

Duquesne University

Duquesne Scholarship Collection

Hallowed Secularism

The Collective Works of Bruce Ledewitz, Adrian
Van Kaam C.S.Sp. Endowed Chair in Scholarly
Excellence and Professor of Law

11-3-2013

November 3, 2013: Ronald Dworkin's Confusion

Bruce Ledewitz

Duquesne University, ledewitz@duq.edu

Follow this and additional works at: <https://dsc.duq.edu/ledewitz-hallowedsecularism>



Part of the [Constitutional Law Commons](#), and the [Law and Philosophy Commons](#)

Repository Citation

Ledewitz, B. (2013). November 3, 2013: Ronald Dworkin's Confusion. Retrieved from <https://dsc.duq.edu/ledewitz-hallowedsecularism/785>

This Article is brought to you for free and open access by the The Collective Works of Bruce Ledewitz, Adrian Van Kaam C.S.Sp. Endowed Chair in Scholarly Excellence and Professor of Law at Duquesne Scholarship Collection. It has been accepted for inclusion in Hallowed Secularism by an authorized administrator of Duquesne Scholarship Collection. For more information, please contact beharyr@duq.edu.

Title: Ronald Dworkin's Confusion

Date: 2013-11-03T07:03:00.002-05:00

11/3/2013—On one level, Ronald Dworkin could be accused of taking his ideas from me. He supports religious expression in politics, as I did in 2007 in *American Religious Democracy*. He writes about religious atheists in terms that could easily be mistaken for Hallowed Secularism. And he argues that the core of religion is a commitment to objective values, as I urged in *Church, State, and the Crisis in American Secularism* in 2011. So, in a sense, I agree with much that Dworkin writes. But, in all of his work and especially in his posthumously published last work, *Religion without God*, Dworkin showed that he had no consistent view of all this. The best example of this is that he argues in his book for objective values, but also takes Hume's position that an ought cannot be derived from an is. These two positions simply do not fit together. This is why Hume was not himself a moral realist, like Dworkin. For, if you take the position that the statement, the universe is sublime, states a kind of fact, as real as stones or pain, as Dworkin puts it, then you have dissolved the distinction between values and facts. To put it most clearly, if the statement, it is morally right to support the poor and not allow them to starve, is objectively true, or at least potentially objectively true, then it follows that I should support the poor and not allow them to starve. Hume could argue that the existence of God does not mean that one must obey or worship God because he denied that the statement one ought to obey or worship God could be objectively true. Thus, it follows that a statement at the intersection of religion and science, such as the universe is not a collection of accidental forces and objects, is for Dworkin objectively true. But this clearly means, contrary to what he argues in his book, that there is no great dividing line between science and religion. And at one point Dworkin even admits that both science and religion are based on faith. The reason for all these confusions is a simple one. Dworkin was in large part always a political and legal opportunist. He took his positions, whether pro-choice or in favor of the separation of church and state, first and figured out justifications later. This could lead to confusion and awkward arguments. In order to justify pre-existing commitments on the establishment clause and the free exercise clause, Dworkin had to argue as he did.