

Ronald Dworkin *Religion Without God: Morality and the Transcendent*

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Ronald Dworkin's book, *Religion Without God*, published posthumously, is unique among the works that he wrote throughout the decades of his creative life. Dworkin's works are marked by their conceptual sophistication, and tireless analytic examination and exploration of arguments and counter arguments. *Religion Without God* has a different tone and style. It does not present a set of arguments that aim at changing beliefs and convictions; instead it conveys a philosophical, even spiritual sensibility. Its ambition is to affect not a shift in any particular position but a transformation in the way we see the world and in the stance we take towards the most basic features of our existence. The analytic style of Dworkin's works is evident in various arguments that appear throughout the book (especially in the chapter titled "Religious Freedom" which examines the nature of the constitutional protection of religion), but in essence the main endeavor of *Religion Without God* is to convey an attitude -- not so much to argue as to "show", to set before the reader a certain philosophical temper and to share a particular stance.

Religion without God: what can such a stance mean? Is God not constitutive to religion in the way that liberty is to liberalism? Could we imagine a book titled *Liberalism without Liberty*? And if we can isolate a certain stance implied by this paradoxical title, what is gained by calling it "religion"? In addition to the conceptual perplexity posed by Dworkin's paradox, there is a cultural puzzle. Dworkin stood for many years at the center of contemporary American liberalism as perhaps its most important and eloquent defender. Though it stoutly defends freedom of religion, contemporary liberalism has

taken an uneasy, or indifferent relation toward the religious project. Its exponents usually give the impression, and gladly, that they are religiously tone-deaf. (This is a matter of temperament, which is not intrinsically related to liberal argument as such. Wasn't the civil rights movement of the 1960s religiously inspired? But experience has taught us that in philosophy and politics temperament is of at least equal importance to argument).

Why, then, should Dworkin have "tainted" his thinking by associating himself with such a sensibility even as he asserts his atheism?

"Religion without God" is first defined negatively. It stands for a rejection of naturalism, which claims that the world consists exclusively of matter governed by laws of nature that are in principle described by science, and that qualities such as beauty or value are not independent of the mind but are humanly constructed responses to the world.

Dworkin's rejection of naturalism consists of two crucial elements. The first is the affirmation that human life has an objective meaning and importance. Our values and moral convictions are not humanly contrived responses that can be exhaustively explained as an outcome of the evolutionary process. "Cruelty is wrong" is an objective statement that has been discovered by us rather than invented by us, and its objective foundation is, for Dworkin, internal to our experience of the prohibition on cruelty. We encounter it as an absolute. If we examine the set of our convictions concerning the realms that are independent of our mind, we might genuinely entertain a Cartesian doubt as to whether we exist, but we cannot imagine a world in which it would be decent to run over an innocent child with a car because we were late to a party. A moral skeptic might reject such an affirmation and point to the fact that there are some societies in which such things are fine (are there?), or might assert that such a moral response is a product of

genetic selection serving the survival of the human species. But the relativist's rejection would not constitute an argument; it would merely reveal that the skeptic does not inhabit the same universe as Dworkin and lacks his point of view. Morality, for Dworkin sets the limits to the project of naturalist reductionism. Our moral convictions cannot be reduced to facts about our history and ourselves. They are fundamentally objective and self-contained; they are grounded by other values.

Dworkin's second anti-naturalist affirmation concerns our stance towards the universe, whose beauty and sublimity are, in Dworkin's view, intrinsic to it. The universe is not merely an aggregate of material particles governed by a set of laws which we happen to experience as striking or beautiful. Even if there were no conscious human creatures that could experience the world, it would still be sublime. The universe is genuinely enchanted, and to stand in awe before it is not a curious feature of our mind but a proper response to what the universe actually is. Its inner independent quality fits the experience of wonder and rapture, the experience that intimates what in religious language is described as the encounter with the numinous.

Dworkin's rejection of naturalism runs against much of contemporary dogma. It reveals his deep intellectual affinity to Thomas Nagel, his most important interlocutor, who has also challenged naturalism. Yet for all its metaphysical and moral importance, more than a rejection of naturalism is needed to associate the affirmation of the objectivity of moral values and the sublimity of the universe with the religious attitude. The rejection of naturalism might be a necessary condition for the religious point of view, but it is not a sufficient one. In moving to this next stage, Dworkin provides us with the deeper aspects

of his thinking that shed light on the religious dimension which goes beyond the rejection of naturalism. In order to fully grasp this dimension, we have to turn to Spinoza.

Like all religious traditions, “religion without god” has its founder and its apostles.

Spinoza, the seventeenth-century excommunicated Jew in Amsterdam, was the first to formulate a philosophical articulation of that posture, and Einstein, who saw himself as a Spinozist, transformed that attitude into the foundation for his exploration of the mysteries of the universe. It is in Spinoza’s thought and Einstein’s larger scientific convictions that the nature of the religious attitude of atheists can be discerned. Both of them adopted a religious attitude while fiercely denying the belief in the personal God of the great religious traditions. Yet in claiming that they believed in an impersonal God, not much is said or explained; and a deeper thicker description has to be provided explaining the religious meaning of the view that lies at the heart of Spinoza’s credo “*Deus sive Natura*”, or “God which is to say Nature”.

With this formulation Spinoza identified nature with God, which some scholars claim is merely another way of asserting atheism and the exclusive existence of nature. Yet it would be more correct to say that with this formulation Spinoza was attributing to the universe qualities that the ancient and medieval metaphysical tradition had attributed to God. For medieval figures such as Ibn Sina and Maimonides, who Spinoza had studied carefully as a young man, what makes God transcendent to the world is the unique nature of God’s being in contrast to the world. The existence of the universe is contingent, while God’s existence is necessary. That ontological disparity is shaped, among other things, by an asymmetry of dependence: God is self-sufficient – its own source of being, a first uncaused cause; whereas the universe depends on God’s existence. God is one and

indivisible, whereas the world is a plural aggregation of contingent objects. The world is finite while God is infinite and eternal. Spinoza's idea of *Deus sive Natura* consisted of the claim that these attributes of necessity, independence, unity, eternity and infinity, actually belong to the universe and not to a transcendent God which doesn't exist. The world is not contingent and dependent, it is self-deriving (in Spinoza's logical terminology), and nature is infinite. Nature's apparent plurality is underlined by an essential unity. Its unity is equivalent to the unity of a logical syllogism or a mathematical proof in which a conclusion is implied and bonded to the premises in an indivisible way. A denial of one chain in the syllogism affects the whole, and so it is with nature and the universe. And mainly, according to Spinoza, the world's being is necessary and there is nothing contingent about it, the possibility of its non-being is necessarily false. The medieval attributes of God — necessary being, self-caused, one, and infinite — were attributed by Spinoza to nature. In transferring God's attributes to nature, Spinoza, while denying the transcendent God, had deified nature. We can imagine why the representatives of traditional religious authorities were horrified by such a specter; it was no mere contingency that Spinoza was excommunicated by the Rabbis of the Amsterdam synagogue.

Einstein's identification with Spinoza was not a sentimental affinity; it defined and guided his endeavors as a theoretical physicist. His lifelong quarrel with quantum physics was based on his firm rejection of contingency in the universe, and his search for the ultimate theorem that would unify the gravitational and nuclear forces was an expression of his conviction that the world is essentially one. The universe must be both necessary and one — or in Dworkin's language, it has to exhibit inevitability and integrity. The

search for these ultimate features, which constitute the religious-like qualities of the universe, is essentially a matter of faith. It depends on accepting such a stance as the basis for an exploration, an assumption that other contemporary physicists had polemically described as a stubborn dogma, which is blind to the claim that in principle there is an inherent plurality to the world and a basic contingency is manifested in its sub-atomic particles.

The sublimity and the beauty of the world as described by modern science does not rest on the elegance and the simplicity of its equations and on the striking symmetries it has uncovered. For Dworkin, its sublimity flows from the inevitability and integrity ascribed to it by an Einstein-like stance. In this respect, the aesthetic qualities of the Spinozistic universe resemble the features that make a work of art beautiful and arresting. Any change in color or line in a great painting will affect its totality; every feature in it is intrinsically necessary. When the beauty of a painting dawns on us, it has a compelling power of inevitability; it arrests our will. If what distinguishes the religious sensibility from the strictly secular is not the concept of God but the category of the holy, such works of art are like the sacred. Their integrity and inevitability are inherent to them; they are not ours to mess with. It is for this reason that the destruction of a work of art feels sacrilegious, and that certain aspects of modern technological hubris are, for the ecological sensibility, not only wrong but also sinful. Religion without God does not endorse any form of worship, but it certainly calls for reverence.

This religious perception of the world could be better understood in describing its negation — a thoroughly secular perception of the world. In the secular picture, the world is contingent, plural and finite, nor has it any grounding in a transcendent being who is

necessary, one and infinite. Contingency, finitude and plurality are all that there is. In this counter picture the very existence of organic life is a mere accident; the particular chemical reaction that created the first living cell could just as well not have happened; it was a mere accident. And it could have happened too late in time, at the stage of the life of the sun (before its death) when the sun would generate such heat that no organic life could have survived (we are told that this will happen in a billion years). There is nothing necessary about the laws of nature as such; we can imagine a world in which the gravitational constant or Plank's constant are completely different, and maybe in a parallel universe the laws of physics are different. Needless to say, each of our lives is contingent through and through, our very existence depends on the accidental encounter between our parents (what if your mother had missed the bus where she first met your father). The events and conditions of life are such that a mere slight change in them would make a huge difference in our fate. Fortunes and misfortunes all rest on a very thin thread of accidents, and when we meditate on past misfortunes, we are pained by the maddening thoughts of a set of "what ifs". The mere contingency of what happened coupled with the conviction that things could have easily been different, in contrast to the stubborn fixedness of the past which cannot be changed, is a source of great psychological torture. The heroic secular life embraces all that with no metaphysical solace; it aims at constructing meaning and direction in the vast, contingent, blind and cold universe. Thus, at the heart of the question of the religious sensibility and its counter secular sensibility lies the great abyss established between necessity and contingency.

Dworkin's turn to this kind of religious sensibility, as he articulated it, is not a sudden semi-conversion or a mark of his becoming "soft" late in life. It is actually a further development of his firmest and most original philosophical commitments in ethics and political theory. His moral philosophy also constitutes Dworkin's main contribution to the tradition of religion without God. The moral realm, as presented in Dworkin's *Justice for Hedgehogs*, his comprehensive philosophical work, exhibits the main features of Spinoza's universe. In that book Dworkin provided a detailed argument for the thesis that morality has three essential qualities – independence, necessity, and unity. If Spinoza attached divine-like attributes to nature, Dworkin extends them to morality. The wrongness of cruelty is inevitable and necessary. We do not will it; in fact, it constrains our will, and we experience it as something beyond our choice. Moral claims are not only necessary but also independent, since in Dworkin's version of the fact-value distinction our values are not grounded by any fact about us or in any fact about the world. They are grounded by other values and commitments. For Dworkin, Hume's fact-value distinction is not a reason for moral skepticism, but rather it is an affirmation of moral independence. Morality does not rest on any fact outside itself, it is "self-caused".

The complete independence of the moral realm extends as well to its relation to religion, since morality cannot be grounded by the fact of God's will and command. In one of the most insightful sections of the book, Dworkin shows that the theological claim that the source of moral obligation rests in the fact of God's will and revelation is conceptually incoherent. If God wills the good and the bad into being, why should we obey God's will at all? If the answer is that we owe God a sense of gratitude and dependence as our creator, this is again a value argument, and as such it cannot rest on God's will because it



is the basis for following his will. Unlike morality, religion is not an independent sphere; it rests on a prior value that serves as its premise. The radical philosophical implication of the strict independence of morality is that all godly religions are based on a prior religion without God, the religion that asserts the inevitability and the independence of moral obligations. A rather subversive and justified claim is therefore established: if religion, in the name of God's superior revelation, commands something immoral, it undermines its own authority and ground, which ultimately rests on morality.

Dworkin's affirmation of the independence and the inevitability of morality runs against dominant contemporary modes of thought. Moral independence is fiercely denied by the fashion in naturalism, which holds that we can provide an exhaustive explanation of the moral realm through evolutionary biology and the structure of our mind. Morality is thus not independent; it is something that ought to be reduced to facts about ourselves.

Dworkin's insistence on moral inevitability and necessity clashes also with the widespread postmodern argument that our moral convictions are ideologically constructed structures which serve power elites – that they are culturally dependent, with no objective value. I think that Dworkin's account of the moral life, in its qualities of independence and inevitability, is far deeper and better than its rivals, and his philosophical legacy is crucial to that ongoing argument. Yet the third attribute that he ascribes to the moral realm - that of unity and integrity - is far more challenging and complicated.

In his insistence on his concept of integrity, Dworkin denies the existence of genuine irreconcilable moral conflicts. Such conflicts have, in principle, right and wrong answers, and the choice between them (if followed carefully) has no essential moral cost.

Our values and commitments may in principle be integrated into a unified whole. They do not stand in conflict with one another; at their best they are even mutually supportive and dependent. In his defense of unity and integrity, Dworkin challenged a major strand of modern liberal thought as articulated by Isaiah Berlin, Bernard Williams, and others – thinkers who, while not at all identifying themselves with naturalism or postmodernism, believed in an essentially irreconcilable plurality of values that might always stand in conflict with one another. In this account, we are conceptually incapable of offering a grand unified moral theory; we can only work out a reasonable compromise that will always be accompanied by a tragic moral cost. The different compromises that we offer will not be judged as right or wrong, but as plausible or less plausible, and we might adopt one rather than the other based on passing circumstances and local considerations. In a more pessimistic vein, we may say – as Dworkin decidedly would not -- that some of our moral failures rest not on the fact that we do not stand up to our values, but rather from the fact that we pursue them single-mindedly. The attempt to follow the value of freedom to its end might yield a heartless and merciless society, and the attempt to achieve perfect equality might be brutal and crushing. The same distortion could arise from exclusively adopting a first-person perspective or vice versa adopting a third person perspective as the sole guide for action. There might be a self-defeating element to the moral life.

Leaving the question of the unity of morality and its integrity aside, it is worthwhile to reflect again on the question of morality's independence and necessity, and in what way these features are related to the religious sensibility. Dworkin didn't fully develop this line of argument, which I wish to pursue. Let us assume that Dworkin is indeed correct

about morality and that moral obligations are objective and independent of our minds. Slavery is wrong and it was wrong even at the time when it was widely practiced and endorsed by such luminaries as Aristotle. It wouldn't matter at all if this horrible ancient consensus would have persisted up until today and no one would think that such dominance over another human being was wrong. Enslaving a human being is objectively wrong. It also has a quality of a necessary truth; a world in which it would be morally right to enslave a fellow human couldn't possibly exist. There could be possible universes with radically different features than ours, but there is no possible universe in which slavery is morally right. A stone must fall following the laws of gravity. But it is a weaker *must* than the moral *ought*, because there could be a possible world with different laws of gravity. In principle, it could happen as well that tomorrow the laws of gravity might change, no matter how many inductive experiences we have gathered about gravity in the past. But there is no future world in which it would be morally right to enslave a human being. This is not a factual prediction: as a matter of fact it could happen that the institution of slavery would become widespread again, but even then there is no way in which enslaving a human being could be morally right. In that respect moral claims are not only true, they are necessarily true.

This quality of moral truths poses a genuine metaphysical wonder which needs to be explained. Following Kant, the overwhelming tendency in philosophy is to relate to the class of propositions that seem necessarily true as analytic, and thus not adding any substantive information but rather dependent on the meaning and definitions of the terms that are used. It is necessarily true, to use Ayer's example, "that nothing can be colored in different ways at the same time with respect to the same part of itself". This statement

depends on the meaning and definition of the term color, the same way in which the proposition “all bodies are extended” is, as well, a necessary truth that solely depends on the way in which we define the concept of a body. It is beyond the scope of this paper to explore in detail the nature of necessary truths and the diverse ways in which they have been understood. Nevertheless, even this slight gesture towards the philosophical treatment of necessary truths can help us in highlighting what is unique about morality. The necessity of the claim “it is wrong to enslave a human being” is by no means dependent on the sheer meaning of any of the terms that comprised this claim. The claim concerning the wrongness of slavery provides us with a great deal of content, a content that has been so crucial and existential to human life that rivers of blood were shed due to its force.

We can set aside the question whether moral claims can be strictly classified within the modality of necessary truths; this might depend upon our concept of the class of necessary truths. One might say that necessary truths are such that their negation leads to a logical contradiction which would not be the case when negating the claim “enslaving a human being is wrong”. Nevertheless, the independence and objectivity of moral claims gives them a quality of transcendence. They are not derived or dependent on any facts of this world and their scope is eternal. They command us as if from out of our world.

Morality, in opposition to certain theological claims, doesn’t depend on a divine commanding being; it is itself divine. The mystery of the moral realm and its “divinity” is amplified by Dworkin’s rejection of moral realism. Though morality is objective, there are no moral facts. Morality, we might say, resides outside space and time. It is not a

“thing”, it is not part of the furniture of the cosmos; although it is discovered, it is not discovered somewhere.

It is here where Dworkin’s religion without God departs from Spinoza, its founding father. Spinoza’s religion is the religion of immanence, the universe has God’s attributes — nothing beyond and above it. Unlike Dworkin, Spinoza was a strict naturalist concerning ethics. Moral categories are humanly manufactured, they originate in the experience of pleasure and pain, but in themselves they have no objective basis. With Dworkin’s conception of morality, we enter the realm of genuine transcendence. In certain versions of the philosophy of mathematics such transcendence can be ascribed to the field of mathematics. It denotes genuine abstract entities beyond space and time, and the mathematical realm and its propositions are necessarily true; the mathematical realm is independent — its propositions are self-derived, and it is one — its propositions support one another and they form a unified system. Such a view of mathematics poses some metaphysical mystery but should we say that it has a religious like structure? As the case of this version of the philosophy of mathematics shows, transcendence as such is not sufficient for a religious sensibility. Morality’s transcendence has an added quality to the qualities of the mathematical realm, an addition that might move it closer to the religious world. Moral propositions are not only transcendent; they have an immense commanding and calling force, their violations can outrage and mobilize us individually and collectively. It is a transcendent realm that makes a thorough claim on us.

In order to give a fuller sense of the transcendent quality of morality, let us come back to integrity and pose another question concerning it. This question is not directed towards the thesis of the integrity of the moral realm itself, but rather towards the integrity of

morality and the universe. As was mentioned, Dworkin refers to two distinct sources for his argument against naturalism and for his religious stance. The one is the sublimity of the universe and the other is the objectivity and independence of values and morality. Yet there is an inherent tension between these two sources - morality and the universe. The universe and its laws are morally blind. Earthquakes destroy the righteous and the wicked alike, plagues and diseases inflict immense suffering upon the innocent. We would expect that if a murderer throws a child from a roof, the child will land softly as a leaf, but this is a mere fantasy, wishing for a miracle. It is thus not only the case that morality cannot be derived from any fact of the world; it stands in tension with the world. Morality is therefore transcendent in another manner to the world; it stands in inherent tension to its very structure. The gap between moral law and natural law is one reason why we can never be fully at home in the universe. (It is no wonder that in the biblical creation story, when humans began to be aware of good and evil, they covered their nakedness. Getting dressed is the most primary manifestation of our distance from the world). This tension persists not only in relation to the physical laws of nature, it is manifested in relation to human nature as well. Morality is, as well, transcendent to us as humans, it stands in tension with our drives, impulses and self-centeredness. Such a gap prevents us necessarily from feeling whole with ourselves, and it opens up a genuine field of inner struggle between what we are and what we ought to be. This gap could be bridged, people can become beautifully coherent and at home with themselves, but it is a lifelong work. The way humans act as collectives in their use of force, in the variety of social and political forms of organization, generates its own field of struggle and gap. If we are

bound by the moral “ought” which transcends our social and cultural horizons, we would never be fully at home within our collective and political existence.

For moral naturalists this tension between the universe and the moral world is reduced. If all morality can be derived from enlightened self-interest in the way that Hobbes (perhaps) had derived it, morality could be genuinely in line with who we are. But this is not the case with Dworkin’s thesis of the independence of morality. There is, therefore, an added dimension of morality —the realm of the “ought” — which distances us from “this-worldliness”; it makes us strangers to the world and to ourselves, in a kind of tonality that has a religious coloring to it.

One might say that all these features of transcendence do not constitute a religion. A religion needs a God in the way liberalism needs liberty. A God which is the ground of being, an intentional subject whose constant presence engulfs the lives of the faithful. But debating whether to call it religious or not might be essentially a semantic question.

Embracing this unique picture of the moral realm as reflecting a religious sensibility is a way of bringing to the fore the radical metaphysical and human implications of the transcendent quality of morality. If religion means orienting oneself in light and in front of a transcendent realm, this unique view of the moral realm gets us close to the religious attitude.

There are diverse sources for philosophical wonder. Among them - What is time? Why there is something rather than nothing? How is freedom of the will possible or conceived? Can we figure out the mind body question? But if you agree that morality is objective, necessary and independent, then philosophy might begin as well with moral certainty. There are some people, Dworkin first among them, who can’t shed moral

certainty, a certainty that reaches a quality of a necessary truth. Such people can't perceive of a universe in which it would be morally right to enslave a human being. There is an "ought", which is not a thing in the world and of the world, which is independent - not caused by anything else but itself, necessary, transcendent to us all, commanding, mobilizing and calling. It is undeniable, it is there more than anything that we can say is there, but yet how is this possible? Kant thought that the proper response to morality is a sense of inner respect "*achtung*", but morality in such a picture invokes a reverence it poses a genuine philosophical wonder.