

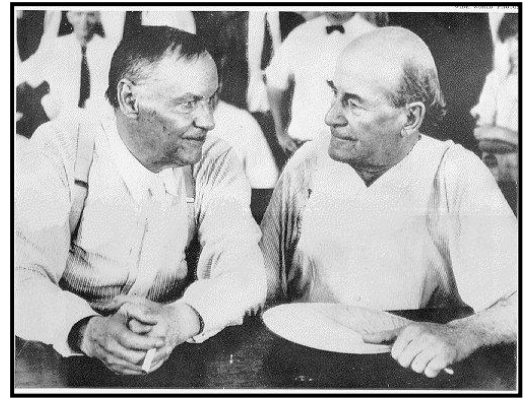
### **III. The Scopes Monkey Trial**

(Edited version of text found here:

<http://www.law.umkc.edu/faculty/projects/ftrials/scopes/evolut.htm>)

#### **1) Read the materials that follow. Then use these materials to answer the questions.**

The early 1920s found social patterns in chaos. Traditionalists, worried that everything valuable was ending. Younger modernists no longer asked whether society would approve of their behavior, only whether their behavior met the approval of their intellect. Intellectual experimentation flourished. Americans danced to the sound of the Jazz Age, showed their contempt for alcoholic prohibition, debated abstract art and Freudian theories. In a response to the new social patterns set in motion by modernism, support for traditional religious teachings grew, especially in the American South.



Who would dominate American culture--the modernists or the traditionalists? Journalists were looking for a showdown, and they found one in a Dayton, Tennessee courtroom in the summer of 1925. There a jury was to decide the fate of John Scopes, a high school biology teacher charged with illegally teaching the theory of evolution. The guilt or innocence of John Scopes, and even the constitutionality of Tennessee's anti-evolution statute, mattered little. The meaning of the trial emerged through its interpretation as a conflict of social and intellectual values.

William Jennings Bryan, three-time Democratic candidate for President and a populist, led a Fundamentalist crusade to banish Darwin's theory of evolution from American classrooms. Bryan represented the prosecution, out a concern that the teaching of evolution would undermine traditional values and because he wanted to remain in the public spotlight--a spotlight he had occupied since his famous "Cross of Gold" speech .... By 1925, Bryan and his followers had succeeded in getting legislation introduced in fifteen states to ban the teaching of evolution. Tennessee enacted a bill making it unlawful "to teach any theory that denies the story of divine creation as taught by the Bible and to teach instead that man was descended from a lower order of animals."

A carnival atmosphere pervaded Dayton as the opening of the trial approached. Banners decorated the streets. Lemonade stands were set up. Chimpanzees, said to have been brought to town to testify for the prosecution, performed in a side show on Main Street.

Nearly a thousand people, 300 of whom were standing, jammed into the courthouse for the trial. (Judge John T. Raulston, the presiding judge in the Scopes Trial, had proposed moving the trial under a tent that would have seated 20,000 people). Also in attendance were announcers ready to send to listeners the first live radio broadcast from a trial. Judge Raulston, a conservative Christian who craved publicity, was flanked by two police officers waving huge fans to keep air circulating. The trial opened, over Darrow's objections, to a prayer. The defense was lead by attorney Clarence Darrow, and its goal was not to win acquittal (being declared innocent) for John Scopes, but rather to obtain a declaration by the U.S. Supreme Court that laws forbidding the teaching of evolution were unconstitutional.

Opening statements pictured the trial as a titanic struggle between good and evil or truth and ignorance. Bryan claimed that "if evolution wins, Christianity goes." Darrow argued, "Scopes isn't on trial; civilization is on trial." Darrow accused the prosecution of "opening the doors for a reign of bigotry equal to anything in the Middle Ages." The press--mostly sympathetic to the defense--loved it.

After expressing concern that the courtroom floor might collapse from the weight of the many spectators, the judge transferred the proceedings to the lawn outside the courthouse. There, facing the jury, hung a sign--attached to the courthouse wall-- reading, "Read Your Bible." Darrow asked either that the sign be removed or that a second sign of equal size saying "Read Your Evolution" be put up along with it. The judge ordered the sign removed. In a surprise move, the defense asked that William Jennings Bryan be called to the stand as an expert on the Bible. Bryan agreed.

Darrow began his interrogation of Bryan with a quiet question: "You have given considerable study to the Bible, haven't you, Mr. Bryan?" Bryan replied, "Yes, I have. I have studied the Bible for about fifty years." Thus began a series of questions designed to make interpreting the Bible word for word appear foolish. Bryan was asked about a whale swallowing Jonah, Joshua making the sun stand still, Noah and the great flood, the temptation of Adam in the garden of Eden, and the creation according to Genesis. After initially arguing that "everything in the Bible should be accepted as it is given there," Bryan finally admitted that the words of the Bible should not always be taken literally. In response to Darrow's relentless questions as to whether the six days of creation, as described in Genesis, were twenty-four hour days, Bryan said "My impression is that they were periods."

Bryan, who began his testimony calmly, stumbled badly under Darrow's persistent prodding. At one point the exasperated Bryan said, "I do not think about things I don't think about." Darrow asked, "Do you think about the things you do think about?" Bryan responded, to the derisive laughter of spectators, "Well, sometimes." The next day, the judge ruled that Bryan could not return to the stand and that his testimony the previous day should be stricken from evidence.

The confrontation between Bryan and Darrow was reported by the press as a defeat for Bryan. According to one historian, "As a man and as a legend, Bryan was destroyed by his testimony that day." His performance was described as that of "a pitiable, punch drunk warrior."

The trial was nearly over. Darrow asked the jury to return a verdict of guilty in order that the case might be appealed to the Tennessee Supreme Court. Under Tennessee law, Bryan was thereby denied the opportunity to deliver a closing speech he had labored over for weeks. The jury complied with Darrow's request, and Judge Raulston fined him \$100.

A year later, the Tennessee Supreme Court reversed the decision of the Dayton court on a technicality--not the constitutional grounds as Darrow had hoped. According to the court, the fine should have been set by the jury, not Raulston. Rather than send the case back for further action, however, the Tennessee Supreme Court dismissed the case. The court commented, "Nothing is to be gained by prolonging the life of this bizarre case."

The Scopes trial by no means ended the debate over the teaching of evolution, but it did represent a significant setback for the anti-evolution forces. Of the fifteen states with anti-evolution legislation pending in 1925, only two states (Arkansas and Mississippi) enacted laws restricting teaching of Darwin's theory.



[10] "Papa!" (Thomas in the *Detroit News*)



[2] The Modern Crusader. (From the *Plain Dealer*, Cleveland, Ohio)

### QUOTES ON EVOLUTION & RELIGION

What is Darwinism? It is Atheism. - Charles Hodge

Evolution is God's way of doing things. - John Fiske

The first objection to Darwinism is that it is only a guess and was never anything more....The second objection to Darwin's guess is that it has not one syllable in the Bible to support it. This ought to make Christians cautious about accepting it without thorough investigation.... -William Jennings Bryan

If to-day you can take a thing like evolution and make it a crime to teach it in the public school...at the next session you may ban books and newspapers....Ignorance and fanaticism are ever busy and need feeding. Always they are anxious and gloating for more  
-Clarence Darrow



[13] "There Ain't No Santy Claus!" (Ward in *Judge*.)