

Prologue

My name is William Kensey. I have a wife and two great kids. Until very recently, I was a well-respected and financially successful trial attorney.

I was also a man who was comfortable with his religion. I preferred it served at arm's length from the pulpit on Sunday morning. And would rather not discuss it the rest of the week.

The circumstances that led me to write *A HIGHER COURT* changed all that. The entire experience was both bizarre and unavoidable. You see, I was summoned to serve as a juror in an improbable trial — a trial to determine whether God exists.

I know.

You think that sounds ludicrous. I did, too . . . until the trial began.

Witnesses buried me under mountains of scientific evidence. My own eyes forced me to confront the reality of extreme human suffering. God seemed less and less relevant — even absent — as the trial progressed.

At the close of the trial, I had to render my verdict — "God" or "No God." Affirm a new and deeper faith in a Creator, or confess the triumph of science.

A HIGHER COURT is the story of how I discovered my ultimate truth. If your mind is open, you can join me in this journey of self-discovery. Come along. You won't be sorry.

CHAPTER 1

DAD'S DEATH

I couldn't really blame the soccer mom for ending my father's life. While she sat at the wheel of her SUV, her fourth-grade son bludgeoned her third-grade daughter with his shin pad in the back seat, causing a momentary distraction. That was all it had taken for her to miss seeing Dad step into the crosswalk.

The accident could have happened to anyone. It just turned out to be Dad.

Better him than a father of young children. One could give thanks for that much. My siblings and I were all middle-aged. Dad was 74. We could as easily have lost him to a heart attack or stroke. He was a heavy smoker, after all. As fate would have it, it was this poor woman's truck that had claimed his life.

My family had already learned there is never a good time for death. We'd lost Mom to cancer a few years ago. The ordeal had been agony. Her dying was a prolonged and painful process. Not like Dad's. At least Dad hadn't suffered.

But swift or slow, death is unpleasant, whenever and wherever it happens.

We held Dad's visitation at the funeral home the evening before we planned to bury his body. My siblings and I (two sisters and myself – the sole surviving male in the Kensey family) stood in the receiving line, shaking hands and exchanging hugs with well-wishers. We spared our children the ordeal of joining in that ritual. They gathered in a separate suite of rooms at the funeral home, exchanging Grandpa stories with their cousins.

No one is comfortable on either side of a funeral receiving line.

There really isn't a 'right' thing to say to the family. Or a correct response either. Standing until your feet ache, and robotically hugging near-total strangers, is just part of the dying process. It must be done.

Lined up for hours, we heard some of the more common condolences many times over.

"I'm sorry for your loss."

"He was such a good man. It's a shame he died so young."

"You have our sincerest sympathy. Is there anything we can do? Maybe bring over lasagna?"

And then there was the occasional fool who insisted on explaining Dad's death to us.

"I know you'll miss him. But I'm sure it's for the best. It must be part of God's plan."

'God's plan.' What I wouldn't give to have a clue as to what 'God's plan' was. Whatever plan God had in mind, I'm pretty sure Dad getting run over by a two-ton vehicle on a sunny afternoon wasn't part of it. Nor the life-long guilt the young mother at the wheel would suffer.

'God's plan.' What a crock!

The funeral was held the morning after the visitation at the Lutheran church I had grown up in, and of which Dad was still a member at his death. The place was packed with folks paying their last respects. Dad was a well-liked guy.

The minister offered moving words about my father from the pulpit. He was a "good man, a loving husband and father, and a child of God." He spoke for quite a while. But I was distracted – unprepared to focus on a sermon today.

When the minister had finished, I delivered the eulogy.

Standing there, a middle-aged man in a black lawyer's suit, I grasped both sides of the pulpit and hung my head. Rotating my well-coiffed graying hair solemnly side to side, I prepared to speak.

Most congregants probably thought I was praying. Actually, I was just setting the proper mood for the eulogy I was about to present.

My eulogy was short. But it hit the high points of my father's existence. I shared anecdotes extolling the great husband, father and grandfather Dad had been through the years. There were some tears from the mourners when I mentioned Mom's death.

When it came time to lighten the mood, I produced a large, green zucchini squash and laid it on the pulpit in plain view. There was laughter when I reminded everyone how Dad had forcibly shared his bountiful zucchini harvest with every sorry soul unfortunate enough to pass by his garden when the crop was at its peak.

After the service, the immediate family attended the committal at the cemetery. Oakwood would normally be a beautiful and peaceful place to visit on a late August morning. Today, I would rather have stood almost anywhere else.

'Ashes to ashes. Dust to dust.'

Yeah, yeah, yeah. So I see. Is that all there is to it? Really?

We watched Dad's casket descend into the rectangular hole in the warm brown earth. My sisters sobbed. Some of the grandkids ran around the cemetery, playing tag among the elms. Others stood, shell-shocked at the grave side.

No one wanted to throw the first shovelful of dirt on Dad. So the reverend just gave us all his blessings and wished us well.

The committal was over. We were off to the reception back in the church fellowship hall.

As I rode in the rear of a black limo with my wife and two somber daughters, I wondered why I wasn't feeling more emotional about Dad's passing. I had loved him, certainly. Shouldn't his death make me sad, or angry, or something?

I just felt numb.

And where was he now? In heaven?

That's what I'd been taught through years of Lutheran upbringing. He had 'ascended' and was with his 'Heavenly Father.' I think my trouble believing all the memorized dogma was that, as a lawyer, I have both an innate skepticism of anything unprovable, and a tendency to remain vigilant for ways any circumstance can go

wrong. Those traits certainly benefit my clients. They were not helpful to me today.

I *hoped* Dad had gone to heaven. But I was far from sure of it. He might just be . . . dead.

Frankly, I felt more compassion for the unfortunate woman who had killed Dad, than I did grief over Dad's death itself. What was wrong with me? Or was this just the way things are . . . the way they should be?

When we arrived back at the church, the pastor must have sensed my ambivalence. He pulled me aside to ask if I was okay.

"Sure."

"You seem distracted . . . distant. Is there any way I can help?"

"I don't think so Reverend. I'm good. I mean, I'm all right under the circumstances."

"Are you sure I couldn't say a prayer with you? Ask for God's peace for you and your family?"

"Ah . . . go ahead and say that prayer, Reverend. But I think I need to be with my wife and kids right now."

"As you wish. God bless you."

"You, too. Gotta go."

Praying and preaching and church etiquette had always given me the creeps. The *last* thing I wanted to do was hold some preacher's hand while he prayed for me. The thought sent shivers down my spine. I beat a hasty retreat to the safety of the mourning throng.

Dad was dead. Wasn't that bad enough? Should I have to confront religious zealots as well? I didn't think so.

Later that night, after the kids had retreated to their rooms, my wife, Jen, asked how I was doing.

"Fine. How 'bout you?"

"I'm okay, Hon," she said. "I'm just a little worried about you, that's all. You seemed a little . . . distant . . . today."

"Jen. I'm sort of surprised how ill-at-ease I felt with the church ceremonies, the out-pouring of emotions from Dad's friends and the whole 'ritual' of it all. I'm Lutheran, am I not? It shouldn't have

seemed so . . . weird. Should it?

"I mean, if funerals are supposed to be for the deceased's family, I don't see why. I probably wouldn't have gone to the funeral at all if people didn't expect me to be there."

Jen slid over, nuzzling her head on my chest as we sat on the couch.

"I'm sorry," she said.

"Sorry for what?" I asked without emotion.

"Sorry your faith hasn't brought you comfort today."

I took a deep breath and exhaled slowly.

"I imagine that my 'faith,' or lack of it, is likely at the root of my discomfort. I'll work my way through it. You don't need to worry. I'm a grown man, you know. I can deal with these things."

"I love you," Jen said.

"You too, Jen. So . . . how about we turn in? I'm beat."

CHAPTER 2

THE SUMMONS

The morning after Dad's funeral was a Saturday. I hadn't slept well and awoke at 6:00 a.m. My lack of distress over Dad's death still troubled me. I brewed some coffee and sat in the living room to read yesterday's paper, which remained largely untouched.

Jen and the kids were still sleeping when the mail arrived at 9:00.

As I stood in my slippers and robe leafing through the usual collection of magazines, bills and junk mail, one item stood out. The business-size envelope was made of heavy linen stock and gleamed a bright white. In the upper left corner, the return address proclaimed: 'United States District Court, District of Minnesota.' An official-looking seal dominated the back flap. The letter was addressed to William Laurence Kensey and marked: 'OPEN IMMEDIATELY. DATED MATERIAL.'

Tossing the rest of the mailbox contents on the kitchen table, I slit the top of the envelope open with my forefinger and slid out the single sheet of white paper inside.

A Jury Summons. The Federal Court was calling me for jury duty.

The Summons instructed me to appear at the seventh floor Clerk of Court's Office in the United States Federal Courthouse, downtown Minneapolis, a week from this coming Monday at 8:00 a.m.

Initially, I was irritated at the impending disruption to my work schedule. Then I decided that the day off from work, cloistered with a jury pool of strangers, might actually give me a chance to sort out my

feelings about Dad's death in silence . . . and without having someone pestering to pray with me.

A familiar sound interrupted my contemplation.

"Good morning, Daddy," my daughters sang in unison as they skipped down the stairs, still wearing their summer PJs, their voices cheerful with the new day.

"Morning girls."

"What's for breakfast?" sixteen year old Annie asked, glancing at the void on the kitchen table, and sounding a bit disenfranchised. Annie was a slender blonde, like her mother. Meticulous and bright, she was a model student. She had reached the age where her parents' collective IQ was in free fall – but she usually put up with us in a respectful manner.

"Anybody want pancakes?" I asked, tucking the Summons into my robe pocket. The girls' favorite breakfast.

"Yay!"

"Okay. I'll tell you what. If you two will go out to the garden and pick some flowers for your mother, I'll get the griddle going."

"Deal," twelve-year-old Shannon called, heading for the patio doors.

Shannon favored my Irish blood. All red hair and freckles, she was full of questions, and could be stubborn as hell. I was sure this latter trait would serve her well one day . . . but for right now, it often made her a handful. She had embraced the flower project though. So out the door they both went.

Twenty minutes later, Jen had arisen, and all four of us Kenseys were gathered around the breakfast table. We said grace, after which the kids attacked the stack of pancakes like a pride of starving lions. Jen and I smiled at each other. Neither of us was a big breakfast eater. We each took a single cake, leaving extras in case the kids wanted seconds.

The girls had collected a bouquet of late-blooming tulips, which Annie had arranged precisely in a tall, clear vase and displayed on the table.

After Shannon had stuffed her mouth with pancake drenched in maple syrup, she stood up and plucked one of the tulips from the vase.

Annie expressed irritation.

"Dad, Shannon just messed up the flowers. Those flowers are for Mom."

"It's all right, Annie. Mom doesn't mind." I glanced at Jen, who was shaking her head in agreement. "And they still look beautiful."

Annie gave her younger sister a dirty look.

"And Shannon, what's up with the flower pilfering?"

"Daddy look." She held out the tulip toward me. "This one has two flowers instead of one. It's special."

Shannon was, of course, correct. The flower she held was an oddity. Unlike the other tulips in the vase, the one in her hand had grown a second blossom, which protruded oddly from its oval stem.

"Why does this one have two flowers instead of just one, like the others?" Shannon wanted to know.

Her frown demanded an answer.

"It's a mutant," Annie jumped in. "Its DNA is screwed up. It's a freak flower." Annie seemed to take just a smidgen of pleasure in deriding her sister's discovery.

"Hey! Hey! Hey! It is not a 'freak flower.' " I glanced purposefully at Annie, who lowered her head a tiny bit. "It's just different, that's all," I said toward Shannon. "God made it that way."

Jen and I had been using the 'God made it that way' answer with the girls all their lives. It generally defused an endless series of 'why' questions.

"But, Dad," Annie objected, "that's not true. That stem is supposed to only have one flower on it. We learned it in biology. It probably started out normal and something happened to its DNA. So now it's a mutant," she said, flicking a glance at Shannon.

Parenting had become more challenging as the girls got older. Jen smiled through a sip from her coffee mug, peering at me over its rim to see what I would say next.

"My flower is *not* a mutant! Tell her, Daddy."

"I don't think we need to blow this out of proportion, girls. Maybe something changed the flower to make it grow this way. But maybe God made that something happen. Seems to me that two blossoms *are* better than one." I was pretty pleased with the cleverness of my solution.

"That's not how it works, Dad." Annie wasn't satisfied. "The flower DNA starts out as a perfect blueprint to grow the flower," she recited. "Then something like nuclear radiation, or chemicals, or . . . or flower mutant disease made it into a *mutant*! God doesn't make mutants."

Annie and Shannon exchanged looks that could easily have been accompanied by protruding tongues.

I wasn't prepared to get into the details of Darwin's theory of evolution at the breakfast table.

"But, Annie," I said. "Maybe God wanted to make this flower special, and He used the chemicals in insecticides or fertilizer to help Him do the job."

Annie looked doubtful.

"We could go back and forth on this for hours," Jen said. "You girls are done eating. Put your dishes in the dishwasher, please. Then go find something fun to do outside. It's too beautiful a day to be inside arguing."

Both girls complied.

When the dishes were in the washer, Shannon grasped her special flower by the stem, skipped out of the room and headed up the stairs, sing-song taunting as she went – "God made me a flower. God made me a flower."

Annie followed close behind. "You're both mutants!"

The girls were gone. Jen smiled at me. We finished our coffee in peace.

CHAPTER 3 THE VOLLEYBALL TOURNAMENT

Exactly one week after the 'mutant flower incident,' as Jen and I had come to refer to it, another Saturday morning rolled around – just as the calendar had predicted. But today was not a day for thoughts of genetic anomalies, or pondering Grandpa's death. This day promised excitement and heightened emotions for the entire Kensey family . . . and for St. Paul's Academy as well.

Perhaps it's an overstatement to say that all of St. Paul's would be excited about today. But certainly its volleyball players were wound up.

Today was the day of our athletic conference's pre-season tournament. All sixteen of the conference schools would be there, vying for the early honor of "Conference Tournament Champion."

Particularly on edge would be a B-Squad outside hitter named Annie Kensey, and her father, the team's Coach. I'm sure other players and parents shared in the excitement. I *know* we felt it acutely at our house.

To understand the context of this tournament, and its import to the teams involved, one needs to know a few things about our school and the East Minnie Conference.

St. Paul's is a 250 student, grade nine through twelve, non-denominational Christian school where we had enrolled Annie, not for its religious roots, but for the quality of education it offered. St. Paul's had a long-standing reputation for turning out top college academic candidates. Not so much for grooming college athletes or

ministers.

Most schools in the East Minnie had roughly the same enrollment as St. Paul's. In other words, the conference name reflected not only its presence in Minnesota, but also the tiny size of its constituent institutions. The thought of playing a volleyball team from the East Minnie didn't exactly put the fear of God into most opponents.

Annie and I had been involved in volleyball since she joined a club team at age ten. I wasn't much of a volleyball guru at the time. But I volunteered to assist the team's coach, who frankly, knew little more about volleyball than I.

In those early years, I memorized the volleyball rule book, and got my hands on every youth coaching text I could find. I began networking with more advanced and knowledgeable coaches – picking their brains for valuable insights. I even earned an advanced volleyball coaching certificate from USA Volleyball . . . the Olympic volleyball folks.

In short – and in keeping with my compulsive reluctance to perform any task 'half-way' – over the course of Annie's five years of playing the sport, I had become a highly over-qualified youth volleyball coach.

When I asked St. Paul's if they would consider allowing me to coach Annie's teams in school ball, they were happy to have my assistance for the unpaid, and predominantly revolving-door, position.

All of which leads us to this Saturday's Tournament.

Although not meaningful in the scheme of state competitions, regional titles, or even 'official' conference records, the tournament had taken on an outsized importance to its participants. It was a battle to be the big frog in the little puddle – at least for one day. And for the B Squad teams . . . a less big frog in an even tinier puddle.

But it was *our* puddle, nevertheless.

The B Squad Tournament was to be held in the Scottfield High gym. Our team arrived early, as I had requested. And by the time of

our first contest, we were ready to play.

Being avid volleyball fans, Jen and Shannon were always present in the bleachers, cheering their heads off for St. Paul's.

Our first victory came easily. The opposition struggled to even return our serves. This caliber of play was not uncommon in the East Minnie. Sometimes the team that was able to put its serves in play was able to win the day on the basis of that skill alone. (That's partly why, at St. Paul's, we focused a good deal on serving in practice.)

The Tournament proceeded throughout the day. The cream puffs had been eliminated in the first round. Subsequent matches required every bit of playing and coaching skills our team could bring to bear.

Partly because of team effort and execution, and partly owing to fortuity, St. Paul's advanced through the tournament to the semi-final round. Just four teams left out of a field of sixteen.

It was at the beginning of the semi-final match that I couldn't avoid noticing the arrival on site of a late-coming parent of one of my players. John Lester was a surly fellow, known more for his candor than his socially appropriate delivery of the same.

Early in the first set I could hear his grumblings from the bleachers. He wanted more playing time for his daughter, Kaitlen.

From the bench, using face and hand gestures, Kait tried to shush him. But he refused to be shushed. With the passing of each set, his presence in the stands became more and more pronounced.

Toward the end of the last set, he was yelling at me to "For God's sake, coach. Let 'er play."

He was correct that his daughter was not getting a lot of playing time during this tournament. But Kait understood why and was okay with it.

One of the skills I had acquired early in my coaching career was clear communication with players and parents. Each season, I went out of my way to explain my coaching philosophy – both orally at a player-parent meeting, and then again in a writing sent home with each player. Mr. Lester did not attend the meeting.

These communications reinforced my philosophy that life lessons

are more important than volleyball skills.

We had five team rules. Every year they were the same.

- 1) Show Respect.
- 2) Communicate Positively.
- 3) Try.
- 4) Make Mistakes.
- 5) No walking in the practice gym.

Players would receive court time in matches based on their adherence to the above five rules, and their 'readiness to play.'

Unless a player had committed a serious violation (*e.g.* repeatedly missing practice; using drugs or alcohol; fighting; disrupting practices, etc.), every player would receive appropriate playing time in every match.

All the players knew these rules well, since I reinforced them – by complimenting appropriate behaviors – at every practice.

Unlike nearly all of the other players on our team, who were serious about improving their volleyball skills, Kaitlen's involvement in the program was mainly social. At our team's level of volleyball expertise – and given the players' young ages – Kaitlen's motivations were, in my mind, entirely appropriate.

But since she did little to comply with the team rules at practice . . . especially the 'Try' rule . . . I had told her only two days ago about the limited role she would play in today's matches. She indicated her understanding and assured me that she would pass this information along to her parents – which may or may not have happened.

Back at the tournament, St. Paul's managed to win our semi-final match, despite Mr. Lester's distracting behavior. The team was ecstatic.

Now we had an hour-long break while the other semi-final contestants battled it out. I congratulated the girls on their stellar performances on the volleyball court. Then instructed them to relax, drink something and have a light snack, whether they were thirsty or hungry or not.

We broke from our game-end huddle. The players went their

ways, and I found a table where I could plan out lineups and strategies for our next match.

Not surprisingly, Mr. Lester sought me out.

I saw his hulking frame approaching and stood to greet him.

"Good afternoon, Mr. Lester. Good to see you. I'm glad you were able to make it for our final two matches."

I extended my hand to shake.

He scowled, brushing my hand aside brusquely.

"Who the Hell do you think you are?" he said in a hushed tone.

"I beg your pardon?" I responded, calmly. "I'm your daughter's coach."

"Don't be a smart-ass with me, Boy. Kaitlen hardly played at all in that last match. This is kid's volleyball for God's sake. They should all get to play."

It was apparent that logic was not going to help me deal with Mr. Lester. I took a step closer to Mr. Lester, just to let him know I wasn't intimidated.

Not wishing to create a scene, my voice was also quiet.

"Kaitlen plays. And her playing time is exactly what I promised it would be at the beginning of the season. I'm sorry if you're unhappy with the situation. But grouching to me isn't going to change anything."

It appeared that Mr. Lester's negotiation arsenal was limited to intimidation tactics. This was understandable given his considerable size.

"Don't give me that shit! I expect to see Kaitlen on that court *at least* as much as any other player this next match, or I'll have you thrown out as coach. You got it?"

Mr. Lester didn't appreciate that, since I was an unpaid volunteer, his having me removed as coach, if he could do it, would not be a grave inconvenience to me.

"I understand your position, Mr. Lester." My voice was still quiet. And I kept my temper under control. "Now please, allow me to plan my rotations and prepare for our next match."

Mr. Lester wasn't sure if he'd accomplished his goal or not. But parents and players were beginning to look our way. And he decided to break off the confrontation.

He turned abruptly and took a seat at the table where Kaitlen's mother sat red-faced with embarrassment.

Jen came over to check on me.

"Problems?" she asked.

"Nothing to be concerned about. Just a parent wanting more playing time for his kid. It'll be okay."

Jen returned to a table where the other volleyball mothers were laughing and snacking. I continued my pre-match preparations.

When it was time for us to return to the court for the championship match, we went through our warmups as usual. I noticed Mr. Lester in the front row of the bleachers, arms crossed and defiant.

I waved at Jen and Shannon and gave them a thumbs-up.

As the players continued their warmups, the referees conducted the coin toss and I returned to our team bench to fill out the pre-match paperwork.

My initial lineup took the floor. It did not include Kaitlen, who remained, for now, on the bench with me, as she had at the beginning of every prior set. Annie happened to be on the bench as well.

Just when I was hoping that we would survive the day without further interference from Mr. Lester, he hefted his bulk off the bleachers and strode across the court, coming to a dead stop right in front of me . . . and his daughter.

I glanced at Kait. Her head was hanging.

I stood.

"Mr. Lester. You need to leave the playing area so we can start the set."

Again his voice was hushed. "I'm not moving one foot 'til I see my daughter out there on that court."

"Then we've got a problem, sir. Because the referee is not going to start the match with you standing on the court."

“Then you’d better fix it! Put her on the damn court!”

Mr. Lester’s level of belligerence is exceedingly rare in the genteel sport of volleyball. And I had never before had a parent who was uncooperative to this extent. But I had an idea.

“I am asking you politely, Mr. Lester. Please leave the court and sit down.”

He crossed his arms and gave me an angry stare.

I plucked my rule book from my coach’s bag and left Mr. Lester standing by the team bench.

Since our confrontation had already garnered the attention of the opposing coach, she also stood and joined me at the referee’s stand. The three of us discussed the situation in muted tones.

“My apologies to both of you,” I said. “I have an obstinate and irate parent on my hands. And he won’t leave the court.”

I went on to explain the whole situation.

At first the referee was flustered. He had never encountered these circumstances either.

“Well, what am I supposed to do about it?” he said. “I don’t have authority to throw out a spectator.”

“Please,” I said. “I think I have a solution.”

I handed the referee my rule book with it opened to the appropriate page.

“According to the rules, you can throw out a coach who fails to control his team’s fans,” I said. “Give me a warning and then we’ll see if you need to throw me out.”

The opposing coach had been listening with her head bowed. She looked up at my suggestion.

“But Coach,” the referee said, “if I toss you, your team won’t have a coach and will have to forfeit this match.”

“I recognize that.”

The referee turned to the opposing coach.

“How do you feel about this, Coach? It’s a pretty bizarre situation and I want us all to be on the same page here,” the referee said.

“My team would much rather play than win by forfeit. We’d

cream you anyway." She smiled at me. "But I respect Mr. Kensey's willingness to stand by his principles. I'm okay whichever way this goes."

She turned to me. "Good luck."

"Okay," I said. "Ref, please give me a yellow card for unsportsmanlike conduct on my parent's behalf. Then I'll do what I can to resolve this stalemate. If my plan doesn't work . . . well . . . you'll have one less match to officiate today."

The referee nodded. The coaches returned to their benches. Mr. Lester stayed put.

The referee pulled a yellow plastic card from his back pocket and held it up for the teams and audience to see.

"Unsportsmanlike conduct, St. Paul's Coach." He made a 'C' with his other hand as he held both arms aloft.

"One point will be awarded to Scottfield."

A '1' appeared in the 'Home' column on the scoreboard.

I could see Jen and Shannon looking concerned in the bleachers.

"What's goin' on?" Mr. Lester demanded. "What's the deal with giving the other team a point before the game's even started?"

"That's the least of our problems," I said, looking the big man in the eye.

"If you don't vacate not only this court, but the entire building immediately, I will be ejected from the game."

Mr. Lester grinned. "That'd be fine with me."

"And our team would forfeit this match."

The grin disappeared.

"According to the rules, a team can't play without a *certified* coach on its bench. There's not another *certified* coach here to replace me. So if I get tossed, we lose."

Mr. Lester turned toward the referee, who now held both a yellow and a red card in his hand, and was looking questioningly my way.

Poor Kait, who had been sitting on the bench right in front of the entire confrontation, began bawling uncontrollably. Annie put an arm around Kait's shoulders.

Mr. Lester looked at his daughter . . . then at the referee, who was wiggling the cards impatiently . . . then back at me.

“Okay. You win.”

“Make sure to leave the building,” I said, before Mr. Lester departed. “If you’re seen anywhere inside the venue, we forfeit the match.”

He growled at me. But he left.

The teams were ready, and the referee blew the whistle to begin the match.

Annie and I did our best to comfort Kait as she sat next to us on the bench during the first few points of that set.

“Breathe. In . . . and . . . out. I need you to collect yourself so you can play when your turn comes around,” I said.

She looked up at me.

“You’re still going to play me after all that with my dad?” Her red eyes were incredulous.

“Sure. Not your fault. You should meet my dad some day.” I smiled. “He would really scare you.”

I laughed to myself at the thought of Kait meeting Dad’s ghost. There was a fleeting twinge in my gut. And then it was gone.

Both teams played their hearts out in that Championship Match. The lead changed hands frequently. Each team had won two sets when the fifth, and final, set began.

First team to fifteen wins.

After struggling during the opening rallies, we found ourselves trailing Scottfield 13 - 9 when we finally regained the serve. We needed to score six points before they scored two. It was a formidable challenge.

To make my choices more difficult, our next server was none other than Kaitlen. She was an average server at best. Strictly playing the odds, with Kaitlen’s service record, I could reasonably have conceded the game to Scottfield right then and there.

I had my best server on the bench. My daughter, Annie. I could have subbed her in for Kaitlen. And believe me, I wanted to do just

that. I was sure the rest of my team – and probably a lot of parents as well – would have approved of the substitution.

But I remembered the team rules and my coaching philosophy. *Life is more important than volleyball.* I had to repeat it to myself.

I thought about how Kaitlen might feel being pulled from the game at this juncture. Maybe she would be relieved. Or more likely, disheartened.

No. I would not deprive Kait of her chance to serve – whatever the results might be on the court.

Kait looked at me tentatively as she rotated to the server's spot.

Would I pull her?

I gave her a thumbs up and a big smile.

She smiled back.

I could relay the details of that match's ending. But suffice it to say that St. Paul's won the Championship by a score of 15 - 13. And Kait?

She never missed a serve.

CHAPTER 4

THE COURT

On the morning of the trial I awoke at 4:30 to the crack of lightning, followed closely by a deep rumble of thunder. A moment later, pouring rain rattled our tile roof. I rolled over in bed, hoping for another hour or two of rest.

As I drifted in and out of sleep, unfounded worries dogged my semi-conscious mind. Bizarre concerns that I would, for some inexplicable reason, be unable to reach a verdict. That the evidence would confuse me. That I would fail, somehow, to reach the correct outcome.

After an hour of tossing and turning, I was fully awake and atypically nervous. I could write off the dreams I'd experienced during the storm to pre-trial adrenaline – a state I'd often experienced before trying a case. Or it may have been due to the unfamiliar role I would play as juror in the court proceedings to be held that day. Whatever the reason, I remained anxious and uneasy all the way through my solo breakfast.

On the way to the courthouse, the pouring rain increased in intensity as I drove toward downtown. Shallow lakes formed on the freeway, bringing traffic to a crawl. Wipers slashed with futility across the windshield, barely interrupting the grey-green impressionist landscapes cascading downward before me. I couldn't remember the last time it had rained this hard. The extended commute and darkened skies did nothing to lift my somber mood.

By the time I had arrived at the Courthouse, it was 7:45. Ramp

parking and a skyway passage to the courthouse allowed me to stay dry despite the deluge.

Walking the familiar halls to the designated room, I began to hit my stride . . . so to speak. The peculiar malaise that had beset me earlier was beginning to lift. There's nothing like the comfort of familiar surroundings to ease the mind.

As I approached the assigned door, my complete focus returned to the here and now.

The eye-level sign read: 'Jury Assembly.' I knew this place from my experience as a trial lawyer. We would gather here to await further instructions from the Court.

I turned the knob and leaned into the heavy, metal door.

Inside the room, a few prospective jurors were already seated in the shiny black metal chairs that lined its perimeter. Each kept to him- or her-self.

I pulled out a heavy wooden chair from one of the large oak tables anchoring the center of the space, sat down and laid my morning newspaper, still folded, in front of me. No one spoke. Heads were bowed and hands crossed on laps. Most avoided eye contact with others.

I took a deep breath and closed my eyes. The sounds and smells of this courthouse, even this room, comforted and assured me. This was my venue . . . my home away from home. I had won and lost many trials here. Truth be told, every verdict had, at least to my mind, been the right one under the circumstances. I was capable of extreme objectivity in such evaluations. Of course, I was not in the practice of sharing my after-the-fact assessments with unsuccessful clients.

I picked up the paper and tried to catch up on world events. Jurors continued to file in.

I caught myself grinning into the newsprint. I had been correct in my assumption that no one had offered to pray with me.

As 8:00 approached, the lights in the Assembly Room suddenly went dark . . . an apparent power failure. There should have been an

emergency light. But there wasn't. Since this room had no windows, everything was black as tar.

Someone had the good sense to call out, "Stay where you are. I'm sure the lights will be back on shortly."

All was now quiet, dark and still. The air was thick with human breath and perspiration. My eyes tried to focus, but to no avail. I was beginning to feel disoriented in the blackness. The sense of unease I had felt earlier crept back into my consciousness.

Then, just as quickly as they had gone off, the ceiling fluorescents flickered on, flooding the room with a startling brightness.

After my eyes had recovered from the lighting change, I noticed that a uniformed gentleman now stood in a doorway opposite the door through which I had entered. Pudgy and geriatric, his uniform indicated that he was a Court Officer of some sort. Probably the Bailiff.

I couldn't tell whether he had arrived before the light, or while my eyes were adjusting. In any event, I hadn't seen him come in.

I laid my paper on the table and waited. Eventually, everyone noticed the Officer. The room fell silent. All awaited whatever announcement the Officer was sure to make.

Holding a pencil and clipboard, he surveyed the room, referencing a checklist of some sort as he did so. It was all a matter of routine. A ritual . . . not unlike Dad's funeral proceedings. A *sine qua non* – a prerequisite – before proceeding to the next step in the trial process.

After a moment, the chubby gentleman announced, "All who were expected have arrived. I ask your patience while preparations in the Courtroom are completed. I will return to gather you when all is ready."

His voice was weak and squeaky. He strained to make himself heard.

A number of hands flew up in the air with questions. But the Officer turned without further explanation, made his departure.

Silence resumed.

I picked up on the newspaper where I had left off. I tried to read through the page-one articles. As I read, my mind repeatedly wandered back to Dad. Back to his untimely and meaningless death. Back to my ambivalence. My eyes retraced the same printed lines over and over as I tried to focus on the news.

I couldn't recall the last time my own state of mind had troubled me to this degree. I tried to suppress my thoughts, only to have them rise again, constantly badgering me for answers.

Fortunately, I didn't need to struggle with the newspaper very long. It was only a few minutes before the Officer returned.

"All is ready," he said. "I will usher you into the Courtroom. There, you will each take a seat in the jury box. Your seat has been marked with your name. You will sit in your designated seat only.

"Please follow."

He turned and walked through the corner exit – presumably toward the Courtroom.

Jurors crowded toward the doorway, following the Officer. It was like Black Friday at Macy's, only in slow motion. No one pushed. The movement was more of a chaotic and clumsy budging.

Finally reaching the Courtroom proper, I continued forward, moving as one with the queue. As I shuffled along, I glanced around me.

This courtroom had been arranged differently from any other I had seen. There was no jury box near the front. There was no bar separating the trial participants from the gallery. In fact, there was no gallery. The jurors were taking their seats in the area where the spectators would usually sit – a space just large enough to accommodate chairs for all of us.

As the Jurors filed into their rows in the order in which they had followed the Officer, each found that their designated seat was positioned exactly where the queue had aligned them. I know I was more than a little surprised to find my name on a gold and black plastic placard on the back of the chair in the row precisely where my position in line came to a stop. Others were commenting to one

another about the same coincidence.

No one appeared to be out of sequence. Everyone had arrived exactly at his or her assigned location.

Given the disordered and random formation of the queue, I wondered how the court had accomplished this feat of legerdemain. The Judge must have planned it out very carefully to produce a desired effect. I wondered what effect that might be.

Regardless of the Judge's intent – and by whatever means the seating chart had been arranged and accomplished – I was impressed with the ingenuity involved.

Taking my seat, and getting over the mild shock of the clever seating maneuver, I continued to inspect our venue.

Including the space where we sat, the room was maybe seventy feet long and fifty wide. There were no windows – only frames and lighting to simulate them.

The appearance of the Judge's Bench was within the bounds of normalcy. It was crafted of black walnut and dominated the front of the room.

The Counsel Tables were arranged strangely. Usually, counsel and clients sat at these tables with their backs to the gallery (where we now sat) and facing the Judge. The Counsel Tables in this room stood along the sides of the open floor space between the Jury and the Bench, facing one another. I supposed this made sense given the lack of a jury box and our viewpoint from the rear of the room. But it was highly unusual.

Between the Counsel Tables, a mostly empty rectangle about twenty feet in depth separated the 'Jury Box' from the Bench. In the center of this space, facing us, stood a simple wooden podium . . . a 'lectern' might be more accurate . . . probably the location from which the lawyers would address the Jury during *voir dire*.

Looking up, I noted that the Courtroom ceiling was arched, its surface painted to represent a blue sky with wispy clouds. Peaceful.

Once again, I began to feel at ease within the guardian walls of the court routine. This was a venue I understood – where I knew

familiar rules would apply. My comfort in this place presented a stark contrast to the uneasiness I had experienced in the church a week earlier, more recently in my morning dreams, and again in the Assembly Room.

Then I noticed something unusual about the ceiling. The three-dimensional sky mural played optical tricks with exact estimates, but I guessed the ceiling arch to be about eighteen feet high at its peak. This courtroom must occupy parts of two stories in the court building – another anomaly, considering contemporary construction designs. At least I had never seen a multi-level courthouse with two-story courtrooms.

After seating us, the Court Officer had disappeared through a doorway in the left front corner of the Courtroom. The Judge's Chambers – his private office – would be back there.

The Officer now reappeared. First a man and then a woman followed. Each wore a dark suit and a white shirt – appropriate court attire for attorneys. The two lawyers took their places behind the Counsel Tables, but remained standing.

When Counsel were in position, the Court Officer called out as loudly as he could manage:

“All rise.”

We stood.

“Hear ye! Hear ye! This Court is now in session. The Honorable Judge Jonathon Cole presiding.”

All eyes turned to the Chambers doorway. As the Judge entered the Courtroom, he faded smoothly into focus from the darkness beyond. He was a bald man in a black robe, and had rolled through the doorway in a wheelchair.

The Judge had no legs – at least none were visible beneath his robe, and the chair showed no evidence of foot supports. On closer examination, the Judge was not only bald, but he also had no eyebrows, eyelashes or visible hair of any kind. His skin was pale to the point of translucence.

Possibly a sensitivity to sunlight?

Eschewing the modern convenience of a powered chair, the Judge used his arms and hands on the spoked wheels to roll himself up a ramp behind the Bench.

Outside the Jury's view, he transferred himself to the judicial high-back leather chair. Then he and the chair gradually rose until his bald head and robed shoulders eventually appeared above the Bench-top.

I couldn't help but pity the afflicted wretch. His must be an existence fraught with challenges, obstacles and prejudices. No doubt, he threw himself into his work as a respite from life's ever-present reminders of his oddity.

I observed the Judge as he surveyed the room. Despite first impressions, he possessed a judicial demeanor – one that demanded respect. I wondered by what life path he had traveled to enable him to overcome his physical limitations, and to develop that powerful presence.

His eyes passed over me. I felt their intensity.

"Be seated," the Court Officer squeaked.

The Jury pool and the lawyers all sat.

"Good morning," the Judge began, his voice calm, confident and strong. He faced the Jury. His head and body moved little as he spoke.

"Thank you for coming today.

"My first announcement may be a surprise to some of you who are familiar with typical jury selection procedures. But there will be no *voir dire* – no questioning of Jurors for today's trial."

The Judge seemed to be looking directly at me as he continued to speak.

"All of you have been chosen to serve as Jurors in this matter. There will be no further selection process. There will be no alternates. No one will be excused.

"To be perfectly clear . . . every one of you will serve."

So much for my day of contemplation and reflection. But what in the hell was this Judge thinking? Maybe he was a more pitiable

specimen than I had first surmised. There were more than thirty of us prospective jurors here. The Judge's statement was absurd. The Court couldn't empanel more than twelve jurors, plus a couple alternates. The law didn't allow for it.

Before I had finished considering the Judge's bizarre statement, he interrupted my thoughts with another declaration . . . a statement I could never have anticipated . . . and words I will never forget.

"Today, you will determine if God exists."

Oh, for Pete's sake!

Some Jurors laughed. Some jeered. A few got up to leave. I looked for hidden video equipment. Had this Judge taken complete leave of his senses?

"Please be silent and sit down!"

The Judge's voice was not loud, harsh or irate. But it carried a weight of authority, requiring – no, demanding – compliance. At once, the room was silent. All Jurors retook their seats.

"I assure you, Ladies and Gentlemen of the Jury, this is no joke. In fact, this trial is the most serious business ever undertaken by humankind."

I pinched my arm. *This had to be a dream.*

The Judge sat forward, perching leglessly on his chair.

"Ever since ancient humans began to think," he continued, "they have asked the same questions: 'Does God exist?' 'Is He . . . or She . . . out there somewhere?' 'Or are humans alone?'"

This deranged Judge was dead serious.

"Beginning this morning, and continuing as long as necessary, you thirty-six Jurors will weigh evidence offered by witnesses claiming expertise regarding God's existence . . . or the absence thereof.

"After you have heard all of the testimony, you will consider the evidence for and against the existence of God. And you will finally decide by your verdict, whether there is a God, or whether nature alone governs the universe."

This was ridiculous.

This whole affair was going to be a waste of my time. I should go back to the office and get some work done. I even started to get up from my seat. But something told me I shouldn't leave. I should play this farce out to its conclusion. Humor this demented Judge.

Although I could conceive of no rational reason why, I decided to stay.

CHAPTER 5

THE FIRST DELIBERATION

“The Court acknowledges the enormity of the issue you are asked to decide,” the Judge went on.

His tone was calm . . . almost mundane . . . as if he were instructing just another Jury, in a just another trial.

“So the Court has made accommodations – in the form of physical changes to this Courtroom, procedural alterations to the typical trial rules, and other adjustments and modifications to the trial process – which will become apparent as the trial progresses.

“One such deviation from usual Courtroom protocol is that the Jurors will be excused from time to time to discuss the proceedings among themselves.”

The Judge paused, again passing his gaze over each Juror in turn. His stare pierced my consciousness as it passed by.

“At this time, the Court will adjourn to allow Jurors to contemplate the task before them, and to prepare themselves to receive the evidence in whatever manner individual Jurors deem most suitable for their sensibilities.”

‘Suitable for their sensibilities?’ What did he mean? Jurors receive evidence by paying attention, impartially, without bias. What ‘sensibilities’ could he be referring to?

The Judge nodded toward the Court Officer.

“All rise,” the Officer said. Then, proceeding down the aisle toward the Assembly Room, he waved in our direction. “Follow me.”

As we re-entered the Assembly Room, it was plain that the

seating here had changed. The steel chairs and large tables were gone. Dispersed throughout the room there were nine wooden tables, each with four wooden chairs – one chair on each side. The corners of the room had been segregated from the main area by fabric-covered office dividers, creating four booths, each about eight feet square.

Intrigued by the corner alcoves, I glanced into one of them and found a single wooden stool beside a smallish woven rug. A round, wooden lamp table occupied one side. On it stood a simple silver candlestick, holding an unlit, white taper. Stick matches and incense lay side-by-side on a silver tray.

After all the Jurors had returned to the Assembly Room, and were still milling about trying to decide where to sit, the Officer announced, “Locate the chair with your name on it. That chair, but not necessarily the table at which it is presently placed, will be your deliberation seat for the remainder of the trial. You may leave any belongings on your chair and they will be kept safe for you.

“The corner alcoves are available for occasional private contemplation. Please be mindful of others’ needs and limit your time in the alcoves accordingly.

“Now . . . prepare yourselves to receive the evidence. I will return for you when it is time to proceed.”

He did an about-face and exited through the Courtroom door.

The Officer’s statements struck me as rote recitation. Not that such was unusual for court formalities. But in the context of this bizarre trial, his manner seemed oddly . . . comfortable?

By the time I found my chair, a woman was already seated at the table. She stood as I arrived.

I guessed her to be in her thirties. A brown head scarf covered most of her dark hair. The rest of her attire reminded me of the Somali refugee women who had settled in the Twin Cities area of late.

“Bill Kensey,” I said, offering her my hand.

She did not accept my offer of a handshake, but smiled and bowed her head graciously.

“I am not allowed to return your hand greeting,” she said, with a

thick accent I couldn't identify. "But I accept it in the spirit it is offered. My name is Dariah. I wish you Allah's peace and prosperity."

"I accept your greeting with my thanks."

I duplicated her bow. We both remained standing – neither wanting to sit before the other. As we endeavored to resolve our seating priorities, another Juror approached our table.

Petite, with sandy-blond hair, she wore a tight-knit pink top over blue denim jeans. A surplus of perfume blossomed in the air around her. I was taken aback by her youthful appearance. She looked too young for a jury. Maybe sixteen?

Our new acquaintance cheerfully introduced herself as 'Ariel.'

Just then, our final table-mate arrived. The man was likely in his twenties, slim, oriental – probably Japanese – and wore a well-pressed, blue pinpoint cotton shirt and grey dress slacks. He nodded to each of us, but did not return our smiles. Once we had all taken our seats around the table, he told us his name was 'Tai.'

At first, we were silent, each taking in the chaos that swirled around us in the Assembly Room.

Everywhere we turned, Jurors were expressing reactions to the Judge's directives. At some tables, they were laughing and joking. Other Jurors stared blankly. Still others shouted angrily.

It seemed odd, but the acoustics in the room were such that, even though we were seated quite closely together, I couldn't make out a single word among those being exchanged at the other tables. An acoustical damper – or possibly a surplus of syllables uttered simultaneously – seemed to separate us from our fellow Jurors.

We would have to fend for ourselves regarding how to proceed.

At our table, no one had as yet spoken. I decided to get things started.

"So what do you make of the Judge's comments?" I asked, glancing at each of my table-mates in turn.

Tai was the first to respond.

"Total waste of our time. This is all foolishness. A trial to prove God?" A faint – but discernible – Japanese accent accompanied his

words. The cadence of his speech was formal and crisp – as though English was not his native language.

He grunted, turning away from the table, crossing both arms and legs against anyone who might dissent.

“Do you think we’re on TV?” Ariel asked, her bright eyes searching the room. “That would be so cool.”

Her youthful exuberance was refreshing, though perhaps a bit inappropriate to the situation.

“Right now, I’m not certain what to think,” I said. “I *am* certain, however, that this is not going to be any ordinary trial. I practice law, and nothing about the way things have been handled so far bears the slightest resemblance to any trial I’ve seen.

“Furthermore, this can’t be a *real* trial – a trial of the law. How could anyone try the existence of God? Who would be the Plaintiff, and who the Defendant? How could any court obtain jurisdiction of this issue?

“No. Something else is going on here. Of that I am sure. A psychological experiment? Or a test of social interactions? I don’t know. Something else.”

Dariah spoke.

“Should we not take this matter seriously? What if it is we who are on trial? Should we not defend Allah?”

Tai scoffed and shook his head.

“You laugh at these proceedings,” Dariah said to Tai. “Then please excuse yourself if you will not participate in good faith.”

Tai said nothing. Instead, he examined his fingernails.

“Whatever may be happening right now,” I said, “I suggest we remain civil with one another. This will be a long and unpleasant experience if we only antagonize and complain. Something unusual is going on in this courthouse. I for one am intrigued, though I can’t explain why. I plan to go along with the charade and find out what.

“And Dariah, I can think of no reason you should not defend Allah, if that is your wish. In fact, I expect many Jurors will choose to defend or assert religious faith during this proceeding – and many

others will denounce it."

I glanced around our table again.

"Are we agreed to give this circumstance a fair effort?"

"I like that idea," Ariel chimed in. "It's like an adventure. And maybe we'll be on TV after all."

"I like Ariel's spirit," I said. "Let's try to do what we're asked, and see where this leads us. The Judge said we should prepare ourselves to hear the evidence about God. How can we do that?"

"Dariah. You are Muslim, correct?"

"Yes."

"And Ariel?"

"I'm not sure what I am. I go to church with my family every Sunday, though. And I know about Jesus."

"Tai. Will you humor us by participating?"

Tai uncoiled his defensive stance and turned back to the table with an exaggerated sigh. "Okay. You win."

He threw his hands in the air signaling defeat.

"Do you have a faith, Tai?"

"I have no faith in an all-powerful being. Is that what you're looking for from me?"

"I don't know what we're looking for, Tai," I said, with more patience in my tone than I truly felt. "I wish I did."

"For what it's worth, my background is Christian – Lutheran actually – though I'm not sure I can say I believe everything the Lutheran Church teaches. Some of the doctrine seems a bit . . . improbable."

Why had I said that? I've been Lutheran all my life. Was I ashamed to admit it?

There was another pause.

"So what now?" Ariel asked me.

I looked at Tai and Dariah. They seemed to expect an answer as well. I had somehow become the *de facto* moderator for my little group. This was turning into an interesting diversion. I no longer lamented the loss of my time for solitary contemplation.

“Prepare yourself to have an open mind about what you are going to see and hear in the Courtroom, I guess. That’s what Jurors are supposed to do. Be prepared to hear the evidence. Then try to make your best decision on the issue. The Judge will probably give us more instructions. Follow those as well.”

“So we get to decide if there is a God?” Ariel scrunched up her face and scratched the back of her head.

“So we are told,” is all I could come up with.

“Look,” I said, “this is the most bizarre situation I have ever encountered. I’m sure none of you has seen anything like it either. I suppose our choices are to go along, or to check out. I’m pretty sure there wouldn’t be any legal repercussions if one or more of us chose to leave.

“There’s the door,” I said, mostly to Tai. “I think we’re free to use it. But decide now. It may not be possible later.”

I heard the words I had just spoken. What made me think they were true?

We sat in silence for a moment.

Dariah stood. “Please excuse me. I must pray.”

She bowed toward us, then made her way between the tables to one of the corner alcoves.

“We get to tell God if He exists,” Ariel said to no one in particular. “Cool!”

CHAPTER 6 OPENING ARGUMENTS

After half an hour of mostly chaos in the Jury Assembly Room, the Court Officer reappeared in the doorway.

“If I may have your attention, please.”

Those who had not noticed his arrival now turned to listen.

“The Judge has called the Jury back to the proceedings. But before you return, he has ordered that you not bring any of the following articles into the Courtroom.”

The Officer now read from a list on his clip board.

“No electronic devices such as cell phones, voice or video recorders, music players, radios or computers of any kind are allowed. Also prohibited are wristwatches, clocks and any other time-telling contrivances.”

Contrivances? Interesting word choice.

Prohibition of electronics from the Courtroom was not uncommon. The judges didn't want jurors to be distracted. But watches?

“Please leave any forbidden articles, and other personal items of your choosing, on your seat. As I have said, we will see to their security during the trial, and your possessions will be returned to you afterward.”

Jurors dug through their pockets, purses and briefcases, removing items to be left on their chairs and arranging them on the seats. Body postures and facial expressions indicated that there was a

general reluctance to part with personal belongings. But there also appeared to be universal compliance. I left my watch, cell phone and newspaper on my seat.

When the jurors had emptied their pockets of prohibited items, the Court Officer asked for silence, then said, "Please follow me. Be seated only in the chairs designated with your name plates."

The assemblage lined up behind the Court Officer and we all made our way back into the empty Courtroom. Several of us attempted to divert down the rows of chairs where we knew we had sat previously. But the Court Officer guided us back into the queue. And we filed into the rows in the order of our positions in the line.

This time the line had placed me in a different row of seats than on my first visit to the courtroom. But when I arrived at the chair corresponding to my position in the queue, I checked the name plate on the seat back, and once again, my name appeared there.

There had been no obvious arranging of Jurors when the line formed in the Assembly Room. I wondered anew the means by which the Judge had arranged this result, for it could not be a coincidence. I took my seat and waited for those behind me to sit as well. A low murmuring indicated that others had also confronted the repeated seating anomaly. It was an extremely clever trick. I would try to learn the secret from court personnel after the trial was over.

At least I thought I would.

After seating the Jurors, the Officer moved back and forth among us, collecting watches, phones and contraband that some had evidently either neglected to leave behind in the Assembly Room, or had chosen to retain despite instructions to the contrary. He was very efficient and seemed to know exactly who possessed prohibited items, and who didn't – skipping over many Jurors entirely.

Had we been under video surveillance?

When he had finished collecting devices and 'contrivances,' he placed them in a box and carried them through the Chambers doorway, advancing into the blackness and disappearing from our view.

When he reappeared a few moments later, he no longer held the box. The two lawyers followed behind the Officer and resumed standing positions behind the Counsel Tables.

The Court Officer announced: "All rise."

We stood.

"Hear ye! Hear ye! This Court is now in session. The Honorable Judge Jonathon Cole presiding."

It was hard not to laugh at a voice that reminded me of Mickey Mouse. But I maintained my composure.

The pale, hairless Judge again appeared from beyond the Chambers doorway in his wheel chair, rolled up the ramp without so much as a glance in our direction, and rose in the high-backed leather chair.

"Be seated," the Court Officer directed.

All sat.

"Ladies and gentlemen of the Jury, I am disheartened that I must begin with an admonishment. Many of you have already failed to follow my directions. When I gave you time to prepare to receive the evidence in this case, many of you did not take your obligations as Jurors seriously. You laughed at what you considered absurd. You refused to accept that which you did not understand, and therefore, made folly of it.

I realize that these responses are in your natures. So the Court will impose no sanctions at this time." The Judge leaned forward.

"But be warned. As I have already told you, this trial is a serious undertaking . . . and of utmost importance. Any further refusals to participate fully will be met with reprisals.

"Are we clear?"

No one spoke.

"I require an answer from each of you. Are we now clear regarding the ground rules for this proceeding? I will give instructions and you will follow them to the letter. Evidence will be presented before you. You will give it your complete attention and thoughtful consideration.

"Are we clear?"

A chorus of "Yes's," "Yes, Your Honors" and other indications of assent emanated from the Jury Box. Then all was silent.

"Cleton Danyon Thomas, stand up," the Judge ordered, his voice a mixture of sadness and frustration.

A tall, broad-shouldered man wearing a brown shirt and bolo tie stood up.

"You have not responded to my question. Are we clear concerning the ground rules for this trial?"

The man hooked his thumbs in his belt and tried to pull off a swagger. After a moment, he cleared his throat and said in a voice that wavered a bit, "Yessir. We are."

"Good. Please be seated, Mr. Thomas."

Mr. Thomas sat down.

"At this time," the Judge continued, "we will hear opening arguments of Counsel. The Jury is directed that statements by Counsel are not evidence. They are arguments, designed to persuade the Jury to view evidence in a particular light, or with a particular bias. Consider the arguments carefully, as they may assist you in your deliberations. But always remember, Counsel's statements are arguments, not evidence.

"Counsel for the Repudiation of God will speak first. Then Counsel for the Existence of God will offer her presentation.

"Are you ready, Counsel?"

The Judge looked at the man in the navy blue suit occupying the Counsel Table to our right.

He stood.

"Ready, Your Honor."

"Please proceed."

At once the lights in the Courtroom dimmed to near darkness. The Judge's Bench remained illuminated from a source I couldn't identify. The Judge himself was clearly visible, but the lighting surrounding both the Judge and the Bench was muted.

A brighter light encircled the male attorney as he moved to the

lectern in the near center of the Courtroom. As with the Bench lighting, I was unable to locate the light's source. And no shadows were visible.

The remainder of the Courtroom lay steeped in blackness.

This Judge certainly had a flare for the dramatic. I couldn't help wondering if he had hidden a high voltage Tesla coil behind the Bench, and at the opportune moment, lightning would appear to spring forth from his hands. I had once witnessed a traveling fire-and-brimstone preacher who used that trick. Whenever parishioners' attention wandered, he would literally jolt them back with a stomp on the coil switch and a concurrent thrust of his arms toward the skies. The lightning from the coil, and its loud crack, would inevitably awaken any drifting minds and bring clarity of focus back to the pulpit.

Now that's the kind of stuff religion's famous for! But why did I find myself expecting to find it in a court of law?

Counsel was preparing to speak. As best I could, I ignored the theatrics and listened to his argument.

COUNSEL FOR THE REPUDIATION OF GOD:

"Ladies and gentlemen of the Jury."

The attorney was Anglo, with dark, wavy hair. His cheekbones protruded noticeably from a gaunt face. His voice was a confident baritone.

"For centuries philosophers, scientists, theologians, physicists, astronomers and common men and women from every walk of life have debated the question posed in this trial. 'Is there a God? Does God exist?'

"During the course of this Trial, you will hear Witnesses testify to their beliefs regarding the facts surrounding this question. Many of these Witnesses are experts in their fields of academic study. They know intimately the subjects of which they speak. In fact, they have greater knowledge in their areas of specialized expertise than I, or any of you, can ever hope to acquire by just by listening to them. Yet you are charged with deciding the absolute truth among their

assertions – a formidable task.

“You will hear testimony from experts claiming to prove God’s existence . . . and others claiming to prove the opposite. But their claims of ‘God’ or ‘No God’ are not evidence. They are conclusions. And conclusions are for you, the Jury, to draw.

“Listen carefully to the testimony for facts . . . for evidence . . . for signs of truthfulness or falsehood. But ignore the conclusions you will no doubt hear. You, and only you, are vested with the authority and the responsibility to reach conclusions . . . to find the truth. Does the evidence support a finding for, or against, the existence of God?

“Though some testimony may delve into areas of science, philosophy or theology with which you are unfamiliar, listen nevertheless for those statements that constitute evidence – assertions of fact.

“I suggest you apply the following approach to any testimony purporting to support the existence of God . . . to help you discern between facts and leaps of faith:

“If there is a God – all powerful and ever-present – would He not make His existence undeniably clear to you in this proceeding? Would such a Being leave room for any doubt that He is here among us? That He exists?

“When the scientists recite complex cosmological theories, and expound upon obscure and inaccessible veins of mathematical knowledge, if you are confused, ask yourself, ‘Wouldn’t God allow me to understand if He were here?’

“And when a theologian claims that God’s presence is within all of us, and we have only to seek it, ask yourselves again: ‘If God is all-loving, and cares for my so-called soul, would He not seek me out, instead of hiding Himself in obscurity?’

“As you hear each Witness speak, and you see the conviction they will, no doubt, bring to their testimonies, do not let yourselves be distracted by charismatic personalities, likeable voices, or handsome appearances. Listen closely to their words and ask: ‘Is God obvious to me in their emphatic exhortations? Does He slap me in the face and

say, 'I am here. Feel my hand?'

"I will bring before you scholars, highly-regarded in their fields, and offer proof that God does not – and even *cannot* – exist. The words of these teachers are instructive. They appeal to reason, common sense, things you know from your own experiences to be true.

"But these Witnesses are not necessary to disprove God. For if He did exist, He would intervene in these proceedings, and in all aspects of life, and make it plain to us all . . . as plain as the person sitting next to you . . . that He *does* exist. His silence, His absence, His lack of intervention in any form, by themselves, will disprove His existence."

The speaker paused.

"Nevertheless, the trial will proceed, even though the verdict is a foregone conclusion.

"Yet, if somehow I am wrong . . . if God *is* here after all, and some insanity makes me oblivious to His presence . . . He will surely show Himself to you as you wait to pass judgment on His creation. If He does exist, you will surely know. There should be no doubt.

"If after hearing all the evidence, there remains a doubt in your mind . . . even the slightest uncertainty . . . how can God possibly be said to exist?"

The attorney again paused momentarily.

"In conclusion, I ask that you grant me this one concession. As you listen, think, learn, consider . . . ask yourselves again and again, 'Where is God in this trial? If I harbor any doubt concerning His existence . . . where is God?'

"Thank you in advance for your service."

Counsel for the Repudiation of God closed a folder of notes to which he had been infrequently referring, and returned to his table.

As he got farther from the lectern, the brightness of his light faded and the lighting intensity gradually increased on opposing counsel as she approached the podium.

By the time she arrived, the circle of light had reached full

brightness, and Repudiation Counsel's Table had vanished. The Bench remained a golden glow behind the female attorney.

Counsel for the Existence of God was a slightly round black woman. She stood about five-foot-four with her hair worn short and curly. Her face was . . . 'pleasant' is probably the best word.

COUNSEL FOR THE EXISTENCE OF GOD:

"Ladies and Gentlemen of the Jury."

Like her lawyerly counterpart, her voice exuded confidence. Her smooth contralto contrasted with the man's deeper tone.

"In the past century alone, authors have penned literally hundreds of books either advocating or disputing God's existence. Many of you have seen or heard of recent books by atheists such as *The God Delusion* by Richard Dawkins, or *God is Not Great* by Christopher Hitchens. Or perhaps by Christians such as, *The Creator and the Cosmos* by Hugh Ross.

A show of hands please. Excluding study of your religion's holy texts, how many of you have read even one of those hundreds of books in its entirety?"

I looked around at the Jurors. They were all doing the same. Only one person held her hand in the air.

"Ms. Gentry," Counsel continued, speaking to the woman with her hand up, apparently having memorized her name, "in what context did you read such a book?"

Ms. Gentry stood.

"Comparative Religions class in college, Ma'am."

"Did this book change your beliefs about the existence or non-existence of God?"

"No. To be honest, I didn't really get it . . . the meaning of the book, that is."

"Thank you. Please be seated, Ms. Gentry."

The Juror sat down and our attention returned to the female Counsel.

"So if I understand correctly," she continued, "of the myriad writings concerning this issue of seemingly paramount importance –

the very existence of God – thirty-five of you have read none, and one of you has read one, which text she found to be inscrutable.

The attorney took a step to one side of the podium.

“Why would so many of us ignore writings, many by very learned scholars and extremely intelligent men and women, when the subject matter is of such ultimate impact on our lives?”

She scanned the Jurors, making sure all were paying attention.

“I believe the reasons we avoid these books are twofold. One reason, Ms. Gentry has already articulated. We believe the discussion of God in these books will be ‘too deep’ or ‘too academic’ for us to comprehend, and will, therefore, be of no use to us – or may even confuse us.

“In many cases, this reason is valid. Some authors seem to revel in the complexity of their thought processes. The fewer people who can follow their thinking with clarity, the fewer who can claim to compare with the author’s own intellect and expertise. These books are written more to increase the author’s prestige among his or her peers, than to truly answer the question of God’s existence for the masses.

“The second reason I believe the average person fails to read these texts is that, for the most part, people are comfortable with their own pre-established beliefs regarding God . . . or the absence of God.

“We are Muslim, Buddhist, Christian, Jew, Hindu, Atheist, Agnostic, or whatever other label we have selected for ourselves. We are comfortable with our chosen viewpoint, and uncomfortable with any idea that might pop our theistic or atheistic bubble. So we avoid controversial ‘proofs’ of ‘God’ or ‘No God,’ choosing to remain blissfully unaware of any challenges such writings may pose to our beliefs.

“In other words, we’re happy with our current religious status – ‘thank you very much.’

“Whatever your personal reason for not actively confronting the issue of God’s existence before now, you had best suspend it for the

duration of this trial. You are face-to-face with every human's decision of a lifetime. And you will have no choice but to render a verdict – 'God' or 'No God.' Pure natural forces, or divine interference. Randomness, or some higher purpose.

"These are weighty questions, to be sure. But they are yours to resolve, nonetheless.

"As you hear the evidence, I ask that you approach this decision with an open mind. Ask of yourselves all questions you think are relevant – not only the questions opposing Counsel proposes.

"If your mind remains shut, and during this trial God should slap you in the face, I daresay that you will write it off as a twitch in your nervous system. If you continue to hide behind indelible decisions you have already made, when God appears before your eyes, your mind will cast His revelation as deception or trickery.

"I offer this warning. Do not underestimate your ability to deceive yourself. Open your thoughts and your minds to see God and you *will* see Him. Shut the door in His face, and you cannot.

"You are about to hear evidence that will befuddle you, that will outdistance your ability to comprehend, and that will challenge every belief and understanding you have ever held about the existence of God. You have within you the ability to decide. You are made in His image. And though your eyes may not see, you will recognize Him. Though your ears may not hear, you will perceive His voice. Though his Spirit passes through you without arousing a single human sensation, you will know His presence.

"Here . . . in this Courtroom . . . I promise you, *you will meet God.*

"Will you vindicate Him? Or deny what you know to be true? Your verdict will be your answer.

"Thank you for your service. And may God's Spirit be upon you all."

The female attorney had not referred to any notes that I could tell. At least she took none from the lectern back to her table. The light on her, as she walked away from the podium, faded to darkness.

The only illumination remaining in the room was the constant glow surrounding the Judge and his Bench.

CHAPTER 7 THE ANTHROPOLOGIST

The Judge turned in the direction where we had last seen the male attorney.

JUDGE: "Counsel. Are you prepared to call your first Witness?"

The circle of light appeared around the attorney. He was already standing.

COUNSEL: "I am, Your Honor."

JUDGE: "Please proceed."

I looked around to locate the door through which the Witness would appear. When I didn't see the Witness enter, I turned back to the Bench, and the Witness Stand beside it. The Witness was already seated in the stand.

I turned and whispered to a Juror next to me. "Did you see where she came from?"

"I'm afraid I didn't see," she whispered. "I was watching one door, as she must have come through another."

I returned my attention to the front of the Courtroom. Two bright circles of light now enveloped the attorney and the Witness. The Judge and Bench continued their softer glow. All else remained impenetrably dark. Even when I squinted, I couldn't make out the slightest hint of the Court Officer or the opposing Counsel.

The male attorney approached the Witness, stopping about ten feet away and to the right of her. The lawyer's positioning was classic. The angle of his body allowed him to direct his questions to the Witness, while the Jurors could still see and hear the questioning

clearly.

The Witness was a middle-aged white woman with brown hair. Beneath an olive suit, her white collar was buttoned up tight.

The attorney asked the Witness to identify herself. A Juror behind me coughed at the instant the Witness told us her name. So I didn't hear it. I *did* hear her credentials, though. She was a doctor of anthropology at a research institute, and her list of honors and publications was extensive.

COUNSEL FOR REPUDIATION: "Doctor. Could you describe for us your religious affiliations, if any?"

WITNESS: "Personally, I see no evidence that there is a God, and therefore, I do not ascribe to the notion that one exists."

Her manner of speech was formal and smacked of a lecture hall.

COUNSEL: "In your opinion, Doctor, does science have anything to say about the existence of God?"

WITNESS: "I don't believe science and God are necessarily connected at all. But there are certainly many Christians and Jews who would disagree with me."

COUNSEL: "Please elaborate."

WITNESS: "Darwin's Theory of Evolution has seemed to be most troubling to Jews and Christians because the evolution of man – and for that matter, the universe – does not correlate with creation stories relayed in the Bible. Although I am not a theologian, I believe the crux of the issue lies in the Biblical accounts of creation occurring over a period of six days, and God creating man from dust, sometime between four and ten thousand years ago."

COUNSEL: "How does science, and evolution in particular, contradict these Biblical accounts?"

WITNESS: "Let's start with the time-frame for creation of the universe. It is very widely accepted among scientists that the universe had its beginning no less than 13.7 billion years ago. In fact, astronomers have located, viewed and positively identified galaxies that are more than 12 billion years old. So to a scientist, the very idea that the universe may be only several thousand years old is ludicrous.

“Beyond the astronomical observations, work here on Earth has confirmed that our own planet is demonstrably more than 3.9 billion years old. The ages of numerous rock specimens have been determined, and confirmed by multiple methods, to exceed that age. It is also known that the earth’s surface was molten for hundreds of millions of years before any solid rocks could have formed.

“So again, the idea of a universe, or even an earth, that is only a few thousand years old is as close to impossible as can be proven by any objective measure.”

COUNSEL: “So I understand you to say that the universe and the earth are much older than the Bible indicates.”

WITNESS: “Not only much older . . . older by many orders of magnitude.”

COUNSEL: “What about the age of the human species? Does science have *evidence* of how long humans have lived on earth?”

He looked pointedly at the Jury as he spoke the word ‘evidence.’

WITNESS: “Anthropological studies, aided by work in archaeology, genetics and other scientific disciplines, have proven that humans, in one form or another, have walked the earth for millions of years. Anthropologists and archaeologists continue to unearth more and more human fossils on a regular basis.

“The oldest fossil evidence of upright-walking humans was discovered in October of 2009. The skeletal species dubbed *Ardipithecus ramidus*, and nicknamed ‘Ardi,’ is an ancestor of modern humans who lived in Africa about 4.2 million years ago.

“*Homo sapiens*, or modern man, has existed for at least two hundred thousand years. Numerous skeletal remains confirm this fact. From an evidentiary standpoint, there is no doubt that humans have been around far longer than any traditional or literal interpretation of Biblical timetables allows.

“Besides the history of humanity, the idea of humans being ‘created’ from dust is entirely contrary to the laws of evolution.

“If we pare the term ‘evolution’ down to its purest form, the Theory of Evolution states simply that every species had a living

parent species. Contrary to popular thinking, Darwin's further theorizing that natural selection caused the survival of one species over another is *not* central to evolutionary science.

"If we examine ancient rock strata around the world, the evidence of evolution is irrefutable. In the oldest layers of rock, there are no fossil remnants at all – therefore no life existed during this time. In slightly more recent layers, evidence of extremely elementary organisms appears. Moving higher in the rock strata, and forward in time, we observe increasingly complex life forms.

Single cell organisms give way to multi-celled plants such as algae. It is only within the last 600 million years that increasingly complex species . . . worms, fish, land plants, insects, reptiles, amphibians, birds, then finally mammals . . . begin to appear. In each case, we see the developments that occurred in the parent species which led to its successor.

"Following this extremely well-documented progression from very, very simple organisms, without even a means of locomotion, to modern humans, with their advanced cognitive and adaptive abilities, it is only possible to conclude that the complex species we now call 'man' has evolved through many evolutionary 'parents' to reach its current state of functionality.

"Humans most certainly were *not* created from inanimate dust. Nor could they have evolved over less than billions of years.

"To summarize, the Bible is demonstrably inaccurate in at least these three assertions:

"One – God created the universe over a six-day period.

"Two – The universe and the earth are only about four to ten thousand years old.

"Three – God made man from dust and created him in a single day.

"Mainly for these reasons, many Christians and Jews deny the fact of evolution, clinging instead to scientifically unsupportable beliefs."

COUNSEL: "I'm sure some Jurors are wondering, so I'm going to

ask this question. Does science explain how the very first life appeared on earth, apparently without a living parent species?"

WITNESS: "Some scientists theorize that, in the 'primordial stew' of warm ancient oceans, increasingly complex inanimate molecules, such as amino acids and proteins, may have spontaneously combined to form the first living creature's DNA – its blueprint for existence. This theory has yet to be proven to my satisfaction.

"In my opinion, science does not have sufficient evidence to offer an explanation for the origin of life on earth at this time. Without evidence, this is not a question that a competent scientist should attempt to answer on the witness stand. Theologians and philosophers speculate regarding such matters. True scientists do not."

COUNSEL: "Thank you, Doctor. You have been very helpful."

Then turning to the Judge, Counsel said, "I have no further questions for this Witness."

Counsel for Repudiation picked up his notes and yielded the floor to his female counterpart.

The female attorney assumed a stance resembling that of the male counsel, but angling in the opposite direction, and standing to the left of the Witness. She stood with hands folded just below her waist.

JUDGE: "Please proceed with your cross, Counsel."

COUNSEL FOR EXISTENCE: "Thank you, Your Honor." Then turning to the Witness, "Doctor. Does science have anything to say about the question of when modern humans became self-aware?"

The Witness paused a moment in thought.

WITNESS: "Could you define that term as used in your question, please?"

COUNSEL: "Certainly. I define 'self-awareness' as the knowledge of oneself as an individual, together with the ability to make rational decisions involving the individual's self-interest."

WITNESS: "Scientists are able to determine if a living person is conscious or unconscious, if she responds to stimuli, like a poke or a

bright light, or if her nervous system is functioning within normal parameters. I am not aware that science delves into the history of self-awareness. Furthermore, I'm not sure how self-awareness could be scientifically proven to exist at a given time in history."

COUNSEL: "So if I understand you correctly, when you speak of human evolution, you are expressing no professional opinion about when humans became self-aware."

WITNESS: "No. That is correct."

COUNSEL: "Or when – or even *if* – humans became possessed of a soul."

WITNESS: "No. These are not anthropological or scientific issues."

COUNSEL: "Just so we are perfectly clear . . . you have no way to *disprove* that God may have given man a soul about four to six thousand years ago, and before that, *homo sapiens* was just another animal."

WITNESS: "No. But I am also not aware of any scientific evidence that modern humans are *not* just another animal – albeit a highly functioning one – or that humans do, in fact, possess a soul."

COUNSEL: "Let's pose a hypothetical situation for you to consider. Please assume that God created the entire universe in six, twenty-four-hour days."

I could see the Witness roll her eyes.

COUNSEL: "Please bear with me, Doctor. Take my assumption as true."

WITNESS: "Very well."

COUNSEL: "Couldn't an all-powerful God create all of the evidence, just as astronomers, archaeologists, anthropologists and other scientists have found it, and made that evidence appear to indicate a much older universe? Or an evolutionary history for man?"

"Couldn't an omnipotent God fool scientists into thinking the cosmos, the earth, humans, are much older than they actually are?"

WITNESS: "It's a silly question. Even if God does exist, why would God do such a thing?"

COUNSEL: "I do not ask for an interpretation of God's motives, Doctor . . . only whether my hypothesis could be true."

The Witness paused for a moment.

WITNESS: "I am not qualified to answer that question. It is beyond my field of expertise."

COUNSEL: "I see. Thank you, Doctor." Then to the Judge, "No more questions, Your Honor."

As Counsel for Existence returned to the darkness of her table, Counsel for Repudiation rose. A spotlight illuminated him, as if on cue.

COUNSEL FOR REPUDIATION: "Redirect, your Honor?"

JUDGE: "Please proceed. But limit your redirect to issues raised on cross-examination. We have far to go in these proceedings."

COUNSEL: "Thank you, Your Honor."

The male attorney assumed his forty-five-degree stance between Witness and Jury.

COUNSEL: "Doctor. I also have a hypothetical for you."

WITNESS: "Very well."

COUNSEL: "Please assume for purposes of this question that I have a fairy in my pocket."

The Witness chuckled. And many Jurors did as well.

COUNSEL: "This fairy is all-powerful, but is entirely invisible and undetectable by any sensory or scientific means. Doctor, do you understand the assumptions I have outlined?"

WITNESS: "I believe I do."

COUNSEL: "Keeping in mind her assumed omnipotence, can you scientifically prove to me that my fairy is *not* responsible for creating the universe?"

WITNESS: "I don't suppose I could."

Counsel turned directly toward the Jury as he asked the Witness his next question.

COUNSEL: "In your experience as a highly-educated scientist, do you have an opinion as to whether a ridiculous assumption may lead to absurd conclusions?"

WITNESS: "Yes. Frequently."

Counsel turned back to face the Witness.

COUNSEL: "Thank you, Doctor." Then to the Judge, "No further questions."

JUDGE: "The Witness is excused."

CHAPTER 8

THE PHILOSOPHER

I wondered what time it was. It seemed like we should be breaking for lunch soon. Of course, no one had a watch. And there wasn't a clock to be found in the Courtroom itself. I knew this was by design. But the whole idea of placing the Jurors in a dark void without a clock – separating them, in a sense, from both space and time – was undeniably extreme.

I watched the Judge as the male attorney prepared to call his next Witness. The Judge sat with his arms bent at nearly ninety degree angles, forearms resting on the top of the Bench. He appeared comfortable in the leather chair, waiting patiently for the proceedings to continue.

The second Witness appeared out of the darkness of the Witness Stand when it was re-illuminated. I assumed that the first Witness had escaped my detection in a similar manner. At the time, it seemed likely that there had to be a hidden doorway either under, or behind, the Witness Stand. In the darkness, it was impossible to say.

The man in the Witness Chair appeared to be in his sixties or seventies. He was slender, with a shock of bright white hair. He wore a grey sport coat and a light-grey, button-down oxford shirt open at the neck. His small, black Poindexter glasses magnified his eyes distractingly.

REPUDIATION COUNSEL: "Please state your name for the Court."

WITNESS: "My name is Professor [indistinguishable]."

The Witness told us his name, but a noise (in this case, a creaking chair) prevented my hearing it. No matter. His name was not important, only his credentials and credibility.

REPUDIATION COUNSEL: "And what are your qualifications to testify at this proceeding, Professor?"

WITNESS: "I hold doctoral degrees in philosophy and sociology. I have written extensively for professional journals. And I have taught college and postgraduate courses in philosophy – particularly philosophy of religion – for several decades."

It was an impressive-sounding background, though perhaps a bit insulated from the world outside academia.

I suddenly realized that I was becoming invested in this proceeding, however ludicrous its premise, and I actually looked forward to hearing the evidence this Witness had to offer. *Perhaps this fake trial was the perfect remedy for my distraction over the religious ambiguity that had seemed to haunt me of late.*

COUNSEL: "Professor. How do you characterize your views and beliefs regarding God? Can you place yourself in a category with which the Jury might identify?"

The professor smiled and eased back in his chair. He folded his hands, pressing his index fingers together at his chin. He held this pose momentarily before speaking.

WITNESS: "While I prefer to consider myself an independent thinker, I suppose most people would consider me an atheist. To clarify, I do not believe there is a God. I do not, however, believe in forcing my views upon others. If a person is determined that God exists, I have no need to convince them otherwise.

"But logic and reason, the two sacred tools of the philosopher, argue strongly against the existence of any all-powerful or transcendent being."

The Professor's tone was conversational . . . just a neighbor visiting over the fence.

COUNSEL: "Professor. As a philosopher, is it common for you to construct proofs of logical arguments?"

WITNESS: "Yes. Often."

COUNSEL: "This trial today is an argument of sorts . . . an argument over the issue of God's existence. So Professor, if I asked you to prove to me whether God, or a Godlike Being, existed, where would you start?"

WITNESS: "In any deductive reasoning process, one must begin with a proper set of definitions. If terms, like 'God,' are ill-defined, logic can lead us to many conflicting conclusions."

COUNSEL: "And how would you define 'God' – for purposes of this trial, that is?"

WITNESS: "I would define that term in the context in which I believe most people use it. In the eyes of those who believe in a 'God,' most would agree that such a Being has certain attributes that qualify it as a 'God.'

"For example, God is all-powerful . . . or some would use the term, omnipotent. Both words have the same meaning. Most believers would also say that God is all-knowing – or omniscient – and that God is supremely loving toward humanity. God is present everywhere – or omnipresent. He is not bound by the laws of nature. So He 'transcends' our physical universe.

"One final characteristic of God has to do with His supposed relationship to humankind. It is widely believed that God has given humans 'free will' – at least within certain boundaries. In other words, God does not pull a puppet string for every human decision. So the God in my proofs will allow humans to have at least some free will to make their own decisions.

"Therefore, if I began to postulate a proof of God's existence, I would start with those terms as defining what I mean by the word 'God.' Omnipotent. Omniscient. All-loving. Omnipresent. Transcendent. And allowing humans a measure of free will."

COUNSEL: "Please offer us an example of one such 'proof,' if you wouldn't mind."

WITNESS: "Certainly.

"Because of God's purported transcendent characteristics, it is

difficult to point to specific evidence of God within our universe. He 'transcends' space and time as we know them. We cannot detect Him by scientific means. So the logical approach is to determine if we can *disprove* God's existence. In other words, we would show that God *cannot* exist because His characteristics are impossible, irrational or inconsistent with what we know to be true.:

COUNSEL: "Interesting approach, Professor."

WITNESS: "Thank you.

"Here is one example:

"If God is all-powerful, He can do anything, including making an object that will never move, regardless of the forces applied in an attempt to move it. But God can also make a force so powerful that no object can resist it. The coexistence of an immovable object and an irresistible force is not rationally possible. Therefore, an omnipotent God cannot exist."

Counsel turned toward the Jury.

COUNSEL: "Please enlighten us with further examples, if you are able."

WITNESS: "They are endless. Here is another:

"If God is omniscient, he knows every decision that every human will ever make, even before the human makes that decision. But if God knows in advance every decision humans will make, then humans have no ability to make decisions differing from those God has foreseen. In other words, humans do not have the free will to alter such decisions. So if humans have any free will at all, God cannot be omniscient. Free will of humans is inconsistent with the omniscience of God."

COUNSEL: "I see."

WITNESS: "Here is another scenario for you to consider.

"If God is all-powerful, all-knowing and supremely loving toward humans, then He would have the power and the knowledge to show His love in an absolute and incontrovertible way. Yet in the real world, we see human suffering at every turn. Millions of children starving every year. Thousands drowned in tsunamis. Entire

civilizations blotted out by volcanic eruptions. Untold suffering by torture and human conflict. If God knew all of these horrors would occur – because He is omniscient – and He had the power to prevent them – because He is omnipotent – and He did not do so, how can He be said to be supremely loving?

“I could give many more instances of contradictions, inconsistencies and illogical results that would result from God’s purported existence if you wish?”

COUNSEL: “Thank you for your offer, Professor. But the Jury will have much evidence to consider. And I believe you have stated your approach concisely.”

WITNESS: “My pleasure.”

COUNSEL: “I have no further questions for this Witness, Your Honor.”

Counsel for the Repudiation of God returned to his table and, again on cue, his light went dark.

The Judge turned toward opposing Counsel.

“Do you wish to cross examine the Witness?”

COUNSEL FOR EXISTENCE: “Yes. Thank you, Your Honor.”

The woman attorney assumed her questioning position in the bright circle.

COUNSEL FOR EXISTENCE: “Professor. You would consider yourself an intelligent person, would you not?”

WITNESS: “Yes, I suppose I would.”

COUNSEL: “And I believe you said that reason and logic are the ‘sacred tools’ of the philosopher. Am I remembering correctly?”

WITNESS: “Yes. And that is what I believe to be true.”

COUNSEL: “Given your vast experience in philosophy – the use of logic and reason to resolve questions of the mind – would you agree that your greatest intellectual strengths lie in the areas of logic and reason, as opposed to, say, organizational behavior or medicine?”

The Witness puzzled over this question momentarily.

WITNESS: “I would have to agree with that statement. Yes.”

COUNSEL: “But you must also agree that logic and reason do not

provide humankind with complete answers to every problem confronting human existence. I mean, you wouldn't presume to use logic or reason to cure someone with a brain tumor. You would leave that concern to a brain surgeon. Correct?"

WITNESS: "Of course. It would be preposterous for me to 'reason' a tumor from a person's skull."

COUNSEL: "Precisely. And you wouldn't expect a brain surgeon to match your knowledge and abilities when it comes to philosophical matters. Would you?"

WITNESS: "Of course, a brain surgeon could also be a philosopher. But normally, I would not expect a surgeon to possess extensive knowledge of philosophy."

COUNSEL: "Nor a biologist."

WITNESS: "No. Not ordinarily."

COUNSEL: "Nor a rocket scientist, nor a chemist, nor even the President of the United States."

WITNESS: "Extensive knowledge of the methods of philosophical reasoning would not typically be required in such occupations. No."

COUNSEL: "Persons working in each of the specialties I have mentioned almost certainly would know more than you do about their respective occupations. Isn't that true?"

WITNESS: "I should hope so. But I fail to see how any of this is relevant to my proofs."

COUNSEL: "My point, Professor, is that every discipline has experts who wield the 'sacred tools' of that discipline with indisputable expertise. Yet you believe that *your* 'sacred tools' – reason and logic – are the appropriate ones for disproving God.

"Among all professions and areas of academic inquiry, and all the various methods used to achieve proficiency in such pursuits, what causes you to believe that philosophers hold the requisite knowledge to disprove God?"

WITNESS: "My dear woman. I understand that you are defending your side of this argument. But logic and reason are the supreme tools for understanding abstractions such as have been

posed to me today. They are the highest order of human thought. Everyone knows that something has to at least make sense in order for it to exist. I can't claim to possess superhuman strength and expect anyone to believe such a statement. It is nonsense. That is, it is unreasonable. It is not logical.

"Reason and logic are the first tests any theory must pass. They alone may not provide enough evidence to prove every valid hypothesis to be true. Other expertise, such as scientific studies, may be required. But they most certainly suffice to prove many propositions false.

"To deny this fact is both unreasonable and nonsensical."

COUNSEL: "If I understand what you are saying, Professor, in order for any proposition to be true, it must first survive the application of reason and logic."

WITNESS: "Yes."

COUNSEL: "Those are the 'sacred tools' by which every proposition must be measured."

WITNESS: "Yes."

COUNSEL: "Professor. I mean no disrespect to you or your very impressive credentials. But what if your 'sacred tools' turn out to be dull?"

The Witness looked confused.

WITNESS: "I don't follow."

COUNSEL: "Could a brain surgeon be expected to achieve positive surgical results using only a chain saw and a screwdriver? Or an astronomer see the stars clearly through a scratched telescope lens?"

"Professor . . . what if logic and reason are not the precision instruments you assume them to be? That many people assume them to be. What if they are faulty in some significant way? How would we know of their deficits? How would we prove they lead to invalid conclusions?"

The Professor thought for quite a while before answering.

WITNESS: "I can think of no way to make such a proof."

“However, I must say in the defense of logic and reason, that they have served mankind well, in many ways, for millennia. And to discount their importance or conclusions would be roughly equivalent to throwing out the laws of physics.”

COUNSEL: “Please don’t misunderstand, Professor. I do not advocate to throw them out – only to have their blades sharpened to a precision where they can help us make ‘reasonable’ decisions about God. At present, when it comes to God, reason and logic are the brain surgeon’s metaphorical chainsaw. The tools are simply not up to the task.”

WITNESS: “I’m afraid you and I will have to disagree on that point, Counsel.”

COUNSEL: “Perhaps not. Maybe we can find an example where we agree that reason and logic are inadequate. Let’s try this one.

“Can you prove, using only reason and logic, that I exist?”

WITNESS: “Certainly. There is a great deal of objective evidence of your existence. I can see you. I can hear you. If you were close enough to me, I could touch your arm. Since I can see, hear and touch you, you must therefore exist.”

COUNSEL: “Sight, hearing, touch – these are all sensations of which you are aware because your brain has processed them for you. Correct?”

WITNESS: “I suppose.”

COUNSEL: “Do you ever have dreams, Professor?”

WITNESS: “Yes.”

COUNSEL: “And in your dreams, do you ever experience the sensations of seeing, hearing or touching people or things?”

WITNESS: “Yes.”

COUNSEL: “Then according to your reasoning, the people and objects in your dreams must exist. Correct?”

WITNESS: “They exist in my subconscious mind – not in reality.”

COUNSEL: “In that case, please allow me to rephrase my question. Since you have indicated that the sensations of sight, hearing and touch prove my existence ‘in reality,’ the people and

objects you sense in your dreams must also exist 'in reality.' Correct?"

The Witness shifted in his chair.

WITNESS: "Perhaps my proof was not correctly constructed. I did have to prepare it on short notice. Please allow me another attempt."

COUNSEL: "By all means."

WITNESS: "I could ask others to confirm that you exist. They could perform any tests they deemed necessary to confirm your existence. Then their conclusions would be combined with mine to show that you exist in reality, and not just in my mind."

COUNSEL: "And who would confirm the existence of the 'others' to whom you refer?"

The Witness was visibly frustrated. He made an attempt to maintain the appearance of objectivity.

WITNESS: "You are saying that my second proof raises the same questions as my first. Regardless of how many witnesses I may bring forth in support of your existence, proving *their* existence is just as problematic as proving yours . . . or for that matter . . . proving mine.

"But the flaw in your approach, Counsel, is that each of us *knows* of our existence, and of the existence of those around us. It is self-evident. Life has no meaning without such knowledge. Assuming the opposite – that none of us really exists – leads to worthless conclusions.

"You may have heard that a fellow named Descartes resolved the logical problem of one's own existence hundreds of years ago when he declared, 'I think; therefore, I am.'"

The philosopher was sounding quite impressed with himself, and spoke to the attorney as if to a child.

COUNSEL: "No disrespect meant to Descartes, Professor, but his conclusion was not based on reason or logic. It was based on his personal *belief* that his existence was self-evident. Correct?"

The Witness shifted again in his chair.

WITNESS: "I suppose that is true."

COUNSEL: "And Descartes never was able to *logically prove* the

existence of himself, or of anyone else in the world, was he?"

WITNESS: "I would have to concede that he was not able to do so."

COUNSEL: "So logic and reason cannot even prove that *you* exist or that *I* exist, and you still maintain that your 'sacred tools' are not just a tiny bit too dull to disprove *God's* existence?"

She held her thumb and forefinger close together before her eyes, illustrating the small degree of dullness necessary to confirm her argument.

WITNESS: "Not at all. Your question presents a false analogy. I challenge you to pose another."

COUNSEL: "I admire the tenacity with which you cling to your conclusions, Professor . . . despite all logic and reason to the contrary."

"Thank you for your time." Then to the Judge, "No further questions for this Witness."

Counsel for Existence returned to her table as her light faded away.

Counsel for Repudiation rose. The lighting made its usual adjustments, falling on Repudiation Counsel as he said, "Redirect, Your Honor?"

This time he remained at his table as he questioned the philosopher.

COUNSEL: "Professor. In your extensive studies, teachings and writings, and in your vast experience using reason and logic to resolve all manner of questions of human interaction, have you ever had cause to believe that either reason or logic can, by any stretch of the imagination, be considered inaccurate or defective?"

WITNESS: "Never."

COUNSEL: "No further questions for this Witness, Your Honor."

JUDGE: "Professor, you are excused."

The lighting around the Witness Stand and Counsel, once again, faded to blackness. A bright light now encircled the Judge. The translucence of his skin in the whiteness was startling.

The Judge leaned forward and focused intently on the Jurors.

Though there was no way I could possibly tell at this distance, I again felt as though he was looking particularly at me. He paused. I felt his penetrating stare once more. Then he leaned back to his normal seated position and gave the Jurors their instructions.

JUDGE: "At this time, I am going to excuse the Jury from the Courtroom to allow you to consider and discuss the evidence presented up to this point.

"I caution you not to draw final conclusions regarding the subject matter of this trial until you have heard all of the evidence. But it would be asking too much of the human mind to consider all arguments simultaneously. Deliberate and meditate on what you have heard so far. Then I will call you back to the Courtroom to receive further evidence."

Excusing the Jury for *partial* deliberations was unprecedented. Jurors were always instructed to wait for all the evidence to be offered before discussions between them should begin. But by this time, nothing about this trial, or this Judge, was going to surprise me.

I arose with the crowd as the lighting level increased to normal intensity across the entire room. Counsel remained standing behind their respective tables as the Court Officer led us out.

CHAPTER 9

THE SECOND DELIBERATION

When we returned to the Assembly Room, it came as no particular surprise to me that the seating had, once again, been rearranged. The same four-person tables were there. But my designated chair was not at the table where I had previously sat.

As I crossed the room, I noted that many chairs held purses, jackets, briefcases and other personal items the Jurors had left behind on their previous visit here. But I didn't see any watches, radios, cell phones or any of the items the Judge had designated contraband in the Courtroom itself. I worked my way methodically around the floor, looking for my gold and black name plate on a chair back, and finally locating it in the far left corner of the room.

I was the first to arrive at my table. As I expected, my watch and cell phone were nowhere to be found. The newspaper was there, though. I noted from the other name plates that among my table-mates was Tai, the combative oriental with whom I had sat during the last deliberation.

The next juror to find her seat at my table was an American Indian woman. In her early to mid-twenties, she wore her long, straight hair parted in the middle and tucked behind her ears. Her shirt was a button-front Native American design on chambray. A colorful beaded necklace adorned her neck.

I stood to welcome her.

She told me her name was Kimi. She pronounced it 'Kee-Mee.'

"That's a pretty name," I said, as she sat down across the table from me.

I sat as well.

"Thank you," she replied softly.

Kimi posed primly on the hard wooden chair, resting her deep-brown eyes on the delicate hands in front of her.

"Kimi," I said, waiting for her to make eye contact before proceeding.

"I haven't heard the name 'Kimi' before. Does it have a special meaning?"

She paused for a moment before answering.

"Kimi means 'secret' in the tongue of my ancestors."

There were a few seconds of awkward silence. Then Kimi asked, "What might your name be, sir?"

"William. But I'm afraid its meaning isn't nearly as mysterious or beautiful as yours. It means 'helmet' in Old German. But I'm not German at all – mostly of English descent, actually. In English, as you know, 'will' means 'determination' or 'desire.' I'd prefer to be thought of as 'determined,' rather than 'helmeted,' if you don't mind."

Kimi laughed. A shy smile showed briefly on her face, and then was gone.

"Actually, most people call me Bill. I'd appreciate it if you would do the same."

"Then I will call you 'Mr. Bill,' since it is my tradition to honor my elders in this manner."

"If you insist on the 'Mister,' then perhaps we should go with 'Mr. William.' 'Mr. Bill' has some connotations from a series of 'Saturday Night Live' skits I would rather avoid."

I smiled.

"Yes. Of course, Mr. William."

She returned the smile.

Another juror approached our table. I recognized Mr. Thomas as the rule-breaker who had drawn the Judge's attention during our last Courtroom session.

"Bill Kensey," I said, standing and offering him a handshake.

He stood at least six-foot-three. His brown plaid shirt and gold-tipped, bolo tie struck me as unusual for a Minnesotan. A transplanted Texan, perhaps?

He reached out his large, well-calloused hand and shook mine with vigor.

"The name's Cleton Danyon Thomas. But ya'll can call me Clete," he said, speaking to both of us. His confidence showed no ill effects of the Judge's admonition.

Tai arrived presently. After a further exchange of greetings and an introduction of Tai to the other two Jurors, I resolved to sit quietly for a while and listen to what my co-deliberators had to say.

Kimi's posture was perfect, and her breathing calm, as she posed serenely, her fingers now interlaced in her lap. Tai's hands fidgeted as he squirmed in his chair. Clete, who I had expected would start things off with some blustering, or perhaps a statement of brazen obnoxiousness, sat with arms folded across his chest. Clete's posture suggested that he was ready to challenge any opinion someone else at the table might be brave enough to share.

Ultimately, it was Tai who spoke first.

"I think the man's opening statement made sense. If there were a God, wouldn't He make himself obvious to us? The more I understand, and the more we as people understand, about the world through science, the less need we need to turn to superstition and so-called miracles for explanations. We don't burn witches anymore, do we.

"Of course, there are phenomena that we don't *yet* comprehend and can't *yet* fully explain. But it's only a matter of time before we fill in the gaps of human knowledge. I can't see where the concept of God adds anything to our understanding of the world, or how God would be relevant to my life."

Kimi had been listening politely to Tai. Now she spoke . . . her voice barely more than a whisper.

"Mr. Tai. I have seen God. And felt God. He is here with us now.

His existence is – what did the man say? – ‘self-evident’ to me.”

“Could you point Him out to me, please?” Tai said sarcastically, and in my view, with unnecessary cruelty.

Kimi did not allow Tai’s sarcasm to irritate her. They say that still waters run deep. Kimi was proving to be a pool of stillness. I felt a paternal fondness for the young woman.

In response to Tai’s comment, Kimi raised her arms slowly at her sides.

“He is in the air that sustains us, without which we could not live.”

She brought her hands close to her chest.

“He is in my heart and my mind. He guides my thoughts and my actions. He is in all living things. His breath moves the wind. His fire lights the sun. He moves the waters from the oceans to the sky and back again.

“He is in my brothers and sisters in this room.”

She looked the scowling Tai directly in the eye.

“He is in your eyes also, Mr. Tai . . . though you have buried Him deeply – so deeply that you are blinded to His presence.”

Tai reacted by turning away from the diminutive Kimi, his legs and arms crossed in Clete’s direction. He looked at the ceiling and said to no one in particular, “This is voodoo bullshit!”

“I see what I see, Mr. Tai. I know what I know. I am sorry that this distresses you.”

Kimi’s voice remained soft and genuine.

Tai turned back toward Kimi, hostility in his eyes. I prepared to intervene if necessary.

“Listen, Pocahontas. God doesn’t blow the wind. Changes in air pressure do. And the water returns to the clouds through a basic scientific process called e-vap-o-ra-tion.”

His manner repulsed me.

“It rains when the humidity in the clouds becomes too great to retain all the water vapor in the air. Sorry little girl. There’s no room for your God in the real world. His purpose died with your honored

ancestors.”

“All right now, Tai.” It was Clete. “That’ll be enough of that. If you’re claimin’ to be civilized, you’re sure not actin’ like it. Didn’t your mama teach you any manners? Shame on you talkin’ to a young lady that way. All she said was what she believes. And you get all defensive and mean.

“Shame on you! Shame!”

Way to go, Clete! I wouldn’t have expected him to defend Kimi the way he did. Sometimes first impressions can be deceiving.

I needed to add my voice to support Kimi.

“Clete’s right, Tai. You can’t be attacking us for our beliefs. You can believe what you want . . . but keep your cool. Kimi was nothing but respectful to you. I think you owe her an apology so we can get back on track here.”

“Damn straight!” Clete joined in.

Tai knew he had overreacted. You could see it in his face. But he was still angry, and now staring at the table top. Finally he mumbled, “Okay. I got a little hot. I’m sorry.”

He took a deep breath and exhaled. Then he turned to Kimi.

“Miss, I am sorry for how I spoke to you. I was wrong. I will try to do better.”

“Thank you, Mr. Tai,” Kimi said.

Clete spoke again.

“Okay then. Let’s get back to deliberatin’.

“Now I hear what your sayin’, Tai, about science coverin’ all the bases these days. Seems like if we can’t explain some mystery right now, we’ll be able to soon. So why do we need God? And I don’t see him all around me like Miss Kimi does. But all that doesn’t prove He ain’t there.

“I got a feeling that before this trial is over, all our heads are gonna be spinnin’. So I plan to decide this trial the same way I’ve made every successful business decision in my life. If there’s a way to guarantee a win, I’m gonna take it. Here’s how I got it figured.

“If I vote for ‘No God,’ and it turns out there is a God after all,

then God's probably gonna be pissed at me. I sure don't need that. On the other hand, if I vote that there *is* a God, and it turns out there isn't – no loss.

"So pretty much no matter what they say in that fancy theater room, I'm gonna vote 'Yes' for God.

"Makes sense, don't it?"

My turn to speak.

"Clete. I follow your logic. I'm just not sure we can all make this decision that easy. What if you vote for God, but God knows you're just hedging your bets, and that you really don't believe what your vote is saying? And He thinks you're trying to play Him? Where does that leave your approach?"

I didn't wait for Clete to respond.

"Don't get me wrong," I said to everyone. "I'm not saying Clete can't choose his own way to vote. That's up to him. But I've heard some very interesting arguments and evidence so far. And I'd like to know what you think about it. Can I bounce some questions off all of you?"

Clete and Tai nodded.

Kimi said, "Sure, Mr. William."

I viewed this trial as an intellectual exercise. I would approach it as I would have any client's legal problem.

"Help me think this one through. What if God is showing himself to us in the complexities of the human body, for instance? And because we think we pretty much understand the human body, we're overlooking the fact that it's pretty damn amazing.

"Even though we know a lot about humans, we can't make a person from scratch. Maybe we can clone one, or insert some sperm into an egg. But we can't start with algae and a chemistry set and make a person.

"Are we assuming too much because we believe we can understand everything? What if there are some things the human mind can never comprehend?"

Tai dove in.

“Okay. I’m going to try to stay calm. But here’s what I would say to your question. Why do we *want* to make humans from algae? We can cover the whole human-making process with the tools we already have.

“We can do test tube fertilization and implant the fertilized egg to grow a baby that way. If we can’t do so already, we’ll soon be able to make endless duplicates of any human we choose through cloning. And we can grow spare body parts by giving genetic instructions to stem cells – of which there appear to be a very large supply now that fetal stem cells aren’t the only ones we can use. And of course there’s always good old-fashioned sexual reproduction.

“Who cares about making humans from algae or amoebas or whatever? We don’t need God to make humans. Why do you care?”

“I can see,” I said to Tai, “that you take a pragmatic approach to this issue. I’m trying to think beyond the practical for the moment.

“My real question is whether we are letting our own abilities and understanding blind us to what truly amazing things God may have done? I’m not saying God did anything at all at this point. I’m just asking us to examine our perspective.

“Kimi sees God in the wonder of His creation. Maybe we should consider whether we aren’t blinding ourselves to that wonder Just throwing that out for discussion.”

Tai: “You’re not making any sense to me, man. I’m sorry. I just don’t get at all where you’re coming from.”

Clete: “I kinda see what y’all are sayin’, Bill. How our eyeballs let us see stuff. How our brain lets us think, and our heart lets us feel. It’s all pretty deep stuff, ya know. I’m not saying you don’t raise a good point. But settin’ my vote aside for the minute, I’m not buyin’ a God in all of it just yet.”

Kimi: “Mr. William. You ask why I see God and some others do not. It is good to ask this question. I know God because I have always known Him. Perhaps my life experiences are different from others. I do not know these things. I am only saddened that I cannot share my sight with everyone.”

Clete: "As long as we're talkin' philosophical, what about the stuff the second Witness said about God not bein' able to make a rock He couldn't move?"

Tai: "And how can there be free will if God knows our every decision before we make it? He mentioned that, too. Seems like the God he was talking about would be logically impossible."

Kimi: "I cannot answer for all of you. But for me, God, the Great Spirit, Wakan Tanka, is able to do all things. I believe He can make a rock He cannot move and be able to move it at the same time – though I cannot explain it."

Tai: "That's just stupid."

Clete and I gave Tai a stern look.

Tai: "Okay. I'm sorry for my choice of words. But it *cannot* be possible for an object to be immovable and a force to be irresistible at the same time. Something's gotta give."

Clete: "I have to go with Tai on this one. Makes no sense that we have free will if God already knows what we're gonna do. How could we change our minds if it's already written in God's book somewhere?"

"I know," I conceded. "Those logic arguments sound pretty strong to me, too. And I'm not sure I can connect with what the woman lawyer meant when she said, 'What if the sacred tools of logic and reason are too dull?' It's an analogy I find hard to accept."

"Aw, hell, Billy Boy! I get that one plenty. Here's another way to think about it.

"S'pose I got around 10,000 head of beef cattle grazing on 25,000 acres of range. How would you go about figurin' out *exactly* how many head I got at any given time?"

"I'm not sure I understand," I said. "I guess I'd count them."

"Damn straight! That'd be using math as your 'sacred tool.'"

"Okay. So you head out in your chopper to count them cattle. You kinda lay out a grid of land and start countin' the number of cows in each square as you fly over. But as you're movin' back and forth across them 25,000 acres, summa the cattle you already counted

move outta their boxes and into one you ain't counted yet – or visa versa. Sure as anything, you're gonna either count some twice or miss some.

"Am I right?"

"I suppose so."

"So even though your 'sacred tool' is custom made for countin', this job is just too big for math to work right. You need somethin' more.

"I think the lady lawyer is sayin' the same thing about logic and reason. Maybe all by themselves, they just ain't up to the job of figurin' out God. I don't know if I believe it. But I think that's what she was tryin' to say."

"Interesting thought, Clete. I'll give that idea some more consideration. Thanks."

"No problemo, Billy Boy."

Clete's analogy was better than I had expected from the rough-hewn south-talker. Even though everyone would agree that math is the right tool for counting, by itself it couldn't deal with all the practical challenges posed by the large cattle ranching business. You'd never know *exactly* how many cows you had at any given time by counting alone. Mathematics was 'too dull' an instrument to tackle this question.

For a time, we were all silent.

Discussions, and sometimes shouting matches, continued around us. I still could not decipher their words.

Then Kimi finally spoke – her words aimed at the table top.

"I am sad that the God of your thoughts is so small."

CHAPTER 10

THE THEOLOGIAN

When returning to the Courtroom, we followed the same inexplicable seating procedures as before. The lawyers stood at their tables and the Court Officer left to summon the Judge.

As we waited, I noticed that my sense of time and place were – I don't know the best way to say it – losing their footing? The repeating cycles of the Assembly Room, our walks to and from it, the Courtroom, the interplay of light and darkness, the sense of wandering through time with no clock, watch, or light of day to provide orientation. I wondered if this was how a person in a sensory deprivation chamber would feel – isolated from the normal sensory inputs. Floating in space and time.

"All rise.

"Hear ye! Hear ye! This Court is now in session. The Honorable Judge Jonathon Cole presiding."

The Judge resumed his position on the Bench as he had on the previous occasions.

JUDGE: "Please be seated.

"Counsel for the Repudiation of God will call his next Witness."

The Witness Stand appeared from the darkness. It was occupied by a heavysset Caucasian man, his brow perspiring noticeably. His name was indecipherable, but his credentials, once again, were top notch. His expertise was in theology – the study of God and religion.

COUNSEL FOR REPUDIATION: "You are presently employed as a Professor of Theology at Southwest Baptist Bible College, is that

correct?"

WITNESS: "Yes."

COUNSEL: "Could you please describe the life route that led you to your current occupation and beliefs about God?"

WITNESS: "Certainly. I am asked to recount the story often."

He settled himself in the Witness chair.

"I had what I would consider my first truly religious experience at age fourteen. I was confirmed as a member of an Evangelical Christian Church and accepted Jesus as my Lord and Savior.

"As a teen, and throughout my college years, I studied the Bible zealously. I sought to squeeze the true meaning from every word. I knew that the Bible held God's own voice, and I wanted to hear Him clearly.

"Upon graduation from college, I attended Harvard Theological Seminary where I earned both a Masters of Divinity and a PhD in Theology. It was during my studies at Harvard that my theological pursuits began to pull me away from the religion of my youth.

"At that time, I had set as a goal for myself to determine the definitive texts of all books of the Biblical New Testament. I wanted to confirm God's precise words to man.

"I learned to interpret and translate original Biblical materials written in Hebrew, Greek and Aramaic. As I delved into the ancient manuscripts, the huge number of discrepancies in their accounts astounded me. Nevertheless, I remained certain that there must be two or more scrolls from different sources that would coincide with one another to establish a definitive translation of *The Bible*.

"Consistent texts continued to elude me. The more I read, the more errors I found.

"I continued my research. But no matter how many scrolls I studied, I was not getting closer to a convergence upon a definitive Bible.

"Further research convinced me that many of the 'errors' I had identified in the texts were not mistakes at all. They were intentional alterations. Some changes had originated with church leaders at the

time of transcription. Others were the work of scribes who sought to impart their own meanings to Biblical teachings. In each case of alteration, the perpetrator's motivation was to manipulate the message of the Bible for his own purposes.

"When I discovered this phenomenon of adulterated texts, I decided to catalogue the errors in the New Testament. Over the next several years, I sought out and read for myself many more original scrolls. Every single one contained altered material. No two were the same. I still could ascertain no definitive version of any scripture – none at all.

"If there was no way to discover the true text, the one version given by God's own inspiration, I had to conclude that the books of the New Testament were inherently defective, and could not be relied upon by modern Christians to accurately convey God's message to mankind.

"With this last conclusion came another disturbing revelation. If God could not, or would not, protect the integrity of the Holy Scriptures, He was not a God in whom I could trust or believe.

"From that day forward, I have sought anew the truth of God's existence.

"I have yet to find it."

COUNSEL: "Are you alone in identifying these New Testament errors?"

WITNESS: "No. Many Biblical scholars corroborate my findings. Collectively, we have established the fact that, through the course of numerous translations and intentional alterations, a huge number of errors have infiltrated the original Biblical message – if there ever was one definitive message. The current New Testament definitively *does not* contain the text intended by its original authors."

COUNSEL: "Have you taken your findings to Christian scholars to hear their response to your concern about the Bible's accuracy?"

WITNESS: "Yes. Some have said the variations are mostly trivial. To which I respond that the infallible Word of God should not contain errors at all. And I further point out that the nontrivial errors

are severely problematic.

“On one occasion, when I identified to him a particularly troubling discrepancy in the Book of Mark, a Theology Professor at a major University responded, and I quote, ‘Maybe Mark just made a mistake.’ That was not an answer I could accept.

“With contradiction compounding upon inaccuracy, and Christian scholars acknowledging the errors in the Bible, I could no longer call myself a Christian. The Bible is the Holy Book of the Christian Religion. It is the foundation for all Christian teachings. If it is riddled with errors, the Christian Religion is at best a collection of arbitrary assumptions, and at worst, entirely worthless babble.

“I could no longer have any part of it.”

COUNSEL: “And since the time when you rejected Christianity, have you adopted any other version of a belief in God?”

WITNESS: “I have not. To my great disappointment, evidence supporting God’s existence in the world seems to be sadly lacking. And indications of His absence are plentiful. Global terrorism is on the rise. Torture of untried enemy combatants and innocent civilian prisoners is increasing. Starvation and pandemics are the constant curse of the poor and downtrodden.

“It is difficult to see God in all this suffering.”

COUNSEL: “You mention human suffering as evidence against the existence of God. My understanding is that the question of why God, if He is all-loving and all-powerful, allows so much pain and anguish in the world, is not a new subject. Both secular and theological scholars have debated this very issue for centuries. Am I correct?”

WITNESS: “You are correct.”

COUNSEL: “What arguments do theologians make to explain this disturbing phenomenon?”

WITNESS: “Most commonly, the response to why God would allow so much suffering is that the pain is all part of God’s greater plan. People need to have faith in that plan. Ultimately, the suffering will be shown to have been necessary, or at least beneficial, to

achieving God's unfathomable goals. In short, we are asked to acknowledge that God's allowing of suffering makes no sense to humans. But we should have faith that suffering and pain, which appear hurtful and cruel to us, are parts of something good in God's eyes.

"That explanation is nonsense to me. You are what you do.

"If God allows all of us to suffer in varying degrees, and in diverse, and some might say perverse, ways, God is *not* loving. Period. I can have no faith in such a demonstrably unloving and uncaring God, and therefore, find it highly unlikely that God exists.

"Another fairly typical response to the preponderance of suffering in the world is to say that it is man's free will that causes the suffering – not God's desires. There are several critical errors in this line of thinking.

"First of all, if God is all-powerful, it does not matter the source of the suffering, He could alleviate the anguish if He so chose. What loving parent would not protect his or her child from any amount of suffering if it was within their ability to do so?

"But God does not abolish suffering. Therefore, He is as much to blame for it as any human free-will that may have contributed to the problem.

"Second, it is manifestly clear that not all suffering is of human origin. When earthquakes devastate the lives of thousands upon thousands of people . . . when hurricanes, tsunamis, tornadoes, wildfires, floods and other natural disasters wreak havoc in the lives of men, women and children alike . . . can man's free will be blamed for the suffering? Of course not.

"To my mind, the only reason that a loving God would not intervene to prevent the pain, devastation and anguish such natural disasters inflict on humankind is that He does not exist. Very few humans, if they were able to prevent it, would allow such damage and destruction in the lives of others. How could there be a God, whose love should be infinitely greater than the love of humans, who would allow this indiscriminate suffering to crush His children?

"If there is such a God, I do not want to know Him."

The attorney allowed a long pause for these last statements to rest heavily upon the Jurors. I knew this technique. It could be a very effective one, in the right circumstances.

COUNSEL: "Thank you, Professor." Then to the Judge, "I am finished examining this Witness."

The lawyer returned to his table and Counsel for Existence took her stance in the lit circle.

COUNSEL FOR EXISTENCE: "Good day, Professor."

WITNESS: "Hello."

COUNSEL: "Well. You have certainly given us much to think about."

WITNESS: "I can imagine."

He was starting to sound fairly impressed with himself.

COUNSEL: "Will you indulge a few questions into your background and life experiences, so the Jury may better assess the testimony you have just given?"

WITNESS: "Of course. I have nothing to hide. Ask your questions."

COUNSEL: "Thank you.

"Now Professor, you were raised in a Christian home. Correct?"

WITNESS: "Yes."

COUNSEL: "Both of your parents were faithful Christians and your family attended church on a regular basis?"

WITNESS: "Yes."

COUNSEL: "Is it fair to say that throughout your youth, and continuing into your college years, you considered yourself a Christian – a person who had faith in the Christian God?"

WITNESS: "The foolish faith of an immature youth, yes."

COUNSEL: "I understand that your family had some challenging times during your teenage years. Among other concerns, your mother was diagnosed with breast cancer when you were fifteen years old. Is that correct?"

WITNESS: "My mother had cancer. Yes."

He shifted awkwardly in his chair.

COUNSEL: "And her doctors treated the cancer aggressively. They removed both of her breasts in a radical double mastectomy. But the cancer had spread to her lymph nodes as well. So after the surgery, they gave her both radiation and chemotherapy in an attempt to eradicate the remaining cancer.

"This time of her illness must have been very difficult for your family."

WITNESS: "Yes."

COUNSEL: "Your mother was either in the hospital, at home in bed, or barely had the energy to function around your home, for a period of more than two years. She endured a good deal of pain, nausea and general suffering as a result of the cancer and the side effects of her treatment. True?"

WITNESS: "Of course. It was a tremendously painful and exhausting time for my mother."

Irritation had begun to seep into his voice.

COUNSEL: "And for your family as well."

WITNESS: "Yes."

COUNSEL: "Finally, more than two long years after the discovery of the cancer, the doctors declared it in remission. Essentially, she was cured. Even then it took many months for her to regain her strength. And there was no way you could really know the extent of her psychological anguish at the loss of her breasts.

"All true?"

WITNESS: "Her recovery was long and challenging, as I have already acknowledged. And no, I could not read her mind concerning the mastectomy."

COUNSEL: "And being a devout Christian family, all of you no doubt did a lot of praying during the time of your mother's illness, treatment and recuperation."

WITNESS: "We and numerous others. Many members of our congregation prayed for Mother's healing as well. But her recovery was the result of good medical care – not divine intercession."

COUNSEL: "Is that what you believed at the time?"

WITNESS: "I'm not sure . . . I believe so . . . yes."

COUNSEL: "So when your mother was cured and your family had survived this extreme trauma, was it at that time that you decided God was too cruel to be a loving God? Or did you come to that belief many years later?"

The Witness waited a moment before answering.

WITNESS: "I see what you are trying to imply here. You want me to say that I accepted my mother's suffering and yet retained my Christian faith.

"Well, I suppose that is true. But as I have already pointed out, my faith at the time was the product of an immature, preconditioned, teenage mind."

Counsel paused before continuing.

COUNSEL: "Actually, I was wondering whether you found your faith to be a comfort to you during this difficult time in your youth?"

The Witness tried again to find a comfortable sitting position.

WITNESS: "To be completely honest . . . and that is what I have been at all points during this testimony . . . I confess that I *did* find comfort in my illusion of faith. It was the sort of comfort that a young child receives from a baby blanket, or an infant derives from a pacifier. It was a false comfort based on a fallacious belief that God was holding our family in His hands and would see us through the turmoil of Mother's sickness."

COUNSEL: "But He *did* see you through that difficult time."

WITNESS: "No. Doctors, friends, family members . . . were with us. But we made it through all on our own."

COUNSEL: "I want to be clear about this. As I understand your testimony, you felt comfort from your faith while your mother was ill, but you now attribute that comfort to delusion – to false beliefs. Is that a correct restatement?"

WITNESS: "I thought at the time that I felt comfort in faith. But I was deluding myself. *That* would be a correct restatement."

He was now sounding patently hostile.

COUNSEL: "I apologize that my questions seem to be causing you some anxiety. But the Jury needs to understand you, your faith, the loss of your faith, and the underpinnings of your present self."

Her voice was calm, comforting, genuine.

COUNSEL: "I do need to ask just a few more questions about your family's religious beliefs – the beliefs that formed your 'immature faith,' as you have called it."

The Witness had managed to calm himself. He no doubt realized that his combative demeanor would not win converts to his cause.

WITNESS: "I understand. Go ahead."

COUNSEL: "Your family belonged to a church that most people would consider a 'Fundamentalist Church.' Is that accurate?"

WITNESS: "Yes. In fact, we took pride in being considered fundamentalists, because being devoted to Christian fundamentals means being focused on the most basic, universal and important tenets of the Christian Religion. Not deviating from God's true path.

"The more I think about it today, the more I am embarrassed by the foolishness of it all."

COUNSEL: "Is a literal interpretation of the Bible one of the 'important tenets' of fundamental Christian Religion that you just mentioned?"

WITNESS: "Yes."

COUNSEL: "So in your youth . . . during the immaturity of your intellectual development . . . if the words of the Bible said, for instance, that anyone who failed to accept Jesus Christ as his personal savior was going to hell, that was what you believed. Is that accurate?"

WITNESS: "That is correct. And your example is a fine one. It states precisely one of my former church's fundamental beliefs."

He was trying to regain points with the Jury by being more cooperative and complimentary to the lawyer.

COUNSEL: "So studying the literal meaning of the Bible was important to your faith at the time."

WITNESS: "Yes."

COUNSEL: "As you grew older, you carried your Biblical studies to the deepest and broadest extent possible. You learned the ancient languages in which scribes had recorded Biblical texts. You sought out and examined hundreds of such texts, searching for God's ultimate truth in the actual words He had inspired the Bible's first authors to write. You became such an expert in the area of Biblical history and translation, in fact, that very few humans on earth possessed your understanding of Biblical origins and transformations. All true?"

WITNESS: "There are certainly other Biblical scholars. But from an objective viewpoint, few have devoted as much scholarly time and intellectual effort to understanding the Bible as I have. I know that sounds a bit vain. But it is a fact."

COUNSEL: "So when, in the course of your extensive study and research of the Bible, you found that the literal words of the original scribes could not be ascertained with any degree of certainty, how did you feel? I mean, the Bible itself . . . one of the pillars of your religious faith . . . had been nullified, made useless by those who sloppily, or with misguided intent, inaccurately transcribed or improperly translated Biblical texts.

"That must have been a devastating experience."

WITNESS: "I don't know if devastating is the correct term. Surprising. Shocking. Disheartening. Those things, certainly."

COUNSEL: "And so, upon attaining the unavoidable truth that the Bible in its current incarnation does not contain the literal words of the original authors – words supposedly inspired by God, to be written and rewritten verbatim throughout time – you had no choice but to abandon your Christian faith and denounce the Bible."

WITNESS: "Yes. It would be ridiculous to base a faith in God upon a horribly flawed and damaged document, the true source of which could never be determined.

"Of course, I abandoned my faith."

Counsel turned toward the Jury.

COUNSEL: "Of course."

WITNESS: "That's what I said."

He was sounding argumentative again.

Counsel now returned her direct attention to the Witness.

COUNSEL: "At one time in your life, when you were a boy – and even when you were a young scholar well into his twenties – you believed that the Bible was the holy word of God, inspired by God Himself. Man's hand merely transcribed God's literal words – acted as his scrivener. To quote the King James Version of the Second Book of Peter: 'Holy men of God spake as they were moved by the Holy Ghost.'

"That was what you once believed. True?"

WITNESS: "Yes. And I will reiterate that I now consider such belief to have been foolhardy and ignorant."

COUNSEL: "So you have made eminently clear.

"Was the infallibility of scripture also your belief at the time you began searching for the 'authentic' Bible – the texts inscribed by the original authors of its books?"

WITNESS: "Yes, it was. Ironically enough, I was actually trying to ensure the Bible we were studying in the current century was historically correct. No one was more shocked than I was when I discovered the travesty of it all."

COUNSEL: "If I understand you correctly, at one time you had a faith that allowed you to believe that God could inspire prophets and scribes to write His exact words. Correct?"

WITNESS: "Yes."

COUNSEL: "And yet, at the same time, your faith would not allow for a God who could inspire the *readers* of the Bible to understand His teachings as set forth therein, regardless of human meddling in their translation.

"I find this puzzling.

"I mean, God must have known from the outset that the original scriptural texts would need to be translated into many languages. Since exact translation between different languages is not humanly possible, He must have anticipated the need for some modifications

to His divine words. He certainly did not expect only those who could read Hebrew or Aramaic to have access to his 'Word' – a pillar of the Christian religion, as you have called it.

"Isn't it possible that God allowed, and possibly even guided, the multiple variations in the Biblical texts to meet the needs of its readers throughout history – so they could understand Him more clearly?"

WITNESS: "No. It is not possible. If He existed, God would not have allowed humans to meddle in His plans – not to deface an instrument as crucial to faith as the Bible."

COUNSEL: "You are not hearing me, Professor. What if the alterations to the Bible were actually made *by* God? By men acting with His divine inspiration? And not by meddlers as you suppose."

The Witness gave no response.

COUNSEL: "When you chose to leave the Christian Church, was your faith too small to allow God to act in this way? Or was it your God that was too small."

Kimi's words echoed in my head.

The Witness had worked himself into a lather.

WITNESS: "God's size is not at issue, Madam. It is his very existence I question. Reliable research brings that existence into serious doubt. I have simply accepted the facts as I found them."

COUNSEL: "I see.

"I apologize for the anxiety I have caused you, Professor. I honestly do. But it is said, you know, that the truth hurts. Perhaps it hurts most when it can do the most good. Personally, I believe that to be the case.

"I wish you nothing but the best in your struggles, and pray that one day you will return to the 'foolish' faith of your youth."

WITNESS: "Young woman, your twisting of my arguments will have no effect on the Jury's ability to find the truth in this matter. The facts will speak for themselves."

COUNSEL: "Which facts would those be, Professor? The facts that prove you hold a rigid and narrow definition of God? Or the facts

that prove God's ability to transcend human attempts to stuff Him into the box of their choosing?"

Again, the Witness gave no response.

COUNSEL: "No more questions for this Witness, Your Honor."

Counsel calmly took her seat.

The Judge turned to the male attorney whose light was now glowing at a medium intensity.

"Redirect, Counsel?"

COUNSEL FOR REPUDIATION: "Thank you, Your Honor."

The light circle increased to full brightness as the male attorney approached the Witness.

COUNSEL: "Professor. After that lengthy cross-examination, I need you to remind me about the substance of your original testimony. Was it something about the Bible and some errors?"

WITNESS: "Yes. All current translations of the Bible are riddled with errors. There are more so-called 'original texts' of each Book of the New Testament than there are words in the Books themselves. Any message contained in a modern-day Bible is purely a message from human to human. The Bible is worthless as a religious resource."

COUNSEL: "And since all of Christianity is based entirely on the Bible's teachings . . . ?"

WITNESS: "Christianity cannot be classified as a legitimate religion. Its God has been made up by men. Its holy book is the result an indecipherable hodgepodge of often-misguided, human-inspired, philosophies."

COUNSEL: "And regarding the subject of God and human suffering?"

WITNESS: "The extent, duration and severity of human anguish are totally inconsistent with the existence of any loving God – and particularly inconsistent with the God of Christianity."

COUNSEL: "Thank you, Professor."

The Witness was excused in the usual manner – by turning out the light on the Witness Stand.

CHAPTER 11

TESTIMONIALS AGAINST GOD

The Jurors now sat in nearly total darkness – the only lighting in the room being the ever-present glow of the Judge and his Bench.

“At this time,” the Judge announced, as the light surrounding him increased in intensity, “we will hear testimonials from Witnesses who have experienced extreme suffering, and who believe because of this suffering, there can be no loving God. Counsel will not be asking questions of these Witnesses.

“Since this is a change in evidentiary format, I must ask that you give your full attention to the Witnesses as they speak. Do not expect further clarification from the attorneys.”

The Judge turned in the direction of Counsel for the Repudiation of God, whose light now shone softly.

“Counsel. Please produce your Witnesses.”

At once the Judge’s light dimmed to its usual level, while Counsel for Repudiation remained bathed in shades of grey.

THE FIRST TESTIMONIAL

Without warning, in the midst of the dark space in the center of the Courtroom, where the lectern had previously stood, a woman appeared in a bright circle of light. Her skin was dark brown. Her attire included a head scarf to cover her hair, and an orangish-yellow linen wrap that, within its voluminous folds, enveloped her body all

the way to her ankles. In one bony arm she cuddled a small, thin child. In the other she clutched a human skull.

"My name is Ambala. In my right arm I hold my youngest son, Abidemi. He is three years of age, but cannot walk for he is too weak."

Her speech was thickly accented with a native African dialect of some sort.

"In my left hand," she held out the skull, "I hold my husband, Gunju."

I could hear Jurors gasping in horror.

"Abidemi and I live, for now, in a refugee camp in the Province of Darfur in the Country of Sudan."

The woman took a moment to steady her voice.

"Gunju was murdered two years ago while defending our home and family from Janjaweed horsemen. As I and our five children hid in our home, the Janjaweed whipped Gunju with leather and stabbed him with sharp sticks until he could no longer stand and fight.

"Then the Janjaweed invaded our home and dragged my twelve-year-old son, Kamau, and his ten-year-old brother, Rutendo, outside. The demon horsemen took turns shoving the boys back and forth between them . . . striking my sons repeatedly. When the Janjaweed had finished their fun, they stood my two small boys, bruised and bloody, against the wall of our home.

"Then they shot my sons in the head."

Her voice caught as she spoke the final word. Tears began to well in her eyes. She stood that way for nearly a minute, obviously too distraught to continue.

At last, she spoke again, her tone, one of determination as she fought back the tears.

"My young daughters, Dayo and Eshe, the men bound to take with them as slaves, or worse. But they did not find Abidemi, for I had hidden him in a box behind our home."

The woman's face now bore the marks of defiance as she continued. Her voice increased in volume.

"Before the Janjaweed left, four of them stripped my clothes from

me so I was naked. They beat and raped me in front of the others and before the eyes of my daughters. When they were through, they set our home to fire and rode away, dragging Gunju behind them, tied to one of their horses by a hemp noose about his neck.”

She shook the skull at us.

“All the world has known of these horrors in Darfur for many years. Yet no one comes to save us from the Janjaweed. No one will stop these atrocities . . . or end this genocide.”

She spoke with anger and frustration as the tears now flowed freely.

“We have prayed and begged and pleaded for salvation from our affliction. We are helpless to defend ourselves, our children. And no one will save us.

“Our food is very little. Our water makes us sick. Yet no help comes.”

She paused again, searching our faces for . . . compassion? Or maybe salvation? Then she continued.

“If there is a God, He is the ally of the Janjaweed. This I know in my heart.

“Abidemi and I will live or die without a God to fight for us.”

She paused.

“We have no other choice.”

The bright circle around the woman disappeared in an instant, leaving only silence and blackness where she had stood.

I could hear the quiet sobbing of fellow Jurors and found myself on the edge of tears as well. Why anyone should have to endure the suffering Ambala had so vividly described was beyond my imagination. Could there be a loving God who would allow such undeserved anguish? My former ambiguity about God slipped toward anger and frustration.

Did my anger mean I did believe in God’s existence, if only to cast blame upon him? I struggled with this conflict of emotion and intellect.

The silence and blackness from the front of the Courtroom

assaulted us for what seemed an eternity as we contemplated the tragedy we had just heard.

THE SECOND TESTIMONIAL

Just as suddenly as the first Witness had vanished, a second Witness now stood in her place. She was a blond teenage girl, though from her gaunt form, tired eyes and pasty makeup, she could have been much older. Her black micro-mini-skirt, cropped top and purple denim shrug jacket were the unmistakable attire of prostitution. She stood before us, swaying clumsily on four-inch heels.

When she first spoke, her voice was very small.

"My name is Jade. At least that's who I've become."

She took a deep breath and spoke more boldly.

"When I was born, Ma named me Jennifer. She thought it sounded fancy. I've got no damn idea why she thought my name should sound fancy. But there was a lot I never got about Ma.

"I never knew the sonofabitch who was my Pa. And Ma either wouldn't tell, or didn't know for sure."

The girl repositioned herself atop the high-heels, searching in vain for a comfortable position.

"Jennifer turned fourteen years old last week, though Jade is twenty. Jade has been walking these streets for a little more than nine months."

As she mentioned the streets, a night scene of dimly-lit, weathered brick apartment buildings and littered streets appeared around her. Cars cruised slowly behind Jade with music blasting and bass pounding in disproportionate intensity. A dog barked somewhere. The stench of longstanding decay filled the Courtroom.

These special effects were impressive. I searched anew for their source, without success. This street scene had to be a projection. But it appeared stunningly real.

"Do you wonder how Jennifer became Jade? Do you even care?"

"Most people don't. But I guess I'm supposed to tell ya anyway."

So here goes.”

The street scene changed to the interior of a tiny, drab apartment with peeling paint and the pungent smell of body odor.

“Jennifer grew up in so many of these places they’re all the same to her now,” Jade said, waving her thumb over a shoulder at the apartment behind her. “And I guess Jennifer really didn’t give a damn where Ma chose to live. Her life was a living hell wherever they went.

“Ma had lots of man friends – that’s what she called them. Usually, they lived with us in whatever one-bedroom flat we were staying in at the time. Don’t remember any of ‘em ever having a job. We lived off Ma’s welfare and whatever we could scrounge on the street.

“Anyway, Jennifer used to be a kinda cute kid. So she was probably seven or eight when Ma’s man friends started diddling with her. I remember the first one of Ma’s dirt-bag boyfriends who made Jennifer take off her clothes for him. Ma was gone somewhere while he ran his dirty hands over her body and she was forced to smell his foul odor.

“When Jennifer told Ma about it – after that first time – Ma slapped her in the face and told her not to bad-mouth her elders. After that, Jennifer knew to keep her mouth shut.

“For as long as I can remember, Ma’s man friends used Jennifer as a play thing. Jennifer couldn’t see that she had any choice. And I don’t think she did. Ma wouldn’t protect her. She had no place to go to live. Never saw no Social Services people ‘round our place.

“So when Jennifer was thirteen, after a real bad beating from an asshole that told her to call him ‘Daddy,’ Jennifer left the flat and came to live here in the streets.”

The night scene of slum life reappeared around the girl.

“After a few cold, hungry weeks of eating out of trash cans and sleeping under icy stoops, Jennifer met Linc. He took her under his wing . . . gave her a place to sleep . . . food to eat. And he never messed with her. Jennifer fell in love with Linc. She would do

anything for him.

"But it turned out Linc wasn't interested in love. He used Jennifer to make money. He whored her out on the streets to anybody who'd pay fifty bucks.

"After only a week of walking the streets for Linc, Jennifer learned she had to watch out for herself. Turned out Linc wasn't no better than Ma's man friends.

"So Jennifer split. All the way 'cross town, to a neighborhood where Linc wouldn't find her. After running from Linc, that's when she changed her name to Jade."

'Jade' posed defiantly for the Jury.

"I'm a lot tougher than Jennifer ever was."

The transition back to Jade's persona was startling.

"Men don't use Jade. Jade knows what she wants . . . and how to get it. I can make two hundred a night easy. And I can pick and choose whose money I take. I got a regular supplier that gets me good deals on coke. Sometimes he'll even take a trade.

"I'm pretty set now.

"Got it made."

She choked on the last line. Tears began to streak her mascara. Her voice faltered.

"Jennifer's still kind of a mess, though. She wants Ma to love her. She wants God to take care of her and keep her safe and off the streets.

"She cuts our wrists and takes too much drugs for our own good. I tell her to cut out the shit. There ain't no God. And she ain't got no Ma.

"No way it can be no different. This is life. She's gotta stop screwing with us."

The girl had stopped crying and resumed her street-hardened stance.

"Jennifer can be a real pain in the ass."

The street scene vanished, and the circle of light went dark on Jade.

CHAPTER 12

THE THIRD DELIBERATION

After Jade's Testimonial, the Judge sent us back to the Assembly Room for 'reflection and deliberation.' At my table this time were Clete, Dariah and Ariel, the young woman I had met only briefly when the Judge had first laid our task before us.

At the time, Ariel had been upbeat, excited, ready for adventure. The girl who now sat at my table wore tear-stained cheeks and carried shoulders that sagged beneath an unseen burden.

This time around, the discussion at our table was devoid of commentary concerning the ridiculous nature of the proceedings, or the absurd task which we had been assigned. Everyone was taking his or her role seriously.

The Testimonials had been sobering. Only a cold-hearted narcissist could have listened to the stories we had just heard and not have been deeply moved with compassion for the speakers.

Ariel turned her desperate eyes toward me.

"How can God let those things happen? How could He?"

Ariel looked to me for an explanation. I had none to give. I slowly shook my head and showed her my palms. How could I even begin to answer?

When I offered no sign of providing relief, Ariel turned to Clete and Dariah.

"How?" she begged. "Please tell me how?"

There was a long silence in our group as Ariel kept searching our

faces for an explanation, for some glimmer of comprehension she might lack. Atop the table, Clete placed a hand on Ariel's forearm. Then he spoke to her. Calmly. Reassuringly.

"There, there, little lady. Just take yourself a deep breath now. Let your thoughts settle a bit. You shoulda never had to see all that . . . not at your age. That wasn't right."

It wasn't right! Why in the hell was this kid on a jury anyhow? Let alone this one?

Ariel took Clete's advice and tried to breathe deeply – her first few attempts halted by intermittent sobbing. But eventually, the breathing helped and she was able to shake the panic from her face.

"Now jus' remember to keep on breathin', Missy. Whenever you feel your guts up in your throat, make yourself breathe. You'll be all right. You'll be jus' fine."

Clete gave Ariel's arm a light pat, then withdrew his hand.

"I think all of our emotions have been laid a bit bare by the scenes in there," I said. "Let's take whatever time we need to process our feelings before we, ah, deliberate. Okay?"

The others nodded agreement.

Dariah produced her prayer book and began reading and head-bobbing. Ariel crossed her bare arms on the wooden tabletop and rested her forehead on them. Her eyes seemed to be closed. Clete leaned back in his chair and breathed intentionally, in and out, in a slow rhythm. His eyes were closed, too.

All at once I became acutely aware that I was not dealing with my own emotional outrage. Instead, I was stuffing it down inside me while I tried to focus on the legal business at hand. Intellectually, I knew addressing emotions by burying them in this way could lead to long term psychological problems. I tried to focus on how I felt about the mother-and-son Darfur refugees and the sexually-abused teen prostitute.

It wasn't easy for me.

I felt sorry for their suffering, certainly. I wished I could make everything better – whatever that meant. In the end, I was most

disturbed by my own inability to access more empathy for their situations, to feel more directly the pain of their plights, to turn to my religious upbringing for insight.

Was I less compassionate than my fellow Jurors? Was I self-absorbed? Had I suffered my own version of emotional damage and buried it in my psyche? I supposed I wasn't going to find the resolution to my own stunted emotions at this table today. So I mostly waited for the others to be ready to discuss.

After several minutes, first Clete, then Dariah ceased their contemplations. We all waited in silence until Ariel raised her face from the table, placing her hands in her lap.

"Were you all waiting for me?"

"No, Darlin'," Clete replied. "We were waitin' for all of us. And now it seems we're ready."

I thought I would try to make sure we started our conversation on solid footing.

"Since the last deliberation, we've heard the Bible expert tell us that all current translations of the Bible are fatally flawed . . . that no New Testament Book actually represents the true words of its original author. He concludes that Christianity as a religion, since it is fundamentally based on the Bible's New Testament, is really not a religion at all – more of a human-inspired philosophy.

"Then we heard the powerful Testimonials from which we have all been recovering, the point of which was that no almighty and loving God would allow His children to endure such suffering. The speakers had concluded that there is no God.

"Does anyone have anything to add to that summary?"

"I believe you have covered the essentials," Dariah said. "I have nothing to add."

Clete and Ariel also seemed satisfied.

"Shall we talk about the Biblical scholar first? Maybe let our emotions recover before we address the Testimonials?" I suggested.

"Good idea," said Clete. "Here's my two cents.

"I think that Bible Professor needs to get his head outta the books

and texts and scrolls or whatever, and wake up and smell the coffee. Those books had to be translated into English for us to read 'em. No translation is ever gonna be perfecto.

"I agree with the lady lawyer. His definition of God is outta whack. He prob'ly started out in the right direction and just lost sight of where he was tryin' to get to in the first place. Now he's a little too fulla himself to change his stance.

"Now I'm not sayin' that just because this guy's a little off the beam, he still may not be right that there ain't no God. There's still a lotta thinkin' to do before I'm willing to answer that one. I just don't believe that because he reads Hebrew and God knows what else, that he's qualified to tell God – if there is a God – how to write His Holy Book."

"But if we can't believe that what the Bible says are God's words, then whose words are they?" Ariel asked. "And what *can* we believe?"

I decided to add my opinion.

"Ariel. I know having a highly-educated and well-respected biblical scholar tell you something can make it pretty easy to believe what he's saying. But if we do what the lawyers reminded us is our job – listen to evidence and make our own decisions . . . don't let the Witnesses make our decisions for us – then what does the Professor's testimony really boil down to?

"The evidence he presented is that the exact wording of ancient Bible texts has changed as it has been copied and translated. It's not the original words God told somebody to write down. The rest of his testimony is conclusions.

"'We can't have Christianity if the Biblical texts aren't exact' – a conclusion. 'We can't believe that *anything* in the Bible comes from God because the translation is not what the Professor considers to be precise' – another conclusion. 'Humans made up Christianity.' Those are all conclusions.

"That's not his job – to draw conclusions. That's our job.

"His only evidence is that the wording of the Bible has changed through various translations.

"I think it *had* to change.

"Look at it this way. If you and I were living less than even five hundred years ago, we'd be talking with a lot of 'thees' and 'thous' and 'hithertos' and 'begats.' Those words are hardly used at all today.

"And that's just a few examples of changes over the last few *hundred* years. The texts the Professor is talking about were written maybe fifteen hundred years or more ago. Imagine trying to understand how they were speaking. Heck, English wasn't even a language back then.

"So Ariel, I'm with Clete on this one. It just makes no difference to me if the words are exact. And I didn't hear that the meanings were all changed around or anything . . . just the words themselves. If there is a God, and He wants us to understand the Bible today – not a thousand years ago – the words *have* to change. Don't you think so?"

Ariel was doing her best to take in this line of argument. She still looked unsure of what we were saying.

"Ariel. What do I mean if I say, 'Katie bar the door?' Or how about 'Let's head down to egg harbor and trip the light fantastic.'" Do you have any clue what those phrases mean?"

She shook her head.

"Those terms were popular at various times during even the last *one hundred* years. Language changes all the time. I don't think we should get too hung up on different wording in the Bible that only makes it more understandable to us today."

"Okay," Ariel said finally, not sounding convinced. "But what about the parts that the Professor said were real changes in meaning? How can we know which those are? I have to be able to trust that the whole Bible is God's word, not just most of it. Don't I?"

"Why do you believe in your God, Ariel?"

It was Dariah. She spoke with quiet assurance.

"Because I have faith, I guess. I learned about him and . . . and I just . . . believe, because it feels right. God feels real to me. I know He hears my prayers."

"Do you trust God to be honest with you?"

"Of course. Why wouldn't I?"

"Then why would your God let the Bible mislead you? Either you believe or you do not believe. If you believe, then you know there are some things you cannot understand. And you know there are false prophets who will try to trick you and twist God's word.

"Do not let one man's words make your decision for you. Listen to everything. But believe what you know to be true, and discard that which you know to be false.

"Does this seem right to you, Ariel?"

Dariah had given this issue a lot of consideration. I thought that was interesting since she is Muslim and doesn't even follow the Bible's teachings. As far as her faith goes, she wouldn't care if the New Testament was a fiction novel.

But her observations transcended sectarian boundaries. And I could find no fault with her approach. Any belief in God was going to require a leap of faith at some point. I could already see this from the trial evidence I had heard so far. Much more, and certainly contradictory, evidence would be coming when Counsel for God's Existence presented her case.

"God does seem right. He *feels* right. Thank you, Dariah. You sure seem to know God. Thank you again."

Ariel's words were sincere, and her voice had attained a calmness and composure beyond anything she had thus far displayed.

To help Ariel understand, Dariah had abandoned logic in favor of faith. I knew it was a dangerous leap off the ledge of reason. But probably, it was a jump every Juror in the room would need to either make or decry before this trial was over.

"That's probably all the time we should take to discuss the Professor's testimony right now," I said, in an effort to keep things moving. I had no idea what time it was. But I didn't want this trial to drag on for days.

"What do we make of the Testimonials?"

Ariel was, again, the first to speak.

"It is so sad, what happened to those poor people. And no one

should have to live the lives they have lived. But I was always told, 'God has a plan for everything.' I don't know what plan He has that those people needed to suffer. But I don't pretend to understand God. I see the pain – but I know it's got to be God's will."

Clete jumped in.

"I'm gonna have to disagree with you on that one young lady. There's no reason I can even imagine that justifies putting them folks through those . . . travails. If God can stop it, He should. To me the fact that He doesn't stop it is a darn poor reflection on any God that might exist. Darn poor reflection!"

Clete sat back in the wooden chair, arms across his chest. *Nuf said!* As far as Clete was concerned, the discussion was over.

Dariah took up the exchange. Her tone was not disrespectful – but her voice was firm.

"Who are we to judge the ways of Allah? From dust we were made and to dust we will return. So it is written. All we have is from Allah. Shall we complain when He requires something from us in return?"

"Please understand that I do not belittle the suffering of those people. Nor do I wish it upon anyone. But if such suffering occurs, there must be a reason – a divine reason humans cannot understand.

"This my faith tells me."

Well. I had heard two votes for "God must have a reason," and one vote for "There's no way God should let people suffer like that, if there is a God." I had given considerable thought to this 'suffering problem' for many years. This is what I had come up with.

"I see it this way . . . for what it's worth. If you believe God created humans with free will, then you can't blame Him when the humans start torturing each other. Could He stop it? Sure. But then free will goes out the window and God has an earthful of puppets, not people. Not created in his own image. Not possessing, and choosing to act upon, 'the knowledge of good and evil.'

"All of the suffering we heard described in the Courtroom – the horrible, sad, wretched, disgusting acts we heard recounted – all of

them were directly caused by people . . . people exercising their God-given free will. God may have been able to stop the atrocities. But I will not lay the blame for them at His feet."

Clete was back on the edge of his chair, hands flat on the table. His mouth was open almost before mine had closed.

"That's the biggest bunch of B.S. I've heard in a long time. God coulda stopped the sufferin' and He didn't. What's His excuse? Was He 'just followin' orders'?"

"Hell no! If He exists, God's as guilty as a soldier who stands by while women and children are murdered and does nothin', even though his rifle is at the ready. And He's as guilty as that young girl's mother who knows her boyfriends are screwin' her daughter, but doesn't throw 'em out and call the police.

"That's clear to me as the nose on your face. You can call him a co-conspirator, an accessory after the fact . . . hell, I don't care. He's complicit. His hands are dirty. That ain't no way for no God to act!

"Now I know this trial ain't over yet . . . but I'm rethinkin' my plan to vote for a God that has any part in the kind of sufferin' we heard about today."

Clete resumed his folded arms 'finality pose.'

Clete's tone had been pretty combative. And it didn't look like Dariah or Ariel was about to say anything to get him riled up. But I thought I'd try for a summation anyway.

"Well, Clete. I can certainly see where you're coming from. And you are absolutely entitled to express your opinion. In fact, maybe we should be indicting our own asses for failing to do anything to help those unfortunate souls in Darfur. But I'm still going to have to respectfully disagree that the existence of suffering in the world is reason enough to deny God's existence."

Clete began to lean forward.

"It's definitely a factor to be considered," I continued.

Clete leaned back again.

"But I'm still keeping an open mind until all the evidence is in. I've seen plenty of trials where, at the close of the prosecution's case,

you'd swear the defendant was guilty. Then when the defense was done presenting its evidence, you had good reason to think otherwise.

"All I'm saying is – try not to make your mind up just yet. Let's wait 'til we hear everything – then decide."

"I s'pose you make some sense," Clete allowed. "But it's gonna take somethin' darn persuasive to make me change my mind."

I wondered what had become of Clete's 'guaranteed win' scenario, and whether it would re-emerge when he settled down.

I'm not sure if Dariah or Ariel had more to say, because just then, the Court Officer called us back to the trial.

CHAPTER 13

THE METAL WORKER

After we had assumed our new seats, following the usual, and indecipherable, seating prearrangement routine, the Judge re-entered the Courtroom, and Counsel for Repudiation called his next Witness.

From the initial questions, I gathered that this guy was supposed to be 'Mr. Regular Joe Atheist.' He was thirtyish. A sheet-metal worker with a high school diploma and some welding expertise – not at all the same sort of background possessed by previous experts.

I wondered what he would have to say.

COUNSEL FOR THE REPUDIATION: "Would you tell us please about your childhood experiences with religion, if any?"

WITNESS: "Yeah. No problem.

"I remember pretty well my parents draggin' me to church every Sunday morning. When I was really little . . . maybe five or something . . . they made me go to Sunday School first, and then sit through church afterward.

"That lasted 'til I got to be fourteen. Then I got confirmed. After that I just had to go to church. But it was every Sunday. And they dragged me outta bed whether I was tired, sick, or whatever.

"I'm pretty sure they thought they were doin' the right thing makin' me go to church like that. But usually, it was all I could do to stay awake between songs. When I was like a baby or something, they gave me Cheerios and coloring books to keep me busy so I wasn't too

big a pain in the ass.

“Oops! Can I say that?”

COUNSEL: “As long as it’s the truth.”

WITNESS: “Yeah. I’m sure I was a pain in the ass, because I was bored as hell.

“Anyway, after I got past the Cheerios stage I had to just shut up and sit still or Mom would give me a whuppin’ when we got home.

“I remember once we were sittin’ in the balcony at church and I was leaning over the railing, pickin’ my nose, and I flicked a booger off my finger. Mom jerked me back hard and told me the booger had landed on some guy’s suit down below us. She said she hoped he wouldn’t find out where it came from and I was gonna catch hell when we got home. Which I did.”

He paused in his recitation.

COUNSEL: “Anything else you remember about church from your youth?”

WITNESS: “Well . . . there were lots of chants and stuff. After a while everybody would learn ‘em so you could say ‘em all together. And the organ music was really loud. And the Reverend used to stand up in the pulpit and tell us all how we were gonna go to hell if we didn’t shape up and quit sinning so much. And by the way, we should make sure to be ‘generous’ when they passed the plate after the sermon.”

COUNSEL: “Do you still attend church?”

WITNESS: “Hell, no.”

COUNSEL: “When and why did you stop?”

WITNESS: “As soon as I graduated from high school I got a job and moved into a house with some other guys. Then Mom couldn’t make me go to church anymore. So I quit goin’.”

COUNSEL: “Have you had experiences with religion since you stopped going to church?”

WITNESS: “Whatta ya mean?”

COUNSEL: “For instance, have you had encounters or relationships with people who are religious or go to church?”

WITNESS: "Yeah. Sure. Almost everybody I work with at the shop claims to be Christian. A bunch of 'em go to church. Some all the time. And some just on holidays like Christmas and Easter.

"Oh yeah. Hey, I think this is kinda funny. My folks quit goin' to church now, too . . . 'cept for holidays and funerals. Guess they thought I needed religion more than they do."

COUNSEL: "And your contacts with co-workers haven't inspired you to return to church? Get back to your religious roots?"

WITNESS: "Ha! That's a hoot!"

COUNSEL: "Why do you say that?"

WITNESS: "Lotsa reasons."

COUNSEL: "For instance?"

WITNESS: "Well . . . for one thing, some of the guys that go to church real regular are the biggest damn jerks in the whole shop. One guy goes out drinking every day after work and tries to pick up whatever slut he can find at the bar. And he's married with two kids! But he puts his suit and tie on for church every Sunday. Guess the congregation thinks he's a pretty good guy 'cause they voted him to be on the church council. He reminds us that he's a church big-shot all the time at the shop.

"And one other guy who was always at my church when I was growing' up . . . he doesn't go so often anymore . . . anyway, he's the biggest liar and cheat I know. He talks behind everybody's back at work and gets everybody pissed at everybody else.

"Another guy keeps preachin' to me about how I should get to church and find Jesus, and how I'm for sure gonna burn in hell if I don't. He quotes Bible stuff at me and tries to make me feel like shit because I'm not takin' communion, or because I like to dance or play cards. Really weird stuff.

"Who ever heard of a religion that says you can't play cards? In my town there's a whole church chocked fulla people who claim that's what God says. And they're pissed at you if you disagree with 'em and like to deal a hand or two once in a while.

"And get this . . . their own goddamn Pastor, a married guy, got

caught screwin' one of the parishioners. For Christ's sake! Their damn Pastor is one of the biggest sinners in the place. Ha!"

COUNSEL: "It sounds like you've met some Christians you're not too impressed with."

The Witness interrupted Counsel.

WITNESS: "Yeah. And for that matter, I ain't too impressed with Muslims tryin' to blow up planes, or Iranians wantin' to wipe out Israel. You see that stuff on the news all the time."

COUNSEL: "I understand that you now consider yourself an atheist. Is that correct?"

WITNESS: "If it means that I don't believe in God, yeah, that's right."

COUNSEL: "How did you come to the conclusion that there is no God?"

WITNESS: "Jesus! Haven't you been listening?"

"Every so-called Christian I know is a goddamn hypocrite, pretending to be all pious and proper for an hour on Sunday morning, and then being a crook, or cheat, or something worse, all the rest of the time.

"Now I gotta admit that the only religious folks we got in my town claim to be Christian. So I don't have close-up experience with other religions. But it don't seem to me that the Palestinians, or the Iraqis, or the Jews, or the Pakistanis have got anything good goin' on neither. All they can think of is killin' each other. And mainly, it seems to me, they're killin' and hatin' each other because they have different religions. We get rid of religion altogether, seems like the world would be a whole lot more peaceful.

"The religion I've seen ain't for me. No thanks."

COUNSEL: "I have no further questions for this Witness, Your Honor."

As the lights dimmed on the male attorney and appeared on the female, in what I had come to consider a trivial and somewhat distracting ritual, I considered what the metal worker had to say.

His was not a 'thinkers' argument. More of a gut reaction. But I

don't discount his testimony because of that. Gut reactions are often more reliable than over-thought conclusions. And his gut had been darn consistent throughout his testimony.

The female attorney was ready to begin her cross examination.

COUNSEL FOR EXISTENCE: "Please correct me if I'm wrong, but I'm hearing that you have two big complaints with religion.

"First of all, the people you know who claim to be religious are poor role models for human behavior. And second, you see religious institutions, organizations and governments around the world killing, threatening and warring over what they claim are religious convictions.

"Am I on track with those assumptions?"

WITNESS: "I'm not sure I follow you all the way. Let me take my own shot at summin' it up. Here's what I think. Religious people are hypocrites. Religious groups are killin' people right and left, and it seems their gripe is over religion."

COUNSEL: "Excellent summary. Thank you.

"Now, during the time you were living at home and brought up in a Christian church, do you remember learning anything about the teachings of Christianity – the teachings of the Bible?"

He ticked some points off on his fingers as he spoke.

WITNESS: "Don't kill. Don't lie. Don't steal. Don't commit adultery. Don't covet a bunch of stuff that ain't yours . . . whatever that means."

A few Jurors chuckled.

COUNSEL: "Those are some things the church taught you *not* to do. Do you remember anything that the church taught you that you *should* do?"

The Witness considered for a moment.

WITNESS: "Go to church on Sunday. Love people, even if they're mean to you. Do unto others as you want them to do unto you.

"I guess that's about all I remember."

COUNSEL: "It seems to me that you remember a lot of important things. Do you try to live your life according to those rules, or beliefs,

you've just listed?"

WITNESS: "Mosta the time. Yeah. Sometimes it's hard for me to not get pissed at somebody who screws me over though. And I don't really believe in goin' to church on Sunday. That deal is just sort of a fund-raiser for the church."

COUNSEL: "I see. Let me ask you. Do you ever steal?"

WITNESS: "No."

COUNSEL: "Not even if it's maybe leaving some cash income off your tax returns?"

The Witness blushed.

WITNESS: "I guess I've maybe done that once or twice."

COUNSEL: "Or how about when the store clerk gives you too much change back from your purchase . . . do you keep that extra change?"

WITNESS: "I guess so. It's their fault for givin' it to me."

COUNSEL: "But is that how you would want to be treated if you were the store clerk, and the extra change was coming out of *your* paycheck?"

The Witness hung his head.

WITNESS: "I s'pose not."

COUNSEL: "How about lying? Do you ever do that?"

WITNESS: "Everybody lies. I guess I do . . . when I need to."

COUNSEL: "And how are you doing at loving the people who treat you badly?"

The Witness smiled.

WITNESS: "I suck at that one. But I don't sleep with other peoples' wives and I don't kill nobody."

COUNSEL: "So you admit that you believe it's wrong to steal and cheat, yet you cheat on your taxes and steal from store clerks. And you know you shouldn't lie, but you do so whenever it seems appropriate. And you believe you should love your fellow man, but you find it nearly impossible to do that when your fellow man treats you badly.

"It sounds to me like you buy into a lot of the beliefs of the

Christian church. And the values you have mentioned are, by and large, very similar to the beliefs of nearly every other religion as well.

"Nevertheless, you sometimes fail to act in a manner consistent with your beliefs.

"Can you explain why that is?"

The Witness squirmed in his chair. He was clearly unsure how to answer this question.

WITNESS: "No. I guess I can't. It just seems like sometimes . . . I just can't."

COUNSEL: "So do your failures to always comply with your beliefs make you a hypocrite, or a bad person?"

WITNESS: "Hell no! I do lots of good stuff, too. I'm a big brother for an orphan kid. And I coach a boys' basketball team. I do lots of stuff to help other people. Sure, I make some mistakes. But I'm not a bad person for it."

COUNSEL: "Please put yourself in my shoes for a moment. Let's say that I see you cheating on your taxes, and stealing from the clerk, and being mean, or at least less than loving, to your co-workers, should I conclude that, because you claim to be an atheist, atheism is a bad thing? Or that you are a hypocrite?"

WITNESS: "Neither one. I make mistakes. But I don't shove my beliefs down anybody else's throats. And I don't kill people because I'm an atheist."

COUNSEL: "I'm glad you mentioned that. Did you know that Adolph Hitler was an atheist? And Joseph Stalin?"

WITNESS: "No. I didn't."

COUNSEL: "Seems that both of them did a fair amount of shoving atheism down the throats of the Jews. The Holocaust and all. Don't you agree?"

WITNESS: "Yeah. I guess."

COUNSEL: "Would it surprise you to find out that, according to *The Encyclopedia of Wars*, less than 7 percent of all wars since the beginning of recorded history had any religious component whatsoever?"

“And the United States, widely considered to be one of the more religious countries in the world, has been involved in a total of seventeen wars, only one of which – the War on Terror – had any religious connection at all?”

“Should I conclude that atheism is the cause of most wars and therefore denounce atheism as a violent, war-mongering belief?”

I could tell the Witness was not used to being confronted with facts and figures. He was out of his element in this cross-examination. He squirmed and fidgeted and looked in the direction of the blackness of the Counsel Table to his left for help.

WITNESS: “No. If the people who started those wars were atheists, it wasn’t their atheism that caused it.”

COUNSEL: “Why? How can you say that?”

WITNESS: “Because atheists believe in peace and not in killing.”

COUNSEL: “Just like Christians and Muslims and Jews and Hindi and Buddhists. All these religions believe in peace and forbid killing.”

WITNESS: “Then the atheists who started the wars weren’t actin’ like the atheists I believe in.”

COUNSEL: “It is interesting that you should say this. The same claim has been made for nearly every religious conflict in recorded history – including the War on Terror. The mainstream believers denounce the violence. But the extremists hijack religion and use it as their justification.

“It has long been said that every tyrant will find a pretext for his tyranny. Would you allow that maybe at least *some* of the ‘religious wars’ of which you have heard are, in fact, acts of tyrants using religion as their battle cry, and that the religions or religious institutions themselves are not really to blame?”

WITNESS: “I s’pose sometimes that might be true.”

COUNSEL: “I have no further questions for this Witness.”

She returned to the blackness awaiting at her Counsel Table.

The Judge spoke to Counsel for the Repudiation.

JUDGE: “Any redirect Counsel?”

A yellow light glowed at the Counsel Table where the male attorney sat. He stood to address the Judge.

COUNSEL: "No questions at this time, Your Honor."

JUDGE: "Then the Witness is excused."

The light went out on the atheist metal worker.