

# **Summer for the Gods: The Scopes Trial and America's Continuing Debate Over Science and Religion Study Guide**

**Summer for the Gods: The Scopes Trial and America's Continuing Debate Over Science and Religion by Edward Larson**

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# Plot Summary

*Summer for the Gods: The Scopes Trial and America's Continuing Debate Over Science and Religion* focuses on the Scopes trial, also known as the "Monkey Trial," which happened in Dayton, Tennessee in the summer of 1925. The trial took place over a Tennessee law that banned the teaching of human evolution in public schools. The American Civil Liberties Union wanted to challenge the law, and a young teacher named John Scopes, agreed to help them. The so-called "trial of the century" brought together the famed politician and orator, William Jennings Bryan, who led the anti-evolution crusade; and Clarence Darrow, who was regarded as the best criminal defense lawyer of the time. The two men, along with their respective counsels, went head to head in the trial with the prosecution eventually able to uphold the law.

In the first section of the book, Larson lays the groundwork for the trial by examining the socio-political context in the United States during this time. While evolution and religion had coexisted relatively harmoniously during the mid 19<sup>th</sup> century, more fossil discoveries, the rise of religious fundamentalism, and increased attendance in public high schools influenced the rise of the anti-evolution movement in the United States. The movement, led by William Jennings Bryan, argued that evolution theories were dangerous and should not be taught within the public school system. Advocates for this view argued that the majority should be able to decide such matters and take precedence over individual rights, such as the freedom of speech. The ACLU also organized during the early part of the twentieth century; often taking on cases of individual rights and the first amendment.

After the Tennessee law had been passed banning the teaching of human evolution, the ACLU advertised in Tennessee for a teacher who would be willing to serve as a test case for the law. Leaders in Dayton believed that by becoming part of this they would be able to bring publicity about Dayton to a wider audience and hopefully entice families and businesses to move to town. The leaders asked John Scopes, who had been filling in for the regular biology teacher at the high school, to cooperate with them and he agreed. As these events were made known to the public, William Jennings Bryan volunteered to serve on the prosecution and Clarence Darrow followed for the defense. After a great deal of public strategizing and posturing on the part of both the prosecution and defense, the trial opened on July 10, 1925. The defense challenged the constitutionality of the statute in a motion to stop the indictment, but the judge ruled against them; allowing the trial to go on. The judge also ruled that expert testimony, which the defense had been relying on, could only be entered in written form for appellate review. The jury in the case would never hear or see it. Due to the heat and the crowd that had gathered, the trial was moved to the courthouse lawn. It was there that the defense called William Jennings Bryan, the leader of the prosecution and the anti-evolution movement, to the stand. Darrow peppered him with questions. Eventually, Bryan admitted that he interpreted parts of the Bible; rather than taking an exact literal understanding. The defense waived closing arguments, eliminating a grandstand closing argument by the prosecution. The jury, who had heard very little of the actual

proceedings including the Bryan-Darrow showdown, returned nine minutes into deliberation with a guilty verdict.

After the trial, both sides claimed victory. While the prosecution had successfully upheld the Tennessee statute, the defense believed that the popular reaction was clearly on their side. Bryan died in his sleep several days after the trial ended, and other anti-evolutionist crusaders vowed to carry on his cause. In the subsequent appeal, the Tennessee Supreme Court stated that the law applied only to public employees acting in their official capacity and thus did not infringe on freedom of speech. However, they also overturned Scopes's conviction on a technicality.

While neither side was able to claim a clear victory in the immediate aftermath of the trial, the next several decades would create a different legacy for the issue. From the 1930s to 1960s, books and films about the trial argued the defense had won a decisive victory over the anti-evolution campaign, despite their actual loss. Authors wrote about the decline of the anti-evolution movement after the trial, but Larson argues that there was not so much a decline as a fundamentalist turn inward ; where fundamentalism did not actually disappear. Rather, many fundamentalists set out to create separate religiously based educational and social institutions. In the 1960s, anti-evolution statutes were overturned and advocates turned toward trying to pass laws that required the teaching of creationism rather than banning evolution theories.

# Introduction

## Introduction Summary

One of the most famous courtroom scenes in American history took place during the Scopes trial. The defense attorney, Clarence Darrow, called William Jennings Bryan, one of the prosecutors and a leader in the fundamentalist cause against evolution, to the stand. Due to the large crowd that had gathered for the trial, the questioning took place on a wooden platform on the courthouse lawn. Darrow questioned Bryan about several Old Testament miracles, eliciting in pieces the response he had wanted: that some passages of scripture needed interpretation. Bryan, caught between arguing for a literal interpretation of the Bible and accommodating facts about the solar system and geology, conceded this critical point. The chief prosecutor called for the end of the questioning, but Bryan refused to leave the witness chair; determined to defend revealed religion.

Although Darrow never specifically asked about evolution, he did lead Bryan through a series of questions intended to show that the reliance on the Bible as a source for the educational teaching of nature and science was faulty ; which was the question that the trial rested on. Darrow came to defend John Scopes, who had been arrested for violating the Tennessee law that said evolution could not be taught within public schools. Bryan came as one of the foremost crusaders on anti-evolutionism; arguing that states and school districts (or the majority) should have the right to determine what was taught.

## Introduction Analysis

The introduction serves as a preview of the Scopes trial and the issues that it raised for American society. The scene that Larson describes is reminiscent of the many dramatic courtroom scenes presented each week on popular television series and movies. We can picture the sea of people on the courthouse lawn, straining to see and hear the questioning on the platform. The defense, in a twisted strategy, calls one of the prosecutors to the stand to testify as a hostile witness. Bryan, both the prosecutor and a former Secretary of State, is widely recognized as the leader of the anti-evolution campaign, and he both helped write and lobby for the very law that is being contested. Darrow, one of the most famous defense attorneys at the time, volunteered to defend Scopes not only because he believed that teachers should be allowed to teach evolution, but also because he wanted to debate Bryan.

By choosing to describe this moment in the trial, the author is drawing the reader in and framing the rest of the book. The scene foreshadows the events that would lead up to the trial and the events of the trial itself. We are introduced to the leading players, Darrow and Bryan, and given a sense of the antagonism and tension between them. They have both come to Dayton, Tennessee to win, but only one of them will.

# Part 1, Chapter 1 Digging Up Controversy

## Part 1, Chapter 1 Digging Up Controversy Summary

In the decades leading up to the Scopes trial, Charles Dawson found part of a parietal bone and other skull pieces for what would come to be known as the Piltdown skull. Scientists believed the cranium was hominoid because of its size and shape. However, the jaw for the Piltdown skull appeared to be of an unknown ape. Arthur Smith Woodward, a paleontologist with the British Museum, labeled the find a new species of extinct hominoid called *Eoanthropus dasoni*. As word of the discovery leaked into popular society, newspapers proclaimed that the skull was a missing link between humans and apes and that Darwin's theory of evolution had been proved correct. This discovery was part of a larger accumulation of evidence on the Darwinian view of human origins. The larger public within the United States began to take notice.

The history of both evolutionist theory and the controversy over it was not new to the early twentieth century. More than a century before Darwin, Chevalier de Lamarck, a French naturalist, suggested a theory of "progressive evolutionary development based on vital forces within living things and the inheritance of acquired characteristics" (pg. 14). He argued that environmental changes could affect the biological makeup of living things and that these changes would be passed on to offspring. Most early nineteenth century scientists did not accept Lamarck's theory however. More widely accepted was a theory by Georges Cuvier, which argued that the earth had a very long geologic history and that some biological species had become extinct. Some geologists reconciled their Christian beliefs with this theory by positing that the biblical account of six days was symbolic rather than literal.

Darwin's theory of evolutionary change and survival of the fittest created problems for many Christians. "Darwin's account of random variations, coupled with his survival-of-the-fittest selection process, posed a critical problem for many Christians who retained a teleological view of nature" (pg. 17). By the late 1800s, some church leaders raised alarms about Darwinism and evolutionary theories. Some proposed a theistic theory where God created variations, which led to evolutionary development. By the turn of the century, historians and writers were keeping alive the idea of disagreement between science and religion. These writers did not acknowledge or incorporate the growing consensus at the time between theologians and scientists. In the years leading up to the trial, a number of books and articles were written about the "conflict" between science and religion; helping to ingrain this idea into the minds of many secular Americans.

The anti-evolution crusade did revive in the 1920s; its timing influenced by several factors. First, it was around this time that the children of many fundamentalists began encountering Darwinism in the public school system. Textbooks for children began to incorporate more of Darwin's theory. At the same time, enrollment in high schools was

at all time highs in the 1920s. Christian scientists were also less able, due to discoveries in experimental genetics, to step into the fray and offer alternative theories that incorporated both Christianity and science. The campaign for eugenic restrictions also reached a peak during this time. New fossil discoveries pushed evolution to the forefront of public debate.

## **Part 1, Chapter 1 Digging Up Controversy Analysis**

In the first few chapters of the book, Larson sets the stage for the Scopes trial. In this chapter, he briefly discusses the development of evolutionary theory. One of the interesting points of this chapter is that Christianity and science existed within a fairly harmonious relationship for a period of time; contrary to how the tension of evolution and fundamental religion is often portrayed. Larson shows that some theories of evolutionary development fit nicely within a Christian explanation of the world. This would change in the 1920s as the anti-evolutionary movement gained ground and acceptance among some segments of society, most notably fundamentalist Christians.

Larson also examines the timing of the anti-evolution movement and why the 1920s was pivotal. One of the important developments leading up to this point is the growth of public schools. The combinations of child labor laws and compulsory education laws meant that more and more students were remaining in school beyond the elementary level. This meant that more and more students were coming into contact with the teaching of evolution in high school biology classes. Combined with the growth of the fundamentalist movement, the greater numbers of students meant that conservative Christian parents were faced with a situation where their faith and their children's education were coming into conflict. These parents believed that by banning evolutionary theories their children would not be "misled" by the "danger" of evolution.

# Part 1, Chapter 2 Government by the People

## Part 1, Chapter 2 Government by the People Summary

With new fossil discoveries and discussion of evolution, anti-evolutionists responded to the evidence and called for restrictions on teaching evolution in schools. Some decried the fossils as frauds or challenged their antiquity. The anti-evolution movement developed during the 1920s. It developed in the direction it did because of fundamentalists' opposition to modernism and because of William Jennings Bryan's leadership.

Fundamentalism grew out of several different strands of conservative Christianity. Leaders within the Baptist and Presbyterian denominations stressed the divine inspiration of the Bible and literal interpretations of Biblical accounts. The holiness movement, from the Methodist church, and Pentecostalism brought to the movement large numbers of believers who were ready to fight the teaching of evolution. "The culprit, they all agreed, was a form of theological liberalism known as 'modernism' that was gaining acceptance within most mainline Protestant denominations" (pg. 33). Modernists argued that what mattered was not necessarily the precise historical accuracy of the Bible but rather how the accounts within scripture were understood and applied to the needs of people.

World War I played an important role in the tensions between fundamentalists and modernists. Many modernists supported the war and intervention in global affairs. Many fundamentalists shared Bryan's belief that the war was a sign of the end times and that America's position should be one of peace. After the war, the cultural crisis grew worse for fundamentalists, and they began to move toward social action on behalf of their beliefs. The World's Christian Fundamentals Association brought together around 6,000 conservatives at their inaugural conference in 1919.

Larson also argues that William Jennings Bryan played an influential role in both the rise of the anti-evolutionary movement and in the events leading to the Scopes trial. Bryan was elected to Congress in 1890 as a Democratic politician from Nebraska. There, he earned the nickname "The Boy Orator of the Platte." In 1896, he ran for President but was defeated. Two more presidential nominations were followed by two more defeats. Bryan's career then veered to public speaking and writing, using a mixture of majoritarian political views and Protestant theology. In 1912, he became the Secretary of State under Woodrow Wilson, but he resigned from the post in disagreement over entering World War I. He then resumed his public lectures and writing on political and religious topics. Two topics dominated his lectures: the conservative federal Republican administrations and the teaching of evolution in public schools. His anti-evolution stance fit well with his political views, particularly in regards to majoritarianism. Bryan believed that the teaching of evolution in public schools was



causing students to turn away from their religious beliefs. By 1921, he was speaking widely about the dangers of Darwinian thought. He also believed that the majority should be able to set the rules, including what should be taught in public schools.

Despite its rise, the anti-evolution movement lacked a clear, specific legal or political issue. By late 1921, however, this changed. A group in Kentucky called for a law against teaching evolution in schools. Bryan heard about this and began supporting the idea in his lectures and writing. He addressed the joint session of the Kentucky legislature and toured the state in support of the bill, which was defeated by a single vote in the state's House of Representatives. Bryan would continue to call for such action in other states, often by arguing that taxpayers should be able to determine what is taught. Bryan, along with the fundamentalist movement, helped revive the discussions of evolution and its religious implications into a major political issue.

Bryan sought political reform on the issue of teaching evolution. During 1923, six states considered anti-evolution proposals and Bryan was involved in all. Both Oklahoma and Florida passed minor resolutions on the issue. Anti-evolutionists began focusing on Tennessee after 1923, as they believed it offered a promising site for passing legislation. Bryan and other anti-evolutionists toured the state giving lectures on the topic. In 1925, John W. Butler submitted a bill proposal to the Tennessee House of Representatives, which declared a misdemeanor for any public school teacher that taught "any theory that denies the story of the Divine Creation of man as taught in the Bible, and to teach instead that man had descended from a lower order of animal" (pg. 50). The House passed the proposal without any amendments, reflecting the general support for limits on teaching evolution rather than the specific parts of the pending proposal. Although it had received little attention before this, after the House vote, state newspapers, modernist clergy, and others came out in opposition to the proposed legislation. The Senate judiciary committee rejected the bill, but the full Senate adopted a motion to hear the proposed bill. Although Bryan declined an invitation to speak to the joint session of the Tennessee legislature about the bill, he did offer the suggestion that it was better not to have a penalty included in the bill, as this would eliminate any martyrs for the cause (and this would have eliminated a case like the Scopes trial from even happening). The Senate passed the bill and sent it to the governor. Although some argued that the proposed bill would infringe on individual rights and various groups urged the governor to veto the bill, the majority of letters to the governor on the issue asked him to support it. He would eventually do just that, arguing that it was the majority's wish and that the law would not put teachers in jeopardy.

## **Part 1, Chapter 2 Government by the People Analysis**

Building upon the last chapter, Larson shows how the anti-evolutionary movement developed and grew. We also see how these factors led to the Scopes trial as it happened. First, the development of a strong anti-evolution movement was necessary. The discovery of more fossils and more evidence for evolution strained the religious understandings and explanations of evolution. Conservative religious scholars, ministers, and lay people found it harder and harder to reconcile the theories of

evolution with their religious beliefs. As more and more of their children entered public schools, they became concerned about the "dangers" of evolution to their children's well-being and faith.

We also see in this chapter the path of Bryan to the trial. Without Bryan, the journey to the trial and the trial itself would have been very different, if they had happened at all. Bryan himself is a main figure in the movement and because of his prominence a very influential one. He provides a well-known public figure for the cause. He also provides the fire and conviction necessary for a leader who wants to motivate others to join him in his cause. Bryan also is involved in most of the anti-evolution laws during this time; even helping to write some of them. Interestingly though, if policymakers had followed Bryan's advice, the Tennessee law would carry no penalty for violations. This would have meant that there would have been no criminal trials and particularly, no Scopes trial.

# Part 1, Chapter 3 In Defense of Individual Liberty

## Part 1, Chapter 3 In Defense of Individual Liberty Summary

The National Civil Liberties Bureau was established in 1917 to defend protesters and conscientious objectors to World War I. Through their experiences with this, activists saw that majority rule and liberty were not one and the same. After the war, defending labor union activists became the primary focus of the organization. They also changed the name to the American Civil Liberties Union (ACLU) to reflect this new focus. By 1925, the ACLU was still looking for its first courtroom success, largely due to the fact that the first amendment was given little meaning in the federal courts and its wording did not necessarily protect freedom of speech at the state level.

When the Tennessee law against teaching evolution was enacted, the ACLU took notice instead of viewing it as an insignificant law in a more conservative state. In part, this was because they saw the law as part of a larger picture of a systematic "assault" on individual liberty that began with restrictions during World War I. The ACLU also worked with Clarence Darrow during some labor trials, which would eventually help lead to his participation in the Scopes trial. By the 1920s, Darrow was regarded as one of the most famous trial lawyers in America. In the late 1890s, he defended the Socialist labor leader, Eugene V. Debs. He also defended two union leaders accused of blowing up the *Los Angeles Times* building. Gradually, his practice shifted to criminal law. He often sought to challenge traditional ideologies of morality and religion, and he grew to view evolution theory as one way to debunk biblical accounts of divine creation, design, and intervention. With the Scopes trial, neither Scopes nor free speech figured prominently in Darrow's reasons for joining the defense, which would concern some ACLU leaders.

Academic freedom had always been a concern for the ACLU, as it related to free speech. During WWI, they had defended teachers fired for opposing the war and fought school systems over mandatory patriotic exercises. They had also been involved in fights over curriculum; particularly that which promoted patriotism openly and labeled anything foreign as bad. In the early twentieth century, there was also an increasing drive to free higher education from religious and political influences. Universities began incorporating tenure and academic freedom to protect the freedom of speech and research. Professional organizations investigated several instances of professors dismissed for teaching evolution. Gradually, the desire for academic freedom spread to secondary schools and the ACLU played a primary role in this, defending teachers and issuing statements on the issue.

When the Tennessee bill was passed, the ACLU ran a press release in the *Chattanooga Times*, looking for a teacher who would be willing to work with the ACLU and challenge the law in court. This set the ball in motion for the Scopes trial.

## **Part 1, Chapter 3 In Defense of Individual Liberty Analysis**

With this chapter, we see the other half of the fundamentalist-evolution debate, this time focusing on those who were fighting for individual liberties in the early twentieth century. Larson shows how the origins of the ACLU put them into a position to test the Tennessee law and help defend Scopes. Viewed in isolation, the Scopes case may seem like an odd case for the ACLU to want to take, but members of the ACLU viewed the Tennessee statute as one more attempt to limit individual rights and liberties. It is also interesting to note that the ACLU had been largely unsuccessful in the cases they had taken so far. In part, this was probably due to the general sentiments of anticommunism and patriotism that permeated society during and immediately following WWI. Individuals who challenged these ideologies had strikes against them in the public perception.

Darrow presents an interesting contrast and comparison to Bryan, and their previous battles only paved the way for their showdown in Dayton. Both men were strong personalities and passionate about the causes and ideas they believed in. Neither man backed down from the challenges presented by the Scopes trial. Yet, they also differ in their religious beliefs or lack thereof, and their view of human evolution theories. Larson shows us later in the book the legal and social strategies that each used before, during, and after in the Scopes trial.

## Part 2, Chapter 4 Choosing Sides

### Part 2, Chapter 4 Choosing Sides Summary

In 1925, Dayton Tennessee was a relatively new town, lacking a sense of tradition. Located between Knoxville and Chattanooga in the Tennessee River valley in East Tennessee, Dayton seemed like an odd place for the Scopes trial to take place. The population had been slowly dwindling and was less than 1,800 at the time of the Scopes trial.

On the day that the press release appeared in the newspaper, George W. Rappleyea, a New Yorker originally with a chemical engineering doctorate, saw a way to challenge the anti-evolution law. He went to Fred E. Robinson's drugstore, where a number of prominent businessmen and professionals gathered. Members of the school board and others thought that challenging the case might bring publicity to the town. Rappleyea placed an initial call to the ACLU in New York.

The following day, other key members of the trial came on board the plan. Two young attorneys and brothers, Herbert E. and Sue K. (named after his mother) Hicks, agreed to serve on the prosecution. These men were two of the few people involved in starting the case who actually had concerns about teaching evolution. The planners also enlisted the help of John T. Scopes, the high school's 24-year-old general science teacher and football coach. The state approved text he had been using while filling in for the regular biology teacher contained information on evolution. In many ways, Scopes was the ideal defendant. He was single, didn't intend on staying in Dayton long-term, and had little to lose. He was well liked, shy, and unlikely to ruffle feathers with soapbox speeches on evolution or by looking like a radical.

After the major players were on board, Rappleyea called for the local justice of the peace, who swore out an arrest warrant for Scopes. He then wired the ACLU, and Robinson, a member of the school board, called several state newspapers. The case, from the onset, did not appear to be a regular case. The ACLU was paying the expenses of the litigation, and the prosecution was acting under the ACLU. Journalists covering the case noted the lack of hostility or tension between the prosecution and defense. Many saw the events as a publicity stunt for Dayton and many newspapers criticized Dayton for this.

A preliminary hearing took place on May 9, 1925. John Randolph Neal served as the primary defense and he readily conceded Scopes had taught human evolution but that it did not conflict with the biblical account and as such did not violate the statute. In mid-May, William Jennings Bryan volunteered his services for the prosecution even though he had not practiced law for over thirty years. Bryan believed that participating would give him an opportunity to gain publicity for the anti-evolution campaign. Around the same time, he gave a speech at the World's Christian Fundamentals Association's meeting. He stressed that "evolution theory lacked scientific proof; teaching it to

students undermined their religious faith and social values; and most important, that the 'Bible-believing' majority should control the content of public school instruction" (pg. 98). As Bryan wanted to serve without compensation, the ACLU began to lose control over what was to have been a narrow constitutional test case. It would completely lose control when Darrow stepped forward to lead the defense.

Although the ACLU tried to displace Darrow, he had the right experience for the defense. One of the concerns with Darrow was that he was too radical and that with him and Bryan working on the trial, it would become a clash between religion and anti-religion. But, in the end, the defense consisted of Neal, Darrow, Colby, Rosensohm, and Malone. Hays would later replace Rosensohm as the ACLU representative. Darrow would set the tone for the case from the beginning. There were differences among the defense attorneys over their approaches to the trial.

On May 25, however, the grand jury heard only the prosecution's arguments. Tom Stewart, the district's attorney general, presented the case. He offered the textbook in question, read passages from it on human evolution, and brought forward several students who testified that Scopes had used the book to teach about human evolution. Scopes had asked some of his students to testify against him even though they were reluctant to do so. John T. Raulston, the presiding judge, wanted an indictment. He had already offered to move up the trial so that it would not conflict with the school session. His desire to indict came from two factors. First, Raulston wanted the publicity. He was also a conservative Christian and felt called by God to serve over the trial.

## **Part 2, Chapter 4 Choosing Sides Analysis**

Now that Larson has put the trial into the larger historical context in the previous chapters, he moves on to explaining the immediate events that led to the trial. One of the interesting pieces of this chapter is the origin of the trial and its almost harmonious decision-making before Darrow and Bryan joined in. In the very beginning, the Dayton group was very much in agreement about challenging the law, if only to bring publicity to Dayton. The group worked intricately with the ACLU at this point and there was little to no animosity between the defense and prosecution. This would all largely change with the introduction of Bryan and Darrow to their respective sides. The animosity and tension between the two would transform the trial.

Dayton seems like an unlikely choice for the Scopes trial. More rural, dwindling in numbers, and not really having any prior tensions about the evolution teaching issue, Dayton would seem like the last place this type of trial would happen. It seems more likely that a trial would happen in a town already arguing about this issue or one with a larger split between fundamentalists and scientists, for example. Dayton sought the publicity that the trial could give them, as well as a boost for their economy with the visitors and reporters who came for the trial. However, this didn't entirely work. Dayton was criticized for promoting the trial and using the test case for reasons that really had nothing to do with concern over the case itself.

## Part 2, Chapter 5 Jockeying for Position

### Part 2, Chapter 5 Jockeying for Position Summary

In June, Scopes went to New York to confer with ACLU officials, who wanted to make Scopes look as all-American as possible. Scopes also met with three well-known scientists: Henry Fairfield Osborn, a paleontologist, the psychologist J. McKeen Cattell, and Charles B. Davenport, a eugenicist. These three men would help shape public response to the Scopes trial. Osborn had already been debating with Bryan for years over the teaching of evolution and in the wake of the upcoming trial, he increased his efforts to show human evolution's compatibility with Christianity. With the publicity given to the trial by these three men, curiosity about evolution became widespread. Books about evolution sold briskly. Liberal ministers spoke out about the Scopes trial, and some even volunteered to serve as defense experts.

Although middle ground existed between the modernists and fundamentalists, it garnered little attention. Many of the people at both ends of the spectrum dismissed and scorned those who tried to find a middle ground. But it didn't remain entirely quiet either. President Hibbon of Princeton complained that he didn't want someone trying to force him to choose between science and evolution. Most national politicians also chose to, at least publicly, straddle the fence on the Scopes trial. President Calvin Coolidge, for example, stated that the trial was a Tennessee matter. The middle received little attention from the press who were more interested in sensationalizing the perceived battle between religion and science.

Fundamentalists, however, rushed in to debate and challenge modernists and evolutionists. The public, in turn, was fascinated by the formal debates that took place between those who supported and opposed the theory evolution. The debates showed that many people who doubted the theory of evolution were not wholly opposed to its inclusion in school curriculums. Most major newspapers also supported the defense and anti-evolutionists often turned to outlets like church newsletters and journals to discuss their views.

Bryan was at the center of the pretrial publicity, traveling extensively to speak. He continually argued that it was the right of the people of Tennessee to control the schools (and their curriculum) that they support. Yet, Bryan also wanted to debunk evolution theories through expert testimony. The prosecution privately boasted that they would ambush the defense, as they would be expecting the prosecution to restrict the case to the right of the people to control school curriculum. Bryan left the legal issues to the other lawyers and assumed responsibility for finding scientists and theologians to testify, but he ran into problems here. None of the potential witnesses for the prosecution wanted to participate. Ben G. McKenzie, the circuit's retired attorney general, and William Jennings Bryan, Jr. also joined the prosecution's team. With advice from another lawyer, Bryan began to believe that the trial needed to exclude any discussion on the subject of evolution itself.



The defense, however, took a more varied view of the questions raised by the state law. As the Tennessee law explicitly outlawed teaching that denied the biblical account of creation, the defense wanted to show that biblical interpretations differed. They began trying to educate the public about evolution. While the prosecution tried to stay as quiet as possible about possible tactics, the defense discussed their strategies openly and issued daily announcements about the expert witnesses who might testify. Darrow also gave a series of public lectures and press statements, in an effort to counteract Bryan's lectures. Others on the defense did the same. Malone took on the responsibility of pressing that evolution and the biblical account did not conflict. Neal focused on academic freedom in his public statements.

As the trial date approached, Dayton prepared. Officials roped off six blocks on the main street for a pedestrian mall and a temporary tourist camp was set up. The town's hotels placed cots in the hallways and workers built a speaker's platform on the courthouse lawn. The courtroom was painted and additional seats were added. Microphones in the courtroom were linked to loudspeakers outside the courthouse. Many residents left, leasing their homes to reporters or tourists. About two hundred reporters covered the trial from Dayton. Bryan arrived three days before the trial, giving him control over the "stage" of Dayton until the defense arrived.

## **Part 2, Chapter 5 Jockeying for Position Analysis**

In many ways, the media played an important role in the Scopes trial. As this chapter discusses, the media helped whip up controversy around the trial, focusing on the extreme arguments and stances rather than the middle ground that most Americans held. The media lapped up the lectures and press releases that the lawyers gave. They published account after account on the trial and the issues around it. The circus-like atmosphere was also increased by Dayton's actions in making the town ready for visitors and journalists. Everyone was preparing for a sensational and explosive trial and the expectations and planning helped to create an atmosphere for that to happen in. In some ways, their very preparation made it possible for the atmosphere to grow. Without the transformation of Dayton, visitors may not have had places to stay or felt welcome in the town.

The chapter also illustrates the ongoing strategic planning on the parts of both the defense and prosecution. While the prosecution hoped to keep most of their strategy quiet, the defense openly issued statements about what they might do and whom they might call. As it would turn out, many of these statements and proclamations were attempts to keep the prosecution off guard so they would not know what to expect or plan for. As the chapter shows, both sides used the media for their own purposes. They also both tried to throw off the other side; either by keeping quiet or broadcasting everything possible. In both cases, it created a situation where although both sides had suspicions about what the other was going to do, they didn't know this with any certainty, forcing them to prepare for every situation.



## Part 2, Chapter 6 Preliminary Rounds

### Part 2, Chapter 6 Preliminary Rounds Summary

The trial opened on Friday, July 10, 1925. The courtroom filled with people early and latecomers spilled over into the hallway. The trial opened with a prayer by a local fundamentalist minister. The same grand jury that had convened several months earlier was brought back as a new indictment was needed. The proceedings took the greater part of the morning and jury selection began after lunch. The prosecution readily accepted almost everyone; Darrow tried to find jurors who professed an open mind. In his questioning of potential jurors, he generally covered three topics: whether the juror knew anything about evolution, whether the juror thought the Bible was against evolution, and finally, if the juror thought he (as they were all men) could make up his own mind based on the case presented. Because of the high publicity, virtually all the potential jurors wanted to be on the jury, if only to guarantee a front row seat. Darrow also pushed for an early ruling on whether the scientific expert witnesses would be allowed. Raulston said that he would hear the matter the next week on Monday.

That weekend, most of the prosecution drove into the mountains, while Bryan stayed behind to issue press releases and speak publicly about the case. On Sunday, Bryan delivered the morning sermon at one of Dayton's churches, to an audience that included Judge Raulston. That afternoon, he gave a prepared speech on the courthouse lawn, and although he was restricted from speaking about evolution there, he managed to get his point across.

On Monday, another conservative Dayton minister gave the morning prayer. "Even without consideration of the competency of expert testimony, this was a crucial day for the defense. It presented an opportunity, at the start of the trial, to challenge the constitutionality of the anti-evolution statute through a motion to quash the indictment" (pg. 158). The defense identified fourteen different constitutional objections to the statute and each side spoke about the law and the constitutionality of the law. The defense stressed freedom of speech and the separation of church and state. The prosecution argued that the majority should be able to decide what was taught in schools. Darrow's rebuttal was important because the defense planned on foregoing any closing argument, which would also cut out the prosecution's. He argued that the statute was illegal because it established a specific religious stance. He also contended that there were multiple interpretations of biblical accounts, and that the statute imposed one interpretation.

Although the court convened the next morning, Raulston adjourned it to the afternoon; as a storm had affected the town's water and power the evening before and he had not had the chance to prepare his ruling. The issue of the daily prayer came up both in the morning and afternoon. Raulston deferred the decision of who was to pray to the local pastors' association. Although many thought the group would simply choose fundamentalists, the association surprised most by alternating between conservatives

and modernists for the rest of the trial. Finally, Raulston rejected the defense motions to quash the indictment.

## **Part 2, Chapter 6 Preliminary Rounds Analysis**

The chapter discusses the beginnings of the Scopes trial. The events and arguments echo those from speeches and strategies before that trial. The jockeying for position that Larson describes in the previous chapter follows through the beginning of the trial. One of these events in the trial is the controversy over the morning prayer. Conservative and fundamental ministers had been giving the prayers each morning. The defense argued that given the nature of the trial that prayer shouldn't be included in the trial or that modernists should also be included. The judge asked a local pastor's association to handle the issue and somewhat surprisingly, the group did try to alternate between conservatives and modernists for the morning prayer. The issue in some ways illustrates the position of Judge Raulston, who believed that it was his calling to preside over the trial.

The early legal issues also echo the arguments before the trial. The prosecution argued, in response to defense motions to quash the indictment, that the majority should be able to set what is taught in public schools and if the majority decides that evolution theories should not be taught, this should be accepted. The defense countered with the familiar argument that the law banned teaching that denied the biblical account but that there were many interpretations of the Bible. This argument would be carried through into Darrow's questioning of Bryan later in the trial.

## Part 2, Chapter 7 The Trial of the Century

### Part 2, Chapter 7 The Trial of the Century Summary

On Wednesday, the judge recalled the jurors and instructed each side to give their opening statements. The prosecution opened by briefly arguing that Scopes had violated the anti-evolution law by teaching that humans evolved from other life forms and that this denied the biblical account of creation. The defense countered by arguing in their opening statement that this was all a matter of interpretation and that there were many people who believed both in the Bible and evolution.

The prosecution called four witnesses. Superintendent White testified that Scopes had admitted that he taught the theory of evolution from the text. In the cross examination, White admitted to Darrow that the text had been officially adopted by the state textbook commission. Two high school students testified that Scopes had once discussed human evolution with them. Under defense questioning, the boys stated that they were both still attending church. Fred Robinson was the last witness for the prosecution and he stated that Scopes knew he was violating the law.

The defense opened with a zoologist, Maynard M. Metcalf. This meant that Scopes would not testify in his own trial, as he was required by law to be the first witness for the defense if he was to testify. When Darrow began questioning him about the theory of evolution, the prosecution objected to the use of expert witnesses, stating that the statute outlawed the teaching of human evolution regardless of what it meant or whether it conflicted with the biblical account. The defense, however, sought to argue that the law was directed only at teachings that denied the biblical account of creation and as such, the evidence was relevant.

The jurors left the courtroom again and the two sides argued the admissibility of expert testimony on evolution for several days. The judge heard the testimony of Metcalf during the Wednesday afternoon session. The following day, arguments centered on what the law meant and if testimony on evolution was relevant. The prosecution argued that the law simply barred the teaching of evolution, regardless of what evolution was or was not. Bryan argued that the defense didn't need biblical experts because it didn't take an expert to understand the accounts in the Bible. The defense argued that the law stated that the teaching must deny the biblical account of creation and thus, it was important to understand what evolution was understood to be. Almost everyone on both the prosecution and defense spoke about the measure. On Friday, Raulston, under pressure from state leaders, adopted the prosecution's argument but did offer to let the defense submit written testimony to submit for appellate review. The court recessed until the following Monday. That weekend, the expert witnesses would produce more than 60,000 words of testimony, which was all duplicated for the press. The prosecution viewed this as an important victory. Bryan began talking about spreading the anti-evolution campaign to other states, and he issued a long written statement about the trial's impact on this.

The following Monday, court resumed. Darrow was cited for contempt of court for comments he had made on Friday, but this made little effect on the day's events. Raulston agreed to let Hays read selected parts of the expert testimony and the rest would be submitted. The readings discussed the case for evolution in great detail but the jury heard none of it. Darrow apologized for his comments and Raulston dismissed the charges.

That afternoon, the judge moved the trial proceedings to the courthouse lawn. With the jury still excused, Bryan was called to the stand in the scene that Larson began the book with. As word of this spread, more and more people gathered to watch. With his questions, Darrow challenged biblical literalism, compelling Bryan "to choose between his crude beliefs and the common intelligence of modern times—or to admit ignorance" (pg. 188). At the end, Bryan had conceded that he interpreted the Bible and at times, that he didn't know the answers to the biblical questions that Darrow raised. A day later, Raulston barred further examinations of Bryan and expunged his testimony from the day before.

At this point, Darrow ended the defense, without a closing argument. This deprived Bryan of a chance to deliver his closing argument, which he been working on for a long period of time, and averted the chance of a hung jury, which would have only prolonged the defense appeal. The jury returned to the room, having heard only two hours of testimony and missing all of the memorable speeches and questioning. The jury deliberated for only nine minutes before returning with a guilty verdict. The jury let the judge impose the minimum \$100 fine.

## **Part 2, Chapter 7 The Trial of the Century Analysis**

Larson uses the descriptions of the trial and statements of the individuals present to paint a picture of the atmosphere in Dayton during the trial. From his descriptions, it is easy to picture the hundreds of people who gathered each day to cram into the courtroom to hear the proceedings and the overwhelming heat that permeated the room, made worse by the bodies crushed together in the seats and hallways. In many ways, the atmosphere surrounding the trial took on a circus like appearance. While people in Dayton had originally welcomed the trial, by the time the trial was underway, many were having second thoughts about the implications of having the trial in their town.

The drama of the Bryan-Darrow showdown is only increased by the events of the day. With the extreme heat and the overcrowding, the judge chose to move the trial out to the courtroom lawn. In a scene that seems film-like, the participants sit on a platform and the audience has a clear view of Darrow questioning Bryan about his understanding of the Bible. We can only imagine the sight and feelings of the prosecution when Bryan was called to the stand unexpectedly. Larson writes that the crowd grew from several hundred to over three thousand people, all hoping to catch a glimpse of the spectacle. As Darrow pushed, Bryan had to concede that he interpreted the Bible. This moment,

with all its drama, is perhaps why the Scopes trial is widely regarded as the trial of the century.

In the end, Scopes is found guilty and the prosecution has its legal victory. The defense seems to expect this and is already thinking ahead to the appeals they would file. The majoritarian rule had claimed victory over the notion of individual liberty.

## Part 3, Chapter 8 The End of an Era

### Part 3, Chapter 8 The End of an Era Summary

The Scopes trial was hardly the end of the anti-evolution movement. Bryan immediately went on the offense for his crusade. He revised what would have been his closing argument into a fiery speech, arguing in it that: evolution theory contradicted the biblical account of creation, destroyed faith in God, diverted attention from spiritually and socially useful activities, and it undermined efforts to change society for the better. In the days following the trial, he arranged to have the address published and gave a rehearsal version of the speech to over 2,000 people in a tiny Tennessee town. His activities were soon cut short, however, when Bryan died on July 26, 1925, less than a week after the trial ended.

Dayton soon returned to normal in the absence of the trial. Scopes left following the verdict to study geology at the University of Chicago, although the Dayton school board did offer to renew his contract.

In the aftermath of the trial, both prosecution and defense claimed victory. Although the prosecution had seen the law upheld, the defense believed that they had won the popular reaction to the trial. Tennessee newspapers saw the trial both as a draw and as a victory for each side. The nation's press quickly turned from the trial or any significance it may have had to other topics. In contrast to later legends, no one at the time saw the trial as a clear-cut victory for the defense or the prosecution.

With Bryan's death, fundamentalists called for his crusade to continue, while the ACLU began preparations for an appeal. Although they tried to exclude Darrow from these proceedings, he remained on the defense team. Internal conflict, confusion, and maneuvering characterized both the defense and prosecution in the days before the state supreme court heard the case. The defense's argument essentially added nothing to the one they had presented in Dayton and seemed to hope that a less fundamental audience would preside over the case.

The Supreme Court in Tennessee heard the arguments in May and then waited seven months before issuing an opinion on the case. During this time, both sides predicted victory, yet the ACLU was also making plans for further appeals to the United States Supreme Court. This, however, was not to happen. The Tennessee Supreme Court stated that the anti-evolution law only applied to employees in their official roles and thus, did not infringe on individual freedom. The law would stand. The court, however, overturned Scopes' conviction, citing that the trial judge had fixed the amount of the fine, rather than the jury.

The Scopes trial came to a final end with neither side able to claim a decisive victory. The law came to symbolize different things for different groups of people. Many Southerners came to see it as a symbol of pride and regional identity. In the North, the

trial weakened the anti-evolution crusade as the trial came to symbolize the South and its "cultural wilderness." Both sides would battle over its legacy in the coming years. Members of the defense and prosecution wrote about the trial in books, articles and lectures.

## **Part 3, Chapter 8 The End of an Era Analysis**

In some ways, the aftermath of the Scopes trial is both anticlimactic and climatic at the same time. Both sides claim victory: the prosecution the victory in court and the defense the victory in public opinion. The same debates and arguments are still tossed around in speeches and articles. Both sides continue to experience confusion and shifts in the legal teams. John Scopes continues to exist almost out of sight, just as he had before and during the trial. The Tennessee Supreme Court finds a way of both upholding the statute and exonerating Scopes, who was really a pawn in the trial. Individual and groups continue to see different outcomes for the trial and for the events surrounding it.

Yet, Bryan's death is also shocking. Although he had been at least somewhat embarrassed by Darrow in court, the prosecution had won and Bryan was preparing for a whirlwind speaking tour about the trial and anti-evolution. Although some of his supporters would claim that it was Darrow's questioning that ultimately killed him, we will never know if this contributed to his death or if he died from completely separate reasons. Bryan's death also leaves the anti-evolution movement without a strong, prominent leader. Certainly, there were others who tried to pick up Bryan's crusade, but it is also worth considering without such a prominent profile within its ranks, the anti-evolution movement and fundamentalism would find other courses of action more accessible.



## Part 3, Chapter 9 Retelling the Story

### Part 3, Chapter 9 Retelling the Story Summary

From 1931 to 1960, the modern Scopes legend arose, helped along by the release of *Only Yesterday: An Informal History of the Nineteen-Twenties* and *Inherit the Wind*. *Only Yesterday* was written by Harper's editor Frederick Lewis Allen and published in 1931. In the book, he sought to provide a lively account of the 1920s, and the Scopes trial figured prominently in one of the middle chapters. The trial was presented with an overly simplistic analysis. Allen reduced fundamentalism to anti-evolution and anti-evolution to Bryan. In his account of Darrow questioning Bryan, Allen reconstructed the events and in doing so transformed the event into a defeat for fundamentalism. He argued that fundamentalism declined in response to the trial. In addition, Allen also confused the details of the trial's origin. Other writers followed Allen's unintentional reconstructions and viewed the trial as the last stand of fundamentalism.

For several years after the trial, the anti-evolution crusade had continued, but by the 1930s fundamentalist public political activity had decreased. Larson argues that by that time, fundamentalists had fewer reasons to worry about teaching evolution as many states and districts had limited the teaching of evolution already. High school texts were also rewritten in the wake of the Scopes trial, with many taking out or severely limiting discussion of human evolution. But fundamentalism didn't die out; rather it withdrew from the public eye. Many set out to create a separate sphere with independent social and educational institutions. During the 1930s, many fundamentalists schools, universities, radio ministries, and camps were created.

By the 1950s, the trial became popular among historians and the trial was often portrayed as a liberal victory over fundamentalism. Fundamentalists did little to counter this representation, largely ignoring the trial as they tried to build their separate institutions. Even an attempt in 1935 to repeal the law did not wholly arouse conservative attention. The repeal attempt was defeated anyway.

With the McCarthy-era attacks on individual liberty and rights, the Scopes trial came to symbolize an event where libertarians stood up to and defeated the majority. This symbolism lead to the retelling of the trial in Jerome Lawrence and Robert E. Lee's play, *Inherit the Wind*. The play used the premise of the trial while renaming characters and creating much of the text of the play. The authors made several key changes to the events of the Scopes trial. First, the character Cates (or Scopes) becomes the innocent victim of an anti-evolution mob. Bryan was transformed into a mindless creature of the mob, responding with foolishness when the character representing him is on the stand. Darrow (or Drummand) is made a hero of the libertarian victory. Although some criticized the play when it opened, it proved to be durable, finding success as both a play and a movie. The movie became a popular teaching tool for topics relating to the 1920s.



## Part 3, Chapter 9 Retelling the Story Analysis

In this chapter, Larson aptly illustrates how collective memories of events change over time and are influenced by the socio-political context in subsequent time periods. His discussion also illustrates how media are involved in the transmission of these memories. With *Only Yesterday* and *Inherit the Wind*, a different interpretation and view of the trial emerged. Instead of both sides claiming some victory, the remembrances of the trial placed victory solely with the defense (although the prosecution was still understood to have upheld the law). Darrow and Bryan's showdown became legendary, full of drama and suspense.

In some ways this turn was due to greater changes in society. The notion of individual rights had taken on greater currency than a majoritarian argument, which made more people identify with defense arguments. Fundamentalists had also largely turned inward, creating their own social and education institutions. As such, they did not greatly engage with or challenge the alternate visions of the trial and its legacy.

## Part 3, Chapter 10 Distant Echoes

### Part 3, Chapter 10 Distant Echoes Summary

Although fundamentalism did not die after the Scopes trial, the political landscape did shift, with Americans embracing the notions of individual liberty that the ACLU had advocated for during its early years. Schools boards and parents became more concerned about the inclusion of creation theories than about banning evolution theories.

The legend of the Scopes trial that developed during the middle twentieth century left many of the anti-evolution statutes vulnerable. By the 1960s, the Supreme Court began purging religious practices from school curriculums. The role of science also changed during this period. Fears over the cold war prompted Congress and the US government to give money to science programs and to developing new textbooks. The new textbooks caused teachers and others to question the old laws prohibiting the teaching of evolution theories.

Two lawsuits that sprung from this played important roles in overturning the anti-evolution laws. In 1965, the state teachers' organization instigated a lawsuit to challenge an Arkansas anti-evolution statute. The judge overturned the law on constitutional grounds. In Tennessee, opponents of the anti-evolution law used a threatened lawsuit to push the state congress to repeal the same law that was at the center of the Scopes trial. Two weeks later, the Arkansas Supreme Court overturned the judge's ruling in the first trial, and upheld the state's right to specify curriculum. The ACLU now had a case to appeal to the Supreme Court.

During the Supreme Court case, the memories and legacy of the Scopes trial swirled around the proceedings. All but one of the justices, however, voted to strike down the law. The media portrayed this as a long awaited victory for Scopes and the defense team, but the ruling failed to end the fundamental issues of either trial. Soon a movement developed that argued for equal time and/or balanced treatment for creationist theories. Three states (Tennessee, Arkansas, and Louisiana) adopted laws to mandate the teaching of creationist theories in public schools. Although the laws were all voted down as unconstitutional due to their wording, the court decisions did not end the drive to promote creationism. Instead, fundamentalists turned again toward developing church and home schooling.

In 1994, the legislators in Tennessee again sought to limit the teaching to evolution in public schools. In Alabama, the board of education mandated that textbooks carry a disclaimer that evolution was a controversial theory. In Georgia, legislators passed a measure that would facilitate teaching creationism in public schools. These proposed measures met with mixed reactions and a great deal of publicity. The Tennessee bill was eventually defeated.

## **Part 3, Chapter 10 Distant Echoes Analysis**

The anti-evolution crusade and debate did not die out with the Scopes trial. The shift in memories about the Scopes trial did, however, make the political landscape ripe in the 1960s for challenges to a number of anti-evolution statutes. By now, the first and fourteenth amendment were being widely applied at the state level and without a strong anti-evolution campaign, the laws were overturned and declared unconstitutional.

The change in the decades following the Scopes trial was that debate shifted from banning evolution theories to requiring creationist theories in the classroom. Fundamentalist groups pushed to mandate that creation had to be included alongside evolution and/or that evolution theories had to carry a disclaimer that they were only theories. These debates, different yet reminiscent of the arguments of the Scopes trial, continue into the present periods. As Larson discusses, state laws have been proposed in a number of states during the 1990s and the early twenty-first century.

# Characters

## William Jennings Bryan

Bryan entered Congress as thirty-year-old Democratic politician in 1890. He quickly earned the nicknames, "The Boy Orator" and "The Great Commoner," for his speaking ability and enthusiasm. In 1896, he was the Democratic party's presidential nomination and was only narrowly defeated in the election. He went on to gain two more presidential nominations and after two more defeats, to a life of speaking and writing, particularly focusing on majoritarian politics and Protestant lectures and themes. During the remainder of his life, he averaged over two hundred speeches per year and he wrote dozens of books. In 1912, Woodrow Wilson appointed him the Secretary of States, a post that he would later resign from over the United States entering WWI. He and his wife moved to Miami where he became a millionaire through the Florida land boom. By 1921, Bryan was speaking widely and writing about the dangers of evolution theories. He worked in several states trying to have anti-evolution resolutions passed in the state legislatures.

Larson portrays Bryan as intelligent and highly driven for the causes that he cared about. While liberal in some political areas, Bryan mixed this with his conservative Christianity. The anti-evolution crusade was the prominent cause for him during the later years of his life. He served as a member of the prosecution in the Scopes trial, even though he had not practice law in a number of years. In the most famous moment of the trial, Bryan was called to the stand by the defense, where he admitted that he interpreted the Bible. Bryan and the prosecution would win the Scopes trial, although they did not necessarily carry with them public support on anti-evolution. Preparing for a speaking and writing tour immediately after the trial, Bryan died in his sleep on July 26, 1925.

## Clarence Darrow

Darrow began his career as a corporate lawyer, but he began representing the interests in labor. Darrow would go on to defend controversial labor leaders, including Bill Haywood, the leader of the Industrial Workers of the World. Later, Darrow would turn his attention and time to opposing the death penalty. He is also well known for his role in the Leopold-Loeb trial of 1924, where he defended them on murder charges. By the 1920s, Darrow was regarded as the best criminal defense attorney in the United States. Larson portrays Darrow as an intelligent, witty man who was skilled at legal strategies.

An agnostic, Darrow sought to challenge traditional understandings of religion and morality. He sometimes used evolution theories in attempts to debunk Christianity. He used some of these arguments in responding to assertions made by Bryan during his anti-evolution crusade. When Bryan agreed to serve as part of the prosecution for the Scopes trial, Darrow volunteered to serve on the defense. During the trial, Darrow used

various strategies to throw off the prosecution, including calling Bryan to the stand and waving his closing argument. Although Scopes was convicted under the statute, in later memories of the trial, Darrow was seen as conquering the majoritarian argument and overcoming Bryan's arguments on religion. After the trial and its appeal, Darrow largely retired.

## **John T. Scopes**

Scopes was the defendant in the Scopes trial. He was the high school's part time football coach and a general science instructor. He had filled in for the regular biology teacher who was out due to illness and had used a book that contained a section on human evolution for review purposes. He attended the University of Kentucky for his undergraduate degree. After the trial ended and Scopes won his appeal, although the statute remained, he attended the University of Chicago, receiving a master's degree in geology. He worked in the oil industry after that.

Scopes was in many ways the ideal person to use for a test case on the Tennessee statute. He was young (24), single, mild mannered, and had no intention of remaining in Dayton long-term. As such, he had little to lose from participating. His shyness and cooperative manner would also not alienate parents, taxpayers, or others involved.

## **John T. Raulston**

Raulston was the presiding judge at the Scopes trial. At the time, he was the circuit court judge for the area that Dayton was in. As a conservative Christian and a lay minister, Raulston seemed to believe that it was his calling by God to serve over this trial.

## **John Randolph Neal**

Neal served on the defense during the trial. He had been a law professor at the University of Tennessee but following his dismissal from that institution, he had unsuccessfully ran for governor in 1924 and had started his own proprietary law school. In the Scopes trial, Neal served as the local counsel throughout the case

## **Herbert E. Hicks and Sue K. Hicks**

The Hicks brothers (Sue was named after their mother, who died at his birth) were attorneys in Dayton and they served as a part of the prosecution. They were a part of the beginning group in Dayton that began planning for and arranging the trial. Sue Hicks, in particular, helped convince Scopes to accept the challenge of the trial.

## **George W. Rappleyea**

Rappleyea was a thirty-one year old manager at one of Dayton's mines. He saw the ACLU ad for a schoolteacher willing to help challenge the Tennessee statute and saw it as a chance to strike down the law. He also made the first call to the ACLU about Dayton's willingness to help.

## **Fred E. Robinson**

Robinson chaired the Rhea County school board and also owned the drugstore where the original meetings about the possibility of having a Dayton test case took place. He saw the trial as a way to get Dayton some publicity.

# Objects/Places

## Dayton, Tennessee

Dayton was the location of the Scopes trial. It is located halfway between Knoxville and Chattanooga, in the Tennessee River valley.

## The Dayton Courthouse

This is where the Scopes trial took place in Dayton. Hundreds of people gathered each day of the trial, crowding the courtroom and hallways. Between the heat and the crowding, which allegedly caused cracks in the ceiling below the courtroom, the infamous Bryan-Darrow showdown took place on the courthouse lawn.

## Only Yesterday

This was a book written by Frederick Lewis Allen and published in 1931. The book helped begin the shift in collective memories about the trial.

## Inherit the Wind

Written by Jerome Lawrence and Robert E. Lee, *Inherit the Wind* was both a long-running Broadway play and a major motion picture, which focused on a fictional account of the trial. The play and movie helped shape how later generations saw the trial, including the belief that the defense had won an overwhelming victory.

# Themes

## Evolution vs. Creationism

One of the central tensions in the events surrounding the trial is that of evolution vs. creationism. Larson shows that during the nineteenth century, science and evolution appear to have coexisted and mingled. Scientists and theologians often saw evolutionary theories in harmony with biblical accounts of creation. This began to change as new fossil discoveries came to light and as more and more students began encountering evolution theories in secondary schools. Theories of evolution came to be seen as contradictory to those of creationism and the biblical account.

After the turn of the century, an anti-evolution campaign, led by William Jennings Bryan, developed to challenge these theories, and in particular to have them banned from inclusion in public high school curriculums. The campaign was spurred on by the growth of fundamentalism. Not everyone agreed with this. Many believed in evolutionary theories, including many individuals attending modernist churches. The tensions and conflicts between individuals who believed or opposed evolution theories raged during the early part of the twentieth century in public speeches, newspapers, and other publications. Bryan, in particular, sought to encourage legislators to ban teaching evolution in public schools. When the Tennessee statute was passed, individuals in Dayton, for a variety of reasons chose to challenge it, leading to the Scopes trial.

Although the Scopes trial is perhaps the most famous example of this debate, groups have continued to advocate for bans on teaching evolution since then. There were several challenges and new laws during the 1970s and the 1990s, which echoed the events of the Scopes trial. More recently, some groups have tried to have the teaching of creationism mandated for public schools.

The debates over evolution still rest on many of the same arguments as those in the 1920s did. Those opposing the teaching or belief in evolution often argue using a literal translation of the biblical account, stating that the world was created in seven days and that humans are divinely created. Evolution theories, and particularly theories of human evolution, are viewed as not only false, but dangerous to the well-being and faith of the church. As stated above, some individuals and groups have been trying to mandate that creationism is taught in schools along with evolution.

## Majority vs. Individual

Bryan's support of bans on teaching human evolution often centered upon the argument that the majority should be able to decide what is taught. If parents, teachers, and other community members felt that evolution should not be taught, or if the citizens of a state voted to ban evolution theories, then that should be respected. Others, including Darrow and the ACLU, argued that individual rights were just as important as the majority's



desire. The Constitution guaranteed individuals certain rights, and states should respect and uphold these rights.

At the center of this debate is essentially a tension between community and individual and when each should be sacrificed or decreased for the other. One of the issues is where the line is between community and individual. When should individuals give up their rights for the betterment of the community and when should individuals be given rights, which might hinder the community? What rights are paramount for the individual? What responsibility do individuals have to their community and what responsibility does a community have for its individuals? Such questions begin to get at the heart of this debate, which was central to the Scopes trial and which still rages today within a variety of different debates. The defense essentially argued that Scopes had the right to talk about and teach evolution because free speech was guaranteed in the Bill of Rights. The prosecution argued that the majority had chosen to limit free speech, in this case of evolution, and that the majority had the right to ban something that they felt was dangerous to the community. This debate is not unlike current debates over free speech, including those over song lyrics, hate speech, and burning American flags. In all of the cases, issues of rights and responsibility permeate the discussions.

## **Censorship vs. Free Speech**

Although the Scopes trial didn't present banning evolution as a censorship issue, this is exactly what it was: an attempt to censor a topic from the public school system. The Scopes trial, then, was an early twentieth century example of a censorship vs. free speech issue. The prosecution argued that teaching evolution should be banned because it presented a danger to the community and students. The defense argued that this violated the free speech of Scopes and that he should have the right to teach about the subject if he deemed it important. At the heart of the debate is the issue over what individuals are free to say, and where, and what the community has the right to ban from its public spaces.

At times, the American government has sought to place limits on what individuals are free to express. As Larson mentions, during World War I teachers and others were banned from expressing a dislike of the war. Other debates have centered on an individual's right to hate speech, anti-American sentiments, pornography, and speech that incites violence. These arguments are shaped by the tensions between individual and community rights. Should communities or societies be able to censor individuals? When does free speech harm the community? Where do the lines begin and end for individuals and communities. The legal definitions and decisions on this issue have varied over time and place: what is viewed as "dangerous" at one point may not at another. What has remained consistent is the presence of such debates in the American public and legal arenas.

Larson also shows us how this issue varied within the anti-evolution debate. Before the 1920s, it really wasn't that big of an issue. With the Scopes trial, the idea of banning teachers from talking about evolution came to the forefront. For a while, such laws were

upheld. Later, as the socio-political context changed, these same laws were overturned for violating the Constitution and its mandates on free speech. Thus, the anti-evolution crusade illustrates how definitions of "dangerous" speech change over time and how the political atmosphere helps to determine what will be censored or not.

# Style

## Points of View

Summer for the Gods is written in a third person point of view. Larson, as the author, presents an omnipotent voice, which analyzes the events surrounding the trial and gives it context. Through this voice, Larson is able to guide the reader through the trial, pointing out the important events, and provide a degree of analysis for the trial and events.

The book contains a mixture of dialog, taken from memoirs and other historical accounts, and description. Larson uses a great deal of archival material in telling the story of the Scopes trial, including contemporary newspaper accounts of the trial, the writings and memoirs of those involved in the trial, and other publications.

Larson spends the first part of the book putting the trial into a wider context and the last part of the book on the legacies of the trial. In the middle section, Larson focuses a great deal of attention on the strategizing of Darrow and Bryan. These two individuals and the challenges between them offer a microcosm of the trial itself. The eventual showdown, as well as their various sparring before and during the trial, forms the centerpiece of the book.

## Setting

Much of Summer of the Gods is set in Dayton, Tennessee in 1925 as the Scopes trial takes place. However, the book also discusses events in the Tennessee legislature, at the ACLU offices in New York, and in other states.

When discussing the trial itself, Larson describes the courthouse and the courtroom that the trial took place in. The infamous scene between Bryan and Darrow took place on the courthouse lawn. Larson also mentions other places in Dayton, including the drugstore and the Mansion, where Darrow stays during the trial. He also shows how although the town wanted the trial because of the publicity it would provide for Dayton, many inhabitants had mixed feelings about the trial by the end. Dayton received a great deal of criticism for what others saw as opportunism and some felt that the trial made a mockery of Dayton.

## Language and Meaning

Larson uses a relatively complex and academic writing style in Summer for the Gods. This might make the book a more difficult read for some individuals, particularly those not familiar with this style, which tends to be more dry and detailed than a book targeting a popular audience. Larson seems to be writing for an academic audience

and/or for individuals interested in the specific topic. The book does not contain any strong language or violence.

As part of a more complex writing style, Larson does make use of some more complicated terms and language. The audience to a large degree is assumed to be an educated one, with at least passing knowledge of the meaning of more complicated words and ideas, such as fundamentalism, modernism, and evolution.

## **Structure**

Summer for the Gods consists of ten chapters and an introduction. The chapters are separated into three sections. The first section, consisting of the first three chapters, discusses the overall context of the trial. The second section, of four chapters, discusses the trial itself. Finally, the third section, the last three chapters, discusses the aftermath and legacy of the trial. The book also contains a preface, notes, and index.

The book takes a linear approach to the trial and the events surround it. Larson makes use of a variety of historical, archival sources, including participants' memoirs and writings, newspaper accounts of the trial, and legislative sources.

# Quotes

"Darwin's account of random variations, coupled with his survival-of-the-fittest selection process, posed a critical problem for many Christians who retained a teleological view of nature." Chapter 1, pg. 17

"Modernists viewed their creed as a means to save Christianity from irrelevancy in the face of recent developments in literary higher criticism and evolutionary thinking in the social sciences□Conceding human (rather than divine) authorship for scripture and evolutionary development (rather than revelational truth) for Christianity, modernists nevertheless claimed that the Bible represented valid human perceptions of how God acted. Under this view, the precise historical and scientific accuracy of scripture did not matter. Judeo-Christian ethical teachings and individual religious sentiments could still be 'true' in a realm beyond the 'facts' of history and science." Chapter 2, pg. 33-34

"Yet ACLU leaders saw the new Tennessee statute in a different light, one that made it stand out as a threat to freedom and individual liberty in the broader American society." Chapter 3, pg. 60.

"Darrow was not content with simply questioning popular notions of criminal responsibility, but delighted in challenging traditional concepts of morality and religion." Chapter 3, pg. 71

"Bryan's address repeated the three main points of his standard argument for anti-evolution laws: evolution theory lacked scientific proof; teaching it to school students undermined their religious faith and social values; and most important, that the "Bible-believing" majority should control the content of public school instruction." Chapter 4, pg. 98

"The ACLU's plan for a narrow test case promptly suffered a second setback when Clarence Darrow stepped forward to duel Bryan." Chapter 4, pg. 100

"Townpeople embraced the unfolding affair□Main street merchants decorated their shops with pictures of apes and monkeys. One billboard featured a long-tailed primate holding a bottle of patent medicine; another pictured a chimpanzee drinking a soda. The constable's motorcycle carried a sign reading 'Monkeyville Police,' while a delivery van bore the words 'Monkeyville Express.'" Chapter 4, pg. 105

"Liberal ministers joined in the public outcry over the indictment and trial of John Scopes. These events unfolded at the height of the fundamentalist-modernist controversy, when intradenominational battles between liberal and conservative Christians made front-page headlines in newspapers across the country. The anti-evolution movement split those factions along the crucial fault line of an evolutionary versus a literal interpretation of the Bible. Neither side could afford to back down on the issue." Chapter 5, pg. 116

"Middle ground did exist between modernism and fundamentalism but gained little attention in the public debate surrounding the Scopes trial" Chapter 5, pg. 119

"Defense attorneys began their efforts to enlighten and educate the public almost immediately through pretrial tactics that differed markedly from those of the prosecution. Although Bryan spoke widely about the menace of Darwinism, the prosecution kept as quiet as possible about their plans for the trial and said nothing in public about potential expert witnesses. The defense, in contrast, spoke openly about its plans and issued almost daily announcements about various scientists and theologians who would or might (it was never quite clear) testify on Scope's behalf in Dayton." Chapter 5, pg. 134

"'I made a complete and aggressive opening of the case,' Darrow later explained. 'I did this for the reason that we never at any stage intended to make any [closing] arguments in the case.'" Chapter 6, pg. 162

"The defense could submit written affidavits or read prepared statements into the record, the court ruled, but the prosecution could cross-examine any witnesses put on the stand." Chapter 7, pg. 181

"As Bryan explained early in his testimony, 'They did not come here to try this case. They came here to try revealed religion. I am here to defend it, and they can ask me any questions they please.'" Chapter 7, pg. 187

"The jury received the case shortly before noon and returned its verdict nine minutes later. They spent most of this time getting in and out of the crowded courtroom." Chapter 7, pg. 191

"The Scopes trial did not end the antievolution crusade. How could it? Scopes had lost and the law was upheld. Darrow embarrassed Bryan on the witness stand, but the Commoner was an experienced politician accustomed to rallying from defeat." Chapter 8, pg. 197

"The Scopes trial came to symbolize a moment when civil libertarians successfully stood up to majoritarian tyranny." Chapter 9, pg. 238

# Topics for Discussion

How did the views of William Jennings Bryan differ from those of Clarence Darrow?

Discuss the relationship between fundamentalism and the anti-evolution crusade. How do these movements overlap?

Compare and contrast fundamentalist and modernist stances. How did each group feel about the evolution debate?

Why did the Scopes trial arise at the time that it did? What factors influenced this?

Compare and contrast the strategies of the prosecution and defense. Why did they choose the strategies that they did?

Discuss the changes in Dayton before and during the trial. Why do you think they wanted to have the trial there? Did what they were hoping for occur?

Why do you think Scopes agreed to challenge the Tennessee statute? Why was he an important choice for the person to challenge it?

What was the legacy of the trial? How did this change over time? What factors influenced this?