INHERIT THE WIND: THE PLAY'S THE THING*

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After almost every lecture I give, some person— usually a parent— asks me for advice about how to come across as a reasonable person when speaking up at a school board meeting against the dogmatic teaching of Darwinian evolution. People who only want unbiased, honest science education that sticks to the evidence are bewildered by the reception they get when they try to make their case. Their specific points are brushed aside, and they are dismissed out of hand as religious fanatics. The newspapers report that "creationists" are once again trying to censor science education because it offends their religious beliefs. Why is it so hard for reasoned criticism of biased teaching to get a hearing?

The answer to that question begins with a play called "Inherit the Wind," which was made into a movie in 1960 starring Spencer Tracy, Gene Kelly, and Frederic March. You can rent the movie at any movie store with a "classics" section, and I urge you to do so and watch it carefully after reading this chapter. The play is a fictionalized treatment of the "Scopes Trial" of 1925, the legendary courtroom confrontation in Tennessee over the teaching of evolution. "Inherit the Wind" is a masterpiece of propaganda, which promotes a stereotype of the public debate about creation and evolution that gives all virtue and intelligence to the Darwinists. The play did not create the stereotype, but it presented it in the form of a powerful story that sticks in the minds of journalists, scientists, and intellectuals generally.

If you speak out about the teaching of evolution in a public hearing, the audience and the reporters will be placing your words in the context of "Inherit the Wind." Whether you know it or not, you are playing a role in a play. The question is, which role in the story will be yours?

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I. THE STORY OF THE PLAY

A handsome young science teacher named Bert Cates, dedicated to his students and his teaching, is jailed for violating a state law against the teaching of evolution. Bert is in love with Rachel Brown, also a teacher and the daughter of the Reverend Jeremiah Brown, the most powerful of the local ministers. Reverend Brown is a vicious bigot with no redeeming qualities whatsoever, whose practice of Christian ministry seems to be limited to cursing people like Bert and threatening them with damnation. Rachel herself is a conformist; although she adores Bert, she continually urges him to stop making trouble for himself by speaking out against the community's religious prejudices.

The trial of Bert Cates becomes America's first media circus when Matthew Harrison Brady volunteers to be the prosecutor. Brady, a former Presidential candidate, has become an anti-evolution crusader in his declining years. As the town of Hillsboro is preparing to give Brady a hero's welcome, the journalist E.K. Hornbeck arrives from Baltimore. Hornbeck is a familiar movie character: the hard-boiled reporter who makes sarcastic comments about the events on stage, a bit like the Chorus in an ancient Greek drama. The townspeople provide him with many opportunities to exercise his wit, as they display their ignorance and vulgarity while mindlessly singing choruses of "Give me that old time religion."

Brady eventually arrives, makes an phony-sounding speech, eats the picnic food like the glutton he is, and generally shows himself to be a pompous old fool. He is also sneaky. After meeting the Reverend Brown and learning that Rachel Brown is friendly with Bert Cates, he induces the gullible Rachel to confide in him about the ideas Bert has expressed to her in confidence. Brady treacherously intends to use these against Bert in court, and even to call Rachel as a prosecution witness against her future husband.

The Brady welcoming banquet is interrupted by the news that the famous Henry Drummond is coming to be the defense lawyer. Drummond is another familiar movie character: the fearless advocate who fights for justice against seemingly hopeless odds. When the trial begins we see him trying to counter the religious prejudice of the community and the court. His every witticism strikes home, just as every feeble attempt by Brady to score a point backfires. If the deck in Hillsboro is stacked heavily against Drummond, the deck in Hollywood is stacked just as heavily in his favor. The black-and-white morality play could not be starker: all intelligence and goodness is on the side of Drummond and Cates, all folly and malice belongs to Brady and Brown.

Although the defense is pure in mind and heart, it has an impossible legal position. Bert admits that he taught evolution, and that

is what the law forbids. The prosecution proves its case by making some reluctant students testify that they were taught evolution. Brady unnecessarily supplements this evidence by forcing Rachel to testify to Bert's dangerous opinions, of which the most dangerous is this: "God created man in his own image, and man, being a gentleman, returned the compliment." Rachel's testimony has no legal significance, but its dramatic purpose is to underscore Bert's kindness and decency. He forgives Rachel, and puts himself at risk by forbidding Drummond to upset her with cross-examination. Drummond has brought several scientific and theological experts to Hillsboro to testify that Darwinism is scientifically valid and no danger to a properly rational religion. The judge rules the expert testimony inadmissible, thus leaving the defense temporarily at a loss.

Drummond brilliantly saves the situation by calling his adversary Brady to the witness stand as an expert on the Bible. The judge correctly points out that this testimony is also irrelevant to the question whether Bert violated the law, but Brady is so conceited that he insists on taking the stand to show he can defeat the unbeliever. Drummond skillfully takes advantage of Brady's overconfidence. After some preliminary sparring about details like Jonah and the whale, Drummond stuns Brady by pointing out that the Biblical patriarchs did their "begatting" by sexual intercourse. Apparently Brady had not previously thought of this embarrassing but undeniable fact, and he blurts out that the Bible calls sex "Original Sin." The dramatic point, of course, is that Bible believers are killjoys and prudes, who want to abolish sex.

Eventually a rattled Brady concedes that, since the First Day of creation occurred before the Sun existed, it might have been longer than 24 hours. Drummond seizes on this concession to demolish Brady's confidence, and gets Brady to talk such obvious nonsense that even his supporters laugh at him. The day ends in a spectacular moral victory for the defense.

None of this has anything to do with the legal issue, so the jury returns a guilty verdict the next day anyway. The town fathers are sufficiently embarrassed by the fiasco, however, that they pressure the judge to impose a nominal fine in the hope that this will end the publicity. Bert refuses to pay the fine, and vows to go on speaking up for truth and freedom. Brady desperately attempts to retrieve the situation with another speech, and is so upset by his own incoherent rant that he has a stroke and dies on the spot. Rachel tells Bert that she has decided to start thinking for herself, which in the context of the play seems to mean that she will accept Bert's way of thinking instead of her father's. (I can't help wondering if her new independence of mind will have unexpected consequences, and if Bert will ever have any second thoughts about having encouraged it.) The two lovers decide to leave

town and get married. Love and reason thus overcome prejudice and bigotry.

As the play ends, Drummond is left alone on the stage courtroom with his reflections. According to the stage directions, he picks up a copy of Darwin's *Origin of Species* and a copy of the Bible, "balancing them thoughtfully, as if his hands were scales. He half-smiles, half-shrugs." Then he jams the two books together into his briefcase. The symbolism tells us that the Bible and Darwin can balance each other, if we allow Henry Drummond to do the balancing. It is roughly the line of reasoning that we saw Emilio accepting at the beginning of the previous chapter.[1]

II. THE SCOPES TRIAL: WHAT REALLY HAPPENED

As the authors of "Inherit the Wind" admit in their preface, the play is not history. That is an understatement. The real Scopes trial was not a serious criminal prosecution, but a symbolic confrontation engineered to put the town of Dayton, Tennessee, on the map. The Tennessee legislature had funded a new science education program and, to reassure the public that science would not be used to discredit religion, had included as a symbolic measure a clause forbidding the teaching of evolution. The Governor and the legislative leaders had agreed that the clause would never be enforced, knowing that any prosecution would be an embarrassment. The American Civil Liberties Union wanted a test case, however, and advertised for a teacher willing to be a nominal defendant in a staged prosecution. Local boosters in Dayton took up the offer in the hopes that the mock trial would be good for business. The volunteer defendant, John T. Scopes, was a physical education teacher who taught biology briefly as a substitute. He was never in danger of going to jail.

The local prosecutors fell in with the scheme and obligingly obtained an indictment against Scopes, respectfully declining the ACLU's offer to pay for the costs of the prosecution. The trial got out of hand and became a media circus when William Jennings Bryan volunteered to speak for the prosecution, and Clarence Darrow volunteered to be the defense lawyer. Darrow, fresh from a sensational murder trial in Chicago, was also nationally famous as an agnostic lecturer. Bryan, a three-time Democratic Presidential candidate, was no reactionary but a progressive politician who had led political battles to protect working people and farmers from the excesses of big business. His reasons for opposing Darwinism appealed to many liberals and socialists in his day, as they still would. Bryan had seen Darwinism used

[1] *See* JOHNSON, *supra* note *, at 4.

in America to justify unrestrained capitalism, and in Germany to justify the brutal militarism that led to the First World War.

Clarence Darrow and the Baltimore journalist H.L. Mencken (the model for Hornbeck in the play) actually did embrace the amoral nihilism that Bryan attributed to Darwinism. Darrow did not want to balance the Bible with evolutionary science; he wanted to get rid of religion and replace it with science and agnostic philosophy. On the other hand, Bryan truly was a scientific ignoramus, and the wily Darrow really did make a fool of him. If Darrow had wanted, he probably could just as easily have made the leading evolutionary scientists of the day look foolish. For example, some of these scientists confidently cited the fraudulent Piltdown Man, and the tooth of "Nebraska Man" (which turned out to be from a kind of pig), as proof of human evolution. If Bryan was confused about the evidence for evolution, he had a lot of respectable company.

III. WHAT THE PLAY MEANS

I won't go any further into the discrepancies between the play and history, because the play has had so much impact that its story is more important than what really happened. The play is not primarily about a single event; it is about the modernist understanding of freedom. Once upon a time, the story says, the world was ruled by cruel religious oppressors called Christians, similar to the wicked stepmother and stepsisters in Cinderella, who tried to prevent people from thinking and from marrying their true love. Liberation from this oppression came via Darwin, who taught us that our real Creator was a natural process which leaves human reason free to make up new rules whenever we want. Most modernist intellectuals interpret the story that way, and of course a liberated Cinderella is not likely to give the wicked stepmother another chance to enslave her. What ever she says, Cinderella knows who she is and what she wants to do.

Read that way, "Inherit the Wind" is a bitter attack upon Christianity, or at least the conservative Christianity that considers the Bible to be in some sense a reliable historical record. The rationalists have all the good lines, and all the virtues. Brady and Brown are a combination of folly, pride, and malice, and their followers are so many mindless puppets. One would suppose from the play that Christianity has no program other than to teach hatred. At the surface level the play is a smear, although it is one which smears an acceptable target and hence is considered suitable for use in the public schools.

Just how ugly the smear is came home to me the first time I saw the movie, in a theater next to Harvard University (at a time when I would have called myself an agnostic). The demonstrative student audience

freely jeered at the rubes of Hillsboro, whooped with delight at every wisecrack from Hornbeck or Drummond, and revelled in Brady's humiliation. It occurred to me that the Harvard students were reacting much like the worst of the Hillsboro citizens in the movie. They thought they were showing how smart they were by aping the prejudices of their teachers, and by being cruel to the ghost of William Jennings Bryan – who was probably a much better man than any of them. Maybe Hillsboro isn't just Dayton, Tennessee. Maybe sometimes it's Harvard, or Berkeley.

IV. THE STORY TOLD ANOTHER WAY

That memory has stayed with me, and shows that there may be more than one way to interpret the play. I've told the bare bones of the story literally; now let me retell the story at a different level, with just a tad of artistic license.

A brilliant young teacher develops a following because he has exciting ideas that open up a new way of life. His friends and students love him, but the ruling elders of his community hate the very thought of him. These elders are themselves cruel hypocrites, who pile up burdens on the people and do not lift a finger to help them. The elders rule the people by fear, and are themselves ruled by fear. They substitute dogmas and empty rituals for the true teaching they once knew, which commands truth and love as its first principles.

The elders want to destroy the teacher who threatens their control over the people, but his behavior and character are so exemplary that they can find no fault to justify condemning him. They plan to entrap him by convincing one of his closest friends to betray him. Eventually they are able to arrange a rigged legal proceeding and get a guilty verdict. Their victory is empty, however. The teacher wins even when he apparently loses, and he sums up his teaching in these words: "You shall know the truth, and the truth shall make you free."

Does that story sound familiar? Of course Bert Cates is not Jesus, although the play does portray him as virtually sinless. It would be more accurate to say that the authors aimed to give Cates and Drummond the virtues of Cinderella and Socrates. My point is that even this most seemingly anti-Biblical of dramas achieves its moral effect by borrowing elements from the gospel, which is the good news of how we can be delivered from the power of sin. Sin has its power over us in many ways, and one of them is through the mind control practiced by fearful and hypocritical religious authorities. The independent mind that overthrows such oppressive power is good news for everyone but the oppressor.

"Inherit the Wind" is therefore probably truer than its authors knew. There is nothing wrong with its basic story of liberation. That story itself becomes a vehicle of oppression, however, when it invites the people with power to cast themselves as the liberators. It's like the dictators of the former Soviet Union calling themselves the champions of the poor working man. Whatever may have been the case a long time ago, by the time the movie was made Bert Cates and Henry Drummond were the ones with the power to shut other people up.

V. OWNING THE MICROPHONE

My summary of "Inherit the Wind" left out two events which I now want to bring into the picture. When Henry Drummond was humiliating Matthew Harrison Brady on the witness stand, he accused Brady of setting himself up as God, by presuming to suppress freedom of thought in others. Drummond warned Brady that some day the power might be in other hands, saying "Suppose Mr. Cates had enough influence and lung power to railroad through the State Legislature a law that only *Darwin* should be taught in the schools!"

That possibility may have seemed remote in Hillsboro, but of course it is exactly what happened later. The real story of the Scopes trial is that the stereotype it promoted helped the Darwinists to capture the power of the law, and they have since used the law to prevent other people from thinking independently. By labelling any fundamental dissent from Darwinism as "religion," they are able to ban criticism of the official evolution story from public education far more effectively than the teaching of evolution was banned from the Tennessee schools in the 1920s. But how has this reversal been accomplished in a voting democracy? Given that a majority of Americans still believe that God is our creator, how have the Darwinists been able to obtain so much influence and lung power?

The play answers that question too. In the final scene of "Inherit the Wind," when the jury returns to the courtroom to deliver its verdict, a character identified as "Radio Man" appears in the courtroom, carrying a large microphone. He explains to the judge that the microphone is connected by direct wire to station WGN in Chicago. Radio Man proceeds to report directly to the public on the proceedings as they happen. Brady, famed for decades as an orator with a huge voice, attempts to speak into the microphone but can't master the technique. During Brady's final tirade the radio program director decides that his speech has become boring, and Radio Man breaks in to announce that the station will return to the Chicago studio for some music. The stage directions describe this as Brady's "final indignity," and it brings on his fatal stroke.

The microphone (i.e., the news media) can nullify Brady's power by (in effect) outshouting him. But does this development imply liberation, or a new form of control that will be more oppressive than the old one? There is only one microphone in that courtroom, and whoever decides when to turn it on or off controls what the world will learn about the trial. That is why what happened in the real-life Scopes trial hardly matters; the writers and producers of "Inherit the Wind" owned the microphone, making their interpretation far more important than the reality. Bert Cates didn't have enough lung power to make law in Dayton, but his successors had enough microphone power to take over the law at the national level.

When the creation/evolution conflict is replayed in our own media-dominated times, the microphone owners of the media get to decide who plays the heroes, and who plays the villains. What this has meant for decades is that Darwinists—who are now the legal and political power holders—nonetheless appear before the microphone as Bert Cates or Henry Drummond. The defenders of creation are assigned the role of Brady, or of the despicable Reverend Brown. No matter what happens in the real courtroom, or the real school room, the microphones keep telling the same old story.

This has very practical consequences. I have found it practically impossible, for example, to get newspapers to acknowledge that there are scientific problems with Darwinism that are quite independent of what anybody thinks about the Bible. The reporters may seem to get the point during an interview, but after the story goes through the editors it almost always comes back with the same formula: creationists are trying to substitute Genesis for the science textbook. Scientific journals follow the same practice. That Matthew Harrison Brady might have valid scientific points to make just isn't in the script.

VI. DANNY PHILLIPS

Occasionally a dissenter from Darwinism threatens to take over the role of Bert Cates. Here is one example: Danny Phillips was a 15 year-old high school junior in the Denver area, who thinks for himself. His class was assigned to watch a NOVA program produced with government funds for National Public Television, which stated the usual evolutionary story as fact. Its story went something like this: "The first organized form of primitive life was a tiny protozoan. . . . From these one-celled organisms evolved all life on earth."

Science education today encourages students to memorize that sort of naturalistic doctrine and repeat it on a test as fact. Because Danny has a special interest in truth, however, and because his father is pastor of a church that has an interest in questioning evolutionary naturalism,

Danny knew that this claim of molecule to man evolution goes far beyond the scientific evidence. So he wrote a lengthy paper criticizing the NOVA program as propaganda. The school administrators at first agreed that Danny had a point, and tentatively decided to withdraw the NOVA program from the curriculum. That set off a media firestorm.

Of course Danny was making a reasonable point. The doctrine that some known process of evolution turned a protozoan into a human is a philosophical assumption, not something that can be confirmed by experiment or by historical studies of the fossil record. But the fact that administrators seriously considered any dissent from evolutionary naturalism infuriated the Darwinists, who flooded the city's newspapers with their letters. Some of the letters were so venomous that the editorial page editor of the Denver Post admitted that her liberal faith had been shaken. She wrote that "these defenders of intellectual freedom behaved, in fact, just like a bunch of conservative Christians. Their's was a different kind of fundamentalism, but no less dogmatic and no less intolerant."

In other words, at least one editor wasn't sure who was playing what role in the revival of "Inherit the Wind." When his story appeared on CBS television a little later, however, an experienced Darwinist debater named Eugenie Scott was careful to cast Danny as the opponent of learning. She argued that "If Danny Phillips doesn't want to learn evolution, . . . that's his own business. But his views should not prevail for 80,000 students who need to learn evolution to be educated." When evolution is the subject, questioning whether the official story is true is enough to make you an enemy of education.

This manufactured image of a high school sophomore censoring science education replaced the real Danny Phillips on national television, just as "Inherit the Wind" replaced the real Scopes trial. What Danny said when he got a chance to speak for himself was reported only in a local paper. He said that "Students' minds are to be kept open and not limited by a set of beliefs." That is exactly the right line to take, and Danny had for a moment a partial success in getting past the microphone owners. The CBS network and the Denver school board decided against Danny in the end – but then, the Hillsboro jury also decided against Bert Cates. All they inherited was the wind.

VII. AN UPHILL BATTLE

In subsequent chapters I'll be explaining how some of us are working to make it possible for evolution to be treated like other issues, where criticism of the official story can get a fair hearing.[2] It is an uphill

[2] *See generally*, JOHNSON, *supra* note *.

battle, because Darwinists can use their control of the microphone to cast their opponents as religious dogmatists regardless of what the opponents are actually saying. If the critics object to the teaching of philosophical doctrines as scientific facts, the microphones say that they are trying to prevent students from learning. If the critics attempt to tell the other side of the story, and to bring out evidence that the textbooks ignore, they are accused of trying to insert religion into the science curriculum in violation of the Constitution. The rule of the microphone is "Heads we win, tails you lose."

It isn't easy to win a game played by those rules, but there is a way to do it. The first step is to learn how to detect baloney.