

Chapter Twenty-seven

Jessica Davis, the reporter from the New York *Post*, had sat through jury selection and discovered that the trial would not hinge on wrongful termination but on the authenticity of the Bible. That in itself was newsworthy, but a former Congressman defending the Bible made the trial particularly intriguing. Shades of the Scopes trial with Clarence Darrow and William Jennings Bryan.

She reported on the case, including speculation about why I had taken the case, and posted it online that very same evening. Within an hour, the story had been picked up by numerous sites and stations; it was a feather in her cap. A few reporters called my office and left messages. I saw no need to return the calls. I would see them in person soon enough.

Soon enough came the very next day. Before I even entered the courtroom, I was assailed by reporters in the hallway. I deflected their questions and promised to hold a press conference in the near future.

Jessica's story had apparently received wide circulation. The courtroom was filled to capacity with journalists and members of the public. Lavender Williams was already sitting at the plaintiff's table next to my associates. Her husband sat directly behind her in the first row of the gallery.

At ten o'clock, the bailiff called out, "All rise. Court is now in session, the Honorable Katherine Baker presiding." Everyone rose and remained standing until the judge took her seat on the bench.

The judge instructed the bailiff to bring in the jury, and after they had settled in, she banged her gavel and addressed the court. "Learned counsels for the plaintiff and the defense," she said, "ladies and gentlemen of the jury, we are about to try the case of *Williams v. Youngblood et al.* Before we begin the trial with opening statements, I want to make a few remarks

regarding procedure. As you have surely surmised from the questions you were asked during *voir dire*, this trial will examine the authenticity of the Bible. Considering the complexity of the issues and the unusual nature of this trial, I will allow the attorneys broad latitude in the presentation of evidence and in the lines of questioning.

“In addition, since a great deal of the expert testimony will be long and involved, I cannot expect the jury to remember it by the time cross-examination begins. I also don’t want to have the court reporter read everything back to refresh your memories. It would take too much time. Therefore, I’ll allow the attorneys to interrupt the testimony of an opposing witness at reasonable intervals, with my permission, for cross-examination and to present rebuttal testimony before the witness resumes his or her testimony. This will allow the jury to digest the evidence in smaller amounts. For the same reasons, the jurors will be provided with audio files and transcripts of the proceedings.

“You are instructed not to speak to anyone about the proceedings, not even with your families. I see many members of the media here, and I’m sure the trial will receive a lot of publicity. Please do not read or view reports in the media. You are on your honor, ladies and gentlemen of the jury, to protect the integrity of this trial. If anyone tries to influence you, report it to me immediately.

“One more thing, counsel for both sides feel it would be useful for each juror to have a Bible for reference. I agree. Bibles will be provided at the end of the day before you are dismissed.

“Members of the jury, get ready for the long haul. Let’s begin. Mr. Taylor, we are ready for your opening statement.”

I took a deep breath. This was it, the moment of truth. I’ve tried many big cases in my lifetime, and I always get butterflies in my stomach when the trial begins. I feel like a gladiator stepping into the arena. With James Calabrese as opposing counsel, I was not expecting any grandstanding or clashes, but the trial by its very nature would be drama of the highest sort.

I took my copy of the Bible and walked to the lectern that had been placed some distance from the jury box. Unlike the way jury trials are portrayed on television, attorneys are not allowed to march around the courtroom or approach the jury box, lean on the railing and get into the faces of the jurors. The same goes for witnesses. We stand in one place and keep our distance. If we need to show something to the jury or a witness, we ask the judge for permission to approach.

I cleared my throat and began.

“Ladies and gentlemen of the jury, this is a civil lawsuit. My client, Lavender Williams, is a sixth-grade teacher. She was dismissed for using the Bible as a historical resource in her classroom. She is now suing for reinstatement and damages resulting from her wrongful termination. The facts of the case are clear. What is not clear is if her termination was indeed wrongful. Is the Bible disqualified from being a historical resource? Or can we glean significant information about the culture and history of ancient times, even if we disregard the supernatural parts?

“The critical question is, when was the Bible written? Was it written at more or less the time it claims to have been written, say within fifty years or so? Or is it a mythological tale concocted about a thousand years later? The plaintiff will argue that its origins are in deep antiquity, and we will present expert witnesses supporting that view. Defense will argue the opposite and present its own expert witnesses. You, ladies and gentlemen of the jury, will have to weigh the evidence and decide which position is more reasonable.”

I picked up my copy of the Bible and held it aloft.

“This, my dear friends, is the true defendant in this trial. The holy Bible. I call it the holy Bible because it is definitely holy. Even its detractors, even the defendants and their counsel, would have to admit that the Bible is holy in the same way the Constitution of the United States is holy. It is holy because it has been revered and cherished by great numbers of people for thousands of years. No matter what anyone says about the Bible, it deserves our respect and reverence.

“You have all been provided with copies of the Bible, and I suggest you take some time to familiarize yourself with it. It’s a book of many facets. It begins with a long narrative, but it’s much more than a story. The Bible is a book of law, of morals, of ethics, of poetry, of wisdom for living, a book that explores and delineates the relationship between man and his fellow man and the relationship between man and God. To call it a great literary masterpiece is a huge understatement. The Bible is in a class of its own in its ability to move, inspire, inform, instruct and touch the heart and the soul. There is nothing remotely like it in all the literature of the world, from ancient times to the present day. Nothing.

“Ladies and gentlemen of the jury, this book has changed the face of the earth ... and it stands accused of fraud! This book is the cornerstone of Western civilization, the fountainhead of our morals and values, the champion of the sanctity of individual life and the inviolability of individual rights and liberties ... and it stands accused of fraud! This book has imbued human life with meaning, purpose and unlimited worth ... and it stands accused of fraud! Is it possible for a fake to come so close to the hearts and minds of billions of intelligent, thinking, caring people all over the world?

“I think not. So much truth cannot possibly come from a lie.

“My friends, in the course of this trial, you will be introduced to arcane subjects such as biblical scholarship, chronology, philology and archaeology. You will hear expert witnesses on both sides, and you will listen and evaluate. Don’t let anyone tell you that you are not qualified to form opinions on subjects in which you are not experts.

“Remember, the Bible is innocent until proven guilty. If counsel for the defense accuses the Bible of deliberate fraud and misrepresentation, he should back it up with incontrovertible evidence. And you will see, my dear jurors, that this is impossible.

“I believe you will have no difficulty finding for the plaintiff.”