

BOOK REVIEW SYMPOSIUM: RONALD DWORKIN'S *RELIGION WITHOUT GOD* AND THE CHALLENGE OF THEISTIC EPISTEMOLOGY

DWORKIN VERSUS TILlich

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Early in John Updike's exquisite historical novel *In the Beauty of the Lilies*, a Presbyterian pastor named Clarence Wilmot, whose faith has deserted him, calls upon a certain Elias Orr, a member of his flock who lies on his deathbed. Orr asks his pastor whether he—Orr—is among the elect or headed to eternal damnation in the flames of Hell. Clarence, searching for words of comfort, tells him, "I should estimate your chances to be excellent." The dying man is unpersuaded. If the order of salvation was laid down by God at the moment of creation, he demands, "[w]hat can we poor bodies down here do?"

The pastor answers that believers should "do good to our fellow man and trust in the Lord and enjoy His gifts when they are granted to us." He adds, "I don't see how any deity can ask more of us than that."¹

Orr is not comforted. Instead he is provoked to anger: "Is that right? You talk like it's six of one and a half-dozen of the other. We're not dealing here with any deity, we're dealing with the true and only God."² The dying man goes on to insist that he is prepared for damnation if that is God's judgment: "I can face the worst, if it was always ordained."³

This vivid scene came to mind as I contemplated what to say about Ronald Dworkin's final book, *Religion without God* (*RwG*), based on the Einstein Lectures that he delivered in 2011.⁴ As with so much of Dworkin's work, the book is written with verve and brilliance and rests on a powerful and provocative premise.⁵ In this case, however, the fundamental distinction on which the text rests is mistaken. Because of this, an argument that is styled as one about the importance of religion would have the practical effect of further weakening the place of religious faith in liberal theory. Serious religionists already have reason aplenty to fear the remarkably intolerant cultural statism so characteristic of contemporary liberalism. Dworkin is the finest legal philosopher of the past half century. One cannot but admire his desire to build a bridge between theistic and non-theistic epistemologies. But Dworkin's approach to the problem in *Religion without God*, whatever

1 John Updike, *In the Beauty of the Lilies* (New York: Alfred A. Knopf, 1996), 44–45.

2 *Ibid.*, 45.

3 *Ibid.*, 48.

4 A bibliography of Ronald Dworkin's work on law and religion, including the works cited herein, is included following the review essays in this issue.

5 I have discussed certain other aspects of Dworkin's book—in particular, what I consider a fundamental misunderstanding of what a religious belief actually is—in another essay, and therefore will not repeat those arguments here. See Stephen L. Carter, "The Challenge of Belief," *Boston University Law Review* 94, no. 4 (2014): 1213–23.

its intentions, can only reinforce the conviction of many among the religious that liberalism counts it as an enemy.

To understand the problem with Dworkin's argument, let's begin by considering what he might say about the conversation between the dying Elias Orr and his pastor, Clarence Wilmot. Dworkin wants the reader to accept the existence of a category he calls the "religious atheist." The term is not actually new, although in the nineteenth century it was considered a pejorative or an impossibility. Thus an article in the September 1850 edition of the *English Review* noted derisively that the ordinary atheist at least admits to believing in nothing, whereas the "religious atheist," fascinated by the philosophical puzzle of existence itself, "differs from the other class of Atheists, by clothing an indivisible unextended NOTHING with the powers of a god."⁶ More often the phrase was held to be an innate contradiction, an example of the impossible: "A *christian slaveholder*," wrote the abolitionist William Lloyd Garrison, "is as great a solecism as a religious atheist, a sober drunkard, or an honest thief."⁷

It is in this second sense that Dworkin wants us to understand the term. The evident contradiction in terms is his purpose in choosing the coinage he has. The phrase is meant to arrest our attention, and it does exactly that. One need not be a religious theist, says Dworkin, to respond with wonder to the simple truths that "the universe and its creatures are awe-inspiring," and that "human life has purpose and the universe order" (*RwG*, 1).⁸ The religious atheist can believe the same thing, and even shares the religious conviction that morality, like science, should rest ultimately not on mere convention but on absolute truth. And like the universe itself, morality can possess both beauty and order.⁹

Why does this matter? Because, says Dworkin, every religion includes both scientific claims and value claims. For Dworkin, "God exists" is a scientific claim. So is "Jesus Christ is God Incarnate." So is "Muhammad is God's final prophet." Thus, by a scientific statement Dworkin evidently means not, as Karl Popper would say, that the statement is in principle falsifiable, but rather that the statement makes an assertion of fact.¹⁰ Dworkin does not propose to

6 "Spiritual Gifts and Spiritual Delusions," *English Review* 14 (1850): 299. The unsigned article was evidently a reprint of an essay or pamphlet by the Mormon leader Orson Pratt, Sr. See Robert C. Webb, *The Real Mormonism: A Candid Analysis of an Interesting but Much Misunderstood Subject in History Life and Thought* (New York: Sturgis & Walton, 1916), 178–79.

7 William Lloyd Garrison to George Shepard, September 13, 1830, in Walter M. Merrill, ed., *The Letters of William Lloyd Garrison*, vol. 1, *I Will Be Heard, 1822–1835* (Cambridge, MA: Harvard University Press, 1971), 108.

8 Here, too, Dworkin is by no means the historical progenitor of this usage. See, for example, Ira W. Howerth, "What Is Religion?," *International Journal of Ethics* 13, no. 2 (1903): 205 ("It sounds paradoxical to speak of a religious agnostic, or a religious atheist. And yet, a man who recognizes, and desires to be in right relations to, 'an Infinite and Eternal Energy from which all things proceed,' without claiming to know the ultimate nature of that energy, is religious; and as atheism, as usually understood, is merely the denial of a particular interpretation of this energy, it is not inconsistent with religion.")

9 Here, as throughout his book, Dworkin echoes Thomas Nagel, who insists that philosophy itself, in its search for moral order, involves a "yearning for cosmic reconciliation." Nagel, "Secular Philosophy and the Religious Temperament," in Thomas Nagel, *Secular Philosophy and the Religious Temperament: Essays 2002–2008* (Oxford: Oxford University Press, 2010), 3.

10 The assertion that God's existence is not falsifiable is often associated with the philosopher Antony Flew. Although Flew certainly believed this (a belief complicated by his later conversion to theism), a more precise statement of his position is that theists cannot describe God in a way that lends itself to falsification. See, for example, Antony Flew, *God and Philosophy* (London: Hutchinson, 1966), 171–72 ("The dilemma for the theist is to find something positive to say about his proposed God, that shall have sufficient determinate content to be both falsifiable in principle and interesting, while not at the same time actually being false."). This statement of the problem is consistent with Flew's assertion that no statement about God remains cognitively meaningful, because, as anti-theistic arguments are presented, theistic claims die "the death by a thousand qualifications." Flew first introduced this

reject the scientific claims that a religion makes; he wants instead to bracket them from the discussion.¹¹

Religion's scientific claims, in Dworkin's telling, are what create the seeming gulf between the worlds of theism and atheism. For the purposes of defining a space for what he calls the religious atheist, we should ignore religion's scientific claims and study instead religion's value claims. There we will find the possibility of a commonality. The religionist, says Dworkin, believes that moral truths exist. Dworkin has long argued for a liberalism sufficiently muscular to believe the same. To Dworkin, for example, "Thou shalt do no murder" is a claim about value, one that religionist and theist can share even if they might disagree over the methodology through which this moral truth is reached.

The key passage in his explanation of the commonality between religious theists and religious atheists is this:

"[A] god's existence can be shown to be either necessary or sufficient to justify a particular conviction of value only if some independent background principle explains why. . . . Believers will have no trouble constructing . . . such principles. But the principles they cite, whatever they are, must have independent force seen only as claims of morality or some other department of value. Theists must have an independent faith in some such principle; it is that principle, rather than just the divine events or other facts they claim pertinent, that they must find they cannot but believe. What divides godly and godless religion—the science of godly religion—is not as important as the faith in value that unites them." (*RwG*, 28–29)

In other words, theists obey God because of some background principle that is independent of God. And this background principle is the sort of principle about which theists and atheists can join argument, and on which they might perhaps even agree. The point is that religious atheists and religious theists share a conviction "that it matters objectively how a human life goes and that everyone

resonant if much-misquoted phrase in the 1950s. See Antony Flew, "Theology and Falsification," in Antony Flew and Alasdair MacIntyre, eds., *New Essays in Philosophical Theology* (New York: MacMillan, 1955), 97.

Nowadays, the non-falsifiability of the claim that God exists has become a commonplace of anti-theistic argument. See, for example, James Lett, *Science, Reason, and Anthropology: The Principles of Rational Inquiry* (Lanham, MD: Rowman & Littlefield, 1997), 53 ("For the faithful, the belief that God exists is not falsifiable."); Dan Barker, *Godless: How an Evangelical Preacher Became One of America's Leading Atheists* (Berkeley, CA: Ulysses Press, 2008), 74 ("I brought up the fact that theistic claims are not falsifiable."). It is important to bear in mind, however, that Popper himself did not argue that non-falsifiable statements were *false*; he merely insisted that they were not *scientific*. Popper readily conceded the existence of non-scientific truths. That Flew seems to miss this point has been noted even by those who are sympathetic to his (earlier) argument. See, for example, Charles Pigden, "Analytic Philosophy," in Stephen Bullivant and Michael Ruse, eds., *The Oxford Handbook of Atheism* (Oxford: Oxford University Press, 2013), 314–16.

11 The notion that religious epistemology does not rest on rational deduction from available evidence serves as an important basis for Brian Leiter's forcefully argued but oddly polemical 2013 book, *Why Tolerate Religion?* (Princeton, NJ: Princeton University Press, 2013). Let me here confess (not only as a religionist but also as a small-d democrat) that I find terrifying the notion that a polis should adopt a privileged epistemology and refuse to tolerate or make space to nurture that which deviates seriously from it. I am a great believer in the importance of epistemic diversity to democratic dialogue. See Stephen L. Carter, *The Dissent of the Governed: A Meditation on Law, Religion, and Loyalty* (Cambridge, MA: Harvard University Press, 1998). I have written elsewhere about the tendency toward repressive authoritarianism at the heart of liberalism. See, for example, Stephen L. Carter, "Must Liberalism Be Violent? A Reflection on the Work of Stanley Hauerwas," *Law and Contemporary Problems* 75, no. 4 (2012): 201–19. Leiter's book, although he does score a number of fine points about constitutional theory, ultimately provides evidence for my rational deduction that I ought to be fearful.

has an innate, inalienable ethical responsibility to try to live as well as possible in his circumstances” (*RwG*, 24).

What then would Dworkin say about the deathbed conversation between Elias Orr and Clarence Wilmot? Dworkin would surely insist that Wilmot’s reply to Orr’s lament that there is nothing we can do includes both a point of value and a point of science. The point of value is that we should “do good to our fellow man.” The point of science is that God exists and asks things of us. Dworkin would contend that theists and atheists can debate the point of value without addressing the point of science.

Dworkin has no doubt as to the importance in liberalism generally—and in constitutional theory in particular—of protecting the freedom of religion. That freedom, however, he believes should itself be freed from the limits of theism. The reasons for protecting the rights of the religious theist apply with equal force to the rights of the religious atheist. Thus, says Dworkin, we should instead recognize a more general right of ethical independence—a right to be reasonably free of state pressure to adhere to a particular understanding of value.

Dworkin is here building on the foundation that he constructed earlier in *Justice for Hedgehogs*. Religion is reduced to an ethical system, and nothing else. As there are many ethical systems, it would be wrong to privilege one of them. Therefore we should treat all ethical systems the same, both as a matter of philosophy and (as it turns out later in *Religion without God*), as a matter of constitutional law.

On its face, this common form of liberal argument would appear to be reductionist. But one must be careful. If every effort at categorization were to be rejected on grounds that it is reductionist, we could categorize nothing at all. Reductionism is philosophically objectionable only when it is used to treat as similar things that are relevantly different. Dworkin’s move to reduce religion to the level of other forms of ethical belief is therefore an error only if there are material differences between the sets.

The difficulty is that although the matter has been argued for decades, there is no consensus. Secular thinkers end up thinking that religion is not materially different from other forms of belief and therefore should not be privileged, and religious thinkers end up thinking the opposite. This is not the place to refight those battles. It is worth noting, however, that for all of the paeans to theism in *Religion without God*, Dworkin winds up in the same place as other liberal thinkers: it turns out that religion is not relevantly different. A privileged position in either the philosophical or constitutional order therefore becomes indefensible (*RwG*, 5–37). As a result, protection for religious freedom as traditionally understood will fall. On this Dworkin is crystal clear: “If we deny a special right to free exercise of religious practice, and rely only on the general right to ethical independence, then religions may be forced to restrict their practices so as to obey rational, nondiscriminatory laws that do not display less than equal concern for them” (*RwG*, 135–36).¹² Lest there be any remaining confusion, he adds that the “priority of non-discriminatory collective government over private religious exercise seems inevitable and right” (*RwG*, 137).

I will not purport to speak for other religious traditions. In Christian terms, however, this is nonsense. The priority of collective government over private religious exercise (whatever private may mean) is evitable and wrong. No serious religionist would have entered into a compact of collective

12 For an example of what I assume Dworkin would agree is a discriminatory law, even though the statute seems neutral on its face, see *Church of the Lukumi Babalu Aye, Inc. v. Hialeah*, 508 U.S. 520 (1993). My own brief treatment of the case—and one place where I defend a broader religious freedom than Dworkin would countenance—is Carter, “The Resurrection of Religious Freedom?,” *Harvard Law Review* 107, no. 1 (1993): 118–42.

government were there any risk of Dworkin's statement being true.¹³ It is not entirely clear how the secular came to be privileged in Western thought, but nowadays its priority seems to be an axiom of political philosophy rather than a proposition to be argued for.¹⁴ Perhaps this priority would not seem so misguided and dangerous in Christian terms were the secular understanding of religion not so impoverished.

Contrary to its treatment in liberal theory, religion is not principally (some would say not at all) an individual activity. It is an activity exercised and nurtured in community. In Christianity, the community is called church. To treat religious freedom as a freedom simply of individuals slights what Christianity actually is.¹⁵ It is not the individual alone but the institutional church itself that must be free.¹⁶ Even with church, faith is extraordinarily difficult. Absent church, faith becomes unanchored and begins to die. To speak of religion without speaking of church is in Christian terms meaningless. Small wonder that generations of Christian theologians have held the view that the state that interferes with the salvific work of Christ through His church is ipso facto illegitimate.

Indeed, from its earliest days, Christianity has been concerned not with belief as such but with the actions believers take.¹⁷ In this understanding, church nurtures not merely thought but conduct. Therefore to treat religion simply as a private belief system is, at least in Christian terms, to misunderstand its essence.

It is the alarming tendency in contemporary liberal thought to analyze religion as a phenomenon quite different from what it actually is. Always, religion seems to be a subset of something else. Just another form of belief. Just another form of ideology. Just another form of bias. And, now, just another form of ethical understanding of the integrated moral truths of the universe. Dworkin suggests, as a matter of constitutional law, that we reject the notion that there is anything special about theistic religion making it worthy of special solicitude. Instead, we should be "taking religious tolerance as an example of the more general right"—that is, the right to ethical independence (*RwG*, 133).

13 For analogous reasons, no serious religionist would accept the dialogic strictures set forth by John Rawls in his *Political Liberalism* (New York: Columbia University Press, 1993). A useful effort at finding a middle ground is Nicholas Wolterstorff, "The Role of Religion in Decision and Discussion of Political Issues," in Robert Audi and Nicholas Wolterstorff, eds., *Religion in the Public Square: The Place of Religious Convictions in Political Debate* (Lanham, MD: Rowman & Littlefield, 1997), 67–120. Or it may be that no middle ground is possible. See Joseph Raz, "Facing Diversity: The Case of Epistemic Abstinence," *Philosophy & Public Affairs* 19, no. 1 (1990): 3–46.

14 A provocative but insightful discussion of this phenomenon is Steven D. Smith, "The Plight of the Secular Paradigm," *Notre Dame Law Review* 88, no. 3 (2013): 1409–56. As the philosopher Jon Mahoney has noted, it is easy to forget that liberalism itself is a moral doctrine, and must be argued for. Jon Mahoney, "Public Reason and the Moral Foundation of Liberalism," in Thom Brooks and Fabian Freyenhagen, eds., *The Legacy of John Rawls* (London: Continuum, 2005), 85–106.

15 Even Christianity's earliest opponents, the Romans, understood that they faced not a growing movement of individuals but a growing movement of organized groups of worshippers. See Robert Louis Wilken, *The Christians as the Romans Saw Them* (New Haven, CT: Yale University Press, 1984). As Wilken notes, the Romans did not use the term *ecclesia* to refer to these religious societies. The Romans instead coined the word *Christiani*, which might at first have been meant derisively. *Ibid.*, 32–35.

16 An interesting attempt to write this principle into constitutional law is Paul Horwitz, "Churches as First Amendment Institutions: Of Sovereignty and Spheres," *Harvard Civil Rights-Civil Liberties Law Review* 44, no. 1 (2009): 79–131. See also Nomi Maya Stolzenberg, "Theses on Secularism," *San Diego Law Review* 47, no. 4 (2010): 1041–73.

17 See Wayne A. Meeks, *The Origins of Christian Morality: The First Two Centuries* (New Haven, CT: Yale University Press, 1993).

Here, finally, is genuine reductionism. Gone are the attributes that make belief in God different from belief of any other kind. Gone is any space for God. Gone is any space for tradition. Gone is any space for man struggling upward toward the Divine. Gone is any space for revelation. I am not criticizing Dworkin for rejecting revelation. My concern is that he does not seem to appreciate the possibility that a religious believer might actually believe himself to have good and persuasive reasons that God's revelation is true.¹⁸ And because there is no space for revelation, there is no space for true transcendence. There is, in particular, no space for a religion sufficiently orthodox to deny the very distinction between science and value upon which Dworkin's argument rests. And yet this is exactly what much of revealed religion does.

Let us return to the Updike for a moment, and reconsider what we might call Elias Orr's closing argument in his confrontation with poor Clarence Wilmot—the proposition that he is prepared for damnation if that is what has been ordained for him from the moment of creation. The implication is that the dying man is willing to fulfill the part God has chosen for him, no matter how unpleasant. Dworkin no doubt would reply that the notion that God has made any choice at all, like the notion that Orr is headed for any sort of afterlife, is a conviction about science, not about value, and can therefore be comfortably ignored by nontheists. But Orr's argument helps illustrate why Dworkin's distinction is so poor a fit for orthodox Christian theology. Indeed, one of the signal weaknesses of *Religion without God*—a weakness shared by the work, for example, of Richard Dawkins, whom Dworkin effectively criticizes—is an inadequate attention to the work of generations of serious Christian intellectuals who have tackled precisely the problems he sets out to analyze.

Remember the basis of Orr's response to his pastor. What matters, the dying man says, is not his own comfort or choices or decisions, but the preexisting will of God. Not Dworkin's abstract small-g god. *The* God. And, by Orr's own lights, it is difficult to see what other answer he can rationally offer. For the devout believer, the question is never what *a* god might command. The question—the only question—is what *the* God commands. The one true God cannot be pushed into the background, a blurry figure amongst the pantheon of deities.

In traditional Christianity, one does not follow God because God creates us or loves us or will otherwise punish us. God is not *a* good but *the* good—the good that is constitutive of life. But the reason for following this constitutive good isn't because of a prior theory that one must follow the (or even a) constitutive good.¹⁹ Such an approach would lead us too directly to the land of tautology, or at least of false syllogism.

Consider the following well-known passage from Luke's Gospel: "And a certain ruler asked him, saying, Good Master, what shall I do to inherit eternal life? And Jesus said unto him, Why callest thou me good? none *is* good, save one, *that is*, God" (Luke 18:19, KJV).

Dworkin, scrutinizing the sources for Christian belief in God's goodness, might reply that Christians believe that God should be obeyed because God is perfectly good. This belief,

18 There has been a move in recent political philosophy to contend that religious believers should doubt convictions based on revelation when they cannot find adequate secular corroboration. The idea is that God would not establish a deep moral truth and then hide from us the evidence of its truth. Thus if, for example, God establishes that murder is wrong, He would fill the world with evidence, available even to the secular mind, of the wrongness of murder. This argument strikes me as a variant on theodicy, and for that reason alone is theologically shaky. But it can also be criticized on philosophical grounds, for the relative assumptions it contains about the cognitive capacities of theists and non-theists. A quite pertinent and detailed analysis can be found in chapters 7 and 9 of Christopher J. Eberle, *Religious Conviction in Liberal Politics* (Cambridge: Cambridge University Press, 2002).

19 In adopting the term "constitutive good," I follow the coinage of Charles Taylor. See Taylor, *Sources of the Self* (Cambridge, MA: Harvard University Press, 1989), 92–93.

Dworkin would presumably conclude, is the product of a syllogism that proceeds from the major premise that one should obey that which is perfectly good—a premise, he would contend, that a religious atheist could well hold. The fact that the religious atheist and the religious theist might disagree over what constitutes the perfect good would not disturb the principle.

But this is wrong. Nowhere does Christ call upon his disciples to follow God because God is good. He insists that they follow God because God is God. In Christian theology God is unique. He is not simply a being like other beings, subject to subjectivity, possessing the possibility of moral error. One does not judge God's will. God's will is beyond our capacity to judge.²⁰ All of God's aspects lie beyond our capacity to judge.²¹ God's will is not merely perfect; God's will is itself solely constitutive of perfection. The question "But what if God commanded you to do evil?" is, in Christian terms, incoherent.

The Christian life, as the philosopher John E. Hare has argued, represents man's effort to share God's ends, not God's reasons.²² True, we may sense those reasons distantly and vaguely, but we can never hope to understand them. We know that God is good, but we do not follow Him because He is good. We know that God has the power to reward or punish, but we do not follow Him because He has the power to reward or punish. If Hare is right, we follow God because we share God's ends.

This act of following, however, does not rest on a meta-principle that we ought to follow those whose ends we share. I doubt that such a principle could be defended, and, certainly, Dworkin would not defend it. There are many whose ends I might share but whom I would not seek to follow. If I follow God, it is not because I agree with Him, or because I like Him, or even because I love Him. I follow God because He is God. If a meta-principle exists, it can only be this: follow God because He is God. The principle is self-contained.

But the principle is not explicable in secular terms. The physicist and theologian John Polkinghorne explains why: "Theology seeks to speak of the God who is to be encountered in awe and obedience, and who is not available to be subjected to our testing interrogation."²³ We are limited in the number and kind of questions we can ask of God, not because of His divine unavailability—although He is, to a large extent, unavailable—but because God is not a being like other beings, ours to study and comprehend and dismiss.

We must obey God because God says that we must do so. There is no other reason that we must do as God commands. This is the value at the heart of orthodoxy. But it has no nontheistic equivalent.

Dworkin tries to escape this difficulty by offering up his interpretation of the work of Paul Tillich (*RwG*, 34–37). Tillich, of course, was both one of the most influential as well as one of the most challenging theologians of the twentieth century. And although Tillich can be—and is—understood

20 Consider Calvin's response to critics who argued that the doctrine of election, by preordaining the fate of every person, made God's rule tyrannical: "God's will is so much the highest rule of righteousness that whatever he wills, by the very fact that he wills it, must be considered righteous." As to wondering why God wills what He wills, "it is very wicked merely to investigate the causes of God's will." Quoted in David C. Steinmetz, *Calvin in Context* (Oxford: Oxford University Press, 1995), 48.

21 C. S. Lewis puts the point thus: "Perhaps we feel inclined to disagree with Him. But there is a difficulty about disagreeing with God. He is the source from which all of your reasoning power comes: you could not be right and He wrong any more than a stream can rise higher than its own source." C. S. Lewis, *Mere Christianity*, rev. ed. (1952; repr., New York: HarperCollins, 2001), 48.

22 See John E. Hare, *God's Call: Moral Realism, God's Commands, and Human Autonomy* (Grand Rapids: William B. Eerdmans Publishing Co., 2001).

23 John Polkinghorne, *Belief in God in an Age of Science* (New Haven, CT: Yale University Press, 1998), 37.

many different ways, I do not find Dworkin's reading of him entirely plausible. It is worth troubling to understand why, because Tillich, on a slightly different reading, points to a larger problem with Dworkin's theory.

Dworkin troubles to quote a lengthy passage from Tillich's *Theology of Culture*, but it seems to me that he interprets the passage incorrectly. Here is Dworkin's version:

The manifestation of this ground and abyss of being and meaning creates what modern theology calls "the experience of the numinous." . . . [This] experience can occur, and occurs for the large majority of men, in connection with the impression some persons, historical or natural events, objects, words, pictures, tunes, dreams, etc. make on the human soul, creating the feeling of the holy, that is, of the presence of the "numinous." In such experiences religion lives and tries to maintain the presence of, and community with, this divine depth of our existence. But since it is "inaccessible" to any objectifying concept it must be expressed in symbols. One of these symbols is Personal God. It is the common opinion of classical theology, practically in all periods of Church history, that the predicate "personal" can be said of the Divine only symbolically or by analogy or if affirmed and negated at the same time. . . . Without an element of "atheism" no "theism" can be maintained." (*RwG*, 35–36)²⁴

Notice the elision before the final sentence. Here is what Dworkin leaves out:

"It is obvious that in the daily life of religion the symbolic character of the idea of the Personal God is not always realized. This is dangerous only if distorting theoretical or practical consequences are derived from the failure to realize it. Then attacks from outside and criticism from inside follow and must follow. They are demanded by religion itself."²⁵

It is only in this context that Tillich goes on to say, as Dworkin accurately quotes him, "Without an element of 'atheism' no 'theism' can be maintained." The difference is not trivial. In the paragraph Dworkin edits, Tillich is arguing for the Personal God, not against Him. In calling the Personal God symbolic, Tillich means to suggest only the limits of human understanding, not the irrelevance of the symbol.

The paragraph Dworkin quotes comes at the tail end of a lengthy response to Albert Einstein's argument against the Personal God.²⁶ And in the pages following the quoted material, Tillich goes on to explain that we call God "He" rather than "It" precisely because God is not a being like ourselves and therefore cannot be considered an inferior form of being (an "It")—and so "He"—personhood—is the best we can do. The Personal God, writes Tillich, "is a symbol not an object,"²⁷ but his point is precisely the opposite of Dworkin's. We create the symbol not because all forms of human experience of beauty and awe are the same, but because this particular form is special. We experience a God we cannot comprehend, and we do our best to describe that God. And so we say "Him" to make God personal. The symbol of the Personal God is necessary because

24 Quoting Tillich, *Theology of Culture* (New York: Oxford University Press, 1959): 130–31.

25 Tillich, *Theology of Culture*, 131.

26 As Max Jammer points out, Tillich was particularly bothered by Einstein's notion that the idea of God was an invention of primitive human beings, and his adoption of the very old and not very persuasive argument that the existence of evil necessarily contradicted God's omnipotence. See Jammer, *Einstein and Religion: Physics and Theology* (Princeton, NJ: Princeton University Press, 2002), 108–09, discussing Tillich, *Theology of Culture*, 127–29. Another very useful discussion of the disagreement between the two great thinkers is John F. Haught, "Tillich in Dialogue with Natural Science," in Russell Re Manning, ed., *The Cambridge Companion to Paul Tillich* (Cambridge: Cambridge University Press, 2009), 223–37.

27 Tillich, *Theology of Culture*, 132.

of God's incomprehensibility. But the fact that God's personhood is a symbol is not, for Tillich, an argument that God is beside the point.

Dworkin is right when he writes "Tillich's theology is very complex and it may be unwise to focus on this single paragraph" (*RwG*, 36). Unwisdom is the least of the problems stemming from Dworkin's chosen excerpt. Paul Tillich was many things to which Christian orthodoxy objects, but he was no relativist. His insistence on what he called the Protestant Principle was intended to free Christianity from its instinct for authoritarianism. The preaching of the moral law left Tillich uneasy. He is often cited for the assertion that if we are saved by grace, no earthly church should make further demands upon us. That is not actually what he wrote, although it is easy to see how he might be read that way. Tillich did not say that the moral law was wrong. It was the authority to enforce the (possibly correct) moral law that he saw as dangerous.

Atheism, Tillich argues in *The Courage to Be*, rests precisely on a particular image of God as an "invincible tyrant . . . in contrast with whom all other beings are without freedom and subjectivity."²⁸ This is no small charge. In Christian terms, a tyrant—to quote John of Salisbury—is a leader who commits treason "against the body of justice itself."²⁹ Thus a tyrant can be judged. An external standard of morality (the body of justice) exists. If God is a tyrant, God necessarily possesses that finitude that allows us to measure his morality. In this vision, God is simply a being, in the way that others—including we ourselves—are beings. If God is much as we are, then human beings will naturally come to see themselves as merely His objects. This understanding of God, says Tillich, will inevitably drive us away from Him: "This is the God Nietzsche said had to be killed because nobody can tolerate being made into a mere object of absolute knowledge and absolute control."³⁰

This God to whom humans are objects, said Tillich, was the one Nietzsche pronounced dead. And although the point is not uncontested among Tillich scholars, he seemed to think Nietzsche right in saying so. God as a mere being, to whom we are objects upon whom His will is played out, has to be dispensed with. A new God—perhaps the God above God—has to be teased out in His place. This is hornbook Tillich.

Dworkin, however, does indeed seem to see God as merely a being—a more powerful being, perhaps, than those who believe in Him, but a being nevertheless, and therefore the proper object of subjectivity and interpretation. At the same time, in insisting that the believer follows God either because of fear or because of gratitude, Dworkin transforms us into God's objects. This was most certainly not the view of Tillich, or of any serious theologian.

Tillich indeed argued that "absolute faith" should transcend theism, but he also warned that the vision of the God who sees us as objects represents "the deepest root of the Existentialist despair and the widespread anxiety of meaninglessness in our period."³¹ The concern Tillich expressed about theism was not a concern about God qua God; it was a concern about the role *man* envisioned for God. God, Tillich contended, exists "above the scheme into which theism has forced him."³² Thus the God above God was not a metaphor for something beyond the Divine; it was a way of getting readers to appreciate that we could not solve the paradox of our relation to God by pretending that we could comprehend Him. The God above God was still God—we simply should never make the mistake of thinking that our descriptions of Him limited Him. The one true

28 Paul Tillich, *The Courage to Be* (New Haven, CT: Yale University Press, 1952), 185.

29 John of Salisbury, *Policraticus*, trans. Cary J. Nedermann, bk. III, chap. 15 (Cambridge: Cambridge University Press, 1990), 25.

30 Tillich, *The Courage to Be*, 185.

31 Ibid.

32 Ibid., 187.

God—the God who is being itself—is ultimately unknowable. In the words of one interpreter, “Tillich’s intentions are apologetic: to transcend theisms which reduce God to an empty slogan, and which are overly personalistic, naturalistic, or dualistic.”³³ The theologian John Thatamanil puts the point this way: “Tillich understood that any naming of God whatsoever must be situated within a larger appreciation of God as beyond all names.”³⁴

And Tillich went further. The church, he contended, must “rais[e] itself in its message and its devotion to the God above the God of theism without sacrificing its concrete symbols.” The church, in short, must not cease to be the church. And not just any church would do: “It is the Church under the Cross which alone can do this.”³⁵

Secular liberalism, for example, could not possibly solve the paradox God presented. Nor could the effort to flee from faith. For Dworkin, the self can regard the universe without the aid of the divine and appreciate the beauty of what is being observed. No doubt this is true. But the notion that this act of sensuous self-understanding can elevate one’s consciousness to what is in effect the spiritual realm isn’t Tillich; it’s Hegel. And Hegel’s model of the self embracing the self is precisely the form of existentialism that Tillich rejects in the second volume of his *Systematic Theology*. Hegel wants the self to do the work that, for Tillich, can only be done by Christ.

The problem Tillich ultimately sought to confront—the problem that motivated most of his major works—was the challenge of nonexistence, or non-being. From the existentialists, he borrowed the notion that human existence becomes problematic and painful precisely because it must end. Influenced by Heidegger, Tillich accepted the case for the courageous affirmation of existence in the face of the certainty that existence ends.³⁶ But far more important for Tillich was the importance of battling against meaninglessness by affirming the importance of God and of Christ’s church as the only path to safety in a postwar age in which faith was dying. The God above God was meant to signal not God’s nonexistence but God’s transcendent importance.

Having said all of this, I do not mean to suggest that Tillich was in any sense representative of the orthodox Christian tradition. Clearly he was not. Dworkin might take heart, for example, in Tillich’s general dismissal of formal doctrine in favor of self-transcendence.³⁷ Nor do I mean to suggest that Tillich is always correct. Orthodox Christians will necessarily be left uneasy, for example, by his wariness on the nature of eternal life, his high regard in his later years for the application of the historical-critical method to Scripture, and his occasional seeming disregard for the Trinity. There is the risk, as the theologian Joseph Britton has pointed out, that Tillich, whatever his disclaimers, often seems “to project . . . an extension of human needs and desires onto God, more so than reflecting a divine challenge from God to human beings.”³⁸ And, certainly, there is much in Tillich that can be read—albeit not always cleanly—as proposing that religion requires no theism.³⁹

33 Andrew O’Neill, *Tillich: A Guide for the Perplexed* (London: T & T Clark, 2008), 66.

34 John Thatamanil, “Tillich and the Postmodern,” in Manning, ed., *The Cambridge Companion to Paul Tillich*, 296.

35 Tillich, *The Courage to Be*, 188.

36 See, for example, the discussion in Martin Woessner, *Heidegger in America* (Cambridge: Cambridge University Press, 2011), 105–08.

37 See the discussion in George Tavard, “The Protestant Principle and the Theological System of Paul Tillich,” in Thomas A. O’Meara and Celestin D. Weisser, eds., *Paul Tillich in Catholic Thought* (Dubuque, IA: Priory Press, 1964), 85–96.

38 Joseph Harp Britton, *Abraham Heschel and the Phenomenon of Piety* (London: Bloomsbury, 2013), 188.

39 On this point, one might usefully study the highly critical view of Tillich’s work advanced in John Powell Clayton, *The Concept of Correlation: Paul Tillich and the Possibility of a Mediating Theology* (Berlin: Walter de Gruyter & Co, 1980), particularly chapters 3 and 4.

I am not arguing, therefore, for the correctness of all of Tillich's theories. My point is simply that his secular admirers, Dworkin included, tend to read too much into snippets of his work, without appreciating the fully Christian context against which he reasoned. Tillich can be credited with many things, but one of those things is not, pace Dworkin, the notion "that the idea of a personal god can only be understood as a symbol for something else and perhaps we should count that something else as a nonpersonal god" (*RwG*, 34–35).

One might argue that it makes no difference whether Dworkin gets Tillich right. But the affection of liberalism for Tillich is longstanding. The Supreme Court contributed to the love affair with its reliance on Tillich's writings in its Vietnam-era decision in *United States v. Seeger*⁴⁰—even though the Justices lifted Tillich's words quite far from their context.⁴¹ Tillich, moreover, is the only Christian theologian Dworkin discusses at any length. This is an omission that matters in a book purporting to build a bridge between the worlds of theism and atheism, particularly when, as I have noted elsewhere,⁴² Dworkin's principal whipping boy is not religion in general, but Christianity.

What Dworkin misses in Tillich—what many of Tillich's secular admirers tend to omit—is his opposition to authoritarianism. It is not just the authority of the church Tillich mistrusts. It is all structures of authority.⁴³ It would be wrong to call Tillich an anarchist, and, despite what some say of him, he was plainly an enemy of nihilism. But we can certainly call him a skeptic.

Tillich had a healthy respect for the practical necessity of power, and, as he pointed out in his 1954 monograph, *Love, Power, and Justice*, if one does not accept the reality of power, then politics becomes meaningless. But power is not just unless constrained by love. His point is ultimately ontological. Justice occurs only when "compulsory elements" of power work against that which is the enemy of love.⁴⁴ Tillich objected equally both to what he considered the radical Christian philosophy that it was possible to exercise love without power and to the radical Nietzschean view that it was possible to exercise power without love.⁴⁵ He added an emphatic sentence with which Dworkin would surely agree: "Justice is an absolute, without any relation to the structures of power."⁴⁶

Yet the wrongs done by power are not, in the end, the wrongs of a people. The guilty party "is always the ruling group."⁴⁷ And, in Tillich's telling, every ruling group is capable of acting unjustly, the bureaucrat as well as the revolutionary, the parliament as well as the priest. Thus our wariness

40 380 U.S. 163 (1965).

41 The classic exposition of this point is James McBride, "Paul Tillich and the Supreme Court: Tillich's 'Ultimate' Concern as a Standard in Judicial Interpretation," *Journal of Church and State* 30, no. 2 (1988): 245–72.

42 See Carter, "The Challenge of Belief."

43 The forms of authority of which Tillich was skeptical arguably included the written word, which could further but also frustrate the human search for meaning. Thus his affection for the historical-critical method. See Frederick Sontag, "Biblical Authority and Tillich's Search for the Ultimate," *Journal of Bible and Religion* 30, no. 4 (1962): 278–83. It should come as no surprise that Tillich was at one point a colleague of Theodor Adorno's in Frankfurt.

44 Tillich, *Love, Power, and Justice: Ontological Analyses and Ethical Applications* (New York: Oxford University Press, 1954), 50.

45 *Ibid.*, 11–12.

46 *Ibid.*, 16.

47 *Ibid.*, 94. This restriction, which comes in the last part of the book, is likely Tillich's way of dealing with his own support, much earlier in his career, of the notion of a proletarian revolution. If the proletarians at the bottom are as guilty as the ruling clique at the top, there is no reason to prefer their authority. For a useful discussion of the political views of the younger Tillich, see Mary Ann Stenger and Ronald H. Stone, *Dialogues of Paul Tillich* (Macon, GA: Mercer University Press, 2002). See also Ronald H. Stone, "On the Boundary of Utopia and Politics," in Manning, ed., *The Cambridge Companion to Paul Tillich*, 208–20.

of power should be constant. And unjust rulers, in Tillich's telling, were not merely misbehaving. They could be subject to overthrow.⁴⁸ Although the later Tillich stridently opposed militarism, he was, as Ronald Stone points out, no pacifist.⁴⁹ He believed in the concrete use of power to attain the ends of love. Love, if not linked to power, was reduced to "chaotic self-surrender, destroying him who loves as well as him who accepts such love."⁵⁰ But the limit on power was found in justice, which Tillich defined as "the structure of power without which power would be destructive." Power, on the other hand, had to be mediated by love, lest it become the "formless power" that would destroy "other centers of power."⁵¹

Yet the exercise of power in the real world was, for Tillich, always a tragic solution. The temptation to use power destructively, to serve one's own ends, was constant. Here the intellectual was the particular enemy, because intellectualizing was the process of seeing things other than as (in Christian terms) they really were.⁵²

He believed earnestly in popular consent but was skeptical of democracy. As he wrote in his *Systematic Theology*, "And we must not forget that democracy can produce a mass conformity which is more dangerous for the dynamic element in history and its revolutionary expression than is an openly working absolutism. The Kingdom of God is as hostile to established conformism as it is to negativistic non-conformism."⁵³

This proposition was crucial to Tillich's understanding of justice. Power must be exercised justly, and justice exists when authority is exercised in such a way that individuals can be left free to actualize themselves in opposition to the potential for non-being. There exists, in a sense, a creative commons, a spectrum of ways in which people might choose to live. Because the Protestant Principle limits the exercise of secular as well as religious authority, the space for creative choice about how to live must be as broad as possible. Power exercised in love makes the space within which all of this boisterous and diverse life is possible.

Tillich worried that right and left alike demonstrated a tendency toward "a utopianism that overlooks the ambiguities of human history."⁵⁴ The risk of government, moreover, was always that it would suppress the human response to the salvific work of Jesus Christ. For this reason, too, authority itself presented a theological problem. It should therefore come as no surprise that Tillich toward the end of his life agreed to testify in an American court for the proposition that a pacifist atheist should be accorded a right analogous to religious freedom. It is unlikely, however, that Tillich was motivated by a highly abstract desire to expand the rights of atheists; more consistent with his project would be a healthy skepticism of authority.

There will always be in the human soul a certain restlessness, a chafing at being commanded, whether by God or by Mom and Dad or by the boss or by the state. Indeed, this last point nowadays may loom large: the state, too, can strip us of our freedom and subjectivity, treating us as

48 See Stenger and Stone, *Dialogues of Paul Tillich*, 198–203.

49 See Stone, "On the Boundary of Utopia and Politics," 213–17. For Tillich's own rejection of pacifism as un-Biblical, see Tillich, *Systematic Theology* (Chicago: University of Chicago Press, 1963), 3:382–93, esp. 387–88.

50 Tillich, *Love, Power, and Justice*, 68.

51 Tillich, "Shadow and Substance: A Theory of Power," in Tillich, *Political Expectation* (New York: Harper & Row, 1971), 118.

52 See the discussion in H. Frederick Reisz Jr., "The Demonic as a Principle in Tillich's Doctrine of God: Tillich and Beyond," in John J. Carey, ed., *Theonomy and Autonomy: Studies in Paul Tillich's Engagement with Modern Culture* (Macon, GA: Mercer University Press, 1984), 135.

53 Tillich, *Systematic Theology*, 3:389.

54 John J. Carey, *Paulus, Then and Now: A Study of Paul Tillich's Theological World and the Continuing Relevance of His Work* (Macon, GA: Mercer University Press, 2002), 42.

objects. And one would think that the same problem would arise. Tillich, remember, does not object to the *substance* of the moral law. His warning is that the piling of one restriction upon another will in and of itself drive the restless, questing human soul from God, even if each restriction is itself morally defensible, or even morally urgent.

One might readily say the same about the state, whether the conservative state that wraps our lives in tradition or the liberal state that wraps our lives in regulation. Even if every single tradition or every single regulation is itself morally defensible, or even morally urgent, it is their sheer weight that might nevertheless cause the human soul to rise up and reject the authority that imposes them. Once one takes Tillich seriously, no structure of authority is safe.

For Dworkin, this would seem to be a problem. Dworkin is the archetypal moral realist. Morality is therefore concrete and, although contested, ultimately objective. Tillich would not necessarily disagree, although he always insisted on the limits of the human ability to perceive moral truth. The larger difference between the two men would likely be over the consequences of the discovery of moral truth. Dworkin seems ever ready, once the truth is discovered or agreed on, to accept the possibility (likelihood?) of its imposition through positive law. Tillich would see the piling of law upon law—even if all of them are moral—as in and of itself presenting a challenge to human freedom.

Consider a single example that arises toward the end of Dworkin's book, when he moves from the abstract to the concrete. In seeking to explain how his proposed right to ethical independence might work in practice, Dworkin asks us to consider a school board that requires the teaching of intelligent design alongside the teaching of Darwinian evolution.⁵⁵ Might instruction in Darwin offend against the right of ethical independence? After all, students (and their parents) whose religious views evolution contradicts might contend that the curriculum presupposes "that one conception of how to live, of what makes a successful life, is superior to others" (*RwG*, 141–42).⁵⁶ Thus the addition of intelligent design might seem a reasonable governmental attempt to balance the instruction and so preserve for the dissenters the space to pursue their own understanding of the meaning of life and the world.

But having gone this far, Dworkin pulls back from the brink. "In the circumstances of American culture," he tells us, the decision to include intelligent design in the curriculum endorses "a full set of ethical attitudes about the role of religion in a well-lived life and an ambition to inculcate those attitudes in new generations" (*RwG*, 142). In other words, those who seek to add intelligent design to the curriculum are seeking not balance but the opportunity to seize the apparatus of government to press upon others a particular view of the life well lived. This, Dworkin tells us, is precisely what the right to ethical independence forbids.

What, then, about the decision to offer instruction only in Darwin's theory? Might it be subject to the same objection? "We might ask," Dworkin concedes, "whether that decision reflects an ambition to persuade students away from theistic religion" (*RwG*, 143). But his answer is no. In the first place, Dworkin explains, there are many theists who believe in evolution. This, however, is not a relevant argument even in Dworkin's own terms, because it would seem to elevate some theisms over others. It turns out, however, that just as Dworkin knows the minds of the supporters of

55 I also discuss this example, albeit in less detail, in my earlier critique of Dworkin's book. See Carter, "The Challenge of Belief," 1221–22.

56 Dworkin is responding to Thomas Nagel, "Public Education and Intelligent Design," *Philosophy & Public Affairs* 36, no. 2 (2008): 187–205.

intelligent design, he knows the minds of their opponents. Science teachers, he says, cannot “sensibly be understood as engaged in any campaign to promote atheism” (*RwG*, 144).

Notice what has happened. The distinction between Darwinian evolution and intelligent design turns on nothing about the theories themselves, but rather on the motives of the opposing camps. If this is how the right to ethical independence works in practice, then we cannot tell whether a seemingly neutral law treats dissenters with equal regard (and therefore is constitutionally unobjectionable) unless we know why the law was passed. So it is not the effect of the law that matters, as Dworkin suggests just pages earlier in his discussion of Catholic adoption agencies that refuse to serve same-sex couples (*RwG*, 136–37). It is the motive of the law’s supporters.

And even if motive matters, Dworkin never explains why he posits a political movement on one side, and science teachers on the other. He also doesn’t tell us why we should care about the motives of those teaching in the classroom. This datum, in any case, would seem to point the other way. Were instruction in intelligent design required, surely most science teachers wouldn’t believe a single word of the subject matter to be true. So, a fortiori, they could not be sensibly understood as engaged in any campaign to promote theism.

More important, Dworkin is mistaken about what motivates most supporters of the intelligent design movement. The parents who seek an alternative curriculum are making the same demand as the parents who oppose it: each side believes itself in possession of the truth, and wants the truth to be taught in the public school classroom. Thus the battle is not really over motive; it is over epistemology.⁵⁷

But Dworkin’s theory by its nature cannot resolve a skirmish over what counts as knowledge. This is precisely the battle that ethical independence is designed to sidestep, and the reason, presumably, that he does not respond to the supporters of intelligent design by challenging their science. If we take Dworkin’s theory seriously—and assuming that we refuse to indulge unsupported ad hominem arguments about motivation—the correct answer would seem to be that either both instruction in evolution and instruction in intelligent design violate the right to ethical independence of the dissenters, or neither does.

What Dworkin fails to see—and what Tillich would clearly understand—is that the whole controversy arises only because of the insistence of the state in exercising its authority in ways that make it more difficult for varying interpretive communities to press ahead with their own projects of responding creatively to the ultimate fear of non-being. The project of education in particular is fraught with risk to epistemic diversity. Tillich certainly allows space for the state, acting out of love, to pursue the ends of justice. But it is unlikely that he would have found any virtue—or any love—in a program of instruction, whatever its intention, that had the likely effect of weaning children away from the religion of their families.

This is precisely the sort of law to which Tillich referred as heteronomy:

Heteronomy imposes an alien law, religious or secular, on man’s mind. It disregards the logos structure of mind and world. It destroys the honesty of truth and the dignity of the moral personality. It undermines creative freedom and the humanity of man. Its symbol is the “terror” exercised by absolute churches or absolute states.⁵⁸

57 A classic treatment of the epistemological dispute—although not precisely on the subject of intelligent design—is Nomi Maya Stolzenberg, “He Drew a Circle That Shut Me Out”: Assimilation, Indoctrination, and the Paradox of a Liberal Education,” *Harvard Law Review* 106, no. 3 (1993): 581–667. I myself have also discussed this problem many times, most recently in Carter, “Must Liberalism Be Violent?”

When religion becomes heteronomous, says Tillich, it joins with the culture and “betrays a mixture of arrogance and defeatism.”⁵⁹

But the same is true of states. Like religions, they tend toward that absolutism which “undermines creative freedom and the humanity of man.” Liberalism has not built an absolute state—not yet. But in Christian terms the project of anti-theistic heteronomy is far advanced. And, as Tillich warns, in a heteronomous culture, autonomy itself becomes unmoored from “its spiritual foundation,” and, as a result, “becomes emptier, more formalistic, or more factual and is driven toward skepticism and cynicism, toward the loss of meaning and purpose.”⁶⁰

It is not irrational for religious believers to seek to spare their children this hard heteronomous landing—particularly when what they believe will create the feared heteronomy is offered by the state. There is no ethical independence in the coerced attendance of the young in an educational process that, *however motivated*, will likely reduce rather than enhance their preexisting ethical commitments, and thereby reduce the epistemic diversity that a liberalism serious about itself ought to value.⁶¹

It is no escape to point out that the dispute is particularly over the content of the science curriculum. It is not unusual, Tillich reminds us, for religion and science to reach different answers. This “split,” as he calls it, is simply a byproduct of divided authority. But authority *should* be divided, Tillich insists, and we should embrace rather than avoid the conflict. Alas, too often we find ourselves unable to live with the tension. We are too weak: “[U]nable to stand the loneliness of deciding for ourselves, we suppress the fact that there is a split authority. We subject ourselves to a definite authority and close our eyes against all other claims.”⁶² He adds:

The desire of most people to do this is very well known to those in power. They use the unwillingness of human beings to decide for themselves in order to preserve their power and to increase it. This is true of religious as well as of political powers.⁶³

It is very tempting, always, for those who hold the levers of power to seek to reshape the world according to their preferences and to twist dissent based on genuine epistemic difference into irrationality or even disloyalty. Church is as prone to this particular sin as government; and the academy as prone to it as political party. But, in Tillich’s view, the heteronomy presents the same danger no matter who imposes it. That we have no practical choice but to use compulsory means on some occasions does not mean, Tillich teaches, that we should not recognize the tragedy inherent in the choice and, therefore, indulge the use of coercion as rarely as possible.⁶⁴

Do not misunderstand my point. Again, I do not claim that Tillich is right. But his healthy appreciation of the humility with which authority should be exercised is a lesson all of us need, not infrequently, to relearn.

58 Paul Tillich, “Kairos I,” in *Hauptwerke 4, Religions-philosophische Schriften*, ed. John Clayton (Berlin: Walter de Gruyter and Co., 1987), 337.

59 Ibid.

60 Ibid., 338. See the discussion of Tillich’s views on this point in Clayton, *The Concept of Correlation*, esp. 219–22.

61 Admittedly, this view of liberalism is rather Millian. See Paul J. Kelly, “Liberalism and Epistemic Diversity: Mill’s Sceptical Legacy,” *Episteme: A Journal of Social Epistemology* 3, no. 3 (2006): 248–65.

62 Paul Tillich, “By What Authority?” in Tillich, *The New Being* (Nashville, TN: Abingdon-Cokesbury Press, 1950), 86.

63 Ibid., 86.

64 For an argument that the use of coercive authority is especially dangerous, even in liberal terms, when it alters a religious understanding of the world, see Robert M. Cover, “The Supreme Court 1982 Term—Foreword: *Nomos* and Narrative,” *Harvard Law Review* 97, no. 1 (1983): 4–68.

Dworkin's project, as I said at the outset, is a valuable one. His effort to build a genuine bridge between theistic and non-theistic conceptions of moral realism is admirable, and rare in liberal discourse. But *Religion without God* is weakened by its inattention to the details of theology. Had Dworkin spent more time with Tillich, a theologian he plainly admires, his argument would have been enriched in ways that would likely have helped persuade theists that Dworkin values their project as much as he claims to.

To return finally to Updike's novel *In the Beauty of the Lilies*, I would suggest that the theist has no choice but to resist a liberalism that seems determined to build a culture based on what Updike calls "the calm, merciless, impersonal truths that godless men were daily uncovering in the wide world spread beyond the moldering walls of the shrinking castle keep."⁶⁵ No doubt this is a war liberalism believes it can win; but if that is so, it will be coercive authority, not the force of argument, that ultimately prevails.

That result would be a tragedy. Liberalism generally would find itself richer were it to take theology more seriously.⁶⁶ The mysterious but very deep Tillich would be an excellent place to start.

⁶⁵ Updike, *In the Beauty of the Lilies*, 71.

⁶⁶ This is of course no new argument. Perhaps the best known treatment, although carefully qualified in key places, is Jeffrey Stout, *Ethics after Babel: The Languages of Morals and Their Discontents* (Princeton, NJ: Princeton University Press, 2001).