Kent Greenawalt’s recent book, *Does God Belong in the Public Schools?*, is a comprehensive analysis of how public schools should handle matters of religion. Although the subject matter is always provocative, Greenawalt’s tone is always sensitive, almost irritatingly so, to both the religious and nonreligious parts of our culture. Such evenhandedness will garner him few fans on the extremes, but it is precisely what makes Greenawalt’s book so valuable. This book is a set of thoughtful, sustained meditations on the difficult problems that arise when the government assumes control over the daily lives of children but yet must, somehow, remain neutral on the most fundamental of propositions. One part of this book stands out—Greenawalt’s discussion of “intelligent design.” Although his support is lukewarm at best, Greenawalt concludes that, under certain restrictive conditions, intelligent design may constitutionally be taught in the public schools. Given the crisis of legitimacy intelligent design faces in the liberal community, this is an incredibly important development.

The book opens with a short section on the history and philosophy of education in the United States, before moving into its two major parts. The first part concerns school attempts to teach religion as true; the second discusses attempts to teach about religion. This categorization, of course, reflects Greenawalt’s ultimate conclusion—that schools should stop doing the former and start doing the latter. As for the first part, Greenawalt spends few pages on what he apparently sees as easy cases; he agrees with the ban on school-sponsored prayer, devotional Bible reading, and sacred symbols. He spends more time dealing with the modern, more difficult questions of endorsement: moments of silence, student-initiated prayer at school events, and sacred music. At times he seems indecisive, but it would be more accurate to say that he is simply more interested in flushing out the competing concerns involved than coming to clear conclusions.

Having looked at the teaching of religion as true, Greenawalt turns to the question of teaching about religion. Of course, the two are deeply related. It is at least in part because of the Court’s Establishment Clause jurisprudence that “[m]ost public schools now largely ignore religion.” (81) And some would indeed like to see the public schools “religion-
free” (86) in this sense. Yet Greenawalt finds this view troubling. Curiously, it is not just because of the risk that this may trivialize religion in the eyes of students. Adolescents, unpredictable by nature, may find religion all the more tantalizing if removed from the curriculum. It may suddenly have “a freshness of appeal, an excitement, that sets it off from the boring grind of ordinary study.” (85) To Greenawalt, the important point is that secular subjects cannot be understood properly if religion is ignored. Twice Greenawalt rejects as imprecise Justice Jackson’s assertion that “secular education can be isolated from all religious teaching,” (40-41, 81) concluding instead that any “intrinsically sound education” (86) must include education about religion.

Greenawalt spends the next chapters convincingly demonstrating how an understanding of religion is necessary to an understanding of topics like history, literature, and economics. Any study of European history is incomplete without an understanding of the Reformation and its theological underpinnings; any study of literature should include the study of significant religious texts. Although he extols the virtues of teaching about religion, there is a pessimistic undercurrent running through these chapters. Teachers and texts are “likely to be inadequate or biased.” (128) Subjects may be “too controversial” (128) for anything more than a bare discussion.

Most interesting is Greenawalt’s statement that although teachers below the college level should not “argue for particular religious conclusions,” (131) they may mention “their personal affiliations and sets of beliefs.” (133) This is an interesting distinction. It is at least a bit controversial. Teachers are “figure[s] of authority” (132) and often “greatly admired.” (133) This suggests they may cross the line when they bring up their religious views to students, as some courts seem to have held. Yet, even if one agrees with Greenawalt’s distinction between teachers merely stating their religious views and arguing for them, one wonders what will happen in practice. Some teachers may not understand the line. Some may deliberately disregard it. Others, caught up in discussion, may inadvertently cross it. Greenawalt begins this discussion by suggesting that schools should have no fear of religion as a curricular matter, but he ends up backhandedly explaining precisely why they do.

1. The implicit parallel seems to be sex education. One indeed wonders what the net effect of ignoring sex would be on student sexuality—and what that might imply about the net effect of ignoring religion on student religiosity.
It is in this section of the book that Greenawalt turns to what may be his most interesting topic. This is the subject of “intelligent design,” a quite controversial theory asserting a scientific basis for the idea that life developed through the assistance of an intelligent designer.\(^2\) After giving a background explanation of the theory, Greenawalt tries to establish how intelligent design might have “minimum plausibility” (101) as a scientific, rather than religious, theory. He points out that natural selection may have a difficult time completely explaining certain aspects of life’s development. He raises, for example, the frequently made claim that a system of gradual change may not be able to account for the development of systems with irreducible complexity, whether they be simple cells or complicated organs. Of course, these are “negative arguments,” (102) that is, even if true, they are more arguments against evolution than in favor of intelligent design. Yet Greenawalt takes pains to explain that such arguments are nonetheless legitimate and give intelligent design a semblance of credibility.

But, the question remains, is it credible as science? Greenawalt argues that it is. He explains that explanations which point to a supernatural force could indeed be scientific. If intercessory prayer were, hypothetically, shown to have effects unexplainable by natural laws such as gravity and electromagnetism, this would indeed be scientific evidence in support of a non-natural cause. But even assuming that science must be natural in this sense and that intelligent design is not strictly natural, Greenawalt nonetheless makes the argument that intelligent design should still be taught in science class by framing intelligent design as being about the “limits of science.” (110) This framing is an insight. Surely it would be appropriate for economics classes to learn that principles of economics may fail to explain real-world marketplace behavior. So why, Greenawalt asks, can science classes not discuss the fact that naturalistic science may not be able to explain our origins?

Despite all this, Greenawalt’s support for intelligent design is extremely cautious. He does not find intelligent design persuasive; nor does he think that evolution is necessarily better taught with intelligent design. His conclusion is only that intelligent design is “within the range of constitutionally permissible judgment” (124) as “one conceivable” (124) alternative to the usual evolutionary account. Yet,

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\(^2\) The first lawsuit challenging the teaching of intelligent design was filed in December of last year. See Kitzmiller v. Dover Area Sch. Dist., 2005 WL 578974 (M.D. Pa. Mar. 10, 2004); Neela Banerjee, School Board Sued on Mandate For Alternative to Evolution, N.Y. Times A31 (Dec. 15, 2004), available at 2004 WLNR 14134499.
Despite these qualifications (which future commentators are likely to ignore), Greenawalt’s approval represents an important victory for intelligent design.

If there is any flaw in this book’s substance, it is that Greenawalt too keenly experiences the competing tensions in these cases. He wants to split every difference. May teachers wear religious clothing? That requires “particularized evaluations of individual circumstances.” (158) such as the religious background of the students, the number of religious teachers who would wish to wear garb, and a host of other factors. Should students sometimes be exempt for religious reasons from curricular requirements? Greenawalt has a five-part test to handle that question. (182-183) Or, taking a very current example, say a school selects a graduation speaker along neutral, non-religious criteria (such as a student valedictorian) who then goes on to offer religious comments or a prayer. Must the school stop the speech? Greenawalt says maybe, arguing that a “speaker should be free to offer some religious comments,” (48) but that on the whole, the talk cannot be “pervasively” or “overwhelmingly religious.” (50) While a speaker could herself “offer a prayer,” (49) she could not go so far as to invite others to join her in a “group prayer.” (47) But yet in some circumstances (largely unspecified), Greenawalt says, schools must allow religious messages, because “[i]f commencement speakers were told they could say anything that was other than religious, that would constitute an unacceptable form of censorship.” (48)

All of this back and forth is somewhat frustrating. Superintendents seeking clear guidance will likely find this book a cause of headaches, rather than a cure for them. But this criticism, if it is criticism, should be lightly taken. Greenawalt’s work does not provide easy answers, but that it is not his aim. His aim is to give a balanced account of the current problems and a sensitive examination of how they appear to those from all different parts of the political and religious spectrum. And in that, he succeeds.

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3. The federal courts are going different directions on this question. Compare Adler v. Duval County Sch. Bd., 250 F.3d 1330 (11th Cir. 2001) (suggesting that such prayer is permissible), with Lassonde v. Pleasanton Unified Sch. Dist., 320 F.3d 979 (9th Cir. 2003) (suggesting that it is not).

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