

The ACLU's Selective and One-Sided Advocacy: Ignoring Biology Textbooks that Disparage Intelligent Design

The ACLU has recently challenged the use of a biology textbook which favorably presents the scientific theory of intelligent design. The ACLU claims that it is unconstitutional to teach students about intelligent design because intelligent design is an “inherently religious view” and that favorably presenting such a viewpoint “advances religion.”

Constitutional law states that the “principle or primary effect” of a law “must be one that neither advances nor inhibits religion.” (*Lemon v. Kurtzman*, 403 U.S. 602, 612 (1971).) Assuming (quite dubiously) that the ACLU is correct, then under the law, it is unconstitutional for the government to either “advance” **or to “inhibit”** such a religious viewpoint. Thus, why is the ACLU only challenging the use of a single textbook which presents intelligent design favorably, when there are **many more used by state schools which disparage the intelligent design viewpoint?**

1. *Human Biology* by Sylvia S. Mader (2000, 6th Ed., Sinauer Associates; W. H. Freeman and Company), pg. 472:

“[T]eachers who have a solid scientific background do not feel comfortable teaching an ‘intelligent design theory’ because it does not meet the test of a scientific theory.”

2. *Biology* by Peter H. Raven and George B. Johnson (2002, 6th Ed., McGraw Hill), pg. 455:

“**The intelligent design argument.** *‘The organs of living creatures are too complex for a random process to have produced—the existence of a clock is evidence of the existence of a clockmaker.’* Biologists do not agree.” [emphasis in original]

3. *Evolutionary Biology* by Douglas Futuyma (1998, 3rd Ed., Sinauer Associates), pg. 759-760:

“Still other nonbelievers in evolution, including a very few scientists present supposedly rational arguments against evolution, and instead of specifically invoking the biblical account as an alternative, argue that the only possible explanation of biological phenomena is “intelligent design –i.e., creation by an intelligent Creator ... Thus “creation science,” rather than providing positive evidence of creation consists entirely of attempts to demonstrate the falsehood or inadequacy of evolutionary science, and not show that biological phenomena must, by default, be the products of intelligent design. Here are some of the most commonly encountered creationist arguments, together with capsule counterarguments...”

It has been said that selective enforcement of the law is the hallmark of tyranny. These textbooks which disparage intelligent design have been used in public schools for years prior to October, 2004, when Dover passed its controversial policy. When will the ACLU file lawsuits to prevent the disparagement of what they (albeit erroneously) label as an “inherently religious view”?