to the earlier. Moreover, the most extended sequence of actualities distinguished by an identity defines, at least for present purposes, the individual in question. Hence, relevant states both actualize the individual and exemplify an identity that is abstract, and the individual exists as long as it is exemplified somehow.

Unlike some who consider themselves neoclassical thinkers, however, I will use “neoclassical metaphysics” to mean an account in both the strict and broad senses of “metaphysics,” that is, of the possible as such (or existence as such) and of subjectivity as such. Most neoclassical thinkers affirm a divine reality, although its nature has been controversial among them. To the best of my reasoning, however, the basic character of reality entails that God is rightly understood as an eminently temporal individual. This individual unifies again and again, without loss of any detail, the whole of what has happened in the world and is, therefore, both unsurpassable by any other individual and also self-surpassing—in distinction from the entirely

unsurpassable (even by self) because completely eternal reality characteristic of classical metaphysics.

For neoclassical thought, again on my accounting, a difference between worldly and divine actualities as such is a metaphysical (in the strict sense) self-differentiation or disjunction—namely, between actualities fragmentarily related to other actualities and possibilities and actualities all-inclusively related (that is, related in all detail) to all other actualities and possibilities. The divine or all-inclusive actualities are sequentially ordered because any two could be contemporaries only if they could also be, *per impossible*, identical. Also, there can be only one divine individual, whose identity is all-inclusiveness, because two or more such individuals would have the same identity. This divine identity or nature can be distinguished metaphysically in the strict sense, so that statements about it are about existential necessities, and this follows because the difference between worldly and divine actualities is itself a *metaphysical* self-differentiation or disjunction. Worldly individuals, then, must be fragmentary because they must be different than the all-inclusive individual; in other words, they cannot be distinguished metaphysically in the strict sense. Accordingly, the identity of any given worldly individual must be existentially contingent, even if the distinction between existential necessities and existential contingencies is itself the statement of an existential necessity because actualities as such (even divine actualities) exemplify various contingent features.

When an actuality is subjective, I will call it an activity. Subjectivity characterizes a specific kind of actuality, namely, one that occurs (1) with understanding, and (2) understands itself as a state of the contingent individual thereby actualized. As a consequence, I will also use the term “subject” in a systematically ambiguous sense. On the one hand, “subject” designates a kind of actuality and, on the other, the kind of individual actualized. I mean to assert, then, that individuals and their states do not necessarily exist with understanding (for instance, in the inorganic world) and individuals whose actualities do exist with understanding are not necessarily subjective (possibly, for instance, in some nonhuman animals). Still, I do not limit subjects to human individuals, although human individuals are the most apparent examples of subjectivity. Perhaps certain other (higher) animals or certain individuals elsewhere in the universe, who do not depend on a human body, are also subjects.

If the difference between a given subjective activity and the individual it actualizes is important to the discussion, I will speak of a subjective activity in distinction from a subjective individual. “Subject as such” or “subjectivity

as such” will designate what the identities of all possible subjective individuals have in common (and thus what all possible subjective activities exemplify)—and the distinction between subjective individuals and subjective activities is systematic precisely because a subjective individual is a series of subjective activities. This systematic ambiguity is important—again on my accounting—because a creature is moral in distinction from nonmoral (and thus decides between the moral and the immoral) only when it is a subject, that is, when the individual’s activities understand themselves to actualize, and thus to exemplify the identity of, the given individual.

As far as I can see, activities that occur with understanding are not necessarily moral in distinction from nonmoral because the moral question is about the future to be pursued insofar as it is understood. Only an understanding of the individual in question opens futures competitive with the future as such (that is, the future without concern for any aspect thereof) in its strictly metaphysical respect.<sup>1</sup> Accordingly, the moral question is this: Is the good to be pursued defined by the future as such in its strictly metaphysical respect (chapter 5 will argue why the good is rightly defined metaphysically in the strict sense), so that this good ought to be maximized; or, alternatively, is the good defined, in some other respect or in some undue measure, or both, by the individual’s own future or that of some specific group or community to which the individual is attached? At least as far as we know, a given actuality becomes an activity (that is, not only occurs with understanding but also understands the individual it exemplifies) only if that individual participates in the communication of a more developed linguistic community. Doing so allows an actuality to understand the contingent individual thereby actualized, to remember and envision that individual’s own past and future in dramatic measure, and to distinguish contingent other futures from the future as such. In that sense, I will say that subjectivity occurs when its activities actualize existence with *developed* understanding. Hence, learning—specifically, the learning that one’s states do actualize the individual in question—is a necessary condition of being a subject and thus a moral creature.

## TRANSCENDENTAL

The mark of transcendental metaphysics, in distinction from any other supposed metaphysical statement, is literal formulation—an essential characteristic because metaphysics is a kind of logic. Absent literal formulation,

metaphysical reflection cannot be critical: so to explicate existence as such and subjectivity as such as to validate one's statements about them is to demonstrate that denial of such statements is either (semantically) self-contradictory, in the case of statements about existential necessities, or pragmatically self-refuting, in the case of statements about subjective necessities. Moreover, literal concepts for metaphysical features are possible precisely because, as I will mention below, all subjects understand, if only implicitly, both the subjective and thus the existential necessities. Given that every subjective activity understands itself and the individual thereby actualized, literal designation of both kinds of necessity, that is, literal terms in which they are explicated, is a semantic possibility.

Existential necessities are designated in the literal existential statements of transcendental metaphysics in the strict sense—where every such statement, as mentioned above, has the form “something that is  $x$  exists.” Such statements are necessarily true when  $x$  is a feature or condition of the possible as such. To be sure, the terms with which those features or conditions are designated may also have another, contingent meaning. If “relative” has a strictly metaphysical meaning, for instance, the same term may be used to mean another human to which there is a family tie—and if “decision” or “self-determination” has a strictly metaphysical meaning (namely, actual creativity within some given range of possibility, or unification of internal relations [see Whitehead 1978, 43; Hartshorne 1970, 2]), the same word may be used to mean an exercise of freedom that is distinctive to subjects on earth. But the literal meanings of strictly metaphysical terms having also a contingent designation are independent of the latter, save that all contingent meanings imply the metaphysical meanings. Beyond that implication, using the same term for two designations is, in Aristotle's sense, equivocal by chance: “they merely happen to have the same name” (Aristotle 1962, 1096b27)—although each meaning is a literal designation of some feature, and thus neither meaning is completely negative.

The two meanings are different because features of the possible as such are the most general possible features, and designation of any one cannot, as is the case with a contingent feature, be a specification of some greater abstraction. “Relative” as designating a family tie, for instance, is rightly explicated as specifying a greater abstraction, namely, ties to humans more generally, with designation of “family” being the specific differentia. Again, “decision” or “self-determination” as designating a choice specific to subjects on earth specifies a greater abstraction, namely, the self-determination of animals generally, with “subject” being the specific differentia. But strictly metaphysical

features are designated in statements of the greatest possible abstraction, and therefore literal statements of existential necessities are, as Alfred North Whitehead says, “incapable of analysis in terms of factors more far reaching than themselves” (Whitehead 1938, 1). The literal meaning can be explicated only by designating its relation to other meanings (or features) of the same, most general measure of abstraction. This, I assume, is why Whitehead says: “the fundamental ideas . . . presuppose each other so that in isolation they are meaningless” (Whitehead 1978, 3).

The difference in meaning can also be clarified as follows: as necessarily true, the meaning of a statement designating some strictly metaphysical feature is infinitely different from the meaning of any statement designating a contingent feature. This is because statements about existential necessities designate features exemplified in the infinite past and the infinite future, and thus the application of each feature is infinite—while the designation of a contingent feature is necessarily finite as the specification of a greater abstraction, that is, necessarily finite by virtue of what it excludes. The infinite is infinitely different than the finite, although a finite feature, to be repetitive, specifies and thus implies features that are infinite. Alternatively stated, there is an infinite hierarchy of contingent features. Hence, generalizing any given such feature can never escape the contingency of the generalized feature.

That all transcendental statements in the strict sense are necessarily true entails their mutual implication; each is implied by all of its implications. This is what makes such metaphysics a form of semantic logic, in distinction from both syntactic and pragmatic logic, and may be called coherence in an emphatic sense. Such coherence is distinguished from a coherent set of statements, each of which implies others that imply it but also implies more abstract statements that do not imply it. Metaphysical features in the broad sense, for instance, include those specific to subjective activities as such (for instance, self-consciousness, understanding, understanding of the individual thereby exemplified, and so forth)—whereby a statement of each such feature implies and is implied by statements of every other such feature, so that these statements form a mutually implicative set. But statements of those specific features also imply statements of metaphysical features in the strict sense, and the latter *do not* imply the former. Hence, it is not the case that *all* implications of any given statement in this set imply it, and statements of the features of subjectivity are not coherent in the emphatic sense. On my reading, the emphatic meaning of “coherence” is what Whitehead intends when he writes that a metaphysical system (in the strict sense) “should be ‘necessary’

in the sense of *bearing in itself its own warrant of universality* through all experience” (Whitehead 1978, 4, emphasis added); that is, all statements in that metaphysical system are necessarily true.

Transcendental metaphysics is an aspect of philosophy. The former is but a part of the latter because, as mentioned earlier, the subjective necessities are not necessarily the same as those of *humans* as such—and philosophy, on my accounting, is critical reflection on the most general understanding of existence as such and its importance for distinctively human subjects. Kant rightly says of the transcendental moral law, as mentioned earlier, that it “must be valid, not merely for men, but for all *rational creatures* [in my term, ‘subjects’] *generally*” (Kant 1949, 26), although, as far as I can see, he was wrong to believe that humans can have no (theoretical) knowledge about rational creatures other than humans. To the contrary, the subjective necessities, inclusive of but not exhausted by metaphysical features in the strict sense, can be known, even if distinctively human subjects are but one way in which those necessities are exemplified.

In the broad sense, then, transcendental metaphysics is a literal formulation and validation of the features, including metaphysical features in the strict sense, that every possible subject exemplifies. As mentioned earlier, subjective necessities are designated in pragmatically self-verifying existential statements, where every such statement has the form “some subject that is *x* exists,” and such statements are pragmatically self-verifying because *x* is a feature or condition of subjects as such. I will argue (in chapter 5), moreover, that an understanding of the subjective necessities characterizes subjects as such. Hence, these necessities not only *can be* but also *are* understood. To be sure, understanding the subjective necessities depends on the learning through which actualities become activities, that is, each understands itself as actualizing the contingent individual in question—but so, too, does being a subject depend on that learning. Given subjectivity, I mean to assert, understanding the subjective necessities as such is itself a subjective necessity.

Indeed, an understanding of those necessities is confirmed by showing why the moral law is among them. A moral law cannot be transcendental to subjects unless they are aware of the obligation, that is, unless every subject can decide in accord with it *because* she or he ought to do so.<sup>2</sup> Immorality, in other words, is a kind of duplicity; that is, the individual decides against a moral prescription even while aware of what ought to be chosen. Although rarely the focus of attention and thus not readily apparent, subjective necessities include, I will argue, an activity’s self-understanding (that is, an understanding of both the given activity and, through learning, the given

individual thereby actualized) as exemplifying subjectivity as such in relation to the world as such and to the whole as such or all-inclusive individual. With Whitehead, “the primitive stage of discrimination is the vague grasp of reality, dissecting it into a threefold scheme, namely, the Whole, that Other, and This-My-Self” (Whitehead 1938, 150).

On my accounting, moreover, this self-understanding is metaphysical in the broad sense because it implies and is implied by an understanding of the moral law. Still, I question whether the psychic features phenomenologically so apparent in human life are, in fact, subjective necessities. That we feel the world around us in various ways is readily confirmed—but since all subjects are not necessarily human, whether all subjects feel the world may be less credible. Hence, the moral character of subjective activities (that is, choice among moral and immoral alternatives given by the past even while aware of the moral law, including whatever other understandings are necessary to that awareness) may exhaust the subjective necessities whose every denial is self-refuting. In any event, a self-understanding includes an awareness of subjectivity as such in relation to the world as such and to the whole as such of which subjects and the world are parts. This self-understanding is, as mentioned above, precisely what makes semantically possible a literal designation of the metaphysical necessities—existential and subjective.

If subjective necessities are understood by subjects as such, it is important to clarify that understandings can be implicit or inchoate as well as explicit in a subject, that is, can be in the dim background of consciousness rather than the focus or center of attention. At least with respect to human life, I take this distinction to be noncontroversial. Whitehead is, I think, phenomenologically correct when he says of human consciousness: “even at its brightest, there is a small focal region of clear illumination, and a large penumbral region of experience which tells of intense experience in dim apprehension” (Whitehead 1978, 267; see also 1958, 78). Moreover, I take the difference between explicit and implicit understanding to be itself a subjective necessity and, thereby, implied by every moral creature. This is because the only alternative account is that implicit understandings are acquired through learning. But learning cannot account for one’s self-understanding or for understandings of subjectivity as such in relation to the world as such and the all-inclusive individual—because these are presupposed by learning anything at all, and thus “the primitive stage of discrimination” must be implicitly present as a subjective necessity. Because nondivine individuals are necessarily fragmentary, explicit consciousness, the focus or center of attention, is then a fragment of a fragmentary understanding.

## THE FOLLOWING CHAPTERS

The following chapters are divided into two parts. At least roughly speaking, part 1 attends to God and the world or to transcendental metaphysics in the strict sense, and part 2 attends to morality and democracy or transcendental metaphysics in the broad sense. In putting these chapters together, I have sought to minimize needless repetition. Still, I also intend that each chapter might be read independently, such that its argument is relatively complete and can be understood by a reader without consulting any other chapter in the book—and given this intent, some repetition is unavoidable.

Chapter 1 argues, against Kant and a wide range of contemporary philosophy, for the validity of transcendental metaphysics in the strict sense. No assumption is more widely accepted in philosophy today, I judge, than the dictum that all existential statements can be denied without self-contradiction, and thus every existential statement, if true, is contingently true. On this dictum, “nothing exists” is possibly true because “something exists” (where “something” implies the features of all possible existence or features otherwise unspecified) is also an existential statement. The dictum does not mean that necessary statements about existence are widely denied but, rather, that every such statement is conditional, as in the statement “if some subject exists, something that is self-conscious exists.” What is widely denied, then, are unconditionally necessary existential statements or all necessarily true statements of the form “something that is  $x$  exists.” Against the dictum, the chapter argues that “nothing exists” is not possibly true or is impossible—and thus “something exists” (where “something” has the above stated meaning) is necessarily true. Accordingly, whatever statements about features of the possible as such are implied by “something exists” are themselves true and constitute metaphysical necessity in the strict sense.

As mentioned previously, the remaining chapters of part 1 seek to exploit this conclusion through conversations with some prominent theologians about some or other issue central to the thought of each. Together, these chapters intend to confirm that neoclassical metaphysics, for which the divine whole is itself temporal or forever self-surpassing, provides a more coherent account of God and the world than does classical metaphysics, for which the divine whole is in all respects eternal. Chapter 2 is concerned to criticize Thomas Aquinas’s theory of analogical predication (on a traditional reading of it) between God and creatures. In the history of Western thought, many thinkers have asserted the existence of both a world and a divine reality but positive speaking of God is impossible, and thus literal (or univocal)

designation of God positively must be solely metaphorical or symbolic or analogical or mythological. Indeed, contemporary thinkers also assert this view, and Aquinas's theory is sometimes central to their argument. But transcendental metaphysics, if it speaks of God, must speak literally. This chapter, then, assesses Aquinas's theory—and it cannot, I argue, be sustained. Application to God that is, in his sense, solely analogical cannot clarify what the analogical name means and, therefore, cannot be distinguished from what is, in Aquinas's sense, pure equivocation, so that speaking of God cannot be distinguished from designations that have no meaning at all. At the same time, Aquinas's "principle of prior actuality" is, in effect, his agreement that "nothing exists" is impossible, and the chapter proposes that neoclassical metaphysics is required to speak literally of God.

Chapter 3 is a conversation with Friedrich Schleiermacher and, specifically, about the relation he asserts between Christian theology and philosophy. On his account, Christian dogmatics is separated from philosophy, even while the latter provides an introduction to the former. This view, I argue, asserts that all speaking about God in relation to the world occurs in the symbolism of some or other religion or some or other dogmatics—or what comes to the same thing in Schleiermacher's thought, asserts how the self-consciousness of absolute dependence is united with the sensible self-consciousness or consciousness of the world. This chapter criticizes Schleiermacher's denial of God in relation to the world because it implies a completely negative designation of the divine reality, and thereby violates the transcendental conclusion that features of "something" in its most general sense are necessarily true. The chapter then briefly defends neoclassical metaphysics as a more convincing account of how Christian theology relates to philosophy.

Chapter 4 seeks an understanding of human fault, that is, why at least most human activities, aware of God and the divine good, are nonetheless idolatrous or immoral. With Augustine and Reinhold Niebuhr, this is not a question of why humans sin (all human fault being a decision among alternatives) but, rather, why humans are *tempted* to sin. Augustine's question about the source of temptation is, I argue, answered credibly by neither himself nor Niebuhr. Against both, the chapter proposes a neoclassical understanding of transcendental metaphysics in the strict sense, which denies the traditional view of divine omnipotence and asserts the necessity of a world in which individuals are fragmentary. Such neoclassical metaphysics, I argue, provides a more convincing response to the question about temptation's source. Perhaps this chapter could have been placed in part 2 because it argues from the

necessary fragmentariness of human individuals. But part I seems the more appropriate setting because the fragmentary character of humans only specifies the necessary fragmentariness of worldly individuals as such—necessary in the sense that both worldly individuals and a divine individual are implied by “something exists.”

Part 2 attends to morality and democracy or to transcendental metaphysics in the broad sense and, specifically, to the moral and political opportunity we humans are presented. Chapter 5, as mentioned earlier, serves for this part rather like chapter I serves for part I. Exploited in subsequent chapters, chapter 5 seeks to clarify the conditions under which a creature is moral rather than nonmoral and to show how this difference implies the moral law and thus the difference between moral and immoral. Moral individuals and the activities by which they are exemplified are called subjects or examples of subjectivity, and creatures are, I argue, moral rather than nonmoral only when they exist with understanding and their activities include an understanding of the individual they actualize or to which they belong. This is because the moral question asks: What future is good and thus ought to be maximized? The moral law, I hold, depends on a comprehensive good, that is, a good defined metaphysically in the strict sense, so that the future as such in its strictly metaphysical aspect ought to be maximized. Hence, the moral law, which is broadly metaphysical, is a transcendental teleology, where good is defined as a strictly metaphysical feature.

Chapters 6 and 7 pursue the relation between transcendental metaphysics in the broad sense and the meaning of religious freedom. Chapter 6, as mentioned, is a conversation with Ronald Dworkin, who persistently defended the democratic project and, in the final years of his life, turned especially to the question of democracy in relation to religion. On his answer to this question, Dworkin joins many other theorists who separate justice from the convictions protected by religious freedom, and that account is, I believe, incoherent. Still, Dworkin asserts—rightly, I think—that human subjects as such inescapably live with some view of morality, even while he also holds that no moral principle is thereby implied. On my accounting, then, he asserts that morality itself is transcendental to human life notwithstanding the absence of a transcendental moral principle. Against that view, I argue for Kant’s statement, namely, the metaphysics of morals is “nothing more than the investigation and establishment of *the supreme principle of morality*” (Kant 1949, 8)—although the supreme principle is, contrary to Kant, a comprehensive purpose. Accordingly, I contend that religious freedom cannot be rightly understood unless the moral law is transcendental and teleological,

prescribing pursuit of a good defined as a strictly metaphysical feature—and, in that context, constitutes the way of reason.

Chapter 7 applies the way of reason to whether and, if so, when religious activities are properly exempted from generally applicable laws. Because the moral law is transcendental, it is an aspect of common human experience, and both religious (in the conventional sense) and secularistic convictions, which typically include or imply some or other conviction about the ultimate terms of evaluation, can be objects of public reason. Exemptions from generally applicable laws, I propose, should be sanctioned democratically only by statutory law because a democratic constitution rightly constitutes politics consistent with popular sovereignty. The chapter then offers a distinction between convictions and confessions, where the former designates the content of a comprehensive view, and the latter refers to symbolic activities derived from some historically specific event or events through which a comprehensive conviction is re-presented and cultivated. Given this distinction, I argue, exemptions should not be permitted for simply any activity said to depend on any such conviction but are, rather, properly confined to activities prescribed only for adherents of the confession in question. In other words, exemptions from generally applicable law should never be granted because a given religion (in the conventional sense) or secularistic conviction prescribes opposition to the law. Moreover, this account is confirmed by any claim to such an exemption, which does not thereby contest the general applicability of the law.

Chapter 8 applies a transcendental account of the moral law to the enduring debate between so-called states' rights and so-called national views of the US Constitution's authority. Both views are and have been, on my perception, committed to government by "consent of the governed" or to popular sovereignty. That commitment, I argue, implies that all political claims are or include claims to moral validity, and thus constitutional ratification cannot be the creation of but, rather, presupposes the prior presence of a national public or "we the people"—because a moral claim for the new federated Union means, given the agreement on popular sovereignty, a public discourse to which that claim is addressed. To be sure the states' rights view might assert that no claim to moral validity is included, even if this assertion is inconsistent with its affirmation of popular sovereignty, because the view then implies that public reason cannot discourse about the moral validity of constitutional or statutory law. In response, I argue briefly that a denial of claims to moral validity implies subjectivism about (supposedly) moral utterances and that subjectivism cannot be decisively defeated except by a transcendental understanding of morality.

Throughout part 2, I propose that religious freedom is essential to democracy. If one allows that popular sovereignty is a political form (which gives a democratic constitution the responsibility to institutionalize the way of reason), one can say that democracy is nothing other than the discourse among convictions about the ultimate terms of political evaluation in their pertinence to politics.