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Monkey Business

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“Monkey Business” by Kaleen Carter

Instructor’s Notes

Writing an expository essay on a controversial topic can be difficult because the genre requires complete neutrality and a commitment to unbiased reporting. What are some strategies Kaleen Carter uses in this essay to effectively achieve this goal. What is the scope of her topic? How do you know? Is it important for an author to articulate the scope of his or her topic? Why or why not?

Writers’ Biography

Kaleen Carter is a second-year AYA Life Science Education major from Colorado. She loves sharing her knowledge and helping others when she can. She enjoys being around people and spends most of her time with others. This summer, she is marrying an officer in the United States Air Force and moving to Oklahoma where she will continue her education.

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The alarm going off early in the morning, the coffee, the commute to work, and the job were familiar to John Scopes as he started his next year of teaching biology. Though many parts of his schedule remained unchanged, Scopes altered his curriculum in a way his school opposed. Scopes chose to teach the theory of evolution to his high school classroom, violating the school’s rules. This decision landed him in court in what would become known as the Scopes “Monkey Trial.” Though this trial did not come to a clear cut verdict on evolution’s place in education, the case immensely impacted the science classroom throughout the United States, bringing the quiet disagreements on the origin of the earth, circulating the education realm since Darwin’s publication of Origin of the Species in 1859, into a loud public debate that has found its way into courtrooms (Armenta & Lane, 2010, p. 76-77).

Both evolution and intelligent design advocates present reasons on why their viewpoint should be taught. Evolutionists

believe students must have an evolutionary background in order to fully appreciate and understand science. Without this teaching, schools limit their students' potential through intentionally avoiding this important topic. Eugene C. Scott quotes Theodosius Dobzhansky saying, "Without…[the light of evolution, biology] becomes a pile of sundry facts some of them interesting or curious but making no meaningful picture as a whole" (2008). This side, also, accuses its opponent of an ignorance regarding intelligent design, which prevents most educators from teaching the subject in an appropriate and academic manner (Discovery Institute, 2013).

On the other hand, intelligent design advocates believe the teaching of only evolution limits students' intelligence, while adding intelligent design to the curriculum improves critical thinking along with science education (Ratvitch, 2012, p. 199). Some claim the teaching of their theory should be allowed for the sake of "fairness" and "academic freedom" (Ravitch, 2012, p. 192). Other supporters of this recent theory call out for "fairness" in a different manner. These individuals desire the elimination of evolution form the classroom due to its relation to a religion, secular humanism. They see this as a fair response to court decisions, which have pushed intelligent design out of the classroom based on its religious background and parallels. If their theory cannot be taught in school because of its religious tendencies, then evolution should be banned on the same terms (Scott, 2008).

This seemingly unsolvable debate has become a problem for science educators. For many teachers, this debate has resulted in reassignments, loss of jobs, and lawsuits, as with John Scopes. Most do not understand what they can or cannot say, leading to avoidable legal action. Despite the confusion, teachers can gather several guidelines for teaching the origins of the earth from the mass of court cases involving the two prominent theories (Stader, Graca, & Stevens, 2010, p. 73). This essay discusses the guidelines for teaching the origins of the earth as determined in several court case rulings.

Before looking at court cases and rulings, an understanding of the relationship between creationism and intelligent design, the Frist Amendment, the Establishment Clause, and the definition of science is necessary. Though intelligent design does not mention God but an intelligent designer, it was ruled as an equivalent to

creation science in Freiler v. Tangipahoa Parish Board of Education (1999), which the court in McLean v. Arkansas Board of Education (1982) ruled as a religious theory based on its literal interpretation of the Genesis creation account (Moore, Jensen, & Hatch, 2003, p. 769-770). In accordance with The First Amendment and the Establishment clause, the church and state must remain separate. Furthermore, all government institutions, such as schools, must remain religiously neutral. They cannot participate in any teaching or activity that promotes or inhibits a religion, thus, when religion is taught, it must be done in an objective manner and in appropriate classes (Scott, 2008). Science has been defined as an explanation of "natural phenomena by reference to natural processes." All scientific theories must be observable and lead to predictions. Scientists should be able to prove any theory or prediction true or false through observable material or events, and they should be able to retest theories. Additionally, science does not involve any supernatural events under any circumstances (Lofaso, 2009).

The four items previously mentioned play largely in court decisions regarding the place of these two theories in the classroom. The first big case after the Scopes Trial, Epperson v. Arkansas (1968), took place in Arkansas in response to anti-evolution laws (Armenta & Lane, 2010, p. 77). A public school banned the teaching of evolution and the use of textbooks supporting this theory. The US Supreme court found the statute existed to prevent teaching contradictory to the Genesis account of creation. As a result, the court ruled such a statute violates the constitution because the statute promotes a religion and adjusts the curriculum to better suit those practicing the religion (Moore, Jensen, & Hatch, 2003, p. 767).

Because states could no longer ban the teaching of evolution, they started making statutes requiring "equal time" or "balanced treatment" for creationism. These statutes, also, found themselves in court. Judge William R. Overton in Mclean v. Arkansas Board of Education and Justice William Brennan in Edwards v. Aguillard judged these statutes as a violation of the First Amendment. Overton found this law promoted a certain religion, namely Christianity. Brennan went further in applying the "Lemon Test" developed in Lemon v. Kirtzman 1971. This test has three parts. Each proposed law cannot fail any of the three sections in order to be considered constitutional. "Any government action must (1) have

a secular purpose, (2) have a primary purpose that neither advances nor inhibits religion, and (3) not foster an excessive government entanglement with religion." Brennan found the requirement of equal treatment between these two theories fails every section of the Lemon Test, making this decision highly unconstitutional (Armenta & Lace, 2010, p. 77).

Courts prioritize the constitutionality of schools higher than the appeasement of the majority, thus the rulings in these cases override student or community protest toward the teaching of evolution or advocacy for intelligent design. The interpretation of the Establishment Clause of the First Amendment, which states the United States cannot pronounce a national religion, has caused governments to focus on religious toleration versus pleasing the majority. Regardless of popular vote, schools must remain religiously neutral. Courts do not consider this an infringement on an individual's freedom of religion because evolution is religiously neutral and "the free exercise of religion is not accompanied by a right to remain insulated from scientific findings incompatible with one's religious beliefs" (Moore, Jensen, & Hatch, 2003, p. 768-769). As a result, teachers cannot refuse to teach evolution or use their freedom of speech to teach intelligent design regardless of their own personal beliefs or the beliefs of others. In John E. Peloza v. Capistrano Unified School District, the court decided a school could either reassign or dismiss a teacher who refuses to teach evolution. Because evolution is not a religion, the teaching of such material does not infringe on a teacher's freedom of religion. In Webster v. New Lenox School District #122 (1990), the court stated that the changing of curriculum by a teacher to include intelligent design advocates religion. Because teachers are governmental employees, their freedom of speech becomes limited, as their speech reflects back onto the institution. Thus, the First Amendment does not give teachers the right to teach intelligent design, and, when they do, they defy constitutional values (Moore, Jensen & Hatch, 2003, p. 768-770).

For a similar reason, the government can finance the purchase of evolutionary textbooks but not textbooks supporting intelligent design. In Willoughby v. Stever, William Willoughby protested the use of tax payers' money to fund "secular humanism" through the support of the theory of evolution. To Willoughby's dismay, the

court ruled such funding to be completely constitutional because evolution fits the definition of science, not religion. Additionally, the courts found governmental funding of intelligent design as religious affiliation. Although the government cannot fund textbooks that support this theory, they can purchase textbooks that call intelligent design unscientific (Moore, Jensen, & Hatch, 2003, p. 768).

The courts agree with such textbooks in that intelligent design is not science. In McLean v Arkansas Board of Education, Federal Judge William Overton spoke against intelligent design for its lack of scientific value, which weakens its educational value. Overton states "A theory that is by its own terms dogmatic, absolutist, and never subject to revision is not a scientific theory." This perspective founds its facts on the Bible verses re-testable information and relies heavily on the supernatural, making it fall short of the definition of science (Moore, Jensen, & Hatch, 2003, p. 769). If it were to be considered science, this term would need to be redefined, but for now, this theory has no place except to be taught objectively in appropriate classes such as a comparative religion class (Ravitch, 2012, p. 196).

Many states have recognized intelligent design does not belong in the scientific classroom due to its foundation on religion and lack of educational merit. Consequentially, some school districts have required teachers to read a disclaimer or have stuck one on the evolutionary textbooks. Though this seems harmless, most disclaimers have lost in court because they have religious purposes. In 1999 and 2005, Freiler v. Tangipahoa Parish Board of Education and Kitzmiller v. Dover Area School District, both convened to settle disputes regarding disclaimers. In Freiler v. Tangipahoa Parish Board of Education, the court ruled against the disclaimer due to its religious purpose observed in the line, "the scientific theory of evolution…should be presented to inform students of the scientific concept and not intended to influence or dissuade the Biblical version of Creation." This school tailored the disclaimer to fit the educational needs of a specific religious group, which promotes religion. The court in Kitzmiller v. Dover Area School District declared the disclaimer in Pennsylvania violated the constitution. Judge Jones saw the disclaimer directed students toward a religious alternative and religious outside resources; discriminated against evolution, causing students to question the theory without critically

thinking or finding scientific evidence to support their thoughts; and perverted evolution's place in the scientific community. In Georgia, Selman v. Cobb Country School District resulted due to a sticker placed on textbooks referring to evolution as "a theory, not a fact." The court deemed the sticker unconstitutional because only the religious consider evolution a theory while those in the scientific realm consider it a fact. By calling evolution a theory, the school sided with the religious side of the debate and promoted religion (Armenta & Lane, 2010, p. 78-79).

Some schools have decided to discuss the flaws of evolution to help resolve disputes with intelligent design advocates in the community. Discovery Institute supports this teaching. In fact, they press for evolutionary textbooks to offer full coverage of evolution including its strengths and weaknesses. Furthermore, they encourage "critical scrutiny" of the theory. Currently, three states have laws protecting teachers when they teach this material, and seven states require the teaching of scientific flaws or controversies; however, teachers must teach such flaws with a secular intent. If teachers have a purely secular intent, they are allowed to discuss other theories involving the origins of the earth as determined in Edwards v. Aguillard (Discovery Institute, 2013).

Even after a plethora of court cases, the debate on the validity of evolution and intelligent design continues. Though disagreements and heated conversations still take place, teachers can feel secure when teaching the origins of the earth by understanding the court cases and the courts' decisions. Courts have decided teachers must work to keep schools religiously neutral and material in appropriate classes. They require schools to prioritize student achievement and learning above the advancement of religion. Through these mandates, courts hope to help bring evolution and intelligent design into their appropriate places in the scientific classroom.

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