

An Intelligently Designed Curriculum: How the Use of Clever  
Language May Change School Board Standards Regarding the  
Teaching of Creationism in Public Schools

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In an on going controversy regarding the very origins of the human species, ideas essential to the founding of our nation are being challenged. The line which separates church from state, an especially crucial boundary in terms of public education, is being continuously challenged by creationist science enthusiasts, who proceed to push for the incorporation of creationist origin theories into science curricula across America. This matter has seen the insides of the highest of court rooms; two of the most notable cases regarding the teachings of such theories being *Edwards v. Aguillard* (1987) and *Kitzmiller v. Dover Area School District* (2005). Both rulings decreed that the teaching of creationism, alongside Charles Darwin's theory of evolution, as a science, was unconstitutional. However, despite the clear legal boundaries stopping the teaching of such "sciences," creationists are finding ways around the rules, which may allow them to continue their crusade. Through the use of clever language and ambiguous laws, creationists are creating loopholes large enough to slip their ideas into classrooms through out America, and this will be detrimental to the scientific education of our youth.

The beginnings of this legal battle can be traced back to Louisiana in 1982, when senator Bill Keith penned a law titled, "Balanced Treatment for Creation-Science and Evolution-Science

in Public School Instruction Act."<sup>1</sup> This law, which required creationist theories of origin to be taught alongside evolution, was quickly protested, and sparked lower level court cases. While Keith argued that this motion was simply to protect "academic freedom,"<sup>2</sup> those who understood the necessity of a secular education realized that this law was just a way to slip Christian ideas into the classroom—a way to pass religious belief as scientific fact. While several lower courts ruled in favor of secularism, the State appealed to the Supreme Court, and the infamous case *Edwards v. Aguillard* was born. In a seven to two decision, the court found that the purpose of Keith's law was indeed a means of promoting religious ideas, thus a violation of the First Amendment.<sup>3</sup>

The outcome of this case serves as a relevant precedent in two crucial ways. First, the claims of "academic freedom" made by creationists serve as an example of the type of language which can be used to camouflage such ideas. By acting as if this is a social cause, and not a means of promoting their own

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<sup>1</sup> Paul F. Blewett, "Edwards v. Aguillard: the Supreme Court's Deconstruction of Louisiana's Creationism Statute," *Notre Dame Journal of Law, Ethics & Public Policy* 3.4 (1988): 663–692. *Academic OneFile*. Web. 11 Apr. 2010.

<sup>2</sup> *Ibid.* 664.

<sup>3</sup> *Ibid.* 665.

religion, creationists appeal to a larger public forum. Thankfully, the court realized that this term was simply a euphemism meant to hide their real agenda, and that the act gave Louisiana teachers no new so called "academic freedoms." By opening the classroom door to creationists, the courtrooms could have never closed it back up, and soon every other pseudo scientific theory would be required to be taught. Thus, their decision reflected favorably upon those who truly strived for academic freedom: people who strive for truth, not a religious agenda, in public education.

The second way in which this case affected the history of this conflict is in fact detrimental to the secular cause. In the court's majority opinion, written by Justice William Brennan, it was noted that alternative scientific theories could be taught alongside Darwin's theory of evolution, given that they did not aim to promote one specific religion.<sup>4</sup> This clause opens up a new way for creationists to get their ideas into the classroom. Justice Brennan, by clearly stating what *could* be taught in public school science classrooms, gave religious fundamentalists a new goal: disguising their religious ideals as

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<sup>4</sup> Laurie Barcelona Halpern, "The Supreme Court Evaluates the Sincerity of the Louisiana Legislature," *Loyola Law Review* 34.2 (1988): 406-419. Academic OneFile. Web 11 Apr. 2010.

secular theory. Unfortunately, that is exactly what has since happened.

Technically, the term *creationism* implies a connection to one specific religion: Christianity. Because of this direct tie to one religion, creationists had to distance themselves from the term in order to get their ideas back into public schools. Thus, the now infamous term *Intelligent Design* was born, a piece of distorting rhetoric which author Jon Alston describes as a, "very sophisticated argument that not only challenges evolutionary theory but also challenges the nature of science itself."<sup>5</sup> In short, the idea of Intelligent Design states that life is so complicated that it is impossible to have arisen without any sort of intelligent designer. Further, any who claims to know how life arose are rejecting an open ended search for knowledge, thus making those who believe in evolution appear close-minded. Alston goes on to highlight the most crucial aspect of this new rhetoric, that Intelligent design claims, "not to be tied to any specific religious belief, theology, or church teaching."<sup>6</sup> Through this clever new term, Christian

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<sup>5</sup> Jon P. Alston, "Law, Darwinism, and Public Education: The Establishment Clause and the Challenge of Intelligent Design," *Journal of Church and State* 45.3 (3003) 600+. Academic OneFile. Web 11 Apr. 2010.

<sup>6</sup> Alston, 604.

creationists not only masked their blatantly religious ideals as secular, but found an answer to the seemingly infallible roadblock that was *Edward v. Aguillard*.

The use of this term in classrooms sparked the supreme court case *Kitzmiller v. Dover Area School District* (2005). This case served as the first direct challenge to the "intelligent design" theory within the science classroom; prosecutors claimed that this school of thought was simply a re-packaged version of the same old story of creationism. Ninth grade science teachers throughout the Dover school district were required to read a four paragraph statement on the matters of intelligent design and evolution, which stated that evolution was simply a theory and intelligent design could in fact be a viable explanation of the origins of our species as well. However, many parents eventually complained, saying that this statement was simply a means of preaching christian beliefs. As the trial proceeded, the rhetoric of these masked creationists began to unravel. In an interview with *Church & State* magazine, Kenneth Miller, one of the leading witnesses during the trial, points out just how flimsy the Dover school board's case was, saying, "the second surprising thing was the public collapse of intelligent design (ID) during the defense phase of the trial... it was genuinely shocking to see [these theories] exposed so clearly under cross-

examination.”<sup>7</sup> As expected, the pseudo-science behind this ‘new’ idea of intelligent design was revealed, stripping the creationists of their sheep’s clothing. Justice James Jones, who wrote the majority opinion for this case, put it perfectly when he said, “The overwhelming evidence at trial established that ID is a religious view, a mere re-labeling of creationism, and not a scientific theory.”<sup>8</sup>

Though this attempt at camouflaging creationism was uncovered, there continues to be an alarming number of further efforts to teach creationist theories in science classrooms. In fact, the pretense of “academic freedom,” which was first used in the *Edwards v. Aguillard* case, is still being used. According to Sean Cavanagh, who outlines the latest aspects of this controversy in his article, “‘Academic Freedom’ Used as a Basis Of Bills to Question Evolution,” states that legislators claim to be writing these bills in order to, “protect the right of

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<sup>7</sup> “Of Darwin, Dover and (un)Intelligent Design: Scholar Says the Future of Science and Church-State Separation are at Stake in the Creationism/Evolution Conflict.” *Church & State* 62.2 (2009): 10+. *Academic OneFile*. Web. 22 Apr. 2010.

<sup>8</sup> *Ibid*, 12.

educators and students to present critiques of evolution.”<sup>9</sup>

Whereas the original claims of “academic freedom” were used to promote the teachings of biblically based creationism, the term is now being used to discredit the validity of evolution as a substantial theory. Michigan state representative John Moolenaar, supporter of one such bill, argues, “Science moves forward when students and researchers are allowed to critically examine theories and the evidence that supports or does not support them.”<sup>10</sup> Thus, according to Moolenaar, these bills do not have any religiously based motives, but are fully aimed at promoting a strong education.

However, there is one obvious flaw to Moolenaar’s claim. As Cavanagh goes on to point out, the scientific majority realizes that, “there is no debate about the core principles of evolution, which [is regarded] as the only credible, and thoroughly tested, scientific explanation for the development of human and other life on Earth, and for its diversity of species.”<sup>11</sup> With almost no real debate within the scientific community regarding the validity of evolution, there is no

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<sup>9</sup> Sean Cavanagh, "'Academic Freedom' Used as Basis Of Bills to Question Evolution," *Education Week* 27.37 (2008): 11-17. *Academic OneFile*. Web. 11 Apr. 2010.

<sup>10</sup> Ibid, 12.

<sup>11</sup> Cavanagh, 12.



logical reason for teachers to be protected when trying to teach otherwise. Once again, the act of "academic freedom," serves as a way for creationists to disguise their religious crusade as a social cause.

Another, even more subtle piece of rhetoric now being battled over in Texas is the use of the phrase "strengths and weaknesses" regarding evolution in science textbooks. Some, like ex Texas State Board of Education Member Don McLeroy, a known christian fundamentalist and creationism enthusiast, argue that this term simply highlights some gaps in the theory of evolution. However, as mentioned before and again outlined by Laura Beil, "evolution as a principle is not disputed in the scientific mainstream ... where gaps in knowledge are not seen as grounds for doubt but points for future understanding."<sup>12</sup> At this point in our understanding of the origins of our species, it is not a matter of whether or not evolution is a logical theory, but whether or not we have the means of seeing the whole picture, given our current scientific abilities. Thus, there are no real "weaknesses" within the theory of evolution, rather points of knowledge waiting to be discovered. By calling these gaps "weaknesses," creationists on the Texas State Board of

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<sup>12</sup> Laura Beil, "Opponents of evolution are adopting new strategy," *New York Times* 4 June 2008: A14(L). *Academic OneFile*. Web. 12 Apr. 2010.

Education are weakening the credibility of evolution as an overall theory, and pushing students to believe in their alternative.

Not only are creationists packaging their ideas in misleading rhetoric, their religious ideals may slip through loopholes created by misleading law. As author Sandhya Bathija points out, just last year, Louisiana governor Bobby Jindal passed a law which allowed teachers to, "introduce 'supplemental materials' in addition to the textbook in science classrooms."<sup>13</sup> As Bathija goes on to argue, this movement towards academic enrichment simply serves as another mask for creationist's agenda, and opens, "the door for creationist concepts to be taught in public schools."<sup>14</sup> Jindal, known for his support of the teachings of intelligent design in the classroom, wrote the law in a seemingly purposefully ambiguous way, not directly promoting the teaching of alternate theories, but certainly not denying the possibility of such a happening. If these laws continue to pass, the line between fact and religious belief will continue to be blurred.

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<sup>13</sup> Sandhya Bathija, "Intelligent Defense: Louisiana Activist Barbara Forrest Counters Religious Right Attacks on Public School Science Classes" *Church & State* 63.1 (2010): 10-13. *Academic OneFile*. Web. 22 Apr. 2010.

<sup>14</sup> *Ibid*, 10.

Clearly, despite the many cases in which teaching creationism in public science classrooms have been banned, most notably *Kitzmiller v. Dover Area School District* (2005) and *Edwards v. Aguillard* (1987), creationists proceed with their crusade. Through the use of clever terms such as 'intelligent design' and 'academic freedom,' these people are trying to disguise myth as reality. It is time for creationist enthusiasts to start listening to legal precedent, and give up their obviously religious fight. By trying to pass religion as scientific fact, creationists are confusing America's youth about something as concrete as human origins, blurring the line between fact and fiction. Not only is this detrimental to the education of our nations youth, if creationists succeed, who is next?

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