

# A Tale with Many Connections

*Was the Arkansas creationism law the result of a conservative "conspiracy"? Or did it just happen? More of the first than the second, it seems*

When the "Balanced Treatment for Creation Science and Evolution Science Act" successfully passed through the Arkansas legislature and onto Governor Frank White's desk last March, the one common reaction was pure astonishment. The bill's promoters were astonished that it had slid through the legislative process with such expedition. And many Arkansans were astonished that such a bill was passed at all. But passed it was, and readers of one Little Rock newspaper voted the creationism controversy as the number one news story of the year.

For a measure with such far-reaching implications for the nature and content of public school education, the Balanced Treatment bill had a legislative history that can only be described as bizarre. James Holsted, a senator for North Little Rock, introduced the bill on 24 February in the closing days of the session, and within less than a month the governor's signature had already dried on what was to become known as Act 590. Holsted not only had not penned a single word of the bill, but he also had no idea who had. The bill had slipped through the senate with no committee hearings. Consideration of the measure in the house was barely more probing, with all of 15 minutes being devoted to testimony on the bill in the education committee. White signed it with much ostentatious flourish, without first reading it and against the advice of a legislative assistant who had.

Once the initial shock had lifted, the obvious question was, how did such an extraordinary thing happen? One explanation is that the measure was so laden with such virtues as fair play, expansion of academic freedom, and embodiment of Christian ideals that the legislature had displayed unusual perspicacity in passing it at top speed. Another is that Act 590 is the cherished prize of a "conspiracy" between fundamentalists and conservative organizations operating as a closely coordinated network throughout the state.

Neither account is correct, although, if anything, the truth lies closer to the second. The story of Act 590 is long and meandering, but its denouement does involve the effective commitment to the

measure by certain key organizations, specifically the Moral Majority.

The tale begins in May 1979 with the publication by the Institute for Creation Research of a model "Resolution for Balanced Presentation of Evolution and Scientific Creationism." The resolution, which had been prepared by Wendell Bird, who has recently become general counsel for the institute, covered four pages of ICR's *Impact* series and went to subscribers throughout the country. "Please note that this is a suggested resolution, to be adopted by boards of education, not legislation proposed for enactment as law," stated *Impact*'s editor.

Through a curious set of circumstances the Bird resolution was eventually to become both an adopted school board resolution and an enacted piece of legislation (albeit modified from the original) within 3 months of each other in the state of Arkansas. And, as the unfolding

*Arkansas' Act 590 was declared unconstitutional by federal judge William Overton on 5 January 1982 (see Science, 22 January, p. 381).*

story of Act 590 reveals, controversy over the first was a trigger in promoting the second.

From its inception the Institute for Creation Research has favored action at the local school board level rather than aiming for state legislation. Other organizations, by contrast, see state legislation as the primary route by which to get creationism taught in schools. The most effective group treading this path is the Citizens for Fairness in Education, founded and run almost singlehandedly by Paul Ellwanger in Anderson, South Carolina.

Ellwanger says he is associated with no religious, political, or creationist organization. "I am beholden to no one," he asserts. "I can do my own thing and I don't have to answer to anyone." He has in fact been highly effective, and has poured tremendous energy and his own funds into promoting a model creationist

bill, which has gone to sympathizers drawn from the ICR mailing list in all 50 states. The bills that became law in Arkansas and subsequently in Louisiana were the work of Ellwanger's hand.

When Ellwanger drafted the first version of the model bill in 1979 he drew heavily on the resolution published by the ICR. The draft bill's sections on "Clarifications" and "Findings of fact" were almost word for word taken from Bird's resolution. While the bulk of the model bill derived from Bird's draftsmanship, Ellwanger says that, in preparing a constitutionally strong version to be distributed around the country, he consulted with many people in many states, specifically attorneys and legislators.

One copy of this first version landed on the desk of the Reverend W. A. Blount, pastor of the Sylvan Hills Community Church in Little Rock. Blount's church makes small monthly contributions to the Institute for Creation Research, and so he regularly receives creationist literature. Blount was not particularly surprised to see the draft bill when it arrived toward the end of 1979, although he had no idea where it had come from. He read it, and thought it interesting; but he put it aside, where it was to remain for 18 months.

Meanwhile, Ellwanger was improving his product, and he came up with a second version in 1980. The wording was tighter and less vulnerable to interpretation as religious apologetics. The phrase "scientific creationism" was replaced by "creation science," for instance. In the first 2 years of promoting legislative efforts throughout the nation, Ellwanger had the gratification of watching his bill being introduced into more than 20 legislatures. All, however, were either blocked in committee or expired as legislative sessions came to an end with no action taken on them. And then the Arkansas phenomenon happened.

Larry Fisher, a mathematics teacher at a school in North Little Rock, was a catalyst in the developments in Arkansas. He has been on the Institute for Creation Research's mailing list ever since the early 1970's and has built up a comprehensive library of creationist material. Although a somewhat diffident man, Fisher nurtured a passion for get-

ting what he viewed as balanced treatment for ideas on creation into the schools. "Over the years I had read the creation arguments and had become convinced of their validity," he says. "I came to believe that it was in the interests of good education that students should be presented with both models, the scientific evidence only."

During 1980, junior high schools in the area where Fisher teaches were adopting new science books for the next 5 years. "For the previous 5 years the schools had been using the Intermediate Science Curriculum Study, a kind of student-oriented discovery approach," explains Fisher. "Teachers and supervisors weren't very happy with this technique, and it was decided to return to the more traditional teacher-oriented material." Fisher was looking through the biology text that was to be adopted for 1981 through 1986 when he came across a section on evolution. "I knew from my reading of creation science literature that there were a lot of problems with the idea of evolution and so I decided I would try to get something done about it."

Fisher went through his file on ICR literature and pulled out the *Impact* issue of May 1979. He extracted the resolution on Balanced Presentation, appended an explanatory letter, and on 12 December 1980 sent a copy to Tom Hardin, superintendent of the Pulaski County Special School District.

"School districts across the country are beginning to pass similar resolutions," Fisher explained. "Our district would be promoting good public relations by adopting this resolution since surveys across the country indicate that about 80 percent of the patrons support it. By adopting this resolution, I feel our district would be providing a leadership role by promoting academic integrity and responsibility on this issue." Fisher sent copies of the resolution to all the school board members.

The school board had recently been the target of vigorous lobbying by Fundamentalists Christians, the Moral Majority, and a group known as Family Life America under God (FLAG), with issues such as sex education and adoption of certain "liberal" textbooks coming under fire. One local educator describes the board as being "very much under the influence of a southwest Little Rock fundamentalist church." It was against this background that Fisher's proposal was to be heard.

Fisher claims he did not do any active lobbying for the resolution, but he acknowledges that his spell of teaching



**Arkansas Senator James Holsted**

Imago

with the board's chairman, Bob Moore, might have smoothed the passage of his proposal. When the January board meeting came around, Fisher said that there was good scientific evidence for creationism and surely it was fair to give students all the evidence relating to origins rather than censoring some of it because some scientists do not care for it. The board was quickly persuaded of the apparent good sense of the resolution and directed that a committee be established to come up with a curriculum on scientific creationism.

Fisher was delighted, although mildly surprised. Local residents wrote to Little Rock newspapers declaring that evolution was at last going to be kicked out of the public schools. And some science teachers commented that, if Fisher were really interested in education rather than politics, he would have taken the resolution to the county's science supervisor rather than straight to the school board.

A committee was set up, with the county's curriculum director as its chairperson, and was due to meet on 6 January. Fisher took a selection of creationist books and other material to this meeting, and these were distributed among committee members. Most of the committee's members, made up of county educators, teachers, two school board members, and a parent, were totally unfamiliar with scientific creationism as described in the resolution. Fisher took the lead in discussions at the first meeting, and he immediately detected opposition to the proposal. "Even some people who had not read any of the material were predisposed against it," he recalls.

The second meeting was an emotional affair. "I could find no science at all in the material that I had been given," says Bill Wood, a Little Rock science teacher. "The things I read were full of religious references." Wood's views were echoed by most people at the meeting, except Fisher. Nevertheless, Fisher insisted that the committee push ahead with developing a curriculum.

"We were surprised," says Wood, "because at the first meeting we said that if we could find no science in the books we would want to drop it. Fisher seemed happy with that suggestion, but at the second meeting he was adamant that we should continue. Something must have happened to him between those two meetings."

Wood had been the most vocal participant at the committee's second meeting, and therefore he was chosen to present its conclusion to the school board on 10 March. "The hall was packed," remembers Wood, "and we realized that a lot of people had come along to support Fisher. When he came in, he shook hands with 15 or 20 people. It was quite a reception for him."

Wood explained to the board what the committee had done and what conclusions it had arrived at. "The committee did not support implementing instruction in creationism in the district's classrooms," notes the official record of the 10 March board meeting, "nor would the committee endorse the materials submitted by Mr. Fisher." That, one might have anticipated, would be the end of it. But, no. "After discussion," the official record continued, "Gene Jones, director of secondary education, assured the board that the committee would continue to work on a sample curriculum which would offer several alternative theories to evolution."

Behind those bland words had been an uproar. "I was told that we had not been asked our opinion," says Wood, "but that we had been instructed to produce a curriculum and that's what we should have done." Members of the public booed and jeered when Wood tried to explain why the committee had recommended that the proposal be dropped. Cheers and bursts of applause encouraged Fisher when he rose to defend the resolution. Public opposition to the committee's findings had apparently been thoroughly well organized.

"We were bitter and angry," says Wood. "Larry admitted to me after the meeting that the books we had reviewed couldn't be used in public schools because of their religious content. He wouldn't say that in the meeting." The

upshot was that a two-person working party was set up to draft a curriculum. One member was Marianne Wilson, science coordinator for the district. The other was Fisher.

Wilson describes the efforts she and Fisher went to in trying to draw up a teaching unit that did not make use of literature from creationist organizations. "I met with teachers and professors at the University of Arkansas, Little Rock (UALR), and asked advice," she recalls. "Some people tried to help us, although others all but asked us to leave." One person who did offer support was Ed Gran, a UALR physics professor who later was to be influential in establishing creationist organizations in the state.

Richard Bliss, curriculum director for the Institute for Creation Research, visited Little Rock in April, and Wilson met with him to discuss potential teaching material. "What he had was trash," says Wilson. "It was just full of religious references, and the science was awful."

Eventually Wilson and Fisher did put together a curriculum that has noncreationist material as references. However, very little of the material comes from conventional scientific sources, and one article referred to is in *Reader's Digest*. "We had to produce something," says Wilson, "but it really isn't in a teachable form."

By now, however, this little farce at the school board level had been overtaken by weightier events at the state level, and the curriculum was temporarily shelved.

When news of Pulaski County school board's adoption of the creationist resolution hit the local papers in January the Reverend Blount was jerked into action. He searched through his papers and found the draft creationist bill that had arrived some 18 months earlier. "I believe that this is an idea whose time has come," he mused to himself.

"For more than 20 years I have been . . . trying to stop the teaching of evolution in public schools of Arkansas as a scientific fact," Blount stated when being deposed by ACLU lawyers before the recent trial of Act 590. Blount and a number of other ministers held seminars on scientific creationism (as it was termed at the time), and they put copies of *Twilight of Evolution* and *The Genesis Flood*, two creationist texts, into the libraries of every junior and senior high school in Pulaski County, with the approval of the school authorities. "We also donated a set of these books to every science and biology teacher in these schools."

Blount's long commitment to creation-

ism and to promotion of its acceptance has been a quiet effort, and no one recalls any undue pressure on teachers and schools. Fisher's successful initiative was therefore a catalyst for further and different action.

Blount is president of the Greater Little Rock Evangelical Fellowship, which he describes as a loose alliance of ministers and others who believe in a literal interpretation of the Bible. The group meets regularly, and it happened that a meeting was imminent when reports of the Pulaski County resolution appeared in the newspapers. Blount suggested that the time had come for an initiative at the state level. The Arkansas legislature meets for just 2 months every 2 years, and by yet another of the many coincidences in this saga, it just happened to be in session during January and February of 1981.

Blount and his associates realized that they would have to act quickly if they were not to miss the current legislative session, and a two-man committee was set up to see what could be achieved. The committee was composed of the Reverend Curtis Thomas, of the Sovereign Baptist Church, and the Reverend W. A. Young of Bethel Chapel, vice president and secretary-treasurer respectively of the Evangelical Fellowship.

Thomas was the prime actor of the

one who was a business associate of Holsted," says Thomas, "so I contacted him and explained what I was trying to do." This was Carl Hunt, a businessman who knew his way around the legislative process and, more significantly as things turned out, a close friend of Frank White, the governor.

Hunt and Holsted met with White before the bill was introduced into the legislature, to "encourage him to sign such a bill," says Hunt. White, who describes himself as a "born-again" Christian, owed political debts to the Moral Majority for their efforts in helping him get elected, and he saw his endorsement of the bill as a way of paying some of these. He told Hunt and Holsted that he would sign the bill if it came to his desk.

Meanwhile, Thomas had met with Fisher to talk about the experience with the school board and to discuss prospects for state legislation. "He said we were wasting our time," recalls Thomas. "He didn't encourage me." Although Fisher was pessimistic at that point, he gained strength for his own efforts, and it was this encounter that encouraged him to push the school board resolution in spite of the curriculum committee's negative reaction.

Holsted said he would sponsor the bill because it reflected his deep religious convictions, and he introduced it into the

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two, and the first thing he did was to contact Paul Ellwanger. "The material that Brother Blount had was a couple of years old and I didn't know . . . whether it had been changed," Thomas said during his deposition. "I didn't want to take to anybody a bill that had been declared unconstitutional." Ellwanger sent him the new version of the draft bill.

As he was an innocent in matters of legislation, Thomas consulted his friend Bill Simmons, an Associated Press reporter who works at the state capitol. "Simmons told me that the bill didn't have a chance, especially coming so late in the session," remembers Thomas. Nevertheless, Simmons gave Thomas the names of some legislators who might be willing to sponsor the bill. One of them was James Holsted. "I knew some-

senate on 24 February. The bill was read a first and second time and then referred to the judiciary committee, on which Holsted serves. The committee's chairman, Max Howell, is the senior legislator in the senate and happens to be Holsted's neighbor in the chamber (such things are important in political spheres of influence). Like White, Howell is a born-again Christian, and he was happy to encourage the bill's progress from the committee with a "Do pass" recommendation, which happened on 3 March.

By now both the Moral Majority and FLAG were beginning to organize their forces in support of the bill, but it was not until the measure reached the house that their lobbying efforts became clearly overt. Members of both groups were in the house on the day that the bill reached

the education committee, 13 March, and also when it received its third and final reading on the floor, 17 March. "There were six or seven of us on that last day," says the Reverend Roy McLaughlin, leader of Arkansas' Moral Majority. "We each had a roster of representatives so we could call them off the floor to ask them to vote for a suspension of the rules that would allow the bill to be read. It was tremendously effective."

Fisher testified in favor of the bill in the education committee hearings, as did Holsted. Two people spoke in opposition. The bill went out of committee with a "Do pass" recommendation on a voice vote.

Representatives had faced a barrage of telephone calls, particularly those who serve on the education committee. "I must have had 60 to 70 calls," says Representative Bill Sherman. "In the end I stopped returning the calls. The messages simply said, 'vote for bill 482.'" According to Representative Mike Wilson, "the calls were clearly orchestrated." It was, he says, a classic example of the activity of a single issue group.

At least part of that orchestration was directed by Thomas, who wrote to members of the Evangelical Fellowship and to other sympathizers and handed notices about the impending bill to his congregation. "We think the governor will sign the bill should it reach his desk," he noted in one letter.

The effort worked, with votes of 20 to 2 in the senate and 69 to 18 in the house. "When you get a mass of phone calls in favor of a bill and none against, and when it appears to be in support of motherhood, apple pie, and the American way of life, it is hard to vote against it," says Wilson. He did, but most of his colleagues took the easier route of "voting for God," as many of them put it.

With time for reflection since those frantic last few days of the session, a large number of legislators have indicated that they might have acted in haste. Ben Allen, president pro tem of the senate, has publicly stated that it was a mistake. "It looks fair and right on the surface," he told this reporter, "but when you probe into it, it begins to look wrong." For his public recantation Allen earned himself an ominous rebuke from Mary Ann Miller, a leading figure in FLAG: "He has marked himself for obscurity," she said in her deposition to the ACLU lawyers.

As soon as the bill became law, Ed Gran and Roy McLaughlin set up a group that came to be called the Arkansas Citizens for Balanced Education in Origins. The group was to promote



**Moral Majority leader Roy McLaughlin**

*McLaughlin denounces Judge Overton at a mid-trial press conference.*

teaching of creation science, and to this end it invited Bliss, from the Institute for Creation Research, to give a seminar on 22 April.

By this time it was clear that the American Civil Liberties Union was going to challenge the law in the courts and therefore the citizens group budded a second organization: the Creation Science Legal Defense Fund. The fund was to raise money and organize support for the defense of the statute, specifically by engaging the services of creationist lawyers Wendell Bird and John Whitehead.

Not only did the ACLU challenge promote the proliferation of creationist groups, but it also caused the membership to shake down in an intriguing way. "The ACLU was looking for a religious connection in this bill, so I dropped out of the citizens group," says McLaughlin. "I insisted on this," says Gran. "The citizens group is principally interested in science, while the defense fund has more religious connections."

Bird was particularly influential in shaping the response to the ACLU challenge in Arkansas, not only in helping establish the legal defense fund but in ensuring that Blount's Evangelical Fellowship became invisible. "He talked to us about our position as a group of ministers," said Blount in his deposition. "We agreed at that time to withdraw from any public action because it was not our purpose to inject religion into this. . . . We did not want to prejudice the case."

In the event the legal defense fund was thwarted in its attempts to take part in the creation trial in December. The attorney general, Steve Clark, said that he did not need help and Judge William Overton would not allow any outside intervention in any case. Toward the end of

the second week of the trial, when prospects looked bleak for the state, the defense fund issued a blistering attack on the attorney general for his alleged poor handling of the case. But the organization had lost interest in Arkansas and had already focused on Louisiana.

Just before the Arkansas trial began, Bird and Whitehead, in conjunction with the Louisiana attorney general, filed suit in Baton Rouge, asking for declaratory judgment on the constitutionality of the state's Balanced Treatment law (the law is very similar to Arkansas' Act 590). Bird will be on leave from the Institute for Creation Research while he fights the case and will be supported by the legal defense fund, of which there will be a local chapter in Louisiana. Meanwhile, the original Creation Science Legal Defense Fund takes on the look of a national organization, with such notable figures as Duane Gish, Henry Morris, and Tim La Haye serving on the board. The organization clearly anticipates more battles elsewhere.

The last twist in this saga is Whitehead's contacts with the national Moral Majority. Jerry Falwell, the movement's national leader, asked Whitehead for help in establishing a group that will be called the Moral Majority Legal Defense Organization. Whitehead was asked to head the organization, but he declined because he did not wish to be seen to be too closely associated with the Moral Majority. The organization's function will be to counter what are perceived as assaults on the Christian viewpoint by the ACLU.

Although the passage of Arkansas' Act 590 may not have been a true conspiracy—"It all just came together," insists Thomas—there are an awful lot of interesting connections.—ROGER LEWIN