

BIOLOGY WARS

The Religion, Science and Education Controversy



THE PEW
FORUM
ON RELIGION
& PUBLIC LIFE

The current legal and political battles surrounding the teaching of evolution in American schools are part of an 80-year-old debate stretching back to the summer of 1925 and the famous Scopes “monkey” trial in Dayton, Tennessee. Now, as then, the fight reflects deep divisions within the country over the appropriate role of religion in explaining life’s origins.

*In December 2005, the Pew Forum invited Edward Larson, Talmadge Chair of Law and Russell Professor of American History at the University of Georgia, to its biannual Faith Angle Conference on Religion, Politics and Public Life to discuss today’s debates over teaching evolution in light of the Scopes trial and other historical developments. Larson is uniquely qualified to speak on the issue, having won the 1998 Pulitzer Prize for his book *Summer for the Gods: The Scopes Trial and America’s Continuing Debate over Science and Religion*. In his presentation, Larson also considered recent efforts to promote intelligent design as an alternative theory on the origins of life. This Pew Forum on Religion & Public Life Discussion includes excerpts from Larson’s remarks. It has been edited for clarity. The original transcript is available on the Forum’s website, www.pewforum.org.*

A WIDENING CULTURAL RIFT

The American controversy over creation and evolution is primarily fought out over what is taught in American public high school classes. I’ve followed the issue for years, and as far as I can tell, virtually no one disputes teaching the theory of evolution in public colleges and universities or using public funds to support evolutionary research in agriculture and medicine. On that front, I am regularly on panels for the National Institutes of Health and the National Science Foundation. It is just not an issue that comes up in those fields. And there is no serious

debate over core evolutionary concepts of common descent among biologists.

It is the minds of American high school students that are at stake. Opponents of evolutionary teaching typically ask for: 1) removing evolution from the classroom, 2) balancing it with some form of creationist instruction or 3) teaching it in some fashion as “just a theory.”

Actually, these three strategies, as I’ll try to explain, have always been present to some extent over the last 80 or so years of debate. But they also play out chronologically, at least as to which

is primary, so you can look at the history of this issue as having three discernible, though not exclusive, phases. Allow me to deal with the first two of these phases — the history part — mostly as prologue. But I think it is a prologue necessary to understanding what’s happening now.

First came the 1925 trial of John Scopes and the phase of anti-evolutionism characterized mainly by efforts to remove evolution from the high-school biology classroom altogether. Importantly, this effort coincided with the so-called “fundamentalist crisis” within American Prot-

estantism, when many mainline Protestant denominations (Methodists, Presbyterians and Baptists, among others) were deeply divided between so-called “modernists” (that was the word used back then), who adapted their traditional beliefs to current scientific thinking, and a new breed of fundamentalists, who clung ever tighter to biblical literalism in the face of these new ideas. No idea split modernists from fundamentalists more than the Darwinian theory of human evolution. The rift was aggravated by the seeming rise of agnosticism within the cultural, scientific and media elite of America. As far back as even the late 1890s, the fundamentalist/modernist controversy raged over the interpretation of Genesis in the pulpit.

By the 1920s, both sides had carried this theological dispute into the classroom. Neither side wanted the other’s view taught as scientific fact in public school courses. In 1922, fundamentalists across the nation began lobbying for laws against teaching the Darwinian theory of human evolution in public schools. It was the first time

they had done that. But of course, long before 1920, most states did not have nationwide compulsory secondary education, so it was not a universal issue.

The so-called “anti-evolution crusade” began just after World War I, during the “return to normalcy,” the Harding administration, the Red Scare — everything that was happening in those hyper-charged, emotional times. This was a national crusade popping up all around the country. There were a few marginal victories for anti-evolutionists. Some states pas-

sed limited restrictions, and textbooks began to change. Then came 1925, when Tennessee became the first state to pass a clean anti-evolution law, one that banned the teaching of the theory of human evolution in public schools.

From the outset — and this is probably why it created so much media attention — the anti-evolution crusade was seen as evidence of a new and profound cleavage between traditional values and modernity. I use the term “evidence” advisedly. The anti-evolution crusade did not cause the cleavage; it simply exemplified it, exposed it and became one of the most visible manifestations of it. Just as today there’s the controversy over posting the Ten Commandments, certain issues back then were hot in the same way.

You go back a generation or two before the 1920s and Americans tended to share common values — or at least those Americans of Protestant/European roots who set the cultural tone for America. Certainly, there were atheists, agnos-

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tics and deists in mid-19th-century America, but they were marginal, and theological disputes among Christians rarely disrupted denominational harmony. Even the universities were conventionally religious places, as captured in books by such scholars as George Marsden, and they remained so until the late 1890s, when the rise of positivism, biblical higher criticism and Darwinism began disrupting that harmony.

By the early 20th century, surveys and studies began detecting a widening gap between the God-fearing American majority and the disbelieving cultural elite. It was not that the elite wanted to reject God or biblical revelation, commentator Walter Lippmann famously explained in a very influential essay at the time; it was that the ascendancy of rational, naturalistic modes of analysis made Revelation, to the cultural elite, virtually unbelievable. Indeed, it was the scientific method as applied to all facets of life, more than any particular scientific theory, that lay at the heart of modernity. But Darwinism was criticized for applying that method to the key issue of biological origins and human morality. The morality part was important right from the start, just as it is now if you read any of the writings about intelligent design or creationism.

THE SCOPES TRIAL

The anti-evolution statute thus struck a chord that resonated widely. The nationwide attention garnered by passage of the Tennessee law soon focused on tiny Dayton, Tennessee, where a local science teacher named John Scopes accepted the invitation of the American Civil Liberties Union to challenge that law in court. The media promptly proclaimed it “the trial of the century” before it even began, as this young teacher, backed by the nation’s scientific, educational and cultural

establishment, stood against the forces of fundamentalist religious lawmaking.

Of course, we are used to the *Inherit the Wind* version, where the poor fellow is in jail. In reality, after he was indicted, at the request of the local civic leaders who asked ahead of time and informed him he was part of their scheme, he went on a nationwide speaking tour. He was filmed in the American Museum of Natural History; he was at the Supreme Court — he even went around the country with a media tour during that time between the indictment and the trial.

For many Americans at the time and ever after, the Scopes trial represented the inevitable conflict between newfangled scientific thought and old-fashioned supernatural belief. Like many archetypal American events, the trial itself began as a publicity stunt. Inspired by the ACLU’s offer to defend any Tennessee school teacher willing to challenge the new law, Dayton’s civic leaders saw a chance to gain attention for their struggling young community.

Journalist H.L. Mencken noted at the time, “The town boomers leaped to accept this one man. Here was an unexampled and almost miraculous chance to get Dayton upon the front pages, to make it talked about, to put it on the map.” While Scopes became their willing defendant at the invitation of school officials, the young teacher was neither jailed nor ostracized. And, as I said, he spent much of the time between the indictment and the trial speaking to reporters and traveling around the country. Of course, the ill-conceived publicity stunt quickly backfired on Dayton when the national media condemned the town for indicting one of its teachers. As Mencken observed on the eve of the trial, “Two months ago the town was obscure and happy; today it is a universal joke.”

Yet another of the great journalists covering the trial for the Northern press, Knoxville-born Joseph Wood Krutch, defended Dayton from Mencken's jabs. "The little town of Dayton behaved on the whole quite well," he wrote. "The atmosphere was so far from being sinister as to suggest a circus day."

Even if Dayton behaved well overall, as Krutch observed, Tennessee had barred its teachers from teaching their students about Darwinism. That was the real news story of the day, and it had long roots.

Ever since Charles Darwin published his theory of evolution in 1859, some conservative Christians had objected to the atheistic implications of its naturalistic explanation for the origin of biological species, particularly of humans. Further, some traditional scientists, most notably the great Harvard zoologist Louis Agassiz, promptly challenged the very notion of organic evolution by arguing that highly complex individual organs, such as the eye, and ecologically dependent species, such as bees and flowers, could not evolve through the sort of minute, random steps envisioned by Darwinism. In short, as he said, species and organs are simply too irreducibly complex. They involve too many pieces and you cannot change one without changing the others.

But the scientific community largely converted to the new theory due to its ability to explain natural phenomena that appear utterly senseless under the explanation of design or creation, such as the fossil record, the geological distribution of similar species, the morphological similarities between different, related species — all these factors that seemed so easily and clearly

explained through evolution. If you've read *The Origin of Species*, you'll know that is what Darwin does. Darwin goes through one long argument, as he calls it, and he shows how evolution can explain so many observations. But he always had trouble fully accounting for complex organs,

such as the human eye. Darwin himself called it the antidote to atheism. He could never fully refute the design argument for irreducible complexity. What he did was take so many other things and give a logical explanation for them.

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Those explanations brought the scientific community overwhelmingly over to Darwin's side within a dozen years, and certainly by 1900 it was solid. Religious opposition remained, though, long after Agassiz, William Dawson and the other holdouts in science had died. These religious opponents often invoked the earlier scientific arguments against evolution that had been used by people such as Agassiz and, before him, Cuvier in France. These religious objections naturally intensified with the spread of fundamentalism in the early 1900s in America.

The legendary American politician and orator William Jennings Bryan, a political progressive who had decidedly orthodox religious beliefs, added his voice to the chorus during the 1920s. He came to see Darwinian struggle-for-survival thinking — known as social Darwinism when it is applied to human society — behind World War I militarism and post-war materialism, both of which Bryan saw as great sins. Of course, Bryan also held a religious objection to Darwinism, and he invoked Agassiz' scientific arguments against it as well; but his fervor on the issue rose out of his social concerns. He was always talking about militarism, materialism and

eugenics. “Equate humans with other animals as products of purely natural processes,” Bryan proclaimed, “and they will act like apes.” With his progressive political instincts of seeking legislative solutions to social problems, Bryan campaigned for restrictions against teaching the Darwinian theory of human evolution in public schools, leading directly to passage of Tennessee’s anti-evolution statute in 1925. He then volunteered to assist the prosecution when his law was challenged in Dayton, using the trial to focus the nation’s attention on the issue. He described it as a show trial and planned to leverage it into a nationwide campaign to get similar laws passed in other states.

The prospect of Bryan using the trial to defend biblical religion and attack Darwinism drew in Clarence Darrow. Who else would be more appropriate in 1925? By the ’20s, Darrow unquestionably stood out as the most famous criminal defense attorney in America. His trials were sensational. We really do not have any lawyer of that visibility at this time in America. At those trials, all followed by the media, Darrow pioneered techniques of jury selection, cross-examination and the closing argument to defend his typically notorious clients in bitterly hostile courts. Darrow used his celebrity status and oratorical skills to challenge traditional

morality. At the time, most Americans clung to biblical notions of right and wrong. By those standards, Darrow’s defendants were usually quite wrong. However, with his modern mind, he saw nothing as really wrong or right. Everything was culturally or biologically determined. For him, dogmatic beliefs springing

from revealed religion were usually the real culprit and he didn’t mind saying so in public. He thought that they imposed narrow standards and divided Americans into sects — made people judgmental. Just as Bryan hailed God as love and Christ as the Prince of Peace — and the latter is one of Bryan’s famous speech titles — Darrow damned religion as hateful and Christianity as the cause of war. Indeed, Darrow saw rational science, particularly the theory of organic evolution, as offering a more humane perspective than any irrational religion. This offered no ground for compromise between the two. Both men were affable enough; they had long been friends, but their worldviews were at war.

It is hard to find somebody today quite like Darrow. His biographer once called him “the national village atheist.” Carl Sagan bordered on that during his lifetime. E.O. Wilson and some of his writings mimic Darrow’s thoughts on religion. That might be the closest example. At the time, Bryan and Darrow were perhaps the two

most famous orators in America. They both toured on the national Chautauqua speaking circuit and were two of the three highest paid lecturers on the circuit. Bryan was number two and Darrow was number three; Helen Keller and Annie Sullivan were number one.

The Scopes trial was a national event that attracted the media. Having Bryan and Darrow always speaking and writing popular, best-selling books debating issues of naturalistic science versus revealed religion, of academic freedom versus popular control over public education, turned the trial into a media sensation then and the stuff of legend there-

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after. Hundreds of reporters descended on Dayton, generating front-page stories around the world. Many American newspapers, including *The New York Times*, carried a complete transcript every day. It was broadcast live over the radio. It was also the first nationally broadcast trial in American history, a sort of a patched-together broadcast that was sometimes knocked out by storms. In time, it became the subject of Broadway plays, Hollywood movies and Nashville songs. Clearly, Scopes remains the best-known misdemeanor trial in American history.

Despite Darrow's eloquent pleas for academic freedom and his humiliating cross-examination of Bryan, Scopes ultimately lost the case and Tennessee's anti-evolution statute was upheld. In large part, this resulted from the simple fact that the United States Supreme Court had not yet extended the constitutional bar against government establishment of religion to public schools, so you could not invoke the First Amendment.

When it was all over, most neutral observers viewed the trial as a draw so far as public opinion was concerned. When I was working on my books, I looked at hundreds of editorials from around the country written days after the trial. There wasn't a single editorial at the time that depicted the trial as decisive. They all viewed it as some sort of a draw. It was not like *Inherit the Wind*, which ends as a clean sweep for Spencer Tracy as Darrow, and Fredric March as Bryan has been routed. People came out thinking this was only going to get bigger, which of course it has.

As a lawyer you could expect that to occur because America's adversarial legal system tends by its very nature to drive parties apart, not to reconcile them. And that was certainly the result in this case. Despite Bryan's stumbling on the

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witness stand, which his supporters attributed to his notorious interrogator's wiles, both sides effectively communicated their message from Dayton — maybe not well enough to win many converts, but at least sufficiently to energize those already predisposed toward their viewpoint, making it a fighting issue for both sides. If, as the defense claimed, more Americans came to be alert

to the dangers of teaching evolution, others, particularly conservative Christians, came to be more concerned about the spiritual and social implications of Darwinian instruction. This became an issue for both sides. Stopping the restrictions on evolutionary teaching, including evolutionary teaching in the public schools, became a fighting issue for the secular side. This group did not only include non-Christians, however. For many mainline Christians, evolution was a part of their religious beliefs, and they took this as a religious assault.

Remember, the pro-evolution side was winning the dispute within the mainline denominations, which were then very powerful. Indeed, the evolutionist group included, at the national level, both Calvin Coolidge and Herbert Hoover. One was then president and the other was secretary of commerce. Both were prominent religious leaders within their denominations, thoroughly evolutionist and modernist. Of course, attacking William Jennings Bryan and the Democrats on

this progressive issue was great fun for them. They loved defending evolution and attacking Bryan at the same time. Evolution was a big issue then and it just kept getting bigger.

The pace of anti-evolutionism actually quickened following the trial. More states passed anti-evolution statutes and more local communities enacted anti-evolution statutes. Nationwide, the idea of evolution virtually drops out of American public school textbooks in the late '20s and in the following two decades. That was the immediate legacy of the Scopes trial.

Because Scopes' conviction was overturned on appeal on a technicality, and because no one else ever challenged these early anti-evolution laws in court, this issue did not return to the courts until the 1960s. By the time it went back to the courts, the legal landscape had totally changed for a very simple reason. In 1947, the United States Supreme Court ruled that the First Amendment bar against religious establishment applied to the states, and thus to public schools. Although the Establishment Clause had originally applied only to the federal government in that it simply says, "Congress shall make no law respecting the establishment of religion," the Supreme Court determined that the due process clause of the 14th Amendment extended it to cover state action as well.

Suddenly, as a consequence of the '47 decision, the Establishment Clause took on new life. Congress had rarely made laws respecting an establishment of religion prior to 1947. There was little case law on that point; states and their public schools, however, had all along been passing bills affecting religion in education and religion in public policy. The first of these cases did not address restrictions on teaching evolution, but they surely implicated those restrictions. In successive decisions beginning in 1948,

the United States Supreme Court struck down classroom religious instruction, school-sponsored prayers, mandatory Bible readings and finally, in 1968, the anti-evolution laws. Those old laws simply banned the teaching of human evolution. They did not authorize teaching an alternative theory. Indeed, in his day, Bryan never called for the inclusion of any form of creationist instruction in the science classroom because there literally was no scientific alternative to evolution. There was simply the Bible. Even Bryan believed that the biblical days of creation symbolized vast ages of geologic time. (It was known as the day-age theory, for those of you who follow that sort of biblical trivia.) And he said as much when (unlike in *Inherit the Wind*) he was asked by Clarence Darrow on the witness stand: How old is the earth? He said (and I am paraphrasing from memory here), "I don't know. ... It could be a million years old; it could be a hundred million years old. I don't know. ... The days of creation in Genesis symbolized epochs of geologic time."

THE CONTROVERSY CONTINUES

The second phase begins with the publication in 1961 of the book *The Genesis Flood*, by Virginia Tech engineering professor Henry Morris. He gave believers scientific-sounding arguments supporting the biblical account of a six-day — literally six-day — creation within the past 10,000 years. This book spawned a movement within American fundamentalism, with Morris as its Moses, leading the faithful into a promised land where science proved religion.

He called it "creation science" or "scientific creationism." Those two terms were used alternately by its proponents, although they meant the same thing. And this launched the second phase of anti-evolution politics — the phase associat-

ed with seeking balanced treatment for creationism. Creation science spread within the conservative Protestant church through the missionary work of Henry Morris' Institute for Creation Research. This is an institute formed for him in San Diego about 1970 by a young preacher there named Tim LaHaye, who is now famous for writing the literalistic books on Revelation. He had brought Henry Morris and a whole team of people who supported Morris out to San Diego to his campus. When you think about it, Morris and LaHaye together have covered the Bible from Genesis to Revelation — the whole package covered with a very literal interpretation. Morris is as effective as LaHaye, and he is as popular within the church. LaHaye has been able to reach out with the *Left Behind* series, really making those accounts in Daniel and Revelation sing and become literally believable. If you read Morris' work, the writings of Morris' son, John Morris, and his writings with Ken Ham (they often team up, and now John Morris and Ham write together), they also just make these stories sing. They elaborate on and give life to what would otherwise just be passages from the Bible.

First, the movement spread out within the conservative Protestant church. Then, with the emergence of the so-called religious right, it moved into politics during the 1970s. Within two decades after the publication of *The Genesis Flood*, three states and dozens of local schools in all parts of the country mandated balanced treatment, as they called it, or equal time for creation science along with evolution in the public school science classroom.

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It took another decade before the United States Supreme Court unraveled those balanced treatment mandates as unconstitutional. Creation science was nothing more than religion dressed up as science, the high court decreed in a 1987 decision called *Edwards v. Aguillard*, though I should note that was not a unanimous decision. Justice Antonin Scalia dissented. Therefore, if creation science was nothing more than religion dressed up as science, it was barred automatically by the Establishment Clause from public school classrooms, along with any other form of religious instruction.

By this time, however, conservative Christians were deeply entrenched in local and state politics from California to Maine, and deeply concerned about science education. Then along comes University of California law professor Phillip Johnson, who ushers in the third phase of the creation/evolution controversy. Johnson is not (or at least he was not then) a young-earth creationist. But he is an evangelical Christian with an uncompromising faith in God. His target became the philosophical belief (and methodological practice) within science that material entities subject to physical laws

account for everything in nature. Whether you call it naturalism or materialism — Johnson will use both phrases, and so will many philosophers working in the field — such a philosophy or method excludes God from science laboratories and classrooms using methodological naturalism. I am quoting

Johnson here: “The important thing is not whether God created all at once [as scientific creationism holds] or in stages [as progressive creationism or theistic evolution maintains].

Anyone who thinks that the biblical world is a product of pre-existing intelligence is a creationist in the most important sense of the word. By this definition, at least 80 percent of Americans, including me, are creationists.” Darwinism may be the best naturalistic explanation for the origin of the species, Johnson likes to say, but it is still wrong. If public schools cannot teach creation science because it promotes the tenets of a particular religion, the scientific evidence of design in nature or at least scientific dissent from evolution should be permissible, he argues. After all, evolution is “just a theory,” and, according to him, not a very good one.

Johnson’s books have sold over a half-million copies. And it is no wonder that his kind of argument now appears whenever objections are raised against teaching evolution in public schools. They were apparent in the United States Senate in 2001 when Pennsylvania Senator Rick Santorum introduced legislation encouraging teachers “to make distinctions between philosophical materialism and authentic science, and to include unanswered questions and unresolved problems in their presentations of the origin of life and living things.” That language, which was penned by Phil Johnson for Rick Santorum, passed the Senate as an amendment to the No Child Left Behind education bill, and eventually became part of the conference report for that legislation. Similar proposals surfaced as stand-alone bills in over a dozen state legislatures over the past four years. None of these state bills has passed, but similar language has been incorporated into state and local school guidelines, which

have proved to be an easier route of access for evolution critics.

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Another popular authority on this topic is Lehigh University biochemistry professor Michael Behe, who is not a Protestant like almost everyone else I’ve mentioned. He is a Catholic who wrote his own best-selling book, *Darwin’s Black Box*, challenging Darwinist explanations for complex organic processes. He

most recently served as the most visible of the expert witnesses on behalf of the school guidelines in Dover, Pennsylvania. If Johnson is the modern movement’s Bryan, then Behe is its Agassiz, reviving arguments for design based on evidence of nature’s irreducible complexity. Behe has never developed his arguments for intelligent design in peer-reviewed science articles. Indeed, he does not actually conduct research in the field. Along with other leaders in the intelligent design movement, he has conceded (most recently, at the trial in Dover) that there is not yet much affirmative scientific content to their so-called “design revolution.” So far, intelligent design theorists remain mainly critics of the reigning paradigm in biology, doggedly poking holes and looking for gaps in evolution theory. They argue — and this is important — that those gaps are best filled with design. Moreover, they posit, the gaps would be filled with design if it were not for the fact that science *a priori* rules out supernatural explanations.

With this sort of thinking driving them, they now propose altering the rules of science to admit a broader range of valid explanations. At the trial in Dover, Behe offered his explanation

(and he has offered it before) of what scientific theory should be. He claimed that a scientific theory is a proposed explanation for natural events that “draws on physical observable data and logical inferences.”

Note the phrase: draws on physical observable data and logical inferences. It is a different definition of science from the one conventionally put forth by scientists and philosophers of science. At the very least, intelligent design proponents argue, design-based criticisms of evolutionary naturalism divorced from

biblical creationism should be fit subjects for science education in public school classrooms. Using this approach, they have expanded the tent of people willing to challenge the alleged Darwinist domination of the science classroom beyond those persuaded by Morris’ evidence for a young-earth explanation.

Public opinion surveys, including the recent Pew survey that came out this summer, suggest that the bedrock for anti-evolutionism in the United States remains not the intelligent design movement, but the biblical literalism of the Protestant fundamentalist church, where there is typically much greater concern about the earth age that the Bible refers to than about such intellectual abstractions as scientific naturalism. In *The Genesis Flood*, for example, Henry Morris stresses the theological significance of utter fidelity to the entire biblical narrative. Thus, when Genesis says that God created the universe in six days, Morris maintains, it must mean six 24-hour days. And when it says God created humans and all animals on the sixth day, then dinosaurs must have lived alongside early

man. And when it gives a genealogy of Noah’s descendants, believers can use it to date the flood between 5,000 and 7,000 years ago. Despite judicial rulings against the incorpor-

ation of scientific creationism in the public school curriculum, vast numbers of Americans continue to accept biblical creationism of the sort espoused by Morris and his Institute for Creation Research. The recent Pew poll suggests that 42 percent of the American people accept that view.

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Since its publication 53 years ago, *The Genesis Flood*, now in its 42nd printing, has continued to sell well in Christian bookstores, but now it is only one of a shelf full of such books. Christian radio and television blankets the nation with creationist broadcasts and cablecasts such as Ken Ham’s “Answers in Genesis,” which is heard on more than 700 radio stations across America and about 100 around the world in Latin America, Africa and Asia. It is on in 49 states and 15 different countries. These broadcasts describe the tenets of creation science. There are also students going to Christian schools and being taught in home schools, often using the writings of Henry Morris.

So this is the issue driving the opposition to teaching evolution. If you have a solid majority of people in many places believing creation science, another group everywhere accepting intelligent design and more believing it is only fair to include a variety of ideas, the teaching of the theory of evolution inevitably becomes highly controversial in some places.

LEGAL BATTLES

Five years ago in Kansas, the state school board deleted the big bang theory and macro-evolution from the topics covered in the state science standards. Last year, the Cobb County Public School Board near Atlanta decreed that biology textbooks should carry a disclaimer saying that evolution is only a theory. This year, the Dover, Pennsylvania, school board mandated not only an oral disclaimer akin to the Cobb County written one, but it also urged students to read the creationist text *Of Pandas and People* for an alternative explanation of origins.

The only one of these challenges that has reached a decision, albeit under appeal, is the Cobb County decision; and it is an interesting one. [This presentation was made shortly before the U.S. District Court issued its ruling in the case of *Kitzmiller v. Dover Area School District*.] The Cobb County disclaimer, written on a sticker inside each textbook, tells students: “Evolution is a theory, not a fact, regarding the origins of living things. This material should be approached with an open mind, studied carefully and critically considered.”

The Georgia judge, Clarence Cooper, struck down that decision on two grounds. He ruled that any high school student reading it in the current climate would conclude that the school board was endorsing a particular religious viewpoint, one associated with, as he called them, fundamentalists and creationists. And by taking sides, it violated the second prong of the Lemon Test — the test for violating the separation of church and state — that the government must

not promote a religious doctrine. He also ruled that it violated the third prong of the Lemon Test, because it is seen as taking sides within a religious dispute that divides Christians. The argument is between those Christians who accept the theory of evolution and those who oppose it, so you’re entangling the government with religion. On those two grounds he struck it down.

That, in brief, is where the creation/evolution teaching controversy stands today, still making front-page news 80 years after Dayton, Tennessee, made headlines by prosecuting John Scopes. It resurfaces periodically in countless Daytons throughout the United States over everyday episodes of science teachers either defying or deifying Darwin.

Such laws generate lawsuits and legislation precisely because religion continues to matter in America. Public opinion surveys invariably find that nine-in-10 Americans believe in God, just as every survey has found since the 1950s. A recent survey indicated that more than three-

fourths of Americans believe in miracles, while another found that nearly half of those surveyed believe “that God created human beings pretty much in their present form at one time within the last 10,000 years,” and that more than three-fourths of the rest believe that God actively guided the evolu-

tionary process. Three out of five Americans now say that religion is very important in their lives. It troubles many of us when science does not seem to affirm our faith and outrages others when their children’s biology courses seem to deny their biblical beliefs.

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As a diverse people, Americans have learned to seek middle ground wherever possible. As a species, however, we instinctively respond to stirring oratory. Bryan and Darrow had mastered that craft and used it in Dayton to enlist their legions. They tapped into a cultural divide that deeply troubles this national house of ours, offering us no middle ground. And we all know either from the Bible or from a Broadway classic that “he who troubleth his own house shall inherit the wind.” That wind has been sporadically touching off maelstroms over the past 80 years, storms that surely test our national traditions of tolerance. If history is any guide, I’d say we’re in for heavy weather in the years ahead.

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