

ordinarily be managed in coordination with the management of adjacent non-federal lands, an important matter in western states where federal and non-federal lands often exist in a complex checkerboard pattern.

Also, the federal government would support the new state and local land use control program with grants made to the states, the total to come to \$100 million annually over an 8-year period. The states would bear 10 percent of program costs during the first 5 years and a third of the costs thereafter. To remain eligible for continued financial assistance a state would be expected to develop, within 5 years, a program of land use controls for coping with the kinds of problems earlier described. Administration of the act would be the responsibility of an office of land use policy in the Department of the In-

terior, assisted by an interagency advisory board and (in cases where a state's eligibility for continued assistance is in question) by an ad hoc hearing board that would include a governor among its three members.

The land use policy bill that the House Interior Committee is expected to report out before the end of the year is likely to be generally similar to the Senate measure. In spite of opposition from the political right and from many land developers, such legislation now appears to have won the support (or, in some cases, at least the grudging acceptance) of a variety of interests, including resource user groups, local and state officials, and environmentalists.

This has come about through the elimination of both the more controversial provisions of the original draft

legislation and some which various senators and representatives wished to add. Especially notable in this regard was the Senate's rejection, by a vote of 52 to 44, of a provision favored by Senator Jackson which would have allowed federal authorities to withhold up to 21 percent of a state's allotted highway, airport, and land-and-water conservation funds pending its adoption of an acceptable program of land use control.

With few exceptions, the governors had strongly opposed this sanction, and the surprising thing is that it received as much support among the senators as it did. The land use bill pending in the House still contains a sanctions provision, but it is expected to be dropped.

Another thing that has kept the bill from miring in deep controversy was

Evolution: Tennessee Picks a New Fight with Darwin

Santayana's tag about those who cannot remember the past being condemned to repeat it has apparently been forgotten in the state legislature of Tennessee. The world was astonished when a Tennessee court in 1925 fined John T. Scopes for teaching Darwin's theory in defiance of the state's anti-evolution statute. Tennessee's lawmakers have now passed a new statute which sets the scene for a similar confrontation. Last month the National Association of Biology Teachers (NABT) retained counsel to challenge the statute in the courts, and a suit will probably be filed before the end of this year.

The old law, which remained on the books until its repeal in 1967, directly forbade the teaching of evolution. The new statute makes the legally more subtle stipulation that wherever Darwin's theory is taught, alternative (that is, Biblical) theories must be taught in parallel. Opposition in the legislature to the anti-evolutionists was not conspicuously brave. The measure passed the Tennessee Senate by a vote of 28 to 1 and the House by 54 to 15. The law reads as follows:

Any biology textbook used for teaching in the public schools which expresses an opinion of, or relates to a theory about origins or creation of man and his world shall be prohibited from being used as a textbook in such system unless it specifically states that it is a theory as to the origin and creation of man and his world and is not represented to be scientific fact. Any textbook so used in the public education system which expresses an opinion or relates to a theory or theories shall give in the same text book and under the same subject commensurate attention to, and an equal amount of emphasis on, the origins and creation of man and his world as the same is recorded in other theories including, but not limited to, the Genesis account in the Bible. . . .

The Senate passed the measure without debate because of the presence of television cameras. As the sponsor of the bill, Senator Milton Hamilton explained at the time, "The reason there wasn't any debate is that the

national TV came down here with the idea they would make us look like a bunch of nitpickers. You know, like barefoot Tennesseans." Which prompted the *Nashville Tennessean* to comment editorially, "If the senators are such a source of embarrassment to themselves, think of what they are to the rest of the state."

The equal time demand is one that has been pushed by fundamentalists in several states, notably in California, where determined pressure has been exerted on the State Board of Education (see *Science* 17 November 1972). Although the fundamentalists deny that there is any concerted campaign, many of those active in the various lobbying efforts are members of the Creation Research Society, a group whose 300 or so members all hold Ph.D.'s in a scientific discipline and believe in the literal truth of the Bible. A member who has been active in Tennessee is Russell C. Artist, a biology professor at David Lipscomb College in Nashville. Artist tried to persuade the Tennessee state textbook commission to adopt a biology textbook coauthored by him and other members of the Creation Research Society. When the commission refused Artist approached Senator Hamilton, the author of the new law and, like Artist, a member of the Church of Christ.

Locked in statewide battle with the Creation Research Society is the NABT. Having fought the society in California, the NABT is now girding its loins to combat the fundamentalists in Tennessee. Counsel has been retained in Tennessee, and the NABT expects that the case will be appealed by one side or the other right up to the U.S. Supreme Court. Expenses may reach \$25,000 and the NABT is appealing for financial support. The NABT's case will be that the new statute is unconstitutional in that it contravenes the free speech clause of the first amendment and the due process clause of the fourteenth.—NICHOLAS WADE