

THE SCOPES TRIAL: REVISITED AND REVISED

© 1991 by Joseph Escobar

History 570
Dr. Lawrence de Graaf
California State University, Fullerton
Fall 1991

The Scopes Trial: Revisited and Revised

This paper examines the infamous Monkey Trial of 1925, during which two organizations were responsible for the legal representation. William Jennings Bryan represented the World's Christian Fundamentals Association and Clarence Darrow was retained by the American Civil Liberties Union. Since the trial, conclusions as to the elements of society which each group claims to have represented have been made. The most widely accepted interpretation is that the trial was a contest between the religious and secular forces in the United States. As national organizations, what was the extent to which the WCFA and the ACLU were representative of Fundamentalism and Modernism during the 1920's?

The year was 1986. In Greeneville, Tennessee, the 'Scopes Trial II' took place when Christian fundamentalists claimed that the content of the public school textbooks violated their religious rights. Led by Vicki Frost, a thirty-four year old mother of four, these neofundamentalists attacked an entire curriculum for its focus on secular humanism. Abstaining from a discussion of the highly controversial and connotative term "humanism," suffice it to say that the plaintiff's main argument was for the protection of her child in the public school system from district approved textbooks that promoted feminism and witchcraft, among other things. For example, offense had been taken by one textbook's illustration of a boy cooking and a girl reading to him. This depiction, Frost claimed, was in violation of the submissiveness of women to men as clearly stated in the Bible. Judge Thomas Hull ruled against the plaintiff by insisting

that the school system could not cater to every religious segment of the public. When contrasted with the proceedings and media attention given to the infamous 1925 case of Tennessee vs. Scopes, this contemporary example pales in comparison. After all, the decision against the fundamentalists in 1986 was contrary to the success of the fundamentalist cause just over 60 years before. But were the outcomes so different? "Ironically, the plaintiffs (in 1986) are not really speaking for the Christian Faith in their attack on the Hawkins County School system. Rather, they are arguing for their version of the scientific truth." That is, they believe and support the literal interpretation of the content of the Bible.¹

The 1920's saw the apotheosis of the fundamentalist movement in the United States. Although the fundamentalist movement was national and even international in scope, the American South in the 1920's was the region of its greatest vitality.² J. W. Butler, a Baptist farmer and representative to the Tennessee state legislature introduced a bill which would make it illegal

for any teacher in any of the universities, normal, and all other public schools of the state to teach any theory that denies the story of the divine creation of man as taught in the Bible and to teach instead that man has descended from a lower order of animals.³

On March 21, 1925, Governor of Tennessee, Austin Peay signed the bill into law. He later commented "Probably the law will

¹ James M. Wall, "Scopes Trial II: A Narrow God Defended," *The Christian Century* 103 (July 30-August 6 1986): 667.

² Kenneth Bailey, *Southern White Protestantism in the Twentieth Century* (New York: Harper & Row Publishers, 1964), 48-9.

³ Frederick Lewis Allen, *Only Yesterday* (New York: Harper and Brothers Publishers, 1931), 201.

never be applied. Nobody believes that it is going to be an active statute."⁴ In hindsight, it is easy to realize how mistaken he was. The fact that he even made such a claim in the supposedly fundamentalist controlled Bible-Belt South raises an interesting point. Was there some truth to this statement, which at first seems harmless, but upon further reflection brings into question commonly held beliefs of the traditional religious mind of the South at that time?

In New York, Lucille Milner stumbled across the anti-evolution act passed in Tennessee during her habitual perusal of many of the regional newspapers. She brought this to the attention of Roger Baldwin, founder and chief executive of the American Civil Liberties Union. He told her to bring it up at the next board meeting. She did so, where it was unanimously agreed upon that the ACLU would aide in the formation and defense of a test case. The ACLU, in an advertisement placed in the *Chattanooga Times*, offered to provide counsel to any Tennessee teacher who would challenge the new law.

George W. Rappleyea discovered the ad in the *Chattanooga Times* on May 4, 1925. It stated that the New York ACLU was looking for a teacher to test the validity of the Butler Act in the Tennessee courts. Rappleyea was a mining engineer from the Northeast. Although he disapproved of the meddling of the fundamentalists in cases of civil law, most likely he had other factors on his mind. In a pragmatic sense, the underlying cause of the trial was economics. Despite an abundance of coal and iron deposits, railroads and river transportation, and an indigenous labor pool, Dayton lacked the exposure it needed to attract

⁴ Joseph Wood Krutch, "The Monkey Trial," *Commentary* 43 (1967): 88.

investors to its industrial potential. Rappleyea saw a trial of this nature to be a possible resource from which to draw wealthy investors, whose attention would be drawn to Dayton by way of the inevitable press coverage that would ensue. When the regular high school biology teacher refused to take part in this grand scheme, Rappleyea and F.E. Robinson, chairman of the county school board, persuaded John Scopes to be the catalyst. Scopes taught math, physics, chemistry, and was the football and basketball coach, but had never taught biology or the theory of evolution. The crafty entrepreneurs of Dayton had Scopes tutor several students on evolution in the back of "Stumpy" Reed's taxi so they could truthfully say that Scopes had taught the forbidden topic. Consequently, they succeeded in creating a publicity stunt that made monkeys of the world and put Dayton, Tennessee on the map.⁵

John Thomas Scopes, a twenty-four year old high school teacher at Central High School in Rhea County, was charged with violating the Butler Act. The opposing forces of conservatism and liberalism were rallied with little effort, being instinctively called to arms. William Jennings Bryan, a three-time candidate for the presidency, former secretary of state, and famous political orator, volunteered to head the fundamentalist cause and aid the prosecution. The American Civil Liberties Union in New York secured the legal assistance of Clarence Darrow, Dudley Field Malone, and Arthur Garfield Hayes.

The resulting trial was a hodgepodge of hoopla, showmanship, sideshow antics, street corner prophets, and sheer incredulity. During the course of the trial, Rappleyea received three speeding

⁵ Richard M. Cornelius, "The Trial That Made Monkeys Out of the World," *USA Today* 119, no. 2546 (November 1990): 89.

tickets, tokens of admonishment for his part in the controversy. The owner of the town market, whose last name happened to be Darwin, used this as an opportunity for humor by placing a large sign outside his store that read "DARWIN'S RIGHT . . . inside." For some though, this trial was taken as a serious affair. "So calm was the confidence of the little town, so indisputably real were the proceedings which had seemed at a little distance (by way of the circus-like press coverage) utterly preposterous that one was at the point of taking the trial with a certain seriousness not merely as a social phenomenon, but as a discussion of a real question." ⁶ From July 10 to July 21, 1925, the adversaries battled one another until the jury, in the end, found Scopes guilty, and Judge John T. Raulston fined him \$100. The trial proved to be a fiasco, both in its motivation and in its outcome. The intentions behind every aspect of the case were flawed and so became the entire process. Yet, the event exposed fears that pervaded every section of the country.⁷

This popularly accepted version of the trial fails to reveal the far reaching elements that bring new light to the significance of the trial, and at the same time put the historical accuracy of the event into question. Although the notorious personalities involved naturally heightened the excitement and awareness of the case, the issues involved were at the heart of the matter and have since formed the historical and enduring place that the Scopes Trial has occupied in American History. In the world of ideas,

⁶ Joseph Wood Krutch, "Darrow vs. Bryan," *The Nation* 121, no. 3134 (29 July 1925): 36.

⁷ Sydney E. Ahlstrom, *Religious History of the American People* (New Haven: Yale University Press, 1972), 90.

science versus religion, academic freedom of teachers versus governmental authority, freedom of speech and the First Amendment versus censorship, the protection of freedom of religious establishment versus a state controlled dogma, were all vital and significant issues, but did not constitute the main reason for, or the reality of this trial.

Although the trial was an open forum for journalists, it was not one of their better days as far as accuracy, fairness, and discernment of coverage were concerned. "When one reporter was asked by his Dayton hosts why he never attended the court sessions, he replied 'Oh, I don't have to know what's going on; I know what my paper wants me to write.'" The press' treatment of William Jennings Bryan was always questionable, if not outright jaded. They referred to him as an "old Buzzard" who gave a "grotesque performance" bordering on "imbecility." In short, the media coverage of the Scopes Trial tended to whitewash the evolutionists, blacklist the creationists, and brainwash the general public.⁸

In considering the topic of the infamous case, *The State of Tennessee v. John Thomas Scopes*, more popularly known as the Monkey Trial, the voluminous reports and insights into the event do much to dissuade the historian from pursuing yet another contribution to the field. Indeed evolution and creationism, Modernism and fundamentalism, and urbanism and ruralism have been discussed by academicians at length and to such an extent that most, if not all of the paradigms concerning their scholarship have already been established. The historian may still find research to be done in these fields, but it will most certainly be

⁸ Ibid., 90.

limited to the monograph, the case study, or some other research with a narrow scope. This paper will attempt to present information which may invalidate some of the claims made concerning this trial. This, it is hoped, will result in provoking new discussion as to the authenticity of the nature of the relationship between the seemingly polemic forces of Fundamentalism and Modernism.

In order to determine the living significances and lasting influence of the Scopes trial, another interpretation of the event itself needs to be put forth. The antagonistic relationship between William Jennings Bryan and Clarence Darrow predated the trial in Dayton, but was merely a mask on the larger forces that would come to bear. This cause became a crusade, a holy war, a battle between the forces of fundamentalism and modernism. This cause pitted the backward thinking rural people of the United States (who were in a state of "popular" decline following the pivotal 1920 census) versus the scientific, forward reaching urban dwellers whose time had seemingly come. Due to the uneven development of the trial proceedings, the verdict was obvious, even to the people of that time. With hindsight, the plight of the fundamentalist movement was clear as well. Fundamentalism's decline has certainly not brought an end to its followers' cause, which has resurfaced repeatedly since. Secularization may have lost this battle with the guilty verdict in 1925, but it has certainly prevailed throughout the ongoing "war," most recently in the decision of Scopes II in 1986.

The Scopes Trial can be viewed at three levels. The first level is that of the court case itself and can be explicitly conjured by the title, Tennessee vs. Scopes. In this mode, it is

easy to look beyond the simplistic and premeditated maneuverings of the prosecution, which were almost sacrificed by Bryan's hypocritical testimony while on the witness stand, and to condemn the defense, which was denied the use of expert witnesses, and later, by way of a technicality, was denied the right to appeal the decision to the U.S. Supreme Court. In the end, the prosecution prevailed, the law was upheld, and Scopes was found guilty.

The second level of the trial, though, goes beyond the litigants. The trial itself was upstaged by the interest groups who represented the opposing sides. The personalities of Bryan and Darrow were colorful figures and somewhat familiar household names within the country, but these men were backed by organizations that both vied for public acceptance and support while at the same time representing the embodiment of the opposing forces. Interestingly, the front page of the *New York Times* on Friday, July 10, 1925 read "Not that anybody has much interest in the actual case at the bar,... He [Scopes] is a mere figure, over which will joust the forces of evolution and religion, of Fundamentalism and Modernism, of liberalism and conservatism."⁹ Indeed, an analysis of this trial must go beyond the lawyers to the organizations themselves that came to represent these broad, evasive, but diametrically opposed principles.

The third level deals with the press coverage and the national and even international coverage this case received. The long term results of the trial, by way of the fall of fundamentalism and the triumph of Modernism as expressed in literature, politics, and society in successive years is certainly

⁹ "Dayton Keyed up for Opening Today of Trial of Scopes," *New York Times*, 10 July 1925, p. 1.

a behemoth task in need of serious research and worthy of many volumes of historical analysis. Therefore, for purposes of this paper, the second level will be examined, but not vicariously through the personalities of Bryan and Darrow, nor the other key players in the drama. The World Christian Fundamentals Association and the American Civil Liberties Union were the entities behind the scene and the support behind the lawyers during the infamous Monkey Trial. The role of these two groups will be analyzed in the examination of this historical battle that pitted the forces of Fundamentalism against those of Modernism.

Frederick Lewis Allen's classic *Only Yesterday* paints a picture in which the fundamentalists fight a battle which is destined to end in failure. His paradigmatic view of the modernistic forces of change casts a deterministic and teleological perspective on the interpretation of this era. Whether fact or fallacy, many presuppositions were held by all concerning the mind of the American South. During an era which seemed to be so firmly linked to progress, the trial took on an even greater significance. "In the eyes of the public, the trial was a battle between Fundamentalism on the one hand and twentieth century skepticism (assisted by Modernism) on the other."¹⁰ This statement elevated the Monkey Trial to include far more than the breaking of a state law and the punishment of the misdemeanor crime associated with it. Allen's claim has been so often quoted that it is accepted as dictum on this topic. For many years, an unquestioning acceptance of his theory has come to resemble the blind devotion of the fundamentalists to their literal interpretation of the Bible. In *The Fundamentalist Controversy*,

¹⁰ Allen, 26.

1918-1931 Norman Furniss states that the Scopes trial was more disturbing than mystifying. Darrow's agnosticism and Bryan's posing as the fundamentalist authority on all questions, whether anthropological or religious, cause much doubt as to their accurate representations of the causes of Modernism and Fundamentalism. Were the forces (the ACLU and the WCFA) that came to bear in this trial truly representative of American society during the 1920's? Did the ACLU adequately represent the urban interests against rural thought as exemplified by the WCFA? This aspect of the Scopes Trial has not received adequate treatment other than coincidental mention. The trend in modern scholarship of the subject in recent years has been towards a reexamination of the relevance of the issues in light of the pacification of the fundamentalist movement. This paper seeks to verify in a few cases, qualify in many other cases, and reject the overall claim that the Scopes Trial of 1925 can be construed in its largest context as the struggle of Fundamentalism and Modernism

A methodological scheme for this undertaking is simple in concept yet worthy of explanation here. Geographic limitations placed on this research congregate at two levels. First, the two adversaries are represented by the South, comprised roughly of the former Confederate States and the Bible Belt, Tennessee in particular, and the urban establishment of the Northeast, the intellectual hub of the scientific revolution, beginning in the late 1800's and continuing through the early 1900's. On the second level, a thesaurus-style approach will qualify the terms Modernism and Fundamentalism. Comparison at this level will often necessitate transgressing the realm of the Bible Belt and Eastern

Establishment for purposes of engaging the issues on a nation-wide level. In order to carry out such research, analysis of the trial records, newspapers, magazines, and statistical data will comprise the foundation upon which judgements can be made.

To reiterate, what began as a case between a lawbreaker and the people, was upstaged as the official parties, the amicus curiae took over. The crucial question of this paper is whether or not the ACLU and the WCFA can be considered bonafide representatives of Modernism and fundamentalism. If the common historical claim of the significance of this trial is to be accepted, a scrutinization of the interest groups and their constituencies must take place. More than likely, important qualifications, if not total reinterpretations, will have to be made in light of revealing evidence that has only come with time and chronological and subjective removal from the period in question.

The use of accurate terminology is at the forefront of this endeavor. In recent social science theory, "modernization designates a pattern of social and economic change whose characteristics include secularization, rationalization (in the political and economical realms), industrialization, accelerated urbanization, the differentiation of social structures, and an increased level of popular involvement in public affairs.¹¹ Although not always evidenced in percent turnout figures in national election statistics, the public's involvement at the community level, especially in the Al Smith election of 1928 was

¹¹ Harry Ritter, *Dictionary of Concepts in History* (Connecticut: Greenwood Press, 1986), 273.

extensive. However, little attention has been paid to the rigorous definition of modernization. More effort has been expended concerning the concept's description, rather than solidifying its definition. It is closely related to ideas of progress, social evolution, and social development. In 1933, a definition of Modernism in the Encyclopedia of the Social Sciences was reflective of the era. Modernism was the "attitude of mind which tends to subordinate the traditional to the novel."¹²

Scholars have had a tendency to overemphasize the term, making it synonymous to some related concept such as industrialization. In addition, Modernism has been attributed with a positive, ongoing, limitless quality that verges on determinism and even inevitability.¹³

Related to Tennessee in the 1920's, an acceptable definition of Modernism can be constructed from the sources. Within the last two decades of the 19th century, the growth of Chattanooga, Knoxville and Nashville resulted from various railroad, industrial, and educational and cultural enterprises. This was indicative of the urban southern economies serving other masters besides or excluding King Cotton.¹⁴ Alternatively, in his classic work, *The Mind of the South*, Cash revealed in 1941 that 'the extent of change and break between the Old and the New South had been vastly exaggerated. So far from being modernized, in many ways, it (the South) has actually always marched away, as to this

¹² Ibid., 274.

¹³ Ibid., 275.

¹⁴ David R. Goldfield, "The Urban South: A Regional Framework," *American Historical Review* (December 1981): 1009-12.

day it continues to do, from the present towards the past."¹⁵

Concerning the Scopes Trial, this same condemning outlook was championed by H.L. Mencken who gave the modernist view of the New York urban elite concerning the anti-evolution law.

It differs from other regulations of the same sort only to the extent that Tennessee differs from the rest of the world. The State, to a degree that should be gratifying, has escaped the national standardization. Its people show a character that is immensely different from the character of, say New York or California. They retain, among other things, the anthropomorphic religion of an elder day. They do not profess it; they actually believe in it. The Old

Testament...is an authoritative history...¹⁶

Previously, Christianity had revealed God's marvelous design.

After Darwin, however, the world became a relentless struggle for existence, a war of all against all, with victory for the fittest. No wonder that opposition to evolutionary doctrines arose.

According to the *Encyclopedia of Religion in the South*, Modernism is "an understanding of the relationship between faith and reason." It is "more a method than a body of thought, valuing change over stability in the formulations of faith and prefers challenging understandings rooted in revelation to questioning knowledge derived from science."¹⁷ In short, Modernism consisted of challenging revelation but having optimistic faith in change, being anti-traditional and secular in outlook, and maintaining the standardization, including the materialistic nature of the dynamic age. Notice the lack of the term "liberalism" which was defined

¹⁵ W. F. Cash, *The Mind of the South* (New York: Alfred A. Knopf, Inc., 1957), 11.

¹⁶ H. L. Mencken, "In Tennessee," *The Nation* 121, no. 3130 (1 July 1925): 21.

¹⁷ *Ibid.*, 504-5.

differently as the goal of the ACLU and as the nemesis of the WCFA.

Fundamentalism is a highly connotative term. It does not mean opposition to all that is modern, nor does it stand for religious fanaticism, although its adherents sometimes display these traits. "Fundamentalism is the self-imposed label of an American religious movement that arose in the early twentieth century to promote and defend traditional evangelical beliefs and concerns in response to liberal trends in Protestant churches and secular trends in society."¹⁸ While it involved many denominations, and has been referred to as a phenomenon of the South and Midwest, Fundamentalism was a truly national movement that began in the cities of the North and East. Following World War I and the resulting disillusionment with the world situation, the fundamentalist movement gained momentum. Claiming that German militarism had resulted from a rejection of Biblical authority and acceptance of evolutionary philosophy, fundamentalists often took unyielding, conservative stands for old-time religion, old-fashioned morality and right-wing policies and economics. Although their most definitive trait would be militant anti-modernism, they would, for the sake of evangelism, join ad hoc alliances. This flexibility, coupled with hard-line biblical inerrancy and authoritarian styles of leadership make it difficult to reduce the fundamentalist character to a simple model.¹⁹

Abhorring "modernism," religious conservatives clamored for

¹⁸ Samuel S. Hill, ed., *Encyclopedia of Religion in the South* (Georgia: Mercer University Press, 1984), 275.

¹⁹ *Ibid.*, 275-8.

a return to fundamental precepts with the Bible as the bedrock of faith, infallible and unchanging.²⁰ During the trial, the prosecution put forth that since religion cannot be taught (in public schools) then neither should the negation of it, by way of evolutionary principles.²¹ The Darwin doctrine became no more than a focal point of attack for activists and a set of ideas that went far beyond anti-evolutionary concerns. This involved not only fundamentalist fears, but the whole body of fears whose objective became the stamping out of all new heresies, in particular, Darwinism. This reaction was indicative of the South's desire to restore absolute conformity to the ancient pattern of rigid intolerance. fundamentalist militancy in the 1920's consisted of two different forms. One was the effort to prevent public schools and universities from teaching scientific theories which were deemed incompatible with traditional interpretations of the Bible. The other was an effort to block the advance of liberal theology and modern scholarship in the churches.²² If one is to study Fundamentalism, keeping in mind its social and theological aspects, then one must go beyond the evolution in education movement which received more publicity and brought more discredit to both itself and the religion and churches of the South.

In response to the reactionary unification of the South due to attacks from the outside, an intellectual group of southerners at Vanderbilt University formed the Agrarians. They did not

²⁰ Bailey, 48.

²¹ Arthur Garfield Hays, "The Strategy of the Scopes Defense," *The Nation* 121, no. 3135 (5 August 1925): 157.

²² Ahlstrom, 909.

perpetuate historic myth but agreed to support a southern way of life not congruent to what may be called the American way. They agreed upon a terminology to represent this distinction in the phrase Agrarian versus Industrial.²³ It was not just this select group of intellectuals who supported Fundamentalism, and indirectly, the anti-evolutionist movement. "...It (the anti evolutionist movement) cannot be dismissed as the aberration of a relatively small, highly organized pressure group made up of ignorant, silly, and fanatical people, as some writers have attempted to do... It had active support and sympathy of the overwhelming majority of the southern people."²⁴ This movement transcended upon the urbanization of southern life. By blocking out ideological competitors and by supporting traditional beliefs, southern urban religion helped make southern cities bastions of conservatism, if not reaction, rather than of change.²⁵ In summary, Fundamentalism was old-fashioned, traditional morality, based on social convention, militantly anti-liberal concerning the interpretation of the Bible, and vehemently against the materialistic and pragmatic trends in society. Notice that "liberalism" is used only in relation to the literal Biblical interpretation.

Finally, a brief discussion of evolution is essential, considering that this is the crux of the debate between the two

²³ Sheldon Hackney, "The South as a Counterculture," *The American Scholar* 42, no. 2 (Spring 1973): 25.

²⁴ Cash, 337-8.

²⁵ David R. Goldfield, *Cotton Fields and Skyscrapers: Southern City & Region, 1607-1980* (Louisiana: Louisiana State University Press, 1982), 519.

previously mentioned but ambiguous forces. Modern science was the foremost of the forces which produced societal and theological conflict. The Copernican view engendered enormous difficulties for the literal acceptance of the Biblical ideals of heaven, earth, and hell, and yet no truly educated person in 1925, whether fundamentalist or not, would seriously attempt to uphold Aristotle's false dogma. Indeed, Biblical literalism was already forsaken. In 1859, Darwin's theory of evolution presented a view of man's origin, which was alarmingly different from the popularly desired view of special creation. "More serious still is the contrast between the evolutionary view of the origin of society, morals, and religion."²⁶ The questioning of the validity of the Bible and its inconsistencies can correctly be called skepticism or Modernism in its theological sense. The fundamentalist view of evolution negates the principle of the fall from grace by Adam in the book of Genesis. The resulting logic and reasoning becomes, "No fall, no real problem of sin; no sin, no need of salvation; no salvation, no Divine Redeemer; and so no Christianity."²⁷

Modernism came into use during the 19th century in the Catholic Church, to denote those who did not believe in revelation, holding instead that the Bible illustrates the ways of faith and conduct, not of history and science.²⁸ Instead of serving as an agent of communication and understanding, the evolutionist controversy, witnessed at its height in the Scopes

²⁶ Eldred C. Vanderlaan, *The Handbook Series: Fundamentalism in Tennessee v. Modernism* (New York: The HW Wilson Company, 1925), 3-8.

²⁷ *Ibid.*, 9.

²⁸ *Ibid.*, 100-1.

trial of 1925, served as an agent of increased bigotry, intolerance, and sectionalism whose discriminatory and loathsome elements have surfaced arbitrarily from time to time until the present day.

With that, let us examine both the WCFA and the ACLU in turn, to determine the appropriateness of these organizational bodies to accurately represent the social, as well as theological tenets of the fundamentalist or Modernist cause. Was the trial truly indicative of a battle between two obvious forces, or was it an attempt at a succinct summation of the trends and movements in the United States at that time. Undoubtedly, the multifaceted discussion to follow will do more to dim the once thought shining examples of congruency of interest group and constituency in this celebrated legal matter.

The evolutionist controversy that took place during the Scopes trial had the latent ability to bring about tremendous benefits to all involved. For one, it could have led to a more intelligent study of the Bible. Blind devotion and inerrant literalism might have given way to a methodical and generally even-handed study of such a prominent historical artifact and inspirational icon as the Bible, that had been the source of continuity and conflict since its ancient beginnings. Secondly, and closely related to the first, the controversy in 1925 could have led to a better understanding of Christian history, upon which the overwhelming majority of the American population was akin to. Finally, such a controversy could have lead to a clearer conviction that there was no antagonism between reverent science

and reasonable religion. The trouble lay in the falsehood of extremes, or more precisely, the arbitrary Modernist fundamentalist categorizations in which all people were placed and to whose doctrines all were compelled to uphold. Even in 1925, Eldred C. Vanderlaan pointed out the nature of the Fundamentalist-Modernist Controversy as lying in two vague, pretentious, and misleading names. "Why not sweep away these two silly names, 'Fundamentalists' and 'Modernists?'" They only becloud the issue and confuse the mind of the plain folks. The real difference is between the literalists, who interpret the Scripture according to the letter, and the liberals, who interpret according to the spirit."²⁹

In order to properly set the stage for clash, it is essential to have a basic idea of what was happening in the South prior to and during the decade of the 1920's. While rural migration to southern cities increased from 1860-1900, the immigrant population usually declined. Considering that the turn of the century immigrants came in great part from Southeastern Europe, with its preponderance of Catholics, it is clear that Protestantism gained influence. In 1860, 37% of Memphis' population was classified as foreign born. By 1900, this figure had dramatically declined to only 15%.³⁰ This indicates that southern cities, by the turn of the century, were becoming more rural and less diverse, and it can be inferred that Protestant homogeneity was also the result. After the Civil War, religion as

²⁹ Ibid., 101-2.

³⁰ Goldfield, *Cotton Fields and Skyscrapers*, 517.

a southern cultural mainstay flourished in southern cities and became inseparable from urban life. Edgar T. Thompson, southern historian stated that "southern town and even city churches generally might almost be described as transplanted rural institutions."³¹ Edd W. Parks summarized the relationship between city and country by stating that the urban South was "governed and given character by the country immediately surrounding it."³² On the other hand, historian Louis Wirth, in his essay "Urbanism as a Way of Life" pointed out that although the rural cornfields of Illinois were homogeneous, the pluralistic city of Chicago certainly did not contain this attribute.³³ The purpose of these two examples is to shed some light, or perhaps some doubt, on the unified portrayal that the Bible Belt, made up of southern and midwestern elements, often receives pertaining to discussions of religious conservatism. This distinction is important since the South is most often characterized as a single unity and the strongest region of fundamentalist support, even though its outspoken leaders came from places other than the South.

It was the urban South's dismal performance in social services that restricted urban development. Education, health, and housing are the most important improvements and investments in human capital, and it was this population quality that was essential for continued development. The aversion of the civic and religious elite to such investments resulted from the

³¹ Ibid., 519.

³² Ibid., 512.

³³ Ibid., 511.

philosophical basis of evangelical ideology.³⁴ This dismal situation was evident even to the contemporaries of the 1920's. The Southerners were "a people bled white by the migration of their best individuals to the great cities. Deprived of vigor and leadership they brought to the world, they are a fine soil for fundamentalism, the Ku Klux Klan, and other manifestations of superstition and ignorance."³⁵

The South, roughly delineated by the former Confederate States, including also the border state of Kentucky, consisted of a complex of established relationships and habits of thought, sentiments, prejudices, standards, values and association of ideas.³⁶ "There are many souths, but the fact remains that there is only one South." Consisting of definite mental and societal patterns resulting in standards and values, this southern mentalite is based on all variations on the primary American theme,³⁷ except maybe the theme of "progress" in this instance. While one author claims that southern fears and hates moved beneath the surface of reigning optimism and faith in progress, engaging the attention of common whites,³⁸ another believes that it is perhaps in the sphere of religion that southern identity is

³⁴ Ibid., 521.

³⁵ "Tennessee v. Truth," *The Nation* 121, no. 3131 (8 July 1925): 58.

³⁶ Cash, 2-3.

³⁷ Ibid., 8.

³⁸ Ibid., 292.

best delineated.³⁹ Yet, fundamentalism and the resurgence of the KKK related more to the social problems of the time than they did to religiosity. The controversy grew easily out of the same cultural soil that produced the Prohibition Amendment.

fundamentalists reasoned that if drinking habits could be controlled by law, so might patterns of thought. Unlike cities outside the South, where speakeasies flourished, Dayton was not a town in which alcoholic beverages were an acceptable part of social life. Nine churches in the small town were well-attended and the inhabitants of Dayton consumed their lemon cokes and ice cream sodas from Robinson's Drug Store with regularity.⁴⁰

With few exceptions, Fundamentalism reigned unchallenged in the denominational colleges and seminaries throughout the region. Their predominantly rural and small town constituency made the southern churches the strongholds of social patterns and ways of thought that were increasingly anachronistic.⁴¹ But much of this began to change as compulsory school attendance laws helped bring about the evolution controversy due to the increased number of students who would be learning the biological sciences, and inevitably, Darwinian theory.

With an understanding of the background, a discussion of denominations will take on a more insightful meaning. When dealing with fundamentalism in the American South, a

³⁹ Bailey, 9.

⁴⁰ W. B. Ragsdale, "Three Weeks in Dayton," *American Heritage* 26, no. 4 (1975): 40.

⁴¹ Ahlstrom, 728.

terminological problem arises. The term "Fundamentalism" first developed in the North. It was coined in 1920 by and for Northern conservative Baptists. On the other hand, "with traditional evangelical attitudes so dominant in southern culture, there was little reason to organize as fundamentalists." When the anti-evolution movements began in the 1920's, vast numbers of Southerners rallied to protect the ideal of American civilization and became identified as Fundamentalists.

Two options to Fundamentalism emerged. The broad track consisted of the intrinsically motivated, militant, soul-saving, Bible-believing evangelicals and the narrow track was externally threatened by Darwinism and organized a militant coalition explicitly for that purpose.⁴² The South, although continuing its broad track principles was incorrectly perceived as the embodiment of the narrow track mentalite. From this informal, undocumented, defacto coalition emerged the fundamentalist half of the evolutionist controversy which was attributed, to a large extent, to beliefs, thoughts, and actions of the American South.

This brings us to the World's Christian Fundamentals Association. In 1906, 3.5 million of the 6.2 million white church members in the South belonged to one of three denominations; the Southern Baptist Church, the Methodist Episcopal Church, and the Southern Presbyterian Church.⁴³ A conservative-liberal rivalry within various Protestant Churches had begun at various times

⁴² Norman J. Cohen, ed., *The Fundamentalist Phenomenon: A View From Within; A Response From Without* (Michigan: William E. Eerdmans Publishing Co., 1990), 26-7.

⁴³ Bailey, 2.

about the turn of the century. Due to the outbreak of World War I, the desire to create the image of a united homefront temporarily postponed these debates. After 1918, they arose again resulting in a strong liberal element in Northern Methodism and Congregationalism and a strong conservative influence in the Lutheran Church and the Southern Baptist Convention. The rivalry in one instance centered around Henry Emerson Fosdick's article "Shall the fundamentalists Win" published in 1922 in the *Christian Century*. His extremely liberal account of the Bible and the controversy stunned many and drew quite an agitated response. Strangely, Fosdick was a Baptist, and although Northern, that denomination was almost entirely conservative, if not reactionary.⁴⁴ As it turns out "the creeds of the fundamentalists, even of different denominations,...are much nearer agreement than the creeds of fundamentalists and modernists in the same denomination."⁴⁵ So as the lines of distinction continue to whither, a focus on the very organizations and leaders who brought this conflict to a head in Dayton seems appropriate.

The WCFA was organized in 1919 by the Conference on Christian Fundamentals specifically to carry out an anti-modernist program.⁴⁶ It came on the scene earlier than all but one of its sister societies and survived long after most of the others had collapsed. In May of 1918 the first noteworthy fundamentalist conference took place in Philadelphia, Pennsylvania. William Bell Riley, pastor of the First Baptist Church of Minneapolis emerged

⁴⁴ Ahlstrom, 910-11.

⁴⁵ Bailey, 50.

⁴⁶ Ibid., 49.

as president of the association, and influential men of the likes of Reuben A. Torrey, dean of the Los Angeles Bible Institute and Charles G. Trumball, editor of the influential *Sunday School Times* joined the ranks of the WCFA. The 1919 conference held at the Moody Bible Institute in Chicago, Illinois gained even more prominent Protestant leaders. With men like Paul Rader, evangelist pastor of the Moody Bible Institute, John Roach Stratton of the Calvary Baptist Church of New York City, and Amzi Clarence Dixon, an editor of *The Fundamentals*, and with the formal establishment of the mission of anti-Modernism and anti-evolution, the WCFA, as a permanent organization was born.⁴⁷ At the 1922 Convention in Los Angeles, the members turned their serious attention to evolution, a subject which had only occasionally been mentioned at earlier conferences. Perhaps the strongest resolution at this conference declared

"As taxpayers we have a perfect right to demand of public schools that they cease from giving to our children pure speculation in the name of science, and we have an equal right to demand the removal of any teacher who attempts to undermine the Christian faith of pupils."⁴⁸

With Baptist minister, Reverend J. Frank Norris of Fort Worth, Texas, with the possibility of having William Jennings Bryan lead a Layman's Movement to oppose the Modernists, and with Riley's *Christian Fundamentals of School and Church* as the WCFA's official magazine, the organizers of the movement were able to reach new heights at the fifth conference in Fort Worth, Texas in 1923. The assembly was more representative of the major protestant churches

⁴⁷ Bailey, 50-51; Norman F. Furniss, *The Fundamentalist Controversy, 1918-1931*(Connecticut: Archon Books, 1963), 49-52.

⁴⁸ *Christian Fundamentals in School and Church* (October-December 1922): 17.

than the earlier Baptist dominated conferences had been. The convention reflected an enthusiastic and nationwide importance of the fundamentalist movement. The 1924 meeting in Minneapolis exhibited a spirit of disinterestedness among its members, and only the appearance of Bryan salvaged the conference. In 1925, the year of the infamous trial, the fundamentalists reached their highest level of national activity, and formerly commended the governor of Tennessee for signing the Butler Act into law. The WCFA also appointed Bryan as its attorney to aid in the prosecution of John Thomas Scopes.⁴⁹

Although the most important organization, the WCFA was not the first organization to form in opposition of modernism. In 1902, the Bible League of North America was founded, but its voice, the *Bible Student and Teacher* was not able to help the organization achieve true significance.

Since the fundamentalists were aligning themselves against ideas that had the weight of fact behind them, their best weapon could not be persuasive argument [as the *Bible Student and Teacher* had tried to do] but rather by coercion [sic] to still their opponents without granting opportunity for open exchange of opinion.⁵⁰

Other organizations, such as the Bible Crusaders of America, the Supreme Kingdom, the Flying Fundamentalists, the Baptist Young Peoples Association, Defenders of the Christian Faith, the Epworth League, and the Anti-evolution League of America were founded, but their continued existence often depended on a single dynamic leader.⁵¹ Because of the splintered nature of religious

⁴⁹ Furniss, 52-4.

⁵⁰ Ibid., 56-7.

⁵¹ Ahlstrom, 910.

sectarianism, corruption entered into the highest of spiritual endeavors. The congregation members soon saw that thousands of so called "men of the ministry" were their actual foes - men who would sell out their convictions for denominational advantage and ladder climbing.⁵² The World Christian Fundamentals Association championed the aspirations of the conservative faction, but as an all-encompassing conglomerate, it too, was subject to nebulous egotism, internal strife, and a diffusing amalgamation of principles.

The impact of Fundamentalism on education is not always clear. After ail, Hunter's *Civic Biology*, the textbook which Scopes supposedly used and by which he was convicted of breaking the law was a state approved textbook for the teaching of biology in Tennessee. But as to the regional differences which have been believed to be so diametrically opposed, even the accounts of H.L. Mencken, well known for his anti-rural, anti-South rhetoric (for which, by the way, he just missed being run out of town by an organized committee of locals before the trial at Dayton had concluded), cause the reader to question the contemporary social climate. Of teachers he said,

The master may take an apprentice, but he does not seek apprentices in the hill towns of Tennessee *or even on the East Side of New York*. He does not waste himself upon children whose fate it will be, when they group up, to become Rotarians or Methodist deacons, bootleggers or moonshiners.⁵³ Anthropology, ethnology, archaeology, geology, chemistry, physics, the sciences of politics, economics, sociology, textual criticism

⁵² George W. Dollar, *History of Fundamentalism in America* (Florida: Daniles Publishing, 1983), 1-2.

⁵³ H. L. Mencken, "In Tennessee," *The Nation* 121, no. 3130 (1 July 1925): 22.

of the Holy Writ, comparative religion, and heightened history, to more than folk boasting, were not generally a part of the southern curricula, most of which were flatly ignored by many southern colleges. It is interesting to note that concerning teachers and the curriculum, there were few such heretics dismissed from southern institutions in this period than from Northern ones.⁵⁴

Was this due to the fact that these men, avowed champions of Darwinism, did not develop in southern schools in any appreciable numbers or was the fundamentalist movement, as exemplified by the WCFA, more of a non-southern based crusade? A combination of both, rather than a classical assumption of the former seems to be the case.

The subject of the legality of anti-evolution acts and the constitutional appropriation of the law make the case appear even more opaque. Consider the example of George F. Washburn. A rich New Yorker who resided in Florida, he had become involved as a financier of Fundamentalism and after 1925 yearned to become "the successor of Williams Jennings Bryan." His organization, the Bible Crusaders used the all inclusive slogan "Back to Christ, the Bible, and the Constitution." This creates a problem concerning the fundamental right of religion as expressed in the Constitution. In order to achieve the amendment Washburn hoped for, and before him Bryan and the WCFA, which would officially make America Christian, it would have to nullify or ignore a part of the Constitution, the very document that he claimed to want to "return to." Either that or at least very loosely interpret the Constitution to mean that our founding fathers originally meant "freedom of Christian religion" in the First Amendment. This sort

⁵⁴ Cash, 140-1.

of loose constructionism, if you will, led to Bryan's embarrassment and criticism while on the witness stand at Dayton. When asked by Darrow if Bryan believed that the earth was made in six days, Bryan replied "Not six days of twenty-four hours." With that there were startled gasps from the fundamentalists in the crowd.⁵⁵ This selective treatment surfaced in the press coverage throughout the trial. A Memphis newspaper, the *Commercial-Appeal* openly attacked the Klan for its recent media and speech campaigns in support of Fundamentalism, but it continued to give blessings to the anti-evolutionists.⁵⁶ If Fundamentalism had been a movement tied to the South and the South was able to maintain its historical support of American tradition, certainly the freedoms expressed in the Constitution were now to be categorically expunged from the collection of traditional doctrine and thought. Perhaps it was due to this misrepresentation that many leaders backed away from Fundamentalism and its politics, especially after being laughed at by the international community at the monkey laws and the Scope's trial. These leaders were the integral part of the movement, without which the cause, as an organized endeavor, would collapse. Indeed most of the other organizations were defunct by 1930, and the WCFA after 1927 became merely another evangelical league. None of the scheduled speeches in the 1930 convention contained any reference to Modernism or evolution and the organization faded into insignificance.⁵⁷ Perhaps this is why

⁵⁵ Ragsdale, 103; Furniss, 58-9; L. Sprague de Camp, *The Great Monkey Trial* (New York: Doubleday and Company, Inc., 1968), 403.

⁵⁶ Cash, 340.

⁵⁷ Furniss, 55-6.

the Scopes Trial has been considered the battle in which the fundamentalists may have been victorious, but in the end, lost the war.

Within five years after the Scopes Trial, the controversy of evolution had largely disappeared, or at least it had gone into hibernation. William Jennings Bryan's death and the demise of other fundamentalist leaders, intradenominational political maneuverings, the economic crash of 1929, and the reemergence of Prohibition as a concern in 1928 were some of the major contributors to the stagnation of the Fundamentalist-Modernist controversy.⁵⁸

At a glance, it would seem that Roger Baldwin, executive director of the American Civil Liberties Union and William Jennings Bryan were originally involved in the same cause. The outbreak of World War I and the policy of active foreign involvement taken by the national government eventually caused the pacifist Bryan to resign as Secretary of State and the founding of the American Union Against Militarism in 1915, of which Baldwin became a member. Baldwin directed the National Civil Liberties Bureau, an offspring of the AUAM and proved himself to be ideologically more radical than the Progressives had been, drawing his ideas from socialist and anarchist writers. "There was always an undercurrent of anti-industrialism, of opposition to big business, in the thinking of Baldwin and other civil libertarians."⁵⁹ Although supposedly a non-political body, the

⁵⁸ Ibid., 506.

⁵⁹ William A. Donahue, *The Politics of the American Civil Liberties Union* (New Jersey: Transaction, Inc., 1986), 29.

ACLU had, and still has a political view, which is that of liberalism. By definition, any organization that makes the defense of the Bill of Rights its goal is a liberal organization. With the liberal values of egalitarianism, rationalism, secularism, optimism, and anti-traditionalism, the ACLU, like the WCFA, set forth to become the leading organization of its kind.⁶⁰

The ACLU was born on January 20, 1920, less than one year after the formation of the WCFA. Its stated purpose was to serve those directly engaged with the labor struggle, those whose writing and speaking are close to labor problems, and those who stand on general principles of freedom of expression. The last was the great catchall category according to Peggy Lamson, Baldwin's biographer.⁶¹ Note that academic freedom, religious liberty, and educational and scientific issues are entirely missing from this list, and more importantly that this list contains an issue that is definitely against big business and the evils brought about by industrialism, advances in science, and materialistic progress, the very embodiment of Modernism. Yet like the factions that existed in the Protestant churches, two interest groups formed in the ACLU. The purists desired a strict constructionist interpretation of the Bill of Rights and held that civil liberties were an end in themselves. The instrumentalists viewed the Bill of Rights as an instrument to be used in service towards a socially desirable end.⁶² When Bryan said that Darwinism had been widely portrayed as a defense of war, domination, and

⁶⁰ Ibid., 4-5.

⁶¹ Ibid., 31.

⁶² Ibid., 15.

domestic exploitation, he was correct. How then, could the ACLU be the spokesperson for Modernism, that upheld the assertiveness of the scientific outlook that Germany had used, if the organization had originally been formed as a reaction against the war? Many of the insidious and harmful misinterpretations of Darwin had been promoted by scientists, German biologists, and American social scientists, like Herbert Spencer who upheld the law-governed nature of Darwinian thought. Convicted under the Espionage Act of 1917, Baldwin left prison in 1919 stating that he would support the labor movement and aid in the workers struggle to control society in the interests of the masses. These words meant that Baldwin believed that the struggle for civil liberties was essentially a struggle against the evils brought on by industrial capitalism. How can this socialistic, proletariat-oriented goal be construed as a symbol of the scientific progress it so much reviled?⁶³ When one considers that before 1929, all decisions in the ACLU were made by the Executive Committee in New York. Baldwin's personal philosophy and influence were especially profound. It was only after 1950 that the ACLU disseminated the policy-making process and became a grassroots organization, in better touch with its national constituency.⁶⁴

According to the *ACLU Reports*, little real money for cases in response to appeals ever materialized. Also, little work had been done by local committees, and a campaign aimed at enlisting the support of religious, civic, and other organizations for civil liberty had failed miserably. Of existing membership, although

⁶³ Stephen Jay Gould, "William Jennings Bryan's Last Campaign," *Natural History* 96 (November 1987): 24; Donahue, 29.

⁶⁴ Donahue, 20.

the ACLU showed a gain of 183 contributors, over 300 renewals had not been received.⁶⁵ In comparison to the WCFA, the ACLU strength seemed to be waning. From 1920 to 1930, ACLU growth was at a disturbingly low rate, providing 2400 contributors in 1925 with a total monetary contribution of \$5100 for the year.⁶⁶

The members of the ACLU did have reason for concern. In their annually published report of 1925-1926, they printed that

More legal restriction on teaching in colleges and schools were put into effect during the year than in any of the years previous. Indeed the invasion of teaching by forces of intolerance was the outstanding tendency of the year in restrictions on civil liberty. The anti evolution law in Tennessee with the Scope's trial in July was the most outstanding event.⁶⁷

Concerning the court case in Tennessee, Baldwin's greatest dilemma concerned how the case would be tried. Would it be an issue of separation of church and state and the freedom of teaching the truth according to the state-approved text, or would it concern religion against the unreasonable restraint on science imposed by law and the pursuing of an injunction against the enforcement of a state law that violated a First Amendment guarantee?⁶⁸ With the volunteering of Bryan and then Darrow to represent the opposing sides of the case, the conflict at the ACLU headquarters reached new heights. The theatrics that might result because of the two well-known antagonists might obscure the real issue in Dayton,

⁶⁵ *American Civil Liberties Union Annual Reports, January 1920-May 1930*, Vol. 1 (New York: Arno Press and the New York Times, 1970), 35.

⁶⁶ Donahue, 17.

⁶⁷ *American Civil Liberties Union Annual Reports*, 21.

⁶⁸ Peggy Lamson, *Roger Baldwin, Founder of the ACLU: A Portrait* (Boston: Houghton Mifflin, 1976), 165.

which indeed turned out to be the case.

Again, the clarity of the social situation was dimmed by a comment in a report of a New York magazine. "Speak to the average Tennessean, or for that matter, to the average New Yorker, [emphasis added] about academic freedom, and he will no more know what you are talking about than he would if you spoke..."⁶⁹

Another editorial in another contemporary magazine claimed, "The separation is not geographical but psychological: [emphasis added] In this number two aspects of that cleavage are given consideration: the great obsession in industrial relations and the baffling irrelevancy of our [emphasis added] medieval mores and a machine civilization."⁷⁰ This obfuscating rhetoric continued even into the courtroom where Darrow admitted, "with one or two exceptions every juror in this case has stated he knew little or nothing about evolution. The same thing could be said about almost any jury that would be assembled in any State in the Union." [emphasis added]⁷¹

As the executive director during the ACLU's first decade, Baldwin's unquestionable control of the direction of the organization was a manifestation of his own personal priorities. Admittedly, he was greatly disturbed by the events in Dayton. For one, the great constitutional issue that had moved him and the ACLU to institute the case in the first place had become totally submerged. Secondly, through no fault of his own, the reigns of

⁶⁹ "Dayton and After," *The Nation* 121, no. 3135 (5 August 1925): 156.

⁷⁰ *The Survey* 54, no. 9 (1 August 1925): 499.

⁷¹ "Who's Who and What's What in Scopes Trial," *New York Times*, 11 July 1925, p. 2.

control had slipped out of his hands. His failure to closely manage the case had resulted in a court case of bigotry versus enlightenment. Later, to seal Baldwin's disappointment, the conviction was overturned by the State Supreme Court on a minor technicality and therefore no Federal Supreme Court hearing was justified and the Butler Act maintained its integrity and constitutionality as law.⁷² Finally, the cost of the Scopes trial was \$6913.28, but due to lack of funds and contributions for the ACLU's position, Baldwin had to carry a \$3166.69 deficit on this case alone.⁷³

Both the ACLU and the WCFA were founded at approximately the same time because of similar reasons that had arisen in the rapidly changing world. This sentiment illustrates an actual unity in the initial motives behind both movements. Two of Baldwin's friends wrote a pamphlet titled "Last Message to the People of America." Published in 1919 just before they were deported, they said "American people at large are aching with a poignant disappointment. Some vaguely, other [sic] more consciously and clearly, but almost all feel themselves in some way victimized."⁷⁴ Changes were very much needed and were soon to be coming. After all, "reform is an American tradition." But the fundamentalists, as traditionalists, feared liberal reform in their churches and the ACLU, had it made sure that the trial dealt with educational reform could have had the weight, although

⁷² Lamson, 167-8.

⁷³ Donahue, 17.

⁷⁴ Ibid., 32.

passive, of the country's historical reform-mindedness on its side.⁷⁵

For the most part, Modernism, and indirectly the ACLU, received the most favorable press. This was due in large part to the overwhelmingly bad national and international press that the fundamentalists received. It is interesting to note that while the trial was in progress, Roger Baldwin spoke out against the press and its ownership as enemies of the ACLU. He believed that one class, the capitalist class, and "its ownership of the press enabled it" to show the wage earner in a disloyal and poor light. He believed that America's leaders were "blinded by a press necessarily subservient to property interests" and subject to propaganda.⁷⁶ The socialistic tendencies of the ACLU did not support a Spencerian view of Darwinian theory. But by its defense of Scopes, the ACLU indirectly supported the social aspects and iron law governed tenets of evolution which hinted at the capitalist exploitation of the working class. In a pragmatic sense, recalling the influence of George Rappleyea, the initial reason for the Scopes Trial was an economic one, and the ACLU supported, although not intentionally, the industrial, progress-oriented intentions of that mining engineer.⁷⁷ In addition, the soon to be members of the ACLU, pre-1920, were so immersed in the platform of the left that they even ignored the wholesale deprivation of basic civil liberties that the Volstead Act had implemented. Interestingly, it was the fundamentalists prior to

⁷⁵ Ibid., 27.

⁷⁶ Ibid., 35.

⁷⁷ Cornelius, 89.

1919, that bolstered the national support needed to pass the Eighteenth Amendment.⁷⁸ Tennessee v. Scopes was not representative of the ACLU of the 1920's, which usually dealt with anti-industry and anti-business cases, which were very urban traits, indicative of the changes that Modernism brought about. In the final reflection, the ACLU was much less representative of Modernism than the WCFA was of Fundamentalism.

The abundance of press coverage attributed to the trial suffered from poor accuracy, fairness, and discernment of coverage.⁷⁹ Unquestionably the press dramatized the conservative religious temper of the South and popularized the Bible Belt stereotypes.⁸⁰ To be sure, the widespread non-southern criticism of Tennessee and the South in general activated defensive psychological mechanisms in the region.⁸¹ Such statements included "intellectual courage in Tennessee is almost dead", "the courteous drawl of the South revealed an inflexible obstinacy which gives utterance to the blacks and prejudices", and "religion in the South is a quasi-intellectual field where mental backwardness and complete insensibility to ideas can be used as an advantage" only served to incense the indigenous population.⁸² When a New York

⁷⁸ Donahue, 37.

⁷⁹ Cornelius, 90.

⁸⁰ Bailey, 90.

⁸¹ William B. Gatewood Jr., ed., *Controversy in the Twenties: Fundamentalism, Modernism and Evolution* (Nashville: Vanderbilt University Press, 1969), 335.

⁸² J. W. Knotch, "Darrow Vs. Bryan," *The Nation* 121, no. 3134 (29 July 1925): 137.

professor suggested a boycott of Tennessee students to his college, "the publishers reported a boom for books on science, *even in the mountains of Tennessee.*"[emphasis added] Also, young writers from the big cities could not tell intelligibly what Dayton really thought of it all (the trial), because of the scant interpretation allotted to the local mind.⁸³ Admittedly, the most vehement voice of the press against the rural population of the South was H. L. Mencken of the *American Mercury* magazine. "He (Bryan) liked people who sweated freely, and were not debauched by the refinements of the toilet...His whole career was devoted to raising these halfwits against their betters..."⁸⁴ But of Mencken's editorials and their validity, one author writes, "Nevertheless if most editorials had relied on *mere name calling and invective*, [emphasis added] however skillful, the reader would soon have ignored them. Fortunately, the editor (Mencken) could write better modulated editorials than his Bryan, Farmer, and fundamentalist ones."⁸⁵ But even the Attorney General of Tennessee, prosecutor Stewart's comments were unintentionally more honest about the real meaning behind the trial. Of the expert witnesses the defense wished to use, he said "If a law like this was passed in New York and witnesses were called from Tennessee to advise the people of New York, their testimony would be objected

⁸³ *The Nation* 121, no. 3133 (22 July 1925): 103.

⁸⁴ Lawrence E. Spivak and Charles Angoff, *American Mercury Reader* (Philadelphia: The Blakiston Company, 1944), 34-7.

⁸⁵ M. K. Singleton, *H. L. Mencken and the American Mercury Adventure* (Durham: Duke University Press, 1962), 94.

to as offensive and improper."⁸⁶

Press coverage often contradictory to the fundamentalists was frequently carried in southern papers. The *Atlantic Constitution* ran a United News feature from London which reported on an interview with Julian Huxely, who convincingly brought the crisis at hand into clear view. He said that blind faith in the Bible "is the worship of a book and just as much idolatrous as the worship of a golden calf."⁸⁷ Even more criticism of the fundamentalists emerged from within the region of the South. The *Chattanooga News* openly opposed the Butler Act and favored its repeal, holding true to the democratic tradition of free speech as well as that of religion.⁸⁸ Even public opinion in Dayton did not entirely favor the anti-evolution law. In Dudley Field Malone's speech for the defense, he stated "Keep your Bible. Keep it as your consolation, keep it at your side. But keep it where it belongs, in the world of your own conscience, in the world of your individual judgement."⁸⁹ For this, he received a longer and louder ovation than either Darrow or Bryan received during the entire trial. There was even a *United Press* report about the first two arrivals in the courtroom. Two farmers, one from Missouri and the

⁸⁶ "Hostility Grows in Dayton Crowds," *New York Times*, 12 July 1925, p. 2.

⁸⁷ Donald F. Brod, "The Scopes Trial: A Look at Press Coverage After 40 Years," *Journalism Quarterly* 42, no. 2 (1965): 221.

⁸⁸ Ray Ginger, *Six Days of Forever?* (Boston: Beacon Press, 1958), 146-7.

⁸⁹ Leonard W. Levy, *The World's Most Famous Court Trial: State of Tennessee v. John Thomas Scopes* (New York: Da Capo Press, 1971), 185.

other from Nebraska promptly got into an argument over evolution.⁹⁰ An anti-evolution bill in Missouri in 1927 met with laughter in the legislature. A sponsor of the measure received a letter from one of his Ozark constituents which read, "About all you are fit for is to hunt possums and coons... You ought to slink back to Coon Hollow and try not to disgrace the state of Missouri with your ignorance." An anti-evolution bill in Kentucky met with a companion measure requiring that the water in the state should flow uphill.⁹¹ So much for the universal generalization of the unity of the all encompassing fundamentalist movement in the South.

Humor was also had by both sides. In Orange, New Jersey, a mock trial took place at a Rotary Club luncheon where a fictitious Judge Raulston used a monkey wrench as a gavel, yellow ribbons were distributed to all the guests to be worn as suspenders, like those of Darrow, and the trial broke up in disorder when a man appeared dressed as an ape and jumped from table to table.⁹² For the opposition, Thomas H. Nelson L.L.B. and evangelist from Zion City, Illinois composed a poem entitled An Ode to a Fly.

Don't be discouraged poor little fly
You'll be a chipmunk bye and bye
Ages later I can see
You'll be a full grown Chimpanzee
Next I see with prophet's ken
You'll take a place in the ranks of men
And then in the great sweet bye and bye
We'll be angels, You and I
Why should I swat you dear little fly

⁹⁰ Donald Brod, 222.

⁹¹ Ginger, 213.

⁹² "Full Text of Mr. Bryan's Argument Against Evidence of Scientist," *New York Times*, 17 July 1925, p. 3.

Prospective chum of my home on high?

That is what Darwin says - not I.⁹³

H. L. Mencken, although clearly prejudiced against the rural fundamentalists of the South, inadvertently shed light on the ambiguity of where one could find the fundamentalists, unintentionally leading one to question the WCFA's geographical areas of dominance and homogeneity. "Heave an egg out of a Pullman window and you will hit a fundamentalist almost anywhere in the United States today."⁹⁴

The real question of the trial was not whether Scopes was guilty, or even if the law was constitutional or not. "Is the Bible true?" became the focus of this emotion-driven crusade. At the climax of the trial when Bryan exclaimed his mission was "To protect the word of God from the greatest atheist and agnostic in the United States" and when Darrow replied he was trying "to show up Fundamentalism" and "to prevent bigots and ignoramuses from controlling the educational system of the United States," the real meaning of the Scopes trial surfaced, stripped of all legal pretense.⁹⁵ Bryan, like the plaintiffs in 1986's Scopes II trial, did not uphold religion. He upheld his narrow version of truth that depended on a literal interpretation of the Biblical record without regard for the spirit of the document.⁹⁶ Yet the Bible itself is not the backward looking book it is so often portrayed

⁹³ "Argument by Clarence Darrow at Dayton," *New York Times*, 14 July 1925, p. 3.

⁹⁴ Spivak and Angoff, 34-7.

⁹⁵ Russel D. Owen, "The Significance of the Scopes Trial: Issues and Personalities," *Current History* 22 (September 1925): 875-83.

⁹⁶ James M. Wall, "Scopes Trial II: A Narrow God Defended," *The Christian Century* 103 (July 30-August 6 1986): 665.

as. Its insistence on the second coming of Christ, the Judgement Day, and the Book of Revelation all look to the future, and to the ability of humans to change and reform themselves and their lives. The WCFA's insistence on the lawless interpretation of Darwinian theory paralyzed all hope of reform,⁹⁷ the cause their Layman leader championed just decades before. Now, the fundamentalists were trying to end that type of reform, at least in the Biblical sense, under the auspices of avoiding rather than accepting the challenges of their new age.

The ACLU proposed to protect the freedoms in the Bill of Rights, yet selectively chose to omit the First Amendment right of religion, opting only for free speech. In theory, the separation of church and state does not manifest itself in reality. Since the Scopes Trial, Christianity has been systematically excluded from the educational curriculum. At what point will this become a freedom of expression issue resulting in equal time and equal inclusion for Christian thought? Can civil liberties be upheld at the expense of cultural nihilism. The American cultural character, possessing the traits of progress, tradition, and reform was successfully ruptured by the Monkey Trial in 1925. Special interest groups often claim to be, or are questionably assigned to be the embodiment of historical movements that come and go with the progression of time. Was the Scopes Trial the epochal event between the forces of Fundamentalism and Modernism as described by author Frederick Lewis Allen? The answer must be forever qualified and reinterpreted, for human efforts to create static and reassuring foundations based on generalizations must succumb to evidence that suggests otherwise.

⁹⁷ Gould, 25.