

ON HUME’S PHILOSOPHICAL CASE AGAINST MIRACLES

...For our sake he was crucified under Pontius Pilate;
He suffered death and was buried.
On the third day he rose again...

—The Nicene Creed

1. Introduction

As I understand the Christian faith, if certain events did not occur in human history, then many of its distinctive claims are false. What I have to say below concerns one such (alleged) event, an event affirmed in the earliest Christian creeds.¹ It is known as “the Resurrection of Jesus Christ”. I choose this event as my focus not because I believe it occurred but because the great 18th century Scottish philosopher, David Hume contends that it did not occur, or at least that it is beyond credibility, and hundreds of intelligent and admirable men and women like him concur.² In one of the most stirring and impassioned pieces of prose written in the English language, Hume summarizes his contention in these words:

[U]pon the whole, we may conclude, that the *Christian Religion* not only was at first attended with miracles, but even at this day cannot be believed by any reasonable person without one. Mere reason is insufficient to convince us of its veracity: And whoever is moved by *Faith* to assent to it, is conscious of a continued miracle in his own person, which subverts all the principles of his understanding, and gives him a determination to believe what is most contrary to custom and experience. (131)

As it turns out, Hume’s reasons for drawing this conclusion are perfectly general; if they apply to the Resurrection, they apply to any event that a religious adherent might regard as a miracle. (I invite the reader to substitute for the Resurrection whatever event they wish, so long as it is widely regarded as a miracle by adherents of a theistic religious tradition. The parting of the Sea of Reeds would be a good example.)

Now, why should we care about why Hume thought that Jesus did not rise from the dead? Well, in a word, I take it that whether Hume is right is *important*. If Jesus did not rise from the dead, we can pretty much ignore his claims and the claims of his associates that he was the Son of God, the Messiah, Emmanuel; and along with them, we

¹ From this point on, I will stop using the parenthetical qualifier “alleged”, but I want my readers to insert it whenever it might otherwise seem that I am affirming that some miracle occurred, or that some text accurately reported one. What I have to say here is perfectly at home with denying that any miracle has ever occurred.

One of the earliest Christian creeds that affirms the Resurrection was cited by Paul in his first letter to the Corinthian church (circa 55AD): “For what I have received I passed on to you as of first importance: that Christ died for our sins..., that he was buried, that he was raised on the third day,...and that he appeared to Peter, and then to the Twelve. After that, he appeared to more than five hundred of the brothers at the same time...” (15:3ff). The bishops gathered at the first ecumenical council (Nicea, 325AD) reaffirmed this event in the words quoted at the beginning of this paper.

² “Of Miracles,” section X, *An Enquiry concerning Human Understanding*, in *Enquiries concerning Human Understanding and concerning the Principles of Morals*, ed. L.A. Selby-Bigge, 2nd ed. (Oxford: Clarendon Press, 1902). I quote from the 3rd edition (1975), ed. P.H. Nidditch. Parenthetical page references in the body of my paper are to this work.

can pretty much dismiss the Christian faith too, or at least its distinctive doctrines.³ However, if Jesus did rise from the dead, then we would be most foolish to dismiss these claims. If Jesus was crucified, suffered death and was buried, and on the third day rose again, then, on the face of it, a supernatural explanation of the latter event is by far the likeliest, and his explanation of it becomes a live option, one that we would be most unwise simply to ignore.

Here enters Hume. I would have thought that to investigate whether Jesus rose from the dead, we would need to do some historical research: we would need to assess the reliability of the New Testament documents and related manuscripts; we would need to look into the credibility of the witnesses to his post-mortem appearances, the empty tomb, and the like. The task looks rather daunting.⁴ But, according to Hume, we don't have to do anything of the kind. For no matter how strong the testimony in favor of a miracle is—indeed, even if we “suppose...that the testimony considered apart and in itself, amounts to an entire proof” (114)—we have at our disposal a “full *proof*...against the existence of any miracle” (115). So we can avoid all that tedious historical work. We can simply use Hume's shortcut, a proof against the existence of *any* miracle, and hence a proof against the Resurrection.

So Hume has a “a decisive argument,” “an everlasting check to all kinds of superstitious delusion,” superstitious delusions like the Resurrection. There is good news and bad news in Hume's proclamation. The good news is that he really has *two* arguments, not just one—or, at any rate, many scholars discern in his writings two arguments. The bad news is that neither succeeds; at any rate, try as *I* might, I can't see how they do.

2. On the impossibility of miracles

Everyone discerns in Hume's writings the claim that there is good reason to believe that miracles claims are not credible, reason that is at least good enough to counterbalance or outweigh the strongest testimony for a miracle. Many discern a different claim, however, namely that miracles are absolutely impossible, impossible no matter what. It is this latter claim, and the argument for it, that I will assess first.

Now, on the face of it, this claim is rather astonishing. While many of us may well think that Jesus did not *in fact* rise from the dead, or that the total available evidence for his having done so is 50-50, so to speak, none of us—I dare say—think that he *could not* have arisen from the dead *no matter what*. After all, “no matter what” includes “no matter if there is an omnipotent and omniscient God,” and it seems quite incredible that if there is such a God, *he* could not have miraculously raised Jesus from the dead if he had wanted to. But that's what Hume says.

³ We are strongly encouraged to draw these inferences by the earliest Christians, e.g. Paul, in the aforementioned letter: “if Christ has not been raised, your faith is futile; you are still in your sins.... If only for this life we have hope in Christ, we are to be pitied more than all men” (15: 17,19).

⁴ I do not mean to imply that historical research of the sort envisaged here is the *only* way in which one could justifiably believe that Jesus rose from the dead. Perhaps one could justifiably believe that Jesus rose from the dead on the basis of the testimony of some authoritative community, or of the Holy Spirit, or a little of both, etc. All I mean to imply is that you would have thought that it was about as likely that we could arrive at a negative verdict on the Resurrection by *a priori* philosophizing of the sort Hume engages in as you would that we could arrive at a positive verdict by the same means—which is to say it isn't likely at all. Nevertheless, that's the strategy what Hume holds out to us.

I should note immediately that scholars disagree as to whether Hume says that. The argument I will evaluate in this section may not have been intended by Hume. So, in order to avoid getting embroiled in a textual dispute, I will call the argument I will assess *the Humean argument*, the argument inspired by Hume. And I will speak of its advocate as *the Humean*, the one inspired to defend the argument.⁵ Before I assess the Humean argument, however, I need to address a popular objection to it.

2.1 “So what? With God all things are possible”

The conclusion of the Humean argument is that miracles are impossible. Many a Christian believer, well-versed in the gospels, will have a ready response to this line of thought. They will say, “So what? So what if miracles are absolutely impossible? What’s that got to do with whether God could perform one? *God* can do the impossible. After all, as Jesus said, with God *all* things are possible.”

As plausible and pious as this response might initially appear, it is neither. For even if God is omnipotent and omniscient, He cannot do the impossible. Thus, *if* miracles really are absolutely impossible, then not even God can perform one. And *if* God cannot perform a miracle, then He could not have miraculously raised Jesus from the dead.

Many people of a traditional religious persuasion have a difficult time with sentences that begin “God cannot...” Two points might be helpful here. First, to say that God cannot do something is not to say God’s power is limited to what *we are able to do*, or to what *we think* is possible. Rather, it is to say that no matter what degree of power a being has—even omnipotence—that being cannot do what is *absolutely impossible*. Second, very few religiously inclined thinkers have been willing to say that it is possible for God both to exist and not exist at the very same time, or that it is possible for a man to be a bachelor and married at once, or that the number 2 can be the only whole number between 1 and 3 and be odd—and for good reason. Such things are absolutely impossible. This is the answer that traditional believers usually give to questions like “Why can’t God bring it about that He breaks a promise?” or “Why can’t God fulfill His purposes without permitting evil?” God can’t do these things because, well, they are absolutely impossible. Just as there is nothing impious in answering these questions in this way, so there is nothing impious in saying that God cannot perform a miracle—*if* miracles are absolutely impossible.

But that’s a big *if*. Instead of piously proclaiming that God can perform a miracle even if miracles are absolutely impossible, the religious believer would do better to

⁵ See, e.g., Alastair McKinnon, “‘Miracle’ and ‘Paradox,’” *American Philosophical Quarterly*, 4 (1967), 308-14, and Nicholas Everitt, “The Impossibility of Miracles,” *Religious Studies*, 23 (1987), 347-9. As J.L. Mackie notes, *The Miracle of Theism* (Oxford: Clarendon Press, 1982), 19, Hume *seems* to disagree with McKinnon, Everitt, and their ilk. Hume *seems* to use the word ‘miracle’ in such a way that miracles are possible. In “Of Miracles” (127), the paragraph beginning “I beg the limitations...,” Hume says that, by his lights, “there may possibly be miracles, or violations of the usual course of nature,” and then describes such a hypothetical possibility, the case of eight consecutive days of darkness. Someone who thinks that miracles are impossible would not say such things, unless he was confused. Unfortunately, we must take the latter alternative seriously. After all, Hume does say “a miracle is a violation of a law of nature,” an exception to it, and he notoriously held that laws of nature are nothing but exceptionless regularities. Of course, nothing can be an exception to an exceptionless regularity.

inquire into what argument the Humean offers on behalf of the astonishing claim that miracles are impossible.⁶

2.2 The Humean argument for the impossibility of the Resurrection

So how, exactly, does the argument go? I think that it can be fairly expressed like this:

One of the main aims of science is to discover the laws of nature. Whether scientists have succeeded is a matter of dispute, but that there are such laws and that their discovery is an aim of science is beyond dispute. Now, whatever the laws are exactly, let's suppose that one of them is this: *Nothing travels faster than the speed of light*, that is, nothing travels faster than about 186,000 miles per second. A simple question arises: could it be a law of nature that nothing travels faster than the speed of light even though something has travelled or will travel faster than the speed of light? The answer, of course, is 'no'. It is a law of nature that nothing travels faster than the speed of light only if it is *true* that nothing travels faster than the speed of light; and it is true that nothing travels faster than the speed of light only if *in fact* nothing travels faster than the speed of light. Thus, if it is a law of nature that nothing travels faster than the speed of light, then in fact nothing travels faster than the speed of light. If it is a law of nature that nothing travels faster than the speed of light, then it is *false* that there has been or ever will be something—say, a photon—that travels faster than the speed of light.

We can put the point this way: if something were to travel faster than the speed of light, it would run counter to the claim that nothing travels faster than the speed of light; it would be a *counterinstance* to it. But no law of nature has a counterinstance. That's because, as J.L. Mackie puts it, "a law of nature is, by definition, a regularity—or a statement of a regularity—about what happens, about the way the world works."⁷ A statement of such a regularity is what philosophers call a true *universal generalization*.⁸ Universal generalizations are statements of the form *Every F is a G*, or *No F is a G*. Thus, presumably, the statement *Every piece of copper can conduct electricity* is a law of nature, as is the statement *Nothing travels faster than the speed of light*. It simply is not possible that (a) *Every piece of copper can conduct electricity* is a law of nature,

⁶ They would also do better to read phrases such as "with God all things are possible" in context. The passage from which this phrase comes is Matthew 19, the story of the rich man who could not give up his wealth to follow Jesus:

Then Jesus said to his disciples, "I tell you the truth, it is hard for a rich man to enter the kingdom of heaven. Again I tell you, it is easier for a camel to go through the eye of a needle than for a rich man to enter the kingdom of God." When the disciples heard this, they were greatly astonished and asked, "Who then can be saved?" Jesus looked at them and said, "With man this is impossible, but with God all things are possible." (23-26)

You don't need a PhD in literary criticism to see that Jesus is not teaching here that God can do the absolutely impossible. The contrast is between what man can't do and what God can do—that's all.

⁷ *The Miracle of Theism*, 19.

⁸ Law are not identical with true universal generalizations since there can be true universal generalizations that are only *accidentally true* and hence not laws, e.g. all humans are born on earth. *If* there is a truth lurking nearby, it is that laws of nature *imply* true universal generalizations. Nothing would be lost in the argument I am representing here if we replaced "laws of nature *are* true universal generalizations" with "laws of nature *imply* true universal generalizations".

and yet (b) the copper wire in my house was unable to conduct electricity on Thanksgiving Day, 2001. Things can't take a holiday from the laws of nature.

Now, what is a miracle? As Hume put it, "A miracle is a violation of the laws of nature" (114). But what is a violation of a law of nature but a counterinstance to it? Indeed, don't those who use miracles as evidence for their beliefs rely on this fact? For example, the Resurrection is supposed to be weighty evidence for the existence of the supernatural, in general, or for Jesus' religious authority in particular. But how could that be unless it's a violation of a law of nature? If it were merely unusual for dead men to rise again, the Resurrection would not pack the wallop it is supposed to. Only if it is a violation of a law of nature—say, a violation of the generalization that all dead men stay dead—can the Resurrection be evidence for the supernatural or Jesus' authority.

We can summarize the two points of the last two paragraphs like this:

1. It is a necessary truth that, if a miracle *m* occurs, then there is a law of nature, *L*, such that *m* is a counterinstance to *L*.
2. It is a necessary truth that, if *L* is a law of nature, then there are no counterinstances to *L*.

With these two points in hand, the argument for the impossibility of miracles is as simple as counting to five. Suppose, for *reductio*,⁹ that

3. It is possible that a miracle *m* occurs.

It follows from 1 and 3 that

4. It is possible for there to be a law of nature, *L*, such that *m* is a counterinstance to *L*.

But, on reflection, if 2 is true, then so is

5. It is impossible for there to be a law of nature, *L*, such that *m* is a counterinstance to *L*.

And the conjunction of 4 and 5 is a contradiction. Thus, by *reductio*, 3 is false; and it doesn't take much ingenuity to see that it follows God could not have miraculously raised Jesus from the dead.

What should we make of this argument?

We certainly cannot fault its inferences; the logic is impeccable. So if there is anything wrong with it, either premise 1 or 2 is false or undeserving of our assent. Let's examine premise 2 first.

2.3 Must a law of nature have no counterinstances?

To get at the question of whether premise 2 is true or false, we need to consider two very different pictures of what a law is, Prescriptivism and Descriptivism. In this section, I'll briefly sketch the difference between these two pictures, then I'll fill in the Prescriptivist picture with a bit more detail, and explain how it portrays the laws of nature. We will then be in a better position to assess premise 2.

Two pictures of laws. The slogan for Prescriptivism reads, "Laws prescribe, not describe"; the slogan for Descriptivism reads, "Laws describe, not prescribe". That is,

⁹ *Reductio ad absurdum* is a form of argument where you suppose something is true in order to show that it's false—since an absurdity, like a contradiction, follows from the supposition. Any elementary logic textbook will explain it in more detail.

according to Prescriptivism, a law tells someone or something how to act; it prescribes behavior. “Do this...Don’t do that”—that’s what a law looks like, that’s the form that a law takes, according to Prescriptivism. According to Descriptivism, however, a law states how someone or something acts; it describes behavior. “It did this...It didn’t do that”—that’s what a law looks like, that’s the form a law takes, according to Descriptivism.¹⁰ So, in broad strokes, the two pictures come to this:

	SLOGAN	FORM OF A LAW
PRESCRIPTIVISM	Laws prescribe, not describe	“Do this” “Don’t do that”
DESCRIPTIVISM	Laws describe, not prescribe	“It does this” “It doesn’t do that”

As with most big pictures, the broad strokes of these two need filling in, and may even be somewhat misleading as they stand. This is especially the case for the picture of Prescriptivism.

Prescriptivism. According to the prescriptivist slogan, a law prescribes, it does not describe. Strictly speaking, that slogan does not represent Prescriptivism accurately. While it’s accurate in saying that laws do not describe, it is inaccurate in saying that laws prescribe. That’s because, strictly speaking, only persons or groups of persons can prescribe, and no law is a person. Still, a law is a prescription, in the sense that it is the result or consequence or upshot of somebody with the relevant authority prescribing something. But here we must take care to understand what the prescriptivist means by the words “prescribe” and “prescription”.

On the one hand, to *prescribe* something is to stipulate how things are to behave; it is to impose, order, or command something. When the state says, “Pay your taxes by April 15,” it prescribes certain behavior for taxpayers, behavior indicated in the resulting prescription, and the very act of the state’s prescribing it makes it a law. A *prescription*—that is, a law—is what results from the proper authority prescribing something. This is what the prescriptivist means by the words “prescribe” and “prescription”.

On the other hand, to prescribe something is to recommend or advise it. This may well be what, nowadays, we mean typically by the words “prescribe” and “prescription”. But it is *not* what the prescriptivist means. When a doctor writes on a slip of paper, “Take 50 mg of Zoloft each night for 6 months,” and hands it to her patient, she advises him—very strongly, perhaps—to do something. But her prescribing it does not make it a law. A mere recommendation—no matter how firmly or wisely given—is not a law. We might express the difference this way. When a patient does not do what his doctor prescribes, does she have the authority to punish him? No. When a citizen does not do what the state

¹⁰ I’m oversimplifying here. Many descriptivists think that laws—and the laws of nature in particular—describe not merely what things do and don’t do, although such descriptions might be a consequence of the laws. But everything I say in the text about prescriptivism and descriptivism applies equally even if we were considering these other descriptivist views.

(properly) prescribes, does it have the authority to punish him? Yes. That's the difference between a prescription that is a strong recommendation and a prescription that is a law. The state, unlike the doctor, has the authority to make its prescriptions *laws*.

So, according to the prescriptivist, although laws, strictly speaking, do not prescribe, they are prescriptions, but not recommendations, that is, they are the result of someone with the proper authority performing a certain sort of act, namely prescribing. We might pose a question for the prescriptivist at this juncture: why suppose that there is something that is distinct from the performance of a linguistic act (a particular occurrence of a prescribing), something that comes into existence as a result of performing that act? An authority prescribes; but there aren't, *in addition*, prescriptions, the results of an authority's prescribing. It seems to me that a start at answering this question would include the following thought. Suppose my wife and I enter the kitchen only to see standing on the counter reaching for the cookie jar our two-year old boys. (They're doing a lot of that sort of thing these days.) We both say, simultaneously, "Get off the counter *now!*" There are clearly two particular occurrences of prescribing here—my wife's, on the one hand, and mine, on the other—but, equally clearly, there is a sense in which my wife and I *prescribed the same thing*. What is that "same thing"? It is neither of our acts of prescribing, for they are two things, not one and the same thing. The prescriptivist says that it is a prescription; something distinct from the acts of prescribing but which results from such acts. Considerations such as these—and there are others, specifically those that parallel considerations offered on behalf of the theory of propositions—lend some support at least to the prescriptivist's claim.¹¹

Our excursion from the slogan "Laws prescribe" to the more accurate "Laws are prescriptions," and our clarification of the meaning of "prescribe" and "prescription," allows us to understand a point the prescriptivist wants to make, a point that is so important that it is best to regard it as an axiom of Prescriptivism:

Axiom 1. There *cannot* be a prescription without a prescriber.

Now, if you are at all like me, this hardly sounds surprising. After all, if no state had ever stipulated "Don't drive on the left-hand side of the road, except to pass," it would be silly to suppose that, nevertheless, there was a *law* that would be properly expressed by these words.¹²

We are now in a position to see a second important point. The state says "Pay your taxes by April 15". Later, for one reason or another, it says "You don't need to pay your taxes by April 15; pay them by April 30". The original law is repealed, and a new

¹¹ For considerations in defense of the theory of propositions, which are analogous to considerations in response to the question raised in this paragraph, see Michael Loux, *Metaphysics* (New York: Routledge, 1993), chapter 4.

I've suggested that prescriptions come into existence *as a result of* the proper authority's act of prescribing. But the prescriptivist might think otherwise. She might distinguish a prescription's *existence* from its *being in force* or its *being binding*, say, in the way proponents of the theory of propositions distinguish a proposition's existence from its being true. She might then say that those prescriptions that are in force or binding are just those that are expressed on certain occasions by an authority's act of prescribing.

¹² The prescriptivist described in the second half of note 11, would put the point of this paragraph like this: "...Axiom 1. Prescriptions cannot be in force without a prescriber. ... After all, if no state had ever stipulated 'Don't drive on the left-hand side of the road, except to pass,' it would be silly to suppose that, nevertheless, there is a law *in force* that would be properly expressed by these words."

one is decreed. Even though you can't, the state can prescribe, cancel the prescription, give a new one, and so on. We have, then, a second axiom of Prescriptivism:

Axiom 2. If one has the authority to prescribe something, then one has the authority to repeal it and prescribe something else.¹³

Again, this sounds like a platitude.

Now let's take a closer look at another feature of the big picture sketch of Prescriptivism. It says that a law has the form of an imperative, "Do this" and "Don't do that". As it turns out, things may be a bit more complicated than this. To see why, consider the fact that sometimes when someone exercises their authority, the result is a change in the socio-legal status of something else. So, for example, when a priest or pastor or justice of the peace says, "By the authority invested in me, I pronounce you husband and wife," she thereby alters the socio-legal status of those on whose behalf her pronouncement is made. When a judge says, "I hereby sentence you to two years in prison," you become a convict. When your boss screams, "You're fired!," you become unemployed. And when the Department of the Treasury stipulates that certain pieces of paper shall have a certain value, tens, twenties, and fifties come into existence! An act that alters the socio-legal status of something is called an *exercitive*.¹⁴ Exercitives include pronouncing, stipulating, sentencing, pardoning, appointing, hiring, and firing, among other things. Our interest here, however, is in a certain sort of exercitive act, one that we might call *decreeing*. Decreeing, however—and this is the main point I want to make here—does not take the form of an imperative. So the big picture sketch of Prescriptivism isn't quite accurate. Decreeing takes the form of, well, decreeing: "*Let it be the case that thus-and-so*" or, perhaps more commonly, "Things of such-and-such a sort *shall* do this or that".¹⁵ A law, on this way of thinking about laws, is the upshot, result, or consequence of the relevant authority's decreeing that something or someone behave a certain way or that something be the case.¹⁶

Now, it is not important for our present purposes to decide whether laws are prescriptions or decrees, or whether some laws are prescriptions and others are decrees, or whether there really is no difference at all.¹⁷ What is of utmost importance, however, is that whether laws are prescriptions or decrees or both, *they are not descriptions*. To see just how absurd it is, from the point of view of Prescriptivism, to think of laws as describing how things in the world work, or must work, consider the following

¹³ My friends, Jan Cover and Hud Hudson, suggest this isn't quite right. Couldn't a law-giver prescribe a law and then decree that she shall never repeal it and prescribe something else? I invite the reader to rephrase Axiom 2 so as to avoid this minor worry.

¹⁴ The lingo isn't mine, it's William Alston's. See *Illocutionary Acts and Sentence Meaning* (Ithaca, New York: Cornell University Press, 2000), 33ff.

¹⁵ Do not confuse decreeing—e.g. "Every F *shall* G"—with predicting—e.g., "Every F *will be* a G"—or asserting—e.g., "Every F *ought to* G". If you are prone to such confusion, use "Let it be the case that Fs are Gs". You won't be tempted at all to confuse the latter with predicting or asserting.

¹⁶ Two notes. First, The noun "decree" was once a common synonym for "law," both of which, on the prescriptivist view, refer to what results from an act of decreeing. Second, probably the most famous (alleged) act of decreeing in all of western literature can be found in the first book of *Genesis*:

And God said, "Let there be light," and there was light. (1:3)

The remaining verses of the first chapter consist in a series of divine decrees.

¹⁷ Whether there are natural kinds may have a bearing on which route a prescriptivist takes, essentialists (perhaps) leaning toward prescriptions in the case of natural laws and anti-essentialists leaning toward decrees.

illustration. Suppose some new state initiates a tax law. “Pay your taxes by April 15,” or, alternatively, “Every taxpayer shall pay her taxes by April 15”. For ease of reference, call this *The Tax Law*. And suppose every taxpayer obeys it, all the time. In that case, the following is a true universal generalization, something of the form *All Fs are Gs*:

- All taxpayers pay their taxes by April 15.

For ease of reference, call this *The Tax Generalization*. Now, according to Prescriptivism, one would display massive confusion if one were to suggest that The Tax Law just is The Tax Generalization. Prescriptions and decrees do not describe how things are; true universal generalizations do. Prescriptions and decrees are neither true nor false; universal generalizations are one or the other. To suppose that prescriptions and decrees just are true universal generalizations is as bizarre as supposing that questions, expletives, and congratulations just are true universal generalizations. You simply don’t understand what a prescription or decree (or question, or expletive, or congratulation) is if you think that it is something that can be true or false.

Prescriptivism and ‘laws of nature’. According to the prescriptivist, the laws of nature—or, as she would be more inclined to say, the natural laws¹⁸—are, fundamentally, no different than the laws of the state. They are either general prescriptions or decrees. They are, for example, prescriptions like, “Be conductive, in such and such a way here and there [addressed, say, to the Void],” or “Copper shall be conductive” or “Let it be the case that copper is conductive”. Such things as these do not describe regularities in nature. They are neither true nor false. They could not exist if there were no law-giver. If there is a law-giver (and there is if there are any natural laws), he has the authority to rescind them when and where he likes and for whatever purposes he pleases. If, however, there is no law-giver—no one who has laid it down how natural objects shall be—then there are no natural laws. There are just regularities or powers in things. There are just universal generalizations or descriptions of the powers of things. None of these things add up to a *law*, however.

Prescriptivists will differ over what it is about, say, copper that makes it conductive. Ultimately, they will agree, the explanation is the same: someone with the authority laid it down that copper shall be conductive. But what is it about *copper*—the stuff—that makes it the case that *it* “obeys” that law? What is it about those copper *wires* inside the walls of my home that makes them get in line with “Copper shall be conductive”? Here prescriptivists diverge. One natural thing to propose is that it is by virtue of copper having a certain micro-structure that it is conductive. God—or whoever the law-giver is—says “Let there be copper,” and there is copper, and it is endowed with a certain structure in virtue of which it is conductive. On one model, the law-giver does this moment by moment, continuously decreeing that copper exist and that it have whatever structure it has in virtue of which it is conductive. On another model, the law-giver issues his decree just once, and that’s enough for copper to exist and have whatever structure it has in virtue of which it is conductive. Of course, on either model, copper will

¹⁸ The name “laws of nature” has a descriptivist ring to it, as though the laws are “out there,” “in nature”. Nothing could be more inaccurate, on Prescriptivism. If anything of this sort is appropriate, “laws governing nature” or “laws about nature” would be better than “laws of nature”. But “natural laws” is best. Just as nobody would be tempted to think that something called a “tax law” is “out there,” “in the citizenry,” so nobody should be tempted to think that something called a “natural law” is “out there,” “in nature”.

behave in a regular fashion, perhaps even an exceptionlessly regular fashion. But no such regularity—and no description of such a regularity, and no description of the structure of copper, and no description of the powers copper has in virtue of having that structure—should be confused with the natural law, *Copper shall be conductive*, which the law-giver lays down.

A more accurate sketch of Prescriptivism can be expressed in the following table:

	SLOGAN	FORM OF A LAW	NATURAL LAWS	AXIOMS
PRESCRIPTIVISM	Laws are prescriptions or decrees, not descriptions	Imperative: “Do this,” “Don’t do that”	[To the void] <i>Be conductive</i> (<i>in this sort of way, here and there</i>)	No prescription without a prescriber
		Decree: “Let it be the case that...” “Fs shall be Gs”	<i>Let it be the case that copper is conductive</i> <i>Copper shall be conductive</i>	Prescribers and law-givers may repeal and replace as they please

Now, our first question is this: *if* Prescriptivism is true, what does that imply for premise 2 of the Humean argument? Premise 2, recall, is this:

2. It is a necessary truth that, if L is a law of nature, then there are no counterinstances to L.

Prescriptivism and counterinstances. To answer this question, let’s suppose that Prescriptivism is true, just to see what follows. And, for the sake of illustration, suppose that it is a law of nature that *Copper shall be conductive*. It follows from these two suppositions and Axiom 1 that there is a law-giver—say, God—who exercised his authority to bring about such states of affairs just by prescribing or decreeing them. Moreover, it follows from Axiom 2 that God can rescind and/or replace this law as he pleases. Suppose it suits his purposes on some occasion to do so. Suppose he decrees, “Let the copper in the Howard-Snyder home stop being conductive on Thanksgiving Day, 2001.” Well, that’s his prerogative, and if God decrees something, that’s how it is. Consequently, the copper in my house takes a holiday (unlike me!). We have here, then, an exception to the law *Copper shall be conductive*, a counterinstance to it.

Here’s another illustration. Suppose, as David Hume did, that there is a law of nature that has to do with dead men staying dead. If Prescriptivism is true, this law will *not*, contrary to Hume, be an exceptionless regularity or a true universal generalization like *All dead men stay dead*. Rather, it will be something like *Dead men shall stay dead*,

where this is understood as the upshot of an authoritative act of decreeing, not a predicting or asserting. It follows from this supposition and Axiom 1 that there is a law-giver who exercised his authority to bring about such a state of affairs. And from this and Axiom 2 it follows that he can revoke his decree. Suppose his purposes call for such a revocation. Then, I suppose, he can bring it about that some dead man is no longer dead. If he does, the raised man is an exception to (what, at any rate, once was) the law.

It seems we must conclude that *if* Prescriptivism is true, premise 2 of the Humean argument is false.

Of course, the million dollar question is this: *is* Prescriptivism true? I suspect that I am like most of my readers. Prescriptivism holds a certain plausibility for us; it's not an unnatural way to think about laws in general or natural laws in particular. Even so, we must investigate it more thoroughly before we endorse it.¹⁹ In the meantime, however, provided that nothing we reasonably believe *rules it out*, then, wouldn't it be unwise to affirm that laws of nature can have no counterinstances? If so, we can't affirm the impossibility of miracles—or the Resurrection—on the basis of the Humean argument.

Let us turn now to an assessment of premise 1. In the remainder of section 2, I will assume—just for the sake of argument—that Prescriptivism is false and that Descriptivism is true.

2.4 Must a miracle be a counterinstance to a law of nature?

Recall that premise 1 of the Humean argument says this:

1. It is a necessary truth that, if a miracle *m* occurs, then there is a law of nature, *L*, such that *m* is a counterinstance to *L*.

We might adopt one of two strategies in assessing this premise. First, we might press on what a law of nature is, and discover that a miracle is not a counterinstance to a *law of*

¹⁹ Here's one objection: the prescriptive force of an imperative or command cannot have the *descriptive* content that we take laws of nature to in fact have. See Jan Cover, "Miracles and (Christian) Theism," in *Philosophy of Religion: The Big Questions*, eds. Eleonore Stump and Michael Murray (Malden, Massachusetts: Blackwell, 1999), 343. At first glance, this seems to be little more than the question-begging assertion that laws are descriptions. On closer inspection, however, perhaps Cover means to argue (1) laws have content, but (2) prescriptions don't, so (3) laws aren't prescriptions. The prescriptivist may well deny (1), but that would be desperate. After all, people obey prescriptions because they understand them, and they understand them because they have content. It seems to me that (2) is false, however. Here are two (incompatible) ways to argue for (2)'s falsity; I'm not sure which is correct, but I'm sure one of them is. Way 1. Prescriptions have *prescriptive* content. When I command my two-year old sons, "Stay off the street!," the prescriptive content of my command is that *They shall stay off the street* (which, again, is neither a prediction nor a moral assertion). Way 2. Prescriptions have the same content as descriptions. When I command my sons, "Stay off the street!," the content of my linguistic act is that *They stay off the street*. When I command my sons, I prescribe a certain state of affairs to them, *Their staying off the street*. Suppose they obey, and a passerby notices it. She might describe my sons behavior with "They stay off the street," the content of her linguistic act is that *They stay off the street*. When she describes my sons, she describes a certain state of affairs, *Their staying off the street*. Perhaps Cover meant a different argument, say this: (1') laws have *descriptive* content, but (2') prescriptions don't, so (3) laws aren't prescriptions. The proponent of Way 1 will say (1') is nothing but the implicit question-begging conjunction *laws are descriptions and their content is descriptive*. The proponent of Way 2 will, first, distinguish a speech act—like, prescribing and describing—from its content, and note that the content of two distinct speech acts can be the very same, as I illustrated with my command and the passerby's description. She'll then say that the phrase "descriptive content" is, strictly speaking, ill-formed. If it means "content of a description", then (2') is the false claim that prescriptions don't have *the content* of a description. If it does not mean that, then (1') is the question-begging assertion the proponent of Way 1 noticed.

nature, properly understood. Second, we might press on what a miracle is, and discover that a *miracle*, properly understood, need not be a counterinstance to a law of nature. I shall approach each strategy in the order mentioned.

2.4.1 Laws of nature, the goals of science, and implicit restrictions

According to the Humean, laws of nature are (or are expressed by, or imply) true universal generalizations of the form *All Fs are Gs*.²⁰ Now, suppose our best scientists developed the wisdom and technology to discover all the laws of nature, every last one of them—and suppose they succeeded. Then, according to the Humean, we would have a list of true universal generalizations, call it *The List*. Of course, many of the items on The List would be full of mathematical equations and technical jargon that very few people could understand. But many of them would be more homely, like this:

1. All copper is conductive.
2. Nothing travels faster than the speed of light.
3. All water freezes at temperatures below 32 degrees Fahrenheit.

Let's imagine, then, that we have The List before us. I want to make an observation about the particular items on it.

Note that items 1 and 3 of the portion in view before us are about copper and water. Other items on The List are about more exotic things: muons, gluons, fields of force (perhaps). But what is 2 about? Certainly not nothing! Well, then, what is it about? Presumably, *everything*. Item 2 is equivalent to the statement "Everything travels no faster than the speed of light". What can we infer from this? We can infer that no copper penny, no molecule of water, no photon, *absolutely nothing*, travels faster than the speed of light. Right?

Well, not exactly. Let me explain. Suppose a note is taped to my office door when I arrive back from class: "Dan, Frances wants you to come home quickly." I race home, run in the door, and shriek, "Is everything alright?" My wife responds, "Yes, everything's fine; sorry to alarm you. Peter just got a bloody nose. I thought it was broken." No one would mistake her for having claimed that—strictly speaking—*everything* is fine. There are still wars, famines, droughts, diseases, abused women and children, and so on. Everything—strictly speaking—is *not* fine. Or suppose you're the janitor at a high school, and, after a basketball game, you clean up the mess in the gym. Your boss says to you the next day, "The gym sure was a mess last night. Did you clean up everything?" You answer, "Yep. It's all gone; nothing's left." Obviously, you don't mean the bleachers and backboards and banners are gone. You don't even mean that there aren't several scuff marks here or there, and a bit of dust in the corners. In everyday life, we invariably use the words "everything" and "nothing" with certain goals and restrictions in mind, indicated by contextual clues. Given the goal of getting the gym ready for the next game, none of the mess from the night before is left. Everything within the scope of my wife's immediate concern is fine. The moral here is this: we need to understand a universal generalization as it is intended in the context in which it is put forward.

So let's return to The List and our hypothetical scientists who put it together. What do they intend by those universal generalizations? Well, what is the goal of science? Presumably, one of them is to understand how things in the *natural world* work. In that case, when they write down item 2 on The List—"Nothing travels faster than the

²⁰ I'll leave this parenthetical remark tacit from here on out, but I do mean it to be understood.

speed of light”—they do not mean to pronounce on how things go in a *supernatural world*, if such there be. Item 2 is not intended as a quasi-theological claim, one that should get Jerry Falwell and Pat Robertson upset, one that implies that no angel, if such there be, can travel from here to there in, say, twice the speed of light. That’s not the business of science.²¹ Rather, scientists mean something like “Nothing travels faster than the speed of light, supernatural objects aside (if such there be).” And a similar point applies to the other items on The List. Take, for example, item 1—“All copper is conductive”. Like item 2, it is not intended as a quasi-theological claim, one that implies, say, that no supernatural being, if such there be, can prevent the copper wires in my home from being able to conduct electricity for a day. Rather, item 2 is to be understood along the lines of “All copper is conductive, supernatural intervention aside (if there is any)”. So, strictly speaking, given the goals of science, the universal generalizations that scientists say are (or are implied by) the laws of nature do not take the unrestricted form

- *All Fs are Gs,*

but rather have implicit restrictions, something like this:

- *All Fs are Gs, supernatural objects and intervention aside (if such there be).*

We are now in a position to see that premise 1 is false.

Suppose that a miracle occurs: say, a man rises from the dead. According to Hume, this occurrence is a counterinstance to a law of nature, something like the universal generalization that

- *All dead men stay dead.*

We now see, however, that this expression of the relevant law is, strictly speaking, incorrect, and that the correct expression is that

- *All dead men stay dead, supernatural intervention aside (if such there be).*

Of course, this law of nature is compatible with some dead man getting up from his grave. For it does not speak to dead men a supernatural being raises from the dead. If there is such a being, and he raises some man from the dead, the man who is raised is no counterinstance to the generalization that *All dead men stay dead, supernatural intervention aside*; that event, after all, would be a case of supernatural intervention.

So, once we get clear on what the laws of nature are about (the natural world, not supernatural goings on), then—even if the laws are (or imply) universal generalizations—we can see that they must be implicitly restricted in such a way that no miracle is a counterinstance to the laws of nature. Premise 2 is, therefore, false. It is based on a misunderstanding of what a law of nature is.

2.4.2 Of “miracles”

Suppose that premise 2 of the Humean argument is true: necessarily, if L is a law of nature, then there are no counterinstances to L. And suppose that, contrary to what I affirmed in the last section, laws of nature are true *unrestricted* universal generalizations of the form *All Fs are Gs*. Given these suppositions, how does the Humean argument fare? Not well, or it seems to me. To see why, let’s press on the word “miracle”. What does it mean?

Hume, like many of his academic contemporaries, insisted that the word “miracle” was “accurately defined” as “[i] *a transgression of a law of nature* [ii] *by a particular volition of the Deity, or by the interposition of some invisible agent*” (115). It

²¹ Lest I be misunderstood, I am not implying that science and religion *could not* conflict.

is not uncommon for academics to agree with Hume.²² Many, however, do not agree. Some drop [i] but insist on [ii].²³ Others drop [ii] but insist on [i].²⁴ Yet others drop [i] and [ii].²⁵ And if you look at the English dictionary in the library closest to you, I'll bet my house that it offers *several* definitions of the term "miracle," some of which imply only [i], some of which imply only [ii], some of which imply neither [i] nor [ii], and *none* of which imply both [i] and [ii].

What should we make of this (dis)array of definitions? Well, the first thing to note is that it doesn't mean that anything goes. You and I cannot just stipulate what the term "miracle" means however we please; not, that is, if we intend to be using it as it is used in the English language.

The second thing to note is that, even if not anything goes, considerable variance is permitted, as we just saw. This leads to a very awkward question for the Humean: why should we believe his premise 1? Premise 1 says that

1. It is a necessary truth that, if a miracle *m* occurs, then there is a law of nature, *L*, such that *m* is a counterinstance to *L*.

But why should we believe it?

It won't do to argue for it on the grounds that the concept of a miracle implies that a miracle is a counterinstance to a law of nature. For, as we've just seen, there doesn't seem to be any such thing as *the* concept of a miracle; apparently, there are several concepts, some of which do not have that implication.

Neither will it do to argue that if premise 1 is false, then there is no distinction between a miracle and a coincidence, which obviously there is.²⁶ For even if premise 1 is false, a miracle can be distinguished from a coincidence by, for example, its having a supernatural cause, or, alternatively, its being a violation of what one had thought, for very good reason, to be a (Humean) law of nature.

And the Humean (surely!) won't argue for premise 1 by offering us a representative sampling of miracles, all of which are known to be counterinstances to some law of nature, and bid us to infer inductively that miracles are (must be?) counterinstances to such laws. So why believe premise 1?

²² Martin Curd, "Miracles as Violations of Laws of Nature," *Faith, Freedom, and Rationality*, eds. Daniel Howard-Snyder and Jeff Jordan (Totowa, New Jersey: Rowman and Littlefield, 1996), 171, says that "According to the standard modern concept of a miracle...there are at least two necessary conditions for an event to be miraculous:

- M1. E violates at least one law of nature, and
- M2. E is caused directly by God or some other supernatural agent."

²³ Thomas Aquinas says "those things are properly called miracles which are done by divine agency beyond the order commonly observed in nature." See *Summa Contra Gentiles*, III. No violation of a law of nature here.

²⁴ David Johnson, *Hume, Holism, and Miracles* (Ithaca, New York: Cornell University Press, 1999), 9, says an "[event] *m* is a miracle for [person] *x* at [time] *t* if and only if *m* actually occurs at some time and *m* is a violation of (an exception to) something which is for *x* at *t* exceedingly well established, relative to a body of inductive evidence, as being a law of nature." No violation of a law of nature here, only a violation of what one has excellent reason to believe is law of nature; and nothing at all about a supernatural cause.

²⁵ Harold Clark Kee, "Miracles," *The Oxford Companion to the Bible*, eds. Bruce Metzger and Michael Coogan (New York: Oxford University Press, 1993), 519, says "A miracle is an extraordinary event, perceived to be the result of the direct, purposeful action of a god or the agent of a god."

²⁶ William Rowe, *Philosophy of Religion*, 2nd ed. (Belmont, California: Wadsworth, 1993), 120

Some people say that if premise 1 is false, then miracles cannot be strong evidence for the supernatural, or the authority of some religious figure.²⁷ To test this contention, let us imagine that we have just arrived at the scene of a horrifying traffic accident. A body has been separated into several, large pieces, strewn about the street. We get out of our car, careful to avoid an arm here, a leg there, and we check the inside of the smashed truck to see whether there are any survivors. There's no one there. We turn back to our car and, as we walk toward it, the body parts begin to move together so that, in a minute or so, a woman arises from the ground, rubbing her head, but otherwise looking perfectly fine. Now, suppose that premise 1 is false. That is, suppose that it's possible for a miracle to occur even though it is not a violation of a Humean law of nature. And suppose that, *unbeknownst to us*, the event we just witnessed is not such a violation, say, because long ago some dead man didn't stay dead. Still, prior to witnessing what we just saw, the proposition that *All dead men stay dead* was exceedingly well-established for us by a large body of inductive evidence as being a law of nature, evidence that surpassed the most rigorous criteria for inductive evidence that you please. In those circumstances and given these suppositions, *might not* the event we just witnessed be strong evidence for some sort of supernatural intervention? I should hope so.

So we're left with a question: why should we believe that it is a necessary truth that a *miracle* is a violation or a counterinstance of a law of nature? Since we have no satisfactory answer to that question, we would be most unwise to affirm premise 1 of the Humean argument. Let's now turn to Hume's second argument against miracles, and the Resurrection in particular.

3. On the unreasonableness of believing the Resurrection occurred

The most salient portions of Hume's "proof against proof" argument against the Resurrection occur in these three passages:

In order to encrease the probability against the testimony of witnesses, let us suppose, that the fact, which they affirm, instead of being only marvellous, is really miraculous; and suppose also, that the testimony considered apart and in itself, amounts to an entire proof; in that case, there is proof against proof, of which the strongest must prevail. (114)

A miracle is a violation of the laws of nature; and as a firm and unalterable experience has established these laws, the proof against a miracle, from the very nature of the fact, is as entire as any argument from experience can possibly be imagined. (114)

²⁷ Antony Flew seems to be such a person. See, among other things, "Neo-Humean Arguments About the Miraculous," *In Defense of Miracles*, eds. Doug Geivett and Gary Habermas (Downer's Grove, Illinois: InterVarsity Pres, 1997), 46, where he says that in order for a miracle to serve as a "demonstration" that "the Christian revelation, or any rival candidate, constitutes an authentic self-revelation of the true God," the word *miracle* has to be construed (as both Hume himself and all his contemporary opponents did construe it) in a very strong sense. It must involve an overriding of a law of nature, a doing of what is known to be naturally impossible by a Power which is, by this very overriding, shown to be supernatural.

Only if this is given can the occurrence of a miracle under the auspices of some particular system of belief constitute an inexpungible divine endorsement of that system.

And as a uniform experience amounts to a proof, there is here a direct and full *proof*, from the very nature of the fact, against the existence of any miracle; nor can such a proof be destroyed, or the miracle rendered credible, but by an opposite proof, which is superior. (115)

To get clear on Hume's contention here, we need first to understand what Hume regarded as a "proof".

3.1 What's a "proof" according to Hume?

Hume tells us that "we ought to divide arguments into *demonstrations, proofs, and probabilities*".²⁸ A demonstration is a deductively valid argument with known premises. A probability is a statistical induction with known premises. And a proof is a nonstatistical induction with known premises.²⁹ Let me explain the latter a bit, as it is Hume's main concern.

A proof, according to Hume, is an argument that has the *form* of a nonstatistical induction. The form of a nonstatistical induction is this:

1. All hitherto observed (i.e. examined) As have been observed are Bs.
2. So, all As are Bs.

In addition, the premise of every proof is *known*. So, for example, this is a proof, according to Hume:

1. All hitherto observed (i.e. examined) water has been composed of H₂O.
2. So, all water is composed of H₂O.

It has the form of a nonstatistical induction, and its premise is known.

There are three things to keep in mind about nonstatistical induction. First, we reason in this way frequently, and such reasoning sometimes provides very strong grounds for believing the conclusion to be true. Second, the premise of a nonstatistical induction is not intended to guarantee the truth of the conclusion; it is intended only to make the conclusion likely to one degree or another. So we can't write off some particular nonstatistical induction by saying that even if all the As we've observed are Bs, some A that we haven't observed *might not* be a B. That's true but irrelevant to the strength of any such induction; for even the strongest one has that feature. Third, there are several standard criteria for assessing nonstatistical inductions. The two most important are sample size and sample representation. That is, the more As we've observed that are Bs, the more likely it is that all As are Bs, given the truth of the premise; and the more that the As we've observed differ in other respects, the more likely it is that all As are Bs, given the truth of the premise. Of course, the premise should be true as well.

So, with these things in mind, what, *exactly*, is Hume's argument?

3.2 Hume's "proof against proof" argument

Hume has in mind two proofs, one based on "testimony" in favor of a miracle and the Resurrection in particular, and the other based on "uniform experience" (115) against any miracle and the Resurrection in particular. At the most general level, the idea is that, no matter how strong the first proof is, the second cancels it out; "there is a mutual

²⁸ *Enquiry*, 56, note 1.

²⁹ See 110-11, "A wise man...observations," and consult David Johnson, *Hume, Holism, and Miracles*, 11-16, for textual evidence. Consult a logic textbook for more information about these kinds of arguments.

destruction of arguments” (116). Consequently, “no testimony is sufficient to establish a miracle” (115-6), and a miracle “cannot be believed by any reasonable person” (131). So it’s not reasonable to believe the Resurrection occurred.³⁰ But how exactly do these proofs go? And how do they cancel each other out? And how are we supposed to think of testimony as a proof, anyway?

Of course, testimony isn’t the sort of thing that can *be* a proof, in Hume’s sense of the term—a nonstatistical induction with a known premise. Suppose you tell me today that you turned 20 last week; naturally enough, I believe you. But how can we regard your testimony—that particular act at that particular place and time, or its content, that you turned 20 last week—as a nonstatistical induction with a known premise? We can’t. In all fairness, Hume does not ask us to consider a case in which testimony *is* a proof; he asks us to consider a case in which testimony “amounts to an entire proof” (114, my emphasis). But if we’re really going to have “proof against proof” so that “there is a mutual destruction of arguments,” we can’t have on the one side a proof and on the other side something that just “amounts” to a proof, something perhaps that isn’t even an argument at all. If we are going to take Hume seriously, we’re going to have to fill in the blanks for him.

Here’s how to fill in the blanks.³¹ On the one side, the side in favor of a miracle—the Resurrection, say—we have the following argument, the first two premises of which constitute a proof, in Hume’s sense of the term:

1. All hitherto observed (that is, tested for accuracy) witnesses with such-and-such credentials³² are completely accurate reporters.
2. So, all witnesses with such-and-such credentials are completely accurate reporters. (from 1, nonstatistical induction)
3. Some witness with such-and-such credentials reported that Jesus died, and on the third day rose again.
4. So, Jesus did not stay dead. (from 2 and 3, deduction)

On the other side, the side against the Resurrection, we have this argument, the first two premises of which constitute a proof, in Hume’s sense of the term:

5. All hitherto observed dead men have stayed dead.
6. So, all dead men stay dead. (from 5, nonstatistical induction)
7. So, Jesus stayed dead. (from 6, deduction)

Hume’s contention is that the second proof cancels out the first. Thus, it is unreasonable to believe that the Resurrection occurred. Now, we might wonder why he affirms premise 5, which, as he sees things, describes “a firm and unalterable experience”. What he offers is this: “because that has never been observed in any age or country” (115).

³⁰ Hume says that his argument has only to do with testimony considered as an “external evidence,” something publically available. Whether in jest or in earnest, I’m not sure, he explicitly states that his argument has no bearing on the (alleged) testimony of the Holy Spirit, whereby the truth of some proposition is “brought home...by the immediate operation of the Holy Spirit” (109). For extensive treatment of this idea, see Alvin Plantinga, *Warranted Christian Belief* (New York: Oxford University Press, 2000).

³¹ Here I rely on David Johnson, *Hume, Holism, and Miracles*, 17-18.

³² The reader is invited to fill in the “such-and-such” so that the credentials are as impressive as *experience* can make them: apparent fine character, seeming sincerity, an apparently unblemished track-record, and so on.

What should we make of this argument? I can best explain my take on it by relating a story that was reported recently in my local newspaper, the *Bellingham Gazette*. But first I must give some background.

3.3 The Fourth of July Bellingham Salmon Derby

Out here in Bellingham, Washington, where I live, there are salmon derbies about every other week during the summer. These derbies are taken very seriously (I'd say way *too* seriously), as there are large cash prizes for whoever catches the largest salmon during a derby, which usually lasts a whole weekend; occasionally, the prize is \$2,500 in the king salmon category, if there is an unusually large number of registrants. Now, salmon get pretty big, especially the kings. The world-record—or, at any rate, the record presently recognized by the *Guinness Book of World Records*—is 143 pounds, caught in 1976, near Glasgow, Scotland. The typical king out here in the Pacific Northwest is quite a bit smaller than that. Most weigh in between 30 and 50 pounds, and winners of our derbies these days sometimes come in between 70 and 80 pounds, but only very rarely. The all-time best was 103 pounds, caught back in 1953. Now, a fish can lose up to *two percent* of its body weight within an hour of being caught, and when you're dealing with fish the size of a king, well, you get the picture: if you catch one that might be a contender, you want to get it weighed lickety-split. To facilitate matters, the Bellingham City Council, which sponsors these derbies, has arranged for four, huge yachts, carrying three judges apiece (usually Council members or civic dignitaries), to cruise the area being fished, which usually spans a hundred square miles. Each yacht is responsible for about a quarter of the area, and each is kitted out with three state-of-the-art co-calibrated Konisberg scales, so that fishermen don't have to go all the way back to the marina to get their salmon weighed, losing precious time...or, more importantly, precious ounces. (Some fishermen carry syringes in their boats. Fortunately, the Council has developed a pretty reliable procedure for detecting fish that have been "pumped"; moreover, the penalty, if you're caught, is a \$5,000 fine, a life-time ban from the derbies, and your face on a "wanted" poster in the *Gazette*. These things add up to a pretty strong deterrent.) At any rate, what I recount here was reported in an article in the *Gazette* on November 22, 2001.

During the Fourth of July Weekend Derby, 2001, a local, Manuel Kont, an engineer at Georgia Pacific, won with a Derby- and *world*-record 178-pound king salmon. (I can remember the *Gazette* and local television stations making a big fuss about it.) Of course, no salmon can win a derby, or even place second or third, if it isn't weighed on an official scale, witnessed by three judges. In this case, however, given that the world-record was at stake, all four yachts weighed the monster, with a difference of only two ounces between them, and all twelve judges witnessed the weighings. Unfortunately, after the final weighing, as the king was being transferred back to Mr. Kont's boat, it slipped into the Bay; before anyone could find a net big enough to scoop it up, it swam away. One week after the Derby, the City Council notified the Guinness Foundation, located in Edinburgh, Scotland, which publishes the well-known *Guinness Book of World Records*, of Mr. Kont's catch. The Council sent an affidavit, signed by each of the twelve judges, and some material about the Derby's history and, most importantly, weighing procedures and scales. A reply was returned quickly, the substance of which was recounted in the article as follows: "The officials at the Guinness Foundation said that they 'cannot accept the claim that Mr. Kont caught a 178-pound king salmon' on

the grounds that ‘the affidavit and other materials that were sent to the Foundation are insufficient evidence.’” Upon inquiring what further evidence was needed, the Council received another letter, quoted in full in the article:

3 August 2001

Dear Sirs and Madams,

The Foundation has reconsidered the case of Mr. Kont in light of your letter of 29 July 2001. Unfortunately, we still find the evidence for the claim that he caught a 178-pound king salmon, on 4 July 2001, insufficient. Furthermore, upon consultation with the Department of Philosophy at the University of Edinburgh, we have determined that, even if the affidavit we received from you amounted to an entire proof, we could not find the claim credible. We therefore regret to inform you that the case has been closed. We realize that Mr. Kont and the City of Bellingham must be deeply disappointed. We hope, however, that you will appreciate the Foundation’s insistence on the highest principles of evidence.

Sincerely,
The Guinness Foundation

Upon receiving this letter, the Bellingham City Council consulted its own local Department of Philosophy, at Western Washington University. Subsequently, the following letter was sent by the Council to the Foundation:

August 13, 2001

Dear Administrators,

We are perplexed by your letter of August 3, 2001. It states that “even if the affidavit...amounted to an entire proof, we could not find the claim credible.” But how can that be? Upon consulting the Department of Philosophy at Western Washington University, we are curious as to why it is that you cannot find the claim credible in light of the following proof:

1. All hitherto observed (that is, tested for accuracy) witnesses with such-and-such credentials are completely accurate reporters.
2. So, all witnesses with such-and-such credentials are completely accurate reporters. (from 1, nonstatistical induction)
3. The twelve judges of the Bellingham Annual Salmon Derby have such-and-such credentials—as do the 500 or more fishermen, carpenters, etc. who have signed the enclosed affidavit—and they all report that Mr. Manuel Kont caught a 178-pound king salmon, on July 4, 2001.
4. So, Mr. Manuel Kont caught a 178-pound king salmon, on July 4, 2001. (from 2 and 3, deduction)

We would be most grateful for a response.

Sincerely,
The Bellingham City Council

After a month or so, the Council received the following communication from the Guinness Foundation:

7 September 2001

Dear Sirs and Madams,

Although we have closed the case of Mr. Manuel Kont, and although it is not our usual practice to respond to inquiries such as yours after a case has been closed, we feel that your kind-spirited letter, of 13 August 2002, is worthy of a response. Our response is this: the proof that you have provided is cancelled out by the following proof, which is based on a uniform experience.

5. All hitherto observed (that is, tested for accuracy) king salmon that have been caught weigh less than 178-pounds.
6. So, all king salmon that are caught weigh less than 178-pounds. (from 5, nonstatistical induction)
7. So, Mr. Manuel Kont did not catch a 178-pound king salmon, on 4 July 2001. (from 6, deduction)

This full proof is founded on an infallible experience, and its premise—which, no doubt, you wonder why we affirm—describes a firm and unalterable experience, namely this: a 178-pound king salmon has *never* been observed in *any* age or country, or in *any* sea.

We hope this settles the matter for you, as it should for any reasonable man. And we also hope you appreciate—perhaps more fully now—why the Guinness Foundation is respected round the globe for its insistence on the highest principles of reason and understanding.

Sincerely, and with utmost best wishes,
The Guinness Foundation

The Bellingham City Council, upon further consultation, drafted the following letter, and sent it by registered mail on the date indicated:

September 21, 2001

Dear Administrators,

Thank you for your response of September 7, 2001, regarding the case of Mr. Manuel Kont. We realize (all too well, now) that you must receive countless complaints about your decisions, and we are most grateful that you found our query worthy of such a generous response. We wish only to raise three brief questions about it.

First, might something in addition to the affidavits be relevant to your judgment? If so, perhaps the enclosed photos, local press clippings, and video of the event will be of use.

Second, if your proof cancels ours, then no world-record can be reasonably believed to be broken—a rather odd consequence, don't you think?

Third, the premise of your proof states that "All hitherto observed (that is, tested for accuracy) king salmon that have been caught were less than 178-pounds." With all due respect, we are perplexed by the reason you gave for this premise, namely this: "a 178-pound king salmon has *never* been observed in *any* age or country, or in *any* sea." For when you say "a 178-pound king salmon has *never* been observed in *any* age or country, or in *any* sea," either you mean to include the observations of the 512-plus, or you don't. If you do, then doesn't

your reason presuppose the *denial* of what is precisely at issue, namely whether the 512-plus *really did* witness Mr. Kont's 178-pound king salmon—in which case your argument begs the question? (Of course, if you have some independent reason to deny the report of the 512-plus, we would be most anxious to hear it; but, as it stands, you profess your proof cancels ours without considering any other independent reason.) If you do not, however, why not? After all, you claim to have given us a nonstatistical induction with a *known* premise. But you know the premise only if you have taken into consideration *all* the information available to you, including the affidavits and supporting material from us (which, we remind you, you have said “amounts to a proof”). And if you take it into consideration, wouldn't you agree—at the very least—that it is not at all clear that “a 178-pound king salmon has *never* been observed in *any* age or country, or in *any* sea”? Consequently, wouldn't you agree that you don't know your premise, after all?

If the Foundation would be so kind as to clarify these matters for us, we would be in their debt.

Sincerely,
The Bellingham City Council

As of November 22—two months after this letter was sent—the Council has yet to receive a response, despite several queries and phone calls.³³

Daniel Howard-Snyder
Department of Philosophy
Western Washington University
<http://www.ac.wwu.edu/~howardd>

³³ I leave as homework to the reader the application of this story to Hume's “proof against proof” argument for the unreasonableness of believing in the Resurrection. Help can be found in Cover, “Miracles and (Christian) Theism” (see note 19).

For an extensive bibliography on contemporary philosophical literature on miracles, see Michael Levine, “Miracles,” in the *Stanford Encyclopedia of Philosophy*, on-line at <http://plato.stanford.edu>. Also, see David Johnson's *Hume, Holism, and Miracles* (note 19)—upon which I have relied heavily—and John Earman's *Hume's Abject Failure* (New York: Oxford University Press, 2000).

Thanks to Jan Cover, Frances Howard-Snyder, and Hud Hudson for comments on earlier drafts of this paper.