

THE COSMOGONIC THEATER



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The Cosmogonic Theater

Public Performance in the Evolution Controversies

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Introduction: Everybody Needs a Creation Story?

I conceive of this project as an onion of sorts, with three shells. On the inside is a pointed discussion of concepts of theatrics in the American evolution controversies from the early twentieth century to the present. Observing the debate as a performance of sorts unveils insights about what is actually occurring as well as tools with which to act within it. Second, and broader in scope, I develop performance theory as a tool for understanding American political discourse, particularly when the religious becomes involved. This also serves as a reflection on its meaning and usefulness in academic religious studies. It also moves toward an account of the citizen as, in effect, a performer. Third, loosely yet necessarily implicit in the subject matter itself, I lightly touch on implications for the category of the “creation myth” and to what ends evolution, creationism, or some mix of the two might serve as one. I will not take up this discussion in much detail throughout the body of the text (except at the end of this introduction), yet I hope it can remain an open question. These shells do not depend on one another strictly. The reader is free to pay attention to any of these threads in exclusion of the others. But it is worth noting all the same that, whether or not they are on your mind, all three are on mine.

In terms of the controversy itself, I find that the major insight of the phenomenon of the theatrical is that its apparent divisiveness comes to form the basis of a shared, substantively uniting habit of cultural discourse. Even as it divides people by their opinions, it gathers their attention into a shared conversation. Particularly on a theological level, the performance can be independently meaningful and self-sustaining. This is not an isolated circumstance. To an extent, what I argue here can be said for nearly

any religiously-infused controversy in American politics. Theatrics, in the formulation I will develop, is an inherently extensible concept, though not every performance is alike. I do find that its consequences can be spoken of broadly enough to form its own theory of the citizen as performer.

Part of what made me first interested in this subject was discovering intelligent design theorist William Dembski's book with Cambridge University Press, *The Design Inference* in the course of of a different research project of mine. Having lost my taste for formal logic notation sometime after freshman year, I, probably like most people interested in the evolution question, did not bother reading the book very closely. Nevertheless, sitting on my desk, I discovered that it came to stand for something, an act of appearances made of baffling formulas and its sheer physicality—or incarnation. It occurred to me that this complicated opus had become a ritual object. Whether or not I would have been convinced by its arguments (most reviewers have not), the book represented what it claims to be: a demonstration of the likely existence of a creator. Particularly for those who do not read it, this performative meaning serves as the primary one. In public exchange, scholarship, debate (by extension), preaching, and before long the bulk of tradition, comes to mean more by what it represents than the things it literally states.

This study engages an issue of the immediate present from which there is no possible distance. As I researched and wrote, the Dover trial was ongoing in Pennsylvania. Every day I kept an eye on the latest developments, constantly tinkering the text and arguments accordingly. Ken Miller, one of the major figures in the contemporary debate, is a professor at my university. I run into him in the hallways. In reading the pervasive present one is faced with a certain blindness as well as a unique insight. Nevertheless, this clouds any pretension to objectivity. However much my analysis might try to be only reflective, that its subject is a live issue means I cannot escape the implication of polemic.

As best I can, though, I do not take a position in my discussion either for or against evolution, intelligent design, or any of the other doctrines offered to us. My qualifications are neither scientific nor theological, so it would probably be of not very much use if I did. In the process I have discovered beautiful and evocative arguments from all camps, and hope that my offering here does justice to the strengths and passion of each. Above all, my reading considers the controversy insofar as it is an event relating to what

people think of as religion. I certainly suspect that some arguments are truer than others, whether from a scientific or theological perspective, but I think that the controversies can become even more interesting when we suspend that question momentarily. Before we make our final verdicts, it is worth asking what the controversies themselves can tell us. To look upon them with an eye to performance, religion, myth, and ritual may appear to neglect the legitimate and pressing scientific and theological problems that they represent. Already, though, there is a great deal of literature by partisan experts and quasi-experts who take up these one way or another. I am not one of them! The truth that I have looked for, by and large, is not so much in people's claims as in how and why they claim them.

Writing about performance, I have found, erects a certain circularity on my act of writing itself. This work is an experiment, one I have built through improvisation within prescribed forms, guidelines, deadlines, and expectations. As a product, it is hard to say with perfect confidence that I can *believe* the things that I argue here, though that is the stance convention requires me to take. It is the custom of scholarship in the humanities to stand one's identity up behind one's ideas, to define it by them. Perhaps this is a remnant of the dictum of dogma that salvation lies in the orthodoxy of our faith. To what extent I can, I do not accept this posture. The ideas I put forth here are interesting to me, and I hope they will be taken seriously as I have taken them, but they are also distinctly a performance, as I believe any such thing must be. Enclosed in expectations, deadlines, and incredibly small readership, a senior thesis is necessarily this. I eagerly await the reactions of my readers so that together we can make the next performance and the next one, using this stage I here offer if we choose. Such an approach, anyway, I think is better suited to the nobler aims of scholarship, as well as being more humane to the soul of the scholar.

Overview of the Study

In the first chapter that follows, I offer a brief introduction to the evolution controversies in the United States. It is centered around three major periods, each marked by a pivotal court case that defines it. For the uninitiated, it should serve as a sufficient primer in the major themes, events, and players. Nevertheless, it is structured with special attention to the discussion that follows. I exaggerate a dualistic approach to understanding

the debates as I believe most participants and observers exaggerate it. The second part consists in a number of raw reflections. These contribute to a fuller picture of the tensions and contexts surrounding the major activity, and lead directly into discussions that will continue in chapter 3.

The second chapter addresses the evolution controversies less specifically. Here I give a picture of how a few separate modern discourses think about religion in American public life, particularly with regard to constitutional separation doctrine, secularization theory, and the discontents of both. Religion plays a peculiar and uncertain role in the political arena and can be found acting there in disguise. It acts in dialog with a system that at once affirms its right to exist and denies its right to official establishment. In parallel conversations about the telos of culture, religion resists the contention of some that it is in the process of passing even while enacting a theology of a sanctified state. It is difficult to find a clear answer, finally, for how foundational religious beliefs are to our civic traditions and consciousness. This uncertainty, I find, undergirds and informs the impetus to perpetuate the evolution performances.

Third, I present the controversies as performances most directly. I begin with a brief discussion of some pertinent insights from performance theory as it has developed in a handful of circles over the last several decades. Next I match these insights up against the controversies and draw out a number of observations. Chief among these, I argue, is the recognition that performance may ultimately serve to unite participants more than it divides them as it forms new identities through enacting them. The “warfare” model, therefore, which is so often used to describe the controversies, represents a comparatively naive reading, perhaps one more pessimistic than necessary.

In the final chapter, I synthesize the discussion of performance into broader conclusions about what we can say is occurring. I consider the evolution controversies in light of concepts of civil religion and mythology, and then evaluate the usefulness of doing so. Lastly, beginning with a reflection on accusations of deception in the controversies, I develop some tools for thinking about the nature of citizenship as performance. In this way, it may be possible to mediate the sometimes-conflicting values and identity-definitions that tug on a person in a tolerant society that values responsible truth-seeking. It may be that, if we are to locate ourselves in an ongoing dialog, self-conscious performing is a necessary posture for authentic en-

gagement.

THE COSMOGONIC MYTH

One recent account of the American evolution controversy begins with the following claim:

Human beings need creation stories. Cultures are defined, in part, by their common creation myths, stories that answer important questions about how things came to be and how meaning is found within the existing order. . . . There must be a shared common notion about how things came to be. Cultural historian and theologian Thomas Berry goes so far as to suggest that “[n]o community can *exist* without a unifying story.”¹

These sorts of assumptions generally underlie the conversations about evolution and creationism. As we will see, there are those who believe that the creation story establishes the whole moral order; to a faulty one can be traced so many evils, failings, and falsehoods of the human race. They claim it underlies the social order. If America is to be a nation, as Berry suggests, mustn’t we be united by a single sacred narrative?

Mircea Eliade, that primordial scholar of religion in his own right, certainly bowed to the “prestige of the cosmogonic myth.” It is “apodictic truth: it defines truth.”² Beyond a mere “-gonic” cognition, a thing that is known, he describes it as a thing practiced and enacted, then repeated and sustained. Through the ritual imitation of gods, “the religious conduct of man contributes to the maintenance of the world’s holiness.” The myth is both pervasive, insofar as it is responsible for everything, and finite, for it was a special act, one set apart from all other acts by its place at the beginning of time. Cosmogony establishes the topography of “the non-homogeneity of space,” which refers to Eliade’s critical and universalized distinction of sacred and profane. “All creations—divine or human—” he concludes, “are definitely dependent upon this model which constitutes the cosmogony.”

Despite its eventual discrediting in the academy, this way of talking has remained pervasive in the public evolution controversies. Scholars have

¹Giberson, *Species of Origins*, 1.

²Eliade, “The Prestige of the Cosmogonic Myth.”

widely recognized the ways in which many of Eliade's sweeping generalizations are profound exaggerations of ethnographic data shaped to fit a particular elegant structure. But the monolith he claimed the creation to be does not exist in our plain sight. For over a hundred years, people in the West have visibly and articulately disagreed over how the human race came to exist and how the world was formed. Arguably, the social order has not collapsed. Even the Genesis account itself has two separate creation stories, though as scripture they are read in intentional tandem. In each case, coexistence reigns over contradiction. One of the questions that first drew my own interest to the evolution controversies was my own sensation, having been raised in a mostly secular, passively multi-religious household, of (1) not really having a creation story and (2) not being particularly concerned by that fact, not wishing for one reason or another that I did. Whether Eliade is or even can be said to be right, the impact of the ideas he helped to develop and articulate have formed the terms in which many people operate. Even if we clearly do not have so pervasive a unifying myth as he describes, his false nostalgia for the rooted mythos of "archaic man" has come to be an ideal of folk anthropology.

Eliade, however, is right insofar as he recognizes the significance of the performed. Undoubtedly if we treat our myths as hegemonic they will meaningfully become so.

As I have explored the courses of controversies, I have been impressed by the variation in ways that people treat the primordial as the present world reflects it. For William Paley, the great nineteenth-century English naturalist and divine, the interlocking intricacy of life systems felt like clear evidence for intelligent design by an omnipotent creator. "Let a creature possess such power and let it fashion such a heaven and such an earth and I shall admit that it is God," wrote Peter Lombard, the medieval French bishop. In contrast, Paley's countryman Thomas Burnet, in his spellbinding 17th century geological treatise, *The Sacred Theory of the Earth*, begins with the assumption that the "sublunary" natural world is evidently broken and disordered. "What a rude lamp our World is which we are so apt to dote upon," he laments.³ With great imagination and eloquence, Burnet makes it his task to show how, as the biblical account demands, what we see could have any possible relation to the beauty we would expect from a divine

³Burnet, *The Sacred Theory of the Earth*, 7.

creation. One might also recall Karl Barth's vigorous argument with Emil Brunner over the sense in which nature reveals to us the divine Word. Even when we ostensibly share a creation story, in these cases the Christian one, people are hardly consistent about how they choose it to inform the meaning of the lived present.

This current of speculation should be a ripe one to keep in the back of our minds while reflecting on the evolution controversies. The theater they create, in their repetition an enactment, work as a check-in with the American creation stories or lack of them. Do we, in fact, need a creation story? Does it make us who we are and sanctify our activities? What does it mean, then, to disagree about it? What is at stake? But for the sake of keeping focus on things easier to grasp and draw meaningful conclusions about, as far as I take time to say things outright, I leave the discussion at that.

Chapter 1

The Great Debate

Every fall, the Boston University College of Communication hosts an event called The Great Debate. In it, a selection of experts and student debaters take on a contentious dilemma of public interest. The crowd is packed full of journalism students, for whom attendance is compulsory, with ready notepads, video cameras, and tape recorders. Afterwards, they all are supposed to dash back to their rooms and concoct a report for class the next day. When the closing arguments end, the speakers gather in the auditorium lobby to be barraged with interviews. A few lucky students catch them still on the way from the stage. Booing isn't allowed, but when necessary, the audience bursts into a rapturous cry of "Shame! Shame!" By invention and intent, The Great Debate is a media circus.

On November 2, 2005, the Debate took on the question of whether public schools should teach intelligent design theory in science classes alongside evolution. The invited debaters included some of the most outspoken public activists on each side. William A. Dembski, fellow of the Discovery Institute and director of the Center for Theology and Science at Southern Seminary, has furnished much of the mathematical and philosophical platform that the latest intelligent design arguments depend on. Dembski looks young, almost boyish, and while his speaking is both practiced and articulate, his voice sometimes seems nearly at the point of cracking. The star of the opposition was Eugenie C. Scott, a tough and to-the-point physical anthropologist who now heads the National Center for Science Education (NCSE), which has led the fight, at Dover and elsewhere, against the anti-evolutionists. Each was accompanied by another expert and an

immaculately-dressed, undergraduate debate club veteran. The only person better dressed than the students was the moderator, the chairman of the journalism department, who sat at the center of the stage in a big chair with full professorial regalia, including robes and ruffled, white hair. In his opening remarks, he assured the audience that nobody should expect to resolve the question that night; it was an old one and could be expected to continue well on after this Great Debate was over.

Surprisingly, the opening argument from the intelligent design side included virtually nothing about the theory itself. Edward Sisson, a friendly-faced Washington, D.C. lawyer and published design advocate, went to great lengths to make it clear that he was not the kind of “religious zealot” that folks might assume a design advocate would have to be. To do this he described his limited participation in a moderate, mainline church. He was first attracted to the design hypothesis by the work of a respected Cambridge scientist, and being a lawyer, he began to recognize some of the tricky, misleading arguments made by evolutionists. From there, and for the majority of his talk, Sisson got lost telling the story of his personal journey. Standing on a stage, he explained, before the largest audience he’d spoken to in a long time, reminded him of his nine years spent working in experimental theater on the West Coast. He spend some time recalling those days with pleasure, undeterred by murmurs from the crowd. Only when the one-minute bell rang did he return hurriedly to the topic of design, reading briefly from a few notable books in its defense before time was up.

The rest of the evening was more substantive. Each of the three other speakers presented cogent, relevant arguments in defense of their side. The student debaters held their own among the experts. A comment period from the floor raised interesting points, and the audience reacted with gusto and little mercy. But the air that hung over the whole event never quite lost the strange sensation of unreality that Sisson’s presentation had left it. By playing his part a little oddly, he put out in the open a reminder of the theatrics that were underlying this Great Debate. Much of the audience was there because their instructors told them to be, and the student debaters argued for the positions to which they were assigned. Between the journalists-in-training, the lecture on experimental theater, and the presence of truly concerned experts, it was hard to know where the purely theatrical began or ended.

One finds, however, that The Great Debate is not such an exception in the ongoing American evolution controversy. For decades it has continued to be a popular subject of high-profile events on college campuses and among debate clubs. Church groups across the country discuss the theological implications. From time to time, the controversy ends up in court and becomes the purview of lawyers and process. While remaining one of the most visible scientific conversations in the United States for at least a century, it attracts comparatively little attention inside the scientific establishment.¹ Over the years, the arguments on either side have become so practiced that every iteration of the controversy does tend to inevitably take on the character of a rhetorical exercise. As such, a dimension of performance supersedes even the content of the exchange; just as the Great Debate assumed from the beginning, the debate seems to serve purposes other than coming to a particular kind of conclusion. The act of debate fuels itself and somehow many of the participants have come to thrive on it.

1.1 SETTING THE STAGE

It was no accident that The Great Debate series took up evolution in Fall of 2005. That same week also marked the end of testimony in the latest line of high-profile evolution courtroom dramas over the origins controversy in American public schools. Beginning in late September of that year, the United States District Court in Dover, Pennsylvania had been engulfed in *Kitzmiller v. Dover Area School District*, under the siege of sustained international media attention and the scrutiny of partisans on either side. Through the trial and the flurry of newspaper opinion articles released in its wake, the public was exposed to a new collection of terms with ambiguous scientific and theological meaning. For the first time, the theory of intelligent design was tested in the courts as an alternative to orthodox evolution in biology classrooms. Historically and legally, the case was far from isolated, and its interpretation drew on an uncertain relationship with eighty years of collective memory, from the Scopes “monkey” trial in 1925 to

¹This contention is repeatedly and for the most part credibly made, especially by scientists and philosophers who want to discredit the suggestion that any “debate” even exists at all. See especially Barbara Forrest, Eugenie Scott, and Ken Miller. Still, creation and design advocates are eager to point out their comparatively small but growing roster within the same establishment.

Edwards v. Aguillard in 1987, a Supreme Court decision that definitively ruled against the teaching of “scientific creationism.”

In the media, the Dover trial was sometimes referred to as “Scopes II.” But if the reporters were really counting they probably would have lost count sometime in the eighties. Over the course of the last century, there have been three main public thrusts in the United States to challenge the teaching of evolution in public school classrooms. I will describe each in terms of the definitive court case that defined it, for it is through the courts almost exclusively that the controversy progresses in the public eye: (1) intelligent design (1990s - 2000s) and *Kitzmiller*, (2) creation science’s opposition to the neo-Darwinian synthesis (1960s - 1980s) and *Edwards*, and (3) *State of Tennessee v. John Thomas Scopes* and the paradigm that it defined in 1925. *Kitzmiller*, *Edwards*, and *Scopes* are far from the only relevant court cases, they are only the most significant. In each instance, through this single question, the formidable American establishments of pragmatic secularism and Christian religion come into collision. Nevertheless, every incarnation assumes a unique configuration that reflects its times as well as the memory of those that came before. Because in each case the courtroom serves as medium and arbiter, and since it does so in reflection upon the political mythology of the First Amendment’s Establishment Clause, the foundation of common legal tradition unites both sides despite their divisions; it comes to offer an independent authority that the authorities of neither religion or science can afford to dismiss so long as American public school policy remains the target.

While reserving scientific, philosophical, or theological judgment, I claim that the two sides have clear enough lineages in American cultural memory that, for present purposes, “creationism” can be conflated with “intelligent design” just as comfortably as “Darwinism” can be with “neo-Darwinism.” This is not to say that their differences are insignificant, even on a sociological level, but only that the popular imagination, formed especially in the context of the courtroom dramas and pulpits, effectively generates this simplification. The courtroom permits only two sides, defendant and plaintiff, and it is according to this pattern that, for the most part and for better or worse, people interpret the controversy. Very likely, this dualistic clarity lends force to the extremes on either side and, by placing the demand on those closer to a syncretic view to pick one or the other, has the effect of making middle-way compromise difficult.

1.1.1 Intelligent Design and Dover

In December 2004, supported by organizations like the American Civil Liberties Union (ACLU) and the NCSE, a group of Dover Area School District parents filed suit against the school board on the basis of a new policy included in the high school biology curriculum. Passed that October, this “modest change,”² required that a four-paragraph statement be read in biology class before beginning the unit on evolution. The statement explains that, while Dover is a “standards-driven” school district and the Pennsylvania Academic Standards require that evolution be taught, evolution remains a “Theory,” and “gaps in the Theory exist for which there is no evidence. Next, while encouraging them to “keep an open mind,” it informs students that “Intelligent Design” is a different explanation for the origin of life, and a book about it is available in the school’s library.³ Meanwhile, several class sets of the textbook, *Of Pandas and People*, were purchased on behalf of the school by local benefactors.

The plaintiffs alleged that the theory of intelligent design is “inherently religious, not scientific, in nature,” and that the proponents of the theory are using it to slip an agenda of religious persuasion into the classroom. Drawing on the criteria that the Supreme Court used to rule against creationism in 1987, they concluded that to present “an inherently religious argument” in a public school’s science classroom, and so unsupported by the secular scientific establishment as design, violates the Establishment clause.⁴ They went on to claim that intelligent design intrinsically falls short of reasonable criteria for true scientific research and that its methodology actually inhibits such work.

While the plaintiffs and their supporters clearly hoped for a sweeping verdict in the pattern of *Edwards*, the defense took a more cautious tack,

²As it is described in the opening statement of the defense at Dover, *Kitzmiller*, September 26, 16.

³*Kitzmiller*, Complaint, 2. One aspect of the discourse in this controversy that interests me is the fluctuating use of capitalization. That “Theory” is so consciously and conspicuously capitalized here recalls the work of creationist Henry Morris, in which scientific ideas and religious ideas are purposely capitalized (even when normally they are not) as if to call attention to the claim that they are essentially equivalent as ideologies, capable of being judged by common criteria, and essentially provisional. For my own part, I have tried to stick to the Chicago Manual guidelines and err on the side of lowercase.

⁴*Ibid.* The criteria that *Edwards v. Aguillard* rests on is the 3-prong “Lemon test” for the Establishment Clause as defined in 1973’s *Lemon v. Kurtzman*, according to which a policy must: have a legitimate secular purpose, neither advance nor inhibit religion, and not excessively entangle church with state. Masci, “From Darwin to Dover,” 3.

especially in the closing statements, strategically emphasizing the lack of evidence specifically against the motivations of the school board members.⁵ This, however, did not prevent the trial from being for much of its duration yet another Great Debate, a full-on scientific, theological, and legal contest made up of testimonies and cross-examinations of expert witnesses, many of whom had been longtime veterans of the evolution lecture circuit. As such, the media coverage it produced over the span of a month and a half served as many people's first official introduction to design, while at the same time recapitulating a familiar cultural taxonomy, Darwin "versus" religion. On the national scene, however, Dover was far from alone. That same year, a number of states, including Kansas, Utah, Ohio, and Georgia were considering science education policies more favorable to design. But for the extended media coverage it attracted, Dover was the most visible of these.

Intelligent design, in the words of William Dembski, is most concisely described as "the study of patterns in nature that are best explained as the result of intelligence."⁶ The term was coined by anti-evolutionist and Stanford law professor Phillip E. Johnson in 1991, and is the subject of a body of literature that has been growing since the mid-nineties. Though design theory has taken the forefront in debate about evolution, Dembski's characteristic formulation avoids direct reference to evolutionary theory in particular. So also in much of his work, he describes "design" as a methodology with general applicability across fields from criminal forensics to engineering and the search for extraterrestrial life as well as biology.⁷ Through the concept of "specified complexity," the combination of a phenomenon's extremely low probability of random occurrence and high information content, Dembski argues that it is possible to demonstrate rigorously the necessity of conscious design, whomever the designer may be. Without an intelligent force at work to conceive of and organize them, things like books, microchips, and living organisms are mathematically profoundly improbable.

⁵*Kitzmiller*, November 4 (PM), 60-94.

⁶At "The Great Debate," he described this as his current short-form of the definition. In DeWolf et al., "Teaching the Controversy," 69, the authors express some preoccupation with what to call the movement, which they say may be referred to as the "theory of intelligent design or design theory (sometimes abbreviated simply design)." It is also common to see the abbreviations "ID" or "IDM" which I avoid out of personal preference.

⁷Dembski has written for both popular and academic audiences. Design theory as a broad methodology is outlined in, among others, both *No Free Lunch* and the more technical *The Design Inference*.



Figure 1.1: William A. Dembski, Senior Fellow of the Discovery Institute's Center for Science and Culture



Figure 1.2: Phillip Johnson, a professor of law at Stanford University and co-founder of the Discovery Institute's Center for Science and Culture

Dembski's contribution, however, is only one angle of a much broader research and advocacy program. Much of this work is associated with the Discovery Institute and its subsidiary Center for Science and Culture (CSC).⁸ Dembski among them, the CSC's fellows have been nearly singlehandedly responsible for the articulation of the intelligent design concept, both in biology in particular and as a broader scientific methodology. CSC fellow and biologist Michael Behe, for instance, demonstrates the impossibility of unguided evolution in particular biological systems. These systems, he argues, are "irreducibly complex"; their parts function in such a fragile balance that no earlier, less developed evolutionary stage could produce a competitive organism.⁹ John Angus Campbell, Phillip Johnson, and Stephen C. Meyer, on the other hand, have led the philosophical and rhetorical defense of design, both as a research program and a subject covered in the public school

⁸It is interesting to note that the Discovery Institute officially backed out of the Dover case at the last minute. Apparently they found parts of the Dover policy "misguided" on account of its insistence that all students be exposed specifically to design theory. Lately, the Discovery Institute has been erecting a cautious legal position with respect to advocacy in public schools, likely out of fear that intelligent design, like scientific creationism, could face a sweeping ban. The defense has since been led by the Thomas More Law Center, an organization that describes itself as "The Sword and Shield for People of Faith."

⁹Behe, *Darwin's Black Box*.



Figure 1.3: Stephen C. Meyer, Senior Fellow of the Discovery Institute's Center for Science and Culture

curriculum.¹⁰ Despite the CSC's apparent monopoly on design research, however, discussion of the theory has expanded far beyond, both among independent researchers and especially faith-based advocacy groups.

Just who the intelligent designer is, the design theorists maintain, is not specified either in their assumptions or their conclusions. Though Dembski, for instance, holds a degree in divinity from Princeton Theological Seminary alongside his doctorates in philosophy from the University of Illinois and mathematics from the University of Chicago, he makes it clear that design theory does not and need not rest on theological training. While a

¹⁰Campbell et al., *Darwinism, Design, and Public Education* includes representative articles by all three.

person's theology might conceivably be inserted into an interpretation of design, or even might suggest design as a theory in the first place, Dembski insists that "this move is strictly optional as far as the actual science of intelligent design is concerned."¹¹ Instead, the "design inference" is a consequence of observable data and probabilistic reasoning. The methodology is freestanding, so to speak, and no serious thinker, regardless of theological commitments, can afford to dismiss the challenges it presents to orthodox evolutionary theory.

Unlike many earlier creationist movements, design theory in itself does not dismiss the bulk of evolutionary theory, and its exponents vary considerably in this respect. Most accept evidence of evolutionary time scales and generally some amount of evolution by natural selection.¹² Their objection, therefore, is primarily in terms of method; why should scientific research assume from the beginning the absence of an intelligent, creating force? If such a cause is actually at play, what is the good in acting as if it absolutely could not be? After all, the work of Dembski, Behe, and others should serve as evidence that this broader frame of reference is defensible and can have fruitful consequences. Certainly, the argument goes, one needs no prior religious commitment to remain open to this possibility. The way evolution is articulated, both by scientists and in the classroom, in contrast, is expressly closed to it.

The thrust of the plaintiffs' argument at Dover, of course, was that design theory is not religiously neutral. Notably, many of the most prominent voices on the side of evolution in the trial were themselves practicing Christians, including Catholic theologian John Haught and biologist Ken Miller, author of *Finding Darwin's God*. Together with other scientists and philosophers, they built a case for a comprehensive distinction between science and religious values. In doing, however, they were careful to demonstrate that evolution need not exclude religious belief, and furthermore theology can and should willingly embrace it. According to them, intelligent design theory "belittles God"¹³ Not only, therefore, does design imply a re-

¹¹Dembski, *No Free Lunch*, xv.

¹²Phillip Johnson, now Program Advisor to the CSC, has historically denied evidence that any speciation at all occurred by evolutionary means, so-called "macro-evolution," while accepting the easily-observed fact that "micro-evolution" does occur within species, as in the case of a mutating virus or selective breeding of animals. Many of the younger theorists embrace evolutionary speciation so long as the possibility remains open that at some level recognizable intelligent intervention occurred.

¹³This phrase is from an ally of Miller and Haught, Fr. George Coyne, S.J., director of



Figure 1.4: Ken Miller, professor of biology at Brown University

ligious agenda, but the agenda it presents is a particular one that many mainstream religionists consider to be bad theology.

By the end of the trial at Dover, there was a sense of both fair play and good humor, as well as irresolution and exhaustion. Judge John E. Jones III, who presided over the case, went to great length after the closing arguments to applaud the decorum of everyone in the courtroom, including litigants and the crowds of “spectators.”¹⁴ The last day ended on a funny but uncertain note, when Patrick Gillen, lead lawyer for the defense, wondered, “By my reckoning, this is the 40th day since the trial began and tonight will be the 40th night, and I would like to know if you did that on purpose.”

The judge replied, “Mr. Gillen, that is an interesting coincidence, but it was not by design.”¹⁵

the Vatican Observatory, who has been an important voice recently in defining the Catholic Church’s doctrine on evolution. “Science Wars,” Coyne.

¹⁴Kitzmiller, November 4, 91.

¹⁵Ibid., 94. It is also worthy of note that, just as the length of the Dover trial happened to last the length of Jesus’s sojourn in the desert, Scopes lasted six days, just did Creation according to the Genesis account.

According to Jones, *Kitzmiller* was “the largest trial, certainly in recent memory” in the Middle District of Pennsylvania.¹⁶ Like *Scopes* in 1925, Dover was a classic instance of the world barging in on an unsuspecting, quiet town rather unprepared for it. The mixed attention and division that it brought to the Dover community was frustrating for many. In one often-repeated story, a student at Dover High came home and, because her mother believes in evolution, demanded, “What kind of Christian are you?”¹⁷ Parents and teachers who testified against the school board cited instances of intimidation from school administrators and neighbors. The trial also was a reminder of an incident at Dover Area High School two years before, when a janitor at the school had burned a student’s mural that depicted the evolution of man.¹⁸ Despite whatever community support that existed for the controversial policy, four days after testimony ended in the Dover trial, eight of the nine school board members who passed it were ousted in local elections.

On December 20th, Judge Jones ruled broadly in favor of the plaintiffs, arguing that the school board lacked secular purpose in their decision and, more significantly, that intelligent design is as yet not a properly scientific theory. “After a searching review of the record and applicable caselaw,” explains the final opinion, “we find that while ID arguments may be true, a proposition on which the court takes no position, ID is not science.”¹⁹ It was as strong an affront to the design movement as is possible from the level of a district court, and, coupled with the fate of the school board the previous month, is a sign that intelligent design may go the way of scientific creationism so far as the courts are concerned.

In isolation, the arguments and witnesses of the Dover trial did not simply place science on one end and religion on the other. The design theorists went to great lengths to establish their credentials as scientists, while the plaintiffs used theological reasoning to defend naturalistic evolution. “Both Defendants and many of the leading proponents of ID make a bedrock assumption which is utterly false,” writes Judge Jones in his opinion.

Their presupposition is that evolutionary theory is antithetical to a belief in the existence of a supreme being and to religion

¹⁶Ibid., 91.

¹⁷Ibid., 59. This was also reported in a number of media accounts.

¹⁸Lebo, “Mural at Issue.”

¹⁹*Kitzmiller*, Opinion, 64.



Figure 1.5: Judge John E. Jones III

in general. Repeatedly in this trial, Plaintiffs' scientific experts testified that the theory of evolution represents good science, is overwhelmingly accepted by the scientific community, and that it in no way conflicts with, nor does it deny, the existence of a divine creator.²⁰

Nevertheless, the event was understood by many people according to a much clearer dichotomy of secular and fundamentalist, one defined historically and politically. Despite the ambiguity of appearances, the continuum of the earlier courtroom dramas defined the categories of Dover in advance. Just after the Dover school board election, Rev. Pat Robertson warned residents on his show *The 700 Club*, "If there is a disaster in your area, don't turn to God. You just voted God out of your city."²¹ That same week, as if heeding his warning, the Kansas Board of Education revised the language of its science curriculum to make room for intelligent design.

1.1.2 Scientific Creationism and Neo-Darwinism

Robertson's rhetoric is of a kind that has been largely eschewed by the design movement, which tends toward the composure of the scientists rather than the fire of the pulpit. But the anti-evolution movement that preceded it in the United States, the "scientific creationists," spoke in a different tone of voice. Hydraulic engineer Henry M. Morris, the de facto spokesman and founder of creation science wrote, typically enough,

The evolutionary philosophy is the intellectual basis of all anti-theistic systems. It served Hitler as the rationale for Nazism and Marx as the supposed scientific basis for communism. . . . Its whole effect on the world and mankind has been harmful and degrading.²²

In their writings, the scientific creationists also do not hold back their beliefs about the theological consequences of the evolutionary worldview. Morris continues,

[Evolution] is inconsistent with God's methods. The standard concept of evolution involves the development of innumerable

²⁰Ibid., 136.

²¹Elsner, "Robertson Says Town Rejects God."

²²Ibid.

Buddhism	Animism	Liberal Judaism
Hinduism	Spiritism	Liberal Islam
Confucianism	Occultism	Liberal Christianity
Taoism	Satanism	Unitarianism
Shintoism	Theosophy	Religious Science
Sikhism	Bahatism	Unity
Jainism	Mysticism	Humanism

Figure 1.6: In *What is Creation Science?* Henry Morris lists these as “religions that are structured around an evolutionary philosophy.” The only traditions he categorizes as properly creationist are “orthodox” variants of Judaism, Islam, and Christianity. (Morris, *What is Creation Science?* 17, 20.)

misfits and extinctions, useless and even harmful organisms . . . The God of the Bible is a God of [f] order and of grace, not a God of confusion and cruelty.²³

First and foremost, in the creationists’ rhetoric, the necessity of their worldview depends on the imperative of revelation. The biblical message, read properly, cannot be reconciled with evolutionary theory and indeed warns against it. In *Creation and the Second Coming*, Morris frames the idea of evolution within an eschatological narrative. The six days of Creation, he stresses, prefigure the six thousand years of history before the seventh, the rest, the thousand-year reign of Christ. Reflecting the influence of Hal Lindsey’s end-times books of the seventies, furthermore, he claims that the nearness of history’s end means the “urgent importance of the creation message in the last days.”²⁴ The false confidence of science, best represented in the empty consensus of evolution, he explains, follows the prophecy of Daniel 12.4 about the chaotic era that leads to the end: “and knowledge shall be increased.” Or, in II Timothy, “For men shall be . . . ever learning, and never able to come to the knowledge of the truth.”²⁵

Even while they explicitly took the Bible as their starting point, however, the scientific creationist movement, though not with the sophistication of intelligent design, was concerned about its science. The movement itself began because of a collaboration between John C. Whitcomb, Jr., a bright evangelical seminarian, and Morris, a university professor with a Ph.D. In 1961, their work produced *The Genesis Flood*, a best-selling book

²³Morris, *Creation*, 141.

²⁴Morris, *Creation and the Second Coming*, xii.

²⁵Ibid., 21; II Timothy 3.1-7 quoted in Ibid., 9.

among conservative Christian readers that reinvigorated interest in creationist apologetics. Unlike the “gap,” “day-age,” and “progressive creationist” theories that were then popular among Christians, it argued for a six thousand year old earth, a fossil record resulting from the flood of Noah, and the theological insistence that any other position is unbiblical.²⁶ The scientific evidence they depended on included questioning geological dating techniques, skeptically critiquing the most common “proofs” of evolution given in biology textbooks, and invoking the second law of thermodynamics against the development of complex forms. For the next several decades, Morris and his colleagues cultivated organizations like the Institute for Creation Research (ICR), meticulously gathering sympathetic scientists to join in their cause and lend their credentials to its credibility.²⁷ Meanwhile, the scientific creationists, with their combination of academic credentials and unflinching literalism, restored the belief in young-earth, six-day Creation to fundamentalist and evangelical orthodoxy. Since Scopes, these communities had been drifting toward more conciliatory readings, and the work of the ICR and others brought them to reverse this trend.

As the movement developed momentum, and began to expand its activity into the public square, creationists and evolutionists challenged one another to visible debates. They toured college campuses crusading for one cause or the other, packing auditoriums and stirring up audiences. Morris and his ICR colleague Duane Gish became notorious for rhetorically vanquishing university professors on their home turf. The attention that the creationists brought to their cause brought a handful of scientists out of the lab and making a name for themselves at the debate podium. Future Dover witness Ken Miller, a biology professor at Brown University, had little interest in evolution in particular before 1981, when a group of students convinced him to debate Morris in a three-hour event before sixteen hundred people.²⁸ In his *History of Modern Creationism*, Morris calls Miller “the best evolutionist debater to surface to date,” and considers their engagement “the turning point in the current evolution/creation warfare.”²⁹ During the decades that followed, Miller found himself devoting more and more time to debating anti-evolutionists with great success, writing and

²⁶Numbers, *The Creationists*, 189-205.

²⁷For an exhaustive exploration, see *Ibid*, Chapters 11-14.

²⁸Heuman, “The Evolution of Ken Miller,” 34.

²⁹Morris, *History of Modern Creationism*, 319.

speaking on television programs, and more than twenty years later Miller still finds his schedule packed with public appearances.

The nuance of Miller's position, however, as a practicing Roman Catholic and a staunch evolutionist, was uncommon among the main evolutionist debaters of the seventies and eighties. On the whole, figures like Richard Dawkins, Philip Kitcher, Richard Lewontin, and William Provine cut the sort of foil that Morris's worldview dictates. All three are atheists agnostics largely because, by their own accounts, evolution challenges the need for belief in God.³⁰ Dawkins's often-referred-to proclamation in *The Blind Watchmaker*, "Darwin made it possible to be an intellectually fulfilled atheist," served to confirm the predictions of the creation scientists that evolution was a direct correlate to apostasy.³¹ The neo-Darwinian synthesis, a fusion of Darwin's principal ideas with twentieth-century advances in biology and archaeology, stocked the quiver of the evolutionists with a natural, deity-free mechanism for Darwinian natural selection. Seemingly, in light of a growing fossil record, the recovery of Mendelian genetics, and the discovery of DNA, this integration of disciplines represented final confirmation of Darwin's powerful hypothesis. To many of its advocates, furthermore, the synthesis had far-reaching consequences for human self-understanding. These evolutionists declared that Darwinism is a liberating force, freeing the human mind from superstition and false notions of its own origin, namely, religion.³² Predictably, the debates in this period often addressed scientific Darwinism and these more extended philosophical readings of it as one and the same.

By the seventies and eighties, public school science classes had become the major political ambition of the creationist movement.³³ Its legality in

³⁰One important exception is evolutionary biologist Theodosius Dobzhansky, whose 1973 article "Nothing in Biology Makes Sense Except in the Light of Evolution" (*American Biology Teacher*, Volume 35, 125-129) is still referred to in debates today. Dobzhansky, one of the founders of the neo-Darwinian synthesis, was a Christian in the Russian Orthodox tradition. Though he, along with the Catholic Jesuit school of Pierre Teilhard de Chardin and John Haught, was able to understand evolutionary science as mystical theology, this reading has never struck much of a chord with the more Puritan-leaning tendency of American public theology.

³¹Dawkins, *The Blind Watchmaker*, 6.

³²Examples of evolutionary ethics include E.O. Wilson's *Consilience: The Unity of Knowledge*, Dawkins's *The Selfish Gene*, and Provine's lectures, including "Darwinism: Science or Naturalistic Philosophy?" with Phillip Johnson. The classic work, of course, is T.H. Huxley's 1893 *Evolution and Ethics*.

³³For an example of the perspectives, see Zetterberg, *Evolution versus Creationism: the Public Education Controversy*.

the schools was first tested in court in 1982's *McLean v. Arkansas Board of Education*, which struck down the state's "Balanced Treatment for Creation-Science and Evolution-Science Act."³⁴ Five years later, when the Supreme Court issued *Edwards v. Aguillard*, the whole project of "creation science," as it was being called, had been barred from public education by the country's highest court. For many observers today, the evidence is ample that the design movement that emerged in the nineties is merely a reformulation of the creationists in language that could slip past the courts' rulings.³⁵ In large part, this is very likely the case. Only ten years ago, many of the figures who associate themselves now with the intelligent design proposal took seriously the label of "creationism."

As Phillip E. Johnson entered the ring in the late 1980s and early 1990s, the tone of the creationist rhetoric began to change. Johnson was a calm, articulate professor of law at Stanford University, who as a young man had been an exceptional student and a clerk for Chief Justice Earl Warren. With his bestselling *Darwin on Trial* in 1991, he proposed to examine the evidence for evolution with the exacting skepticism of a courtroom. By untying the threads of evidence that holds supposed proof of evolution together, Johnson paints a picture of a scientific culture grounded in a "philosophical naturalism," which is able to maintain the theory of evolution only by assuming in the first place that God cannot exist.³⁶ Compared to Henry Morris and Duane Gish, whose use of Christian imperatives and eschatology narrowed their audience considerably, the clarity and accessibility of Johnson's voice gave the critique of Darwinism a far more credible voice in the mainstream establishment. The professionalism and demeanor that Johnson brought to the creationists became a model for the intelligent design movement, which he would do much to organize and popularize through the Discovery Institute's CSC.

Despite its relative quiet since *Edwards* and the rise of design theory, creationism as it was reinvented and made orthodoxy in the sixties and seventies still exists, and in some cases consciously polemicizes against the intelligent design movement. Henry Morris, together with his son John

³⁴Masci, "From Darwin to Dover," 3.

³⁵See especially the work of philosopher Barbara Forrest regarding the "Wedge" document and the revision of the textbook *Of Pandas and People*. On the other side, CSC fellow Jonathan Witt's recent article, "The Origin of Intelligent Design" argues that design theory has roots that go back much further.

³⁶The "masterwork" on naturalism is Johnson's 1995 book *Reason in the Balance*. His essay "Evolution as Dogma: the Establishment of Naturalism" summarizes the position well.

D. Morris, continue to be influential in conservative Christian circles and maintain the strictness of their young-earth, dichotomist position. Australian Ken Ham, prolific writer, founder of *AnswersInGenesis.com*, and organizer of the Creation Museum in northern Kentucky, also continues in Morris's tradition. These thinkers maintain an uneasy relationship with the intelligent design movement. Ham openly recognizes the usefulness of design for the creationist cause since it "can get students to begin to question atheism," though the design activists are not eager to publicly celebrate their place in his agenda.³⁷ Other creationists resist the effects of the more recent movement. Jonathan Sarfati's 2004 book *Refuting Compromise*, for instance, condemns the recent old-earth creationist and intelligent design movements for straying from the classic mold. Still, however, strong ties between the design theorists and the creationists remain in the eyes of many. It was clear to Pat Robertson, as it was to others during the Dover case, which side was God's and which was not.

1.1.3 Godless Evolution, the Monkey Trial, and Prehistory

The creation science and intelligent design controversies of the later twentieth century occurred against a backdrop in which, at least for public schools, evolution had become nearly ubiquitous. After the Second World War, and especially in the wake of Sputnik in 1957, the federal government redesigned science education curricula all over the country in order to cultivate new generations of Cold War scientists. In the Biological Sciences Curriculum Study (BSCS) that emerged from this period, evolutionary theory was made the organizing principle of mainstream biology education. Before this, however, evolution did not need to be challenged in the schools because, in many communities, it was not a part of the curriculum.

In comparison to Dover, at the infamous 1925 Scopes trial in Dayton, Tennessee, the tables were turned. There, evolution was the underdog. Defendant John Scopes was a science teacher accused of violating Tennessee's Butler Act, which stipulated that no theory denying biblical creation should be taught in any public institution. Legally, the trial had very little significance. Scopes was found guilty of violating the law, and sentenced to a small fine. On the national scale, however, the trial exploded into fodder for the period's marvelously sensational news media. It was the first live

³⁷Coutlan, "Intelligent Design a Trojan Horse."

radio broadcast of a trial in American history. Two powerful personalities, statesman William Jennings Bryan and celebrity lawyer Clarence Darrow, represented the prosecution and the defense. It was the subject of unprecedented radio coverage and a great deal public debate in newspapers nationwide. Sparked as it was by leading businessmen in the town, the trial appears to have been staged for just this purpose. On the public scale, the trial was interpreted by many people in the cities as an embarrassment for small town America, frozen in time and backwardness, unwilling to welcome free speech and a plurality of ideas.

By the time of Dover, the roles of the courtroom drama had reversed, each drawing on precedent set by the other. Since the seventies, creationists have understood themselves as the defenders of free speech and healthy skepticism just as Darrow and the ACLU did in 1925. And like Bryan and the creationists at Scopes, evolutionists today stand behind what they consider to be a justified establishment. The grandiosity of the trial as an event invited people to interpret it in cosmic proportions. L. Sprague de Camp, in his account of the Scopes trial, drapes a military motif over the whole narrative. His chapter titles describe the course of cosmic combat between the forces of science and religion: they include “The Standard is Raised,” “The Armies Clash,” and “The Battle is Drawn.”³⁸ This imagery was certainly not new to popular preaching and scholarship alike. It was preceded by Andrew Dickson White’s monumental work at the turn of the century, the *History of the Warfare of Science with Theology in Christendom*. By the time of Scopes, the idea of warfare had already thoroughly permeated the public’s understanding of the relationship between religion and modern science.³⁹ White’s metaphor still flourishes today; the American Enterprise Institute’s 2005 conference on the controversy, for instance, was titled “Science Wars.”

By 1925, the *Origin of Species* had been widely discussed and debated for over half a century, and the Scopes trial along with its cultural descendants would inherit the effects as well as the images of that period. The first great public moment for Darwin’s theory in old England came in 1860, the year after the *Origin* was published, with a famous debate between biologist T.H. Huxley (nicknamed “Darwin’s Bulldog”) and Samuel Wilberforce, bishop of Oxford. Accounts differ on who should be considered the winner,

³⁸De Camp, *The Great Monkey Trial*.

³⁹Larson, *Summer of the Gods*, 21.



Figure 1.7: Clarence Darrow (left) and William Jennings Bryan at the Scopes Trial in 1925



Figure 1.8: John Thomas Scopes in June, 1925 (Source: Smithsonian Institution Archives, <http://www.siarchives.si.edu/research/scopes.html>)

but the widely-circulated climax of the event had more to do with style than science. Wilberforce asked Huxley whether he was descended from an ape on his grandmother's or grandfather's side. In dramatic fashion, Huxley replied that he would be more ashamed to have someone so slippery as the bishop in his family tree than an ape. Quite rightly, Huxley biographer Sir Joseph Hooker describes the encounter at Oxford as ultimately "not a contest of bare fact or abstract assertion, but a combat of wit between the individuals."⁴⁰ Performance historian Jane R. Goodall has further demonstrated that in the decades leading up to the *Origin*, the suspicious family resemblance between humans and apes had become a common theme and running joke in the popular fairground acts both in Europe and the United States.⁴¹ Wilberforce's remark would have been heard in the context of these antics. From the beginning, the public imagination of the debate often rested on human forces beyond mere science or mere theology. So far as legend goes, Huxley *is* science and Wilberforce *is* theology. Yet at the same time, both were decidedly performers.

Beyond that first public debate, T.H. Huxley would continue to play an instrumental role in the early reception of Darwin's evolutionary thinking. His lectures "Evolution and Ethics" and "Prolegomena" set out a comprehensive account of human values founded on the kind of naturalistic science that his understanding of evolution epitomized. Over the second half of the nineteenth century he worked to develop a scientific profession separate from the clerical establishment and separate from religious assumptions. Before Darwin, English natural science was dominated by churchmen. William Paley, whose highly influential *Natural Theology*⁴² combined encyclopedic zoology with a proof of God from design, as well as Darwin's own teacher, the botanist Rev. John Stevens Henslow, who balanced their research with clerical duties and ministry. Consequently the humanistic, "agnostic" (a term he coined) working-world of Huxley's philosophical and professional position put him in a role he likely exaggerated and relished. To philosopher J.R. Lucas, both the categories of the righteous upstart and the cosmic battle originate with Huxley. Lucas writes,

⁴⁰Lucas, "Wilberforce and Huxley," which provides a useful reading of the diverging accounts of the historic debate.

⁴¹Goodall, *Performance and Evolution*.

⁴²Interestingly this work from the beginning of the nineteenth century discusses (and rejects) both organism evolution and natural selection without considering the combination of the two that Darwin would eventually suggest.

The Darwinians . . . never lost the sense of being persecuted. This was partly a matter of Huxley's own personality. He had no love of ecclesiastics and was sure that science must be at odds with religion. . . . The quarrel between religion and science came about not because of what Wilberforce said, but because it was what Huxley wanted; and as Darwin's theory gained supporters, they took over his view of the incident.⁴³

Even so, it would be misleading to attribute the idea that Darwinism and religion might be in conflict to Huxley solely. Long before 1860, Darwin himself was led away from the religion of his upbringing by his scientific work, and within his own family he became personally and painfully aware of the toll that the conflict could take. Nevertheless, Huxley's taste for stark opposition and theatrics did set a precedent for the decorum of what would follow, as did his insistence that evolution should serve to instruct the values of human life. Descendants both intellectual and natural, from his own grandson Julian Huxley to fellow Oxfordian Richard Dawkins, draw this imperative from him.

In both Britain and the United States, however, since Darwin and before, ideas about evolution and the mechanism of natural selection have never been limited to biology or even natural science as a whole. Darwin himself took inspiration for his selection mechanism from the work of economist Thomas Malthus.⁴⁴ The scientific authority that Darwinism had come to represent helped to lend credibility to the so-called "social Darwinist" movements of the late nineteenth and early twentieth centuries. Perhaps more than scientific Darwinism itself, such reevaluations of human values as Herbert Spencer's famous maxim for his social thought, "survival of the fittest," were phrased in direct opposition to traditional religious ideas on human purpose. These systems, which drew on Malthus and Darwin together with the stark inequalities left by the Industrial Revolution, came to be associated with institutional racism, eugenics, and, as Henry Morris reminds us, the rise of Nazism. When William Jennings Bryan so

⁴³Lucas, *Ibid.*

⁴⁴The 2005 exhibition at New York's American Museum of Natural History, "Darwin," makes this connection several times. It also interestingly notes on one panel that, despite general approval of Darwin's work, Karl Marx criticized his interpretation of Malthus's ideas, which were expressly meant not to be applied to the natural world. In retrospect Marx's critique sounds much like more modern criticism of non-biological extensions of Darwinism. This kind of loose, "aesthetic" inspiration from other fields is surely a blessing and a curse in the history of science.

passionately took the stand at Scopes, therefore, it was not only a scientific program that he opposed but a whole array of social philosophies that claimed to be allied with Darwinism.

The role and agency of Charles Darwin himself is understood differently from all corners of the controversy. For some on either side, the man now enshrined (perhaps ironically) in Westminster Abbey single-handedly sparked an intellectual revolution that has changed the course of human history. In that case, my discussion should rest its prehistory with him. There are also those, however, who understand the controversy to be far more eternal and universal, and Darwin to be merely the chief modern exponent. During the question period of one debate I went to, held at a Catholic college, an older woman in the back raised her hand and declared, "All this would be nothing at all if people had only learned their metaphysics!"⁴⁵ Like her, many thinkers find it useful to think about the debate in terms of Aristotle's Causes, and go on to presume that the ancients dealt with a similar conflict as us today.⁴⁶ As such, the modern controversy is a manifestation of the profoundly human search for a creation story, a cosmology, and the choice we have before us is little different in actuality from what our ancestors have experienced again and again. Henry Morris, with Ken Ham alongside, takes this view a long way. The universal debate, in Morris's terms, is between the worship of "forces and systems of nature" and that "of their Creator."⁴⁷ He suggests that the tension is so intuitively common to all human beings that missionary efforts to primitive cultures should use "their awareness of primeval creation," despite their evolutionistic, animistic religions, to teach Christianity. Theories of evolution are an evil as old as Abraham and Babylon, recurring in every age as a test to the righteous. *The Long War Against God* is Morris's testament to the cosmic eternity of the conflict, in which Charles Darwin can be no more than a demonic instrument.

Somewhere in the middle, of course, is the recognition that Charles Darwin neither invented the idea of evolution or its nefarious connotations, while at the same time he offered plenty of reason for the theory he ex-

⁴⁵Miller, "God, Darwin, and Design."

⁴⁶Among these are John Calvert and Mark Ryland, who both brought up the Greeks in this way at "Science Wars." In "The Origin of Intelligent Design," Jonathan Witt writes that the roots of design theory "stretch back to design arguments made by Socrates and Plato." He cites Xenophon's *Memorabilia of Socrates* and Plato's *Laws*.

⁴⁷Morris, *History of Modern Creationism*, 19.

pounded to bear his name. The idea of evolution of humans and animals was in the air. Darwin's grandfather, Erasmus Darwin, entertained a theory of evolution of his own, which in turn resembles the thinking of Jean-Baptiste Lamarck and others. At last, Darwin agreed to have his *Origin* published only when he discovered that Alfred Russell Wallace was preparing to publish a nearly identical proposition. Still, Darwin's remains a masterful and complete work, and the paradigm-shift it managed to accomplish among scientists and laypeople is difficult to underestimate. There is context for all of these developments and there is scholarship as well that exposes it. But what principally concerns me here is whether that matters much to those on the front lines.

Located as I am in the present, I extend this discussion so far as the imagination of the present is willing to take it. For the most part, moments like Dover represent principally an American debate, rather than an ancient Greek, aboriginal, or even Anglophone one. Though its content has analogues and sources from elsewhere, its form, meaning, and perhaps its function, are evidently close to home, finding expression in American legal culture and politics of religion. If the controversy is in fact cosmic, the forces of the universe have chosen a local playing field, and in terms of this I will engage it.

1.2 OBSERVATIONS AND ISSUES

With a brief and heavy-handed synopsis of the lineage that Dover inherits, I have tried to give an account that does justice to the casual public perception of the whole phenomenon. The contenders fall on one of two sides, though as such they can go by a number of different names like Darwinist, theistic evolutionist, fundamentalist, atheist, or adherent of intelligent design, young-earth, old-earth, day-age, or any one of the others. One might imagine a great spectrum, or a series of them, and place the different flavors along it. The young-earth, Noah's Flood creationists (like Henry Morris and Ken Ham) might be placed on one end, and the atheistic, comprehensive evolutionists (Dawkins, Provine, and philosopher Daniel Dennett) on the other. Intelligent design theorists might be toward the center on one side, and theistic evolutionists (such as Ken Miller and John Haught) could be just over the line on the other. Or the two could be reversed, or

all on one side, or on a different spectrum completely. I have drawn up a number of these myself, trying to get everybody straight. But ultimately, the shape of the debate is rigged. Certainly there is a great diversity of positions, and many experts and laypeople who have put a lot of thought into the question have crafted delicate metaphysical locations in the heartland of the spectra. The internet is filled with these, and a few have the official endorsement of large organizations. But eventually they tend to classify and the spectrum idea dissolves. The two big tents, simple creationism or evolution, God or monkeys, try to convince the middle folks which of the two they are or should be. Phillip Johnson tells audiences that anybody who is not plainly and simply an atheist and philosophical naturalist must be a creationist because Creation is the most basic fact about the Deity. To Ken Miller and Eugenie Scott, anybody who stands up for the practice of real science, or takes a medication, can only be an evolutionist regardless of religious commitments.

Upon examination, this dramatic polarity fits comfortably within the religious and political culture that maintains it. "Creationism is an American institution," writes biologist Richard Lewontin.⁴⁸ If, indeed, the end of the debate is a question of subjective satisfaction, something about this society is satisfied to let the show go on.

1.2.1 Intransigence

Perhaps the most immediate sensation about the whole debate is its very persistence in American discourse, seemingly in exclusion of the rest of the world. Stephen Jay Gould considered the opposition to evolution "a local and parochial movement" in the United States, a singular and rather embarrassing misunderstanding.⁴⁹ Many of the veterans of the debate circuit, especially those on the side of the scientific establishment, express fatigue at having to make the same old arguments again and again to seemingly no effect. Time spent touring the heartland is time away from productive work in the lab. Nevertheless, their books on the topic doubtlessly sell far better than their academic work. The debate never fails to fill lecture halls. Despite anyone's claim about their patience, the audience appears inexhaustible.

⁴⁸Quoted in Numbers, *The Creationists*, 323. Numbers frames the quotation as an example of evolutionists consoling themselves over the tenacity of the American debate.

⁴⁹Gould, "Nonoverlapping Magesteria," 738.

Search Term	Google.com	Scholar.Google.com
evolution	527,000,000	3,240,000
``intelligent design``	27,100,000	3,660
``Charles Darwin``	13,300,000	14,300
creationism	11,800,000	4,210
darwinism	7,280,000	22,100

Figure 1.9: Google and Google Scholar hit comparison of selected search terms, circa December, 2005

Although evolution legally triumphs in American public schools' curricula and standards, public support for creationism remains strong. Eighty years after the Scopes trial, on the eve of Dover, the Pew Forum reported that 42% of Americans believe that life has "existed in present form only," excluding any possibility of Darwinian evolution. Of those remaining, a further 18% profess an evolutionary process guided by God rather than natural selection.⁵⁰ The same poll also reports that 64% of respondents favored teaching creationism along with evolution. Scientists, including through publications of the National Academy of Science, insist that so far as they are concerned there is no debate. Neither scientific creationism nor intelligent design has managed to make a significant splash in mainline scientific journals, though their advocates attribute this to purposeful repression on the part of the scientific establishment. Nevertheless, the controversy is alive and well in other areas of society, including churches, school boards, and especially the internet.

Disaffected American observers sometimes use the example of Europe to embarrass their countrymen into seeing the absurdity and parochial limits of the debate. Hardly any major anti-evolution movement exists there, or has for decades. A correspondent for *The New Yorker* covering the Dover trial wrote of an Italian journalist she met, "I couldn't tell whether he thought Dunkin' Donuts coffee or a trial about evolution was weirder."⁵¹ During the trial, the Discovery Institute sponsored an intelligent design conference in Prague featuring some of its most prominent American advocates. Though it drew several hundred supporters from Africa, Europe, and the U.S., the conference was publicly boycotted by leading Czech scientists and intellectuals.⁵² In the Islamic world, Turkey has begun to show the

⁵⁰Pew Forum, "Public Divided on the Origins of Life."

⁵¹Talbot, "Darwin on Trial."

⁵²Hejma, "Intelligent Design' Supporters Gather."

first signs of a public creationist movement, represented mainly by Harun Yahya, an impossibly prolific writer and producer of documentaries.⁵³ In late 2005, the Turkish newspaper *Hürriyet* reported that five teachers were exiled from their city for teaching evolution, though officially the reason for their dispatch was a violation of clothing regulations.⁵⁴ On the whole, however, creationism has not become the public issue it might be because, as in the United States seventy years ago, evolution is largely not being taught. In recent years, only Australia seems to hold a candle to America's controversy, where a national minister of education, Brendan Nelson, has signaled his opinion that students should be exposed to design theory.⁵⁵ Nevertheless, much of the discussion there appears to be an outgrowth of the American debate, and it has yet to reach comparable attention in the national arena. In culturally-secular modern Britain, Darwin's homeland, a recent BBC poll indicates that evolution is less hegemonic than many would have guessed. Of the respondents, only 48% believed that evolution best describes the origin of life, and 39% chose either creationism or intelligent design. Still, Britain has no strong creationist movement comparable to that in the United States. Lord Martin Rees, President of the Royal Society expressed relief even at the sobering news of the poll: "We are . . . fortunate compared to the U.S. in that no major segment of U.K. religious or cultural life opposes the inclusion of evolution in the school science curriculum."⁵⁶

A number of recent observers from a variety of viewpoints have argued that, based on the way the controversy is carried on both scientifically and in the culture at large in the United States, there is very likely no end in sight. Christian philosopher Del Ratzsch points out that both sides, in their criticisms of the other are guilty of misrepresentations that inevitably confuse the conversation. As a result, no common ground for discussion has been reached.⁵⁷ Michael Ruse, further, himself an avowed evolution-

⁵³See Yahya's dizzying website, "An Invitation to the Truth": <http://www.hyahya.org/>.

⁵⁴"Teachers Exiled for Teaching Evolution Theory."

⁵⁵Goodenough, "Teaching Intelligent Design OK With Australian Education Minister." At this writing, at least a few Australian Christian schools have officially announced that they are teaching intelligent design theory with evolution.

⁵⁶"Britons Unconvinced on Evolution."

⁵⁷Ratzsch, *Battle of Beginnings*. Accusations of "straw man" arguments, which set up a false picture of the other to be easily knocked down, have since been a staple of Discovery Institute press releases responding to evolutionist attacks. During the Dover trial, the Institute denied that their theory was being properly represented by the plaintiffs at all: "I know what intelligent design is," explains an officer there, "and it sure isn't what they're talking about

ist, finds that the scientific community is wedded to evolutionary materialism so deeply that it will defend it with a religious tenacity to match the most stubborn creationist.⁵⁹ To him, scientists construct a telos of progress through evolutionary thinking that equates to a religious worldview in providing an account of human dignity. As a result, he argues that the controversy is in effect a religious one on both sides, a question of basically irresolvable, deeply-held beliefs, rather than a scientific one, ideally dispassionate and capable of being resolved by evidence and experimentation. But Ruse is clear to distinguish between evolution per se and evolution as the scientists have come to imagine and proclaim it. Giberson and Yerxa's 2002 study concludes that in this cultural context, the ongoing debate is "both unresolvable and inescapable."⁶⁰ The confluence of politics, religious commitments, and public attitudes to science leaves little room for a likely resolution. Instead, they argue that the debate should at least be principled and courteous so that at least on some level it might be productive.

I will begin with this observation of intransigence, the data of it, without being married to it in principle. Just as Galileo's controversy with the Vatican over the orientation of the solar system (that perennial moment of the mythology of science) has been conclusively enough resolved by overwhelming evidence gathered by then-unimaginable machines, as well as the eventual passing of the social structures that motivated it, I suspect that in time this debate will give way to new ones. Interpretation of science and scripture by that time will likely have surprisingly little difficulty accommodating when left with no other choice or no reason to do otherwise. The state of affairs at Dover, with its evolutionist theologians and design-theory scientists, demonstrates already that the schematics of the debate is capable of real transformation. Nevertheless, the culture's categories change less, and the sides at Dover serve as signifiers for a more familiar battle. Pat Robertson's response, that with the ouster of the school board God had been voted out of Dover, would be just as easily at home at Scopes or in the heyday of Henry Morris. To the ire of design advocates, *New York Times* reporter Laurie Goodstein declared, after the end of testimony at

in Harrisburg.⁵⁸ Henry Morris, for his part, has long been guilty of quoting from biologists books in this manner, taking them horrendously out of context and using their statements to his own ends.

⁵⁹Ruse, *The Creation-Evolution Struggle*. See also Richard Lewontin's review in *The New York Review of Books*, October 20, 2005.

⁶⁰Giberson, *Species of Origins*, 243.

Dover but before the verdict was released, that intelligent design may be in decline.⁶¹ Given the widespread support that creationism maintains in this country, whether or not she is right about the fate of design theory in particular, the controversy itself shows no signs of being quiet.

1.2.2 Materiality and Immateriality

Perhaps what makes the controversy so difficult to talk about is the absence of clear material consequences that it has. In comparison to other American cultural and political conflicts, there is relatively little at stake in terms of immediate human life or resources, and no congressional investigation can determine its cosmic meaning. Some practical-minded people wonder whether states that embrace creationist-friendly education policies will threaten their prospects of attracting investment from the technology industry. On a national scale, others worry that creationism contributes to the broadening gap in the number of scientists the United States is producing in comparison to Asia.⁶² On the other hand, those who advocate that we “teach the controversy,” a slogan enthusiastically championed by the Discovery Institute, suggest that bringing the debate into schools would excite students and draw them into the sciences even more.

What is primarily in question, if not material realities, are the beliefs of people, and the beliefs being passed on to each other’s children. Michael Ruse and Mary Midgley demonstrate that both sides defend a religiously-valued worldview, a structure of meaning with apparently intrinsic value.⁶³ From these beliefs, especially but not only according to the creationists, the shape and morality of society depends. The material, follows from the immaterial, which therefore must take precedence.

Nationally and publically, two debates occur simultaneously. The principles, myths, and precedents of American politics and law, which are nearly always held as axiomatic and sacrosanct by all sides, tend to avoid questions of belief as much as possible, and especially in cases of significant controversy. The rules of discourse it erects, therefore, render the cultural dispute about beliefs inadmissible. Instead, lawmakers balk to the imperative of progress (as in the Cold War with the BSCS) or the demands of

⁶¹Goodstein, “Intelligent Design Might Be Meeting Its Maker.”

⁶²This was of particular interest for participants and the audience at the American Enterprise Institute’s “Science Wars” conference.

⁶³Ruse, *The Creation-Evolution Struggle*; Midgley, *Evolution as Religion*.

plurality (as in the “secular purpose” of the Lemon test). Because the public schools have been consistently a focal point of conflict, these public rules have governed in large part the form and content of the debate as a whole. Outside of the courtroom and the classroom, people talk about their beliefs much more freely, though with rather less measurable, policy-changing effect. Though the immaterial is of critical importance, only the material is really germane.

Legal and cultural, or pragmatics and beliefs, act as parallel discourses. At times they seem to run rather independently of one another, as in the legal banishment of creationism from schools while as much as half of the population professes it. In reverse, the Scopes trial was at once a legal victory for creationism and a cultural victory for evolution. Nearly always, however, the two operate in tandem and in dialogue. The pragmatism of the BSCS evolution initiatives, for instance, brought about a decline of literal, six-day creationism that brought about the startling revival a decade later led by Henry Morris. Later, the *Edwards v. Aguillard* ruling against scientific creationism would lead to the development of intelligent design. Design theory, in turn, took on a life of its own, one quite separate in its content from the earlier creationist position. American political virtues like free speech, separation of church and state, and religious freedom take their place in the debate alongside purely scientific and theological content. Through this interchange it develops in a particularly American way.

1.2.3 Race, Class, Gender, and Participation

If the problem of the twentieth century in America was to have been that of the color line, one would never have guessed from its evolution controversy. For what it is worth, every single person mentioned so far in my account is white and only a handful are women. This is generally the case with the prominent evolutionists, creationists, and everything in between. When he first arrived in Dayton on July 9, 1925, maverick reporter H.L. Mencken (loosely portrayed as E.K. Hornbeck in *Inherit the Wind*) noticed a striking similarity between the manner and kind of partisans on both sides—“it is hard in a group to distinguish one from the other,” he wrote.⁶⁴

According to a 1991 Gallup poll, women, the poor, and those with lower levels of education were more likely to be young-earth creationists. Black

⁶⁴Mencken, “The Monkey Trial,” 36.

Americans also leaned toward creationism.⁶⁵ These patterns have been generally consistent over the last several decades. Nevertheless, nearly all of the debaters themselves are white, male, affluent, and well-educated.⁶⁶ If the polls are correct, they suggest a certain selectivity of participants in the debate from among the communities they claim to represent. For many reasons these patterns make sense. The bulk of twentieth-century public discourse in the United States has been carried on by affluent white men, and this is certainly the case in fields like science, theology, and politics. But the glaring lack of outspoken minorities and women, especially on the creationist side, imply what may be a distinction between the believers of one kind or another and the debaters. Seemingly, those who find this debate worth debating tend to be of a certain kind, one that is not blind to these categories of difference.

Harvard biologist and political socialist Richard Lewontin explains the controversy, which he considers to be “specifically southern and southwestern,” in the context of American class history.⁶⁷ He traces it to the condition of white southerners who, by the early decades of the century, had come to perceive their livelihood to be controlled from outside by large northeastern banks. Their “accent on a rural, revivalist, fundamentalist religion,” with which literal creationism was part and parcel, was a response to this “perception of powerlessness and subjection.” Though Lewontin sympathizes with their plight, he identifies their rejection of science as an undesirable byproduct and confusion, for “creationism, in the end, is defeated by human experience.”⁶⁸ Whether or not we accept his historical account, it does offer an example of how certain groups might engage in the debate as the result of social forces, finding it a language somehow appropriate to their unresolved grievances.

By distinguishing the categories of what people believe and what motivates actual public engagement, some sense may be made of the demographic inconsistencies in the evolution controversy. One may be inclined to believe one way or the other but that does not necessarily motivate one to enter the ring. In this way those who participate in the performance of

⁶⁵Gallup poll reported in Robinson, “Public Beliefs About Evolution and Creation,” also cited in Numbers, *The Creationists*, 300.

⁶⁶Perhaps it is worth noting that I, as a person interested in the controversy, also fit all of these categories.

⁶⁷From Lewontin’s introduction in Godfrey, *Scientists Confront Creationism*, xxv.

⁶⁸*Ibid.*, xxvi.



Figure 1.10: The 2003 Board of Directors of the Creation Research Society, a representative demographic sample from the public face of the evolution controversy

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debate may need to be distinguished from those they represent.

From time to time, both evolutionists and creationists accuse one another's positions of supporting institutionalized racism and sexism. Evolution can be accused of being linked to the eugenics programs of the Nazi regime and a teleology of "higher" races. Creationists, in turn, are criticized for the preferentialism in the biblical account of race, for instance the "curse of Ham," that they literally accept.⁷⁰ Similar readings can be made of the meaning of the human sexes on both ends. Either side has a point, I suspect, and in all cases the justifications for racism and sexism are wrong. But in neither instance do I find that a conclusive and inseparable link with

⁷⁰The question has been taken up (on the creationist side) by Ken Ham and others on his Answers in Genesis website (<http://www.answersingenesis.org/home/area/faq/racism.asp>), as well as (on the evolutionist side) by Richard Trott and Jim Lipard in a Talk.Origins FAQ (<http://www.talkorigins.org/faqs/racism.html>). Eugenie Scott takes up race as a scientific question in "Scientific Creationism', Evolution & Race," *SkepticReport.com*, February, 2004 (<http://www.skepticreport.com/creationism/scicreationism.htm>).

an origin story has been made. More likely, in the context of the larger debate, each is essentially trying to demonize the opponent with the American legal and cultural trump card of nondiscrimination, which thankfully carries such clout at least in the public conversation even if not yet sufficiently in our hearts and minds.

1.2.4 Red and Blue

In a marvelously biased and flippant piece printed in *Rolling Stone* during the Dover testimony, the writer goes to great lengths trying to say what everybody is thinking, beginning with the imagination of the Scopes trial.

The first war between red states and blue states was held there, in Dayton, where smartass ice heathens from the north descended upon small-town America to laugh at the superstitious but numerically superior yokels of the heartland. . . . The same basic conflict has persisted to this day. . . . The modern right-left, Bush/anti-Bush, red-blue, Hannity-v.-Air America paradigm more than ever mirrors the courtroom geography of the Dayton trial, which pitted the urbane, Europe-loving intellectual of the north against the defiant God-fearing patriot of the south.⁷¹

In the computer graphics of national news election coverage, Americans have found a pair comfortably reductionistic categories for themselves. The deep sensation of division following the 2000 and 2004 Bush elections has led to an ongoing conversation about red or blue, whether in terms of states, churches, newspapers, neighborhoods, or people. Red or blue represents not only political party but comprehensive social identification. Invariably they correspond as well to sides in the evolution trials.

For what they have come to mean, red and blue are self-fulfilling. Especially since the Reagan administration, the (red) Republican party has served as the safehouse for conservative Christian activism, bringing issues like school prayer and abortion back into the national political agenda. Since then, Republicans like Rick Santorum and Judd Gregg have more or less quietly supported anti-evolution measures. Presidential hopeful John McCain, whose conservative credentials were called into question by wooing from the Democrats during the 2004 election, has recently come forth

⁷¹Taibbi, "Darwinian Warfare."

in a number of interviews as a supporter of intelligent design theory. In this case, a position in the controversy represents an identifier, a signal to the red that he is still one of them.

The meaning of the evolution debate within such a nexus is hard to place. Functionalists are likely to find that it serves a purpose in the orderly process of our society. Randall Balmer, for instance, has suggested that the religious disagreement in America, together with legal disestablishment, significantly contribute to the country's political stability, as if by syphoning conflict out of the barricades and into the churches.⁷² Those who are most intimately involved, however, might find such an interpretation unsatisfying. For them, the threat that the other poses is the cardinal acceptable reality. In any event, the circumstances of politics, like the circumstances of the courtroom, have the effect of polarizing conversation and excluding more nuanced positions. Though they might actually be held by individuals for the sake of conscience or sanity, when pressed to participate, or to respond to a poll, the answer generally must be only one word: red or blue?

1.2.5 Conspiracy Theories

Not only is the other side wrong, people in the debates often say, but they know it and they are lying. Repeatedly, both sides have found the other's position so unimaginable that the only possible way they could maintain it is conscious, nefarious deception. The conspiracy allegation also has a powerful rhetorical value from the perspective of the hearer, calling into question not only the arguments of the other but their whole integrity. When such a claim is directed against a whole community, as creationists have leveled it against the evolutionist scientific establishment, it also can suggest images of large scale, even demonic, social control.

In his writings and talks, Henry Morris shows himself to be a master of this strategy. At the beginning of *What is Creation Science?* he demonstrates that the evidence is lacking in nearly all of the usual proofs for evolution, from the fossil record to vestigial organs. His method in doing this is actually to quote directly from evolutionist scientists as they express difficulties in evolutionary research, taking them as evidence for the theory's failures. Morris has devoted an entire book, *That Their Words May Be*

⁷²Balmer, *Blessed Assurance*, chapter 2.

Used Against Them, to collecting such quotations. On the basis of these, he and others who do the same thing can go on to reason that the evolutionists themselves know that Darwinism is in crisis, yet they they hide this knowledge from general public and the public school classroom in particular. A small industry has built up against this sort of “quote mining” in the evolutionist camp, notably through “The Quote Mine Project” (or, “Lies, Damned Lies and Quote Mines”) at the Talk.Origins archive, as well as many rebuttals by the original authors quoted themselves.⁷³ They argue that the quotations were taken “out of context” and should be read as expressing natural difficulties of the scientific process, not conclusive doubts about evolution as a whole. Morris, in response, challenges his readers to trace his quotations to their originals and decide for themselves.⁷⁴

As Phillip Johnson describes it, the conspiracy is a much more subtle phenomenon. The scientific arguments aside, he argues that science itself has been commandeered for its prestige by a naturalistic, atheistic philosophical platform of a few. In the process, these ideas have become so dominant in the way that science is taught that the whole scientific community, and those who regard it as an authority, has been falsely duped into believing that the evolutionary “dogma,” phrased in terms of this naturalism, is in fact the bedrock of their work.⁷⁵

The evolutionist side finds reason to be deeply suspicious as well. Barbara Forrest, a philosopher by training, has spearheaded accusations of duplicity against the intelligent design movement, particularly within the ranks of the Discovery Institute and the CSC. Her book with zoologist Paul Gross, *Creationism’s Trojan Horse*, chronicles the development of the “wedge strategy,” the Discovery Institute’s documented master plan of research, publicity, and “cultural renewal” through which to propel the design movement. Forrest argues both in her writing and in her testimony on behalf of the plaintiffs at Dover that intelligent design is a self-aware, planned, and reasoned attempt to introduce a particular religious agenda into the public sphere and the public schools. Unlike their predecessors like Henry Morris and Duane Gish, the design activists are thoroughly modern and chillingly effective in our “public relations-driven and mass-

⁷³See *The Talk.Origins Archive*, specifically at <http://www.talkorigins.org/faqs/quotes/mine/project.html>.

⁷⁴Morris, “What is Creation Science?” xiii.

⁷⁵See especially Johnson’s “Evolution as Dogma” and *Reason in the Balance*.

communications world.” She and Gross make Discovery out to fit all the descriptions of a modern, subversive, and dangerous operation.

The Discovery Institute’s creationists are younger and better educated than most of the traditional “young-earth” creationists. Their public relations tricks are up to date and skillful; they know how to manipulate the media. They are very well funded, and their commitment is fired by the same religious fervor that characterized earlier and less affluent versions of creationism.⁷⁶

This sort of talk has a troubling effect on the debate. Once again, the untrustworthiness of the other rules out a reasonable solution and reminds each side that its opponents are built up, not by an honest survey of the evidence, but a cosmically frightening, probably immovable “religious fervor.” The situations of engagement, the courtroom, classroom, and laboratory, are essentially undermined by the assumption of the other’s deceit. In truth, the other is always operating according to unsettling systems of belief that are inadmissible in all of these public spheres. Any engagement, therefore, can only be indirect.

1.2.6 Humor and Decorum

Though the Dayton, Tennessee jury was serious about the guilt of John Thomas Scopes in 1925, the national press wasn’t sure whether the whole thing was a holy war or a circus. Cartoons with monkeys and human buffoons became the public images of the trial.⁷⁷ These became trademarks of the whole event. Seventy years later, I and many of my generation first learned about Scopes from these cartoons as they were reprinted in grade-school history textbooks. The humor of the big-city publishers’ cartoons came down hard on the small-town fundamentalists, and they served a critical role in the cultural, if not legal, victory of evolution at the trial. Since Scopes, an air of humor, even to absurdity, has hovered over the evolution controversies. At times, as in 1925, humor joins in with the polemic of conflict. At others, however, it serves to diffuse tension, taking part in a wider project of remarkable decorum that participants respect in the debate.

⁷⁶Forrest, *Creationism’s Trojan Horse*, 9.

⁷⁷De Camp, *The Great Monkey Trial* is an excellent source of cartoons from the period.



Figure 1.11: One of the many famous newspaper cartoons from the Scopes trial (Source: <http://www.pbs.org/wgbh/amex/monkeytrial/gallery/gal.monkeytrial-01.html>)

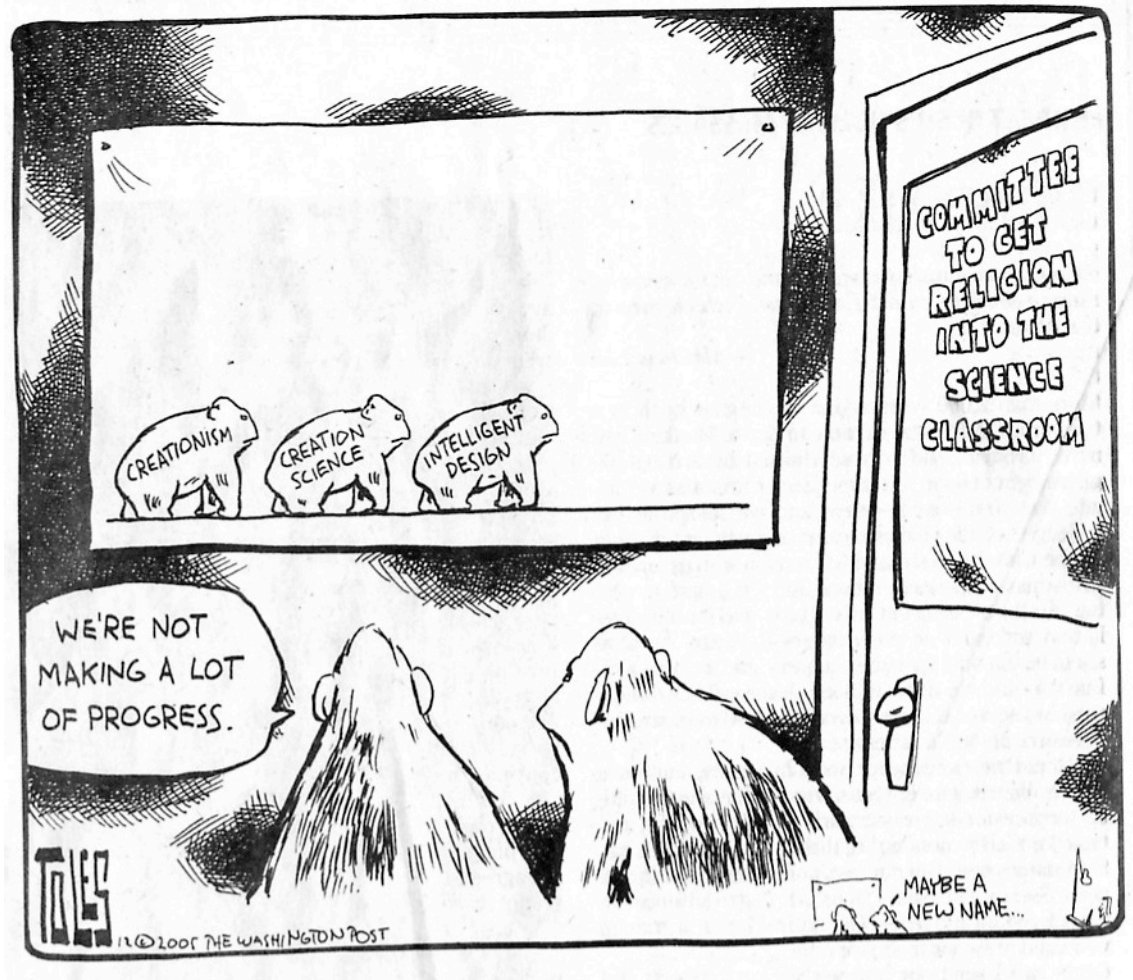


Figure 1.12: Cartoon by Tom Toles published during the aftermath of Dover
(Source: *The Washington Post*, December 23, 2005)

In the era of Dover, the most imaginative polemics inevitably are creatures of the internet. The Church of the Flying Spaghetti Monster, for instance, has posted an open letter on its website addressed to a number of school boards in the United States that may add intelligent design to the curriculum. The letter insists that, concerned as we all are that students be exposed to multiple viewpoints, the Church's "strong belief that the universe was created by a Flying Spaghetti Monster" should be represented as well.⁷⁸ To demonstrate the scientific nature of "FSMism," the author (who goes by the name Bobby Henderson) also includes a scanned drawing on notebook paper of the Spaghetti Monster ("Him"), as well as a graph demonstrating a correlation between rising global temperatures and the shrinking number of pirates. FSMism has also expanded into an online computer game, a line of t-shirts, and a think tank called the Enlightenment Institute. At another site, humor is used to momentarily diffuse the controversy. NewCreationism.org, which is mainly devoted to explicitly Christian consideration of intelligent design and old-earth creationism, includes a page with jokes and cartoons that both sides of the evolution debate can enjoy. "I believe in equal opportunity humor," writes the author in a "Disclaimer."⁷⁹

Q: Why is the missing link so hard to find?

A: He's the shy type.

There have been other instances when the line between the jokes and the truth becomes obscured. One website, under the name "OBJECTIVE: Ministries," claims to report a creation science fair held in April of 2001, complete with a detailed account and photographs. Numerous blogs picked up excerpts from the blurbs about the winners: a fifth grader who demonstrated that her uncle is not a monkey by offering him a banana which he refused, a fourth grader who demonstrated how "specifically complicated" pine cones are, and two girls who used prayer to "microevolve latent antibiotic resistance in bacteria."⁸⁰ The science fair article, surrounded as it is by an extensive and similarly ambiguous evangelical ministry site, was taken seriously by many online discussions (believing that the creationists had really gone so far), while a number of others assumed it could only be a

⁷⁸Henderson, "Open Letter."

⁷⁹"Jokes, Guffaws, and Fun!"

⁸⁰Paley, "Fellowship Baptist Creation Science Fair 2001." Paley's bio on the website claims that he is a professor of "Divinity and Theobiology at Fellowship University."

hoax. Almost certainly it is just that; the credentials of its ministers do not appear credible, nor do its doctrines like “anti-triclavianism” and “Christian game theory.” Notwithstanding, a website hosted by the Twin Cities Creation Science Association claims to have hosted a real creation science fair for four years and running, consciously distinguished from the hoaxes:

Unlike Some Science Fair Sites
 We Are For Real!
 Unlike Many Secular Educators
 We Teach The Scientific Method⁸¹

Amidst the hovering prospect of absurdity, though, a sense of decorum and fair play has always pervaded the evolution dramas. This tradition began, once again, at Dayton. Though the town was overwhelmingly and enthusiastically in support of William Jennings Bryan over and against his opponent, the leading citizens dutifully provided Clarence Darrow a welcoming reception exactly matching what Bryan had received. *Inherit the Wind*, a play (and later, film) that contributed much to the popular mythology of the controversy, portrays a gentlemanly friendship between the two figures. This pattern continues in the later incarnations. At nearly every public debate between an evolutionist and a creationist, one or the other insists that backstage they are good friends, both veterans of the controversy roadshow.⁸² The Dover trial itself, as Judge Jones noted on the last day of testimony, was conducted with admirable propriety. To a fault, both sides cling to the practice of due process, fair play, and very often, even a great deal of pleasantness.

Farce and tenor coincide again and again. In his account of the Scopes trial, amidst his surprise at the fairness each side showed the other, reporter H.L. Mencken maintains that there was not “the slightest pretense to decorum.” He compares the participants to “a clown in a ten-cent side show” and “a convert at a Billy Sunday revival.”⁸³ As at the Great Debate in Boston, there may have been a kind of decorum, but it could not easily be distinguished from a bizarre national circus show. Nevertheless, at the close of his reports, Mencken warns, “Let no one mistake it for comedy,

⁸¹McGlenn, “TCCSA Science Fair.”

⁸²This sort of talk has come up, for example, at “Science Wars” in 2005 and between Johnson and Provine at “Darwinism: Science or Naturalistic Philosophy?”

⁸³Mencken, “The Monkey Trial,” 50.

farcical though it may be in all its details.”⁸⁴

In the course of these observations, a two-tiered world consistently emerges. On the one hand, the controversy addresses questions intrinsic to itself. The nature and origin of life and the universe, as well as the methodology of scientific investigation, are questions that the society needs to answer if it is to have its creation story, or at least its working world. At the same time, though, this is not the way in which the question is being publicly phrased. Americans debate evolution in school boards, courtrooms, universities, and legislatures. While many of us recognize that the dispute is essentially theological—hinged on matters of belief—these institutions compel discussion in the terms of these institutions in exclusion of belief itself: educational policy, philosophy of science, and constitutional principles. When we compare it to the rest of the world and see that the vibrancy of our debate is so peculiar to the United States, it becomes evident that these realities are not only its form but, at least in part, its instigation.

Regardless of the position one takes in it, the very presentness of the controversy, that we can see its effect in people all around us, is a reminder that as a rule it means different things to different people. For some it is a religious imperative, for others it is a defense of reason or simply the last straw of an old rivalry between familiar sides. Because our place and time and the fact of democracy make us participants, there is little hope for perfect clarity. For a little while I will bluntly look for a more expansive meaning by putting the debate in its various contexts (as scholars of religion are trained to do), and after that, pick up the pieces to see if I have in any way made the participant’s job easier.

⁸⁴Ibid., 51.

Chapter 2

Into the Public Square

During the trial at Dover, Assistant Superintendent Michael Baksa testified that school board member Alan Bonsell gave him a copy of *The Myth of Separation* by David Barton. Afterward, he wrote to a Dover social studies teacher, “Feel free to borrow my copy to get an idea of where the board is coming from.”¹ As it was presented in court, Barton writes:

The doctrine of separation of church and state is absurd; it has been repeated often; and people have believed it. It is amazing what continually hearing about separation of church and state can do to a nation.²

The defense continued, reading several more pertinent parts from the book.

We must recall our foundation and former values and establish in our thinking the conviction that this nation’s institutions must return to their original foundation—the principles expressed through the Bible.³

When he gave Baksa the book originally, Bonsell was talking about revisions to the social studies curriculum, not evolution or biology. But the plaintiff’s counsel, following Baksa himself, took this gesture seriously as a sign of the school board’s general attitude. Another board member, William Buckingham, was reported to have said at a public meeting in 2004 on the

¹*Kitzmiller*, November 3 (AM), 14.

²*Ibid.*, 15-16.

³*Ibid.*, 16.

subject of evolution, “Two thousand years ago, someone died on a cross. Can’t someone take a stand for him?”⁴ In biology as well as history class, therefore, Bonsell and his colleagues wanted to make sure that biblical values were present. To demonstrate this intention, of course, would prove the plaintiffs’ case that the board’s policy was essentially religious in content and motivation.

The “wall of separation” that Thomas Jefferson described in 1802 has come to summarize for the public imagination the constitutional position on church-state relations. In different ways and for different reasons, separation was on the mind of many in the country’s early colonial and national history, including Roger Williams and James Madison. For some, it has meant simply disentanglement between government and what would be the de facto national religion. Others, including Jefferson, held separation to be a recognition of the sovereignty of conscience in religious affiliation. Before long, separation became a condition of keeping the peace in a young country composed of many different competing sects. The growing diversity of religious communities in the United States now, both Christian and non-Christian, has given this argument even greater urgency and made the practical expectations of separation ever more severe.

Since the 19th century, a growing corpus of court decisions has further refined it. Many of these cases involved public education directly, ruling against such practices as prayer in the public schools, from classrooms to football games, and state funding of parochial schools.⁵ In them, courts ruled that fundamentally religious activity under the auspices of the public education system is a violation of the First Amendment’s Establishment Clause. The precedent speaks most eloquently in the Lemon test, which since *McLean v. Arkansas* in 1982 and *Edwards v. Aguillard* in 1987 has set the standing criteria for improper establishment. According to Lemon, any public school policy that either lacks secular purpose or in effect advances (or inhibits) a religious cause oversteps the bounds of the constitutional separation principle.

Despite a relatively strict rule of separation in comparison to other modern democracies (Britain, Norway, Greece, and others retain an established

⁴This was cited in the trial itself as well as in numerous articles, including Talbot, “Darwin on Trial.”

⁵*Engel v. Vitale* (1962); *Santa Fe Independent School District v. Doe* (2000); *Lemon v. Kurtzman* 1971.

church), the United States remains unusually religious nation. According to one series of polls taken between 1987 and 2004, consistently over that time almost 90% of Americans report belief in the existence of God, and for 80%, prayer plays a role in daily life.⁶ Over the course of the mid-twentieth century, however, discussions of religion came to play less and less of a role in the country's public conversation. For some this comes as a relief, while for others it represents a critical stumbling block to resolving cultural ills that they believe demand a stronger, religiously-grounded compass of values.

From the time of Scopes until the early eighties' revival that took shape in organizations like Jerry Falwell's Moral Majority, the sizeable evangelical and fundamentalist communities lost political voice and influence. Since Moral Majority and its numerous successors, however, an increasingly savvy movement centered in the burgeoning, affluent suburbs has made a bold entree into mainstream politics. This movement brings with it an imperative to introduce Christian values more widely in both politics in society.⁷ While conservative Christian activists generally appreciate the Establishment Clause for the freedom of religious practice that it guarantees, they also grow weary of those (especially the ACLU), who use it to restrict potentially exclusionary religious influence in public life. During the Reagan administration, Moral Majority spearheaded a failed effort to restore prayer to public schools. Ever since, efforts of this kind have been legion, from attempts to install biblical monuments in court buildings to federal support of faith-based charities, with varied success.

For this latter consequence, the doctrine of separation has come to be conflated in the eyes of some with an actively anti-Christian program. In the origins debate particularly, especially after *Edwards v. Aguillard* ruled creationism absent of secular purpose, "secular" has come to mean evolution alone. But for the creationist this represents no acceptable compromise. As Henry Morris, Phillip Johnson, and others in the creationist movement make clear, there are only two essential worldviews, evolutionist and creationist, and to teach only one means actively denying the other; secular is tantamount to godlessness. Meanwhile, separation has been precisely

⁶Pew Research Center, "The 2004 Political Landscape." Both figures correspond to those who answered "mostly agree" to the given questions.

⁷The collection of essays, Sider, *Toward an Evangelical Public Policy*, gives a broad picture of the moderate evangelical agenda. That evolution is not one of the main issues it raises should remind us that creationism is far from ubiquitous among evangelicals.

the language used by evolution activists, along with the nonreligious and minority religions, against creationism in and out of the courtroom.

In response to separation, the most recent creationists of all stripes have taken up another motto from the bin of American political mythology, free speech. The Discovery Institute's John West wrote near the start of the Dover trial in 2005,

Today, the ACLU is betraying the principle of academic freedom by seeking a government-imposed gag-order on teachers and students that would prevent even voluntary discussions of intelligent design in the science classroom. All Americans who cherish free speech should reject the ACLU's effort to decide the debate over evolution through court orders rather than the free marketplace of ideas.⁸

The Institute's Center for Science and Culture (CSC) has launched a "Free Speech on Evolution Campaign" as part of its membership drive. Like separation, free speech is a familiar axis of political talk, and this sort of argument has great appeal for people. Opinion columns nationwide have called for an end to the oppressive ban on "teaching the controversy." Nevertheless, the courts have so far have proved more attentive to separation than speech.

The significance of the bar that separation places on public discourse is great, especially in the eyes of conservative Christians. Since the "city upon a hill" imagined by the earliest American colonists, many have felt that the idea of separation is false, and that our national destiny and identity are religious ordinances. That religious influences should be withdrawn from public institutions, therefore, is an unholy distortion. As does David Barton in his search for the true meaning of separation, Henry Morris goes back to the Founding Fathers to uncover the country's deep creationist roots. With this he closes an article defending the creationism and piety of Washington, Madison, Jefferson, Franklin, and all the Signers with assurance of America's special seat in the cosmos:

God truly has "shed His grace" on this "sweet land of liberty" more fully than on any nation in history, but these blessings are the result of the commitment of our founding fathers to God as

⁸West, "Discovery Institute's Position on Dover."

Creator, to God's incarnate Son as redeeming Savior, and to the Bible as His inspired Word and the basis of our constitutional legal system. The tragic departure of our schools, our government, and even many of our churches and seminaries from these great principles may well lead to God's judgment instead of His blessing, unless we return soon to the God of our fathers.⁹

Further, the claim that evolution sidesteps religious agendas any more than creationism has been challenged as well. Creationists like Morris and Johnson as well as evolutionist philosophers like Mary Migdley and Michael Ruse have argued that the controversy consists in comprehensive, essentially religious worldviews on either side. Johnson contends that either creation story depends on prior metaphysical commitments, whether to biblical theism or atheist naturalism, respectively. Migdley and Ruse, rather, observe the modes of religiosity that come as a consequence of a genuinely scientific insight, for instance, the "awe, reverence and mystery" that can be evoked by the evolutionary story. Religious forms appear particularly in reaction to creationist interlocutors, when orthodoxies and social borders are defined along lines drawn by belief in evolution.¹⁰ Even if it is not useful to say that evolution (as a scientific theory) is intrinsically religious, as Morris and Johnson do, Migdley and Ruse can still maintain that people have used it in religious ways. By either account, in the public debate, both sides appear as equivalent claimants, each with a right to a seat at the democratic table. If this is the case, to call evolution secular in the sense of being theologically neutral misleads. In reality, all of these categories, from neutrality to religious to secular, are in flux. They have different meanings for different communities and dictate the terms by which each operates.

The behavior of those who think like Barton and Morris, particularly in light of the separation doctrine's legacy, reflects two important characteristics of their conception of the state. On the one hand, its tendency toward removing religious influence from social institutions must be opposed. On the other, though, the American state is a sanctified space. Revisionist histories like Barton's erect a discourse of rightful ownership, that the country's core values are essentially their values. Christian tour groups

⁹Morris, "The Creationism of America's Founding Fathers."

¹⁰Migdley, *Evolution as a Religion*, 128; Ruse, *The Evolution-Creation Struggle*.

take people from all over the country on pilgrimages to Washington and Philadelphia, casting national shrines as religious ones. Over and against the prevailing trends in the name of separation, the United States represents a powerful theological artifice.

Through the rest of this chapter, I will follow some conversations about secularization in public life and its ambiguous relationship to the popular sensation of piety's decline. In them, the public square is understood as both a threat to religion as well as a proper vehicle for it. Few, if any, speak directly about the evolution controversy in particular, but they will help clarify the relationship between evolution and the cultural-political environment, which the previous chapter showed to be so problematic. There are two key purposes to this discussion. First, these conversations act as a rhetorical foil against which many sectarian actors operate in the evolution controversy. Secularization and the banishment of religious justification erect felt walls that make more direct public confrontation of theological questions difficult. Second, particularly through the recent work of Jeffrey Stout, they offer good reasons to approach the controversies as a constructive and shared act, which will be the focus of the following two chapters.

2.1 PLURALISM AND RELIGIOUS JUSTIFICATION

Much of the academic discussion about the trends toward secularization and differentiation of religious and political authority has seemed to confirm the fears of those who would want the country to embrace its theological identity more outright. Political and religious philosophers alike imagine what the expectations of religions in the modern world should be, and what they find does not leave all that much left for the principally religious. To some, the consequences of political liberalism, grounded as it is on the familiar principles of separation and free speech that are employed in the evolution debate, rule out the sort of discussion about fundamental beliefs that the debate demands.

The work of John Rawls sets out many of the key categories. He simultaneously describes and prescribes the pluralistic liberal society as composed of a number of communities, each in possession of a "comprehensive" worldview or idea of the good. As a whole, the society functions according to an "overlapping consensus," a sort of pidgin public discourse composed of a rea-

sonable, independent agreement among the particular communities. This consensus, however, must have certain conditions, including a basic effective concept of equality among people and groups along with rules about the use of coercion and violence. With these categories, coupled with the assumption that different comprehensive values mean incompatible logics between communities, others try to imagine more specifically how religious beliefs can operate in the liberal consensus.

Both Robert Audi and Ronald Thiemann, in trying to find a place for religious voices in public conversations, leave little room for the biblical arguments that are so foundational in the classical creationist project. For Audi, the limited consensus that political liberalism requires means that, for the sake of the non-religious and other-religious, every argument given in the public square must be justified in universally accessible terms. Especially when a proposal may have coercive consequences, even the citizens' motivations themselves, alongside justifications, must be fundamentally nonsectarian.¹¹

While defending the need for religious voices in public life, and with it a far less rigid wall of separation between the religious and public policy, Thiemann argues that religious justification and motivation rightly-conceived does not violate the principles and responsibilities of the pluralistic, liberal society. Rather than being "inherently irrational or nonrational," good religious reasons should in principle be precisely those that are accessible by secular reasons anyway.¹² Audi treads in similar waters, even venturing into the theological. Beyond simply being called for by political decency, a requirement for secular justification keeps religious reasons themselves honest. God, he reasons, would not make cosmic dictates inaccessible to common reason, even if, for instance, biblical teachings might lead people to discover them.

The two thinkers eventually come very close to a similar effect, though from different directions. Audi begins with an expectation upon religion for secular reasoning, suggesting along the way that this expectation is good for religion anyway. Thiemann begins with the need of society for the voice of religion, meanwhile making the hermeneutical constraint on believers that

¹¹See Audi, *Religious Commitment and Secular Reason*, as well as his engagement with Wolterstorff (whom I will discuss below) in Audi and Wolterstorff, *Religion in the Public Square*.

¹²Thiemann, *Religion in Public Life*, 154-164.

their arguments should, for theological reasons, be confirmed by accessible reason.

The creationism of Morris, Duane Gish, and Ken Ham, so far as it operates as public testimony, generally fails to meet the criteria of Audi and Thiemann. For them, scripture is the sovereign authority, and the agreement of secular reason need not accompany it. Naturally they are confident that someday scientific research will indisputably confirm the biblical account. But this is not enough for the procedural expectations of Thiemann and Audi. The creationists demand that in the here and now, scriptural reason should precede the secular. Ham writes,

We Christians must build all of our thinking in every area on the Bible. We must start with God's Word, not the word of finite, fallible man. We must judge what people say on the basis of what God's Word says—not the other way around.¹³

On an epistemic level, Audi and Thiemann would find this kind of creationist literalism incoherent because of its failure to be adequately corroborated by independent reasoning. To them, the demands of pluralism enforce a productive constraint on religious thinking.

The language of the intelligent design movement, in which reference to God or scripture is ostensibly absent, appears to take the requirements of Audi and Thiemann to heart. Though most of its exponents are Christians, their public statements about science and education policy increasingly remain limited to what they claim is accessible to secular reason, both in terms of justification and motivation. But according to the court at Dover, design theory, as until then it had been articulated, fails to meet this requirement as well. The Discovery Institute continues not to accept this dimension of the ruling.

2.2 CRITIQUE OF THE INEVITABLE

Especially during the nineteen sixties, riding a rhetorical wave that had been building since the Enlightenment, theologians and social scientists alike became accustomed to talking about hegemonic religion as something in decline. In *The Sacred Canopy*, sociologist Peter Berger writes about the

¹³Ham, *The Lie: Evolution*, 40. In the original, the whole passage is in italics.

problems of “plausibility” and “legitimation”; the religious had lost its exclusive hold both in the minds of people and in their political systems. This occurs, by many accounts, because of the particularly modern process of differentiation—the process by which the functions of society begin to rest their authority in distinct, professionalized spheres. Most significantly, religion’s intimate access to politics is debased by culture, law, and custom. Betraying the influence of Marx’s post-Hegelianism, these thinkers largely saw secularization as an unavoidable telos. Rawls’s framework, along with the consequences that Audi and Thiemann explicate, anticipates this process. The demands they envision must be made in a liberal society for nonsectarian discourse appear to make sectarian authority politically redundant.

The theorists’ sensation of linear decline can certainly be gleaned from the course of court decisions in the evolution controversy. Starting around mid-century, creationism, and particularly the scriptural foundations of its logic, became less and less welcome in the classroom or successful in the courtroom. Phillip Johnson understands this shift as an American “religious philosophy” in its own right, characterized by “scientific naturalism and liberal rationalism.”

Many people would say that we have progressed from a de facto religious establishment to a position of neutrality toward religion, but, as I have said, that would be a superficial and misleading way of describing the contemporary situation. What has really happened is that a new established religious philosophy has replaced the old one. Like the old philosophy, the new one is tolerant only up to a point, specifically the point where its own right to rule the public square is threatened.¹⁴

These conversations about religious reasons in political discourse and secularization theory are pertinent because they represent the specter of a “new philosophy” for Johnson and his cohort. At the same time, they have come to set the frameworks and language for some of the latest interpretations of separation doctrine. People disagree, for instance, about whether the secular is rightly the state’s procedural mechanism or just another religious faction it must prevent itself from establishing. Nevertheless, this

¹⁴Johnson, *Reason in the Balance*, 37.

discourse of worldwide telos captures the attention of reactionary religion to which performances like anti-evolution movements may be a response.

The rise of so many robust, reactionary religious movements in the last quarter of the twentieth century, however, jarred the secularization theorists. Events in Southeast Asia and the Middle East especially led many to believe that the American “religious right” was part of a worldwide resurgence. Peter Berger was among those who was impressed by the significance of what they were witnessing. He came to conclude that consequentially the secularization thesis, particularly with respect to its claims about the forthcoming decline of religion, “turned out to be wrong.”¹⁵ Instead of simply ceasing to exist, powerful religious movements opposed to secularization have come to represent “at least as important a phenomenon” as secularization itself. It was during the last thirty years of the twentieth century, even as the perceived secularization process continued on its course, that the creationist movement (and the evolutionist movement, for that matter) found its greatest energy and momentum. The more established the model of political liberalism became, both as a political practice and a perceived ideology, and with all the barriers for fundamentalist religion that it implies, the more strident fundamentalist creationism became, and the more Christians made creationism a criterion for orthodoxy.

Drawing on observations of public religious movements around the world, José Casanova phrases this reversal in terms of the same process of differentiation that was identified in earlier secularization theory. He differs, however, by suggesting that religion and religious authority is not eliminated by differentiation, only, like every other form of culture and economy, transformed and relocated.¹⁶ Truly modern religions, he argues, are those that have already come to terms with being differentiated—they respect the autonomy of other spheres in society and at the same time have cultivated their own. On a larger scale than ever before, modernity enforces on society a division of labor. The decline that many thought they were witnessing earlier in the century was instead a repositioning, the formation of a distinct self. As such, and perhaps only so, Casanova suggests that vigorous religious movements can be poised to offer a valid critique of the

¹⁵Berger, “The Desecularization of the World,” 2-3. This article generally summarizes his change of position, and the rest of the book, with contributions from a number of scholars, gives his reasons.

¹⁶See Casanova, *Public Religions in the Modern World*, especially chapters 1 and 6.

Enlightenment project, which has a basic tendency against them.

The evangelicals that provide the populist base for creationist activism prove particularly well-suited to being both active and differentiated. Rather than a theocratic established state, they tend to envision a differentiated state that happens to be (as Johnson put it, “de facto”) under the influence of Christian values. The “mega church” phenomenon shows how evangelicals have become easily suited to an ecclesiastical structure that more resembles a collection of competing, autonomous businesses rather than the comprehensive, undifferentiated establishment model. They have created, and even embraced, the “religion business.”

To explain what he came to regard as the mistake of the secularization thesis, Peter Berger tries to imagine what made scholars so sure of their sensation of decline. He concludes that it was an illusion created by the conditions of scholarly culture, in which a growing distance and distinction from religious authority has been an undeniable consequence of modernity. Ever since the Enlightenment, observers including Voltaire, Frederick the Great, and Thomas Jefferson, predicted that within a generation or two, vibrant religious belief would simply disappear despite the powerful, public religious movements that existed in their time.¹⁷ Even as the “secular elite” has been distancing itself from religious authority, a populist “resurgent religion” gains momentum and takes up a stance of protest. But all the while, the fact of differentiation leaves particular groups (religious activists, scientists, sociologists) unable to contend with, or even sometimes notice, their neighbors through familiar channels. This conclusion follows Casanova in its implication that observers mistook religion’s change in cultural location for its total disappearance.

The process of differentiation has split the religious establishment from education, the law, and scientific research. Separation doctrine facilitates the legal instantiation of this. But as the creationists and other religiously-motivated people have found, its consequence is to give some groups the feeling that their voices are being silenced from spheres, like the public schools, where they were once more readily heard. At times these sensations may be just as erroneous as those of the secular(ization) elite; the ground has only shifted. The scientific community is able to confidently

¹⁷Berger, “The Desecularization of the World,” 9-11. I take this list from Rodney Stark, “Secularization, R.I.P.,” *Sociology of Religion* (Fall 1998). That whole journal issue is filled with articles about the demise of the secularization thesis.

pronounce, as the National Academy of Science has done, for instance, that evolution is not up for debate. At the same time, half the population of the country disagrees. Vibrant conservative religious communities have differentiated as well. Even as they are pushed out of certain spheres, they find fresh cohesion in more consolidated ones from which the anti-evolution offensive continues to be launched. Differentiation as a model revealingly accounts for both the appearance of religious decline and the fact of its continuing influence. This appearance, however, serves as a foil against which activists like Phillip Johnson continue to speak and act.

2.3 REIMAGINING THE WALL

When T.H. Huxley defended Darwin's *Origin* in the English universities, he was facing a barrier of sorts in the clerical establishment's dominance of the science faculty. Darwin's theory, immediate bestseller that it was, gave him the opportunity to take this barrier on. The issue gave him a platform and a place at the debate. While he could not have denounced the clerical faculty directly with any success, he was able to debate evolution with them, and through it, demonstrate publicly the blindness that clericalism produced. Through the twentieth century, evolution, along with a handful of other comparable issues, similarly offered a stage on which to fight battles that extended far beyond it. Evangelical historians recognize the importance of 1973's *Roe v. Wade* in sparking the upsurge of activism in their movement since the 1980's.¹⁸ The decision made evident to conservative Christian community what the cost could be if they did not engage in a politically savvy way. The "culture wars," clearly, were not being won on the grounds of culture alone; politics became the new battlefield. As a result, particular legislative questions like abortion, most recently including stem cell research and homosexual marriage, have become the essential content of Christian ethics mainly as a result of their appearance as political issues. A loop occurs. Politics sets the religious agenda, and the religious agenda, in turn, comes to set the political agenda. By the second Bush administration, as a number of polls demonstrate, questions of "values" have become the top concern for voters, especially in presidential elections. They outpace attention to ongoing wars in Iraq and Afghanistan. Along our delicate ide-

¹⁸Green, "Seeking a Place," 25.

ological borders, conflict only occurs in particular, carefully-chosen stages about only a handful of live issues. Debates of this sort can then seem to go on ad infinitum, fueled as they are by external forces that choose them as means of expression.

Working in the structure of an overlapping consensus model, Charles Taylor suggests that irresolution will ultimately have to be embraced. The project of liberal pluralism, where one's opponents still have a right to live and be heard, is designed and padded for prolonged conflict: "That is, this will have to be understood as not an abnormal, scandalous, and hopefully temporary shift, but as the normal state of affairs for the indefinite future."¹⁹ Abandoning the unrealistic independent ethic at the center of a conventional Rawlsian model, Taylor admits that a purely procedural consensus does not have the same hope for substantive resolution. With no agreed-upon authority for resolution, arguments continue until all parties find a solution that is satisfying within their own belief systems. Because of the incompatibilities inherent in these, very often such a solution is not available. Compromise and protracted debate therefore continue. He recognizes that this state of affairs does not feel completely satisfying to participants, yet considers it the necessary consequence of genuine pluralism. As such, it "has got to be made to work."

The ongoing conflict that Taylor describes, however, has its limits. Compromise and the state of discourse must be such that partisans are not driven to violence, thereby undermining the whole procedural basis for society. At the same time, even as he steps back from requiring partisans from accepting a set of core principles, he does insist that they commit to the social project as a whole, to the fact of living together as a unified entity in some form: "Let people subscribe for whatever reasons they find compelling, only let them subscribe."²⁰ In *Democracy and Tradition*, Jeffrey Stout describes the condition of ongoing disagreement, as well as the consequence of the shared commitment to "subscribe," in different terms. Rather than the structural model of Rawls that informs Taylor's discussion (though he certainly wrangles with it), Stout talks about the American pluralistic enterprise as a tradition, robust and habitable. Together with Taylor, he rejects the Rawlsian independent ethic. In its place, the procedural and ethical tradition that our convergence of beliefs and activities

¹⁹Taylor, "Modes of Secularism," 51.

²⁰Ibid., 52.

determines comes to constitute a sufficient discursive habit. It is found as much in art and religion as in the centers of politics. Stout's idea of tradition begins with Taylor's prediction of ongoing disagreement as "the normal state of affairs" and makes it livable. He refuses to accept "the perception of modern democracies as morally and spiritually empty."²¹ At the same time, he rejects "the Manichean rhetoric of cultural warfare," which is so common in the battlefield metaphors used to describe the evolution controversies. We do well to note the pervasive moderateness that is empirically the case nowadays in American domestic disagreements. Few if any are physically injured in these battles, and many participants can claim to be friends at the end of the day. "If we were not committed to continuing a discussion that perfects and honors our democratic norms, we would happily accept more restrictive and exclusionary ways of conducting political deliberation," he observes. Stout's important insight, read as a development of Taylor's irresolution, is a shift of emphasis more than anything else, a much-needed appeal to what we have rather than what we lack.

Within the larger circumstance of pluralism and the opposition of comprehensive belief systems, the evolution controversies sometimes appear as only an act meant to play out much larger, or pressingly material, conflicts. Such transference has been made consciously; *Inherit the Wind*, the famous play-turned-film that (barely) fictionalizes the Scopes trial, was conceived as a commentary not on evolution but on the excesses of the McCarthy era, which were raging at the time that it was written. The content, through-and-through, was evolution and creationism. The main characters were closely modeled on Bryan, Darrow, and the journalist H.L. Mencken. As only that, an account of the trial, it is a supremely effective work. Yet an entirely different code meaning was borne on it by its times, and all the talk about evolution starts to sound extraneous. Even T.H. Huxley did not agree with Darwin in every respect but was still willing to use the *Origin's* popularity to further his anticlericalist aims. The approach of Stout, however, reminds us that the forms and patterns that political expressions take function as the content of a living tradition. They cannot be taken as extraneous, for they are all-important vehicles through which genuine conversation can take place. It is in side shows such as these that we should look for the resources for reimagining disagreements, rearranging identi-

²¹Stout, *Democracy and Tradition*, 2.

ties, and reassigning priorities.

The intransigent stalemate of evolution debates participates in an ongoing, functional consequence of the separation tradition. Participants continue the controversies, despite their own impatience and fatigue, because the controversies are good for them. Historian of American evangelicalism Randall Balmer has observed that such a vocabulary of cultural turmoil alongside a comparatively stable political climate represents a familiar pattern in the country's public life. The keystone he identifies is no less than the Establishment Clause and the doctrine of separation. By permitting a near free-for-all for religion, radical discontent is "siphoned" out of the political sphere to the pulpit, leaving a remarkably centrist politics when compared with other modern states with either an established religion or very little religious expression at all to speak of.²² The benefit goes both ways, protecting church and state together. Even while deflecting political trouble by the variety and vigor of religious cult, the tradition of separation prevents the government from suppressing cult in many spheres of life.

Remaining true to their patriotism but antipathetic to the dechristianization of American culture, conservative Christians find in the public school biology curriculum an opportunity to reassert their broader worldview. Nontheists have already used scientific evolution to do this, as Huxley did a century and a half ago. Still, for more than half of the American people, theology is stronger than the scientific consensus. Consequentially, the ongoing evolution controversy, formulated as a series of legal battles over public education, becomes a medium of conversation. Religious reasons are not enough to justify a policy in court, yet they are all over these courtroom dramas and everyone knows it. Regardless of the verdict, merely enacting the debate has an end in itself. Even as religious voices are denied procedural say by the judges in court, the public is hardly fooled that religion is not at issue. "Wall of separation" rhetoric, particularly as it is interpreted in terms of political liberalism by Audi and Thiemann, provides an image against which religious activists operate. So does secularization discourse. All the while, a foundation for a common tradition is being formed in the enactment of the debate. Within it, both sides have the chance to get their point across well enough that they are always ready for another bout. But in order to take hold of this tradition it is necessary to look beyond what

²²Balmer, *Blessed Assurance*, 31-41.

the partisans are saying to what we as a society and community are doing. In this light, the nature of the shared project can begin to emerge. “You can tell we have these commitments,” writes Jeffrey Stout, “because of how we behave.”²³

²³Stout, *Democracy and Tradition*, 2.

Chapter 3

Theaters of the Conflict

From time to time I have thrown around (and will throw around much more now) these words, “performance” and “theater,” which have remained somewhat vague. In this chapter my intention is to clarify them and develop from them a serviceable family of concepts for talking about the evolution controversy in particular and public religious behavior in general.

I begin with the inference, or intuition, that some kind of a performance (in the most casual meaning of the word) is occurring when Americans spar with one another about evolution. Which is to say: there is more at work in what people are doing than simply what they are saying. This comes as a reaction to several of the observations I have earlier discussed (section 1.2): the strange intransigence of the debate, the lack of material booty at stake, the preoccupation with decorum, and so on. In a 1993 episode of the television show *Star Trek: Deep Space Nine*, the evolution controversies are evoked when a religious leader from the planet Bajor interrupts a science class discussion about a wormhole that the Bajorans consider to be sacred. As the story progresses, however, it becomes more and more clear that the real motivations for the intrusion lie in an ecclesiastical power struggle. After an attempted murder, the struggle changes shape and the wormhole issue gets quickly forgotten.¹ Since Scopes, courtroom confrontations have consistently provided a good media circus and a representative focal point for the broader cultural and political divisions of the day. In this inference I am not alone, though I take it with an unusual seriousness; I believe it is

¹*Star Trek: Deep Space Nine*, “In the Hands of the Prophets.”

at least as significant as the content of the debate itself.

Of course there is a great deal about the controversy that looks nothing like theater as we know it. Serious scientists, philosophers, and scholars of law ponder hard about the questions it raises. Too, people all over the country invest genuine passion and thoughtfulness in the conversation. Every day newspapers across the country print letters to the editor from citizens arguing one way or another. This kind of earnestness seems to be the antithesis of theater, with all the implication of false reality that it implies. Yet in trying on this kind of vocabulary, in approaching the question in terms of “what people do in the activity of their doing it”² rather than only what they say, we find means to move beyond the text-centered language of “reasons” and “justification” of Audi and others (section 2.1) to describe more fully the public activity of the religious. The standpoint of theatrics offers a very different account of the evolution controversies from the usual, dichotomistic approach that I exemplify in chapter 1. Instead of a saga of binary “warfare” between opposing, incompatible groups, it becomes a textured web of interpretations and identities-in-formation. From this become clear the ways in which all participants in the debate share a common conversation.

3.1 AN ACCOUNT OF THE THEATRICAL

I will make my approach at this idea of theater by means of two parallel concepts: “performance” and “performativity.” They are united by their agreement in their attention to the manifestation of action, and the character of the act as meaningful in and of itself.

In his recent work on religious violence, Mark Juergensmeyer has demonstrated the usefulness of this kind of framework for unraveling the unspoken meaning and intentionality of public display. I join him in the use of these two senses of theatrics, which he summarizes succinctly: theatrical acts “can be both *performance events*, in that they make a symbolic statement, and *performance acts*, insofar as they try to change things.”³ In this section, however, I go a bit further than he does to draw on their development in fields outside of religious studies, particularly in a branch of con-

²Schechner, *Performance Studies*, 1.

³Juergensmeyer, *Terror in the Mind of God*, 127.

temporary critical theory called performance studies. That these insights can be applied jointly to instances of ghastly violence (as Juergensmeyer does) and cordial courtroom dramas (as I will do here) should recommend their usefulness for the study of religion in a variety of circumstances.

3.1.1 Performance

Performance begins as a distinction, as an opposition to the “really real,” which it in turn takes a part in defining. A performance is an event perceived as separate from life outside of it, and draws more or less clear lines between the two. Experimental theater pioneer and scholar Richard Schechner probes these boundaries from a variety of angles, including the warm-up and cool-down of actors, as well as the distinctive spaces that are set aside for performance by audiences.⁴ In this space defined against the real, as a “possible world,” that performances can be drawing boards for the society of the real, educating its citizens, healing, fostering community, and making or changing categories of identity.⁵ Because performance depends on a cognitive distinction, it places an expectation on awareness and is inevitably ambiguous. Often in contemporary avant-garde productions, the audience may not know it is the audience for some time into the performance, or ever. If the act is to be called a performance at all, someone has to make the distinction, whether it be a participant or observer. To speak of the “real,” therefore, is a stand-in; what we are really referring to is the “other” with respect to the performed.

Anthropologist Richard Bauman talks about the construct of performance as a family of “distinctive frames,” the circumstances exterior to the performance that inform its content and its interpretation. They serve as material and medium for the act.⁶ By twisting or altering the really-real, a performance distinguishes itself as such in a manner that Bauman calls “metacommunicative.” While taking place in the real world and with recognizable tools, it can articulate or make recognized the unrecognizable.

The manipulation of the real begins with the mechanism of memory. Repetition and reenactment are trademarks of the framed space, through

⁴These figure prominently in the plan of his textbook *Performance Studies: An Introduction*. In both this and *Performance Theory*, he chronicles the concept of the really-real in the tradition of Western theater.

⁵Kershaw, “Performance, Community, Culture,” 139; Schechner, *Performance Studies*, 39.

⁶J.L. Austin, who I will discuss in section 3.1.2, called intentional performance “parasitic” on the real world from which it draws.

which the performers establish their ties to the real, which includes both the outside world and the previously performed. Juergensmeyer cites the importance of imitation in theatrical violence; terrorists consciously imitate one another's methods, materials, and even anniversaries in their own plans.⁷ Imitation lends legitimacy to an act that society may at first deem illegitimate or invisible by creating its own body of reference. By referencing things, and forcing the audience to remember them consciously, the performance forces their importance. As we are familiar saying with regard to religious ritual, performances "reactualize" familiar events, as the Catholic Mass makes the Last Supper ritually, which is to say recognizably, present.⁸

The Mass, as well as any other performance space, is constituted by its rules, the genre and tradition that govern it.⁹ They are enacted by repetition. Many of the rules of the evolution debates should be familiar by now; they are a convergence of American political and cultural tradition made manifest in the habits of the academy and the proceedings of the courts. In science, the rules include peer-reviewed publications, academic credentials, and imposing jargon. The court, in turn, is a thoroughly ritualized atmosphere, and the dictates of a specific decorum weigh upon it heavily. Its rules also include the content of legal precedent. In each of these realms, the rules restrain conversation, but by doing so, they make it possible in the first place. The courts in particular depend on their rules to maintain a class of educated officials, uphold the public trust, and make possible (in the best of times) an environment above petty interests. Baz Kershaw describes the performance as "rule-breaking-within-rule-keeping"; even as it flaunts the rules of the real world, performance clings to its own.¹⁰

These rules are often inseparable from the conditions of space. Special, set-aside places activate the rules, marking within them a sense of distinction from the rules in effect outside. Cathedrals, laboratories, courtrooms, and other "agreed venues of representation"¹¹ are inseparable from the particular rules that govern them, and these spaces are designed specifically for the rules to be enforced inside. Location also extends the performance beyond its own peculiar constraints in time, just as the theater building

⁷Juergensmeyer, *Terror in the Mind of God*, 130.

⁸Bauman, *Verbal Art*, 9-25; Schechner, *Performance Theory*, 37.

⁹*Ibid.*, 8.

¹⁰Kershaw, "Performance, Community, Culture," 139.

¹¹Counsell, "Signs of Performance," 202.

in a city stands as a reminder that performance happens there throughout the day even if actual performances only happen at a particular time in the evening. They mediate the real world and its opposite inside serving as a physical embodiment of the distinctive frame, and as such, an invitation and guide to interpretation.

For an audience, the distinctive frame of performance, set apart by rules and locations, triggers a recognition of certain codes.¹² Through them, people locate the meaning of the performance and its meaning in a wider discourse, whether it be polemical, exploratory, aesthetic, entertaining, several of these, or more. This translation occurs when the audience assumes an “interpretive posture,” as guided by the distinctive frame. Colin Counsell identifies two “registers” of activity for an audience: one contains the provisional, actual act of telling through performing, while the other is the abstract, the realm of taxonomies and meanings signified.¹³ *Inherit the Wind* (p. 66), for instance, represents a clear code in which the evolution controversy is used as a signifying stand-in for the 1950s McCarthyist witch hunts, a code that intended audiences were expected to recognize.

Compared to the standards of normal work, performance furthermore distinguishes itself by its relative “non-productivity.”¹⁴ The prototype for performance theorists, of course, is the small art-theater company that barely makes it by season to season on ticket sales and contributions in order that its art be made. Content is set at a higher level than economy; at all costs, the act must be performed. Juergensmeyer points out that many terrorist targets are picked not for conventionally strategic value but for their symbolic significance. Damage to enemy infrastructure or population takes a back seat to visibility. Their targets are picked usually less for the fact of what they will do (in terms of damage to the enemy’s infrastructure or population) than the meaning of it.¹⁵ Very often, however, the lines of productivity and non-productivity are ambiguous. Many clearly theatrical events, like football games or Hollywood moves, are also tremen-

¹²Ibid.; Schechner, *Performance Studies*, 155; Bauman, *Verbal Art*, 17.

¹³This particular arrangement is one of many; Schechner is fond of describing, for instance, the disagreement on theater between Plato and Aristotle, who took different positions on the relation of theatrical act to formal reality. Schechner, *Performance Studies*, 8. Kershaw also suggests a Gadamerian character to the interpretive posture by talking about the “horizon of expectation,” a dialogic engagement between the rules, acts, and readings. Kershaw, “Performance, Community, Culture,” 138.

¹⁴Schechner, *Performance Theory*, 11-12.

¹⁵Juergensmeyer, *Terror in the Mind of God*, 125.

dously profitable. Further, the business-as-usual of the American economy has come to have such tremendous sway over the content of our culture that performance has a great deal to draw from in imitating it. Megachurch pastors read their scripture from PDAs the way an executive reads a business memo. At the same time, the unscripted has become theatrical, as reality television shows have shown. Nevertheless, a distinction remains. If we trace the pathways of production, performance is that which puts meaning first. Its primary product, which shapes the whole system, is set at a level separate from its mundane appearance. The familiar is refashioned as polemic, entertainment, or both. It is made significant. On some level, therefore, the performance must always be self-evident; through its otherness from the normal, past the frame of rules and codes, the audience is guided to its meaning, its reason for being.

The simple contested question of the performance is: “what was the meaning of the performance?”

3.1.2 Performativity

The academy’s discovery of performativity is usually attributed to J.L. Austin’s *How To Do Things With Words*, a collection of lectures delivered at Harvard in 1955. Austin, a philosopher of language, sought to draw the attention of his colleagues away from an account of speech limited to example sentences that can be evaluated as being true or false according to formal logic. The examples he talks about instead are a kind of utterances—“performatives,” he calls them—which in themselves constitute an act. Many are components of ritual formulas, such as marriage vows and the christening of a ship. To say “I do,” points out Austin, is not saying something that can be properly evaluated according to analytic truth values. If it can be evaluated at all, we must understand the circumstances in which it is said, how circumstances change when it is said, whether the actions of people follow in accord with their use of this kind of utterances, and so on. Like performance, performatives usually depend on certain shared codes for their interpretation, which consist in the collective knowledge that because one has been said, an event has occurred. “I do,” for instance, can only be a significant performative if it happens at a certain time during a certain ritual. At a wedding, when this is said, the guests know that a meaningful thing has occurred. Under other circumstances, people might ask the speaker to

finish the sentence. By singling out these kinds of phrases, Austin was able to explore the function of language as *sui generis* act, something quite more dimensional than merely “saying something.”

As in the way I have talked about performance, performativity rests on the fact of a distinction. Rather than the real world and the performance space, however, performativity recognizes a distinction between the literal content of an utterance (“I do”) and its effect for those who hear it (the marriage is contracted). This distinction, however, is of a more reflective kind. Austin’s point is that performativity functions as a part of normal language, without the need for actors or audiences to step outside of their usual postures.

Austin’s ideas about performativity have since been expanded upon by others, from his student John R. Searle to Jacques Derrida. Searle began by understanding the “speech act” as not merely an exception to the general rule of linguistic activity but instead its most basic unit. The term can be lifted beyond linguistics altogether and used to talk about acts in themselves of all kinds.¹⁶ The performative, in this broader form, is an act (rather than simply the spoken utterance) that people can understand through certain codes as a significant event. Usually the performatives we find to be of interest are those in which the consequence of the act is a non-trivial result of it. The lighting of the Olympic torch, which marks the start of the Games (but without the code is nothing more than lighting a torch), is of greater interest than, say, the act of lighting a stove, which rarely takes on much more meaning than simply causing the stove to be lit.¹⁷ Even if every act is a performative of a sort, those that depend on more sophisticated social codes are the most revealing.

The simple contested question of the performative is: “Was the performative effective?”

3.1.3 A Unified Event

Very often, and in the case of the evolution controversy particularly, these concepts act in concert. The performance is in itself of value to participants

¹⁶Schechner, *Performance Studies*, 111, describes this extension succinctly: “Given the collapse of categories that marks the postmodern period, it is not surprising that Austin’s term took off in its own protean manner.”

¹⁷Andrew Parker and Eve Kosofsky Sedgwick, quoted in *Ibid.*, 112: performativity is “characterized by the *dislinkage* precisely of cause and effect between the signifier and the world.”

and audience, “parasitically” bound in meaning to the real, literal, non-performing world, a world whose terrain shifts dynamically according to attention and interest. Performance may be psychologically cathartic, even when it is also in other ways tiresome, because it departs from the usual constraints of discourse. The performative, rather, can serve as a way of describing the effect of this act upon the real, despite its literal rejection of the real. It follows that an act of performance (by the dimension of its other-reality as perceived by its audience) is necessarily performative (by the dimension of its reality felt by its outside world). Schechner describes the activity of performing as an ongoing cycle: real life changes into acting, enacting a meaningful counter-reality, which in turn transforms the real life that all participants return to. Reality is different because now a counter-reality has occurred within it.¹⁸ Of course, as in Austin’s linguistic examples of placing bets and marriage vows, performatives need not be necessarily called performance in any meaningful way. But it is in instances of performance that performatives are at their most subtle and interesting.

We have long recognized that the imaginary worlds of the public stage, and especially mass media, have a tremendous impact on the processes of normal society. Because performance reaches across the borders between real and imaginary, it makes possible a kind of “ideological transaction”¹⁹ that the rules of the mere real would not permit. As theorists of the margins like Judith Butler have realized, this transaction has the recognizable effect of crystallizing social identities, of making a space for the once-inadmissible. Once an identity has been represented on stage, the audience and actors alike are forced to recognize in real life, after the show is over, that it exists, or can exist, or perhaps should. Sensations like this are the effect of Schechner’s cycle, the tango between performance and performativity: the unreal or literal, in departing from and returning to the real, transforms it.

The link between these senses established, when I talk about performance and performativity from now on it should be clear that I am describing two horizons of the same event. “Theater” and its variants will serve as a shorthand for this union. For the sake of specificity I prefer whenever

¹⁸Schechner, *Performance Studies*, 119. His cycle goes: real life → pretending → acting → simulating → real life, and an arrow pointing back to the beginning.

¹⁹A term I borrow from Kershaw, “Performance, Community, Culture,” 137 in his discussion of the efficacy of radical theater.

possible to pick one or the other of these related senses as it is applicable.

When we describe theater as a thing so widely applicable, the concept inevitably can lose the consequence of its meaning. When we talk about courtrooms, laboratories, churches, and classrooms as performance spaces, and all the others that might easily follow from these, how little is left to the mundane! Yet this is a necessary step toward recognizing the significance of “what people do in the activity of their doing it.” The concept of performance is not so much a objective label as a mode of discourse. It is always selective according to what is being talked about. In a lecture hall, for instance, it is possible to talk about the Globe Theatre as a setting for performance without being overly concerned about the theatrical nature in the lecture hall itself. For the moment, we want to understand the evolution controversy, so we need only talk about its act in particular, how it sets itself apart and also concretely affects the surrounding real world, which as I have said, is not so much more real as it is distinct. But under other circumstances, if we sought to understand something else better in this way, the evolution controversy would be likely accepted as part of the real and literal world against which the performance of our interest is cast. Whether “all the world’s a stage” is not a question I propose to answer, and quite consciously, neither do many of the performance theorists.²⁰ Yet with great success it has been applied toward thinking about public politics, gender, mass media, alongside formal, theatrical performance itself. Such portability is part of what makes this joint concept of theater meaningful to begin with, grounded as it is in an intrinsic extensibility.

In order to sidestep some ambiguities that come with the concepts extension, Schechner distinguishes between two ways of talking about performance, which must be absolutely distinct even while allowed to inform one another. There is first that which “is” performance: “when historical and social context, convention, usage, and tradition say it is.”²¹ For this, we must first ask those we identify as actors and audience, “Is this a performance?” and agree to accept what they think at face value. Are they aware of a distinct reality, of playing “make-believe”? The second sense is virtually anything else, that which may be thought of “as” performance. Here we can speak more broadly, less concerned about a purposeful apartness from the really-real. It is mainly in this sense that my discussion will

²⁰Schechner, *Performance Studies*, 8.

²¹*Ibid.*, 30-35.

go. Nevertheless, the first sense should remain at the back of our minds meanwhile.

3.2 EVIDENCES IN THE CONTROVERSY

Again and again in the debates, both sides, though especially the classical creationists, make sure to remind us that nobody we know was around for the beginning of life. There weren't any scientists taking down data or prophets preaching. Ostensibly and immediately, the world as we know it continues to exist and go on pretty much the same whether we think about it having been done in six days or what have you. Certainly there are those who have argued for all sides that society will dissolve (or has dissolved) if its children are not taught to believe their way. But the abundance of decency among their opponents (1.2.6), often by the partisans' own admission, balances against the violence of this urgency. The event of hominization—the creation of human beings—represents both an immanent question of our most intimate natures and a giant leap beyond the bounds of practical existence. To talk about such “deep time” at all is necessarily a job for the symbolic imagination, and is constantly touched by simultaneous relevance and irrelevance.²² Mainly I have talked and will talk in terms of the way this controversy is handled rather than the raw content of it. But occasionally it is useful to pause and realize this *mysterium tremendum* that stands on the balance here, or is the balance itself. As much as anything else, this remote subject matter, which most people don't expend much bother about most of the time, serves to establish the distinctive frame of the evolution performance.

Of course, the other-worldly conversation takes place publicly in the worldliest of circumstances. The the classroom, the courtroom, the laboratory, and the pulpit have become its public theaters, whether actual or imagined. Each has its uniforms and rules for conduct, and very often the nature of the contest has become each side outdoing one another in playing the required roles well. Each space also implies an audience, for whose benefit the show is put on and who is expected to respond to it.

²²Stephen Jay Gould's *Time's Arrow, Time's Cycle* gives a compelling account of the confluence of myth and science in the discovery of distant origins, especially in the context of geology.

3.2.1 Contested Spaces

As he juggles with many of the terms I have used particularly in this chapter and the last one, Jeffrey Stout gives a useful reminder that we would do well to recall: “Part of the problem derives from thinking of the public sphere as a place, as in Neuhaus’s image of the public square. It is not a place. One is addressing the public whenever one addresses people as citizens.”²³ In an important sense, one aligning with his pragmatic sensibilities, Stout is absolutely right. When we talk about these spaces as if in reality they exist, we are talking about largely imaginary realities. Largely they are only talked and assumed into existence into existence, or more precisely, performed as so. To refer to them as I will do, as real things, is to be drawn into the world of a performance, which, as Stout reminds us, may be cast against the really-real of old American pragmatism.

CLASSROOM AS COSMOLOGY

Historically, in the most theatrical presentations of the controversy, the classroom acts as a focal point. For audiences, it is a common denominator; most everybody has spent a good long time in classrooms and is an expert on what they are like. The Scopes case began with one. Early on in the film version of *Inherit the Wind*, John Scopes is teaching his students about the theory of evolution when a cadre of suited men come in, stand in the back of the room, and observe what he is saying and doing. Their presence is silent but powerfully disturbing, upsetting the delicate and sacrosanct authority that the lone teacher is expected to have over a roomful of students. Finally they interrupt him and take him to jail. For controversy’s the audience, this scene describes an imagined picture of the classroom well. Because there is a conflict in authority between the teacher and the observers, the students cannot maintain their usual condition; they realize that not all of their elders can be trusted as they had thought. The teachers are vulnerable, for the possibility arises that all along we have been misled by them in ways we can’t even imagine. In reverse, the official observers are vulnerable too, for as far as we have come to trust our teachers, the scientific or religious authorities have come charging in from the outside to fool us out of honest truth. In the film, Scopes represents the brave, self-sacrificing opponent of dogmatism, and the observers its heavy hand.

²³Stout, *Democracy and Tradition*, 113.

Actually, that moment never happened in Dayton. John Scopes didn't ever teach evolution to a class, but only agreed to testify that he did at the urging of the ACLU and a group of local businessmen.²⁴ Nevertheless, it is a scene like this that the courtroom dramas conjure for their audience. Seventy years later, at Dover, this sort of moment did actually occur. When the science teachers at Dover High refused to read the school board's required statement, the superintendent and his assistant had to deliver it personally in all of the biology classes, forcing teachers to step aside momentarily to a competing authority. They allowed no questions to be asked before moving on to the next class.²⁵ The significance of this disruption of authority is tremendous. To begin with, the classroom is a place set apart from parents, one in which they are not normally permitted, having relinquished all trust to the teacher and system. Disruption drives this trust relation into a chaos that, beyond PTA meetings and what little their children might tell them, parents can only theatrically imagine.

Even while the usual authority figures of the classroom, the teacher and the wider community, come into conflict, the individual student comes to be represented as both victim and protagonist. The local newspaper in Dover, the *York Daily Record*, was careful in its coverage to depict an atmosphere of pervading confusion among the Dover High students. Youngsters were set against each other and even against their parents. The competing origin stories, and even the controversy itself, were described as having infringed on the tranquil school environment.

At the same time, however, elements of the national conversation put tremendous faith in the high school student as proper arbiter. In Judge Jones's application of the Lemon test (see section 1.1.1) in his opinion at Dover, he took the hypothetical stance of an "objective student" as the proper frame of reference for legally determining whether intelligent design would be interpreted as a religious movement. Schools all around the country have made it possible for students to step out of the biology classroom while evolution is being taught, making the division clearly visible. As such, the classroom is imagined to be a microcosm of the democratic process. "Let the students decide" has become a rallying cry of letters to the editor in local and university newspapers. If both sides are presented

²⁴Larson, *Summer of the Gods*, 89-91.

²⁵This scene is described in several accounts: *A Flock of Dodos*; Talbot, "Darwin in the Dock," 73, among others.

in a balanced manner, the argument goes, youngsters should be in a good position to make informed decisions about the question. "At the end of the day," writes U.S. Senator Rick Santorum, "we should let the scientific evidence lead where it leads, allowing students to decide what they believe based on the evidence presented."²⁶ Along similar lines, *Washington Post* education columnist Jay Mathews has argued in a series of articles that by "teaching the controversy," biology class might become a more interesting thing for students. He compares his proposal to a favorite American history teacher he had, from whom nothing in the textbooks "was safe from attack." An atmosphere of adventurous questioning in the classroom, argues Mathews, always motivates students to learn.²⁷ In the town hall discussions and op-ed pages, however, it is usually the teachers who offer the most compelling critique of "teaching the controversy;" with the demands of state, local, and national curriculum standards piling up, they simply don't have time to have a potentially political-theological discussion in the middle of biology class.²⁸

That the impressionable students represent such a powerful focal point in the controversy ensures that their parents will always be a captive audience. The performance draws on this age-old anxiety of creating a responsible worldview for one's fragile children as it transforms the memory-space of the classroom into a battleground. David Hume's *Dialogues Concerning Natural Religion*, which some consider still to contain the best refutation of the argument for the existence of God from design, is poignantly set against a conversation about how to educate a young child in theology and science properly. Should he be introduced to theology only after learning what there is to know about nature, for it is the most exalted of all learning? Or must any knowledge about the natural world be first be grounded in the understanding of revelation? From this urgent and unanswerable question of the child's upbringing, and the possibility and power of casting of a fresh world-

²⁶Santorum, "A Balanced Approach to Teach Evolution." Santorum was also the sponsor of the infamous Santorum Amendment, a 2001 insertion into the No Child Left Behind Act that, if so enforced, could be used to ensure that both sides of the controversy be taught.

²⁷Mathews, "Who's Afraid of Intelligent Design?" The Discovery Institute has gotten a lot of mileage out of this argument as well, and it was also used by theologian Michael Novak at the AEI's "Science Wars" conference.

²⁸While letting the children decide conjures a model of the deliberative democratic citizen, others have suggested that we let the controversy be decided by the *laissez-faire* principle. Using the evolution circus as a symptom of the failure of state-run education, Andrew Coulson of the Cato Institute argues that "free markets would be a far more intelligent design for American education" ("Why Fight Over Intelligent Design," FOX News, November 18, 2005).

image on the next generation, the philosopher draws forth the threads of his great discourse on the knowledge and fact of the divine. As Hume knew in the 18th century, the classroom is a space set apart by the delicacy and pivotal importance of its task. Everything that occurs in it has meaningful importance because everything is a formative act.

COURT AS INQUISITOR

In my account of the recent history of the evolution debate (esp. section 1.1) I have already focused a great deal on the role of the courts. The courtroom stands the gatekeeper for the stage of the public school classroom, and is therefore a necessary entryway. By its own right, though, it is also an ideal staging platform for public debate, being both authoritative in the shared community and protected from the noise of the community's rancor. Only those directly involved in a case, along with the priestly profession of the law, are permitted to access it. Its claim to public representation is essentially arbitrary and therefore ideal; neither John Scopes nor the plaintiffs at Dover had no special credentials for the role they played, and neither does a jury. These actors stand for every man, and the judgments made on them are binding on all. Like the classroom, which remains essentially invisible to the public eye as the sole purview of the teacher, many courtrooms restrict photography and television cameras, leaving the public audience to rely on the intriguing lens and antique curiosity of hand-drawn sketches and stenographers. Along with the extensive ritual of court decorum, these serve to set the courtroom apart, making it at once public and not-too-public.

Historically, it is peculiar that a debate that is either scientific, theological, political, or all three should be set in a place that strives to be so consciously apart from such forces. Normally scientific disputes are discussed in specific academic settings like conferences and journals. When Galileo's science represented a theological problem, it came before the Church's Inquisition. Politics, of course, are left to the politicians. But in the courtroom, to phrase the problem as a mere legal dispute makes possible a conversation that cannot exist elsewhere. The scientific community has stated its verdict, but is unable to account for its theological consequences and the widespread popular rejection of it. The conservative protestant, whose theology is primarily at stake, have no central authority strong enough to

summarize their position, much less impact public school policy. Politicians, with a few exceptions, are unwilling to tempt the electoral division that a strong position on the issue might incite, while what they have done in the past has been restrained by the courts.²⁹ Nevertheless, the question is much greater than one of laws, and as any observer is aware, only the science, beliefs, and politics at stake are of actual importance to participants. The performance act takes a legal form, but its received meaning, the “ideological transaction” at work in it, occurs on quite different levels.

The performative impact of a modern public courtroom drama has been evident in the last century’s long string of major legal events, among which the evolution cases have been only a few among many.³⁰ From Sacco and Vanzetti in the era of Scopes to O.J. Simpson, Americans have become accustomed to the trial as both a media event and an expression of inexpressible division. Meanwhile, the court has become a setting for entertainment. CourtTV, a cable television network, is devoted entirely to covering the drama of the justice system through programming that “both informs and entertains.”³¹ On the broadcast networks, popular shows like *Judge Judy* have made a real-yet-dramatized small claims court into an entertainment genre. In this arena, no publicity is bad publicity, apparently; the networks never seem to have trouble finding ordinary people to air their embarrassing disputes on national television. Indeed, when President Bill Clinton was impeached and tried by the Senate for lying under oath about his affair with Monica Lewinsky, his approval ratings reached their highest level of his entire term. By the end of these trials, the verdict can hardly seem to matter. It is the act put on that counts, and the verdict can be overshadowed by the show. Sacco and Vanzetti became popular martyrs after they were executed. The Clinton trial, with all of its explicit detail, did much to galvanize the Republicans’ claim to be the party of “values,” while at the same time helping to launch Hillary Clinton’s subsequent bid for a seat in the Senate, not to mention both of their lucrative book deals.

²⁹At the time of writing, the most outspoken national politicians in the debate, both in support of intelligent design, are Senators Rick Santorum and John McCain. President Bush has of course stated rather ambiguously his support for teaching the controversy. Among these only Santorum has taken concrete action with his 2001 amendment to the No Child Left Behind Act.

³⁰Even among these, it should be noted, legal historian Douglas O. Linder regards Scopes as the most significant such event, thus deserving of that venerated epithet, “the trial of the century.”

³¹From the CourtTV website, <http://www.courtstv.com/about/>.

In the modern courtroom media circus, law is only part of the trial. Richard Harbinger writes about it in “Trial by Drama” as a “play within a play”: “the play within” is its content of testimony, the reconstruction of events, and the construction of a case in narrative, while “the play without” is the drama of the event itself, the happenstance of its staging, and the participation of the public audience.³² As his title suggests, the surrounding drama is a trial in itself, so far as the public as audience exacts its own judgment on the basis of what it sees and understands. In the aftermath of Scopes, which was a legal victory for the creationists, the urban, coastal public cast its own verdict against them. They became a running joke. More recently, the legal victories of evolution-alone policy stands in bewildering contrast with the staunch public support for creationism and its variants that is consistently evident in opinion polls (see section 1.2.1). Audiences react to the performance as they read it, rather than the really-real legal criteria of the courtroom stage.

In the eyes of many observers, a trial of this kind accesses codes in correspondence with the trial of Jesus himself. In his trial before Pilate as recorded in the gospels, Jesus is condemned to death and serves his sentence. Nevertheless, his judicial defeat and martyrdom is a theological victory and, especially in the language of the epistles, defeat and victory come to sound like synonymous concepts. Reminders of this way of talking are never far from the evolution trials. At Dover, local newspapers reported that school board member William Buckingham said during a board meeting, “Two thousand years ago, someone died on a cross. Can’t someone take a stand for him?”³³ For Buckingham, statements like these were precisely those that helped lose the case for the school board, demonstrating to many that the legal rules against religious justification for public school policy had been violated. Yet even as they proved fatal for the school board’s case, statements like these enacted a heuristic code over the trial theater, one in which the theological “stand” is held above the standards for victory of the legal medium.

Even before the verdict was released, the electorate at Dover had made its decision against the school board and, in a landslide, voted them all out.

³²Quoted in Schechner, *Performance Studies*, 178.

³³Lebo, “Word Still at Issue”; *Kitzmiller*, October 31 (PM), 76. Schechner, *Performance Studies*, 179, reminds us of the old Christian understanding of Christ as actor. He quotes 17th century poet Robert Herrick: “The *Crosse* shall be Thy *Stage*; and Though shalt there / The spacious field have for thy *Theater*.”

But around the country, however, creationists and intelligent design supporters rallied to their support and refused to accept the decision as a final defeat for the design movement.³⁴ Pat Robertson's subsequent condemnation of the ouster (see section 1.1.1) in theological terms, like Buckingham's statement, confirms the theological coding at work. The trial's true meaning, these men remind us, is not fulfilled in the event itself, which is only the visible expression of the truer cosmic activity. Even in non-theological terms, William Dembski has since argued that for the design movement, defeat may in fact be tantamount to victory. The progress of design theory, he writes,

may continue more effectively than if the judge had ruled in favor of ID, which might have convinced people that ID had already won the day when in fact ID still has much to accomplish in developing its scientific and intellectual program. Judge Jones's decision may well prove best for fostering ID's intellectual vitality and ultimate success.³⁵

Dembski's language is secular, but his seminary degree should remind us that the theological cannot be far from his mind as well.

Something about the performativity of the trials must be working. Though there has not been a significant creationist legal victory since Scopes (and even that was quickly overturned at the state level), anti-evolution activists have continued to see the courtroom as a vital platform for their effort. In the process, the evolution trial has developed a genre onto itself and a familiar public ritual. The event of the trial certainly draws a great deal of attention to the evolution controversy from those who are not normally interested in either academic science or theology, and as in any national debate, compelling them both to take sides, which they then must defend in their own communities. As a result the lines that the trial draws outlast the thing itself, having done something in the formation of a collective memory and the crystallization of sometimes-antithetical identities. Actors come out of the trial, as from a blockbuster movie that everyone saw, with their assumed identities emblazoned on them, to be carried for life.³⁶ At the

³⁴Laurie Goodstein, "Intelligent Design Might Be Meeting Its Maker," for instance, which prophesied the movement's demise, attracted a predictably fervent reaction, especially from the ranks of the Discovery Institute.

³⁵Dembski, "Life After Dover."

³⁶One might perhaps look no further than John Scopes's autobiography, *Center of the Storm*.

same time, the trial is a check-in with American culture that tells us where we are, how far we have come, and whether anything has changed. Through the surrounding media bazaar, the people in the big cities and throughout the world can peer into the fabled religiosity of the American heartland. In the mid-1920s, when the excesses of urban industry had made this divide at its harshest and Prohibition was still in force, the Scopes trial served particularly as an instance of this kind of voyeurism. In the context of Dover, however, at a time that conservative Christianity is perceived to be increasing its share in the cultural mainstream again, drawing attention to intelligent design showed the public how articulate and savvy the anti-evolutionist position had become.

As in any performance genre, patterns of repetition are vital to understanding the event's meaning. As much as the ritual performance is a sign of the present, it depends on the institution of certain constants and the retrieval of collective memory. During the trial at Dover, references to Scopes abounded. Some in the media even called it "Scopes II." At that time, at least two theatrical productions retelling Scopes were performed locally: *Inherit the Wind* opened in Harrisburg the night that the trial ended, and a month later, a national tour of "The Great Tennessee Monkey Trial" made a last-minute stop for a night in nearby York.³⁷ Reminders like these reinforce the sense of continuity that frames and informs the ongoing controversy.

In the later years of the creation science movement, and towards the advent of intelligent design, Phillip Johnson helped to bring another dimension of the legal space to the controversy. Himself a professor of law at Stanford, Johnson declared that the essential problem of the whole controversy is more one in the purview of lawyers than of scientists. The evidence is available, and essentially comprehensible to a layman prepared to do some research. The popularizing books of Dawkins, Gould, and others say this themselves. The evolutionists, he argues, are wrong less for their scientific research than for the logic fallacies that have come to underpin it. If one approaches the evidence with the scrutiny that a lawyer applies to testimony given in court, the case for evolution begins to collapse. "What

³⁷Apparently, the Harrisburg opening was entirely a coincidence, though the York performance was carefully planned. "We felt it was imperative to find a night to come to York," said Susan Loewenberg of LA Theatre Works. Dunkle, "Dover Suit Spurs Extra Stop"; McElroy, "Evolution Debate Makes Its Way to Phil Stage."

a lawyer brings to this,” contends Johnson, “is a nose for the assumptions, the patterns of thinking, the things that, as members of a particular professional culture, people just take for granted and never question.”³⁸ The courtroom metaphor he employs in books like *Darwin on Trial* and *Objections Sustained* proved powerfully convincing and helped to jumpstart the latter-day anti-evolution movement that led to the formulation and promotion of intelligent design by the Discovery Institute, where Johnson remains a fellow. Jonathan Wells’s *Icons of Evolution* took a similar tack, piece by piece disassembling the demonstrations of evolution most often given in textbooks. Just as the classroom has done since Scopes, this more recent yet familiar imagery makes the evolution controversy everyone’s business, leading us to resent those who would make it the domain of professionals, who might have unfriendly motives. By his presence and leadership in the anti-evolution movements, Johnson has even further strengthened the courtroom as a legitimate space for debate and ensured that its rightful audience extends beyond the experts to the reasoning public.

RESEARCH AS RITUAL

That the question of the origin of life is one best left to the lawyers, much less to the theologians, is not an idea that the scientific community takes too easily. The methodology of creationist thought, many argue, undermines all the good that science has done in society and for human understanding. In the early eighties, Philip Kitcher writes that

although the Creationist campaign is advertised as an assault on evolutionary theory, it really constitutes an attack on the whole of science. Evolutionary biology is intertwined with other sciences, ranging from nuclear physics and astronomy to molecular biology and geology. . . . If we let the Creationists have their way, we may as well go whole hog. Let us reintroduce the flat-earth theory, the chemistry of the four elements, and mediaeval astrology. For these outworn doctrines have just as much claim to rival current scientific views as Creationism does to challenge evolutionary biology.³⁹

³⁸Johnson, “Focus on Darwinism.”

³⁹Kitcher, *Abusing Science*, 4-5. Note also his capitalization (see footnote on page 13).

Over twenty years later, the same urgency is felt by scientists about the challenge of the intelligent design movement.

What would it really mean to teach ID in science classes? It would be tantamount to telling students that it is acceptable for scientists, when faced with phenomena they cannot yet explain, to simply throw up their hands, stop trying to expand the frontiers of human knowledge, and write off the unknown to supernatural causes and effects. . . . Be prepared to toss American scientific leadership in the world out the window.⁴⁰

With these fears in mind, the evolutionist scientific community recognizes the danger of granting creationists access to the journals and professorships that comprise the mainstream. Even hearing the creationists out in this way would give their methods a virtually irreversible credibility. Scientists do this because they recognize the performative power of the stages of their establishment. Merely being present on them is an act of legitimation, the establishment of an identity that, once established, is empowered to establish others (and so on). In 2004, when an article by Discovery Institute fellow Stephen Meyer appeared in the *Proceedings of the Biological Society of Washington*, the journal's editor, NIH and Smithsonian researcher Richard Sternberg, was blacklisted by his colleagues. The event caused a sensational stir among Washington's scientists. According to Sternberg, efforts were made to have him fired from his positions, and his personal religious beliefs were intrusively investigated.⁴¹ Though Sternberg finally did hold on to his posts, some observers suggested that the community's reaction to the affair was overzealous.

At some of their worst moments, evolution debates can break down to matches of credentials, each side furiously waving its curriculum vitae at the other, expecting the letters of their degrees to make the opposition's credibility completely vanish. Evolutionists further challenge that those who deny evolution should also disavow AIDS research and flu shots, and any other beneficial consequence of evolution-grounded research.⁴²

⁴⁰Miller, "Creationists in Lab Coats."

⁴¹Hagerty, "Intelligent Design and Academic Freedom"; Sternberg lists his grievances on his website, <http://www.rsternberg.net/>. In addition, CatholicEducation.org has called for solidarity with "a fellow Catholic [who] is now being persecuted, in no small part, because of his religion." <http://www.catholiceducation.org/articles/science/sc0067.html>.

⁴²"A Flock of Dodos"; "Science Wars."

Despite their criticism of the scientific elite, however, most creationists claim to have no such designs on the authority, promise, or methodology of science. In fact, modern creationism is distinguished from that of the era of Scopes by its self-conscious, even ostentatious, embrace of the trappings of science in as many forms as possible. Phillip Johnson dismisses both Kitcher's claim that naturalistic evolution lies at the basis of most important scientific research in any field and the demand that creationists should reject the products of modern medicine. What we call science, he contends, is not so cohesive a structure that certain parts cannot be removed while others are retained.⁴³ Further, he accuses the scientific elite for exaggerating the actual impact of naturalistic, "macro-" evolution in research that could just as well be done within a "micro-evolution"-equipped creationist framework (see footnote, p. 18). At every turn, he is careful to argue that creationism need not be anti-science.

At least since the creation science movement of Henry Morris, creationists have portrayed themselves as forward-thinking advocates of science. They have worked a great deal at building their own platform of scientific authority, one founded on an appealingly straightforward unity of science and theology. Even while recognizing the rhetorical power of the scientific stage, they seem also to maintain that science is religiously true. As a result, creation scientists and design activists have made of scientific research an exercise in religious devotion, a modern-day grail search, with so much myriad reference as that implies.

As a model for this act of representation, creationists have drawn on their ideas of how proper science should look. Morris and Whitcomb's *The Genesis Flood*, which launched the creation science movement, distinguished itself at the time by its scholarly appearances: it included footnotes and was coauthored by a professor of engineering at a major research university. In the decades that followed, Morris and his associates looked hard for rising graduate students and tenured professors who might be friendly to their cause but met tremendous difficulty. Those they found who did want to engage in creation research invariably encountered professional obstacles. They were denied tenure and degrees by their departments.⁴⁴ These failures, like the court battles themselves, were read as signs of the spiritual superiority of the movement against the corrupt mainstream gi-

⁴³Johnson, "The Rhetorical Problem of Intelligent Design," 552.

⁴⁴Numbers, *The Creationists*, 258-282.

ant. In his history of the creation science movement, Henry Morris gives accounts of its martyrs, the rising creationist scientists who met with professional setbacks. To protect their careers, many had to conceal their beliefs and publish under pseudonyms. Suspiciously, historian Ronald Numbers writes of the culture that pervaded at the ICR, “Sinister motives seem to explain virtually every nonadmission to graduate school, every unsuccessful quest for a job, and every rejection of a manuscript.”⁴⁵ The creationists’ was an embattled position, a fight for truth against dogmatism in a sense that they regarded as the truest scientific spirit. Science is simply truth—or “knowledge,’ not speculative philosophy or naturalism,” Morris reminds us repeatedly in his writings.⁴⁶

After Morris’s heyday, the imitation of science on the part of creationists flourished as an integral part of the movement. The religious justification that Morris openly embraced was progressively translated into a philosophical-scientific one, resting in a shadow of skepticism cast of the evolutionists’ certainty. Further, in place of the framework of cosmic warfare that Morris used to describe the controversy, his successors take in hand the language of the seminal historian of science Thomas Kuhn, through which they can envision themselves as heralds of a coming paradigm shift, a revolution in the “rules and standards for scientific practice.”⁴⁷ They draw on Kuhn’s old rival, philosopher Karl Popper, to establish their scientific legitimacy as well. Rather than as biblical prophets, the more recent activists choose as their precursors the pioneers of earlier scientific breakthroughs, like the theories of the big bang and tectonic plates, that began as a minority opinion and eventually came to command the mainstream. At the Dover trial, British sociologist Steve Fuller argued in his testimony that fledgling movements like intelligent design should be welcomed into the scientific conversation, not for religious purposes but for scientific ones: “Science is equally inhibited by an unchecked *scientific* orthodoxy—and, in this respect, ID may play an especially salutary role as a counterbalance.”⁴⁸ Claiming, as Morris and Johnson do repeatedly, that religious beliefs have historically helped to foster “a frame of mind that motivates the sustained pursuit of scientific inquiry,” he further suggests that the theological imag-

⁴⁵Numbers, *The Creationists*, 268; Morris, *History of Modern Creationism*.

⁴⁶Morris, *What is Creation Science?*, 9, among other places.

⁴⁷Kuhn, *Structure of Scientific Revolutions*, 11-12.

⁴⁸Fuller, “Rebuttal of Dover Expert Reports,” 18.

ination of the design movement should be a welcome contribution to the common pursuit of understanding through science.⁴⁹

Meanwhile, the anti-evolutionists are developing a more articulate idea of how science should appear. When compared with the *The Genesis Flood*, which would hardly pass muster as a proper scientific publication, William Dembski's *The Design Inference*, published as a monograph by Cambridge University Press in 1998, is an act of scholarship to be reckoned with. Packed full of imposing sequences of symbolic logic and footnotes left and right, the book is clearly meant to satisfy the experts, and to show the rest of us that the experts are being satisfied. Equipped with Kuhn's framework of paradigms, Dembski describes the present job of the design theorists as establishing "a new paradigm in place ready to be shifted into."⁵⁰ Increasingly, the goal that they imagine is not merely an act of resistance against the dominant, which is so ripe with traditional theological meaning, but the imagination of a new and purified vision of "normal science," which sounds more eschatological than reactionary. Christian philosopher Alvin Plantinga, along with Discovery Institute fellow Stephen Meyer and others have developed proposals for a "theistic science": a renewed culture of research that abandons the assumption of naturalism and is able to conduct productive research within a framework that welcomes the insights of theology.⁵¹ Phillip Johnson has contributed some concrete, far-reaching ideas about the ramifications that the shift he imagines would have:

If ID triumphs, science will go on—but some scientists will be interested in different questions. Chemical evolution will probably be abandoned for the same reasons that alchemy was abandoned, and Darwinism will join its cousins Marxism and Freudianism in the dustbin of intellectual history. . . . In universities, departments of gender studies may become less fashionable, and it may instead become intellectually respectable to endow professorships in theology. Physics will still be important because of what it can tell us about material causes, but few people will look to physics for a Theory of Everything. The human capacity for freedom and moral choice will have a much more secure meta-

⁴⁹Ibid., 8.

⁵⁰Dembski, *No Free Lunch*, xvii.

⁵¹Plantinga, "Methodological Naturalism?" in Pennock, *Intelligent Design Creationism*; Ibid., "When Faith and Reason Clash: Evolution and the Bible"; Scott, "Some Comparisons."

physical foundation in the divine mind than it has ever found in the Darwinian mechanism.⁵²

During the portion for audience comments in Boston University's Great Debate (see section 1), one student came to the microphone and claimed that he had sent an email to William Dembski asking why he was coming to this event, what possible good he imagined it would do. According to the student's account, Dembski replied with a message of only one word: "Exposure."

The intelligent design movement has had a great deal more success than Morris's ICR in establishing the appearances of a reputable academic base. The Discovery Institute's fellows include a lengthy list of researchers with formidable degrees from places like Harvard, Chicago, and Oxford. In addition to offering its fellows lucrative stipends, the Institute is able to fund design-oriented research projects and attracts a great deal of attention from major media outlets. The Templeton Foundation, which is committed to exploring the intersections between science and religion, has also supported intelligent design projects, though more recently it has been distancing itself from the movement. All the while, design activists have kept up the inherited tradition of celebrating their martyrs, and the Discovery Institute's news website keeps good track of their stories as they break. Sternberg's is just one among many; Caroline Crocker, a professor at George Mason University, reports that she lost her job on account of her anti-evolution sympathies. The Institute describes astronomer Guillermo Gonzalez of Iowa State University as having been "persecuted for his views on intelligent design."⁵³ In *Darwin's Black Box*, one of the canonical texts on design, Michael Behe devotes a great deal of energy in the second half to explaining how it came to be this way, how evolution gained its oppressive hegemony through the "publish or perish" culture of academic science. Behe himself never revealed his interest in intelligent design until he had already made tenure. According to a Discovery Institute press release, "self-appointed defenders of the theory of evolution are waging a campaign to demonize and blacklist anyone who disagrees with them."⁵⁴

⁵²Johnson, "The Rhetorical Problem of Intelligent Design," 553.

⁵³<http://www.evolutionnews.org/>; Vedantam, "Eden and Evolution"; Discovery Institute, "Academic Persecution."

⁵⁴Discovery Institute, "Academic Persecution."

Many voices in the mainstream scientific community, from the most outspoken evolution activists like Eugenie Scott and Ken Miller to the National Academy of Sciences, argue that to talk about a genuine scientific controversy in this way is to give credence to an illusion. According to them, nearly all experts in the relevant fields are agreed on the general methodology of evolution.⁵⁵ At the same time, they suggest that a vast range of true scientific controversies exist that students could be exposed to, ones which raise unanswered questions for researchers yet are not so politically and theologically charged. In response to lists compiled by design and creationism advocates of scientists and intellectuals who support the movement, usually numbering in the hundreds, the National Center for Science Education has been gathering a list of only scientists named “Steve” who stand behind evolution in research and public schools. By early 2006, the list had already reached 700.⁵⁶ Members of the media, too, have taken blame for overrepresenting the small handful of creationist scientists in their coverage, often giving them equal space alongside the evolutionist majority. This is a habit, of course, that they grow used to in covering the United States’ two party politics and dichotomist culture wars, and one that they naturally read into the evolution controversy as well. Such oversimplification, by the journalists’ own admission, arises because they do not have the opportunity to fully understand the scientific complexity of the issue. “That’s the best approach, to tell both sides of the story,” explains a Richard Vara, a religion reporter for the Houston Chronicle. “It gets very technical, very nuanced. I haven’t found the formula myself.” Many scientists and journalists argue that this proportion is a misrepresentation, and leaves readers with a false idea that serious scientific disagreement exists.⁵⁷

As the insider conversation among evolutionist scientists and science theorists tends to see it, the problem of creationism is about public relations rather than the science itself. Philip Kitcher, in his recent thinking on science and democracy seems to have taken this position as an assumption; the divide between the scientists and the public is essentially one-way

⁵⁵National Academy of Sciences, *Science and Creationism*; Ken Miller at the AEI’s “Science Wars;” Eugenie Scott at Boston University’s “The Great Debate.”

⁵⁶Project Steve online: <http://www.ncseweb.org/article.asp?category=18>; some anti-evolutionist lists include those from the Discovery Institute (http://www.reviewevolution.com/press/pressRelease_100Scientists.php) and Ken Ham’s Answers in Genesis (<http://www.answersingenesis.org/home/area/bios/>).

⁵⁷Vara quoted in Gartland, “Does the Media Escalate the Evolution-Design Debate?”

from the former to the latter.⁵⁸ After the Harvard premiere of Randy Olson's *A Flock of Dodos*, the conversation became one of strategizing: how can what we (i.e. Harvard scientists) know to be true be conveyed to the masses? *New York Times* science writer Cornelia Dean pointed out the failures of the media, while Olson and many of the scientists cited their community's "ineptness" in communicating their discoveries to the outside world. Almost never does one hear scientists talking about the creationist challenge the way Steve Fuller and other advocates of teaching the controversy might like—as a useful and productive theory for researchers to engage with, whether it happens to be true or not. To even give design a hearing would be to accomplish its purpose and cause unacceptable damage to the rules of science.

In its fifteen or so years as research program, the intelligent design movement has produced little actual research by scientific standards. Ten years after its publication, Behe's *Darwin's Black Box* remains just about the only substantive work in design biology, and it has met with a poor reception among biologists. Dembski and others like him (many of whom are involved with his International Society for Complexity, Information, and Design) have produced a great deal of output building up the rhetorical and philosophical underpinnings of design theory, but few working scientists are doing fruitful research with their methodologies. According to critics of the movement, most notably Barbara Forrest and Paul Gross, there is good reason for this—scientifically, the movement is and always has been essentially vacuous. Forrest and Gross' *Creationism's Trojan Horse* is a book-length explication of the Discovery Institute's "Wedge Strategy" document, an internal five-year plan developed in the nineties that was leaked and published on the internet in 1999. In it, intelligent design is described as a "wedge" into the dominant, materialist philosophy of the West. It is more of a public relations campaign than a research plan. Using the document as a guide, Forrest and Gross argue convincingly that the Discovery Institute's effort on the part of the design movement is little more than a "facade of academic legitimacy" and a thin reformulation of classic creationism.⁵⁹ While the document does include a research portion—"Scientific Research, Writing & Publication," which it describes as the essential compo-

⁵⁸I'm not sure if he would accept my characterization, but this is certainly the gist many got from his lecture, "Science in a Democratic Society."

⁵⁹Forrest, *Creationism's Trojan Horse*; *Ibid.*, "The Wedge at Work," 36.

ment of everything that comes afterward—there is far more attention given to the work of “Publicity & Opinion-making” and “Cultural Confrontation & Renewal.” These areas of the plan include “opinion-maker conferences,” television productions, seminars, legal action, teacher training, and other tactics that go far beyond the usual pervue of a still-nascent scientific theory. Since, the Discovery Institute has worked to make many of these a reality, enlisting the help of Creative Response Concepts, a large public relations firm. Its twenty-year goals, finally, are incredibly ambitious and far-reaching; the last of them is “to see design theory permeate our religious, cultural, moral and political life.”⁶⁰

Neither the big bang, nor tectonic plates, nor any other nonindustrial scientific program has had a comprehensive publicity campaign like this behind them. Whether or not the design proposal might be a promising research program, its supporters are concerned first and foremost that it look like one. Mary Midgley observes that, in English especially, “science” acts as an honorific. To be doing science is to be doing something authoritative and true, generally protected from the vagaries of subjectivity.⁶¹ The intellectual left, which through voices like Theodore Rozak and French post-structuralism rejected scientific objectivity forty years ago, has recently upheld it and claimed for themselves its badge against the creationist critique. Science is also held responsible for the tremendous power of technological society, a power which should be evaluated not only in its own technical terms but socially and spiritually (which is to say performatively as well), for the hold that it has on those who interact with it. So far as it is a performance, the creationists’ grasp of the appearances of science is a ritual engagement with this power and an expression of a felt urgency to purify it. The performance, in turn, is drastically performative; Forrest and Gross, fifteen years after its release, find that the wedge document “is proving all too effective.”⁶² By casting themselves in the public image of science the design theorists, like scientific creationists to an extent before them, have convinced many they indeed have achieved recognition in the conversation of mainstream science. By playing the part their identity is crystallized, at least in some important sense, and for at least some important audience. The laboratories they imagine are imaginary, mostly, but the space these

⁶⁰Discovery Institute, “The Wedge Strategy.”

⁶¹Midgley, *Evolution as a Religion*, 28.

⁶²Forrest, *Creationism’s Trojan Horse*, 13.

stand for nevertheless succeeds in conveying the movements' messages.

3.2.2 Pulpit as Precipice

"Wake up, shepherds!" proclaims Ken Ham to the leaders of Christian churches. "Pastors! Theologians! Ministers! You must be aware of what evolution is doing to students' minds. You must be aware of what is happening in the school system."⁶³ In American churches, Ham's message has not always met perfect success. Some creationist pastors fear driving convinced evolutionists away. For the activist creationists, however, this policy is untenable. A solid foundation for belief, they argue, depends on the creationist worldview, and if not at school or in the culture writ large, building that worldview should begin in church.

Church engagement in the controversy can take several forms. Naturally sermons play an important role. Online sermon databases for pastors offer full sermons and supplementary resources with the basic scriptural and scientific arguments against evolution.⁶⁴ Churches also play host to traveling creationist activists like Ham and Kent Hovind, who keep busy giving talks about the importance of the opposition to evolution across the country. Among larger churches, where the "small groups" movement is taking hold, churchgoers with a special interest in the issue can meet and discuss it, even if their pastors haven't made evolution a priority. New Life Church, Pastor Ted Haggard's seminal mega-church in Colorado Springs, supports two small groups concerned mainly with advocating and exploring creationism. By hosting forums such as these, the church forms a powerful grassroots organization for the creationist movement, providing structures for both activism and social support.

That churches are sites of performance should come as no surprise; from the most scripted ritual liturgy to the spirit-guided meeting tent, religious worship is a theatrical act practically by definition. Broadly understood, performance and performativity are the reasons that churches exist. They are spaces set apart, using actions, songs, gestures, and codes to communicate a message meant to transcend the really-real and crystallize social identities. Many are paragons of non-productivity in the same sense as a theater company is. The church's product is performance and indirect per-

⁶³Ham, *The Lie: Evolution*, 129, 132.

⁶⁴See for instance sermoncentral.com and Pastor Rick Warren's pastors.com.

formativity. For those churches that make the evolution controversy their business, we can recognize that for the most part their interest in it is as concerned with the theatrical as the rest of what they do. The pastors are usually not scientists, and often not even great theologians, but they are experts in their own field. If they concern themselves with the science and theology of the creation story, it is most of all with a sensitivity to its impact on the coherence, grace, and believability of their performance. In considering them briefly here, though, I am concerned most of all with how they affect the theatrics of the controversy in the public square outside of them.

The rise of scientific creationism in the wake Morris and Whitcomb's *The Genesis Flood* (see section 1.1.2) was accompanied by no major classroom scandals, courtroom dramas, or scientific discoveries. On the whole, it was a movement in the churches. Between the early 1960s and the early 1990s, support for creationism in America may have risen by as much as 50 percent, mainly among churchgoing protestant Christians.⁶⁵ Morris's movement had its first major public successes at seminaries rather than science departments. His 1967 lecture at the important Dallas Theological Seminary was greeted with a standing ovation, and the literalist, recent six-day creation account he promoted quickly became orthodoxy for the school's students and faculty. But Morris's rhetoric, built out of biblical literalism and zealous dichotomies, had little to offer the professional science establishment. Even the journal of the American Scientific Affiliation (ASA), an association of Christian scientists, published only negative reviews and waited three full years after *The Genesis Flood's* publication to do so.⁶⁶ Henry Morris's strengths were in the dramatic, which is why he succeeded so well in the dramatic space of the churches. He and his movement did much to restore six-day creationism as an article of orthodox faith by casting it as a mode of resistance against the dominant, degenerate, evolutionist popular culture. His later thought, articulated in works like *Creation and the Second Coming* and *For Time and Forever*, goes further by linking creationism with the millennialist theology and prophecy-interpretation that have had a long-standing cult in American protestantism and became especially popular in the 1970s. In this way, as a marker and an element of the theological narrative, scientific creationism comfortably made its way into the ecclesiastical theater.

⁶⁵Numbers, *The Creationists*, 299-300.

⁶⁶Ibid., 206-210.

More recently, certain churches in the United States have begun to make visible efforts to distance themselves from the anti-evolutionists. In 2006, a dean at a midwestern university gathered a list of over 10,000 American Christian clergy members who had signed a letter stating their belief that “the timeless truths of the Bible and the discoveries of modern science may comfortably coexist.”⁶⁷ On February 12, the anniversary of Darwin’s birth, these and other church leaders declared it Evolution Sunday, a nationwide opportunity to discuss the compatibility between science and faith. The signal message that this project was meant to send is clear, and directed both at believers and outsiders: Christianity does not equal anti-evolution, anti-science, or anti-progress. This did not fall on deaf ears at the Discovery Institute. “Evolution Sunday is the height of hypocrisy,” its president Bruce Chapman declared, in keeping with the institute’s position that intelligent design does not require a religious defense. “Why do Darwinists think it is not okay for people to criticize Darwin on religious grounds, but it is just fine to defend him on religious grounds?”⁶⁸

Chapman’s remark is a reminder of the sort of doubletalk that the walls of separation can render on our religiously-charged public politics. In statements like this, the Discovery Institute denies the significance of its connection with religion, even while recognizably religious donors like Howard F. Ahmanson Jr. and the Stewardship Foundation remain the most reliable donors for its Center for Science and Culture. The design movement depends on the grassroots organization provided by evangelical communities, which, according to William Dembski, are “for now providing the safest haven for intelligent design.”⁶⁹

Still, from the ICR to the Discovery Institute, creationists have been unsatisfied to keep only to the churches. Steeped in the habits of evangelical religion, the movements look beyond themselves to public spaces at least as much as they look within. For them, public action is a necessary public transaction. The American church, in many senses, is a private place. It is closed off from strangers by rules of mutual respect and by the bewildering variety of its forms. Public spaces, by and large, are secular ones, places like classrooms, courtrooms, and legislatures. Though the churches have historically and continue to be the cultural and social foundation of

⁶⁷Clergy Letter Project, “An Open Letter.”

⁶⁸Discovery Institute, “On Evolution Sunday.”

⁶⁹Quoted in Forrest, *Creationism’s Trojan Horse*, 9.

the anti-evolution movements, they are not sufficient as public platforms for the kind of impact their ideas expect. With countless denominations and loose authority structures even within them, the shared identity and orthodoxy must be established and expressed outside of the church setting. Activity in the public square is therefore a condition of survival, and when access to that space is challenged, performance is a natural mechanism for reestablishing an identity there. Indeed, since the churches are theatrical creatures to begin with, performance is their idiom *par excellence*.

The language of the church, theatrics, has been extended beyond itself into stages that have come to think of themselves as secularized. Evolutionists, reacting to their opponents, are discovering through contrivances like Evolution Sunday the need for ecclesial theatrics to reify and consolidate their own beliefs in similar ways. When we read both sides of the evolution controversy as theatrical, we read them broadly as religious forms, no so much in terms of what people say as how they say it and what they do meanwhile. For those who are active within them, the churches have served to frame the debate within familiar molds, ensuring that a discussion which might be initially for the philosophers or scientists obtains a theological and ritual audience. For those who are not, the church building (and all of its noticable consequences, from bumper stickers to sidewalk evangelists) stands as a symbol of the other, its heuristic difference, and, by its physical proximity, its theatrical proximity to the self.

3.2.3 Audience as Witness

If a performance is to set a distinctive frame and operate using certain codes, a particular audience must be in mind. Richard Schechner usefully distinguishes between integral and accidental audiences. The first group is expected by and expects the performance, while the second may be thoughtful bystanders, hoping to understand what they see. The two groups show marked difference in what Schechner calls their “selective inattention,” insofar as they notice certain details of the performance and not others.⁷⁰ Notice, of course, is guided by expectation and community, and its effect shows marked differences in the interpretation of the performance.. We may see, for instance, in the case of the ritual of research: for the moment, especially, the show does not appear to be nearly so convincing to professional

⁷⁰Schechner, *Performance Theory*, 218.



Figure 3.1: The popular fish plaques like these have carried out the evolution controversy on Americans' bumpers.

scientists, many of whom may not even be experts in fields related to evolution, as the churchgoers. I pointed out in section 1.2.3 that though most of the loudest creationist activists (and evolution activists as well, actually) are affluent, white men, it is poor, black women who are most likely to answer a poll in favor of creationism. This should not be overly surprising, following as it does the conventional socioeconomic patterns of American public life. Nevertheless the fact of it is a reminder that, if the controversy represents a performance, its audience may not necessarily resemble the appearances of the actors. In addition, who they are paints us a picture not so much of who passively believes one way or another but who considers the question important enough to raise a big fuss about.

An image like the old-boys-club of the Creation Research Society (figure 1.10) should remind us that in this country, where only half of who is eligible votes but far more are involved in some kind of civic volunteerism, partisanship is a social and community-sharing activity as much as or more than a political one. To be an actor in this sense is a thing in itself, often apart from the outcome. A part of the performative effect of any performance is on the actors themselves, and therefore they are an audience in their own right. It is in this sense that I talk about participation in the controversy as a ritual act, for following its patterned forms of place, debate, and appearance can be an end in itself. For those who are not involved, the actors, who resemble the elites in other spheres of American public life, serve as proxy and priesthood; they are fighting the battle that the rest of us are too busy with more materially consequential things to fight. At the same time, as we recall, both sides insist that we and our children are all implicated in the meaning and significance of the debate.

In my account of the evolution controversy more or less since the time of Scopes (section 1.1), I meant to demonstrate the generally coded, dichotomic nature of how Americans have tended to interpret it. In the United States, we have known as long ago as White's 1896 *History of the Warfare of Science with Theology* that the question about evolution is essentially a broader one about religion in the face of modernity. More recently, as public opinion-makers talk about America as a nation utterly divided along cultural and political lines, the Dover trial has been read as a microcosm for that. Alternatively, as we see through the eyes of William Buckingham at Dover and Henry Morris's account of the movement, the debate translates into a series of ritual acts, as when losing becomes a theological victory.

A great many terms and catch-phrases are used, and in many cases their mere meanings are zones of a contested heuristic. “Creation” and “evolution” themselves are among these, which advocates stretch one way or another to include as many people as possible in their own camp and villify the very sound of the other. Images and associations of various kinds have become powerfully connected with both words, guiding their meanings away from a more sober technical definition into a vicious ideology. Creationists, for instance, may be cast from the tragic, furious figures of *Inherit the Wind*: a fire and brimstone preacher who damns his own daughter or the Bryan character who clings to dogmatism against all argument until collapsing dead on the courtroom floor—if not simply the ignorant country bumpkin. The classic image of evolution, of course, is the monkey, whose innocent grin represents all the barbarism and foolishness of a theory that proposes human beings are related to him. Henry Morris’s dramatic association between evolution and so many evils of world history is significant as well (see section 1.1.2). Hermeneutically these gross associations can precede any other meanings the words might have, pulling them away from the possibility of a more careful consideration.

Some evolution advocates, in turn, use language like “methodological naturalism” (as opposed to “philosophical naturalism”) and Stephen Jay Gould’s “nonoverlapping magisteria” to argue that scientific theory necessarily should be understood as separate from science. Just about every anti-evolutionist, however, and many evolutionists as well, deny that this sort of language can be used at all, for the distinctions it claims to imply are false ones. Science and religion are both interested in the quest for truth, and making their truths needlessly disparate belittles both.

In the intelligent design movement, the “designer”⁷¹ serves as the pivotal code word. The Discovery Institute’s Jonathan Witt, in his account of the genealogy of design theory, insists that the term precedes theological speculation, and is “not a political calculation but precise thinking, refusing to go beyond what the scientific evidence tells us. . . . To discover the identity of the designer(s), one has to look beyond science.”⁷² To many, this reading of the word is impossible. Their reasons, however, are not in the

⁷¹Some choose to capitalize this term (generally when trying to urge the interpretation that the designer is God) while others do not. For other remarks on capitalization, see footnote, p. 13.

⁷²Witt, “The Origin of Intelligent Design.”

technical use of it so much as in reference to the context of the controversy and a sensation of familiarity. At Dover, this question was especially at issue, for the court was unlikely to permit a theory with religious content in science class. One expert witness, philosopher of science Robert Pennock, points out that the pioneer of the design movement, Phillip Johnson, consistently spoke about God directly before the abrupt, neutralizing switch to talking about the designer. Catholic theologian John Haught, several days later, denied the neutrality of the designer on the grounds that its articulation in design theory looks to him like a recapitulation of the classic Thomistic teleological argument for the existence of God.⁷³ By referring to the word's familiar reference rather than the technical concept itself, both witnesses treat the "designer" as a character in performance from the first rather than a scientific designation.

The dichotomic imagination of the controversy, guided in part by the meanings and credibility given to certain words, leads to a framework of gestalts for participants and audiences. They act as totality; paradigms in many of the ways that Thomas Kuhn describes them, or genres of performance. Because the paradigm is pervasive as a methodological worldview, missing links in one's own system read as simply yet-unsolved problems, while those in another's can only be fatal flaws. This sort of dialectic goes back and forth. Evolutionists accuse design theorists of failing to produce substantive research, or failing to identify the designer outright. Yet none of these are of grave concern to design theorists; they have ready answers either in their movement's doctrine or in calls for patience. Placing the burden of proof on evolution, they demand justifiable evolutionary explanations for the development of nature's most intricate and obscure organisms, such as Michael Behe's "irreducibly complex" bacterial flagellum.⁷⁴ Naturally the evolutionists have no ready answers, only to say confidently also that time and research may someday tell. But the problem does not lie in the theory itself. The answers either side gives fail to satisfy the other.

This kind of confusion plays an important role in another pattern of the controversy's partisan audiences, suspicion and conspiracy theory. In section 1.2.5, I describe a few examples of these. Reflecting on the writings of the most outspoken evolutionists, and taking their unsolved problems as a sign of the theory's decline, Phillip Johnson concludes, "At some deep

⁷³Kitzmiller, September 28 (AM); Ibid., September 30 (PM).

⁷⁴This organelle is the focus of the scientific discussion in *Darwin's Black Box*.

level they know what I know.”⁷⁵ The consequence of the audience’s gestalt formed by the postured frame they have placed over the controversy’s performance (and the actors’, who themselves are audiences as well) is inevitably mistrust: the assurance that, since we are all sharing the same theaters, others must know as well as we do the falsehood of their claims. They must be creating their sophisticate deceptions on purpose. This elevates the sense of unreality and futility that many of the controversy’s veterans express after years on the debate circuit (see section 1.2.1).

Between the disputed language, selective inattention, and accusation of duplicity, the controversy appears hardly likely to resolve on its own terms. The scientific paradigms and the theatrical heuristics of either faction are too incompatible to advance the discussion noticeably. There is too much misunderstanding. It is this sensation that leads several careful observers to feel certain that the debate is doomed to continue fruitlessly and divisively for as long as we can see from here.⁷⁶ However, through the lens of theatrics, this need not be the case. At the very least, all sides act in a shared performance, and the fact of doing so effects a shared performativity. In the performance’s literal content of irreconcilable beliefs and rigid scientific paradigms, the useless stalemate is probably assured. Yet a view of the spaces and actors and audiences all situated in a single theater, which is more essentially cultural and ritualistic than scientific or theological, offers a different view. In this face of a stalemate, also, it is this view and not the other that keeps us coming back for more. The act of the performance is self-sustaining and self-satisfying. If there is stalemate, it can still be a culturally meaningful one.

For the classical creationists, creationism is an outright act of evangelism. The content of the debate itself, the arguments and demonstration, is a fulfillment of the Christian obligation to spread God’s message. By showing people the evidence for God in nature, they hope that they will come to believe in his existence, then discover his law, and finally come to believe in Christ. Ken Ham calls this effort “creation evangelism,” and considers it the necessary basis of all other Christian teaching. “If churches took up the tool of creation evangelism in society,” he writes, “we would see a stemming

⁷⁵Johnson “The Rhetorical Problem of Intelligent Design,” 552.

⁷⁶See especially Ratzsch, *Battle of Beginnings* and Giberson, *Species of Origins*; more generally, if we understand the structures of paradigm in terms of a Rawlsian encounter, see Taylor’s pessimism in “Modes of Secularism,” which I discuss in section 2.3.

of the tide of humanistic philosophy, which is making our nations more pagan with each passing day.”⁷⁷ Before the intelligent design movement, this was a common way to talk in public for anti-evolutionists. Preachers like Ham and Kent Hovind continue to use it, as do endless pamphleteers and websites. Is it working? The creation evangelists insist it does. Ham tells story after story of people who came to know Christ “partly as a result of the creation science ministry.”⁷⁸ There are folks on the internet who are assured that, with only a few daily emails on scientific cosmology, they can convince anybody with certainty about the existence of God.⁷⁹

On the other hand, these sorts of proofs have been around for a long time and do not tend to have the groundbreaking consequences for belief that one might expect. In contemporary journals, philosophers continue to fine-tune and pick apart the traditional arguments and work out new twists to them. Many of these thinkers, most notably Alvin Plantinga, have ventured into the evolution controversy as well. But despite the recent “concentration of work in this area,” Steven Cahn points out that religious believers surprisingly lack interest in such exercises. He concludes that, among the classic proofs of the Western tradition, including those based on evidence from the natural world, are in fact quite apart from the fundamental “self-validating experience” and communal “moral code” that are the strongest motivations for religious commitment.⁸⁰ Indeed, whatever the fate of the academic conversation, Cahn remains assured that both religion itself and the moral foundation of society will be largely undisturbed. The notorious atheist philosopher Antony Flew, who recently has raised eyebrows by apparently having been convinced into some form of theism by a cluster of philosophical arguments (including intelligent design), does not appear to go past a mild deism, still lacking the substantive content that either Cahn or Ken Ham would agree is most important.⁸¹ Since proofs for God’s existence almost never include such content, a conversion like Flew’s is likely as far as intelligent design especially can hope for.

Cahn’s view may go further than necessary to undermine the effectiveness of a proof for or against the existence of God, but his insights do help

⁷⁷Ham, *The Lie: Evolution*, 113-122.

⁷⁸Ibid., 125.

⁷⁹Perry Marshall, a network engineer, promises, “If you can read this, I can prove God exists.” <http://www.usedtapes.com>.

⁸⁰Cahn, “The Irrelevance to Religion of Philosophic Proofs,” 170-172.

⁸¹Flew, “My Pilgrimage,” 4.

to isolate the ways in which such a thing might in fact be of consequence. In the medieval context, amidst which the most famous proofs for God came from figures like Aquinas and Anselm, evangelism against a secularizing culture was not a pressing concern. For them, faith proceeded proof, and proof could be understood as an act of faith, rather than a requirement for it.⁸² By its content alone, the question of evolution does not get answered by argument. Enough ambiguity exists in the data that either side can wiggle by past the other with its case intact in some form or another, and probably flabbergasted that their counterparts are not convinced as well. But the strength of these convictions, finally, does not lie in the argument so much as the codes and communities that upholds it, whether it be humanistic liberalism or evangelical Christianity. When speaking across communities, across paradigms, or across Rawlsian borders, the proof serves mainly as an internal ritual object, a possession that may be sacred to one constellation of audience and actors while ineffectual completely different in meaning to another.

In consequence, when the ritual audience looks upon proofs for what it already believes, it is effectively enacting a ritual upon itself. By the mere act of watching, audiences make themselves also into devotional participants. A theology of evangelism makes evangelism, and the construction of proofs to serve it, a performance act. Merely to do it, regardless of success or failure, is performatively self-substantiating and socially empowering. The evolutionists, too, are not far off. From Herbert Spencer to Julian Huxley to Daniel Dennett and Steven Pinker nowadays, evolution has similarly stood for a program of cultural transformation.

3.3 TOWARD THE FULL EFFECT

The separation of church and state has hardly ever been a doctrine aimed at the destruction or utter exclusion of religious beliefs, the way some, both religious and anti-religious, have read it. For as long as it has existed, the American state has had religion knocking at its door. This continues to be the case, and has become especially noticeably felt in the second Bush administration. Nevertheless, separation doctrine has shaped the religious,

⁸²See for instance Karl Barth's study of Anselm's method whose title makes my point, *Anselm: Fides Quaerens Intellectum*. For a more recent article on persuasion and the natural world, see also William D. Wood, "Reason's Rapport," *Faith and Philosophy* (October 2004).

and in doing, forced it to erect new scaffolds of ritual performance in response. The manifestations of separation after World War II, coupled with the development of political liberalism as a functional ideal, have had a noticeable effect in the restriction of overtly religious justification for public decision-making (see section 2.1). The political and legal culture of the United States is being forced to admit to the fact that ours is not a wholly protestant Christian nation or culture. But Christianity (alongside many traditions) still exists in power, and still represents an important vehicle of performative expression for people.

Performatively, the evolution controversy is religious in the narrowest sense; it constitutes a conversation among sectarian groups, serving as a means for theological exchange within and among them. What is more, it takes place on some of the grounds set apart most carefully from the sway of sectarian belief: classrooms, courts, and laboratories. The first two are undoubtedly domains of traditional separation doctrine and, because of their power to exert influence, subject to the considerations of thinkers like Audi and Theimann (see section 2.1), who would want the religious to be sensibly restrained. Through rulings like *Edwards v. Aguillard*, the courts have made most explicit such a border, both for themselves and for the schools under their jurisdiction. The laboratory, in turn, is subject to its own post-Enlightenment ethic in which theology can hardly be an admissible methodology.

So far as this controversy goes, strict separation appears to have failed; the courtroom has become a stage interpreted by some as a reenactment of Christ's trial, the biology classroom is being treated as a Sunday-school field trip, and scientists have been brought into debates on biblical hermeneutics.

Of course, to see this as failure of the separation doctrine would be a mistake. It is useful here to recall José Casanova's insight about separation's sometimes-cousin, the secularization thesis (see section 2.2). By recognizing the apparent secularization as more precisely differentiation, and taking into account the strength of so many modern public religious movements, he reveals that modernity has caused the role of religion to shift but hardly ever to go away. Historically, as Randall Balmer illustrates (see section 2.3), separation has succeeded in shielding the stability of state from any number of shifts. Since the time of Roger Williams, the doctrine has existed in dialogue with the sects rather than in opposition. To compare the

circumstances of Scopes in 1925 and Dover seventy years later is to realize what change in meaning separation has experienced in the intervening period, a change that has expressed itself culturally through the shifting content of the evolution debates. In 1925, several states comfortably forbade teaching life's origins any different than the Bible says. By 2005, the Supreme Court had long considered laws like that unconstitutional. Nevertheless, in both eras, whether in the midst of Prohibition or today's White House's "Faith-Based and Community Initiatives," the effect of religion on public life, in one way or another, has not ceased to be felt.

The traditional accounts of religion in liberal politics, from the model of Rawls to the debates of Robert Audi, Ronald Theimann, and Nicholas Wolterstorff (see section 2.1), the medium of discourse is limited mainly to explicit content. Religions, in these terms, are self-supporting logical systems wherein certain propositions can be justified or not justified. But the insights of the performance theorists, and a concept of religion more cognizant of the significance of ritual, should suggest to us that what they do tells at least as much about what they are as what they say, and indeed can transform the meaning of what they say. In conversations about intelligent design, where religion is more or less effectively removed from the content of debate, its advocates may still be understood (and understand themselves, (i.e. William Buckingman at Dover) ritually as martyrs. Judges, juries, teachers, and students are all actors and audiences both in this performance, and cannot be expected to be blind to its significance, residing only in the letter of the law. Performatively, a performance acts as an argument in debate and an argument beyond the debate. If there is to be an account of religion in public life that properly addresses the realities of the scene, it will have to recognize the efficacy of performances like this one.

When political thinkers talk about the exclusion or restriction of religious content from public spaces, they do so for the sake of liberal neutrality among groups and a utilitarian tendency toward the differentiation of spheres in modern society. Yet there remains the possibility of performance, which can convey silenced meanings and even justifications across forbidden spaces. Nevertheless, the arguments of Audi and Theimann have a great deal of usefulness. They describe how to create certain differentiated spaces that are necessary in a multireligious, multiethnic society. In this vein, the courts are right in making an effort to exclude sectarian teaching

in public schools. Too, there is good sense in keeping scientific methodology apart from theological methodology, though the two should always be ready to draw on one another cautiously for fresh insight. But as Casanova recognizes, religious forces in modern society do not disappear when they are shifted away from certain spheres.

The answer, rather than the exclusion of religious voices, is a fresh recognition of them. The conversation that is taking place in the theatrics of the evolution controversy reflect broad disagreements among Americans. An important theological discussion, across traditions, among the religious and nonreligious, needs to occur, ideally taking on less problematic, less theatrical forms.⁸³ The performance theorists describe how performance serves as a vehicle and habitation for the inexpressible, for the conversations that are impossible to have. Stuart Hall writes:

The work of establishing new kinds of “knowledge” about problematic features of social or political life is accomplished through the mediation of language: the transactions of public language are the specific *praxis*—the praxis of public signification—through which such new “knowledge” is objectivated.⁸⁴

Many of these thinkers consider themselves political activists, as well as performers, producers, and scholars. As such, they are particularly sensitive to the ways in which performance can pioneer fresh senses of identity and create a common vocabulary for conversations that need to occur. In this way, the common experience of the long and strange evolution controversies can serve as a starting point. Already this is occurring; every day, the papers are filled with opinionated, unencumbered letters and editorials about the significance of human life, all caused by the headlines about courtroom dramas. They sound like people who have just walked out of a play or a film, excitedly reminded of the things that are important to them, thankful to have had the opportunity to remember and bring them up. In time, we may likely find ourselves with a better understanding of one another and perhaps even a practicable consensus.

More than likely this conversation will occur, and is occurring, in part organically. It is a natural consequence of the performance. When Jeffrey

⁸³By including the nonreligious in a “theological discussion,” I of course mean theology to be understood broadly, generally inclusive of ethics, metaphysics, and philosophy of religion as well as its traditional domain.

⁸⁴Hall, “Deviance, Politics, and the Media,” 76.

Stout (see section 2.3) writes about the common American ethical tradition, he does so as much in terms of culture as philosophy, citing such figures as Dewey, Emerson, Whitman, and Martin Luther King, Jr. and so on. These individuals describe for us the experience of democracy without necessarily being a part of its governmental engines of discourse. However it occurs, some effort must be made to build the conversation about belief when we recognize that, for the moment, secularization through differentiation has not meant the removal of religion from public life but rather a transformation within it. As such, we should take it as a responsibility to notice the performance and find a cultural space in which to sensibly react to it.

Recognition does not entail a blind embrace of any and all religious causes that perform in the public space. Judge Jones's opinion document from Dover (see section 1.1.1), which struck a heavy blow to the design movement, displays a sophisticated recognition of the effect of performance on the trial's rhetoric. With great clarity, he distinguishes imaginary spaces from really-real ones, especially with regard to their relevance in the actual scientific research. The next step after Dover, however, is a cultural embrace of intelligent design's ritual performance in ritual terms.

For many of us who have watched the evolution controversy progress over the years, to talk about it as a performance should not be completely surprising. Beyond what is normally expected for a scientific or theological discussion, we have come to expect from it a sensationalism, a sense of unreality and endless repetition. In this section I have tried to talk about this sensation more concretely, especially through the language and concepts developing among the performance theorists. Their ideas have led to an examination of the controversy's contested spaces, codes, ritual repetition, and so on. In his work on terrorism, Juergensmeyer demonstrates the usefulness of talking about the theatrics of his subject as a means to understanding with more sophistication what it represents. Of course (it goes without saying), evolution is not terrorism. Nevertheless, as performances conceived and interpreted in the urgency of religious feeling, they reach a common register. The anonymity of terrorist violence ensures that nobody can be safe, even though most people actually are. By appealing to our children's classrooms, the evolution controversies are able to implicate us all as well. In a political culture where everyone is expected to have an opinion, we are forced to be insiders, all participants in such an honest way that it is hard to talk about ourselves as performers. To do so, however, is

to recognize more fully the extent to which ritual forms and religious postures continue to pervade even the most secularized spaces of public life. Through them we experience a shared cultural event in which everybody, more or less, is conscripted as an actor.

Chapter 4

Partisan Zeal

In late 2005, while the Dover trial was ongoing, word got out in the national media about a course at the University of Kansas taught by Religious Studies Department chair Paul Mirecki.¹ Only its title was available at first, but that was enough to provoke an outcry: “Special Topics in Religion: Intelligent Design, Creationism and other Religious Mythologies.” As Mirecki was certainly aware, he chose an incredibly fragile moment to make his proposal. In mid-November, the Kansas State Board of Education had passed a redefinition in the science curriculum, removing the phrase “natural explanations,” which, as one observer noted, serves “to open the door to supernatural explanations.”² For a few days, newspapers and weblogs tossed around Mirecki’s course plans, forthrightly debating the questions that the course title begs. Should intelligent design and creationism, which are in the midst of fighting for their place in the scientific conversation, be prematurely dismissed as mere mythologies, a category usually reserved for worn-out beliefs? Biology professor Bruce Simat, who testified at the Kansas Board’s hearings, condemned the approach of the course’s supporters. “I think it’s reactionary. I think it’s defensive. I think they are unwilling to study intelligent design head-on.”³

What Mirecki seems to be proposing is not far from the kind of cultural

¹Mirecki is best known as a biblical scholar, co-discoverer of the Coptic “Gospel of the Savior” manuscript in Berlin in 1991. He also has a history of creationism-spoofing as one of the organizers of the parody website FLAT (Families for Learning Accurate Theories: <http://www.geocities.com/SunsetStrip/Palms/5737/flat.html>).

²Adrian Melott, professor of physics at the University of Kansas, quoted in Overbye, “Philosophers Notwithstanding.”

³Quoted in Bauer, “Use of ‘Mythologies’ Questioned.”

reading I have been giving to the controversy. By talking about it in terms of performance, as Mirecki does in terms of mythology, it can be argued that I have done an injustice to the urgency of the content, a genuine disagreement with much at stake that must be resolved. The controversy has reached an impasse on its own terms, and as each side finds itself unable to convince the other, debate as performed generates its own sufficient meaning. It is my contention, however, that performance, properly considered, need not prevent us from facing the issues of the debates upfront. Instead, it requires that as we do so, we recognize the complexity of what is occurring. As it happened, in my opinion, Mirecki's concept of mythology was revealed to be of a less properly-considered kind.

Very quickly after the course was announced, the whole affair at KU exploded even further. By late November, word got around about an inflammatory email the professor had sent about the course to a campus group at KU he served as advisor for, the Society for Open-Minded Atheists and Agnostics. It appeared as honest as it was unkind and even explicitly demonic. To most of the bloggers who promulgated it, the email served as proof of the true anti-religious feeling that inspires the resistance to the design movement.

Sent: Saturday, November 19, 2005

Subject: I.D. & Creationism class to be taught at KU this spring!

To my fellow damned,

Its true, the fundies have been wanting to get I.D. and creationism into the Kansas public schools, so I thought "why don't I do it?"

I will teach the class, with several other lefty KU professors in the sciences and humanities. Class is:

REL 602 Special Topics in Religion: Intelligent Design, Creationisms and other Religious Mythologies.

The fundies want it all taught in a science class, but this will be a nice slap in their big fat face by teaching it as a religious studies class under the category "mythology". I expect it will draw much media attention. The university public relations of-

fic will have a press release on it in a few weeks, I also have contacts at several regional newspapers.

Of course, I won't actually be teaching I.D. and creationisms, but rather I'll be teaching ABOUT I.D. and creationisms as modern mythologies, indicating that these ideas have no place in a public school science class, but can certainly be analyzed in humanities classes for their function in society. Basic approach is my usual: anthropology with a focus on religious thought and behavior.

Any ideas for textbooks, guest lecturers and panels would be appreciated. So far, six faculty have eagerly signed up to lecture. I can probably pull Chancellor Hemenway into this also, especially in the light of his public comments supporting evolution.

Doing my part to p*ss of the religious right,
Evil Dr. P.⁴

As soon as this email became public, an uproar was raised against Mirecki and the university. After a great deal of media attention and pressure, Mirecki released an apology about the email, and a few days later, KU withdrew the class despite Mirecki's intention to go forward with it. Still, on the grounds of academic freedom and First Amendment rights, he did not lose his post.

In the early morning of December 5, however, things got still worse. On the way to a restaurant for breakfast, Mirecki reports, his car was tailgated by a pickup with two men inside. "I just pulled over hoping they would pass, and then they pulled up real close behind," he said. "They got out, and I made the mistake of getting out. I didn't know them, but I'm sure they knew me." There, on the side of the road, he was beaten by the men and left with bruises on his body and two black eyes.⁵

The reaction of Mirecki's opponents nationwide was jarring. Some who had been busy attacking his remarks during the days leading up to the attack refused to accept his account of the incident and accused him of making it up. In the days following, he was reluctant about giving details

⁴Posted on weblog: <http://telicthoughts.com/?p=397#more-397>.

⁵Klepper, "At Center of E-mail Furor."

about what had happened. One commentator noted that “American campuses have witnessed a veritable pandemic of hate-crime hoaxes in recent years,” implying that this was one of them.⁶ William Dembski himself promoted one of the most thorough hoax-theorists on his weblog.⁷ However it happened, photographs show that Mirecki was badly bruised that morning. Two days later and bitter with the University’s failure to back him up after the beating, he stepped down as chair of the department but kept his professorship. At this writing, there is still a great deal of disagreement on the credibility of Mirecki’s story.

This incident was an uncharacteristic moment of violence unusual in the evolution controversies, which usually do not escalate beyond dramatic-yet-cordial hearings and a few shouting matches. It revealed the ugliness and resentment that the controversies can muster. Mirecki’s email, the alleged beating, and the subsequent response of those who were not willing to take a stand against violence before denying it entirely were all cruel and factionalizing in the end. For my discussion, though, they raise disturbing questions about the possibility of a useful academic reflection amidst such heated polemic. We must wonder if reflection apart from performative polemic can even be done, especially within the responsibilities and constraints of democratic citizenship. This question goes to the heart of the nature of performance and the consequences of talking about something as a performance.

Many of the theorists I draw from in chapter 3 are both scholars and performers, and consciously so: “The relationship between studying performance and doing performance is integral,” writes Richard Schechner.⁸ Study and action converge in aesthetic. Political praxis, and consequently scholarship, represents a meditation on citizenship. Drawing from the experience of the ethnographers, Schechner locates the methodology of performance scholarship as an act of participant observation. This consists of a stance of distance, allowing for “criticism, irony, and personal commentary,” as well as a recognition that any observer is inevitably imbedded and interested. Any insightful scholarship in the human sciences depends on the presumption of distance, for it makes possible a discourse that takes into

⁶Jack Cashill, “Mirecki Now Mum on Alleged Beating,” <http://www.cashill.com/church/mirecki.attack.htm>.

⁷Dembski, “Fundamentalists Beat Up Mr. Anti-ID, Paul Mirecki,” <http://www.uncommondescent.com/index.php/archives/559>.

⁸Schechner, *Performance Studies*, 1-2.

account insights, mechanisms, and motivations beyond the most elementary. Still, distance does not equate to perfect neutrality. At best, it leaves the citizen with a more sophisticated schematic of his or her own commitments and theatrical habits, the first sin against which would certainly be a claim to objectivity. Concepts such as these have been a part of the internal conversation among scholars of religion for quite a long time, but the matrix of the performance theorist—as theater-scholar, theater-maker, and activist—offers an instructive model of citizenship, one in a field not so conceptually problematic as religion, whether for inspiration or critique.⁹ The consequences of Paul Mirecki’s anti-religious activism remind us that, especially with regard to religion, distance can be as threatening as zealotry.

With Mirecki in mind, it is worth asking whether to talk about performance represents an accusation against those who participate in it. In his subtle essay, “The Difficulty of Tolerance,” T.M. Scanlon defends the possibility that a citizen can maintain a healthy “partisan zeal”—the willingness to fight on behalf of one’s beliefs—without venturing into an unacceptable intolerance.¹⁰ As a premise of the democratic society, measured toleration must keep zeal in check and must be taught as a public virtue. Scanlon reminds us in his article’s title, pluralistic conversation is a difficult balancing act. We do well, I think, to recall Schechner’s distinction between what “is” performance and what we think about “as” performance (see section 3.1.3). With this chapter I argue, with specific consideration of the evolution controversies, that maintaining one’s political partisanship in these conditions might require something that not only is “as” performance (like so much else) but “is” that, a conscious game of make-believe in the public square. Studying the controversies as performance, therefore, has direct implications in how we can imagine ourselves participating in them.

Participating, which mainly interests Scanlon, is one thing; understanding might appear to be another. In the first section, I consider ways in which a scholar of religion might understand the evolution controversies, following on my whole discussion so far. In light of these, the following section returns to the role and meaning of the citizen within the theatrical public

⁹The jumping-off point for this discussion, of course, is MacIntyre’s “Is Understanding Religion Compatible with Believing?” Rather than his approach through a more logical-conceptual philosophy of religion, the example of the performance theorists might lead to a more political reformulation such as Jonathan Z. Smith takes in his “God Save this Honorable Court: Religion and Civic Discourse,” in which he imagines Emile Durkheim as a Supreme Court justice and formulates the usefulness of theory in terms of bureaucratic processes.

¹⁰Scanlon, “The Difficulty of Tolerance,” 64-66.

debate.

4.1 MODES OF UNDERSTANDING

Paul Mirecki never released a syllabus for the course he was planning to teach, so we can only imagine the sorts of readings and discussions he had in mind. Despite the vulgarity of his intentions, however, his project has a degree of merit. The evolution controversy is one of the most divisive and perplexing problems in American religious life and, compared to the vast “partisan” literature on the topic from theologians, scientists, and philosophers, there has been rather little interest in it as religious phenomenology—apart, at least, from trying to explain how their opponents could possibly come to be so misled.¹¹ I don’t imagine my discussion will intersect too much with what Mirecki’s would have been. Nevertheless, as I imagine he might, I begin by assuming the pose of a rather artificial outside observer in order to know how the controversies fit into larger pictures. Only afterward will I return again to the scale of the citizen.

In this section I attempt two related readings of the evolution controversies mainly, in Schechner’s terms, “as” performance, interpreted writ large against the schema of civil religion and secular mythology. Here I will treat them as ways to talk about performance, for the most part solely in the interest to academic reflection.

4.1.1 The Theater State

With his influential 1967 article, “Civil Religion in America,” sociologist Robert Bellah started a conversation about what we can talk about as religious and in what manners political systems depend on religious infrastructures. Though the United States ostensibly has no institutionalized church, in the sense at least that Britain and Saudi Arabia do, it nevertheless supports “an elaborate and well-institutionalized civil religion.” This, by his account, is founded jointly in a collection of well-worn ethical and procedural principles as well as the tradition of official public rhetoric. In

¹¹Miller, *Finding Darwin’s God*, gives some attention to a sympathetic, layman’s explanation of the creationist motivation, certainly not straying into live conversations in the study of religion. Ruse, *The Evolution-Creation Struggle*, comes close, but only goes so far as to demonstrate that the controversy is religious to begin with. In his debt, I, and likely Mirecki as well, assume this is the case from the first.

the article Bellah draws on the words of presidential speeches, especially those of John F. Kennedy and Abraham Lincoln, who both used a quasi-Judeo-Christian figure of “God” to enact a particular public theology. The presidents’ deity lacks the law of Moses or the revelation of Jesus Christ, and instead is to be understood through providential relation to the American nation itself, while still not precluding a more sectarian interpretation for those who so choose. The presidents’ God does not usually deny being the Methodists’, Catholics’, Muslims’, or most anyone else’s, though the relationship can at times be tenuous. Like a performance in itself, the civil religion depends parasitically (to borrow the language of Austin, section 3.1.1) on these for its language and spiritual power, but still it casts its own distinctive character.

A dozen years later, Bellah joined with Phillip E. Hammond to develop these ideas further with a series of essays collected in their *Varieties of Civil Religion*. Here they apply the by-then controversial civil religion concept to situations outside of the United States and further describe the locations of its articulation. In his contributions, Hammond takes a special interest what roles education and law play in the creation of a distinct American civil religion. In terms of the civil religion concept, he usefully suggests that the fact of pluralism, and the sustained disagreement among sectarian religions that it shepherds, actually forces public institutions to be more religious. Over the course of American legal history, the higher courts have come to represent the nation’s “common moral understanding,” which the multitude of churches could not have achieved in this context on their own. As a consequence, he finds, “Public schools are the new ‘Sunday schools,’ it might be said, whereas courts are the new pulpits.”¹² This association certainly bears resonance with the relation of theatrical spaces I have already identified in the evolution controversies (see section 3.2.1).

The critical conceptual insight of Bellah and Hammond’s civil religion proposal is the possibility of talking about a free-standing public theology, formulated in its own terms and directed toward its own goals. While it cannot be entirely separated from the sectarian heuristics and influence that guide and inform it, their work demonstrates that it nonetheless can work as a bounded discourse. Especially when drawn from the sources of political speeches and courtroom exercises, a free-standing religion means

¹²Bellah, *Varieties of Civil Religion*, 138-161.

a cohesive ritual theater. This sort of thinking informs Clifford Geertz's landmark study of the Balinese "theater state," one in which civic performances served "not means to political ends: they were the ends themselves, they were what the state was for."¹³

As Bellah did in his 1967 article, we can begin thinking about the civil religion of the evolution controversy in terms of the clearest official pronouncements, especially those of the president in particular. At the time of Scopes, President Coolidge dismissed it as a purely local matter, and likewise did most politicians of national stature (excluding William Jennings Bryan, of course). After decades of ongoing controversy, however, more recent presidents of both parties have not been able to distance themselves in this way and generally opt for inclusivist rhetoric whenever possible. On the campaign trail in 1980, Ronald Reagan told audiences that "if evolution is taught in public schools, creation should also be taught."¹⁴ As he said this, Reagan was in the midst of galvanizing support among the emerging "religious right," and along with creationism he took up causes like abortion and school prayer. In practice however, like these two other issues, not much good was done for the conservative Christian position on evolution during his administration. Two of the major courtroom blows to creationism were dealt in this period, *McLean v. Arkansas Board of Education* in 1981 and *Edwards v. Aguillard* in 1987. Twenty years later, presidential candidate Al Gore, who had long been a vocal supporter of the mainstream scientific community, on other questions joined outgoing president Bill Clinton in quietly avoiding the issue. While favoring the teaching of evolution in public schools, Gore's campaign contended that "localities should be free to teach creationism as well." When reminded of the 1987 *Edwards* decision, a campaign spokesman added that creationism should be kept in a religion class rather than science class. Still, Gore did not condemn the August 11, 2001 vote by the Kansas Board of Education to discontinue the teaching of evolution. Though this stand upset many scientists and educators, Gore undoubtedly recognized the electoral capital behind creationism.¹⁵

That same election season, future president George W. Bush took a more firm position. Unlike Gore, who addressed the question through his spokespeople, Bush himself announced, "I believe children ought to be exposed

¹³Geertz, *Negara*.

¹⁴Quoted in Numbers, *The Creationists*, 300.

¹⁵Rosin, "Gore Avoids Stance on Creationism."

to different theories about how the world started.” Still, like Gore, Bush considered it an issue to be addressed on the local level. Other more outspoken (and less successful) conservative candidates that year took a much stronger stance. Steve Forbes called evolution a “massive fraud,” and Gary Bauer remarked that he does not teach his children that they are “descendant from apes.”¹⁶ Both serious contenders, however, *Edwards* notwithstanding, agreed that origins should be taught as an ongoing controversy.

Through the course of his administration, the second President Bush has kept consistent on the issue, even while taking little outright action about it. In an interview in the summer of 2005, just as the Dover trial was looming, he spelled out his beliefs more fully and stirred up quite a lot of frustration from the scientific community by doing so. “Both sides ought to be properly taught . . . so people can understand what the debate is about,” he said. “Part of education is to expose people to different schools of thought. You’re asking me whether or not people ought to be exposed to different ideas, and the answer is yes.”¹⁷ With remarks like these, though certainly without saying so, the administration capitalizes on the Discovery Institute’s popular “Teach the Controversy” campaign (see section 3.2.1). His statement is stronger than it may appear, venturing closely on an outright endorsement of the design movement. Even so, taken at face value, Bush’s remark embraces inclusivity. Along with the Discovery Institute, his words describe the controversy itself as the good, rather than creationism or intelligent design per se. He makes of it an expression of civic virtue. As we see in the theaters of the classroom and the courtroom, Bush’s approach conjures images of familiar political values, especially free speech and freedom of conscience. On the one hand, in a more coded sense (and one quickly recognized by both supporters and opponents alike), he takes a side with the design movement aligned with his strong base among religious conservatives. On the other, in the way he says it, he affirms not particular readings of Genesis or a philosophy of science, but quasi-transcendent public values.

Senator Rick Santorum’s well-publicized amendment to the 2001 No Child Left Behind Act brought the discourse of controversy to Congress as well. The so-called “Santorum Amendment” was co-written by Phillip Johnson and followed the Discovery Institute’s carefully-phrased agenda closely.

¹⁶Ibid.

¹⁷Baker, “Bush Remarks.”

The final version of it read:

The Conferees recognize that a quality science education should prepare students to distinguish the data and testable theories of science from religious or philosophical claims that are made in the name of science. Where topics are taught that may generate controversy (such as biological evolution), the curriculum should help students to understand the full range of scientific views that exist, why such topics may generate controversy, and how scientific discoveries can profoundly affect society.¹⁸

While not carrying the weight of law, the amendment served as an official clarification and its inclusion made an important public statement. As democratic citizens-in-training, it is only fitting that students be exposed to “the full range of scientific views that exist” and empowered to decide among them. From the view of public reason, controversy itself is the stated policy, recommended both for its inclusivity and its appeal to civic virtues.

As a rule, from Reagan through George W. Bush, presidents have talked about evolution in terms of its controversy rather than its content. “Both sides” should be permissible in public schools, ensuring that not one or another but the two together are made available to the next generation. The origin story should be taught as dialectic rather than catechism. Below the radar of the presidential podium, not all politicians are so carefully inclusive. Well after his presidency, Jimmy Carter has become willing to make a decisive stand. Noting his training as an atomic scientist, he told Larry King in 2005, “I believe in a supreme being. But I don’t believe you ought to teach creationism in the science classroom.”¹⁹ In 1923, president-to-be Herbert Hoover joined a number of prominent thinkers in a statement that science and religion can comfortably inhabit separate spheres. For a serving president in recent years, however, this sort of frankness appears untenable. John McCain, who in 1999 sounded rather more like Al Gore, has recently embraced intelligent design theory outright, even more explicitly than Bush has, as he prepares for a possible run in 2008. His capacity to do this, most of all, reflects on the Discovery Institute’s success in translating anti-evolutionism essentially in terms of American civic virtue and

¹⁸2001-107th Congress-1st Session-House of Representatives Report-107 334 No Child Left Behind Act of 2001 Conference Report to accompany H.R. 1.

¹⁹Carter, “Interview.”

healthy skepticism. As a result, to support intelligent design unreservedly can still be conceived in these terms rather than as an overtly religious or exclusionary stance.

In my earlier consideration of the evolution theater and its contested spaces, I have tended to focus on the ways in which the performance can be interpreted back by audiences according to their familiar codes and pressing sectarian questions (see section 3.2.3). Bellah's civil religion proposal, however, recommends that we also isolate the performance itself, severed for the moment from what people are used to interpreting it as. As Bellah and Hammond discover, reading the presidents' God not as the sectarian divinities that listeners assume it to be but a separate religious concept on its own terms, a recognizable performative effect becomes noticeable. They find not so much a Judeo-Christian biblical being as a national advocate, judge, and friend of constitutional procedure. Applying a similar examination to the evolution controversy reveals, above all, a deference to controversy itself. In the voices of the elected leaders, who are responsible both for upholding a magisterial dialectic of tradition and cultivating their support across the broad electorate, explicit partisanship in the debate is not plausible. The legal system, despite its consistent rulings against creationism in schools, continues to offer its courts as the effective theaters of controversy, standing guard over the classroom. Rather than arguing for one side or the other, as those of us lower on the ladder are able to do, presidents and judges must keep themselves to a stable and bounded set of terms and values. Following Bellah further, we can suggest that these limits are not merely benign and procedural, as a strict Rawlsian might describe them, but substantively religious—which is to say, transcendent, self-supporting, and sometimes even competition with other religious or non-religious beliefs. The controversy stands as an end in itself. The way George W. Bush rephrased the question in 2005 reflects this exactly. He did not speak in terms of what side he supported, or even whether creationism should be taught in school. The question he chose to answer instead was whether he supports the controversy, and it was to this that he said yes. Though it is still worth recognizing the meaning taken by the public audience from these remarks—that the president is a supporter of creationism—there is truly significance to the fact that he did not outright say so.

Jeffrey Stout's account of tradition as a foundation for democratic procedure spells out the performative importance of a claim like this. Like Bel-

lah's civil religion, he frames his concept of tradition initially in the most ostensible public pronouncements, like presidential remarks and the country's oldest constitutional promises "to create a more perfect union." It is also formed by the pragmatic activity of citizens who act in dialog with these pronouncements. "Democracy," he argues,

*is a tradition. It inculcates certain habits of reasoning, certain attitudes toward deference and authority in political discussion, love of certain goods and virtues, as well as a disposition to respond to certain types of actions, events, or persons with admiration, pity, or horror. This tradition is anything but empty. Its ethical substance, however, is more than a matter of enduring attitudes, concerns, dispositions, and patterns of conduct than it is a matter of agreement on a conception of justice in Rawls's sense.*²⁰

By talking about democratic norms for ethical debate "without metaphysics" and "as a social practice," Stout locates himself alongside the concerns of the performance theorists, who observe politics with a sensitivity to the details of how it is done. His sort of approach usefully suits the insights of a theory of civil religion, for the tradition that he talks about is precisely the civil religion's substance and content.

Like any religious system, the civil religion has its portion of a certain functionalism. The God of the inaugural address and the Declaration of Independence serves as a moral and rhetorical rallying point in the doing of the democratic project: "to involve strangers and enemies, as well as fellow citizens, in the verbal process of holding one another responsible."²¹ By being at once interdenominational, usually pan-sectarian, sometimes frustratingly pro-sectarian, yet also theologically autonomous, this way of talking manifests by implication the very "wall of separation" that so centrally characterizes American religious life. In terms of Randall Balmer's argument about the stabilizing effect of separation on politics, civil religion provides a mechanism (see section 2.3). It is a powerful expression of our fragmentedness and at the same time provides a linguistic medium through which this nation, "not merely a nation but a teeming nation of nations," as Walt Whitman put it,²² can procedurally occur.

²⁰Stout, *Democracy and Tradition*, 3.

²¹Ibid., 13.

²²Whitman, *Poetry and Prose*, 5.

Not many people are likely to profess membership in the civil religion outright. Instead, we might sacramentalize the state in more particular sectarian terms, making it holy, the “city on a hill,” insofar as it accords with the views of our particular worship community or political party. Some might see the nation as spiritual vanguard for the coming world, or as a biblical Babylon, or as blessedly irrelevant. The subtlety of the civil religion proposal, however, is in its recognition of all these forces to the extent that the political process requires them to be recognized. When the president talks about God, most of the audience is able to hear it as their God and their idea of what it means to be a nation under God. Yet when we examine these statements on their own they form a cohesive whole, expressed in the traditions of public institutions. The civil religion exists, but this does not mean that anybody inhabits it completely.

For Hammond, the idea of civil religion goes beyond mere academic description. “Civil religion discussions retain something of an advocacy quality,” he writes. “They often have an urgent air, a whiff of the pulpit.” To identify the fact and coherence of this phenomenon is to make a constructive statement about the ideals and politics that make up American nationhood: “a reluctance to succumb to cynicism.”²³ It suggests that deliberation and discourse is more than a shoddy, necessary compromise but plainly a spiritual event. To even isolate and consider the construct of civil religion means stepping out of our “theological particularism and ethic of individualism.”

In the civil religion of political culture in the United States, I suggest that the evolution controversy itself, rather than one side of it or another, is our official civic creation story.

In evolution debates, the controversy-creation-story pays deference like a politician to all the required powers that be. It empowers students in the classroom, makes their parents involved, reifies sectarian claims, and valorizes a certain (perhaps inaccurate) ideal of scientific debate. Most significantly, though, it rests on transcendent constitutional virtues like free speech, citizen deliberation, and the suspicion of hegemonies (whether they be scientific, religious, or political). Certain levels of discourse, these values eclipse the possibility of outright partisanship, situating themselves as a truth alongside whatever truth either side of the debate may preach.

²³Bellah, *Varieties of Civil Religion*, 200-205.

4.1.2 Mythology and Fascination

For Paul Mirecki, the word “mythologies” in association with intelligent design and creationism in a proposed course title was enough to trigger a national controversy. John Calvert of the Intelligent Design Network stated interpretation of many bluntly: “To equate intelligent design to mythology is really an absurdity, and it’s just another example of labeling anybody who proposes [intelligent design] to be simply a religious nut. That’s the reason for this little charade.”²⁴ Apparently, from his incriminating email, this was precisely what was intended. To teach design as mythology, he boasted, “will be a nice slap in their big fat face.”

Even after the email circulated, Mirecki released an apology in which he insists that the proposed course can still be taught “as a serious academic subject and in a manner that respects all points of view.” The KU administration supported him on this. Provost David Shulenburg noted in a statement that in the study of religion “myth” and “mythology” are common terms for conversation. In Eliade’s canonical *Encyclopedia of Religion*, myth “is an expression of the sacred in words: it reports realities and events from the origin of the world that remain valid for the basis and purpose of all there is.”²⁵ Its truth is essentially performative and therefore autonomous, demanding (for Gadamer) “no other validation beyond the fact that it is told.”²⁶ This rather sympathetic kind of definition was comfortably used by many scholars of religion, particularly those connected with Eliade’s school. Colloquial usage, of course, has made of “myth” a pejorative for that which is positively misleading, a thing meant to be uncovered and revealed for the falsehood that it is. More along these lines Bruce Lincoln defines mythology as “ideology in narrative form,” something actually rather pernicious and unsettling to the project of sensible reason.²⁷ It is likely these meanings that Calvert and others are most of all reacting to, which Mirecki indeed expects. But in the face of criticism Mirecki retreats to the gentler inclusivity of the more sympathetic, if somewhat antiquated usage.

By either colloquial or academic definitions, myth is at first not some-

²⁴Associated Press, “University to Teach ‘Intelligent Design’ as Myth.”

²⁵Bolle, “Myth: An Overview,” 261.

²⁶Gadamer, “Aesthetic and Religious Experience,” 143.

²⁷Lincoln’s *Theorizing Myth* includes an extensive discussion of mythology in this sense, especially in terms of its encroachment on the history of modern scholarship. It also begins with a fascinating account of the word in its classical origins.

thing we are eager to consider ourselves to be possessing. The study of comparative mythology over the last hundred and fifty years has been largely an exercise in cataloging primitive others and past images of ourselves. Emerging as from the Enlightenment as complimentary opposites, science makes itself to be the antithesis of myth, an attempt to arrive at a truth that escapes the discourse of sacred and profane. The adherents of intelligent design, like Calvert, are very sensitive to this difference as they attempt to create a habitable movement. Not only is myth religious, and therefore procedurally inadmissible in science and schools, but it is habitually a description of either the distant other or the past self. With his course title alone, Mirecki threatened to write the design movement into history prematurely.²⁸

The idea of myth, however, takes a full circle in the deliberation of modernity, resulting in a difficult cluster of meanings. While it begins as a description of the other it returns once again to the self. The academic usage, while directed at the other, the primitive, and so forth, was very quickly turned around to its makers. From Victorian ethnographers to the Jungian analysts to Durkheim and Eliade, what could be brought back from tribal societies in remote parts of the world came to constitute a description of human life at its truest, most “elementary forms.” “Myth, at first excluded and declared to be absurd, was now endowed with full and profound meaning and prized as revealed truth.”²⁹ We need and use the other to understand ourselves.

As he traces the development of the modern idea of mythology, Talal Asad follows its emergence also as a unit of representation.³⁰ If mythology is a description of the other, the self looks upon mythology with a sensibility of interest and appreciation. Through the work of German Higher Criticism, as the reading of Christian scripture came to be historicized, its stories became “mythic” rather than naively hegemonic. Their significance, then, was expressed more and more in terms of a fascination with the representations that these myths employ, the “system of human significances.”³¹

²⁸Treating one another as history is quite a common strategy of derecognition for both sides of the controversy. Goodstein, “Intelligent Design Might Be Meeting Its Maker” is an excellent example from the evolutionist side, while rhetoric like Michael Denton’s *Evolution: A Theory in Crisis* operates similarly against evolution.

²⁹Jean Starobinski, quoted in Asad, *Formations of the Secular*, 41.

³⁰Asad, *Ibid.*, 21-66.

³¹E.S. Shaffer quoted in *Ibid.*, 37.

Fascination, rather than belief, he argues, is the trademark of secular poetics and the foundation for a reconception of human purpose.

In a religious studies course about the evolution controversy as mythology such as Mirecki proposed, any and all of these senses of “myth” might come into the conversation. But to bring the controversy into that kind of discourse, among words like “religion,” “ritual,” “myth,” and “performance,” is to redescribe what the debate is about and what it is over. Rather than the biologists and the theologians, who can treat it as a technical exercise in their disciplines, or the politicians who can revile the opponent’s polemic, the scholar of religion frames the controversy as a human event. Philosopher Michael Ruse, in his recent writings about the controversy, has made a motion toward understanding it in this way: “As always, the battle is not simply one of fact and truth. It is rather a struggle for the hearts and souls of people, with deep implications for the ways in which we live our lives and regulate our conduct. It is a religious or metaphysical battle, not simply a dispute about scientific theory.”³² For our purposes, the arguments of both sides become objects of fascination (for better or worse): other and appreciable. Through the production of such distance and such appreciation, a mythology that, as Mirecki claims, “respects all points of view,” has consequences for the performance of citizenship.

The American civil religion treats the question of origins in a similar way. Significantly, Asad draws close connections between mythological representation and the project of political liberalism. Regardless of what position a president might take on the evolution issue personally (Clinton and Gore on one side, Bush on the other, I would imagine), he is politically obliged in upholding the debate on civic principles. The partisan arguments on both sides work jointly as mere mythologies. On the scale of a secular aesthetic and the overriding shared mythology of political toleration, neither is necessarily privileged above the other by its intrinsic content. This mythology is equivalent to civil religion in Bellah’s terms. Evolution is no truer than six-day creationism; both are political claimants who operate within the common rules of discourse. As a result we recognize them procedurally. But as Asad shows, this political mythology goes hand in hand with a willingness to appreciate the other as a revelation about oneself. One might identify, for instance, as a creationist, but the practice and ideology

³²Ruse, *Evolution-Creation Struggle*, 261.

of liberalism trains one to see the evolutionists as human beings as well, to see even in their false doctrines a truth. Throughout the debate literature, this is a common theme: the attempt to sympathetically understand how the other came to be so misled, to treat him as a brother, the source of whose failings I am perfectly willing to recognize as present in myself. To the shared mythology underlying the procedural performance of the evolution controversies, the act and existence of controversy itself is a relevatory thing.

To sacramentalize a debate in this way, it should be noted, has parallels in the history of religious thought. Threads of talmudic Judaism embraced an ethic in which disagreement on religious questions among the schools of the sages could be understood as sanctified through the verse in Exodus, “And God spoke all these words”—or as the Babylonian Talmud puts it, “These and these are the words of the living God.”³³ Like the dominant political framing of the evolution controversies, the performance space itself and proper behavior within it took precedence for the rabbis. Daniel Boyarin writes, “What is important is that the dispute, the endless dispute, take place within the confines of the Bet ha-Midrash [the house of interpretation, the yeshiva] and its discursive rules.” As long as a teacher operated within the methods of the school, his teachings could at least be part of the ongoing conversation, which indeed sacramentalized them and welcomed them, along with those they contradicted, as “words of the living God.” God’s eminent gift, therefore, is the discussion itself. The particular arguments of disputants are important, but they are at the same time subsumed within a larger system that looks past their differences.

4.2 BEING A ZEALOT

If I were to suggest to many of the figures I have introduced, from Henry Morris and Phillip Johnson to Ken Miller and Philip Kitcher, that what they travel the country writing and speaking about might be better thought about as a representation and a mythology, I don’t imagine I would make very many friends. Paul Mirecki certainly didn’t. Legitimate scientific and theological problems exist in the evolution controversies and, for anyone

³³This discussion is drawn mainly from Boyarin, *Border Lines*, 151-201 and Cohen, “The Significance of Yavneh,” which Boyarin disputes on an account of how this mode of discourse came to be.

who puts stock at all in the work of either science or theology or both, they must be addressed directly. What I have described above as the civil religion's position, in turn, is not ostensibly meaningful; understandably, there are those who disagree with Bellah that it exists at all. The critical role of the public classroom in the controversy, further, literally brings home the urgency of embeddedness. Which way the political conversation goes, we are forced to recall, will determine the way our children are taught about an important scientific theory and, more broadly, their own origins.

At a panel discussion in 2005, Reuters reporter Alan Elsner asked theologian Michael Novak a question full of the anxiety and fatigue that many nonparticipants bring to the debate. They would rather have it settled and over than have it ritually perpetuated, or even consecrated, as the civil religion would have us do.

I just wonder, Mr. Novak, how much time you've spent in high schools recently? I've had two kids go through high school. They get one year of physics in the 9th grade, chemistry in the 10th, biology in the 11th. You could switch the order. And then if they're interested, one AP or possible two APs in the 12th. They have to pass a lot of tests. There's a lot of material. Do we have time to waste on this stuff when we're not producing enough science graduates?

When you look at universities, the Ph.D. programs are full of people from India and China. Our kids are not going into science. My kids' peers, virtually none of them have gone into science. So there's a lot of material. There's very little time.³⁴

This is, of course, to say nothing of the apocalyptic rhetoric of Ken Ham, Henry Morris, and Kent Hovind, according to whom our society's verdict on evolution is answerable to a power far more fearsome than even China.

Democratic citizenship demands at least a procedural and even quasi-religious deference to toleration. Yet it is also precisely the civic virtue that threatens to consecrate the debate as an ongoing exercise. Scanlon reminds us of the difficulty of this balance among opposites, requiring "an attitude that is intermediate between wholehearted acceptance and unrestrained opposition."³⁵

³⁴"Science Wars" transcript.

³⁵Scanlon, "The Difficulty of Tolerance," 54.

In this final section, I will draw together the difficulties of civil religion, tolerance, and fascination with the vocabulary of performance. It is in these terms, so far as I have found, that the “difficulty of tolerance” can be most thoughtfully navigated, especially in regard to a civic performance like the evolution controversies. Performance offers not only a way of thinking about multiple scales of reality but also acting within them, guiding them to affect one another, and being equally authentic as person and citizen among them. While the previous section was concerned with approaches for understanding the controversies, here, in light of those, I take up the problem of being involved in the contemporary event, which democratic citizenship and the stages of the debate itself contends we cannot avoid.

4.2.1 The Plausibility of Deception

Several times already I have noted moments in the evolution controversies in which one side feels sure that the other must be fabricating a deliberate lie (see sections 1.2.5 and 3.2.3). Ken Miller recalls an instance in which he found himself asking the Henry Morris the question that many of us would like so much to ask the baffling other: “Do you actually believe all this stuff?”

I suppose I might have expected a wink and a nod. We had both been paid for our debate appearances, and perhaps I expected him to acknowledge that he made a pretty good living from the creation business. He did nothing of the sort. He did nothing of the sort. Henry Morris made it clear to me that he believed *everything* he had said the night before. . . . He looked at me straight in the eyes. “Ken, you’re intelligent, you’re well-meaning, and you’re energetic. But you are also young, and you don’t realize what’s at stake.”³⁶

To talk about performance implies the possibility of deception. What “is” performance admits its separateness from the reality of the world. Its deception is upfront and therefore forgiven. The audience expects from the outset that a play on a stage for which they paid to attend will twist agreed-upon truths in some respects. But when we talk about something “as” performance, we may be making an accusation about a more problematic and

³⁶Miller, *Finding Darwin’s God*, 172-173.

manipulative deception. The actors subvert the really-real without themselves or the audience knowing that subversion is occurring. Nevertheless, so far as concerns a ritual reading of the controversies, deceptions of either sort cannot be considered complete. A performance is a constructive act in which doing has an impact on believing. Especially so for one that takes place in public life, where careers, identities, and traditions are built out of what is said. Even if a public act had its origins in deception, over time it becomes part of ritual truth to the discourse that heard it.

The performance theorists operate with a notion of the person's identity (and similarly a society's) that is defined in terms of, rather than in opposition to, one's performances. "The self is created by the roles even as it plays them," writes Richard Schechner. As identity-actors we perform simultaneously for ourselves and for others as audiences. "Insincerity' as an experience is the interior mode of 'hypocrisy' as a social fact."³⁷ Following this model, a role played well is a role that is believed by both audiences. Once believed, the act can come to constitute the community's idea of the really-real. When the community has together entered into a shared performance, the whole meaningfulness of deception is destabilized: "there is no way to measure the veracity of what is declaimed." Before this occurs, however, the sensation of deception has its own attraction. Schechner quotes Nietzsche: "Self-deception has to exist if a grand *effect* is to be produced. For men believe in the truth of that which is plainly strongly believed." Remarks like these recall Leon Festinger's theory of cognitive dissonance, which demonstrates how shared deception and contradiction can strengthen bonds within a performing community.³⁸ In order for a lie to be performed well it must be believed and, in terms of performance and ritual, that which is believed fully is no longer a lie but a transformation of the really-real.

Accusations of deception in the evolution controversies have become particularly articulate against the intelligent design movement. The work of many of its critics, particularly Barbara Forrest (see section 3.2.1), suggest that the movement's advocates purposely lie about their religious agenda, of creating a performance that is little more than a misleading publicity stunt. Judge Jones took a similar position at Dover when he declared the school board's policy unconstitutional. Despite the claims that the board

³⁷Schechner, *Performance Studies*, 181-182.

³⁸Festinger, *A Theory of Cognitive Dissonance*.

made in court, and indeed the similar claims of the design movement as a whole, he ruled that their procedural stance of religious neutrality was a false one.³⁹ The design activists appear to have succeeded in enacting both what “is” and what is read “as” performance. Among many of its insiders, as we learned from the remarks of Dover’s William Buckingham and others, the design movement has explicitly religious goals. For them, the careful political staging of the Discovery Institute represents an intentional performance. Its claims to be independent of religious motivation are not taken seriously but are means to an end. Outsiders, however, those who are being told directly that the movement is nonreligious but might suspect otherwise, can only talk about it “as” performance. Without adequate evidence (which Forrest and Jones claim is now available), they do not have grounds to say that it “is.”

At a basic level, I agree with the critics that a deception of emphasis, at least, has occurred. Following the *Edwards* decision in 1987, a wing of the creationist movement switched gears outright and relabeled itself as intelligent design. Nevertheless, this act of deception has been a constructive one, changing the ways that people talk and think about the whole controversy. It has complicated the traditional secular-science-versus-religion dichotomy that characterized the debate in Henry Morris’s day. Morris began with the Bible, trusted what it said, and proceeded from there. Design, instead, takes up the methods of secular science independently, without primary recourse to texts, and finds within it the possibility for theological discovery. Since many design theorists are not literal six-day creationists, they have let science affect and participate in their theology. To talk about the question in the way that they do, even if at first only for deceptive purposes, has left a lasting mark on the theological and scientific communities. Once they have entered the content of a working consensus, it is no longer useful to talk about the theorists’ terms as deceptions.

The political sphere at first glance seems to consistently frame the evolution controversy in a misleading way. With the “teach the controversy” rhetoric, presidents from Reagan to the second Bush have been able to avoid choosing sides directly on the grounds of civic virtue. Though in one respect doing so is an affront to scientific or sectarian truth, their consistency also reflects the real intransigence of the evolution controversies in the United

³⁹Forrest, *Creationism’s Trojan Horse*; Kitzmiller, Opinion.

States. Since World War II, both evolutionists and creationists have represented significant electoral constituencies. The scientific establishment defends evolution as stalwartly as some conservative religious groups fight against it. In the terms of the values of American civil religion, particularly tolerance as it is put forth in the Constitution and subsequent legal precedent, this position is arguably justifiable. With practice, the case for deception becomes harder to make as tolerance becomes enshrined in the discourse. If we let tolerance be a truth alongside other truths procedurally, it will become so theologically too. By enacting the tenets of the civil religion, we do civil theology. In this country, where an American flag so often stands next to the altar in our churches, the impact of civic virtues on sectarian communities is easy to observe. Certainly the impact of democratic praxis was felt by the Catholic Church in Vatican II, where it affected every area of church life from canon law to liturgy. In the American evangelical vocabulary, traditional missionary theology has been rephrased and reformed in terms of the civic virtue of religious freedom.⁴⁰ This, rather than the more traditionally imperial language of converting the natives, has become a rallying cry for advocates of evangelization abroad. The list can go on.

On any really large scale, the discourses of performance and mythology make deception difficult to talk about. Looking on evolution with an eye to its mythologies is to respect its theatrical contrivances as believed realities. The controversies are so habitual and exhaustive that no one person or group can truly be credited with having concocted them totally. Even plots like the Discovery Institute's Wedge Strategy (see section 3.2.1) are dwarfed by the mass of context that proceeds them. In this light, momentary deceptions actually fit into a larger ritually-cogent human truth. Democratic procedure can sometimes define truth according to the size of its voting bloc and the mobilization of its adherents. Nevertheless, in the instant of the present and the person of the citizen, such indifference to the sensation of deception is artificial and unsatisfying. The democratic definition is unacceptable. While one day in the future, scholars may be inclined to declare definitively the creation myth of today's America to be a debate and a series of court cases, I don't imagine that I or anyone will get too far saying that now. With genuine political, cultural, and scientific conse-

⁴⁰Sider, *Toward an Evangelical Public Policy*.

quences at stake, it does not seem useful for us to stand back so far as real mythologizing demands. While our children attend public schools, we will not stand to have them taught what we in this moment consider false. In the wake of the Vatican's ambiguous stance on the design movement in the summer of 2005, Jesuit evolutionist astronomer Fr. George Coyne assured, "The truth neither respects democracy nor hierarchy."⁴¹ The other's deception feels like it should be kept as a living concept as Judge Jones, Barbara Forrest, and all the fighters on either side of the great debate maintain.

4.2.2 Performing the Citizen

I came across a book in the course of my research that screamed in its title: *Scientific Proof for the Existence of God Will Soon Be Announced by the White House!* Thinking it might have a lot to do with the connections between the science, religion, and American politics, I took it off the shelf and began reading. On the frontispiece is a picture of the author, then named Da Free John,⁴² sitting cross-legged on a couch in a white tunic holding a wooden walking stick. I had to take another breath before reading the subtitle: "Prophetic Wisdom about the Myths and Idols of mass culture and popular religious cultism, the new priesthood of scientific and political materialism, and the secrets of Enlightenment hidden in the body of Man." By the time I got to chapter three in the table of contents, I realized that I had been duped by the title. The chapter is disappointingly called "Scientific Proof of the Existence of God Will Not Be Announced by the White House," just the opposite of what I had been promised. It turns out that the book is one of several collections of the numerous short essays and talks by the founder and leader of Adidam, a small religious community from California, which has since moved to Fiji and gotten into some trouble along the way. It covers an even vaster multitude of topics than promised by the subtitle, and the prose is loaded with bewildering technical terms like "God-Realization" and "Radiant Transcendental Life-Consciousness." Before too

⁴¹"Science Wars." He said this particularly in regard to Cardinal Christoph Schoenborn, whose July 7th *New York Times* op-ed, "Finding Design in Nature," was taken by many as indicating Rome's support for intelligent design. Apparently, the letter was prompted by the Discovery Institute. Since, the Cardinal has obfuscated his point and, despite John Paul II's explicit support of evolution, the Vatican position on intelligent design remains not entirely clear.

⁴²Born as Franklin Jones, he has had a number of names over the years including Bubba Free John, Da Free John, Dau Loloma, Da Love-Ananda, Da Avadhoota, Da Kalki, Santosha Da, Da Avabhasa, Adi Da, and most recently, Ruchira Avatar Adi Da Samraj.

long I learned that really this book was going to have almost nothing to do with the evolution controversies as I was trying to think about them, or even about an announcement by the White House. Against my particular expectations, the title was an act of prophetic false advertising!

Undoubtedly this is a peculiar example to take, but when it happened, the experience was striking. The title's intent, I imagine, is to draw us into a conversation that Da Free John thinks that we need to be having. On a totally different scale, the evolution controversies as a whole play to a similar purpose. The ritual-political performance of the controversies operates as an entry point. From the perspective of a civil religion, one interwoven among various political and religious mythologies, the performative effect of it all has been to establish and sanctify a dialog. To advocate teaching the origin of life in the public schools as a debate, to "teach the controversy," goes even further to embed this mentality of the open question, likely to a greater extent than either side intends. Politically, this is the rhetorical compromise that seems to have emerged, even though it remains apparently illegal and unimplemented. The compromise comes as something of a political accident that may directly benefit neither evolution nor creationism in particular so much as a third construct, the conversation itself. As many performance theorists discovered in the years after the most productive periods of theatrical activism in the 1960s and 70s, performance has effects but not always the effects that were originally intended.⁴³

Religious language fits in no certain or stable place in American public life as a consequence of separation doctrine. This has become especially so in the rigorous secularization of public culture and the legal system that has occurred since the time of *Scopes*. Theological communities lack direct access to public education and are so divided as to be unable to generate a cohesive alternative on any comparable scale. Without their own internal mechanisms of deliberation, public, secularized spheres become the stages of their conversation. Because these spaces have rules that restrict outright theological debate, the act takes the form of an outright performance. It sends coded messages to different audiences and, even if it accomplishes ostensibly little in terms of the process, the very act itself can be considered significant progress. By enacting the controversy, public identities are created out of the actors as they present themselves. Henry Morris thus

⁴³See, for instance, Kershaw, "Performance, Community, Culture," in which he evaluates the impact of the radical avant garde on mainstream culture.

becomes a prophet who calls the conservative churches back to six-day creationist orthodoxy. People like Richard Dawkins and Daniel Dennett, for whom evolution makes it “possible to be an intellectually fulfilled atheist,” in turn stand in the flesh as imitable or detestable role models of what such an atheist might look and act like. Ken Miller, regardless of the theological or scientific coherence of his position, serves as living proof for many that an outspoken evolutionist biologist can still be passionate about his belief in God. Through figures like these, the performance offers categories of belief and citizenship for audiences to choose from.

Amidst sectarian partisanship, I have suggested through concepts of civil religion, mythology, and its fascination that a higher public logic can be erected over the controversy, one in which the controversy may be sanctified, even celebrated, on its own terms as a part of the shared democratic, pluralistic project. We might look back on all this some day and laugh! If this sort of reading were to ever gain momentum, it would undermine the urgency of the partisans. This may come when someday a definitive proof gets produced one way or another, or more likely, when another set of contentious problems comes to replace it in our attention. In Britain, as I have noted (see section 1.2.1), where a surprisingly high proportion of the population doubt the truth of evolution, there is still no comparable movement to uproot it from the schools, no such public performance. The tremendous diversity of flourishing religious communities in the United States, combined with a tradition of their ostensible exclusion from politics, forces them to resort to performance. Too, we lack the cultural and intellectual infrastructure for critically-minded theology, and particularly a sophisticated-enough discussion of religions in general. In its absence, literalism can more easily hold sway by virtue of apparent simplicity. Ideally, I think, the performance would quiet down when the problems have been rephrased for the mainstream in more sensible terms.

On the other hand, we may never soon get past the evolution controversy. Instead it may be the ongoing medium of a necessary discussion about the meaning and source of significant life or the religious language atop a lasting political division. By either account, it becomes an institution, a check-in with the public pulse. Charles Taylor certainly warns us to allow for the possibility that such unrelenting compromise in a diverse

society may be “the normal state of affairs for the indefinite future.”⁴⁴

While it lasts, those of us who bother would do best to take on the performance. Performance should not be a bad word. The democratic citizen is both procedurally tolerant and an impassioned partisan. To think in terms of performance gives us the possibility of inhabiting these two worlds at once, of moving between them, and of recognizing the importance of both. By taking what appears “as” performance on as “is” performance, we can appropriate the seeming contradictions of our duties, performing through them until the two coalesce, remaking the fabric of the conventional. In the meantime, whether they would admit it or not, both sides share a common stage and play by a few common rules, building a tradition to form the basis of the future conversation to come. By the performance, a new reality will performatively emerge, one that now we cannot possibly expect or conceive of exactly.

Nevertheless I wonder if Darwin could have believed himself for a minute when he wrote in the concluding pages of the *Origin*, “I see no good reason why the views given in this volume should shock the religious feelings of any one.”⁴⁵

⁴⁴Taylor, “Modes of Secularism,” 51. See section 2.3.

⁴⁵Darwin, *The Origin of Species*, 638.

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