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Introduction

Is God the true creator of everything that exists, or is God a product of the human imagination, real only in the minds of those who believe? This book is about how people answer that question, and the consequences of answering it one way or another.

According to public opinion polls, the vast majority of Americans are *theists*, which means they believe (or at least say they believe) that we were created by God, a supernatural being who cares about what we do and has a purpose for our lives which is to be fulfilled in eternity. If God really does exist, then to lead a rational life a person has to take account of God and his purposes. A person or a society that ignores the Creator is ignoring the most important part of reality, and to ignore reality is to be irrational. That is why the Bible says the fear of the Lord is the beginning of wisdom.

The most influential intellectuals in America and around the world are mostly *naturalists*, who assume that God exists only as an idea in the minds of religious believers. In our greatest universities, naturalism—the doctrine that nature is “all there is”—is the

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Is God Unconstitutional?

NEW YORK STATE LAW ALLOWS PUBLIC SCHOOL DISTRICTS to make their buildings generally available after school hours for rental to community groups for "social, civic and recreational" uses. A state court held that this broad authorization was not broad enough to include "religious" purposes, and so student Bible clubs and churches were not allowed to rent rooms. A major constitutional controversy over the exclusion of religious groups erupted when the evangelical minister of "Lamb's Chapel" in a town called Center Moriches applied to use a school auditorium to show a six-part film series. The series featured lectures by Dr. James Dobson, a Christian writer and speaker whose *Focus on the Family* radio broadcasts attract an enormous audience.

The Dobson lectures dealt with parent-child relationships from a conservative Christian viewpoint. Dobson urged parents to "turn their hearts toward home" and give priority to their families dur-

ing child-rearing years. Warning that the family is "under fire" in a "civil war of values," he opposed abortion and pornography and concluded with a defense of "traditional values which, if properly employed and defended, can assure happy, healthy, strengthened homes and family relationships in the years to come." One of the lectures was by his wife, Shirley Dobson; she spoke of a difficult childhood with an alcoholic father and recalled "the influences which brought her to a loving God who saw her personal circumstances and heard her cries for help."

The school district, backed by the state attorney general, refused to permit its facilities to be used for showing the films. The minister then brought a lawsuit challenging the refusal as unconstitutional. Whether the minister had a case depended on how one categorized the film series. The district had no obligation to make its facilities available to outsiders, and if it did choose to do so it could place reasonable limitations on the kinds of uses that would be permitted. For example, the district had refused the same minister's request to hold church services on Sunday in a school building, and the legality of this refusal was not challenged.

On the other hand, Supreme Court decisions interpreting the First Amendment have imposed a ban on what lawyers call "viewpoint discrimination." This means that if the district allowed speakers to address a particular subject on school property at all, it could not discriminate in favor of some opinions and against others. If political meetings were permitted, the Socialists as well as the Republicans must be allowed to meet, and if religious services were allowed, the Buddhists as well as the Catholics would have to be welcome.

But in New York the state's policy was to ban religious activities from school property altogether. Therefore, the state argued, the Dobson film series was excluded not because its viewpoint was disfavored but because it did not fit within the categories for which use of school facilities was authorized. The federal trial court that

heard the minister's lawsuit accepted this reasoning and upheld the state's position, and the court of appeals affirmed its decision.

When the case got to the United States Supreme Court, however, things went very differently. The state's legal rationale collapsed if the appropriate category for the film series was not religion, but rather family values and relationships. Not only was this latter subject legitimate for groups renting rooms after school hours; it is part of the regular school curriculum as well. Looked at that way, by excluding the films the state was discriminating against a religious viewpoint on a secular subject and thus allowing only one side of a controversial question to be presented.

And that is just the way the Supreme Court did look at it. In the words of the opinion by Justice Byron White for a unanimous court, there was no suggestion "that a lecture or film about child-rearing and family values would not be a use for social or civic purposes" as permitted by the state's rules. Denying permission to show the Dobson films on that subject for no reason "other than the fact that the presentation would have been from a religious perspective" therefore violated the constitutional principle that the government may not deny a speaker access to a public forum "solely to suppress the point of view he espouses."

The Marginalization of Religion

The *Lamb's Chapel* case illustrates how classifying a viewpoint or theory as "religious" may have the effect of *marginalizing* it. A viewpoint or theory is marginalized when, without being refuted, it is categorized in such a way that it can be excluded from serious consideration. The technique of marginalizing a viewpoint by labeling it "religion" is particularly effective in late-twentieth-century America, because there is a general impression, reinforced by Supreme Court decisions, that religion does not belong in public institutions.

Supposedly this exclusion of religion reflects a national policy