Briefing:

Creationism Case Goes to Supreme Court

The U.S. Supreme Court has agreed to adjudicate the constitutionality of a state law that seeks to give creationism equal time with the teaching of evolution in Louisiana public schools. The case, which will be heard in the fall, will be the culmination a 5-year legal battle.

The law, which was approved by the Louisiana state legislature in July 1981, requires the teaching of so-called "creation science" in the public schools alongside the teaching of evolution. It was struck down by Judge Adrian Duplantier in January 1985 on the grounds that it violated the constitutional separation of church and state by promoting selected religious beliefs. A similar law in Arkansas was struck down in 1982 on the same grounds.

Duplantier's ruling was upheld by a 3-member panel of the 5th Circuit Court of Appeals last July, and in December, the full appeals court narrowly rejected a motion to hear an appeal of the panel's ruling. The vote was 8 to 7. Undaunted by three successive legal defeats, the Louisiana attorney general is now taking the case to the Supreme Court.

Although the Supreme Court in 1968 overturned an Arkansas law that banned the use of textbooks that teach evolution, this will be the first time it will pass judgment on the constitutionality of laws requiring equal treatment of creationism and evolution. The outcome will have an impact extending well beyond Louisiana. ■ COLIN NORMAN

House Policy Group Reviews Science Academies

To protect its good name, the National Academy of Sciences (NAS) politely turned aside an offer of financial help from some congressmen on 8 May. The offer came during a session of the House Science Policy Task Force, which was engaged in a review of "the role of the academies." It was part of an ongoing study of national science policy, directed by the chairman of the Science and Technology Committee, Representative Don Fuqua (D–FL).

For the most part, the NAS and its sister organizations, the National Academy of Engineering and the Institute of Medicine, depend on federal research projects. NAS President Frank Press said that during his 5 years at the helm, 300 reports have been issued, at the voluminous rate of about one a week. The majority were commissioned by the federal government.

Recently, the academies have been trying to increase their private income by soliciting large donations. They hope to stabilize their finances this way, strengthen their independence, and take on more work of their own choosing.

At the hearings on 6, 7, and 8 May, Representative George Brown (D–CA) said Congress might be willing to contribute to this effort, if Press would only ask for the contribution. But Press would not, saying he thought it would put the institution too much in Congress's debt. He was leery of such intimacy, for "We must walk a narrow line" between being too much and too little engaged in political issues of the day.

Earlier, Fuqua said the academies' growing reliance on corporate gifts might carry a different kind of taint. (The NAE is midway in a campaign to raise $30 million from companies for studies on industrial competitiveness.) Fuqua asked whether the academies might not be perceived as spokesmen for industry. Press and NAE president Robert White responded that every report identifies its sponsors, and that the academies do not accept gifts with strings attached.

But one witness did look favorably on the idea of some form of general congressional support. Denis Prager of the John D. and Catherine T. MacArthur Foundation in Chicago called himself a "strong advocate" of the effort to build an endowment and supported the idea of a "one-time congressional appropriation to the Academies for the purpose of aiding . . . their independence and autonomy. This could be done on a matching basis to encourage and reward private-sector contributions." Prager, who has worked with Press at the NAS and, before that, in the White House Office of Science and Technology Policy, mentioned $100 million as a possible federal contribution.

President Reagan's former science adviser George Keyworth II, was another witness. He voiced some praise and mild dissatisfaction with the academies. One criticism, which he shared with Prager, is the length of time it can take for academy groups to complete a study. Government, both noted, often needs advice quickly.

"My own prescription for changing that situation is to encourage the science community, and certainly the academies, to explore ways to broaden not so much their participation as their contribution to *solving* policy problems. That means better understanding the real, as opposed to ideal, world in which political action inevitably takes place," Keyworth said. "An insistence on lengthy studies "too often renders their expertise irrelevant."

Keyworth said his first encounter with the academies and professional societies in 1981 was "discouraging." He was trying to set priorities for R&D funding in a tight budget, and he claims to have had little assistance. The astronomers were the most helpful, for they "periodically bit the bullet and published a rank-ordered list of facilities they believed should be funded." The physicists were next, but "a long way down the list." But Keyworth said "most of the rest of the disciplines simply lacked the resolve or the pressure to say one part of their field was more important than another, so their 'recommendation' was usually to provide increased funding across the board. . . . "

He praised later sessions with the Committee on Science Engineering, and Public Policy, for he said the group stopped trying to "educate" the White House about the needs of researchers and began to provide critical analyses of particlar areas of research."

Prager decried "the tendency over the last several years for the three academies to become 'job shops' competing with all the other contract research organizations in Washington for federal agency dollars." It is hard to be unbiased and objective when you are "completely dependent for your survival" on an agency that "strongly prefers a study outcome consistent with a stand it has already taken." The problem, he declared, applies not only to the independence of the academy complex but to government offices as well.

A glaring example of how this environment can corrupt a scientific institution, Prager said, may be seen in the decline of the White House Office of Science and Technology Policy (OSTP). When Keyworth arrived in 1981, he promised an office free of political or ideological bias. But, Prager said, "In a relatively short time, Dr. Keyworth became a strong partisan and outspoken political advocate, eschewing objectivity and embracing a number of Presidential political positions to which he was previously unalterably opposed (including . . . the Strategic Defense Initiative)." Since 1981, the OSTP has become "a highly politicized office dedicated primarily to furthering the President's goals and programs in defense, space, and industrial competitiveness." As a result, he said, OSTP has not been able to give sound advice on such issues as acid precipitation, chemical warfare (Yellow Rain), or the health effects of the defoliant known as Agent Orange. By contrast Prager said in praise of his former boss,