

Douglas R. McGaughey
Willamette University
Salem, Oregon
USA



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Studying Religion:

More and Less than Mapping Territories

Abstract

Rather than portray Religious Studies by J. Z. Smith's metaphor of mapping territories, here the metaphor is extended to cover Kant's description of the human condition as consisting of three regions of experience: fields (Felde), territories (Böden), and domains (Gebiete). All three regions involve clarity of conceptualization. Fields constitute regions of experience where there is conceptualization without rules (e.g., dreams, fantasies, hallucinations), territories regions where rules are possible but not universal (e.g., civic laws), and domains regions where rules are necessary and universal (e.g., nature and creative freedom). Concerned with all three, RS is grounded in the necessary conditions of possibility for experience where there is self-legislation (because imperceptible) of rules for its understanding and action. This paper contrasts this grounding in domains with eleven territories of RS. Neither a mere perspective on life nor limited to a single region of experience, RS focuses on pure religion at the core of all historical religion.

Introduction

The goal of what follows is to provide a general but not exhaustive map for Religious Studies as a non-sectarian (but *by no means non-theological*), academic discipline concerned with fields, territories, and domains. While in agreement with J.Z. Smith's fundamental claim in *Map is Not Territory* (Smith 1978), this project views Religious Studies as both broader and narrower. Although apparently unaware of the meaning of the term "territory" in Kant's *Critique of the Power of Judgment*, J.Z. Smith's focus was precisely on what Kant calls "territory." In contrast, though by no means rejecting the mapping of territories as a significant insight for Religious Studies, this project proposes that Religious Studies is

grounded in the universal regions of experience that are called “domains,¹” and we will find that there is an important role to be played by “fields” in Religious Studies, as well.

Territory I: Smith employed the analogy between a map that one holds in one’s hands and the particular territory that the map is supposed to represent. For Smith, territory constitutes the object of a particular study (e.g., cargo-cults in the South Pacific). Smith’s point is that understanding a territory involves an imaginative, creative exercise that says as much (if not more) about the scholar generating the “map” (understanding) of the territory than it does about the object of study or the self-understanding by persons within the tradition that is the source of the data of the study. The latter, too, are engaged in their own construction of their territory.

As a consequence, J.Z. Smith’s insistence that map is not territory can be understood as a territorial project according to the schema of field, territory, and domain (described below). Rather than Religious Studies merely confirming the metaphysical convictions with which one is most comfortable as he accused Mircea Eliade of doing (Smith 1978: 89f.), Smith wants to stress the significance of surprise and the incongruous in the encounter with religious phenomena, and he frequently invokes a slightly, but perhaps not insignificant, revision of Paul Ricoeur’s aphorism that “the symbol gives rise to thought” (Ricoeur 1974: 285) by claiming that in Religious Studies “the incongruous gives rise to thought²” (Smith 1978: 300) Because Smith rejects all speculative, metaphysical claims, he views the map of the territory of religion to be *entirely a creative construction*. The map is a *possible* way among other ways of understanding the territory, and all ways of understanding such phenomena are subject to revision to the degree that their conclusions are tentative and can be doubted with respect to their adequacy. There is nothing *necessary* about the map.

1. On the differences among “field” (*Feld*), “territory” (*Boden*), and “domain” (*Gebiet*) see below and (Kant 2001:61–62).

2. Ricoeur’s aphorism places emphasis upon a subjective capacity whereas Smith’s aphorism places its emphasis on phenomena.

The focus of the present project is broader than the mapping of territories, then, in that it employs Immanuel Kant's distinctions among "field," "territory," and "domain" to propose that, the Religious Studies scholar's concern is more than with ambiguous and debatable *objective* territories that require creative construction in order to be understood. In addition, it is concerned 1) with dream worlds, fantasies, and hallucination (*fields*), the interpretation of which, clearly, is not merely a creative construction but capriciously speculative as well as 2) with two *domains*, knowledge of the physical world and the exercising of human creativity, which are universal conditions of possibility for all understanding and acting and, given humanity's creative capacity, (almost) uniquely make us moral beings who can take responsibility for exercising our autonomous, creative freedom.

What follows *is not only broader but also narrower* than J.Z. Smith's thesis, then, because it is concerned to ground Religious Studies in law-governed phenomena (*domains*). In other words, Religious Studies is concerned not merely with the relationship of observer to observed phenomena (constructed *territories*) and subjective *dreams, fantasies, and speculations* but also includes the *domains* of experience (physical nature and freedom) that are universally *necessary* to be(com)ing human.

Fields, Territories, and Domains

We begin with a descriptive definition of fields, territories, and domains. First and perhaps most perplexing of the three regions of experience, the "field" of experience contains phenomena that can be understood conceptually but without any lawful order (e.g., dreams, fantasies, and hallucinations) (see Kant 1965: B 520-521; 1983: 860, 885, 927; 1998a: 154). This region consists of experiences that do not involve any rational necessity.³ Nonetheless, by confronting us with supersensible phenomena, fields

3. "Rational" here means "supersensible *order*," which is graspable only by finite consciousness – as far as we can know, given our limits. In other words, reason is not absolute but profoundly limited! It includes in addition to lawfulness of domains of the physical world and creative freedom, the schemas of concepts and the various, *limited*, capacities of judgment (i.e., all those *necessary* elements that consciousness *adds to* phenomena in order to understand, to act, and to take responsibility for its actions).

enable us to draw at least two important lessons with respect to supersensible, conscious experience:⁴ 1) that the supersensible involves a crucial set of capacities of experience independent of, but never separable from sense perception (so far as we experience) that are not to be ignored and are vital to what it means to be human; and 2) that, in dramatic contrast to these fields without laws, their very causal capriciousness underscores the profound significance of our supersensible capacities that constitute two *domains that are (!)* governed by predictable laws (the domains of nature and creative freedom).

“Territory,” the second region of experience, which stands in contrast to fields and domains, is concerned with that experience for which laws are at least in principle *possible* because they involves regions of predictable phenomena, but the sought-after order/laws of territories are actually subjectively and/or culturally constructed, hence, relative. Territory is the term that applies to all speculative, putatively, objective knowledge that is incapable of subsumption under a *necessary* “law” or “maxim.” It is because *territories* are not concerned with necessary laws that they involve speculative, constructive judgments that are relative to the observer/agent.

“Domains,” the third region of experience, consist of those regions of experience for which we not only can but also do grasp and legislate, necessary *a priori* laws either of theoretical reason (the laws of physical phenomena) or practical reason (the laws of moral responsibility that accompany our autonomous, creative freedom⁵). Autonomous, creative freedom is the degree to which we are capable of initiating a sequence of events that nature cannot accomplish on its own. Freedom is not simply the ability to decide between existing options.

Because the domain of freedom is inseparable from autonomy (*αὐτό-νομος* = self-legislation of law) and, because autonomous, *creative freedom is a universal condition of possibility for human experience*, the notion of domain escapes the cultural imperialism that accompanies the speculative maps

4. Given the absence of laws, there can be no true understanding of fields, only descriptions.

5. For a discussion of the meaning of *autonomous* freedom (not to be confused with the rejection of tradition), see McGaughey, “Freedom! What’s It Good For?” at <http://www.criticalidealism.org>

of territories. It does so because, when it comes to these two domains, we're concerned with a universal capacity possessed by every human being (Kant would say, "rational" being) regardless of cultural context.

Furthermore, the "adding" of laws to the two domains of nature and autonomous freedom does not mean that humanity creates those laws or that there would be no lawful order in the absence of humanity. Rather, our understanding and action require that we add the laws to the phenomena because the laws are imperceptible. As Kant stressed already in the *Critique of Pure Reason*: By placing "cause" in the list of "categories of the understanding" that must be added to phenomena, autonomous, creative freedom constitutes a causal capacity incapable of proof or disproof.⁶ Nonetheless, it is a necessary assumption on our part in order for us to understand who we are and what we do in the order of things.

As long as Religious Studies is concerned with describing fields and interpreting territories, it is clearly speculative because, with only phenomena and without laws, there can be no necessity driving understanding. However, once it comes to the discernment of the physical laws and *categorical necessities* of experience, there we enter the two *domains* of the natural sciences and autonomous, creative freedom, with the former constituting the domain of *theoretical reason* (i.e., understanding phenomena) and the latter the domain of *practical reason* (i.e., exercising one's autonomous, creative freedom morally responsibly).

Furthermore, of no little insignificance for Religious Studies, these *domains* of nature and freedom provide criteria for adjudicating the ethical adequacy of territorial interpretations mapped by the Religious Studies scholar without succumbing to cultural imperialism. Rather than moral principles consisting of a *heteronomous*, external imposition of principles upon ourselves or others, they, in fact, are only an activity of *autonomous*, internal imposition by the individual. To be sure, they depend upon a

6. On our inability to prove or disprove autonomous freedom (as well as the other two "pure ideas" of reason: God and the soul), see *Critique of Pure Reason* B 585-586, *Metaphysik Morngovious* (Kant 1983: 1021), *Kritik der praktischen Vernunft* (1974: 109), and the final paragraph of Section Two of the *Groundwork of the Metaphysics of Morals*.

culture that encourages the exercising of practical reason by the individual and that stands by the individual when s/he acts on a moral principle contrary to her/his personal interest. However, this notion of culture encourages each individual to exercise and assume moral responsibility for her/his own creativity. Here universal capacities are anchored in the individual and all are to some degree capable of exercising these capacities regardless of physical or mental limitations. In other words, the creativity that makes the assumption of moral responsibility by the individual *necessary* is not (!) limited to the “culture of skills” (see Kant 200: 299) manifest by a hierarchy that leads to the few “geniuses.” The culture that cultivates the individual’s exercising of her/his creativity is an inclusive culture. “Moral critique” for the culture that promotes moral responsibility is not a social imposition of rules on the individual. In a culture that promotes morality, “moral critique” consists in pointing out when the other denies, represses, exploits, oppresses, and persecutes the conditions of possibility for experience and creativity of individuals because it is violating truly, universal capacities shared by all human beings. In short, “moral critique” does not consist in “moral formation” of individuals by society or the legislating of morality by means of the civic law.

To the extent that Religious Studies has ignored its domains and limited itself to the speculative construction of fields and territories, it has become politically correct to reject heteronomous values and moral formation when it comes to criticism of religious territories. Yet, by bracketing critique, Wendy Doniger reminds us, the Religious Studies scholar can become complicitous in the exploitation, persecution, and oppression of the territory s/he studies. Doniger wrote in *The Implied Spider*: “When cultural studies silences the cross-cultural critique ..., it may back into another political problem by implicitly validating injustices committed within another culture—just as cultural relativism often does ...” (Doniger 2011: 50) Here Critical Idealism makes a crucial contribution to Religious Studies: The conditions of possibility of experience are neither particular nor heteronomous but universal and autonomous, and they provide legitimate criteria for adjudicating territories and domains with respect to justice.

In what follows, Religious Studies is *grounded in* (but by no means limited to) the two domains of nature and autonomous, creative freedom, not the mere description of fields or the mapping of

territories. In other words, Religious Studies involves identification of those imperceptible, universal, supersensible, conditions of possibility that make any and all experience possible and that make it possible for us to be a morally responsible species, the only species we have ever encountered capable (at least to the degree that we do) of assuming moral responsibility for its actions.

While emphasizing the overriding significance of domains, what follows also portrays and offers a critical⁷ assessment of popular approaches to Religious Studies, which constitute eleven territories⁸ (not presented as a hierarchy of their value but provided merely descriptively) in Religious Studies, and it indicates at least a minimal degree to which fields (e.g., dreams) can be significant in Religious Studies, as well. Although the core of Religious Studies involves its commitment to the domains of physical nature and autonomous, creative freedom, it draws upon insights from dreams and all eleven of these territories. In other words, what follows does not dismiss any territory even as it makes a critical assessment of each.

Yet, when we turn to the deeper dimension of the domains of the physical world and autonomous freedom, we encounter an extra-ordinary symbolic animal, humanity, that we can call the “final end of nature.”⁹ However, contrary to the negative associations with such a “final goal,” this claim is no justification for the facile exploitation of natural resources and oppression of others because this “final end of nature” is a set of capacities that makes it possible for us to be moral beings (i.e., to act on the basis of self-legislated moral principles because they are right and even at times contrary to our personal

7. Critique does not mean here destructive or dismissive! It means to examine the territories in terms of the presence (or absence) of *necessary a priori* elements that make our experience of the territories possible in the first place. Critique is the strategy that discerns where those territories involve *speculative a priori* elements, not *necessary a priori* elements or where those territories engage in suppression or persecution of *necessary a priori* elements.

8. The first is that of the “map is not territory” approach to Religious Studies from J.Z. Smith.

9. See *The Critique of the Power of Judgment* (1790) (Kant 2001: 297ff) but also already in *Mutmaßliche Anfang der Menschengeschichte* (1786) (Kant 1998c: 90-92) and in *Vorlesungen über die philosophische Religionslehre* (1788) (Kant 1817: 171ff).

interests¹⁰). It is because of the inescapability of these domains that Religious Studies is the queen of the sciences.

Religion as Symbol System

Territory II: Unlike Territory I, which consists in mapping territories, Clifford Geertz defined religion in terms of the symbolic activity of humanity. A religion is:

(1) a system of symbols which acts to (2) establish powerful, pervasive, and long-lasting moods and motivations in men [sic] by (3) formulating conceptions of a general order of existence and (4) clothing these conceptions with such an aura of factuality that (5) the moods and motivations seem uniquely realistic. (Geertz 1973: 90)

Nevertheless, by making the focus the unique, empirical, symbolic activity of a particular community, Geertz is defining religion and Religious Studies in terms of *territory* because he is concerned with *interpreting* the particular and uniqueness of a community/culture by examining its symbols. Each religion (or culture) uses different symbols.

However, there is a crucial difference between describing the *particular*, symbolic activity of a community/culture and the general, subjectively *universal* dependence of humanity upon symbols to experience and to understand experience whatsoever. *Symbol systems are human constructions and not merely inheritances.* Geertz distinguishes between non-symbolic “models for” (e.g., genes) and symbolic “models of” (e.g., consciously chosen patterns that govern behavior and have meaning).

10. Kant was well aware that we can never be certain whether or not we are acting on the basis of self-interest. See Section II of (Kant 2008). He was also fully aware that morality is not determined by an objective list of moral principles. We are too good at manipulating lists of principles to insist that the mere conformity to a principle from a heteronomous list makes us moral beings. Because the authority of a moral principle comes from the individual’s self-legislation, Kant offered three criteria for the selection of a principle to guide our actions. They are the three forms of the categorical imperative found in Section II of the *Groundwork of the Metaphysics of Morals*: 1) Act on the basis of a principle that you would want to be universal as if it were a law of nature, which does not mean prove universality but limit self-interest (Kant 2008: 40); 2) treat the other and the self as an ends and not as a mere means; and 3) acknowledge all others as self-legislating, moral beings (i.e., as possessing dignity because of their autonomous, creative beings). In the *Critique of the Power of Judgment* (2001:174–175), Kant spoke of three maxims of the understanding, as well, although they are not categorical: 1) think for oneself; 2) think from the perspective of the other; and 3) be consistent [with respect to which Kant already in 1774/1775 spoke of as consistency with one’s highest capacity of autonomous, creative freedom (Kant 2004b: See 180)].

Although we find non-symbolic “models for” throughout nature, symbolic “models of” that function through “... linguistic, graphic, mechanical, natural, etc., processes” (Geertz, 1973: 93) “... give meaning, that is, objective conceptual form to social and psychological reality both by shaping themselves to it and by shaping it to themselves”.(Geertz, 1973: 93). “Models for” (e.g., DNA) and “models of” (e.g., patterns of behavior that govern understanding and behavior) are prefigured configurations that govern behavior, understanding, and action although they are applied differently. “Models for” are automatically applied by nature whereas “models of” are applied consciously by humanity for the creation of artifacts and expression of meaning. What Geertz appears to have overlooked though is that cultural symbols are human *constructions*. They involve individual as well as communal creativity and not merely, passive dependence upon what is already given in a particular culture.

In the reflections that follow, the significance of symbols will be emphasized in terms of humanity’s universal dependence upon symbolic mediation *as an a priori fundamental condition of possibility for experience, understanding, and action*, that is, as a capacity that unites the human species across cultural traditions and disciplines – rather than merely an external manifestation of cultural/religious *differences*. Religious Studies is far more than a mere hermeneutic of *already given*, objective symbols (as a form of territorial description) that encourages an emphasis upon *differences*, Religious Studies, following Ernst Cassirer (see Chapter II of Cassirer 1977), engages the subjective, symbolic function as precisely the key to its domains and as what humanity universally *shares in common* in the sense of adding imperceptible elements to the phenomena of experience, understanding, and action.

Religious Studies: More than mere Information Transfer

Territory III: In addition to the religious scholar mapping religious territories as a creative process described by J. Z. Smith and Clifford Geertz (Territory I), a third way of defining the “territory” of Religious Studies (Territory II) is concerned with *religious literacy* as if there was merely some body of objective knowledge that one must acquire to be sovereign over the region of Religious Studies.

However, “religion” is neither simply a region of experience among other regions of objective reality nor is the academic study of religion concerned with clarifying one’s religious convictions about which religious territory is “true.”

Unlike the claims of the 18th century Encyclopedists, knowledge alone is neither emancipating nor a guarantor of morality (see Höffe 2012: 15-27). In short, “Enlightenment” does not mean acquisition of objective knowledge that by definition would be liberating and automatically an improvement of humanity. Rather than constituting the *study about* a region of objective phenomena over which one could acquire “literacy” and articulate/defend doctrinal truth claims, Religious Studies is a *study of* the subjective conditions of possibility that make any experience of objective phenomena possible in the first place and, in the case of humanity, require us to assume responsibility for our creativity. Succinctly, religion is an inclusive category that applies to every aspect of human life. As a consequence, then, *it is not a perspective on life*. It is concerned, rather, with the conditions that make any and all perspectives possible. In short, Religious Studies is far more than a body of information or a single perspective on some aspect of life.¹¹

Not only is religion unique to humanity because, as far as we can determine, we are the only species that is “religious” (i.e., not only establishes religious doctrines, rituals, and institutions) but also, and far more significantly, religion is unique to humanity because it is concerned with the fundamental conditions of possibility of any and all human experience and action, which in turn make us capable of being a *moral species*.

11. In contrast, Geertz separates the religious perspective from common sense and the scientific and aesthetic perspectives. (See Geertz 1973: 110)

Religious Studies as “Spirituality”

Territory IV: One might be tempted to conclude that the “fundamental condition of possibility” for any and all experience is humanity’s “spiritual” nature. One could point out that there are two dimensions that constitute experience (i.e., matter and spirit) and that these are 180° opposite to one another. One dimension is perceptible, material, divisible, measurable, and constantly changing. The other is imperceptible, immaterial, indivisible, immeasurable, and (when it comes to concepts) unchanging. Without the latter there would be no understanding of the former; yet without the former we would never experience the latter, as far as we can know.

As far as we have experienced, then, the physical world constitutes the material conditions of possibility for us to encounter our “spiritual” nature. Because we have never experienced “spirit” independent of matter, the claims either that our spirits are independent of the material world and exclusively the condition of possibility for such experience or that the material world is the product of an omniscient and omnipotent spiritual being are speculative claims and by no means certain. David Hume observed in Part VI of his *Dialogues Concerning Natural Religion* (Hume 1982: 41) that, never having witnessed mind generating matter but never experiencing mind without matter, we might rather think of God as a vegetable (that upon which mind is dependent) rather than as an eternal Mind (absolute Spirit). More importantly for Religious Studies, though, is not the determination of what God is or is not but that there is no Religious Studies (or understanding) without the domain of the physical world and conscious addition to the phenomena of experience in the world. Nonetheless, we don’t get concepts *simply by closing our eyes*. Each person has to acquire (but not create) them through reflection on one’s own experience in order to apply them in understanding and teleological activities.

Any *explanatory* account of experience, no matter how limited, must always commence with objective phenomena to which we add (but do not create) physical laws (Kant 1817: 127; Kant 2001: 259, 286, 284, 296). Precisely because the laws of nature are not written on the phenomena, we encounter the paradox that, in order to acquire understanding, each of us for ourselves must *add the physical law to the physical phenomena*, and this can only be accomplished by means of a *non-physical*, imperceptible, supersensible aspect of our experience. If we take “spirituality” to refer to these

supersensible capacities, then we may conclude that Religious Studies is concerned with “spirituality.” However, this is spirituality in the sense of the necessary, supersensible, conditions of possibility for us to have any experience in a physical world so that it by no means constitutes a speculatively metaphysical (i.e., Rationalist), content claim about “spirit” independent of matter, which would be a territorial claim. Rather, this understanding of spirituality is “immanently” transcendent.

Religious Studies as Disinterested Neutrality

Territory V: Religious Studies is “scientific” but not because it maintains or seeks to maintain a disinterested perspective on the data of life. Again, we are not concerned here with a *perspective* on anything. We are concerned with the conditions of possibility for any and all experience. In this respect, the fact that physical laws are something that we must *add to* the phenomena that they are meant to explain¹² requires a profound rethinking of the meaning of “science” (see Cassirer 1910/1953 and Chapter V of Cassirer 1977).

The, nonetheless, insightful but inadequate character of the “disinterested” standpoint consists not just in recognition of the influence of an observer on objective phenomena as often concluded from the Heisenberg Uncertainty Principles. Long before the scientist enters the lab, s/he is there only because s/he has *assumed* that physical events occur according to laws. Without this assumption, there could be no understanding of physical phenomena. Because the laws of nature don’t come with the phenomena themselves, the natural scientist is not a disinterested observer of neutral data. Similarly, no more than it is possible for the scientist to bracket her/his assumptions (faith) when s/he enters the laboratory, is it possible for the Religious Studies scholar to bracket her/his assumptions (faith) when s/he enters the study and/or classroom.

12. Stephen Hawking reminds us that events don’t generate the laws to which they conform: “The whole history of science has been the gradual realization that events do not happen in an arbitrary manner, but that they reflect a certain underlying order ...” (Hawking 1988: 122)

To be sure, faith here does not mean “things believed beyond reason” but, rather, faith within the limits of reason. Specifically, faith here is taken in the non-epistemic sense of our dependence upon unprovable assumptions demanded by phenomena, which in turn are the conditions of possibility for us to experience, to know, and to do anything, whatsoever.

Understanding consists, then, neither in merely “opening one’s eyes” nor in merely “closing one’s eyes.” In other words, understanding is neither simply empirical nor merely metaphysical as if these constituted two contradictory dimensions: empirical reality and rational metaphysics.

Understanding consists of *simultaneously* experiencing phenomena and “seeing things that are not there” in the phenomena. Furthermore, “seeing things that are not there” in the phenomena allows us, at least on occasion, to know that what we are literally seeing in the phenomena is false: the sun is *not moving*. In other words, without a world of physical appearances, we could not understand anything. Yet precisely because our understanding is not instinctual, it involves more than mere appearances. Rather than our access to the world only through appearances constituting a liability, it is a profound virtue because it 1) is the condition of possibility for us to acquire understanding and 2) it is what allows for our capacity of autonomous, creative freedom.

The Copernican Revolution displaced humanity from the center of the physical universe, but, even more significantly, it placed humanity squarely in the center of the epistemological universe (Cassirer 1977: 15). As far as we know, there is no species on earth that claims that the sun is not moving (if it makes any claim whatsoever about what the sun is/does). The point here is not a speciesism argument. The fact *that we can make such claims* indicates the significance of the capacity we possess to *add things to phenomena* that are not there in the phenomena and, hence, are incapable of verification or falsification by phenomena.

In an address delivered at the 2005 opening convocation of the Graduate Theological Union in Berkeley, CA (Taves 2005), Ann Taves offers a different approach to the territory of Religious Studies with respect to disinterested neutrality. In contrast to her contribution to the 2012 (80/3) JAAR Round Table where she stresses the role of religion with respect to its function of establishing meaning (our Territory VI below) here she maintains that the teaching of Religious Studies should occur in terms of

“performance” metaphors: What role am I playing in my academic setting? Am I engaged in spiritual or academic formation? Spiritual formation, in her judgment, would be appropriate for a seminary; academic formation at a non-sectarian institution. However, “performance” metaphors should take precedence over “place” metaphors (Where do I stand? with respect to personal religious convictions) *when it comes to academic formation:*

[S]tudents may pursue the study of religion within programs in secular universities that have no connection to processes of religious or spiritual formation. In doing so, they enter into a process of *academic formation* under the direction of academic insiders whose insider status is established by academic traditions (i.e., degrees, promotions, tenure) rather than through participation in specific religious or spiritual traditions. Conversely, the task of *forming persons religiously or spiritually* may be taken up by the traditions and reflected on by persons formed within those traditions independent of processes of academic formation (Taves:11). (emphasis added)

Once again, though, as valuable as this distinction can be for sorting out differences between objective knowledge and subjective convictions, we are concerned here with a map of the *territory* of Religious Studies rather than with its *domains*. For Taves, the authority of the instructor of academic formation in a non-sectarian Religious Studies department comes from her/his possession of the proper credentials. However, credentialing is not concerned with the conditions of possibility of *domains* and the role of be(com)ing human. Credentialing is at best an exercise in honor within a territory, not necessarily with respect to scholarly competence.

Kant described the three constitutive and ineradicable elements of the human condition as animality, humanity, and personality (Kant 2004a: 50). *Animality* is that aspect of humanity that is governed by sensuous appetites. *Humanity* is our quest for status and prestige in the eyes of others. *Personality* is our capacity to act on the basis of a moral principle simply because it is right and not because it serves our self-interest.

Credentialing is an external process in which one’s status and prestige in an institution or discipline is conferred by satisfying a set of criteria established by those recognized as the authorities of that institution/discipline. As Aristotle pointed out with respect to honor in general, it has more to do with the bestower of honor than it does with the recipient (see Aristotle, *Nicomachean Ethics* 1095b 24-27). However, simply fulfilling the social conventions of the credentialing process does not make one a

scholar. We all know of many who earned the credentials of the academy but who are not, nor do they pretend to be, scholars. Scholarship requires what Kant called “personality” and the conviction, knowable only to the individual, that one not only possesses intellectual literacy in a discipline but also that one has an authority to speak in the profession. In short, the criterion of credentials, while clearly eagerly heard by those conferring the credentials and sought by those wanting to enter the guild, involves providing the space and time for exploring the territories of religious phenomena, but that in itself it is not sufficient for “academic formation.” Even more than demonstrating cleverness, true academic formation, in addition to the acquisition of foundations, involves cultivation of habits for a life-long career of scholarship. However, like moral formation,¹³ Tave’s notion of academic formation as credentialing is merely concerned with honor and prestige, which in the academy generally and in Religious Studies in particular is a territory, not a domain.

Religious Studies is not merely concerned with a choice between the territories of place and performance. Rather than with an either/or of mere territories, Religious Studies is confronted with a both/and between territory and domains. Without phenomena (without territory), there can be no domain (legislation of laws or identification of necessities either by theoretical or practical reason, which are complementary and no either/or dualism). Legislation of laws for both theoretical (understanding) and practical reason (morality) is an exercise of *pure* religion at the core of Religious Studies.

To be sure, there is no *pure* religion without a world of phenomena, and the academic discipline of Religious Studies at a minimum demands sovereignty with respect to the strengths and weaknesses of the theories and methodologies of its various territories. Nonetheless, although *pure* religion can be found (and should be sought) at the core of all *historical* religions (i.e., the territories of a particular tradition) (see McGaughey 2013), *pure* religion is not to be identified either with the confessions of faith

13. Both “meaning” and “moral formation” are rejected by Luther Martin and Donald Wiebe as part of Religious Studies (see Martin/Wiebe 2012b: 618).

of *historical religions* or with academic formation. The domains of pure religion are far broader than institutional religion or the academy. They are concerned with life.¹⁴

A Scientific Explanation of Religion

Territory VI: Since the emergence of the discipline of Religious Studies in the 19th century, some scholars have viewed science as the standard of rationality. Cultures/religions were judged to be “primitive” or “uncivilized” to the degree that they failed to approach nature as governed by physical laws.

E. B. Tylor attempted to break open the chauvinism of western religious traditions that only recognized monotheism as a real religion (Tylor 1958) with his theory of animism. Animism is based on an analogy to the two dimensions of human experience (spirit and matter in which mind animates body), which is applied to all “bodies.” Although Tylor proposed animism to constitute a religious system of causal explanation and in light of what he called “psychic unity” the starting point for the eventual emergence of science, Tylor viewed the scientific world view to be the highest achievement of civilization because it possesses the true, causal account of events.

In contrast, James Frazer’s claim that magic preceded religion (religion, for him, involves the propitiation of higher spirits) proposed that magic shared with the natural sciences the conviction that there is an invisible order to events, but magic has the wrong invisible order that is/will be supplanted once one is aware of the physical laws of the natural sciences (Frazer 1951). Here both magic and

14. Kant said more than once (for example, in the *Groundwork* (Kant 2008:22, n.), in *Religion* (Kant 2004a: 41), and in *Über Pädagogik* (Kant 1998c:755)) that already every child who has reached the rudimentary stage of self-awareness knows what morality involves even if the child has no idea of the significance of the *givenness* of the conditions of possibility for morality. In other words, the domains of Religious Studies are encountered throughout all of life wherever humanity legislates (but does not create) the law. It is for this reason that religion belongs in the science lab as much as it does in the synagogue, temple, house church, cathedral, mosque, cloister, or private home.

religion are viewed as inferior to science, which emerges only at a much later stage of cultural development.

However, Bronislaw Malinowski maintained that the notion that there was a time when there wasn't science is an illusion (Malinowski 1984). He observed that every society was based on experience fashioned by reason (if only a "crude empiry" alongside magic/religion) that constituted a "body of practical and technical abilities." Yet, in addition to this "rational" mastery of the material order, Malinowski distinguished between magic that functions as "a means to an end" (e.g., a prenatal rite to ensure a successful birth) and religion as "an end in itself" (e.g., a postnatal celebration of the birth). Religion, according to Malinowski, involves reverence for tradition, harmony with the environment, as well as courage and confidence in the face of life challenges and death. In other words, religion deals with fate and supernatural powers in contrast to science that is concerned with natural processes.

Tylor, Frazer, and Malinowski represent a spectrum of options (and are by no means exhaustive representatives) with respect to the relationship between the territories of religion and science. However, today, we're confronted with a very different claim for science over against religion. No longer are the two seen as competitors for alternative systems of causal explanation with the confidence that the religious system will eventually be demonstrated to be mere superstition on the basis of the superior form of scientific causal explanation, but, now, science is seen by many as eventually explaining biologically from where and even why "erroneous," *religious* sensibilities occur in the first place. This scientific explanation is not an attempt to reduce religion to sociology (e.g., Emile Durkheim [Durkheim 1915]) or psychology (e.g., Sigmund Freud [Freud 1955] or Carl Jung [Jung 1938]). Rather, the scientific *explanation* of religion is going to come from genetics (e.g., Dean Hamer and Richard Dawkins) and neuroscience (e.g., Patricia and Paul Churchland, Manfred Spitzer, John Searle).

On the one hand, under the assumption that "religion" means "spiritual" and "mystical" experience, Hamer, director of the Gene Structure and Regulation Unit at the U.S. National Cancer Institute, has proposed that religion can be attributed to the gene VMAT2 (the "God gene") (Hamer 2004). On the other hand, Dawkins and Churchland are eager to demonstrate that morality is the product

of biological capacities and processes. Hence, if religion has anything to do with morality, it is able to be explained by evolution.

Dawkins (Dawkins 1976) speaks of morality exclusively in terms of its contributing to the survival of one's genes (the "selfish gene").¹⁵ Yet, under the same assumption that "morality" means "success in negotiating the social world," Patricia Churchland proposes a neurobiological explanation of morality. Skills necessary for the successful negotiation of the social world can be explained by the prefrontal cortex, amygdala, the limbic structures, and the brain stem as well as the hormones oxytocin (OXT), arginine vasopressin (AVP) and dopamine (Churchland 2011).

Without by any means launching a defense of religion, these biological "explanations" of religion and morality are viewed by an increasing number of scholars as an overreach that is perhaps more damaging to science than it is to religion. Not only are there anonymous on-line critics (neurodoubters) of neurospeak (e.g., Neurocritic, Neuroskeptical, Neurobonkers, and Mind Hacks), but also there are a number of public, cautionary voices among philosophers and scientists who warn against neuro-reductionism. For example, the philosophical theologian, Otfried Höffe, from Tübingen argues against neuro-determinism by distinguishing between dogmatic and methodological determinism (Höffe 2010: 219-224); a 2012 conference at the Ian Ramsey Centre for Science and Religion at St. Anne's College, Oxford, highlighted among many others the clinical neuroscientist, Raymond Tallis, and the philosopher, Peter Hacker (St. John's, Oxford), both serious critics of neuro-reductionism; Michael S. Gazzaniga from the University of Santa Barbara, and the discoverer of the division of labor between the left and right hemispheres of the brain, warns against invocation of reductionist neuroscience in the legal system;

15. There is a controversy in the moment among Dawkins and Martin Nowak, Corina Tarnita, and Edward O. Wilson over the notions of "kin selection" (Dawkins) and "eusociality" (Nowak, Tarnita, and Wilson). Eusociability claims that social behavior itself plays a role in the development of ethical behavior whereas kin selection seeks to give a "purely" biological explanation of ethics. Eusociality allows for a role in ethics to be played by human creativity in addition to biology. This debate is of interest in our context not only because of its impact on the understanding of religion but also, and more importantly, because of its ultimate irresolvability. Critical Idealism suggests "methodological skepticism" as the strategy for responding to all kinds of skepticism.

Ian Hutchinson, professor of nuclear science and engineering at MIT presented a cautionary talk under the title “Can Science Explain Everything?” at the American Association for the Advancement of Science in December (2011) in which he answered, “No!”

Of course, one could dismiss these voices as “mere opinion” and maintain one’s confidence that science will eventually explain everything, including religion as Lisa Randall, author of *Knocking on Heaven’s Door: How Physics and Scientific Thinking Illuminate the Universe and the Modern World* responded to Ian Hutchinson at the AAAS meeting in 2011 or as John Searle suggests with his notion of “causal gap” (Searle 2007).

There are two crucial problems with the call, for example by Luther Martin and Donald Wiebe in the September/2012 *Journal of the American Academy of Religion* (Martin/Wiebe 2012a), to reduce religion to scientific explanations either to genetics or in the case of Martin and Wiebe to cognitive science (neurobiology), and neither of them is because of a “failure of nerve.”¹⁶

1) The first problem is that such a reductionism takes religion to be merely a competing system of causal explanation to the natural sciences. This competing system of causal explanation is viewed by the sciences as speculatively introducing non-natural causes both formal (e.g., God/gods) and final (e.g., heaven) causes into the explanatory mix.

The problem here is with the very nature of causal explanations. We can only experience effects of causes, not the causes themselves. Our account of a causal explanation, then, is part of J.Z. Smith’s mapping of territory. However, the problem with the reduction of religion to science as proposed by Martin and Wiebe is its assumption that *the causality invoked by religion not only stands in contradiction to physical causality but more importantly that physical causality can account for religion.*

However, it is possible to approach Religious Studies in terms of its domains, by which we would view the causality of religion neither to be in competition to nor reducible to physical causality but to be complementary to physical causality without either causal system being capable of trumping the other so

16. See Donald Wiebe 1984, "The Failure of Nerve in the Academic Study of Religion."

long as the conditions of experience are preserved.¹⁷ These two lawful domains complementarily combine (they are no dualism because they are not substances) to constitute the domains of *pure* religion.

As long as there is a “rational” being (not merely a logical being capable of instrumental reason, but a being with the supersensible capacities of theoretical and practical reason along with aesthetic judgment), we will have to include in our causal explanations a form of causality that can initiate a sequence of events that nature could never initiate, much less complete, on its own. To be sure, we cannot prove (or disprove) this efficient causality any more than we can prove (or disprove) other causes because *causal explanations* must be *added to* phenomena. Yet, this form of causality is *necessary* precisely because it is what is required for us to be the species that can “see things that aren’t there” in the phenomena and can add a physical law to the phenomena of the falling apple and can add an explanation to the phenomena that contradict the phenomena. In short, without this causality of autonomous, creative freedom, there would be no natural sciences. Without autonomous, creative freedom, humanity would be incapable of understanding phenomena any differently than any other species, which overwhelmingly (granted, not exclusively) respond only instinctually to phenomena without considering the possibility of “seeing things that are not there” (e.g., laws) in the phenomena.

Nonetheless, although we are incapable of absolutely proving (or disproving) causal explanations given that we only can experience the effects of causes, not everything that humanity is capable of “seeing that is not there” is of equal validity. There is a strategy that demands privileging the causal explanations of the natural sciences over competing systems of causal explanation (while embracing the creative freedom at the core of religion) *without having to prove or disprove the causes involved*. This strategy is to ask: What are the consequences of the system of causal explanation for those conditions of possibility that are necessary for us to experience phenomena in the first place?

17. Although we have never experienced autonomous, creative freedom anywhere but under the conditions of the physical causality of nature, Kant pointed out already in 1774 that in principle our autonomous, creative freedom gives us the capacity to destroy the world. See (Kant 2004b: 180).

Why does this privilege the natural sciences? It does so because any and all experience and understanding of imperceptibles (such as causes) that we have ever had require that nature conform to an unalterable system of physical laws (a physical domain). If we give up this *assumption* (Critical Idealism calls it a *regulative idea*), then we can stop all efforts to seek understanding. However, this strategy privileges the natural sciences not out of a naïve claim of obviously, empirical truth (what Edmund Husserl called the erroneous “natural attitude” of the sciences (Husserl 1965)). Rather, it privileges the laws of science by recognizing the profound limits to human rationality: a rationality dependent upon the assumption of lawful necessity.

Furthermore, this strategy for evaluating the validity of seeing what is not there in the phenomena requires, equally, that we embrace our own creative freedom as an imperceptible causality irreducible to physical causality. If we were to deny our ability to initiate a sequence of events that nature cannot accomplish on its own, we would contradict the conditions of possibility that are necessary for us to experience phenomena as human beings.

An example of “seeing something that is not there” in the phenomena that would be questionable would be miracles. Although we can neither prove nor disprove that miracles occur, if we do believe that they occur, we contradict our confidence in the domains of life. We undermine all confidence in the order of physical laws upon which, otherwise, our understanding of nature depends, and we turn our attention away from our creative freedom and responsibility to self-legislate moral laws regardless of self-interest into concerning ourselves with placating and pleasing the author of the miracle. In other words, miracles undermine the very capacities that are necessary for us to be(come) human through the exercising of our extra-*ordinary* capacities that are the domains of life and the concern of Religious Studies.

2) The second problem with reducing the study of religion to scientific explanations is a corollary to the first. The explanations of religion offered by genetic and neuro-scientific reductionism limit their discussion of morality (which we will see is not exhaustive, but certainly at the core, of religion) to what are technical and pragmatic imperatives (demanded by a particular situation) without consideration of categorical imperatives (demanded exclusively by the individual independent of any particular situation)

(see Addendum). The assumption that morality consists only of a strategy to successfully negotiate a social world privileges the demands of one's external situation over the individual's capacity to initiate a sequence of events that nature cannot accomplish on its own and to self-legislate a moral principle to govern her/his actions *regardless of self-interest*. In short, as we shall see in the Addendum, there is more to morality than the social consequences of one's actions.

A Quest for *Ultimate* Meaning in a Cold and Heartless Universe

Territory VII: If scientific reductionism constitutes one of the geographical features of the territory but not the domains that are Religious Studies today, another popular geographical feature that was represented by Nancy Frankenberry and Ann Taves in the 2012 JAAR Round Table applies to the territory but not domains of Religious Studies, as well. This is the claim that science provides us with facts but religion provides us with ultimate meaning in a cold and heartless universe.

This is a strategy in defense of religion that is at least as old as the difference between *natural and revealed* theology of the Medieval world (and the Neo-Orthodoxy of the 20th century) that, for its part, claimed that the study of nature can instruct us *that* God exists, but nature cannot tell us what the *meaning and purpose* of nature/life is. For the latter, one needs divine revelation (or something more than physical facts) that provides information beyond physical, historical facts. This distinction is what allows Christian Neo-Orthodoxy (e.g., Karl Barth 1978) to maintain a strict distinction between history and faith. This difference depends upon the assumption that humanity is capable of obtaining additional information (i.e., revealed meaning) or some spiritual or mystical experience not derived from history (i.e., not derived from physical facts). The oft-cited "compelling," circular logic in favor of such meaning is that such extraordinary information *must be possible*; otherwise, life has no meaning or purpose because nature in itself has no meaning and purpose.

When it comes to the domains of Religious Studies, as we have seen, neither merely opening one's eyes to the facts nor closing one's eyes in search of ultimate meaning is appropriate. First, historical facts are more than the consequence of merely "opening one's eyes" but are products of theoretical reason that involve *adding to* the phenomena concepts and causal accounts that are not present

in the phenomena in order for them to *make sense* (have meaning). Furthermore, historical facts constitute merely *a territory of experience*, not a domain, because they are not capable of being accounted for by laws¹⁸ – either physical or moral. We will search and quarrel forever over the presence of laws governing historical events. Second, because ultimate meaning requires grounding in an objective reality independent of the subject, it shifts the concern from the *territory* of the experience of such an objective ground (historical facts) to focusing of one’s attention and concern/significance toward another *territory*, the *ultimate* ground of external objectivity. The latter turns our attention away from our exercising, and assuming responsibility for, the scientific investigation of nature and the domain of autonomous, creative freedom. In other words, it undermines the scientific and religious domains of humanity. This kind of ultimate meaning is only a distraction from *pure* religion, not a facilitator of it because it encourages pursuit of ingratiating in the eyes of the guarantor (i.e., acting on the basis of mere self-interest) rather than doing the right thing merely because it is right.

It can be claimed that, contrary to those who hold that *ultimate* meaning and purpose in life come from God/the gods or from some external, objective reality (e.g., the afterlife), neither meaning nor purpose in life come from anything external to the self. Furthermore, this claim does not require that we *know* that there is no external, objective reality (e.g., God and/or the afterlife).

All human beings to some degree exercise extra-*ordinary* capacities that are shared with no other species to the degree possessed by humanity. It is precisely these capacities that make for meaning found nowhere else -- as far as we know. Without needing here to unpack these extra-*ordinary* capacities that consist (in addition to theoretical and practical reason) of determining and reflecting judgment (Kant 2001: See Introduction IV. On the Power of Judgment as an *a priori* Legislative Faculty) as well as the uniqueness of aesthetic judgment (Kant 2001:See “First Part: Critique of the Aesthetic Power of Judgment”), judgment with respect to the mathematical and dynamical sublime (Kant 2001:See “First

18. On the similarity of history to fiction rather than to science, see Paul Ricoeur 1988, “Section II: Poetics of Narrative: History, Fiction, Time” in *Time and Narrative*, vol. 3.

Section, Second Book: Analytic of the Sublime), and teleological judgment (Kant 2001:See Second Part: Critique of the Teleological Power of Judgment), we can acknowledge that humanity experiences a kind of meaning that is unlike that experienced by any other species with which we are familiar but which must be shared by all rational beings because the conditions of possibility for such meaning are universally the same.

Assuming that one's physical needs have been met and that one is generally healthy (requirements for successful living articulated already by Plato and Aristotle), there is no meaning comparable to the satisfaction that we are capable of experiencing as a consequence of the responsible exercising of our autonomous, creative freedom.¹⁹ However, meaning in life is not dependent upon (successful) consequences of one's action. Meaning has to do with the very opportunity to be able to experience, understand, and act in the extra-ordinary ways that our species is able to do.

It is similarly the case, when it comes to the issue of purpose. Not only in *The Critique of the Power of Judgment* (1790) but also already in *Mutmaßliche Anfang der Menschengeschichte* (1786), and in *Vorlesungen über die philosophische Religionslehre*, as noted above, Kant makes the polemical claim that humanity is the "final goal of nature." It is by fulfilling this role as the "final goal of nature" that we

19. Such satisfaction might suggest that one would do the right thing not merely because it is right but because one wanted to experience the satisfaction of having done what was right. This would mean substituting self-interest for merely acting on the basis of the principle. Two observations can be made here: 1) There is no guarantee that one is going to experience satisfaction because one *can* lose one's life in the process of doing the right thing; 2) The issue for Critical Idealism is not that one *necessarily* experiences satisfaction but that *one is worthy* of such satisfaction. The modal meaning of worthiness here is *subjective*, not objective. Objectively, worthiness means that one has *earned* the meaning/satisfaction. Were that to be the case, then one would do the right thing, again, out of self-interest (i.e., in order to earn the satisfaction and/or recognition from a deity that comes from doing it). Because Kant places worthiness precisely in the context of eclipsing self-interest, worthiness is a subjective experience. Worthiness is *not* a form of "works righteousness" but merely descriptive of the following steps: One knows that one *ought* to do the right thing because it is right and *can* (not must) do the right thing. If one does the right thing merely because it is right, one is not (consciously) motivated by any self-interest. Should it turn out that one, thereby, experiences satisfaction (or any additional benefit from a deity), one is worthy of it because one knows that one has made the appropriate decision *not* because one is seeking or must seek to earn some objective satisfaction.

accomplish the purpose of life because we are not only contributing to the moral improvement of humanity when we make our best, moral effort by acting on the basis of a moral principle because it is right merely regardless of our self-interest, but we also are the only species with this extra-ordinary capacity—so far as we know. In other words, humanity is the final goal of nature to the extent that it practices *pure* religion for the purpose of the moral improvement not only of the individual but also of the species (see Kant 1998c: 702; 1998d: 683-684; 1998e 92, 102; 1998f: 35-37) -- as well as for the purpose of the establishment of democratic institutions and cosmopolitanism based on the dignity of the individual (Höffe 2012: 10, 35, 140, 236-251, 420; Höffe 2013: 130-135), extremely relevant themes that take us beyond the parameters of this present project.

In short, humanity experiences meaning when it responsibly exercises its autonomous, creative freedom, and it experiences its purpose when it fulfills its role as the final (moral) goal of nature. Any other search for, or proclamation of, *ultimate* meaning involves a heteronomous undermining of the necessary conditions of possibility and capacities that make it possible for us to be(come) human and substitutes a concern for *territories* of experience over *domains*.

Phenomenology of Religion

Territory VIII: Phenomenology as applied to Religious Studies by Geradeus van der Leeuw in the first half of the 20th century actually offered a map of the domain of our discipline although short of the moral project of *pure, practical* religion. Van der Leeuw (van der Leeuw 1963) takes the Phenomenology of Religion not to be concerned with particular, objective, truth claims (e.g., about God/the gods and what they can and cannot do) but, nonetheless, is concerned with an “Object of Religion” (i.e., Something Other, a “highly exceptional and extremely impressive ‘Other’”) that itself has no moral value but is a matter of Power, alike for good or evil (see van der Leeuw 1938: 23-26). In short, this ultimate reality is the amoral cause of reality. The Phenomenologist views religion to be concerned with the secret of this Power, which reveals itself repeatedly but remains eternally concealed. For van der Leeuw’s Phenomenology, God is not itself a phenomeon but the Noumenon concealed by all phenomena. This Noumenon is what is shared with the domain that is *pure* religion according to Critical

Idealism. Just as Critical Idealism extends the horizon of religion to be the queen of the sciences because of its concern with domains, van der Leeuw proposes that all comprehension is ultimately religious (Leeuw 1963: 684).

Van der Leeuw's concern with the Noumenon is indicative of the enduring influence of the metaphysics (not the metanarratives) of German Idealism on Continental thought in the 20th Century that he shares with Paul Natorp and Martin Heidegger. In Martin Heidegger's Hermeneutic Phenomenology, the Noumenon is re-thought not as something *actual* but as the concealed *possibilities* that transform a collection of actual things into a "world." Both Heidegger's *Kant and the Problem of Metaphysics* (Heidegger 1968) as well as his *Phänomenologische Interpretation von Kants Kritik der reinen Vernunft* (Heidegger 1995) confirm Heidegger's standing in the mainstream of post-Kantian, German Idealism.

Rather than grasp the significance of Kant's notion of *regulative ideas* (God/Noumenon, Cosmology/Freedom, and the Soul) or Kant's explicit discussion of *Nichts* as possibilities already in *Metaphysik Mrongovius* (Kant 1983: 960-961), the generation after Kant (especially, but not limited to, Schelling and Hegel) already sought to *ground Kant's project* in a Transcendental dimension deeper (or higher) than limited, transcendental consciousness (i.e., in a Noumenon) as well as restrict the notion of freedom to "social freedom" shaped by institutions (Hegel; see McGaughey 2011). The task for German Idealism was to find an *explanation* for the limits to reason rather than to embrace the human condition as a creative project of moral responsibility *within the limits of reason*. It is easier to storm the citadel of "God" to speak from His (masculine pronoun used intentionally) perspective than it is to assume the far more limited, human perspective and to take moral responsibility for the unfolding of one's own possibilities!

The overlooking of the moral dimension at the core of Critical Idealism and *pure, practical* religion is profoundly reflected in Heidegger's handling of the publication of Paul Natorp's unpublished works. Natorp was responsible for Heidegger's appointment in Marburg. In his introduction to Natorp's *Philosophische Systematik* (Natorp, 2000), Hans-Georg Gadamer reminisces over his days as Natorp's last doctoral student. He reports that Natorp and Heidegger were fast friends who took long walks sunk in discussion. However, Massimo Ferrari proposes in "Paul Natorp – ,The Missing Link' in der Davoser

Debate” that Heidegger delayed the publication of Natorp’s *Philosophische Systematik* until 1954 because (!) Natorp anticipated and had written about many of the themes that are found at the core of Heidegger’s *Being and Time*, which was written *after* Natorp’s *Philosophische Systematik* (Ferrari 2002: 222, n. 29). Among the themes already in Natorp are the centrality of “possibility” in the human condition (Natorp 2000: 88, 90, 264),²⁰ time as temporality articulated in terms of possibilities (Natorp 2000: 400), *aletheia* (truth) as un-covering (*Un-verborgenheit*) (Natorp 2000: 376), as well as the theme of φαίνεσθαι (appearance) (Natorp 2000: 395) at the core of ¶7 “The Phenomenological Method of Investigation” in *Being and Time* (Heidegger 1962: 49-63). These themes became the new mode of speaking about the Noumenon for Natorp and Heidegger as an “*explanatory*” *ground* of the noumenal (human)/phenomenal world. To be sure, the “transcendental dimension” for Natorp and Heidegger is *nothing outside* of experience, but the domain of *pure* religion (morality) has been replaced by concern with waiting upon what is yet un-concealed.

Social Construction:

Description of a Million Flowers Blooming

Territory IX: In contrast to the Continental focus on the Noumenon, Phenomenology underwent a transformation in North America in the 1960s in part as a consequence of Thomas Kuhn’s *Structure of Scientific Revolutions* (Kuhn 2012). What became important was not the Noumenon as with van der Leeuw, Natorp, and Heidegger (and German Idealism) or the constitution by consciousness (see Sokolowski 1964 and Tugendhat 1970) of its *necessary* eidetic structures as Edmund Husserl proposed in his *Ideas: General Introduction to Pure Phenomenology* (Husserl 1962) or his *Cartesian Meditations: An Introduction to Phenomenology* (Husserl 1964). Van der Leeuw and Husserl were seeking to identify the *necessary conditions of possibility and structures* of the domain of human experience of phenomena.

20. Kant, however, already has a discussion of possibilities as the No-thing (*Nichts*) as the ultimate ground (*Grund*) of experience in light of the regulative idea of reason (*Noumenon*). (See Kant 1983: 960-961, as well as 811, 821-822)

However, in North America the Phenomenological project took the bracketing of the “Phenomenological reduction” to warrant viewing disciplines in particular and reality in general as a *social construction*. A corollary to the shift to descriptions of social constructions is that moral principles are viewed as relative to the community of construction, which fit the political sensibilities of the post-colonial world.

When cultural relativism is combined with the notion of the social construction of reality as in a project like George Lindbeck’s post-liberal, “Cultural-Linguistic Theological Model” (Lindbeck 1984),²¹ the promise of Phenomenology and the Phenomenology of Religion that was concerned with humanity’s domains has been turned into a geographical feature of the territory of Religious Studies. When merely concerned with social constructions, Religious Studies becomes a purely descriptive activity that brackets truth (and value) claims. Such an approach assiduously avoids the imposition of “relative,” value judgments on the other, and it is carefully descriptive of religious traditions. However, as we saw above, one crucial consequence is that Religious Studies within the parameters of social constructions is forced to remain silent in the face of persecution, oppression, and exploitation in the religious traditions that it studies because there is no position that one can assume that allows critique.

Furthermore, the territory of the social construction of traditions is incapable of acknowledging, much less critiquing, any possible “systematic distortion” (see Habermas 1970) of any and all social constructions because one is incapable of “getting outside” of one’s social construction for purpose of critical assessment.

In addition, this geographical feature of Religious Studies has generated an attack on “liberal” Religious Studies scholars who question dogmatic claims made by religious communities. Because it is assumed that the only appropriate approach to a tradition, whether one’s own or an other’s, is descriptive, the critic of dogmatism is subject to the charge of elitism and intolerance. If not an outright defense of dogmatism, it is a strategy that seeks to “allow everyone to be at the table” of Religious Studies and to

21. See McGaughey, Chapter 5 “On George Lindbeck’s Cultural-Linguistic Theological Model” in 1997: 172-194.

silence critiques of dogmatism under the guise of charging one's opponent with intolerance. This strategy is defended by Russell T. McCutcheon (McCutcheon 2006 and 2007).

This “post-liberal” approach is another example of defining Religious Studies in terms of *territorial* content. Most devastating to Religious Studies in terms of domains, however, is that, if we only focus on the historical manifestation of religion, then, by definition historical particularities contradict universal claims. According to this perspective, there can be nothing universal about religion. This would mean, though, that the post-liberal approach itself could be critiqued wherever it is used to defend a religious tradition (e.g., Christianity or Islam) as a “universal, world” religion (again, as in the case of Lindbeck).

On the positive side, by shifting our focus from territories to domains, we have a strategy for critiquing the content claims, as value as their descriptive role is, of the approach to Religious Studies grounded in social constructions. One may ask of any religious doctrine: 1) Is it concerned with a condition of possibility or a capacity that is necessary for us to experience the world as we do?, and 2) what are the consequences of the claims on the part of the particular religious tradition for those conditions of possibility and capacities that are necessary for us to experience phenomena as we do? *The litmus test for dogmatism, then, is no longer the privileging of one religious tradition/social construction or methodological perspective (i.e., the privileging of territories) over another, but, rather, whether the teaching and/or practice of a religious tradition contradicts, oppresses, or persecutes necessary conditions of possibility that make experience possible, whatsoever (i.e., the privileging of domains).*

In addition to profiling the dogmatic, speculative elements of a religious tradition, this strategy has the additional consequence of uncovering *pure, practical* religion that is at the core of all *historical* religions. Given the fact that the conditions of possibility and capacities for experience *are* universal, it is no violation of the integrity of any tradition to point out that there is an immanently transcendent, universal, invisible, supersensible dimension of experience with its autonomous, creative freedom that requires the self-legislation of moral principles to govern creative freedom. These constitute universal conditions of possibility that are necessary for theoretical and practical reason (not to mention aesthetic judgment) by everyone. In other words, by identifying the domains of Religious Studies in contrast to

trying to describe religious territories, we have cleared the ground for a truly universal study of religion appropriate to the species that alone is capable of being religious without violating the particular, historical manifestations of any single tradition.

Russell McCutcheon, however, will dismiss all claims to universal capacities as the quintessential error of liberal, humanist scholarship because by definition there are only relative, culturally-linguistic constructions of understanding. Yet, in contrast to McCutcheon, what is claimed as universal here is neither a specific set of objective, faith convictions nor some objective, “human nature” that McCutcheon attributes to liberal humanists (McCutcheon 2006: 733). The universal conditions of possibility and capacities claimed here for humanity are *supersensible and above* nature that must be cultivated subjectively by the individual – to be sure with the encouragement of a community (but not heteronomously).

Liminality

Territory X: In a work that won the 2005 Award for Excellence in the Study of Religion in the Constructive-Reflective Studies Category from the American Academy of Religion, *Between Heaven and Earth*, Robert Orsi proposes yet another strategy for approaching Religious Studies. In his chapter “Snakes Alive: Religious Studies Between Heaven and Earth,” Orsi maps the territory in terms of “confessional or theological scholarship, on the one hand, and radically secular scholarship on the other” to defend a “third way” that suspends

the impulse to locate the other ... securely in relation to one’s own cosmos ... to make one’s own self-conceptions vulnerable to the radically destabilizing possibilities of a genuine encounter with an unfamiliar way of life. This is an in-between orientation, located at the intersection of self and other, at the boundary between one’s own moral universe and the moral world of the other. And [*sic*] it entails disciplining one’s mind and heart to stay in this in-between place, in a posture of disciplined attentiveness, especially to difference (Orsi 2006:198).

The Religious Studies scholar brackets commitment to doctrines and assumptions and stands on the threshold between worlds to attentively listen to the other. Whether intended or not, this description of the “place” of the Religious Studies scholar is reminiscent of Victor Turner’s description of “liminality” in which one avoids “the network of classifications that normally locate states and positions

in cultural space. Liminal entities are neither here nor there; they are betwixt and between the positions assigned and arrayed by law, custom, convention, and ceremonial.” (Turner 1969: 95) Another way, perhaps, of describing this “place” of the Religious Studies scholar is that s/he intentionally steps into what Thomas Kuhn spoke of as the “crisis” stage of sociological paradigms²² (Kuhn 2012: 84ff) in which the “normative” standards of a dominant paradigm is has collapsed and one is seeking a new framework for understanding.

No matter how it is labeled, this “place” is not at all unlike the location of Religious Studies based upon social constructions with the crucial qualification that the religious scholar assumes a liminal position *between* social constructions. If so, then Russell McCutcheon has thoroughly misplaced his critique of Orsi as a “humanist, liberal scholar” who gets to choose to whom s/he will listen and to decide what interpretive framework is appropriate for properly understanding what the conversation partner said. Rather than focus on Orsi’s liminal methodology, McCutcheon portrays Orsi as championing

‘forms of interpretation that may not be indigenous to ... [a] tradition. His post-controversy idea of the scholar ... treats the self-representations of living or past subjects ... as primary source materials that comprise the basis for subsequent scholarly acts of historicization and theorization (what I take him to mean by his term ‘interpretation’) all of which follows the established conventions of the academy -- conventions that can exist in sharp contradistinction to those of the groups under study. Yet these are the very conventions that scholars such as Orsi ... understand as imperialist strategies that dehumanize the participants by ignoring their agency and own right to self-interpretation (McCutcheon 2006: 728–729).

In contrast to such an “imperialist” strategy, McCutcheon maintains that

all human systems of knowing and acting are best understood as parochial, through and through, and that scholars would be wise to consider their own interests as hardly coterminous with the interests of those whom they study. To presume otherwise--to presume that one’s interests set the parameters of the so-called level-playing field, thereby providing the terms in which all representations can be assessed--strikes me as the height of imperialism. That scholars compare across cultures is beyond dispute; the question is: are such comparisons and generalizations a product of their own curiosities and the theories that they develop to pursue them or are their comparisons getting at deeply essential traits? I advise opting for the former (McCutcheon 2006: 730, n. 16).

22. Kuhn employs the label “sociological” paradigm in contrast to paradigms of “exemplary past achievement” in the “Postscript” to *The Structure of Scientific Revolutions*.

McCutcheon is clearly engaging in an unfair characterization of Orsi. By placing the Religious Studies scholar on the threshold between sociological paradigms, Orsi imposes no restrictions with respect to those with whom he will speak, and, in principle, his aim is merely to present the other without moral or doctrinal judgment.

On the one hand, what distinguishes McCutcheon and Orsi is not who is and who is not “theorizing” (and, therefore, demeaning) his subjects. There is no understanding without “representation,” and, to the extent that understanding occurs, even “emotions” and “tacit knowledge” (Polanyi 1964) are forms of representation. The issue for understanding is not to escape representation, which would be the end to understanding and not merely scholarship, but to discern what the necessary conditions are for there to be anything like understanding (including emotions and tacit knowledge). In other words, in our present case, the problem is not representation but the assumption that understanding is tied either to an inescapable Kuhnian sociological paradigm (McCutcheon) or that it is in a liminal state between sociological paradigms (Orsi). On the other hand, what unites both McCutcheon and Orsi is that both epistemological strategies treat the discipline of Religious Studies as concerned with territories, not with domains, and, as a consequence, can make a valuable contribution to our understanding but do not exhaustively exhaust the enterprise of religious studies.

The apparent advantage of their two strategies is that they both “bracket” value judgments, which is the coin of the realm in our post-colonial world: McCutcheon brackets value judgments by insisting that one is trapped in one’s sociological paradigm and, at best, can (or at least should try to) neutrally describe the phenomena that is the other -- including the “offensive” “other Other” (McCutcheon 2006:746) who is to be distinguished from the “no cost Other” (McCutcheon 2006:733) similar to the examining scholar. Yet, Orsi brackets value judgments by insisting that the scholar take up the unsettling liminal position of complete, openness to describe the phenomena that are the other. In both cases, Religious Studies is studying something objective and “over against” the scholar. This form of “objectivity” is achieved by merely “opening one’s eyes” with the phenomena controlling the *degree* of objective understanding with the “degree” determined by one’s belief that understanding occurs within

the framework (McCutcheon) or lack of framework (Orsi) of a sociological paradigm (the map of the territory that is always uncertain).

The Copernican Turn, however, confronts us with an “objectivity” of a very different kind:²³ to be sure, understanding cannot occur without first encountering phenomena; however, what makes the understanding objective is the degree to which one can discern *necessity* as the *condition of possibility* for experiencing the phenomena (not that there is some unchanging essence for a set of phenomena). If one can add a *law* to the phenomena, then one has objectivity. Where no law of relationality can be added to the phenomena as in the case of dreams, fantasies, and hallucinations, then there is no objectivity. However, laws are neither absolute (at least they are incapable of proof or disproof with respect to applying to all times and all places) nor are they capriciously created by humanity but are something that humanity must *add to* the phenomena (and only humanity appears able to add them). Here we have a map not of an uncertain territory that brackets all value judgment but a domain that is governed by necessity (i.e., an ever expanding coherent system of complementary laws).

Religious Studies as Competing Meta-Narratives or Ephemeral Traces

Territory XI: Postmodernism’s rejection of meta-narratives (Lyotard 1985) and Deconstruction’s reduction of all experience as an ephemeral set of linguistic traces without any anchor in necessity as a consequence of “différance” (Derrida 1982) offer another approach to the territory that can lead to valuable insights but not to the domains of Religious Studies. The rejection of meta-narratives and the

23. See Cassirer’s discussion of objectivity in 1910: 428; 1980: 13; 2001: 8; 2002a: 38, 103; and 2002b: and 61, 549. The notion of objectivity is inseparable from “concept,” and Cassirer’s crucial historical observation in epistemology is the reporting of the shift from “substance” objectivity to “function” objectivity. This is first presented in his *Substanzbegriff und Funktionsbegriff* (1910) (misleadingly given the title *Substance and Function* in the English translation because the English title suppresses “Begriff” or “concept”). See in addition his discussion of the significance of the shift from Brod u. Weltsch’s notion of the concept as an attribute of “x” ($A + x$) to Euler’s $f(x)$ (2002b: 340, 346-347, 358, and 375).

embracing of difference constitute a version of the social construction of reality approach to Religious Studies. Without trivializing the epistemological and emancipating significance of either Postmodernism or Deconstruction, what is of profound significance for Religious Studies is that they quintessentially represent the skepticism with respect to the understanding of territories. In contrast, the advantage of Critical Idealism's methodological skepticism is that it shifts the focus of understanding from *content* claims (territories over which there will always be skeptical differences) to *conditions of possibility necessities* (domains governed by necessities).

Religious Studies as Domain

The approach to Religious Studies as concerned with domains rather than the mere investigation of territories reconfigures the discipline (but, of course, does not exclude fields and territories). Although it changes nothing with respect to the phenomena of fields and territories and although it, too, requires the open-ended, descriptive strategies appropriate to fields and hermeneutical interpretations of territories, the grounding of Religious Studies in domains illuminates the profound inadequacy of fields and territorial maps without insisting that Religious Studies should surrender the academic stage to the explanatory power of the natural sciences.

In light of the Copernican Turn's illumination of the domain of physical nature as an activity of *adding symbolic elements* (mathematical models) to phenomena that are not there in the phenomena, the academic study of religion by no means consists of conflict between science and religion. On the contrary, when Religious Studies is grasped as grounded in the domains of nature and autonomous, creative freedom, it rises to the status of queen of the sciences. This is not because Religious Studies grasps absolute, metaphysical or empirical truths. Rather, it is because Religious Studies is concerned with the universal, conditions of possibility for human experience *as well as humanity's assumption of moral responsibility for the creative domain of autonomous freedom*.

Territorial mapping of Religious Studies approaches Religious Studies, as we have seen, at least in terms of eleven territories: 1) as a creative construction by the scholar investigating religious phenomena (mapping territories); 2) as symbol system; 3) as an information exchange whose goal is

religious literacy that involves assumption of a religious *perspective on* life or with respect to some region among other regions of life; 4) as concerned with spirituality over against materiality; 5) as a disinterested investigation of religious phenomena that brackets all assumptions; 6) as capable of being explained by scientific reductionism; 7) as a claim to ultimate meaning in a cold, heartless universe; 8) as Phenomenology that brackets truth claims; 9) as a post-liberal, cultural-linguistic construction of religious “worlds” that involves an inescapable commitment to a sociological paradigm impervious to criticism of its claims; 10) as the assumption of a liminal position between sociological paradigms; and 11) as a Postmodern dismissal of the destructiveness of all meta-narratives and embracing of the epistemological limitation of the trace.

Religious Studies grounded in domains, in dramatic contrast to mere territorial investigations, views Religious Studies as the queen of the sciences that includes any and all insights gained from territories but also provides a framework of critique of all territorial claims. Rather than offering a mere perspective on life, religious studies is concerned with the conditions of possibility for life and with our assumption of moral responsibility for the creative freedom in which we must believe if we are to be(come) the species that we are. Precisely because these conditions of possibility are universally *necessary*, the two domains of the physical world and autonomous, creative freedom provide a basis for critique of the adequacy of the speculative claims made for the territories that constitute religious phenomena in all of their rich diversity.

Finally, Religious Studies does not claim that we *must be* moral beings; rather, it points out that we are moral beings *because we can be* – unlike any other species with which we are familiar. The conditions of possibility for our lives provide us with the capacity; whereas we as individuals and a species get to decide whether we want to live up to our role as the “final end of nature.” When we engage the domains of Religious Studies and not merely its territories, we learn that to be(come) human means to live by faith:

Here ... we see philosophy [i.e., philosophical theology, Kant’s label (Kant 2004a: 37)] put in fact in a precarious position, which is to be firm even though there is nothing in heaven or on earth from which it depends, or on which it is based. Here philosophy is to

manifest its purity as sustainer of its own laws, not as herald of laws that an implanted sense or who knows what tutelary nature whispers to it, all of which -- though they may always be better than nothing at all -- can still never yield basic principles that reason dictates and that must have their source entirely and completely a priori and, at the same time, must have their commanding authority from this: that they expect nothing from the inclination of human beings but everything from the supremacy of the law and the respect owed to it or, failing this, condemn the human being to contempt for himself and inner abhorrence (Kant 2008: 35).

We have now not merely explored the domain of pure understanding [and morality/religion], and carefully surveyed every part of it, but have also measured its extent, and assigned to everything in it its rightful place. This domain is an island, enclosed by nature itself within unalterable limits. It is the land of truth – enchanting name! – surrounded by a wide and stormy ocean, the native home of illusion, where many a fog bank and many a swiftly melting iceberg give the deceptive appearance of farther shores, deluding the adventurous seafarer ever anew with empty hopes, and engaging him in enterprises which he can never abandon and yet is unable to carry to completion. Before we venture on this sea, to explore it in all directions and to obtain assurance whether there be any ground for such hopes, it will be well to begin by casting a glance upon the map of the land which we are about to leave, and to enquire, first, whether we cannot in any case be satisfied with what it contains – are not, indeed, under compulsion to be satisfied, inasmuch as there may be no other domain upon which we can settle; and, secondly, by what title we possess even this domain, and can consider ourselves as secured against all opposing claims. (Kant 1965: B 294-295 [“Land” consistently translated as “domain.”])

Addendum

On the Symbolic Animal, Morality, and the Domains of Religious Studies

Without succumbing to speciesism, we can affirm with Ernst Cassirer and Jakob von Uexküll (Uexküll 1957: 9ff) that, although humanity shares a stimulus/response structure of perception with other sentient being, humanity does far more. It creates and inserts symbol systems (e.g., concepts, signs, languages of cultural range, mathematics, aesthetic symbols, etc.) into the midst of this shared stimulus/response structure. As a consequence, the greater the complexity of our symbolic systems, the greater *distance* we have from the stimulus phenomena our symbols are intended to help us understand.

²⁴ The advantage, however, is that, unlike other sentient beings incapable of such complexity, symbols

24. For a detailed analysis of the shift in Western thought from concepts as substances to concepts as relational functions graspable only by symbols, see in addition to (Cassirer 1910) Cassirer’s four volume *Das Erkenntnisproblem in der Philosophie und Wissenschaft der neueren Zeit* (Cassirer 1994). For a succinct statement of the centrality of symbolic mediation for the human species, see the second chapter

enable us “to see things that are not there in the phenomena.” This is what allows us to “see” a skyscraper in limestone and clay, the components of cement. Were we to perceive truth simply by opening our eyes, symbols would not be necessary, and we would be mere animals driven by little if anything more than instinct. Yet, we are animals that not only can “see things that aren’t there” by means of symbols, but we can adjudicate among symbols in terms of their necessity (as law-governed) or non-necessity (as lawlessness).

For example, there are two kinds of necessity that are *hypothetical*: technical and pragmatic necessities. Technical and pragmatic imperatives are driven by a physical situation. If I want to build a bridge over a river, there are technical imperatives (i.e., lawful necessities) that I must adhere to or else, as we know tragically from Minneapolis in 2007, the bridge will collapse. Another kind of imperative comes from the cultivation of one’s talents in order to pursue a career. These pragmatic imperatives are of a different kind than technical imperatives because things like careers are themselves products of human beings; yet, they involve the individual adhering to strict, professional expectations (e.g., education and codes of professional conduct) in order to pursue the career. Both technical and pragmatic imperatives can be called *hypothetical* imperatives because they depend upon an *if*. *If* I want to build a bridge in this particular situation ...; *if* I want to pursue a particular career ... The necessities involved here come from the particular situation under which one pursues the *if*.

One readily sees that these two kinds of *hypothetical* imperatives impose lawful necessities upon us *if we are to properly pursue the technical or pragmatic goals to which they apply*. What, then, is a *categorical* imperative? Physical conditions *necessarily* impose physical laws of causality on us whereas social order imposes civic laws of constraint on us. However, to the extent that we must acknowledge that there is a kind of causality that can initiate a sequence of events for which physical laws of causality

of Cassirer’s *Essay on Man* (Cassirer 1977), “Das Symbolproblem und seine Stellung im System der Philosophie” (Cassirer 2004). See as well, his three volume *Philosophie der symbolischen Formen* (Cassirer 2001: 11–13).

alone cannot account, we must recognize that there is another kind of *necessity in addition to physical laws*.

One might be tempted to speak of this other kind of causality as *pure spontaneity* (i.e., as a causality precisely independent of any causal order). However, pure spontaneity is no form of causality. We distinguish dreams from being awake, Kant maintained ((see Kant 1965: B 520-521; 1983: 860, 885, 927; 1998a: 154), precisely by dismissing the former as a set of clear and distinct appearances but *without any causal order*. Where there is causality, there is order. This raises the question, then: Where does the order that is applicable to autonomous, creative freedom come from? The answer, of course, is the same for the physical law: We don't know! However, any understanding of nature and assumption of responsibility by the individual for her/his autonomous freedom requires that these laws be grasped and added to phenomena *by the individual*. The only kind of order compatible with a non-physical, causal order is an entirely self-legislated (hence, *categorical*) causal order in contrast to the hypothetical and heteronomous, causal order that governs physical events.

Creative freedom is a causal system with its own causal laws that are *categorical necessities* because freedom's order is self-imposed and not derived from one's external situation as in the case of *hypothetical necessities*. Unlike the physical laws that govern the material world, the laws that govern freedom are moral principles. The former we *must* acknowledge (they are heteronomous); the latter we *can* acknowledge (they are autonomous). In short, *humanity is a moral animal not because it must be but because it can be* – we can self-legislate moral principles to govern our actions; we don't have to legislate them. Because we experience this autonomous, creative freedom nowhere else to the degree that we experience it in the human species, we hold ourselves alone to be moral beings, and failure to hold ourselves to moral principles would mean to sell short our capacity to be human.

The *givenness* (that implies a Noumenon to phenomena) of the conditions of possibility for us to be moral beings as well as the dependence of the individual on what Kant called a “culture that promotes the will” (i.e., promotes morality), not an external, heteronomous imposition of moral principles on the individual. This “culture that promotes the will” he distinguishes from a mere “culture of skills” (Kant 2001:299). The “culture that promotes the will” is not the culture of power and dominance but is

anchored in one's faith in the ineradicability of one's autonomous, creative freedom (one's dignity) as long as one lives. True culture is not only supportive of the moral improvement of the individual in this life. The goal of true culture is also the moral improvement of the species, as we've seen. Together these elements constitute what Critical Idealism calls *pure* religion. These religious elements of experience all must be *added to* our experience, which we are capable of doing because we are symbolic animals. Obviously, *pure* religion is more than *mere* morality.²⁵

However, there is no greater violation of the discipline of Religious Studies than *heteronomous* morality because it undermines the very capacity that makes *pure* religion possible. Pure religion is grounded in autonomously, self-legislated moral principles because the individual *can*, not because the individual *must*.

Were we to define religion as concerned with heteronomous morality, then we would be talking about Religious Studies as *moral formation* that consists in the inculcation of culturally relative principles. However, the notion of moral formation, as we have seen, limits morality to a territorial claim and ignores the domains of *pure* religion.

Moral formation confuses a civic law for a moral law. Civic law consists of the socially contracted, *external* rules agreed upon to govern humanity's material affairs. Everyone knows from personal experience, however, that one can do everything proper according to the civic law and be immoral. The legal profession is frequently, pejoratively painted with the broad brush stroke that understands it to be the task of lawyers to ensure that the *interests* of the client, not what is moral or just, are served *within the parameters of what is legal*. Higher than the civic law, then, is the moral law, and a social system functions best when its citizenry are moral and not just legal.

The difference between the civic and the moral law can be illustrated by the difference between territory and domain. One frequently hears Christians claim that the moral law consists of the Ten

25. Nicholas Wolterstorff agrees (see 1991: 41). Stephen Palmquist proposes, however, that, without a notion of Christian grace, Kant's notion of religion is reduced "to nothing more than ethical conduct" (Palmquist 2010: 530, see note 2).

Commandments. In the opinion of these Christians, the Ten Commandments should be engraved on stone and greet anyone who enters a courthouse. What makes this a territorial issue? First, there are two sets of Ten Commandments in the biblical book of Exodus (in chapters 20 and 34), and, although the text explicitly says that they are the same, they literally are not! Second, what constitutes their “sameness” is that they are civic laws. These very different sets of laws are the rudimentary civic laws necessary for governing the external affairs (a particular territory), and, as such, they are very different: 1) one involves the laws necessary for a nomadic community to survive in the wilderness (Exodus 20); 2) the other involves the laws necessary for a sedentary community to survive where there is property ownership and domesticated animals (Exodus 34).

Once again, though, even the strictest adherence to the civic law cannot guarantee justice/morality because the civic law of a mere “territory”! only is concerned with external relationships not with internal inclinations.²⁶ The civic law requires the moral law “above” territories in order for there to be justice. One is judged moral or immoral not because of how one *appears in the eyes of others* but by ones *purity of heart* (i.e., internal inclinations).

This seems to land us squarely in the Augustinian (mis-)reading of Romans 5:12 with its innovative claim of original sin. Obviously, if my inclinations are *ontologically* corrupt, I am immoral, and the fact that my inclinations are (at least on occasion) immoral would suggest that I am ontologically corrupt. With the convenient excuse of ontological corruption, I can escape responsibility for my actions particularly if there is a loving, divine Father who can make me morally perfect (error free) if I believe in Him.

26. Herman Waetjen (Waetjen 2011) in the spirit of Alain Badiou and Giorgio Agamben, but with the crucial addition of philological brilliance, and Theodore Jennings, Jr. (Jennings 2006), both drawing on Derrida, have discussed the significance of the universal (non-sectarian Christian), moral “law above law” in Paul. Derrida suggests that Kant’s notion of religion is Christian (Derrida 1998: 10-11). However, because Christianity is a *historical* religion whereas *pure, practical* religion is at the core of all *historical* religion according to Kant (Kant 2004a: Second Preface), one could just as easily say that for Kant Religion is just as well Buddhism or Shintoism or Islam, etc.

Augustinian original sin is a territorial claim of *historical* religion, not part of the domain of *pure, practical* religion. It is a claim driven by a capricious, not a necessary, assumption: humanity at some point was perfect/error free, is meant to be perfect/error free, and can be *restored to perfection*/without error by means of divine grace. There is nothing about this assumption that is necessary when it comes to discerning the conditions of possibility for our experiencing phenomena the way that we do. Given the limits of those very conditions of possibility, neither our understanding nor our actions are (or can be) perfect in the sense of error free. This merely territorial claim of original sin involves a speculative dogmatism that denies the human condition.

It is not the task of religion to impose heteronomous, moral principles on others or to expect error free consequences for our moral efforts. Nonetheless, the domains of Religious Studies do provide, as we have seen, criteria to critique one another and other cultures/traditions.

If we can't be morally perfect in the sense of error free, then why should we bother with morality? The response from the domain of Religious Studies is simply: *because we can!* We are the species that can seek moral improvement within its limits. We are not moral because we must be -- if we must be moral, then the very conditions of possibility of our moral capacity are denied. Famously, Kant spoke of humanity as "radically evil." What role does evil play in our moral vocation? Although Kant spoke of our being "by nature evil" (Kant 2004a: 55ff), he was quick to insist that this does not mean that we come into the world ontologically determined to be good or evil. That would be a contradiction of our autonomous, creative freedom. Nonetheless, evil (as well as good) is a radical and inextirpable element of our character *as a necessary condition of possibility of experience* because there can only be freedom if we have an option between evil and good maxims. Without a capacity to choose between good and evil maxims, we would be determined as either good or evil. For this reason and not because of an ontological determination of the will in advance of the choice between good and evil principles, Kant can write: "It is impossible to think of anything at all in the world, or indeed even beyond it, that could be considered good without limitation except a good will" (Kant 2008) – with the emphasis on "good without [external] limitation."

The notion of *self-legislated moral laws* sounds like a license *to do whatever I want* because I get to decide what is moral. Such an approach to morality, though, is as much a contradiction of the grounding capacity for morality as is a heteronomous, moral law. To treat morality as personal license is to define autonomous, creative freedom as capricious spontaneity. However, autonomous freedom is a kind of efficient causality complementary to the efficient causality of nature. Causality is a metaphor for *order*. There is no causality where there is no order.

How do we know that nature and autonomous freedom are *ordered*? We don't know, absolutely! However, approaching the domains of nature and our autonomous freedom *as if they were ordered* makes all the difference in terms of our understanding nature and ourselves. It is precisely because we are *necessarily* dependent upon this *as if* that humanity is a religious species. Unlike other species with which we share our animality and, to at least a rudimentary degree, our capacity for determining and even reflecting judgment, we surely do not exercise these capacities *merely instinctually*. Our *as if*-approach to the world and to ourselves means that we are the animal of the possible not merely of the actual, and it is our symbolic capacity that unlocks the secrets of nature and ourselves to enable us "to see things that aren't there" *but that are, nonetheless, possible in the phenomena*.

Autonomous morality is humanity's strength as the animal of the possible (the categorical). It is what makes it possible for us to act contrary to our interests (I would hope that even McCutcheon would agree although he pessimistically proclaims the opposite (McCutcheon 2006: 730, n. 16)). A thought experiment paraphrased from Kant (Kant 1956: §6 Remark): Someone who claims that s/he is incapable of controlling her/his sensuous impulses, when confronted with the gallows for having not controlled her/his impulses, surely will -- out of self-interest. Yet, given the situation of a public official threatening her/him with the gallows should s/he refuse to bear false witness against an honest person, everyone knows that even the threat of death does not make the lie right -- regardless of what the individual in the situation chooses to do. Succinctly, the recognition of the individual's obligation to be honest demonstrates that the moral law is higher than external, civic sovereignty.

Morality is precisely part of the domain of Religious Studies because morality has to do with the exercising of the *gift* that is humanity's highest capacities as the "end of nature," not out of fear but out of

the desire to be human. Unlike the civic law, which does motivate out of fear according to Aristotle (Aristotle 2009: Book 10), morality can never be motivated by fear because, as soon as fear enters the picture, it undermines the very moral capacity that it is meant to motivate. The individual becomes more concerned with not getting caught or with pleasing the heteronomous power behind the fear rather than the individual seeking to do the right thing because it is right, regardless of self-interest.

The conditions of possibility for morality are entirely internal. They have to do with the wager that we possess an autonomous, creative freedom not reducible to physical necessity, and, as a consequence, we are morally responsible for that autonomous freedom. Although profoundly “subjective,” individual morality requires a community that understands the invisible, supersensible nature of morality independent of consequences, yet, is supportive when the individual chooses to act contrary to her/his interests. Individual morality, then, depends upon a culture that promotes the will.

Here, Religious Studies is not concerned with *moral formation* (what we *must* do²⁷) but with *moral development* (what we *can* do). The difference is not trivial. Moral formation is grounded in heteronomous, non-universal moral principles and is concerned with consequences; moral development is grounded in autonomous, universal (*as if*) moral principles and is concerned with the *necessary* conditions of possibility for us to be(come) human. When invoked in Religious Studies, moral formation is a function of territory; moral development, on the contrary, is a function of domain.

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27. Kant’s formulation (“If I should, I can”) is not infrequently distorted into “If I should, I must” (Nicolas Wolterstorff 1991: 48-49, see Chris Firestone and Nathan Jacobs 2008: 49-50). Does here the modal verb “must” involve a command or articulate a certainty? Schubert Ogden switches to the second person: “*Du kannst, denn du sollst*” (Schubert Ogden 1961: 118). Both Wolterstorff’s and Ogden’s formulations are heteronomous and violate the Kantian notion of autonomy. Of course, the most blatant violation of Kant’s moral theory is Henri Bergson’s *The Two Sources of Religion* in which he turns Kant’s categorical imperative into a closed, “static,” heteronomous moral system.

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