

Another upshot of an evolutionistic worldview

Religion Without God

Ronald Dworkin

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Chris H. van Zyl IV

Ronald Dworkin (1931–2013) is considered one of the foremost liberal philosophers of law of the past 40 years.¹ In his last and posthumously published book, *Religion Without God*, Dworkin essentially argues for the exclusion of the theistic religious worldview from the public sphere, and for the demotion of the right to freedom of religion.²

Dworkin notes that the background to his arguments is the ‘religious wars’ which thrive like a cancer in the United States of America (7–10). He seemingly tries to tone down these ‘wars’, but the consequences of his views ultimately defeat his gesture. Why? Because of his evolutionistic worldview, which is fundamentally in opposition to the theistic creationist worldview.

Religious atheism?

Dworkin argues that “religion is deeper than God” (p. 1). Dworkin pivots his argument on the assumption that the value part of traditional theistic religions, such as Christianity and Judaism, is separate and independent from the science part (pp. 22–24). The science part relates to factual questions on the origins of the universe and mankind. The value part relates to how one should live.³

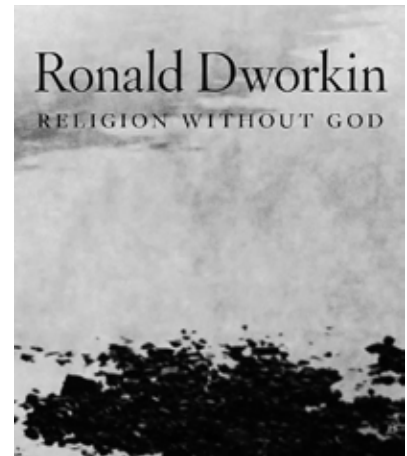
The fact/value dichotomy, to which Dworkin adheres (see pp. 26–27), asserts that value plays no role in the determination of facts, i.e. there

is a strict separation between science and morality. Dworkin further argues that the ‘fact’ of God’s existence plays no role in moral epistemology. He places the ‘fact’ of God’s existence in the science part. He sees the theory of creation as belonging to the science part by virtue of its content, but not by virtue of its being a scientific argument in itself (p. 23). God therefore does not belong to the value part (pp. 22–23). In other words, whether God exists or not has no effect on “the truth of religious values” (p. 25).

The fact/value argument conflicts with the Christian view that God’s existence is not only an actual fact, but that this fact is relevant, indeed fundamental, to morality. There cannot be an absolute separation between fact and value because all men have fundamental convictions which determine how they observe facts, interpret facts and describe facts. Furthermore, the fact of God’s existence grounds objective morality, without which fact we descend into moral relativism or subjective values.

Dworkin’s separation of the science and value part of traditional theistic religions may be illustrated with two imaginary jars, Jar S and Jar V. ‘God’ goes into Jar S and values into Jar V. These jars are independent of each other but not unconnected. That is, ‘God’ can still influence what goes on in Jar V, but that does not mean Jar V is dependent on Jar S. What is in Jar V, however, is all that is necessary for what Dworkin defines as ‘religion’.

Christians may put ‘godly convictions’ into Jar V that are ‘parasitic’ on Jar S, such as worship and prayer (p. 24). However, ‘religious atheists’ reject these ‘parasitic’ convictions because they believe in the two objective ‘judgments about value’



that make up the ‘religious attitude’ (pp. 10–11, 24). The first is the belief that life has ‘intrinsic meaning’ and hence we should ‘try to live as well as possible’ (pp. 11, 24). The second is the belief that nature has ‘intrinsic wonder and beauty’. These two properly belong in Jar V.

Hence, atheists (or at least the ‘religious atheist’ (p. 12)) and theists both have a ‘fundamental religious impulse’ (p. 146) and can consequently share (Jar V) “the conviction that there is, independently and objectively, a right way to live” (p. 155). Dworkin hopes that this realisation will tone down the ‘religious wars’ because what divides atheists and theists (the ‘fact’ of God or Jar S) is very small compared to their common faith in value (or Jar V) (pp. 146–147).

Freedom of religion?

As Dworkin’s redefined ‘religion’ is no longer limited to theism, why should special legal protection be given to only theistic religious believers? But if we take it beyond theism, then where do we stop? Dworkin fears that we may end up giving special legal protection to “even the wildest ethical eccentricity” (p. 124). Dworkin’s solution is to demote the ‘troublesome right’ of freedom of religion to an aspect of the “general right to ethical independence” (pp. 132–133).

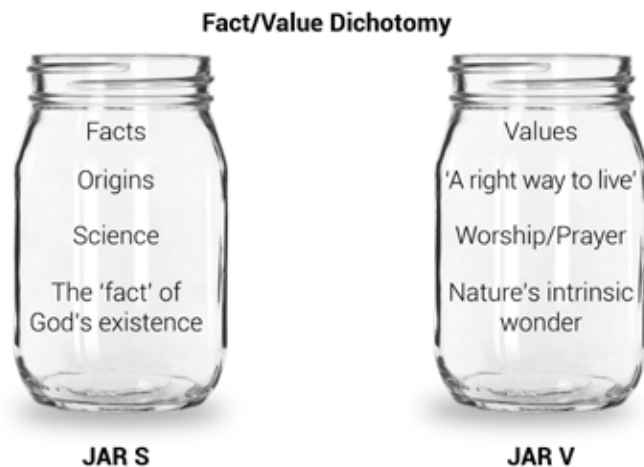


Figure 1. Dworkin's arguments in *Religion Without God* mostly pivot on the false gulf between science and morality—the idea that 'God' is somehow irrelevant to morals.

What are the consequences of this demotion? In essence it privatizes religion (traditionally understood and not as Dworkin's 'religious atheism'). This means that it removes the voice of the traditional religious believer from the public sphere, but includes the voice of the non-religious believer. Alarming, Dworkin declares that if we accept "religious freedom as part of ethical independence, then the liberal position (on, for example, abortion or homosexuality) becomes *mandatory* [emphasis added]" (p. 145).

Public education

Dworkin admits that the toning down of the 'religious wars' may be too much to hope for (p. 147). Indeed, this will hardly be the case when the religious believer is excluded from the public sphere. This is evident from how he deals with the question on whether Darwinian evolution or creationism should be taught in public schools (pp. 142–144). He admits that the teaching of Darwinian evolution in public schools *may* violate the general right to ethical independence of those who hold a different worldview. However, Dworkin says that while creationists want to impose their worldview on students, it is an 'implausible hypothesis' that

evolutionists try "to persuade students away from theistic religion". What should be taught in public schools on the fundamental question of origins of the universe and mankind is thus answered by what Dworkin supposes is the motives (or not) of each side.¹

While the improper proselytizing of a particular worldview should be avoided, Dworkin seemingly fails to realize that this caution applies to *all* worldviews regardless of whether it is based on religious or non-religious beliefs.⁴

Everyone believes something

It is important to keep in mind that every person has a fundamental set of beliefs which "determines how they see the world ...".⁵ The simple flaw in Dworkin's liberalist arguments, based ultimately on evolutionistic beliefs, is this: as society consists of many believers, those who believe differently than Dworkin will have their freedom arbitrarily and significantly restricted, which freedom goes to the very heart of personhood and human existence.

Conclusion

So where does 'religious atheism' come from? Steven Smith, Warren

Distinguished Professor of Law at the University of San Diego, writes that the 'salient philosophical and cultural divide', in Western thought at least, is not between believers in objective value and believers in subjective value as Dworkin would have it.⁶ Instead the divide is between those who see the universe as created for a purpose and those who view it as the result of mere chance.⁶ Furthermore, the difference between design and chance has profound implications for the questions of life, law, and politics.⁶ In other words, each worldview has moral implications.⁷

Like most arguments which exclude the traditional religious believer from the public sphere, or which prohibit creationism being taught in public schools or which mandate liberal views, the consequences of Dworkin's views can be traced back to an evolutionistic worldview. Your worldview will determine how you see the relationship between religion and the public sphere and whether creationism has a role in public education. Evidently, Dworkin's worldview guides his answers to such important questions.

References

1. See Carter, S.L., *The Challenge of Belief*, Boston University Law Review 94(4):1213–1223, 2014.
2. See de Freitas, S.A., Book Review: *Religion without God*, *J. for Juridical Science* 38(2):142–151, 2013.
3. See, however, Benson, I.T., Do 'Values' Mean Anything at All? Implications for Law, Education and Society, *J. for Juridical Science* 33(1):1–22, 2008 (available at ufs.ac.za). Iain Benson, a renowned international legal philosopher, writer, professor and legal consultant, argues against the subjective 'language of values' which confuses moral understanding. He posits instead the objective 'language of virtues'.
4. See de Freitas, S.A., Proselytism and the right to freedom from improper irreligious influence: the example of public school education, *Potchefstroom Electronic Law J.* 17(3):868–888, 2014; p. 882 (available at saflii.org).
5. See Carter, R.W. (Ed.), *Evolution's Achilles' Heels*, Creation Book Publishers, p. 234, 2014.
6. Smith, S.D., Is God Irrelevant? *Boston University Law Review* 94(4):1339–1355, 2014; p. 1355.
7. See Carter, ref. 5, pp. 238, 245.