EMANUEL DE WITTE'S *INTERIOR OF THE OUDE KERK, DELFT*

Images of Life as Religion, Individualism, and the Critique of Legal Ideology

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I. INTRODUCTION

> For Latour the critic pretends to an enlightened knowledge that allows him to demystify the fetishistic belief of naïve others . . . [T]he fatal mistake of the critic is not to turn this anti-fetishistic gaze on his own belief . . . a mistake that renders him the most naïve of all.[1]
>
> This is why you can be at once and without even sensing any contradiction . . . an antifetishist for everything you don't believe in . . . and . . . a perfectly healthy sturdy realist for what you really cherish[2]

My focus in this article is on the representation of two important features of Dutch Calvinism in *Interior of the Oude Kerk, Delft* (probably 1650), a painting by Emanuel de Witte (1616–1692). First, the Calvinist idea that *all* people (not only the clergy) are called by God to hold an "office" suggests that all of life is religious, even business or farming (and not only Sunday worship). Second, the Calvinist notion that all individuals have access to the scriptures and therefore to God—without mediation by clergy—likewise takes religion outside the church and into the world. Those two features are suggested by the iconoclastic cleansing of the church that preceded the painting, the adult and youthful figures evoking a possible everyday scene in the church (exemplifying a genre painting), and the omission of the pulpit which, together with the civic banners that decorate the space, transform the church into a different kind of meeting place. Far from secularising the church, these latter images suggest an attempt by Calvinists to expand their religion beyond the church to all of life. In the late nineteenth and early twentieth centuries, those two features of Calvinism engendered, on the part of Dutch Reformed politicians, theologians, and legal philosophers, a theory of "religious" worldviews (*grondmotieven*), or ideologies, in conflict. As with any ideology critique, they saw no neutral ground, no Enlightenment common sense, to which everyone can appeal. Religion—some religion (not necessarily deistic or even consciously held)—is inevitable in each person's life as a set of values and commitments. Moreover, the Calvinist theory of worldviews in conflict parallels two contemporary critiques in the fields of law and of science. First, the effort to disclose law's belief-structures by scholars in critical legal studies—their critique of legal ideology and rejection of legal positivism—reflects the same suspicion of Enlightenment rationality we find in Dutch Calvinism. Secondly, and related to law insofar as scientific expertise is regularly appropriated in courtrooms and governmental contexts, Bruno Latour's disclosure of the inevitable social and discursive foundations of scientific knowledge mirrors the Dutch Calvinist notion that pre-theoretical commitments play a role in all of the sciences.

1 Hal Foster, "Post-critical," *The Brooklyn Rail: Critical Perspective on Arts, Politics, and Culture* (December 12, 2012–January 13, 2013), accessed August 24, 2020, https://brooklynrail.org/2012/12/artseen/post-critical, citing Bruno Latour, "Why Has Critique Run out of Steam? From Matters of Fact to Matters of Concern," *Critical Inquiry* 30 (Winter 2004): 237.

2 Latour, "Why Has Critique," 241.

Exploring the images and their meanings in *Interior of the Oude Kerk, Delft* as representations of the contours of Dutch Calvinism should not be understood primarily as an iconographic effort to decode moralising messages[3] (there is an open grave, conventionally thought to warn of mortality, but that is not my focus).[4] De Witte likely is not intentionally instructing us on Calvinist notions of individualism or promoting the view that all of life is religious.[5] I am not, however, arguing *against* iconographic symbolism by claiming that the painting is merely descriptive,[6] reflecting a visual culture,[7] or that it represents ordinary life,[8] or simply shows off de Witte's mastery of perspective.[9] Rather, in a sort of combination of those duelling approaches, I argue that the images reveal a set of meanings that are implicit in Dutch Calvinism,[10] which is by its own admission an ideology. In other words, the description *is* the moralising–

3 Westermann recounts this effort: "In the late 1960s and 1970s, an iconographic mode of analyzing Dutch realist paintings as structures of meaning had gained a powerful hold on the discipline . . . [I]t replaced the stale habit of considering such paintings mirrors of contemporary life with a view of them as repositories of culturally determined meaning." Mariët Westermann, "After Iconography and Iconoclasm: Current Research in Netherlandish Art, 1566–1700," *The Art Bulletin* 84, no. 2 (June 2002): 352.

4 The New York Metropolitan Museum's iconographic viewer's guide to *Interior of the Oude Kerk, Delft* notes, "a newly dug grave in the foreground provides a sobering reminder of mortality." "Browse the Collection," New York Metropolitan Museum of Art, accessed June 15, 2020. https://www.metmuseum.org/art/collection/search/438490.

5 Vanhaelen notes that de Witte was "anything but an orthodox Christian," a warning to iconologists concerning biblical messaging. Angela Vanhaelen, "Iconoclasm and the Creation of Images in Emanuel de Witte's Old Church in Amsterdam," *The Art Bulletin* 87, no. 2 (June 2005): 254, 258.

6 Svetlana Alpers' *The Art of Describing* (1983) seems to argue that "the meaning and the essence of a painting must be sought exclusively in the visual means and their applications, and not in abstract ideas." Eddy de Jongh, "Painted Words in Dutch Art of the Seventeenth Century," in *History of Concepts: Comparative Perspectives*, ed. Iain Hami'siier-Monk, Kaiun Tilmans, and Frank van Vree (Amsterdam: Amsterdam University Press, 1998), 168. Defending Alpers, Westermann states that "no claim is made that all Dutch art describes according to her model," Mariët Westermann, "Svetlana Alpers's 'The Art of Describing: Dutch Art in the Seventeenth Century,'" *The Burlington Magazine* 153, no. 1301 (August 2011): 536.

7 In contrast to the view that Golden Age Dutch paintings were intended *tot lering en vermaak* ("to instruct and delight"), they alternatively might be seen as "products of a culture for which visual representation was the preferred way of seeing the world." Westermann, "After Iconography," 352–353.

8 Indeed, Hecht alludes to the "irrefutable observation that Dutch genre painting" never did "faithfully render slices of daily life." Peter Hecht, "Dutch Seventeenth-Century Genre Painting: A Reassessment of Some Current Hypotheses," in *Looking at Seventeenth-Century Dutch Art: Realism Reconsidered*, ed. Wayne Franits (Cambridge: Cambridge University Press, 1997), 89. And De Jongh confirms that such scenes may appear "as depictions of situations as they might have been, but in fact they were composed in the artist's studio." Eddy de Jong, *Questions of Meaning: Theme and Motif in Dutch Seventeenth-Century painting*, trans. Michael Hoyle (Leiden: Primavera Press, 2000), 85. Even paintings of church interiors might move the pulpit "for a smoother layout." Matthew Scribner, "Illusion and Iconoclasm in Emmanuel de Witte's *A Sermon in the Old Church in Delft*," *Shift: Queen's Journal of Visual & Material Culture* 2 (2009): 4. http://shiftjournal.org/wp-content/uploads/2014/11/scribner.pdf.

9 According to Vanhaelen: "Houbraken stated in his early-eighteenth-century biography of Netherlandish artists that Emanuel de Witte was "renowned for his mastery of perspective" and that he used to brag of his geometry . . . Since the artist's ability to fool and please the art lover's eye was considered the consummate pictorial achievement, the mastery of illusionism and the status of the painter became intertwined." Vanhaelen, "Iconoclasm," 258.

10 De Jongh, notwithstanding his influential iconological approach, concedes that: "certain objects or motifs in seventeenth-century paintings often serve a dual function. They operate as concrete, observable things while at the same time doing something totally different, namely expressing an idea, a moral, an intention, a joke or a situation." De Jongh, *Questions of meaning*, 16.

FIG. 1
Emanuel de Witte, *Interior of the Oude Kerk, Delft,* ca. 1650, oil on wood, 48.3 x 34.6 cm, Metropolitan Museum of Art, New York. Purchased Lila Acheson Wallace, Virgilia and Walter C. Klein, The Walter C. Klein Foundation, Edwin Weisl Jr., and Frank E. Richardson Gifts, and Bequest of Theodore Rousseau and Gift of Lincoln Kirstein, by exchange, 2001.

they are not separate.

In the next section II, I discuss those aspects of Dutch Calvinism that are relevant both to understanding de Witte's painting of the Old Church in Delft and to an understanding of the role of belief in both contemporary critiques of legal theory and scientific expertise in government and in the courtroom. In section III, I show how de Witte represents certain features of Dutch Calvinism that became important over the next several centuries in Dutch history, discussed in section IV. In section V, I suggest that Latour's sociology of science reflects those same features of Calvinism. I conclude in section VI that both analytical frameworks (Dutch Calvinism and Latourian theory) parallel the critique of legal ideology, and both have implications for the appropriation of scientific expertise in law and in governmental contexts.

II. SOME ASPECTS OF DUTCH CALVINISM

> The whitewashed walls of . . . Calvinist churches vividly call up the historical re-formation of religious space . . . This type of space has been purified; as past visual practices were redefined as idolatry or superstition, it has been emptied of images, circumscribed by Calvinist prohibitions against the para-aesthetic reception, or veneration, of imagery.[11]

My discussion of John Calvin (1509–1564) will be narrowly focused on the aspects of Dutch Calvinism that are represented in de Witte's painting of the Old Church in Delft. I am particularly interested in Calvin's condemnation of the images historically associated with Christianity and present in Roman Catholic churches and cathedrals (including the cathedral Calvin used in Geneva, St. Peter's). According to Vanhaelen, Calvin "found all image veneration misguided, as God's divine power could not be harnessed through visual representations."[12] In his magnum opus, the four-volume *Institutes of the Christian Religion* (1559), Calvin quoted the fourth-century Council of Elvira ("It is decreed that there shall be no pictures in churches, that what is reverenced or adored be not depicted on the walls"); referred to Augustine's declaration that it is wrong to worship images; and scolded the papists for their monstrous idols ("brothels show harlots clad more virtuously and modestly than the churches show these objects which they wish to be thought images of virgins").[13] Hence the purging "of icons and religious imagery," as well as the hiring of "painters to cover the wall and vault paintings in order to accommodate the new worship practices of the Reformed congregations"—a century before de Witte's 1650 painting of the Old Church.

Two aspects of Calvinism are suggested in this effort to take over and cleanse the Catholic churches in northern Holland. First, there is the arguably distinctive concept of office, vocation, or calling. According to Georgia Harkness, "neither Catholic peoples nor those of classical antiquity . . .

11 Vanhaelen, "Iconoclasm," 251.

12 Vanhaelen, 253.

13 John Calvin, *Institutes of The Christian Religion*, ed. John T. McNeill, trans. Ford Lewis Battles (Louisville, KY: Westminster John Knox Press, 2006), Book 1, ch. XI, §§ 5–6.

possessed a word for calling in the sense of a life-task, while all the predominantly Protestant peoples have had one."[14] Luther's conception that daily tasks had religious significance was also new, but "to serve God *within* one's calling is not the same as to serve God *by* one's calling, . . . [a] step Luther was too much of a traditionalist to take."[15] In Dutch Calvinism, this conception leads to an emphasis on John Calvin's legal training and political acumen—one need not be in the clergy to be in a spiritual profession.[16] Hence, Harkness writes, "differences between Calvinism and Lutheranism can be accounted for in no small measure by the fact that Calvin began his career as a lawyer and Luther as a monk."[17] All aspects of life, and not just those conventionally "religious" matters like church attendance or prayer, are for Calvin equally and significantly "spiritual."

That assessment may seem unfair to Luther, who famously said that a "cobbler, a smith, a peasant, every man has the office and function of his calling, and yet all alike are consecrated priests and bishops, and every man in his office must be useful and beneficial to the rest."[18] Moreover, a Catholic scholar might disagree that Calvin's notion of office or calling was new—the idea that daily tasks have religious significance does not begin with the Reformation, given Jesus' own perspective in Matthew 25:40 ("Whatever you do to the least of my brethren, you do to me"), St. Paul's admonitions in I Corinthians 10:31 ("whether you eat, drink, or whatsoever you do, do all to the glory of God") and Colossians 3:17 ("whatever you do, whether in speech or action, do it in the name of God"), or Thomas Aquinas' commentary on Colossians 3:17 ("some virtues are appropriate to soldiers, others to priests, but all are works of charity").[19] I agree that these sources suggest a certain "spiritual mission" in everyday life, but such conceptions do not fully anticipate the sense of a "religious" office for each individual as it developed in Dutch Calvinism.

There is a reason that Dutch Calvinism could countenance the idea of a Christian merchant, for instance[20]—there is no division between the world (Nature) and the divine (Grace) in Dutch Calvinism. One does not enter the spiritual realm of church and prayer and worship, only to return to the "real" world of work and family or even art—Christians can be "lovers of art and good Calvinists."[21] Even though the young Calvin advanced the Lutheran two-

14 Georgia Harkness, *John Calvin: The Man and His Ethics* (Nashville, TN: Abingdon Press, 1958), 181.
15 Harkness, 181–182 (emphasis added).
16 James Skillen, *The Good of Politics: A Biblical, Historical, and Contemporary Introduction* (Grand Rapids, MI: Baker Academic, 2014), 92.
17 Harkness, "John Calvin," 5.
18 Martin Luther, *Address to The Nobility of the German Nation* (*An den christlichen Adel deutscher Nation*), trans. C.A. Buchheim (New York: Fordham University History Sourcebooks Project, 1520), accessed June 9, 2020, http://www.sjsu.edu/people/andrew.fleck/courses/Hum1bSpr15/Lecture_25%20Luther_Lotzer_Calvin.pdf.
19 Thomas Aquinas, *Commentary on Colossians*, ed. D.A. Keating, trans. F. Larcher (Ave Maria, FL: Sapientia Press of Ave Maria University, 2006). I am grateful for Professor Robert Miller at the University of Iowa School of Law for pointing out this text.
20 Simon Schama, *The Embarrassment of Riches: An Interpretation of Dutch Culture in the Golden Age* (New York, NY: Vintage Books, 1987), 330.
21 Vanhaelen, "Iconoclasm," 259. Calvinists did not love the Roman Catholic images that adorned cathedrals, but wealthy patrons commissioned portraits and decorated their homes with

kingdoms theory, his mature formulations "blurred the lines between the earthly kingdom and the heavenly kingdom, between spiritual and political life, law, and liberty."[22] And despite some totalitarian tendencies,[23] numerous contemporary constitutional structures reflect the influence of Calvinism, including "liberty of the individual conscience from canon laws and clerical controls, liberty of political officials from ecclesiastical power and privilege, liberty of the local clergy from central papal rule."[24] Calvin wrote presciently about the "common rights of mankind," "natural rights," "rights to land," a "right to recover" stolen property, and freedom of worship and association.[25]

The seemingly iconoclastic "reduction" in the sanctity of the church should therefore be seen as a leveling or equalising of everyday life with conventionally religious matters—all of life is religious, and all of life is religion, in Dutch Calvinism. The binaries of Nature and Grace, the Real World and Church, are firmly rejected. One still goes to church for a sermon on Sundays, but one might also "go to church" during the week, as that building, more "than just a Calvinist place of worship . . . was also a central civic space" for all sorts of everyday activities, including catching up with neighbours and striking business deals.[26] This phenomenon goes beyond the mere sense that we should do works of charity in God's name; rather, it suggests that visiting neighbours, negotiating, and even flirting all harbour the potential to be regarded as *religious* activities, alongside singing hymns or taking Holy Communion.

Second, and closely related to the idea of office, Calvinism stresses the isolation of each individual. Harkness writes: "Each . . . must travel [his or her] way of life alone. No preacher, no sacrament, no church can alter the inevitable destiny ordained of God."[27] The authority of the Church of Rome has here given way to individuals who have direct interpretational access to the

contemporary paintings. The Old Church in Delft was an "embodiment of an ideology that was suspicious of any creative product of the human mind (even when such products were permitted by doctrine, as with secular painting)." Scribner, "Illusion and Iconoclasm," 2.

22 John Witte, *The Reformation of Rights: Law, Religion, and Human Rights in Early Modern Calvinism* (Cambridge: Cambridge University Press, 2008), 43, 56. "Despite his early flirtations with [the] radical political implications of the two kingdoms theory, Calvin ultimately did not contemplate a 'secular society' [or] a neutral state . . . " Witte, *The Reformation of Rights*, 76.

23 Witte, 1. Moreover, Skillen sees a danger even nowadays in: "the historical conjunction of the rise of the modern state, on the one hand, and the Calvinist identification of some of those states with ancient Israel, on the other. The most powerful example of this identification is the American founding, which was deeply influenced by Puritan thought." James Skillen, "Calvin, Calvinism, and Politics," *Root & Branch: The Religion and Society Debate* 18, April 9, 2009, accessed June 11, 2020, https://www.cpjustice.org/uploads/Calvin,_Calvinism,_and_Politics.pdf.

24 Witte, *The Reformation of Rights*, 3. On the other hand, the victims of Calvin's religious fervor would agree with Bainton's sarcasm: "If Calvin ever wrote anything in favor of religious liberty . . . it was a typographical error." Roland Bainton, *Concerning Heretics: An Anonymous Work Attributed to Sebasitan Castillio* (New York: Columbia University Press, 1935), 74, quoted in Witte, *The Reformation of Rights*, 40.

25 Witte, *The Reformation of Rights*, 2, 56.

26 Adam Eaker, audio guide for the exhibition "In Praise of Painting: Rethinking Art of the Dutch Golden Age," New York Metropolitan Museum of Art, 2018, accessed June 8, 2020, https://www.metmuseum.org/exhibitions/listings/2018/in-praise-of-painting-dutch-masterpieces#Audio-Guide.

27 Harkness, "John Calvin," 182.

scriptures, the final authority (for the Reformers) on all issues.[28] But this freedom is a lonely burden. And as Simon Schama explains: "the abolition of traditional ritual and the intercession of the clergy and the preference for direct forms of communion [among Calvinists] further enhanced the importance of scripture in worship."[29] The iconoclasm can therefore be seen as the conversion of, in Walter Melion's words, each "formerly Roman Catholic cathedral into a purified Temple of the Word," evidenced by the removal (by civic authorities) of Catholic images and replacing them with "biblical citations and paraphrases."[30] Vanhaelen suggests that the conversing figures in de Witte's painting reflect that "privileging of the Calvinist religion of the Word over images."[31] Again, the seeming reduction in the significance of the church and the clergy as the gateways to God should be seen as equalising access to, and understanding God through, his Word.

These two features of Dutch Calvinism, the notion that all believers have a calling and the related notion that all believers have independent access to God, are represented in Dutch Golden Age paintings of church interiors, irrespective of the intention of the artist to do anything other than, for example, demonstrate dazzling realism for a patron, or construct a typical albeit fictional scene.[32] Sometimes moralising or allegorical intentions are obvious (e.g., in Hendrik Pot's *Vanitas*, which depicts an old woman showing a pretty young girl a skull),[33] but one must always query the extent to which moralising was important to both the Dutch painters and their audiences.[34]

In the case of de Witte's painting of the Old Church in Delft, there are indications that there is more going on than simply the skill of a renowned architectural painter, a genre painting of everyday life, or a picture of the actual church. I am not arguing for disguised messages that need to be deciphered, but rather that the painting shows the results of Calvinism as a collective ideology. I need not speculate as to who might have commissioned the painting (these "perspectives," Vanhaelen notes, "were highly prized . . . by wealthy and distinguished collectors, many of them Calvinist"),[35] or whether de Witte favoured Calvinism[36] (not likely; Vanhaelen even suggests, based on another church painting in which previously purged icons re-appear, "against the efforts of the whitewasher," that de Witte is himself paradoxically an

28 Witte identifies in the Reformation a "fight for freedom" on the part of the individual against ecclesiastical powers. Witte, *The Reformation of Rights*, 77.

29 Schama, *The Embarrassment of Riches*, 94.

30 Walter S. Melion, "The Netherlandish Image after Iconoclasm, 1566–1672: Material Religion in the Dutch Golden Age (review)," *The Catholic Historical Review* 96, no. 3 (July 2010): 568.

31 Vanhaelen, "Iconoclasm," 257–258.

32 Hecht, "Dutch Seventeenth-Century Genre Painting," 89.

33 Hecht, 93.

34 Eric Jan Sluijter, "Didactic and Disguised Meanings? Several Seventeenth-Century Texts on Painting and the Iconological Approach to Dutch Paintings of This Period," in *Looking at Seventeenth-Century Dutch Art: Realism Reconsidered*, ed. Wayne Franits (Cambridge: Cambridge University Press, 1997), 85.

35 Vanhaelen, "Iconoclasm," 258-259. ("A significant body of visual evidence links de Witte's paintings to this audience of elite connoisseurs.")

36 We rarely know a seventeenth-century artist's intentions, and even if we did, "Continental philosophers and literary critics" have taught us that meaning is not limited to authorial intent. Westermann, "After Iconography," 352.

iconoclast!),[37] because I am using the *Interior of the Oude Kerk, Delft* as an historical document, notwithstanding its inevitable fictive character, concerning the effects of Calvinism in the north of Holland in the seventeenth century and thereafter. The description is itself the "moralising."

III. CALVINISM AS A SUBJECT OF DE WITTE'S CHURCH INTERIORS

The *Interior of the Oude Kerk, Delft* is a detailed study of an eleventh-century, formerly Catholic church, with whitewashed walls and no images of Christ, or of Mary or any other saint. And yet a significant detail has been omitted by de Witte—there is no pulpit, the very identifier of a church; and that is just the beginning of de Witte's representations of how the Calvinists seemingly degraded the sanctity of "God's house." There is a civic banner hanging from the ceiling, two children scribbling on one column, and two dogs, one urinating on another column. Finally, there are two merchants who appear to be transacting business, and a man talking to a woman and child, perhaps a husband and father, or just a friend. This human (and canine) scene could belong to a park or town market, but I believe that these figures imply neither disrespect of Christianity nor secularism overtaking a religious space. Quite the contrary—the disrespect is reserved for the Papacy; and far from any triumph of secularism, Dutch Calvinism is an argument for the religious character, in Abraham Kuyper's words, of *everything*: "There is not a square inch in the whole domain of our human existence over which Christ, who is Sovereign over all, does not cry: 'Mine!'"[38] Merchants doing business, children playing, even a dog urinating are not relegated to an arena that is secondary to some holy space. There is no division between a spiritual realm and a natural world—there is just a world in which believers live. And while there is no doubt that Catholics are believers as well, they are indirectly treated as simply wrong about what Christianity entails. The very same ideas that are depicted in de Witte's painting continued to influence Dutch Calvinism. The notion that all of life is religious for Christians, since each believer's faith influences and directs everything they do, became the basis for the notion that *un*believers (or Catholic *mistaken* believers) must also have a worldview, an ideology with a religious (i.e., belief-based) character, that influences their respective public and private lives. The contrary notion that human beings live on the basis of reason, whether based in Greek philosophy (especially Aristotelean), Catholic doctrines of faith and reason (especially Thomistic), or Enlightenment rationality, is rejected as a failure to see the inevitability of belief-structures. Note especially that while Dutch Calvinism certainly had its *doctrinal* disagreements with Rome, it also engenders a critique of the Catholic Church as a humanist ideology which separated Faith from, and thereby elevated, Reason. For example, Aquinas's definition of natural law, "which allows human reason a certain amount of autonomy in the moral

37 Vanhaelen, "Iconoclasm," 260–261.

38 Abraham Kuyper, "Sphere Sovereignty (Inaugural Address at the Dedication of the Free University Amsterdam, 1880)," in *Abraham Kuyper: A Centennial Reader*, ed. James D. Bratt (Grand Rapids, MI: Eerdmans, 1998), 488.

realm, is absent from Calvin's work."[39] Where for Aquinas the term natural law refers "to the precepts that [a person's] reason enunciates as a result of . . . reflection," Calvin sees natural law as "a standard placed in man's conscience by God."[40]

IV. CALVINISM AS AN IDEOLOGY CRITIQUE

> In 1789, the turning point was reached: "We no more need a God" . . . heralded the liberation . . . from all Divine Authority . . . There is no doubt then that Christianity is imperilled by . . . serious dangers. Two life systems [Modernism and Christianity] are wrestling with one another . . . This is the . . . struggle for principles in which my own country is engaged.[41]

Neo-Calvinist Guillaume Groen van Prinsterer (1801–1876), eventually the leader of Holland's Anti-Revolutionary Party, was a critic of the Enlightenment ideas that led to the French Revolution (he called it a "Reformation in reverse").[42] Groen's argument that a "religion of unbelief" was at war with Christianity leads to an ideological conception of religion—it is not belief in or worship of a divinity that makes a religion, but a framework of foundational beliefs that guide the lives of believers.[43] "Religion" is therefore more like an ideology.

Abraham Kuyper (1837–1920), Prime Minister of Holland (1901–1905) and a Dutch Reformed Church pastor, was Groen's successor both in parliament and as leader of the Anti-Revolutionary Party. In his 1898 Stone Lectures at Princeton, Kuyper described Calvinism as a *Weltanschauung* or "worldview"—a religion for all of life (alongside the competing "religion" of Modernism)—affecting one's perspective on all matters. Calvinism embraces not only theology and worship but also politics, science, and art. Inheriting Calvin's emphasis on individual rights (e.g., freedom of association, liberty of conscience), Kuyper also developed a theory of "sphere sovereignty" whereby under God's sovereignty, church and state were sovereign within each's sphere of competence, and neither had authority over the other.[44]

39 Ireana Backus, "Calvin's Concept of Natural and Roman Law," *Calvin Theological Journal* 38 (2003): 12.

40 Backus, "Calvin's Concept of Natural and Roman Law," 11–12, citing St. Thomas Aquinas, *Summa Theologica*, 1–2 q. 91 a 3. "Aquinas' and Calvin's concepts of natural law turn out not to have a great deal in common. Aquinas assigns to natural law an objective status of a set of precepts given by God that man can enunciate and apply to individual actions as a result of reflection." Backus, "Calvin's Concept of Natural and Roman Law," 12.

41 Abraham Kuyper, *Lectures on Calvinism* (Grand Rapids, MI: Eerdmans, 1943), 7–8.

42 After studying and practicing law, Groen became active in politics—he was a member for years (1849–57, 1862–66) of the Second Chamber of Parliament. Gerri J. Schutte, *Groen van Prinsterer: His Life and Work*, trans. Harry van Dijk (Neerlandia, Alberta: Inheritance Publications, 2005), 38.

43 Harry van Dijk, "Foreword," in Guillaume Groen van Prinsterer, *Unbelief and Revolution: A Series of Lectures in History, Lectures VIII & IX*, ed. and trans. Harry van Dijk (Amsterdam: Groen van Prinsterer Fund, 1975), vii. This use of the word "religion" is not unheard of: "The word *religion* is a word of forced application when used with respect to the worship of God. The root of the word is the Latin verb *ligo*, comes *religo*, to tie or bind over again, to make more fast . . . ." Thomas Paine, "Of the Word Religion, and Other Words of Uncertain Signification," *The Prospect* (March 3, 1804), https://www.thomaspaine.org/essays/religion/prospect-papers.html.

44 "Sphere sovereignty is Kuyper's idea that from God's sovereignty there derives more discrete sovereign

Kuyper's disciple, Herman Dooyeweerd (1894–1977), who was trained in law and was later the Chair in Jurisprudence at the Vrije Universiteit Amsterdam (founded by Kuyper), expanded the notion of *two* conflicting belief-systems (which he called *grondmotieven*) to *four*, roughly Greek, Catholic, Enlightenment, and Biblical. The first three, as explained in Dooyeweerd's magnum opus *De wijsbegeerte der wetsidee* (1935–1937, translated as *A New Critique of Theoretical Thought*, 1969), share a commitment to the autonomy of human reason (respectively, e.g., developed by Aristotle, Aquinas, and Descartes), seemingly rational and therefore neutral. Dooyeweerd, on the other hand, in a "transcendental" critique that echoed neo-Kantianism, discerned pre-theoretical, conscious or unconscious, ideological commitments on the part of all of these "believers." As to the Biblical worldview, Dooyeweerd confirmed his Dutch Calvinist heritage by arguing that "a radical Christian philosophy can only develop in the line of Calvin's religious starting-point."[45] Dooyeweerd therefore concedes his own ideological commitments, but he does so within a philosophical tradition in which we are all, inevitably, believers. He explained:

> I do not pretend that my transcendental investigations should be unprejudiced. On the contrary, I have demonstrated that an unprejudiced theory is excluded by the true nature of theoretic thought itself.[46]

This rejection of the rational, Enlightenment subject sounds postmodern and is not unlike the ideology critique developed in the Critical Legal Studies movement, although that project relied on French and German Critical Theory, not on a religious tradition. Critical legal theorists identified—in traditional, formalistic legal theory and practice—a belief in the neutrality and objectivity of law. Legal reasoning, however, in the view of ideology critics, cannot alone account for the results of judicial decision. David Kairys elaborates: "The results come from those same political, social, moral, and religious value judgments from which the law purports to be independent."[47] Moreover, there are parallels between Dooyeweerd's critique of ideology and the contemporary identification of social influences on, even social construction of, the natural sciences.

Dooyeweerd was both a critic and a promoter of the natural sciences—he used the term "science" (*Wetenschap*) in the broad Continental sense of knowledge and learning, including legal science, and was only a critic of any "science" or disciplinary field to the extent that it became reductive, i.e., that

'spheres' such as the state, business, the family, and the church." Vincent E. Bacote, "Introduction," in Abraham Kuyper, *Wisdom and Wonder: Common Grace in Science and Art*, ed. Jordan J. Ballor and Stephen J. Grabill, trans. Nelson D. Klossterman (Grand Rapids, MI: Christian's Library Press, 2011), 24.

45 Bernard Zylstra, "Introduction," in L. Kalsbeek, *Contours of A Christian Philosophy: An Introduction to Herman Dooyeweerd's Thought*, ed. Bernard Zylstra and Josina Zylstra (Toronto: Wedge Publishing Foundation, 1975), 15–16.

46 Herman Dooyeweerd, *Transcendental Problems of Philosophic Thought* (Grand Rapids, MI: Eerdmans, 1948), v.

47 David Kairys, "Law and Politics," *George Washington Law Review* 52, no. 2 (1984): 247.

it claimed to be the central or foundational discipline among all fields of study. According to Hendrik Hart, Dooyeweerd insisted that "science is not the final arbiter on questions of truth, the nature of reality, or even understanding matters of fact . . . [Nevertheless,] science has a special and relative character of its own that should be respected and developed."[48] Thus, Dooyeweerd was not only critical, for example, of economists who saw economic structures as determinative (as in Marxism), but also critical of natural scientists who became *scientistic*, i.e., reductively viewing the natural sciences as the preeminent or sole source of stable knowledge. Otherwise, the natural sciences do indeed provide stable knowledge, but not because they escape or rise above ideology. For Dooyeweerd, all the "sciences" reflect pre-theoretical commitments or belief-structures like those variously identified by many scholars in twentieth-century history, philosophy, and sociology of the natural sciences. Scientists should avoid religious interference with their research, but they cannot avoid the theoretical, social, linguistic, and economic structures that make science possible. For Dooyeweerd, the fact that any "critical investigation is necessarily dependent upon a [supra-] theoretic starting point does not derogate from its inner scientific nature. The latter would only be true if the thinker should eliminate a . . . scientific problem by a dogmatic authoritative dictum, dictated by his religious prejudice."[49] Note that Dooyeweerd, after having named his four belief-systems (*Religieuse Grondmotieven*), was interested in the nature, scope, and limitations of each discipline.

In *De wijsbegerte der wetsidee* (1935–1937), Dooyeweerd ambitiously attempted a comprehensive account of, well, nearly everything—a Christian "grand theory," as it were. In order to "give the Christian worldview a place in the modern world,"[50] Dooyeweerd identified fifteen "modal aspects of being," from the most basic aspects of our existence (numbers, space) to increasingly complex categories like economics, art, or law. Thus, starting from the lowest, the "modes of being" are the Quantitative, Spatial, Kinematic, Physical, Biotic, Psychical, Logical, Historical, Linguistic, Social, Economic, Aesthetic, Legal, Ethical, and (the highest aspect, faith) Pistical. Importantly, every object or idea in the world is *characterised* by one of these aspects (e.g., a contract is a legal phenomenon) but nevertheless *shares* in all the others (e.g., a contract involves language, economics, etc.).[51] Thus the faith aspect is inevitable—everything in the world involves some religious dimension. One can see how the early Calvinist conception that everything in one's life is driven by faith (and has religious significance) grew into the philosophical proposition that

48 Hendrik Hart, "Dooyeweerd's Gegenstand Theory of Theory," in *The Legacy of Herman Dooyeweerd: Reflections on Critical Philosophy in the Christian Tradition*, ed. C.T. McIntire (Lanham, MD: University Press of America, 1985), 144–145.

49 Dooyeweerd, *Transcendental Problems*, v.

50 Steven Dorrestijn, "Hoe techniek kruist met ethiek, politiek en religie: Bij Latour en Dooyeweerd (The Crossings of Technology with Ethics, Politics, and Religion: On Latour and Dooyeweerd)," *Denkwijzer* 15, no. 2 (July 2015): 14. ("Een belangrijk doel was voor hem om een levenswijze vanuit een christelijk grondmotief opnieuw te bevestigen en uit te bouwen in een tijd dat een liberale en seculiere levensvisie ging overheersen.")

51 Herman Dooyeweerd, *Encyclopedia of the Science of Law, Vol 1*, ed. Alan Cameron, trans. Robert D. Knudsen (Lewiston, NY: Edwin Mellen Press, 2002), 17-29.

everyone is living by faith in some identifiable ideology.

This leads to the question whether there is a distinctly Christian mathematics or science, to which the Calvinist would reply, "If it is flawless math or productive science, then it is Christian math or science." That reply might seem to adopt a version of natural reason from Greek, Thomistic, or Enlightenment philosophy, since non-Christians are capable of producing good math and science, but that is to misunderstand Dooyeweerd—he is arguing that "religious" (not necessarily deistic) faith in the form of pre-theoretical commitments play a role on the way to any stable knowledge. In this regard, Dooyeweerd can be accused of wanting it both ways. On the one hand, he wanted to be an ideological critic of modernity, insisting on the inevitability of belief-structures;[52] on the other hand, Dooyeweerd cheerfully accepted the progress of science. In those regards, Dooyeweerd's conceptions resemble those of Bruno Latour.

V. LATOUR, SCIENCE, AND SCIENCE IN LAW

> The ozone hole is too social and too narrated to be truly natural; the strategy of industrial firms and heads of state is too full of chemical reactions to be reduced to power and interest; the discourse of the exosphere is too real and too social to boil down to meaning effects. Is it our fault if the networks are simultaneously real, like nature, narrated, like discourse, and collective, like society?[53]

French (and Catholic) sociologist of science and technology Bruno Latour, in a move similar to Dooyeweerd's, is a famous critic of the scientific community's claim that its enterprise can somehow rise above cultural, linguistic, economic, ethical, and other social determinants. Latour, however, would *not* conclude that overt political interference with research (he references President Trump) is *proper*, and he has even recently acknowledged the reliability and necessity of the sciences for human progress and flourishing. This parallel with Dooyeweerd is not a mere coincidence—Latour's social constructivism (and later actor network theory) remains as a challenge to scientism, likewise a target of neo-Calvinist criticism. And yet modern science was revered (some would say facilitated) in the Reformation, just as Latour reveres climate science in his recent *Down to Earth: Politics in the New Climatic Regime* (2018).

When Bruno Latour published his own magnum opus *An Inquiry into Modes of Existence: An Anthropology of the Moderns* (2013)—identifying fifteen such modes—students and disciples of Dooyeweerd must have noticed. Like Dooyeweerd, Latour was offering another "grand theory," this time with the goal of understanding modernity. Latour's fifteen "ways of being" in the world

52 This view prefigured Polanyi's "framework of commitment" in which scientists work, Radnitsky's "steering fields" internal to science, and Kuhn's paradigm theory in the natural sciences. Hart, "Dooyeweerd's Gegenstand Theory," 145, 150.

53 Bruno Latour, *We Have Never Been Modern*, trans. Catherine Porter (Cambridge, MA: Harvard University Press, 1993), 6.

are Reproduction, Metamorphose, Habit, Technics, Fiction, Reference, Politics, Right, Religion, Attachment, Organisation, Morality, Network, Preposition, and Double-click. The parallels with Dooyeweerd's fifteen "modal aspects of being" are striking.

Dooyeweerd insisted that belief structures were inevitable, and yet he promoted consensus science. Latour is regularly accused of making exactly the same inconsistent move, that is, demonstrating that science relies on social, economic, and linguistic structures for its success, then introducing material nature (the "nonhuman") as the focus of and a limitation on scientific knowledge. Of the former claim, scientists accused him of social constructivism, a postmodern threat to modern science, while the latter made him vulnerable to critique from his colleagues in the sociology of science and technology, who thought he was returning to a traditional idealisation of science.[54] For Latour, however, science is a co-production of human actors and nonhuman *actants* in a network; and since science cannot "stand on its own," he writes: "Facts remain robust only when they are supported by a common culture, by institutions that can be trusted, by a more or less decent public life, by more or less reliable media."[55]

For Latour, even *artists* potentially provide support to the scientific enterprise, because they are sensitive to and can represent the hard-to-capture complexities, novelties, and mysteries of science.[56] Art (including theatre, graphic novels, and painting) is one of Latour's three "aesthetics" (alongside science and politics) that can be mobilised to reveal the contours of the new climatic regime—not in the senses of simplistic, message-based ecological art, but, for example, to "dramatise and de-dramatise" the contradictions and divisions in our culture.[57] The primary "division" to which Latour refers is on the question of climate change. Its denial has resulted in the loss of a shared, *common* world—"there are now several worlds . . . and they are mutually incompatible."[58] Recall here Kuyper's identification of two worldviews in conflict—Calvinism and Modernism, both ideological—which is traceable back to Calvin's break from Catholicism, the division of which is represented in de Witte's painting of the Old Church in Delft.

Latour shows that the traditional, idealistic image of a scientific fact as obviously true to everyone relied upon a framework of philosophical assumptions, experimental conventions, ethical beliefs, social interactions, heuristic metaphors, and financial resources. Science never was a matter of simply listening to Nature speak and recording the results, but it worked

54 Gerard de Vries, *Bruno Latour* (Cambridge: Polity Press, 2016), 15.

55 Bruno Latour, *Down to Earth: Politics in the New Climatic Regime*, trans. Catherine Porter (Cambridge: Polity Press, 2018), 24.

56 Bruno Latour, "On Sensitivity: Arts, Science, and Politics in the New Climatic Regime," keynote lecture at the University of Melbourne for the opening of the Performance Studies International, July 5, 2016, accessed June 17, 2020, http://www.bruno-latour.fr/node/692. ("Aesthetics" is "defined as what makes us sensitive to hitherto unknown phenomena.")

57 Bruno Latour, "On Sensitivity." Latour refers elsewhere to the importance of novelists in eighteenth- and nineteenth-century "inventions" of democracy, class, and citizenship. Bruno Latour, "What Are the Optimal Interrelations of Art, Science, and Politics in the Anthropocene?" *Bifrost Insights*, November 30, 2017, accessed June 17, 2020, https://bifrostonline.org/bruno-latour-what-are-the-optimal-interrelations-of-art-science-and-politics-in-the-anthropocene/.

58 Latour, *Down to Earth*, 26.

because of our common world. Now, however, as Latour observes, "we have people who no longer share the idea that there is a common world. And that of course changes everything."[59] This two-worlds framework (obvious in the anti-science bias revealed in the coronavirus pandemic in the US) has implications for expertise in legal settings, whether in policy controversies or in the courtroom. Latour is quite clear that the Trump administration ignores the consensus science of government experts, particularly in the field of environmental regulation, where scientific decision making has become politicised. And while Latour does not address expertise in the courtroom, the same problem persists when forensic science laboratories, idealised as "science," are on the side of, and controlled by, the police and prosecutors. Indeed, the US National Academy of Science recently condemned the contextual bias in the supposedly scientific procedures of forensic scientists and called for independent forensic laboratories.[60]

There has been a turn in the sociology of science and technology in recent years, exemplified in Latour's work, toward defining and supporting consensus expertise in governmental and courtroom settings, notwithstanding the former emphasis in that discipline on identifying the social determinants in the scientific enterprise. In response to the criticism that sociologists of science and technology are now idealising science, or that their previous constructivist *relativism* caused the politicisation of science in policy contexts or the prosecutorial bias of forensic science, they would reply as Latour does: the sociology of science and technology was never a rejection of good science, and far from causing the loss of expertise, the current distortions of expertise demonstrate the validity of the concerns over social influences, some of which are inevitable, but some are problematic, like the influence of politics or prosecutorial bias on scientific findings.

Nearly a century ago, Dooyeweerd was caught up in a similar controversy, not because he was a sociologist of science like Latour, visiting a laboratory to catalogue the social construction of facts, but because he was a devout Calvinist who would have appeared biased to secular scholars—he not only (audaciously) allowed his faith to influence his theorising but also claimed that such a framework of commitment was inevitable, whether acknowledged or not. Dooyeweerd made the argument, familiar in cultural studies and literary theory nowadays, that the autonomous Cartesian subject is a myth—the human subject is socially constructed in its early loyalties and dependence upon others, their images and their language, and their beliefs, for its identity, for its very *self*. Rawlsian public reason or common sense is therefore problematic, but that is not to say that everyone is robotic and predetermined. There is a middle ground, claimed by Dooyeweerd and Latour, where one need not decide between autonomous subjects producing neutral science, and people with no choices who are irrational and doubt everything. Just as Latour

59 Ava Kofman, "Bruno Latour, the Post-Truth Philosopher, Mounts a Defense of Science," *New York Times Magazine*, October 25, 2018 (quoting Latour), accessed June 20, 2020, https://www.nytimes.com/2018/10/25/magazine/bruno-latour-post-truth-philosopher-science.html.

60 Report: "Committee on Identifying the Needs of the Forensic Sciences Community," *Strengthening Forensic Science in the United States: A Path Forward* (Washington, D.C.: National Research Council, 2009), 183–191.

fears the loss of a common culture, in the post-truth era, dividing our society into two camps who do not live in the same world, Dutch neo-Calvinists like Dooyeweerd feared the marginalisation of religion in the face of modern science, dividing our society into two camps, one of which saw religion (including scientism) as inevitable and the other who lived in a different world of presumably rational, Enlightenment subjects.

VI. CONCLUSION

> [Calvinism is] not just a theology but a total view of all of life and the world which had direct implications for every area of human affairs.[61]

Emanuel de Witte's *Interior of the Oude Kerk, Delft* confirms that the sixteenth-century iconoclasm in the north of Holland was not just about theology—for example, about Calvin's doctrinal critique of Catholicism (e.g., only faith, not works; only Scripture, not churches; only Christ, not priests). Calvin's rejection of Catholicism, obvious from the removal of images by whitewashing the walls, actually went further to claim a new worldview, a new ideology, and in Latourian terms, a new world in competition with that of the Papacy. The twin features of Calvinism identified in this article—first, the notion of an "office" for all believers, such that all of life is religious (not merely the church), and second, individualism insofar as one does not need church or its imagery—are variously represented in the painting: First, the merchants are doing business, the children are playing, and the couple with the child are talking—all are engaged in the ordinary activities of life (but they are spiritual activities whether within or without the walls of the church, now almost a civic space with no pulpit). Second, the church is not very special (since it is not the way to salvation, which is found in the Scriptures)—the dog is urinating on a column, the children are scribbling on another column. Any museum patron would easily identify the rejection of Catholicism in the painting, but I have argued that there is more going on.

The Calvinist emphases on *office* and individualism also combine to become a critique of the Nature/Grace dualism in Catholicism, including its secularisation of natural reason as adapted from Aristotle (also a target of Calvinist criticism). In later Dutch neo-Calvinism, these features become a critique of Enlightenment rationality as a "religious" ideology, a worldview in competition with Calvinism. That critique of reason prefigures postmodern critiques of legal ideology, a *theoretical* project aimed at disclosing the politics of legal reasoning. It also prefigures the very *practical* analyses of natural science as crucially important though always in need of the support of, say, pre-theoretical commitments, for Dooyeweerd, and of social, rhetorical, and even artistic, as well as material, determinants, for Latour.

61 Albert Wolters, "The Intellectual Milieu of Herman Dooyeweerd," in *The Legacy of Herman Dooyeweerd: Reflections on Critical Philosophy in the Christian Tradition*, ed. C.T. McIntire (Lanham, MD: University Press of America, 1985), 29.

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