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## Monkey Business in Kansas

Scopes Trial Redux?

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On August 11 the headlines leapt off the computer screen. "Kansas Board Votes to Bar Evolution from Classroom" (Reuters), "Kansas Set to Banish Darwin from the Curriculum" (*London Times*), and so forth. The next day the *New York Times* declared "Board for Kansas Deletes Evolution from Curriculum, A Creationist Victory." What the headlines suggest is, "It's the Scopes Monkey Trial again."

But is it? On the surface, the answer would seem to be no. Notice the dissimilarities.

In 1925 Austin Peay, Governor of Tennessee, signed a bill that declared, "It shall be unlawful for any teacher in any of the Universities, Normals and all other public schools of the State which are supported in whole or in part by the public school funds of the State, to teach any theory that denies the story of Divine Creation of man as taught in the Bible, and to teach instead that man has descended from a lower order of animals." The law also provided for fines of one hundred to five hundred dollars for each offense, an enormous sum in those days.

At the urging of the ACLU and others, John Scopes, a 24-year old biology teacher chose to break the law for the sake of seeing it tested in court. After a circus trial with Clarence Darrow for the defense and William Jennings Bryan prosecuting, Darrow asked the jury to return a guilty verdict so they might appeal to the state's supreme court. The jury obliged, and the judge fined Scopes one hundred dollars and they appealed. A year later the conviction was overturned on a technicality--the jury not the judge should have set the fine.

