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Is Justice Scalia Unfit To Serve?

A Published Dialogue With The Atlantic’s Jeffrey Tayler

By Zach Abramowitz

*Jeffrey [Tayler] recently wrote a piece in Salon arguing that Justice Scalia is unfit to serve on the basis of his religious beliefs. I do not agree.*

*Perhaps, he [Tayler] will simply shame me publicly with superior logic and intellect.*

Zach, there is no shame in being outperformed by someone with superior logic and intellect. Most of us experience that at one time or another. But there is shame when the one who is being outperformed by someone with superior logic and intellect, resorts to intellectually dishonest arguments.

Since you expressed concern in your statement above, I will offer my opinion of your arguments based on my perception of the debate between you and Jeffrey Tayler.

Therefore, I will only be concentrating on your words ... not his.

*But, by your reasoning [Tayler], there's not really much to discuss about religion, since anyone who advocates for religion or believes in God is necessarily irrational.*

Zach, that appears to be an honest misunderstanding on your part. Anyone who advocates for religion or believes in God is necessarily irrational ... but only on the subject of religion and God. Those beliefs say nothing about whether that person is irrational in other areas such as politics, science, etc.

Do Atheists believe in homeopathy? Acupuncture? Chiropractic? Conspiracy theories? Psychics? Astrology?

Of course many do. Being Atheist only guarantees rationality in one area, and one area alone ... religion.

*You [Tayler] mention above the "rank hypocrisy" of those who reject Darwinism yet benefit from modern medicine. Forget the fact that you can reject certain elements of Darwinism and still accept modern medicine (only medicine is based on facts that we can test without looking back in time)*

Zach, how can you test medicine without looking back in time? How could you conduct medical experiments if you were prevented from using any information from the past?

(let me save you some time Zach ... you couldn't)

*or the fact that many deeply religious, sophisticated people think evolution is not inconsistent with theology or the Bible,*

Zach, they may think that, but that position requires extreme mental dexterity. The Bible makes many mistakes that contradict what we have learned from evolution.

However, I will admit that I don't really care if they do the mental gymnastics necessary to maintain simultaneous, contradictory beliefs (cognitive dissonance) - as long as they don't attack science. It is the ones (Fundamentalists) who refuse to adjust their beliefs to conform with proven science who are the problem.

*but what about the reverse hypocrisy? I know of doctors, both Jewish and Catholic, today working in the oncology departments of Sloan Kettering, M.D. Anderson and Columbia University who believe in God, Heaven and Hell, and who have made great advancements in Cancer treatments. Would atheists be hypocritical to accept care at any of these hospitals in the event that they got cancer. After all, the treatments are developed and administered by crazy, irrational religious people.*

Zach, religious people, as I stated previously, are only guaranteed to be irrational on the subject of religion. Outside of their superstitious religious beliefs, they may be as, or more, rational than nonreligious people. So unless their religious beliefs interfered with the performance of their duties, there shouldn't be a problem receiving medical treatment from them.

And that is Tayler's main point. If Scalia could keep his religion from interfering with his sworn duty to uphold the Constitution, then there wouldn't be a problem. But Scalia's decisions and statements ... have indicated otherwise.

Our current Supreme Court is composed of 6 Catholics and 3 Jews, yet Tayler is only attacking Scalia. That fact completely destroys your current line of attack, Zach. So your focus on religion is nothing more than a distraction technique designed to draw attention away from your inability to defend Scalia.

*I remember Schulte Roth & Zabel on Ash Wednesday filled with ash marked foreheads of the Catholics that had been at Mass earlier that day. By your logic, we should not trust them with hedge fund documents, despite the fact that most of the blue chip funds use SRZ.*

Zach, already asked and answered.

*I know your argument related to one Supreme Court justice, but there is no reason NOT to apply your same logic to circuit court judges and magistrates, or eventually teachers, all of whom we trust to make critical decisions that impact all of us.*

Actually Zach, there is one reason "NOT" to:

<https://en.wikipedia.org/wiki/Faulty_generalization>

You can't generalize all Christians like that. There are as many different Christian beliefs as there are Christians.

That is something you should know, Zach.

*Have there been wars in the name of religion? Sure. But, some of the greatest atrocities of the last century e.g. World Wars I and II (just to name two), were not committed in the name of religion.*

Zach, and that relates to Scalia ... how?

<http://www.nizkor.org/features/fallacies/red-herring.html>

*I prefer instead of using binaries like religious vs. not religious, faithful vs. not faithful and instead focus on the only distinction that matters: good vs. bad.*

Zach, a better choice would be ... to stay on topic.

From my experience, Zach, when people desperately try to switch scope like you just did, it is because they know that they have lost the debate, and see distraction as their only hope.

*I would hope that some (or most) religious people can admit that both good and bad have come from religion and the nonreligious could admit the same, and that both sides could live and let live and not insist on the other throwing the baby out with the bathwater.*

Zach, "Live and Let Live" is totally contradictory to Christianity. From slavery, to genocide, to dictating sexual morals, to worldwide proselytization efforts, and on and on, nearly everything about Christianity intrudes on nearly every aspect of a person's life; and I'm not just referring to Christians choosing to live under the rules of Christianity, but also to those who refuse to submit. History is filled with what Christians have done to those who will not submit to their dictates.

So for a Christian or Jew to preach "Live and Let Live" would be hilarious if not for the millions of dead bodies of those who weren't allowed to "Live and Let Live."

*I'll admit, I did not know that Hitler had a Catholic mother (thank you Wikipedia). Of course, that it is because it's nothing more than an historical footnote. Does anyone rational really think that Hitler's antisemitism stemmed from Christianity?*

Zach, who do you think has been ostracizing and murdering Jews for the last 2,000 years? Buddhists?

Of course it is Christianity that has hounded the Jews. And when Islam branched off from Christianity, they too joined in the slaughter. Put down Wikipedia and invest in a copy of Mein Kampf and you can read Hitler's words for yourself.

*I suppose you'll tell me next that Stalin was actually a Buddhist.*

Zach, actually it's a lot worse than that: Stalin was a Christian and attended seminary (okay, you can use Wikipedia for that one). But while Stalin lost his faith in God, he did retain a valuable lesson that he learned from Christianity - if you have absolute power (like God), there is no limit to the evil you are allowed to commit, nor to the number of people you are allowed to murder.

If you don't believe me Zach, just go ask any Christian if God did anything wrong when He murdered all those people in the Bible; for example, all those innocent babies in Egypt during the plagues.

I guarantee you that each and every one of them will say

"No ... because He is God."

*We shouldn't get bogged down on that point though because I can't imagine that the question of Scalia's fitness to serve boils down to "Is religion responsible for the world's problems?"*

Well Zach, you are the one who brought it up. Are you going to come back to the topic now?

*The world is filled with tragedy, to ignore the plethora of exceptions and blame it all on religion seems overly simplistic.*

Zach, and who are you claiming is doing that?

<http://www.nizkor.org/features/fallacies/straw-man.html>

*I also hope we can stay away from the question of evolution vs. creationism because it was already famously debated by Bill Nye the Science Guy & Ken Hamm. I will only say that most religious people I know do not believe that the world was created five thousand years ago or reject all elements of evolution.*

Zach, then you do not know most Christians:

<http://ncse.com/blog/2013/11/just-how-many-young-earth-creationists-are-there-us-0015164>

Zach, they outnumber the modern progressive Christians ...

that you know.

*I don't want to make this personal, but in the interest of transparency, I will be open with my biases here: I'm a practicing Orthodox Jew.*

Zach, my condolences. Now you are buddy-buddy with Christians who have finally eased up on killing "you people":

[http://medical-dictionary.thefreedictionary.com/Stockholm+syndrome](http://medical-dictionary.thefreedictionary.com/Stockholm%2Bsyndrome)

Zach, the Bible predicted that the Jews would outnumber the "stars in the sky." But God got that one wrong too: thousands of years later and the Jews don't even outnumber the Mormons (who gave Jews a 3,000-year head start).

*But this is where some atheists lose me: the implied rational and intellectual superiority.*

Zach, "implied" means that it is something that is happening inside your head - not necessarily in others.

*I think most religious people (and I would assume Justice Scalia as well) make their life decisions and establish beliefs based on imperfect evidence.*

Zach, there is no such thing as perfect evidence. We all do that.

*Example: my father was in the delivery room when I was born. How do I know this? I did not see him, I have no pictures. I know it because he told me he was there and I trust him.*

Zach, that was your first mistake. That trust is only validated if he were telling you the truth; and that is something you can never know; and absent a paternity test, well ... it could even be worse.

*He also told me about Jewish tradition, and while hearsay is not admitted in a court of law, it certainly is persuasive.*

Zach, so are most lies. So what?

*(I would argue that you are also drawing conclusions based on imperfect evidence -- you have never spoken with someone who died, so how do you know what happens next?)*

Zach, no one knows what happens next. Only religious people claim to have that answer. You also have never spoken with someone who died, yet you believe you do know what happens: that was a great example of "psychological projection."

*I am jealous of you.*

Well then Zach, you have something in common with your God: Exodus 20:5 "*Thou shalt not bow down thyself to them, nor serve them: for I the LORD thy God am a jealous God ...."*

Zach, you should read the rest of that verse. I left out the best part.

Boy, that God - it's easy to see why so many worship Him.

*You obviously look at the world around you and have decided that there is nothing more than meets the eye.*

Zach, how many times are you going to use the Straw Man fallacy?

*I wish my brain was wired that way or like the mind of a person with unquestioning faith.*

Zach, you are an admitted Orthodox Jew. That means you *do* have the mind of a person with unquestioning faith. So your wish has already been granted.

*I, like many people, am not certain whether or not there is a God, precisely because I have imperfect evidence. Despite his barbs in the interview, I believe Scalia feels the same way.*

Zach, I didn't get the impression that Scalia was uncertain. What did he say that gave you the impression that he was?

*I think the reason we come to such different conclusions on this issue is that you and I experience religion and religious people differently. The religious people you describe reject all science in favor of faith, angels & demons. The religious people I know believe in God because that is how they have made sense of the world around them.*

Zach, that excuse might work for people who lived long ago. But in this age of scientific discovery, that argument no longer flies. Science makes sense of the world around us. The Bible makes no sense when comparing its claims to our observations. So your attempt to divert motive from fear and superstition to reason ... fails utterly.

*Everyone has ideological baggage. We all have certain things we believe are true in a way that should apply to everyone and things that we believe but do not impose on others.*

Zach, if Christianity stopped trying to impose its will and dictates on everyone it comes into contact with ... we wouldn't be having this discussion.

Buddhism is an example of a religion that far outshines the vile morals and horrors of the 3 Desert Dogmas.

*I would hope that Justice Scalia or any judge for that matter can separate their own personal beliefs from how they decide the law.*

Again Zach, if he could ... we wouldn't be having this discussion.

*It is as much a challenge for Justice Scalia as it is Justice Ginsburg,*

Zach, you haven't been keeping up on Supreme Court decisions and written opinions, or ... you simply blind yourself to the facts; which come to think of it, is exactly what Fundamentalist religion teaches you from an early age.

*\*One historical note: antisemitism predated Christianity. Josephus and other works of late antiquity describe the Romans disliking the Jews because they kept to themselves socially and did not assimilate into society.*

Zach, "Disliking" is not exactly what we are talking about when we use the word "anti-Semitism."

As for the intellectual honesty of your arguments, I would offer that learning the laws of logic could go a great way towards helping you achieve a higher level of honest argumentation.

LINK TO DEBATE

<http://abovethelaw.com/2015/06/is-justice-scalia-unfit-to-serve-a-published-dialogue-with-the-atlantics-jeffrey-tayler/>

(make sure to read some of the comments that follow the debate to get an idea of just how stupid Zach's audience really is. These are people who have their TV remotes glued to Fox News ... and nothing else. Their little butts were burnin' over Tayler ridiculing their imaginary friend, and in their comments, they retaliated in the only way they knew how ... with personal insults)

LINK TO TAYLER'S ORIGINAL ARTICLE IN SALON

<http://www.salon.com/2015/06/14/antonin_scalia_is_unfit_to_serve_a_justice_who_rejects_science_and_the_law_for_religion_is_of_unsound_mind/>

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THE SCIENCE SEGMENT

Smoking marijuana may cause early puberty

and stunts growth in boys

Boys who smoke marijuana go through puberty earlier but grow more slowly than those who have never smoked the drug. These findings should lead to a better understanding of the dangers of drug abuse on growth and development of children.

Scientists studied the levels of certain hormones involved in growth and puberty in the blood of 220 non-smoking and 217 marijuana-addicted boys. Levels of puberty-related hormones such as testosterone and luteinising hormone were increased in the marijuana smokers. In contrast, growth hormone levels were decreased in this group. It was also found that non-smoking boys were on average 4 kg heavier and 4.6 inches taller by the age of 20 than the marijuana smokers.

Researchers also looked at the effect of smoking marijuana on levels of the stress hormone, cortisol, in 10 marijuana addicts; they found that marijuana smokers have significantly higher levels of cortisol than non-smokers, leading researchers to hypothesize that marijuana use may provoke a stress response that stimulates the onset of puberty but suppresses growth rate.

Marijuana is the most widely available illicit drug in Europe. It is estimated that it has been used by over 80 million Europeans at least once in their lives. The highest prevalence of marijuana use is in 15-24 year-olds and is significantly higher among males than females. Previous studies have looked at the effect of smoking marijuana in adult rats and humans, but this is the first time that the effects have been looked at in pubertal boys.

The research may have a wider impact than just health. Early puberty is associated with younger age of onset of drinking and smoking, and early maturerers have higher levels of substance abuse because they enter the risk period at an earlier level of emotional maturity.

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FAMOUS QUOTES

John Fugelsang (no biography - previously quoted)

"if you don't want your taxes helping the less fortunate

then stop saying you want a government

based on Christian values,

cause you don't!"