

VERDICT(S) OF HISTORY: COLLECTIVE MEMORIES OF THE 20th CENTURY

Trials and Errors: Remembering the Scopes Trial

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In this special year of remembrance, the 200th anniversary of Darwin's birth and the 150th year since the publication of *The Origin of Species*, it is puzzling to many that the revolution of Darwinian science, after all these years, still encounters such determined counter-revolutionary resistance. This is especially perplexing in a nation that prides itself on its scientific prowess and achievement. Yet current surveys indicate that about half of all Americans reject Darwin's conclusion that human beings are descended from earlier species. Cross-cultural poll data, moreover, suggest that among industrialized nations the United States ranks next to last, above only Turkey, in understanding—let alone accepting—the elementary principles of evolution (Miller, 2008). And, of course, in recent years legal and legislative controversies have flared up repeatedly throughout the nation over the old issue of teaching evolution in public schools. One of the more sensational of these controversies was both experienced and studied by Lauri Lebo, resulting in her personal and thoughtful *Devil in Dover: An Insider's Story of Dogma v. Darwin in Small-Town America*. Lebo describes increasing antipathy and polarization between pro- and anti-evolutionist factions. "We're never going to fix this," she concludes sadly.

But shouldn't all of this have been settled long ago? After all, it's been eighty-four years since the Great Scopes Monkey Trial focused a dramatic and arguably didactic national conversation on faith and reason, presenting a Teachable Moment in the form of a media spectacle which showcased the humiliation of the anti-evolutionist "crusader" William Jennings Bryan and exposed to the world the backwardness and ignorance of fundamentalist Protestantism. The Scopes Trial came to be recognized as a "watershed" event in American history because traditional religion was represented, as never before, as unpopular and unintelligible. Once a national hero, Bryan was now demonized as pathetic, repugnant, and insincere. "The judge found Scopes guilty...but the fundamentalist crusade no longer

had the same force,” concluded historian Samuel Eliot Morison. Henry Steele Commager referred to the anti-evolutionist cause as “Nineteenth-Century America’s last stand.”

By the end of the 20th century, however, commentators were surprised to discover that evangelicalism had not died. Evangelicals appeared to be growing in numbers and political clout. Opposition to Darwinian evolution, moreover, has obviously continued in full force among American evangelicals. To cite but one conspicuous example, Rick Warren, the popular preacher and author—and controversial choice to deliver the invocation for the Obama inauguration—is also an outspoken advocate for teaching “intelligent design” in public schools. “If you’re asking me do I believe in evolution, the answer is no, I don’t. I believe that God, at a moment, created man. I do believe Genesis is literal,” he told Newsweek’s Jon Meacham.

So what happened? What about a “last stand”? The trial has surely been remembered; it is recounted in standard American history texts, it has been the subject for Pulitzer Prize-winning histories as well as popular stage and film recreations. But the trial itself has not been adequately studied as an “object” or “site” of remembrance. Treating the trial as such provides an opportunity to correct misconceptions and obvious distortions—understanding the history better, Lauri Lebo notwithstanding, may also reduce some of the polarization that attends this topic. It also provides an opportunity to extend Clifford Geertz’s articulation of “cultural system” to the realm of collective memory. A cultural system features “social frames” and “keys” for preserving the past. Originally developed by Maurice Halbwachs, the concept of collective memory directs attention to how beliefs about the past are conditioned by later circumstances and problems, and how different elements of the past become more or less relevant as these circumstances and problems change. Memory thus becomes a social fact as it is made and remade within broader and developing contexts of rationalization. Recent generations have come to understand the meaning of the Scopes Trial by “keying” it to the Red Scare and McCarthyism

in particular and more generally to prevailing theories of secularization. As a result, the trial—together with related significant social forces—has been misunderstood to the detriment of popular discourse, religious history, and social science.

What actually happened? In the strictest legal sense the case was utterly inconsequential, nothing more than a perhaps rather odd misdemeanor trial squeezed onto the July docket of a sweltering small-town Tennessee court. A young first-year football coach and general science teacher at Rhea County High School stood accused of violating state law, specifically the Butler Act, by teaching Darwinian versions of evolution that presumably contradicted the Biblical account of creation. Despite the presence of a jury, the proceeding never amounted to much of a contest. The facts of the case were not disputed by the defendant, John Thomas Scopes, or by his attorneys, or by any of the witnesses who gave testimony. Rather than offering a closing argument, the defense attorney stumped for a conviction. The jury deliberated for all of nine minutes before returning a guilty verdict. “The jurors didn’t even sit down to think it over,” according to *The Chattanooga Times*, “but stood huddled together in the hallway of the courthouse for the brief interval” (quoted by Larsen, 1998: 191-92). Scopes was fined \$100, hefty for the time and place, but an amount which was never collected. The fine proved to be significant, incidentally, and perhaps the jurors should have been more conscientious. In any event, Scopes’ conviction was subsequently overturned by the Tennessee Supreme Court on a sentencing technicality: The judge had set the amount of the fine, but state law prescribed that it be set by the jury. Not one substantive legal aspect of the Tennessee evolution statute was ever considered by any appellate court. The Butler Act was not challenged until it was repealed in 1968.

→ → SHOW MONKEY TRIAL CLIP (approx. 2 mins.) ← ←

We will call it, then, America's "most theatrical trial." It was also one of the first to be advertised as a "trial of the century." It was a test case deliberately brought to challenge the constitutionality of a controversial law, the first suit of its kind sponsored by the fledgling American Civil Liberties Union. It attracted unprecedented publicity, the first to be broadcast live by radio. The carnival-like atmosphere captured the attention of the nation's leading journalists, notably H.L. Mencken and Joseph Wood Krutch. Front-page banner headlines in *The New York Times* and other leading newspapers chronicled the week's developments. Above all else, the trial now illustrates how popular events are often not so much remembered as *represented*, or perhaps principally remembered through representation.

Originally billed as an epic showdown between religion and science and a clash of titans, *i.e.* Bryan vs. Clarence Darrow, the entire episode now serves as a quaint reminder of an innocent, awkward phase in American history beyond which later generations can congratulate themselves on surpassing. But it is also clear that representations of the trial, especially the popular play and multiple film versions of *Inherit the Wind*, now obscure factual accuracy, impede serious social scientific analysis, and muddle discourse about contemporary social issues. Although some of the best-known representations were overtly fictional, some were not; others (perhaps most) were ingenious mixtures of the two.

Thus, the Scopes Trial began as a spectacle, became a legend, and now is blended in within taken-for-granted "knowledge" concerning the triumph of reason and science over superstition and dogma. Representations of the trial were framed in the context of the threat of McCarthyism in the 1950s, not the threat of eugenics and social Darwinism of the 1920s. These representations have also been used and misused in the hodgepodge of contemporaneous debates collectively referred to as the Culture Wars. In other words, the century-old creation v. evolution controversy will continue because its impetus comes from social forces lying far beyond the reach of the courts. It is an especially apt topic, therefore, for the sociology of knowledge.

How do we represent the representations? The flow or “trajectory” of representations of the trial, rather than the trial itself, is the significant topic for sociologists of knowledge. Instead of promulgating a master narrative, a sociology of knowledge focuses on how narratives are transformed over time. Each retelling has been shaped by various “interpretive communities” (Becker), based not only on dominant views of the past, but also on their own sense of self in relation to the past. These conclusions follow an analytical tack set down in Howard S. Becker’s *Telling About Society*, which in turn was greatly influenced by C. Wright Mills’ observations on “the uses of history” in his classic *The Sociological Imagination*. Related considerations point to what we can learn specifically about the representation of spectacle, an increasingly popular feature of the Information Age. Becker’s scheme focuses on politically neutral processes of selection, translation, arrangement, and interpretation. Mills, by contrast, stresses the importance of various forms of political ideology. They both highlight the schism within social science between value-free and value-driven scholarship. Investigating the representations of the Scopes trial also extends Clifford Geertz’s semiotic interpretation of cultural systems to the realm of “collective memory.” By “semiotic” the emphasis is on symbols, the appropriateness of which should become apparent as we examine some popular examples of symbolic discourse about the trial and evolution.

→ → FIVE SLIDES OF CARTOONS AND ILLUSTRATIONS ← ←

The symbolic and historiographic importance of the Scopes Trial has been remarkable. In fact, it is often treated as synonymous with the development and fortunes of American fundamentalism. A survey of thirteen popular American history textbooks written in the 1980s and 90s revealed that eleven of the thirteen allotted space “for fundamentalism as it manifested itself in the 1920s;” and all of the eleven that did treat the movement devoted “the majority of space to the now famous Scopes Trial” (Fea, 1995: 207). Each of these 11 texts referred to the discrediting and/ or decline of fundamentalism in the aftermath of the ridicule and embarrassment suffered by the movement from the case.

I would also propose that postmodern social theory yields important insights for understanding the Scopes Trial. This is especially the case when considering postmodernism’s preoccupation with superficiality over intentionality and consumption over production. Considerations of superficiality and consumption typically lead the postmodernist to the topic of the spectacle, defined simply as “a dramatic public display” (Ritzer, 2005: 93), and regarded as an increasingly prominent feature of postmodern society. The continual impetus for re-enchantment of an increasingly disenchanted world of mass consumption requires ever more spectacular public displays. Extravaganzas are spectacles that are created intentionally. Most spectacles, however, are partially or wholly unintentional. This was clearly the case with the Scopes trial. Since spectacles are generally thought to be simulations of social reality, representations of spectacles are inherently superficial and prone to ideological or political exploitation.

Guy Debord’s *The Society of the Spectacle* has been especially influential among post-modernists. He writes, “The spectacle is the *chief product* of present-day society,” and its essential function is to obscure and conceal “the rationality of the system” (Debord, 1994: 16). Thus, the spectacle is closely bound up with consumerism and commodities: “THE WORLD THE SPECTACLE holds up to view is ... the world of commodity ruling over all lived experience” (Debord, 1994: 26). Debord is arguing that the spectacle is a kind of opiate that distorts the true operations of society (including its rationality).

Consequently, “to Marx’s alienated production, it is necessary to add alienated consumption as a necessity imposed on the masses” (Ritzer, 2005: 94). At a higher level of abstraction, the representation of spectacle is related to the postmodern idea of implosion, not only in the sense of the dwindling distinctions between various means of consumption, but also in “a more general sense of an implosion of the distinction between the real and the unreal; that is, we find it increasingly difficult to differentiate the real from the fake. Indeed, we come to stop trying and to live with the fake at least as easily, and Perhaps more easily, as we live with the real” (Ritzer, 2005: 196). Now a part of the confusion of the Twenty-First Century, the flawed memory of the Scopes trial is intertwined with triumphalism, temporocentrism, and I would even argue, a rather unattractive feature of American Exceptionalism.

It is difficult to imagine that *Inherit the Wind* represents anything that is real. The Broadway play, by Jerome Lawrence and Robert E. Lee, opened in early 1955 to expansive publicity, packed audiences, and broad critical acclaim. Set “not long ago” in the town Hillsboro the drama begins with the armed arrest of a courageous high school teacher, Bertram Cates for teaching evolution to his students. A three-time Democratic presidential candidate, the pompous, overbearing, and dogmatic Matthew Harrison Brady, arrives in town to prosecute the case. Cates is defended by the noble Henry Drummond. E.K. Hornbeck is a cynical reporter. A Hollywood film version, starring Frederick March as Bryan and Spencer Tracy as Darrow, was released in 1960. You get the picture.

→ → What do you remember about *Inherit the Wind*? ← ← BRIEF AUDIENCE INTERACION

The closing scene in both the play and the movie show Drummond (Darrow) placing the Bible alongside *The Origin of Species* in his briefcase. Bob refers later to an admiration for art that resists the sentimental and the cliché. *Inherit the Wind* embraces sentiment and cliché. Beginning in 1987 local

citizens of Dayton and Rhea County have staged a re-enactment of the famous trial, using original court transcripts and the very same courtroom in which the trial took place. The annual re-enactment is tellingly called *Inherit the Truth*.

What role—obligation?—in all of this should be assumed by social science? A thoughtful attempt to bring clarity to historical disputes usually requires an attention to epistemology, an integral (yet despite Popper, often bypassed) subject for social science. Who does have “the right” to decide what gets taught as science in the public schools? Creationist parents and teachers, based on their relatively subjective religious beliefs, or professional scientists and educators based on their relatively objective scientific theories? Taking up this issue, moreover, prompts us to confront unforeseen and rather complicated implications, as I will attempt to argue in the following.

Consider first the serious issue of social Darwinism and eugenics. Social Darwinism, though seldom overtly promulgated, continues to thrive under various guises, especially in Western culture. This is because “social Darwinism is a particular variant, and a rather influential one, of the doctrine of inevitable progress” (Wallerstein et al., 1997: 86). “Its key argument has been essentially that progress is the result of a social struggle, in which competency wins out, and that interfering with this social struggle is interfering with social progress.” Moreover, as Wallerstein et al., (1997) further explain, the implicit discourse of social Darwinism

labels any concept associated with the losers in the “survival of the fittest” evolutionary process as irrational and/ or unrealistic. This categorical condemnation has often covered all values held by groups who do not have powerful social positions, as well as alternative projects critical of the belief that industrialization, modernization, and Westernization are inevitably linked.... Technocratic rationality, presenting itself as the most advanced version of rationalism, has been in many ways an avatar of social Darwinism. It also delegitimizes any concept which does not fit a means-end model of rationality, and any institution which has no immediate functional utility.

As with nearly every ingredient in the Scopes controversy, certain basic facts are widely known about Darwin’s *Origin of Species*. Other facts are more likely to be forgotten. For example, it is not well-

known that the book's original and complete title was *On the Origin of Species by Means of Natural Selection, or the Preservation of the Favoured Races in the Struggle for Life*. In addition, the phrase “survival of the fittest” was first used by Herbert Spencer, not Darwin.

With our success in mapping the human genome, the possibility of altering our genetic futures has given rise to difficult ethical questions. Although opponents of genetic manipulation occasionally raise the specter of eugenics, our contemporary debates about bioethics often take place in a historical vacuum. This historical perspective is also crucial for understanding the Scopes Trial in a wider context; it is an important feature of the *Zeitgeist* of the 1920s and 30s. In the early part of the Twentieth Century, America's scientists, religious and civic leaders, politicians, and educators confronted, and in many cases enthusiastically embraced eugenics—a social movement that embodied progressive attitudes about modern science, popular culture and social reform. In significant respects, at least according to its proponents, eugenics represented applied evolution. In 1883, 24 years after publication of *The Origin of Species*, Francis Galton, a British scientist and cousin of Charles Darwin, coined the term ‘eugenics’ (from the Greek meaning “good in birth”) to describe proactive efforts to “improve” the human race through better breeding. According to Galton, evolution was a “grand phantasmagoria,” a purposeless, tumultuous performance, spurred on by natural selection. Eugenics promised to give human beings control over this heretofore untamable process by encouraging the reproduction of the fittest specimens of humanity (a process Galton called positive eugenics) and preventing that of the unfit. “What nature does blindly, slowly, and ruthlessly man may do providently, quickly, and kindly,” Galton explained.

It may be difficult to appreciate from a current vantage point the magnitude and strength of the eugenics movement during the early decades of the Twentieth Century, not just in Europe but also in the North America. Isn't all this overstated? I don't think so. Consider for example, the words of

Mencken himself, as presented in the 1942 edition of *Twentieth Century Authors*, a volume of brief autobiographical sketches. Mencken begins his portrait with (typically anti-democratic) political terms: “I am in grave doubt that the so-called democracy of the United States will last much longer. It is a set-up for demagogues, and they have pretty well wrecked it” (Kunitz and Haycraft, 1942: 944-45). He then notes a degree of optimism, including his own hopes for social progress.

But the country itself seems to me to be almost bullet proof, and my guess is that it will come out of the mess very little damaged. In the long run, I believe, the obviously stupid and incompetent will be disenfranchised, and some effort will be made to reduce the birth-rate among them. Personally, I am favor of offering them cash in hand for their consent to be sterilized. That will bring them in by the million, and avoid the danger of giving discretion to public agencies, all of which are muddle-headed and most of which are corrupt.

In the 1920s, eugenicists were thought to be, and certainly thought of themselves as social reformers.

Another well-known legal battle in the 1920s, the infamous *Buck v. Brown* case decided by the U.S. Supreme Court in 1927, is instructive for recognizing the credibility and legitimacy enjoyed by the eugenics movement. After World War I, several states enacted sterilization laws for the “unfit” or “feble-minded” based explicitly on eugenicist principles. According to Kevles (1985) and Shattuck (1996), about 9,000 Americans were sterilized by 1928, twenty thousand by the mid 1930s. Carrie Buck, the illegitimate child of a feble-minded mother, became pregnant at the age of 17, and was committed to the State Colony for Epileptic and Feble-minded in Lynchburg, Virginia. Details of the case have been summarized by Shattuck (1996: 196-97). The Colony superintendent petitioned to have Carrie sterilized. Attorneys for Carrie countered by taking the superintendent to court. The case was ultimately decided in favor of sterilization. Here is a snippet of Justice Holmes’ opinion,

We have seen more than once that the public welfare may call upon the best citizens for their lives. It would be strange if it could not call upon those who already sap the strength of the State for these lesser sacrifices, often not felt to be such by those concerned, in order, to prevent our being swamped with incompetence. It is better for all the world, if instead of waiting to execute degenerate offspring for crime or to let them starve for their imbecility, society can prevent those who are manifestly unfit from continuing their kind. The principle that sustains compulsory vaccination is broad enough to cover cutting the Fallopian tubes.... Three generations of imbeciles is enough.

It is worth recalling that this opinion was handed down two years *after* the Scopes Trial. Today, we remember Oliver Wendell Holmes as a champion of individual rights...for the most part. Today, a “war” against evolution is largely considered to be inane, farcical, and inept. It is hoped that a “war” against eugenics, if ever one were thought to be needed, might appear much more respectable. In the 1920s these distinctions were not always so clearly conceived.

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