

JUDGE RULES EVOLUTION DISCLAIMERS UNCONSTITUTIONAL

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DATE

ATLANTA—Federal District Court Judge, Clarence Cooper ruled today that the warning sticker placed in science textbooks claiming evolution is “a theory, not a fact” is an unconstitutional government intrusion on religious liberty.

The Cobb County School District approved the disclaimer in 2002, in response to parent criticism that the new science textbooks chosen by the Administration included information about evolution but not about creationism or intelligent design. The ACLU of Georgia filed the lawsuit against the Cobb County School District on behalf of five parents who were concerned that the School District was sending the message to their children that they should reject evolution in favor of religious theories of origin.

The County argued that the stickers were merely an accommodation for certain parents whose religious beliefs conflict with the science of evolution. The Court, however, held that the “Sticker’s primary effect surpasses accommodation and endorses religion.”

Maggie Garrett, a staff attorney at the ACLU of Georgia responded to the decision: “The school district gave evolution second-class status among all scientific theories and, at the same time, gave advantage to religious viewpoint that rejects evolution.”

Rabbi Scott Saulson, a Board member of the ACLU of Georgia, applauded the decision and warned of the dangers of introducing issues of faith into the high school science curriculum: “People who wish faith to compete with science are asking faith to be judged by the same standards as theory, which is a standard of reasonable proof. Faith is unique in that it is not predicated upon proof. To continue in this crusade will sooner or later besmirch both faith and religion.”

Several other states, including Ohio and Tennessee (the site of the ACLU's original Scopes "Monkey Trial" case), have sought to force the teaching of creationism in the classroom. But those efforts have been struck down repeatedly by the U.S. Supreme Court as unconstitutional.