

INTEGRITY OF SCIENCE EDUCATION UPHELD IN DOVER INTELLIGENT DESIGN RULING

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In a stunning and comprehensive ruling in favor of science and science education, a federal judge ruled on December 20, 2005 that intelligent design (ID) is nothing more than religion in disguise. The court ruling comes as a significant blow to the proponents of intelligent design creationism. ID advocates claim that many structures and processes seen in nature are far too complex to be explained by evolution and therefore they must have required the intervention of an “intelligent force”. However, in an attempt to avoid an overt violation of the Establishment Clause of the First Amendment, most ID advocates stop short of suggesting that this intelligent force is God. However, U.S. District Court Judge John E. Jones III (R), an appointee of President George W. Bush, was not fooled by the ID community’s attempt to make an end-run around the Constitution by claiming that their “intelligent force” was not necessarily God.

Judge Jones’ 139 page decision was based upon a lawsuit brought by eight families against the Dover, PA school board for adopting a policy in October, 2004 that required that a statement about intelligent design to be read to ninth grade science students prior to their lessons on evolution. The statement¹ told students, amongst other things, that evolution is “...not a fact” and that there are “...gaps in the theory for which there is no evidence” and that like evolution “...intelligent design is an explanation of the origin of life” and that the ID book “...Of Pandas and People is available for students” to review at their publicly-funded school. The Dover school board had claimed that they were actually trying to improve science education by exposing the Dover students to “scientific” alternatives to evolution and natural selection.

¹ Dover School Board ID Statement:

“The Pennsylvania Academic Standards require students to learn about Darwin’s Theory of Evolution and eventually to take a standardized test of which evolution is a part.

Because Darwin’s Theory is a theory, it continues to be tested as new evidence is discovered. The Theory is not a fact. Gaps in the Theory exist for which there is no evidence. A theory is defined as a well-tested explanation that unifies a broad range of observations.

Intelligent Design is an explanation of the origin of life that

However, Judge Jones referred to the board’s policy and action as an act of “breathtaking inanity” and that its attempt to insert intelligent design creationism into the public classroom was a clear violation of the separation of church and state. The judge stated that “We find that the secular purposes claimed by the board amount to a pretext for the board’s real purpose, which was to promote religion in the public school classroom”.

Following six weeks of testimony in which Judge Jones accused members of the Dover Board of lying to conceal their true motives of inserting religious beliefs into the science classroom, he stated that “It is ironic that several of these individuals, who so staunchly and proudly touted their religious convictions in public, would time and again lie to cover their tracks and disguise the real purpose behind the ID policy”.

The judge’s decision stated that ID “...violates the centuries-old ground rules of science by invoking and permitting supernatural causation” and that ID’s attacks on evolutionary science have “been refuted by the scientific community” and that furthermore, ID continues to rely on “...flawed and illogical” arguments.

Judge Jones’ ruling is likely to have a significant influence upon school boards across the nation that may be entertaining the idea of attempting to move faith-based ideologies into the public classroom. Not only is the Dover decision a strong endorsement of modern science (see highlights below) and a rebuke to ID proponents, but it may also serve as a warning to school boards attempting to make a philosophical statement by endorsing similar policies. The Dover Area School District is now liable to pay the legal expenses of the eight families that were

differs from Darwin’s view. The reference book, *Of Pandas and People*, is available for students who might be interested in gaining an understanding of what Intelligent Design actually involves.

With respect to any theory, students are encouraged to keep an open mind. The school leaves the discussion of the *Origins of Life* to individual students and their families. As a Standards-driven district, class instruction focuses upon preparing students to achieve proficiency on Standards-based assessments.”

successful in their suit. Estimates put these fees in excess of one million dollars, well beyond the financial ability of this rural Pennsylvania district of 20,000 residents.

In an appropriate summation of the board policy and trial, Judge Jones states that “The students, parents and teachers of the Dover Area School District deserved better than to be dragged into this legal maelstrom with its resulting utter waste of monetary and personal resources”. However, the school board that passed the policy will not have to deal with the consequences of their ill-motivated actions as the entire board was replaced during the November 8 elections. The new board announced on January 3, 2006 that they had rescinded the previous board’s ID policy.

SIGNIFICANT HIGHLIGHTS OF THE KITZMILLER ET AL. V. DOVER AREA SCHOOL DISTRICT

Conclusion: Intelligent design is not science.

Judge Jones’ Opinion Statement: “We have addressed the seminal questions of whether ID is science. We have concluded that it is not and moreover that ID cannot uncouple itself from its creationist and thus religious, antecedents”.

Conclusion: The acceptance of evolution science does not preclude the existence or belief in God or gods nor does it seek to deny the existence of God or gods.

Judge Jones’ Opinion Statement: “Defendants and many of the leading proponents of ID make a bedrock assumption which is utterly false. Their presupposition is that evolutionary theory is antithetical to a belief in the existence of a supreme being and to religion in general”.

Conclusion: The “intelligent force” that ID relies upon to explain nature can only be God; there is no other alternative although ID proponents may suggest such alternatives to avoid a Constitutional conflict.

Judge Jones’ Opinion Statement: “Although proponents of the intelligent design movement (IDM) occasionally suggest that the designer could be a space alien or a time-traveling cell biologist, no serious alternative to God as the designer has been proposed by members of the IDM, including the Defendant’s expert witnesses”.

Conclusion: ID is not science for many reasons but in particular, because it relies upon supernatural interven-

tion to explain nature whereas science can only rely upon natural causations to explain natural phenomenon. Science is limited to explaining the dynamics of natural world based upon natural law e.g., physics, chemistry, geology, mathematics, astronomy, biology, etc. However, ID creationism relies upon supernatural (intelligent) forces to explain nature.

Judge Jones’ Opinion Statement: ID “...violates the centuries-old ground rules of science by invoking and permitting supernatural causation”

Conclusion: Contrary to what ID advocates profess, ID is not an alternative theory to evolution as it offers no empirical evidence; rather it requires faith for its acceptance as truth. Scientific theory is based upon evidence and ID offers no such evidence. The Dover District has attempted to discredit evolution in the eyes of their students and to elevate their ID “explanation” to the stature of scientific theory.

Judge Jones’ Opinion Statement: “The theory or ‘view’ of evolution, which has been discredited by the District in the student’s eyes, is contrasted with an alternative ‘explanation,’ as opposed to a ‘theory’ that can be offered without qualification or cautionary note”.

Conclusion: (Dover) Teachers are not required to refer the religiously-based alternative to evolution known as ID nor can they be required to denigrate or disparage evolution in any way.

Judge Jones’ Opinion Statement: “We will enter an order permanently enjoining Defendants from maintaining the ID Policy in any school within the Dover Area School District and from requiring teachers to denigrate or disparage the scientific theory of evolution and from requiring teachers to refer to a religious, alternative theory known as ID”.

Conclusion: Members of the Dover Board lied in an attempt to conceal their motives of inserting a faith-based ideology (ID) into a publicly funded school curriculum. Their lies were intended to avoid a violation of the separation of church and state as contained in the first amendment of the U.S. Constitution.

Judge Jones’ Opinion Statement: “It is ironic that several of these individuals, who so staunchly and proudly touted their religious convictions in public, would time and again lie to cover their tracks and disguise the real purpose behind the ID policy”. ■

² **Link to Judge Jones’ Opinion** - Visit the MSTa website at www.msta-mich.org and select the “Evolution Education” tab or visit http://www.pamd.uscourts.gov/kitzmiller/kitzmiller_342.pdf