

made a lower figure justifiable. CDA would have to purchase rights to some of the films and other material held by other groups and so the lower royalty figure was agreed to by NSF to keep the price of MACOS competitive.

Conlan also charged that NSF and EDC "are now embarked on a further multimillion dollar effort, unbeknown to Congress, to establish a larger educator network to implement other jointly developed social studies programs. Congress must stop this insidious invasion of local autonomy in education. . . ."

Conlan went on to quote extensively from an application for a grant which he said was approved and funded on 15 January. As far as *Science* can ascertain, Conlan quoted from an early version of a proposal which was subsequently scaled down sharply in both scope and funding. The grant as approved provides some \$95,000 to sponsor a conference

and a training session. The conference scheduled for Boston this summer will be to familiarize 40 school administrators with 10 social science courses of which one is MACOS. Six of the 10 were developed by EDC with the support of NSF, other federal agencies, private foundations, and commercial publishers. The second activity under the grant will be a 2-week intensive training course for educators on the EDC-developed high school level course *Exploring Human Nature*. Teams trained in the session will, in turn, train teachers for the course.

To look into the issues raised about MACOS, a review group is being appointed by Representative Olin E. Teague, chairman of the Science and Technology Committee. And an internal review group at NSF is also at work. NSF director S. Guyford Stever has told Teague that no further funds

will be obligated for MACOS or other precollege course development and implementation until the review has been completed and results reported to Congress.

The findings of the House group, due to be reported on 31 May is likely to be the most immediately influential on legislative events, particularly when the time comes for House-Senate action on the Bauman amendment. The composition of the House committee and the scope of its study have not yet been announced.

It will be difficult for such a group in the month available to resolve questions ranging from the suitability of the content of the MACOS course material to the controversial issue of "censorship" by Congress. But such a forum is certainly preferable to the floor of the House where fine distinctions tend to get lost, sometimes deliberately.

As the reference to MACOS implementation in the committee report (see box) suggests, Congress has pushed NSF to promote its curriculum improvement projects, but has never given clear guidance on just how much. Since its beginnings 25 years ago, agency officials have been sensitive to the potential for controversy in its education programs, particularly those in the social and behavioral sciences. But NSF appears vulnerable in the rough and tumble that appears to be developing. NSF's constituency is not a particularly powerful one in the congressional context and NSF has been more scrupulous or perhaps more naive than many other agencies in observing the dictum against lobbying in its own interests.

It is bad luck for NSF that the flap over "wasteful" research has had a synergistic effect. And it is ironic that so much negative attention is being paid to behavioral science courses which represent a small segment of the education effort of NSF, which, in turn, is such a small part of the overall NSF program.

Nevertheless, NSF has not inspired such displeasure in Congress since the controversy over the MOHOLE project, that casually conceived and poorly administered deep-drilling program, a decade ago. NSF survived MOHOLE with little more than embarrassment, but the attacks of Proxmire, Conlan, Bauman and others seem to have struck a responsive chord among their colleagues and unless NSF finds some effective friends in and out of Congress the agency is likely to find itself operating with restrictive new taboos, and not just for behavioral scientists.—JOHN WALSH

## Briefing

### Fundamental Setback for Fundamentalists

A serious threat to the teaching of evolution in schools has been dissipated, or at least blunted, by a ruling of the U.S. Court of Appeals for the Sixth Circuit. The ruling, issued on 10 April, strikes down as unconstitutional a law passed by the state of Tennessee which requires textbooks to give "equal time" to the Darwinian and biblical explanations of man's origins.

The importance of the ruling transcends the boundaries of Tennessee. It possibly marks the end to a nationwide campaign by fundamentalists to adulterate the teaching of evolution. Starting in 1963 in Orange County, California, with the establishment of the Creation Research Society, the professed goal of the campaign has been not to suppress the teaching of evolution but, more subtly, to put it on an equal time basis with Genesis (see *Science*, 17 November 1972). The campaign has been pursued in some states by putting pressure on school boards, as in California, and in others by presenting bills to the legislature. The second approach was successful in Tennessee when the state passed a law prohibiting the use of any biology textbook that failed to give the authors of Genesis equal billing with those of the Darwinian per-

suation (see *Science*, 16 November 1973).

The National Association of Biology Teachers (NABT) retained counsel—Frederick S. Le Clercq of the University of Tennessee—to challenge the constitutionality of the law. Procedural issues between the NABT and the state of Tennessee bounced all the way up to the U.S. Supreme Court, and the case came to rest before the U.S. Court of Appeals for the Sixth Circuit. The court ruled 2 to 1 in the NABT's favor, the dissenting vote being on procedural grounds.

Tennessee was the state that made possible the Scopes trial, and the appeals court ruling notes that the purpose of establishing the primacy of Genesis over the theory of evolution "is as clear in the 1973 statute as it was in the statute of 1925." The ruling, by circuit judge George Edwards, notes that "For a state to seek to enforce such a preference by law is to seek to accomplish the very establishment of religion which the First Amendment to the Constitution of the United States squarely forbids. . . . The antecedents of today's decision are many and unmistakable. They are rooted in the foundation soil of our Nation. They are fundamental to freedom."

The decision can apparently be appealed only to the U.S. Supreme Court.—N.W.