

Transcript: *Monkey Trial* (PBS)

Narrator: Dayton, Tennessee, July 10, 1925. It was the day a 24-year-old teacher named John Thomas Scopes went on trial for teaching Darwin's theory of evolution in a public school classroom.

Edward Larson, Historian: John Scopes was new to town. He had just come down from Illinois where he grew up. And he came down as the new football coach, but he also taught general science. Scopes' indictment became front-page news around the country as soon as it happened.

Narrator: Hundreds of people streamed into the Rhea county courthouse. It was the hottest summer anyone could remember. "In the courtroom," said a reporter, "it felt like a blast furnace."

Nadine Strossen, President, ACLU: This was the very first trial in American history that was covered by the broadcast media.

Jim McKenzie, Dayton, Tennessee: I think that the only thing they were down here for was to propound the theory of evolution and this was a great place to do it.

Narrator: Evolution was about to go on trial -- with an unusual cast of characters:

A group of civic boosters trying to put their little town on the map. A judge who believed he'd been chosen by God. A prosecution attorney who spent his evenings drinking bootleg liquor with the defense and a chimpanzee named Joe Mendi.

Eloise Reed, Dayton, Tennessee: He would have a little hat on. He had a suit on with a vest. And of course we were always excited about seeing Joe.

Narrator: At the center of it all -- two of the most colorful and controversial men in America. During the eight-day trial they would fight an epic battle. A duel over science and religion. Faith and agnosticism. The book of Darwin and the Book of Genesis.

Narrator: Dayton, Tennessee, population 1,800. Founded after the Civil War, Dayton was surrounded by hills, strawberry farms and coal mines.

Eloise Reed: We had nice hotels here, good businesses here, good churches here, good schools here.

Narrator: Eloise Reed was 12 years old in 1925. Her brother played on John Scopes' football team.

Scopes spent most of his time coaching his students, but he loved science. Darwin's theory of evolution, he said, was "the only plausible explanation of man's long and tortuous journey to his present physical and emotional development."

Published in 1859, Charles Darwin's *Origin of Species* set forth one of the single most revolutionary ideas in history. It described a process by which organisms evolved over millions of years, from simple to complex, through survival of the fittest.

But to most people evolution meant just one thing.

Phillip Johnson, Author, *Darwin on Trial*: I think when people thought evolution, they didn't think of anything terribly scientific. They thought of the basic idea that humans descended from monkeys.

Narrator: Evolution had been taught in Tennessee schools since the turn of the century. The official textbook Dayton's high school was Hunter's *Civic Biology*.

Edward Larson, Historian: It was the most popular public school biology textbook in the entire country and the one required for use in every public school in the state of Tennessee. It was strictly Darwinian. By the 1920s you couldn't find a textbook that wasn't heavily evolutionary in its orientation.

You Can't Make a Monkey Out of Me

(Folk Song)

You can't make a monkey out of me, oh no.

You can't make a monkey out of me, no, no, no.

I am human through and through

All my aunts and uncles too...

Narrator: But in 1925, under pressure from Christian fundamentalists, Tennessee became the first state in the Union to outlaw the teaching of evolution.

The new law made it a crime for any public school teacher to quote "teach 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 animals." Teachers who violated the law could be fined.

The Governor of Tennessee signed the bill on March 23rd. Most people thought the new law would never be enforced.

Lawrence Levine, Historian: Look the anti-evolution law didn't change anything. It didn't change anything, and yet it was important to pass it, not because it was going to -- they had textbooks in Tennessee, which taught evolution. So any teacher who used those textbooks had to teach evolution.

The importance of that -- it was a symbolic law. It was a law symbolizing who was right, who was legitimate. Religion was legitimate. Darwin was not legitimate in the state of Tennessee.

Narrator: A world away in New York City, news about the Tennessee law appeared in the papers. The story came to the attention of a struggling new organization called the American Civil Liberties Union.

Nadine Strossen, President, ACLU: From the very beginning the ACLU was advocating freedom of speech for ideas from the most extreme left -- anarchists and socialists -- to the most extreme right including in the early days the Ku Klux Klan, Henry Ford, and others who would now be considered more toward the Fascist end of the spectrum.

Narrator: Two months after the law was passed, the ACLU placed a notice in all the major Tennessee newspapers inviting a teacher to challenge it.

Nadine Strossen: The ACLU was not advocating for or against religion. It probably wasn't even advocating for or against the validity of the theory of evolution.

As always the ACLU was seeking to advocate an abstract principle, a neutral principle of tolerance for debate and dispute. The right to air any idea, including evolution but also including anti-evolutionary ideas.

Narrator: Back in Tennessee strawberries ripened in the fields and Rhea County High School prepared for graduation.

But hard times had come to Dayton. The once prosperous coal and iron mines were closing down. A New Yorker named George Rappleyea had been hired to manage the bankruptcy.

Rappleyea became a friend of John Scopes and began attending services at a liberal Protestant church.

Edward Larson: And there he'd run into a minister who was both an evolutionist and a Christian. And at that time Rappleyea began combining the two views and thought you could be a Christian and also be an evolutionist.

So when the Tennessee legislature considered the anti-evolution laws, he wrote letters to his legislator and also to the Chattanooga Times arguing against passage of that law. He loved to make fun of it.

Then one day in May in 1925 he saw in the newspaper the ACLU offer to defend any schoolteacher who was willing to challenge that law in court.

Narrator: Rappleyea had an inspiration -- why not bring the trial to Dayton and give the town some excitement and a much-needed economic boost? He rushed off to Robinson's drugstore.

Eloise Reed: This is the spot where Robinson's Drugstore stood, right next to the big Aqua Hotel. And this is where, around the table in Robinson's Drugstore, the Scopes trial originated.

Edward Larson: Now Robinson at the time was chairman of the local school board and his downtown drug store had a soda fountain that served as the watering hole for the business and professional elite of town back then. Those were the days of prohibition of course so I think the strongest thing they could drink was Coca-Cola. He ran down there and told them his scheme.

Narrator: Rappleyea suggested they take up the ACLU's challenge and arrest one of Dayton's own teachers for teaching evolution. They would have a trial. It would be covered in the newspapers. People would come to Dayton from miles around.

Eloise Reed: And the thought grew there that we could do that. And help advertise our town and bring in industry. And maybe we'll get back on our feet.

Narrator: They needed a teacher willing to go along with their plan. John Scopes, an easy-going bachelor, seemed the perfect choice. Scopes was playing tennis when a messenger found him.

Edward Larson: He arrived at the drugstore. They sat him down. And here around him were all the town officials.

Narrator: Later when the Scopes trial became world-famous the drugstore conspirators posed for the cameras. George Rappleyea, who set things in motion. F. E. Robinson, owner of the drugstore. And the defendant John Thomas Scopes. Scopes agreed to be arrested because he wanted to help his boss. After all, F. E. Robinson was also President of the School Board.

But Scopes had another reason for agreeing to the plan. As he later wrote, "I knew that sooner or later someone would have to stand up for the stifling of freedom that the anti-evolution act represented."

Rappleyea called a sheriff and they swore out a warrant for John Scopes' arrest. While Scopes returned to his tennis game the School Superintendent called a reporter for the Chattanooga Times. "Something has happened," he said, "that's going to put Dayton on the map!"

Edward Larson: The spectacle of a town government actually indicting a teacher for teaching the theory of evolution immediately caught the nation's attention.

Narrator: Overnight John Scopes became a controversial figure. To some he was a martyr for science. To others, an "ambassador of the devil."

Darwin's theory of evolution was about to go on trial -- in a little town in Tennessee.

Eloise Reed: The town was buzzing with excitement. Not over the trial but over all of the people coming to town.

Narrator: Hollywood sent newsreel crews and photographers. Telegraph operators set up their relay equipment in a grocery store on Main Street. At a cost of \$1,000 a day Chicago's WGN radio was all set to broadcast the trial live -- a first in American history.

John Williams, WGN Radio: The pull must have been irresistible to want to tune in. I mean, literally to hear anything on the radio was fantastic, but to hear the Scopes Monkey Trial. Wow!

Narrator: America's leading journalist, H. L. Mencken came to town with four bottles of scotch and a typewriter. Mencken stood for everything sophisticated and modern. As editor of the American Mercury and reporter for the Baltimore Sun, his was the voice of the Jazz Age. He described the South as an intellectual desert.

Jim McKenzie: And here he comes down to Dayton, Tennessee. Why I bet they had a hard time finding Dayton, Tennessee on the map!

Narrator: So many reporters came to cover the event that the only decent hotel in Dayton -- the Aqua -- had to turn them away.

Now on the first day of the trial the principal player was feeling uneasy. "The town was filled with men and women who considered the case a duel to the death," Scopes said. "Everything I did was likely to be noted."

But the crowd wasn't there to see John Scopes.

Paul Boyer, Historian: You take the American personality, if there is such a thing, and divide it in two and you get Clarence Darrow and William Jennings Bryan.

Ronald Numbers, Historian: Everybody in America knew these two giants were coming down to this little southern community to fight over whether humans came from monkeys!

Narrator: Here to prosecute John Scopes and the teaching of evolution -- three-time Democratic presidential nominee, William Jennings Bryan. "All the ills from which America suffers," he said, "can be traced to the teaching of evolution."

Ready to defend science and John Scopes' right to teach it -- the most famous criminal defense attorney in America, Clarence Darrow. Darrow's whole life had prepared him for this opportunity.

Clarence Darrow's father was a carpenter in Kinsman, Ohio. He made furniture for his neighbors and ran a side business as an undertaker.

A voracious reader, he collected hundreds of books on science and philosophy -- and earned a reputation as the village atheist.

"The fact that my father was a heretic always put him on the defensive," said Darrow. "And we children thought it was only right and loyal that we should defend his cause."

Edward Larson: This was a time when the rural heartland of America was decidedly Protestant. It had a civic religiosity that pervaded the place. And oppressed anyone who did not go along with those viewpoints. His father didn't, and would sit around in the general store asking the classic village atheist questions. Clarence Darrow imbibed his father's views and throughout his life he crusaded for the causes on a national stage that his father had crusaded for on a local stage.

Narrator: In 1886, after practicing law in a small Ohio town, Clarence Darrow moved his family to Chicago. Five years after his arrival he was general attorney for the Chicago and Northwestern Railway. He was making lots of money -- but he felt, he wrote a friend "like a hypocrite and a slave."

It was a time of social upheaval. The crusade of the individual against the powerful excited Clarence Darrow. He quit his corporate job to defend the underdog -- strikers, labor leaders, anarchists.

"Society" he said "is nothing less than organized injustice."

Kevin Tierney, Darrow Biographer: Philosophically he was a kind of existentialist. His position as to life was he didn't choose to be born, and he once said that if he'd been given the option he'd have been asked to be let off...

Basically what he wanted to do was to get through it without being bored.

Narrator: As soon as Clarence Darrow heard about the anti-evolution trial he volunteered to defend John Scopes against the State of Tennessee.

Darrow came to Dayton because he believed in free speech and because he wanted to challenge a man who was in many ways his polar opposite: William Jennings Bryan.

Kevin Tierney: He was just waiting for the opportunity to confront Bryan. I mean, it was, it was almost manna from heaven that Bryan said that he would go to Dayton.

Narrator: By 1925, religion had driven a wedge between Darrow and Bryan. But once these two men had fought on the same side. Darrow even supported Bryan in his first presidential campaign -- when William Jennings Bryan began his remarkable political career.

Lawrence Levine: Millions and millions and millions of Americans voted for Bryan, followed Bryan, cared for Bryan, wrote letters of love, I mean literally. I love you kinds of letters. The Bryan papers are full of those things.

"You are my king, you are my leader, I will follow you anywhere."

He had a voice, before microphones, before amplification that could be heard one quarter of a mile away. He could be heard in the last seat of Madison Square Garden without any amplification at all. It was a great gift.

Narrator: A congressman from Lincoln, Nebraska, Bryan was just 36 years old when he won the Democratic nomination for President of the United States.

During the campaign of 1896, Bryan traveled 18,000 miles and gave 600 speeches. More than five million Americans heard his voice -- long before there was radio.

Edward Larson: Bryan handled his presidential campaigns like a crusade. He was crusading for something bigger than himself.

Narrator: Most of his ideas were far ahead of their time. He fought against Imperialism, against trusts, against the corrupt power of big business. He fought for the working man and the farmer, for women's suffrage and for campaign finance reform.

Edward Larson: He did something that no one had ever done in running for president before. He took his campaign to the people. And that had a tremendous force in America because no candidate for president had ever done that before. And that's where he earned the name the Great Commoner.

Narrator: The Great Commoner ran for president three times and three times he lost. But his essential optimism never faded. He learned his philosophy from his father, a circuit court judge and dean of the Baptist Church who taught his son that the Bible was the source of all truth.

Like many Americans in the 19th century, Bryan believed that the Christian gospel had the power to transform society.

Lawrence Levine: He always mixed religion and politics. He couldn't conceive of one without the other because religion to him was the basis of politics. Without religion there could be no desire to change in a positive way. Why should anyone want to do that?

Why should anyone want to be good and do good to his or her fellow human beings if -- if there was no reward afterwards, if there was no religious -- if we were just brutes? If we were just animals...why should anyone be good?

Narrator: The 1920s. A time, wrote F. Scott Fitzgerald, "when the parties were bigger, the pace was faster, and the morals were looser."

For men like Darrow, the Jazz Age ushered in a new world of freedom. But the Twenties threatened everything Bryan held sacred. He had campaigned hard for prohibition and now it was the law of the land. But the law meant nothing to a wild new generation. A generation that saw William Jennings Bryan as a throwback to another era.

Lawrence Levine: He was a kind of Neanderthal creature. He spoke in funny ways, he was a very religious guy, he represented yesterday rather than today. In that sense he was a very important weathervane for understanding the changes that were taking place in the United States.

Narrator: Bryan was not alone in his fears. In the first decades of the 20th century a conservative religious movement was born. Fundamentalism began as a reaction against the chaos and confusion of the modern world. The movement spread quickly. Christians across America joined together in a self-described battle against "the deceptions of Satan."

Eugenie Scott, Scientist: American Fundamentalism was a particular strain of Protestant Christianity, and in stressing the literal truth of the Bible and the literal truth of Genesis, it certainly ran right up against evolution. It was simply incompatible with evolution.

Narrator: William Jennings Bryan spoke out against all he thought was wrong with the modern world. And he listened to the fears and anxieties of parents about what was happening to their children. They were going off to school, studying evolution, and losing their religion.

In 1921, when he was 61 years old, Bryan began a new campaign. "There has not been a reform for twenty-five years I did not support", he said "And I am now engaged in the biggest reform of my life. I am trying to save the Christian Church from those who are trying to destroy her faith."

Bryan's four-year crusade inspired a Baptist legislator named John Butler to write the Tennessee anti-evolution bill. And it was a fundamentalist group -- the World's Christian Fundamentals Organization -- that invited Bryan to come to Dayton to prosecute John Scopes. He jumped at the chance.

"This presents an issue of pivotal importance," Bryan wrote. "I shall of course serve without compensation."

On July 10th, 1925, the Scopes trial began. Journalists converged on the Rhea County courthouse joined by a local crowd -- people from town, farmers from the lowlands and mountaineers carrying squirrel rifles.

Edward Larson: The Dayton civic leaders could hardly believe their good fortune. They had anticipated a great trial. They wanted a media event from the beginning. But they had never even dreamed in their wildest dreams about having the like of William Jennings Bryan and Clarence Darrow, two of the most famous orators in American history, coming together.

Nadine Strossen: This was a battle for the hearts and minds of the public. Not so much the public in Dayton, Tennessee, but the larger public all over the country that was following this very closely

Narrator: By 9 AM, the courtroom was jammed. "The crowd filled the aisles, the windows, the doors," wrote a reporter.

"Photographers and movie men perched on chairs, tables and ladders and more than a hundred newspaper and magazine writers were cramped at a pine table set with muffled telegraph instruments and typewriters, while a radio announcer pushed through the crush of counsel to set his microphone for the edification and amusement of his radio patrons!"

Nadine Strossen: This was the very first trial in American history that was covered by the broadcast media. It was a live, play-by-play coverage by a radio station out of Chicago. So this was the precursor of Court TV so to speak.

John Williams: WGN Radio received the rights to rearrange the way the courtroom was set up. And this was the first time this has happened where the media manipulates an event literally the way it's played out.

Where will the people sit, where will the jury be seated? The relationship of the judge to the prosecution and the defense, all of that changed to accommodate the radio station's microphones.

Narrator: For his listeners in Chicago and beyond, WGN radio announcer Quinn Ryan described everything he saw, beginning with Bryan's entrance into the courtroom.

John Williams: And so he said to his radio audience back in Chicago, "Here comes William Jennings Bryan. He enters now. His bald pate like a sunrise over Key West." And Bryan heard that and turned at him and laughed. They both enjoyed that moment.

Narrator: Bryan and Darrow posed for the movie cameras.

Judge John T. Raulston of Jasper, Tennessee entered the courtroom with a Bible under his arm. Raulston would be up for election the following year.

Edward Larson: Judge Raulston was the circuit judge who served the entire area of Southeastern Tennessee. He relished this opportunity. He liked media attention. He was enamored by this trial.

Now, he was not a Fundamentalist himself. He was a moderate Christian. But he somehow believed that God had picked him to be the moderator in this debate.

Narrator: Judge Raulston began jury selection with dramatic flair. He invited a four-year old boy from Dayton to narrow the pool by drawing names from a hat. Then prosecution and defense questioned potential members of the jury.

Edward Larson: Clarence Darrow was famous for his ability to pick a sympathetic jury. He would often take days and use a variety of different psychological techniques to shape a jury that would be responsive to his typically notorious client, and give them a fighting chance.

Now Clarence Darrow did not want that in this trial. What he wanted was either to have the judge overturn the law as unconstitutional, or have his client convicted so that he could appeal it. Because what was on trial at Dayton was the law, not the defendant.

Narrator: If Clarence Darrow wanted a jury inclined to believe in the Bible, he got exactly that. The fate of John Thomas Scopes would be decided by six Baptists, four Methodists, one disciple of Christ, and a single non-churchgoer. Some of the jurors had no opinion about evolution because they said they didn't know what it was. "It was obvious," wrote H. L. Mencken, "that the jury would be unanimously hot for Genesis."

Paul Boyer: Mencken loved to ridicule the rural South and he wrote really sort of very funny, but also extremely cruel and distorted reports back to the *Baltimore Sun*. And of course they were carried nationwide.

Narrator: Mencken's reports appeared in the *Sun* with equally stinging political cartoons -- seen by millions of Americans.

After jury selection, court adjourned for the weekend. Outside, the circus had begun.

The Bible's True

(Folk Song)

Evolution's teaches man came from a monkey
I don't believe such a thing in a week of Sunday.
Oh, the Bible's true, oh yes I believe it
True enough and I believe it
What you say, what you say,
bound to be that way.
Lord Yes!

Eloise Reed: On the street corners you might see a minister with a Bible in his hand talking to a small group of people. Religious signs had been put up over town. And they had not necessarily been put up by any of our churches. Others came in and put them up. There were hawkers on the street selling souvenirs.

Course we had all the newsmen, the press that came in and they were out with their cameras everyday on the street and at the courtyard taking pictures of anything.

The Bible's True

(Continued)

God made the world and everything in it
And made man perfect
and the monkey wasn't in it
What you say, what you say,
bound to be that way.
You know I'm right!

Narrator: Monkey songs, monkey souvenirs, monkey jokes. H. L. Mencken called it "Monkeytown." A chimpanzee named Joe Mendi endured the heat to entertain the children.

Eloise Reed: Joe Mendi was a little fellow and his keeper was a lady. And she would bring him up to the courthouse every day and would dress him in a different suit. And of course we were always excited about seeing Joe.

Narrator: A freight car even brought a gorilla in a cage. "People crowded in to contemplate whether this monster could be their kinsman," wrote a reporter. "The poor brute cowered in a corner with his hands over his eyes, afraid it might be true."

The Bible's True

(Continued)

Well God made the world and everything in it
And made man perfect
and the monkey wasn't in it
What you say, what you say,
Bound to be that way. Lord, yes!

Narrator: That Sunday, William Jennings Bryan spoke at Dayton's First Methodist Church.

Eloise Reed: There wasn't even standing room in the church and people were on the outside listening to him. The windows were all open. It was a hot summer day and people had come in from everywhere. I don't know how so many people knew that he was going to be speaking...

But I had a front seat that day, right in front of the pulpit where he was standing and I was sitting there in awe of him, you know... I guess I was trying to see his silver tongue that I had heard so much about.

Narrator: Monday, July 13. Judge Raulston began court with a prayer. To the defense it was an outrageous show of bias, but Darrow didn't object. He didn't want to antagonize the judge. Raulston's first ruling would be on the anti-evolution law. If he declared it unconstitutional, the trial would be over.

Though he knew his chances were slim, Darrow seized the moment to convince Judge Raulston -- and all of America -- that the anti-evolution law should be overturned.

Kevin Tierney: Darrow was at his best when the crowd, the audience was against him. That's when he was really good.

And it's a tribute to his skill as a spellbinder that on an extremely hot and uncomfortable day he kept an audience absolutely silent in the courtroom just by the power of a speech.

Narrator: "Fires have been lighted in America to kindle religious bigotry and hate," Darrow said. "If today you can take a thing like evolution and make it a crime to teach it in the public schools, tomorrow you can make it a crime to teach it in the private schools."

"And after awhile, your Honor, it's man against man and creed against creed until we're marching backward to the time when bigots burned the men who dared to bring any intelligence and enlightenment and culture to the human mind!"

The national media applauded Darrow's speech. Tennessee newspapers had a different reaction. A cartoon in the *Memphis Commercial Appeal* showed Darrow as the Anti-Christ, looking down on a modern landscape of "agnosticism, annihilation and spiritual despair."

That night a thunderstorm lit up the town. Reporters joked that Darrow's speech had bought the wrath of God upon Dayton.

After three days of deliberation, Judge Raulston announced his decision. He would uphold the law and try John Scopes for teaching evolution. "The Monkey Trial" as H. L. Mencken called it, would continue.

Bryan had won the first round. But Darrow had only begun to fight.

Edward Larson: He wanted to discredit the entire process because it was a process that he deeply and very sincerely disbelieved in. A process of government, whether through a court or a legislature, imposing ideas on people. Especially ideas that sprang from religious orthodoxy. (42 minutes)

Kevin Tierney: He was in no sense overawed by the court or the majesty of the law. And most particularly he wasn't by the unfortunate judge, Judge Raulston. And I think it is unfortunately true that not only Darrow but also H. L. Mencken really wanted in some sense to re-fight the Civil War.

They were Northerners come down to tell the Southern yokels just how stupid they were.

Narrator: H. L. Mencken outraged the people of Dayton by calling them "primates," "morons," and "hillbillies." But he saved his most potent venom for William Jennings Bryan.

"One somehow pities him," he wrote. "It's a tragedy, indeed, to begin life as hero and to end it as a buffoon."

Paul Boyer: Mencken hated Bryan, I think, for a lot of reasons. Bryan was an advocate of Prohibition, Mencken loved his beer. He held Bryan's religious views in contempt. But beyond that, Bryan represented a kind of reform tradition, a kind of voice of ordinary people, a voice of grassroots America that Mencken really held in contempt. Beneath Mencken's ridicule of the ignorant hayseeds of America was a very profound suspicion of Democracy itself. Mencken really believed that there was a small elite of -- of educated and cultivated and intelligent human beings, and then there were the masses who were really ignorant and capable of nothing but being led and bamboozled.

Narrator: On the afternoon of the fourth day, the prosecution called its first witnesses. When the time came for cross-examination, Darrow went on the offensive.

Under his interrogation the students of John Scopes admitted that learning Darwin's theory of evolution from their football coach had in no way damaged their faith or their character.

School Superintendent Walter White conceded that the textbook Scopes was accused of using -- Hunter's *Civic Biology* -- was the official biology textbook of the state of Tennessee.

F. E. Robinson testified that he himself sold copies of the offending textbook in his drugstore where John Scopes had been arrested.

Scopes himself never took the stand but to many of the reporters he was the hero of the story.

John Williams: They saw Scopes as a guy who volunteered for this case, who wasn't a bad guy, who may not have even done what he was on trial for. And so they were all pulling for him.

Kevin Tierney: Frankly, Scopes was being used. Essentially, the case had been taken over by the big names.

Narrator: If his client was convicted, Darrow would appeal the case to the Tennessee Supreme Court. Until then, he wanted to use the monkey trial to enlighten America.

To that end the defense team brought prominent scientists to Dayton to testify for evolution. The scientists had been carefully selected to prove that devout Christians also believed in evolution.

Their star witness, Professor Maynard Metcalf, was a staunch evolutionist from Johns Hopkins University who taught Sunday school at his congregational church.

Jim McKenzie: I think that the only thing they were down here for was to propound the theory of evolution and this was a great place to do it. It was right in the middle of the Bible Belt.

So here they have a golden opportunity to come down here and put on the theory of evolution in a courtroom with the greatest Fundamentalist of all, being William Jennings Bryan on the other side.

Narrator: Was the scientific testimony relevant to the case? Judge Raulston hadn't made up his mind. So when the defense called Professor Metcalf to explain evolution, he banished the jury from the courtroom.

Edward Larson: Even though they had clamored to be on the jury so that they could have front row seats they only were in the courtroom for a few hours during the eight-day trial. As it turned out, they heard very little of the trial of the century. **(46 mins)**

Narrator: So far, William Jennings Bryan had said little. He was on a strict diet to control diabetes. He had lost weight and he suffered from the heat.

Edward Larson: Bryan knew from the start that he was on trial as much as anybody else at Dayton. That his idea of anti-evolution laws had been widely criticized and he needed to defend them.

Narrator: Bryan felt confident that the jury would convict John Scopes. He focused his energy on writing his closing argument -- a speech he knew would be carried live on radio, and quoted all over America. It would bring to light all the fears about Darwinism that had haunted him for years.

As a young man Bryan had been open-minded about evolution. To him all that mattered was that God had infused man with a soul.

But by the turn of the century Bryan saw that certain rich and powerful men were using evolution to justify social inequality. If life on earth had evolved through survival of the fittest, they argued, why should the strong help the weak to survive? **(48 mins)**

The theory came to be known as Social Darwinism.

Lawrence Levine: If you see a drunk in the gutter the best thing you can do is to leave him in the gutter. Because if you pull him out of the gutter and you clean him up and you let him marry another drunk, they're going to have

drunk children. And now we're going to have five or six drunks where here we only had one or two. Let them perish, that's what their fate should be.

That was Social Darwinism at its worst.

Narrator: Then came the First World War, and Bryan saw evidence that Social Darwinism was being carried to a chilling extreme. In a book called *Headquarters Nights* he read a first-hand account of the German philosophy of war -- a philosophy inspired by the teachings of Friedrich Nietzsche.

The German military believed it was engaged in a global battle for "the salvation of the human species." Many German officers became convinced that Germany was the super-race destined to win the so-called "evolutionary struggle for existence."

Lawrence Levine: Bryan began even on his own to see a straight line between Darwin to Nietzsche. Nietzsche who talked about the superman. Nietzsche who laughed at Christianity as an ideology of slaves.

Of course slaves are going to say that the weak inherit, the meek inherit the earth. Why shouldn't they? They're slaves! But the strong shouldn't believe in that kind of religion.

Eugenie Scott: The Germans during World War One and the Nazis during World War II, leaned upon a scientific idea, natural selection, to support their -- their particular agendas. But that's nothing new.

You find people using scientific ideas, warping the scientific ideas for their particular ends, from the time that science was invented I suspect.

Narrator: Bryan believed that Social Darwinism was being promoted in the very textbook John Scopes was accused of using.

Edward Larson: He felt that because not only did it present a Darwinian view of evolution in general, but it also contained many of the theories that most Americans found objectionable.

Narrator: Hunter's *Civic Biology* used evolution to justify the selective breeding of human beings. "If the poor, the insane and the handicapped were lower animals," it said, "we would probably kill them off to prevent them from spreading."

Humanity will not allow this, but we do have the remedy of separating the sexes in asylums and in various ways preventing intermarriage and the possibilities of perpetuating such a low and degenerate race."

Eugenie Scott: The textbook that Scopes used would, by today's standards, be considered erroneous -- not good science. That's because we've learned a lot more about nature, a lot more about evolution, a lot more about human variation than was known back in 1925.

Now, we would not have made those discoveries if we had decided, oh those ideas are untouchable, we can't explore them. We just have to sweep them under the rug because we don't like their social implications.

Narrator: Bryan had compiled a long list of the dangers he saw in Darwin's theory. His closing argument at the Scopes trial would embrace them all.

It was the hottest week of the summer in East Tennessee. In the courtroom everyone noticed that only the judge had a fan. As the temperature crept towards 100 degrees, they all looked for a way to keep cool.

Monkey Business

(Folk Song)

Monkey Business, Monkey Business

Down in Tennessee

My Lou-Lou Made me Fall

I'm monkey after all...

Narrator: Prosecuting attorney Ben McKenzie had a taxicab deliver whiskey from Chattanooga to his office in Dayton -- where Clarence Darrow would join him for a drink.

Jim McKenzie, Grandson: It was more of a good time that everybody got together because they were the old school attorneys regardless of whether, what side you were on, you were still friends and you could get along. And so there wasn't any animosity between Darrow and my grandfather. In fact they became big buddies as a result of this trial.

Narrator: H. L. Mencken had his own way of escaping the heat. He spent his evenings, he bragged, in an airy suite on Lookout Mountain in Chattanooga with all the comforts of home.

Monkey Business

(Continued)

Monkey Business, Monkey Business

Nothing else will do

Just sit and parlez-vous,

Like monkeys in the zoo.

This baby sure did know her stuff...

Narrator: In the hills above Dayton, John Scopes went swimming with Bryan's son, a California attorney working with the prosecution.

Scopes described Bryan Jr. as "a pleasant fellow, on the retiring side. I suspect that his hardest burden was being the son of a famous man."

By day five the Scopes trial had stalled out. Attorneys for both sides pontificated endlessly on the virtues and the evils of evolution while the jury waited outside. Was Darwin's theory relevant to the case? Judge Raulston couldn't make up his mind.

Then came the moment everyone was waiting for. Bryan went on the attack. Evolution, he argued, removes God from the act of creation and turns man into just another animal.

"Parents have a right," he continued, "to say that no teacher paid by their money shall rob their children of faith in God and send them back to their homes skeptics, or infidels, or agnostics, or atheists."

Lawrence Levine: Do we have, he said, a scientific Soviet that rules in the schools of Tennessee? Who are these people? They don't belong here, they don't live here, they're not of the community. That was his issue.

Narrator: Then Bryan looked directly at Clarence Darrow. Ideas can be dangerous, he said. Look what happened to Leopold and Loeb.

Just a year earlier, Darrow had defended two teenagers, Nathan Leopold and Richard Loeb, in a sensational trial.

Kevin Tierney: They were rich, spoiled, upper-middle class kids living in Hyde Park which then was one of the most desirable of the Chicago suburbs. And they committed the most horrendous abduction and then murder of a young neighbor boy by the name of Bobby Franks.

Narrator: It was a vicious crime with no real motive. Darrow knew his clients would be convicted. His goal was to save them from the death penalty.

Phillip Johnson: Darrow used his usual line of argument in behalf of Loeb and Leopold. It wasn't their fault, nature made them do it, evolution made them do it, Nietzsche made them do it. They had read Nietzsche as students at the University of Chicago and his nihilistic ideas caused them to commit the murder of a neighborhood child, and so therefore they at least should not be sentenced to death for it.

Narrator: Darrow based his closing argument on his own passionate convictions. Human beings are shaped by forces beyond their control. Heredity. Environment. Chance. Free will doesn't exist. He saved his clients from the death penalty.

Paul Boyer: And Bryan in Dayton was able to say, "Look, Clarence Darrow in the Loeb-Leopold case himself showed and argued for the terrible social and moral implications of abandoning God, of abandoning traditional religion, of embracing a kind of godless view of the natural order."

Lawrence Levine: "Whose fault is it? Is it this young Leopold boy's fault? A young teenage college student? Or is it the fault of the professors who assigned him Nietzsche to read?"

Darrow jumped up and said, "I never said any such thing." And Bryan had the transcript of the trial on his knees and quoted Darrow.

Narrator: But Darrow would have the last word. Taking the transcript from Bryan, he quoted from the rest of his own speech:

"I do not believe that the universities are to blame. I do not think they should be held responsible. You cannot destroy thought because some brain may be deranged by thought."

After listening to days of heated argument, Judge Raulston made his decision. Darrow's scientists would not be allowed to testify. The defense would be denied the chance to present the case for evolution to the jury.

Ben McKenzie, Dayton, Tennessee: I think Judge Raulston succumbed to the pressure of where he was at. He knew, of course, he had to be elected. He knew that he was in the Bible Belt and he knew he needed to side with the Christian Movement because they were the big followers and of course the -- the infidels, as the defendants were called sometimes, would not get him any votes.

Phillip Johnson: The judge didn't allow the scientific experts to testify but that wasn't bias. That was his understanding of the law. And so he thought that the only real question was whether the teacher had violated the law.

Now in that sense what was really inappropriate about that ruling was that it was contrary to the basic point of this trial, which was to have a public debate.

Kevin Tierney: And of course that upset the apple cart from Darrow's point of view.

Narrator: "Darrow had come to Dayton to confront Bryan," said John Scopes. "Now it seemed he would be denied the pleasure of courtroom combat."

There would be no more testimony -- no more debate. Even John Butler, the man who had crafted the law, was becoming frustrated.

"The judge ought to give 'em a chance to tell what evolution is," he said. "Course we got 'em licked anyhow, but I believe in being fair and square and American. Besides, I'd like to know what evolution is myself!"

H. L. Mencken sent his last story to the *Baltimore Sun*: "All that remains of the great cause of the State of Tennessee against the infidel Scopes," he wrote, "is the formal business of bumping off the defendant."

Believing the trial was over, most of the reporters left town.

You Can't Make a Monkey Out of Me

(Folk Song)

You can't make a monkey out of me, oh no

You can't make a monkey out of me, no, no

I am human through and through

All my aunts and uncles too

And you can't make a monkey out of me.

No, you can't make me out of a monkey.

Narrator: Monday, July 20th. The day began so hot and humid that Judge Raulston reconvened court outside under the trees.

And then, while a crowd gathered, Darrow and the defense team called a surprise witness. If Judge Raulston refused to permit an expert on evolution to testify, perhaps he would allow an expert on the Bible. William Jennings Bryan.

Phillip Johnson: The idea of the defense lawyer calling the chief prosecutor as a witness is absurd. It's a totally inappropriate role for an advocate to play. And the judge realized this. He thought it was crazy. The other prosecutors thought it was crazy, but Bryan thought it was an opportunity to have the debate to make his case.

Lawrence Levine: He knew what Darrow was going to do. Darrow was going to try to ridicule his religious beliefs and he was not going to allow that.

Narrator: Against everyone's advice, Bryan took the witness stand. The crowd swelled to almost two thousand people.

Eloise Reed: The courtyard was packed. There were not enough seats to hold all of the people and they were standing around.

The benches had been set up all in front of the stand so we had a seat right in front of Darrow and Bryan. And I was all set to hear the great trial going on.

Narrator: Darrow began with a simple question. "You have given considerable study to the Bible, haven't you, Mr. Bryan?"

"Yes sir, I have tried to."

"Do you claim that everything in the Bible should be literally interpreted?"

Bryan replied that some parts of the Bible should be taken literally, others symbolically.

Eloise Reed: William Jennings Bryan was sitting there with a big palm fan and a handkerchief in his hand. Darrow is in his shirtsleeves with red suspenders, which he wore. He jumped up right in front of him, took hold of his red suspenders and flipped them, and said, "Do you really believe that that whale swallowed Jonah?"

Narrator: "I believe it," said Bryan, "and I believe in a God who can make a whale and can make a man and make both do what He pleases."

Edward Larson: "Did Joshua lengthen the day by making the sun or the earth stand still?" "Did God make Eve out of Adam's rib?"

Now these are questions the typical village atheist questions that Clarence Darrow's father had used a half century ago. Indeed, Clarence Darrow had asked them in an open letter to William Jennings Bryan two years before and William Jennings Bryan knew enough then not to answer them.

Narrator: Now it was too late. Under Darrow's rapid-fire assault Bryan retreated into simple answers and jokes.

"Mr. Bryan, do you believe that the first woman was Eve?"

"Yes, I do."

"Do you believe she was literally made out of Adam's rib?"

"I do, Mr. Darrow."

"Did you ever discover where Cain got his wife?"

"No, sir. I leave you agnostics to hunt for her."

Paul Boyer: It is fascinating to read the transcript of the trial. Bryan had the local audience very much in the palm of his hand. Time and again in the transcript when Bryan responds to one of Darrow's questions, the person who was recording the events would write "applause...laughter" over and over again.

Bryan was their champion and they were egging him on. It was very much like a sporting event. You know, cheering your hero. And I think Bryan won the local battle overwhelmingly.

Darrow of course understood that the real battle was being fought out nationwide, and he was playing to a larger audience.

Kevin Tierney: Darrow was always much more interested in discrediting Bryan than replacing Bryan's view by his own. He could tear down things, he couldn't build them.

Narrator: Prosecutor Tom Stewart desperately tried to stop the interrogation, but Darrow pressed on.

"Mr. Bryan, do you think the earth was created in six days?"

"No, Sir. Not six days of twenty-four hours."

"The creation might have been going on for a very long time?"

"Yes, Mr. Darrow. It might have continued for millions of years."

Ronald Numbers: And finally at one point Bryan said, "It doesn't make any difference to us whether God created the world in six days, six years, six million years, or even six hundred million years."

Edward Larson: Well, that played right into the defense's hand because they said, "Well if you can interpret those things in the Bible, why can't we interpret the story of the creation of humans in an evolutionary sense?"

Narrator: By now the defendant in the trial had been forgotten. John Scopes was in the audience filing a story for a reporter who had left town. He thought that Darrow was making a fool of Bryan. The crowd was growing impatient.

Eloise Reed: He just kept pushing him and pushing him. You know I wanted to get up off of that bench and go up there and kick him. It was just, I imagine people out there in the audience felt the same way to make him hush.

The thing was, he was attacking the Bible. Finally the judge said to him, "Well, what do you mean. You are harassing your own witness. What you are asking him has nothing to do with the issue of this trial. We want you to put a stop to it."

Narrator: Bryan pounded his fist, refusing to step down. "The only purpose Mr. Darrow has," he said, "is to slur at the Bible!"

"I object," Darrow shot back. "I am examining your fool ideas that no intelligent Christian on earth believes!"

John Williams: The radio audience in Chicago is able to hear William Jennings Bryan stand up near the microphone and he did speak to the microphone. And he said that he was going to defend the Word of God against the greatest agnostic and atheist in the United States.

Narrator: Suddenly, it was over. Judge Raulston announced that court would adjourn until 9 o'clock the next morning. Slowly, the crowd dispersed.

The media spin began at once. The national press announced that Clarence Darrow had exposed Bryan's "mindless" belief in Biblical scripture. But southerners called Darrow's inquisition "a thing of immense cruelty."

Paul Boyer: As so often happens, the issues of the trial which were already extremely simplified and extremely black and white were even further simplified as the media reported the trial and reported this final debate. The media likes winners and losers and the general media saw this very much as Darrow's triumph and Bryan's humiliation.

Narrator: On the eighth day of the trial, it was time for prosecution and defense to deliver their closing arguments. Darrow played one last trick on Bryan. He waived his own right to a closing argument. By law Bryan would not be allowed to deliver his own final address. The world would never hear the anti-evolution speech he had been working on since the trial began.

It would not be published until later that year.

Edward Larson: It is considered one of Bryan's best speeches. As he lays out the scientific case against the theory of evolution and the social indictment of Darwinism.

Narrator: Judge Raulston charged the jury with deciding whether John Scopes had indeed violated the law -- had he taught evolution in a Tennessee classroom?

After just nine minutes of deliberation the jury declared that he had. Then the defendant himself spoke for the first time.

"Your honor," Scopes said. "I feel that I have been convicted of violating an unjust statute. I will continue in the future, as I have in the past, to oppose this law in any way I can."

Bryan had won the case, but when he spoke to the press he sounded less than triumphant. "Someday," he told them, "this issue will be settled right."

History would not look kindly on Bryan's last crusade. The Scopes trial would cast a shadow over everything he had achieved.

The monkey trial was over. Most of the attorneys left town. The spectators returned to their homes in the hills and the valleys of Tennessee.

William Jennings Bryan stayed in Dayton, attending church and driving hundreds of miles to speak to his supporters in the hot July sun.

On Sunday, July 26th, Bryan attended morning church service in Dayton. Later that day he lay down for a nap and never woke up.

Eloise Reed: Well, that was about mid-afternoon on Sunday and it didn't take long for word to spread all over town. And when we got the news we were just crushed. And you know, many tears were shed, as if he were somebody in the family.

Bryan's Last Fight

(Folk Song)

Listen now all you good people

And a story I will tell

About a man named Mr. Bryan

A man that we all loved so well...

Edward Larson: He was carried by a special train and thousands of people lined the tracks to watch it go by. His pallbearers were all United States Senators as his body was laid to rest.

Narrator: In a pouring rain on July 31st, 1925, William Jennings Bryan was buried in Arlington National Cemetery in Washington, D.C.

Bryan's Last Fight

(Continued)

Then the Lord called him to heaven

For his work on earth was done.

Edward Larson: Now, for many people he was a hero. For many people he was a villain. When H. L. Mencken heard about it, his first reaction was, "We killed the son of a bitch."

But his public reaction was that God had taken a thunderbolt and threw it down to kill Clarence Darrow but missed and hit Bryan instead.

Paul Boyer: I think people responded to Bryan's death very much in terms of how they had viewed the significance of the trial.

Bryan's era is now over. This man who had loomed so large in the American political and cultural landscape for thirty years had now passed from the scene.

Narrator: Two years after the Monkey trial Clarence Darrow and the ACLU challenged the anti-evolution law before the Tennessee Supreme Court. For Darrow it was a mixed victory. The court overturned John Scopes' conviction on a technicality, but it allowed the Butler Law to remain on the books.

Edward Larson: But they didn't leave it there. They also directed that to save the peace and dignity of Tennessee that no prosecutor should ever bring an indictment under the anti-evolution statute again. And so while the law was technically upheld, it became a purely symbolic act.

Narrator: Over the next sixty years, new laws restricting the teaching of evolution were passed by several states. One by one the courts overturned them, including the law in Tennessee.

Clarence Darrow received an avalanche of mail about the monkey trial. The letters kept coming for years. "Many people," he said, "had the evident mission of saving my soul from destruction."

Darrow continued to try high profile cases into his 70s. He died in 1938 at the age of 81. At his request, friends scattered his ashes over a bridge in Chicago's Jackson Park.

Kevin Tierney: He's an interesting historical character because he has no successor. And do you know, in a way that's a great tribute to anybody in history when you've literally got no successor as -- as Darrow does not have. There are no substitutes for Clarence Darrow!

Narrator: John Scopes left Dayton soon after the trial, got a degree in geology and took a job as a petroleum engineer in Venezuela where no one had ever heard of him.

In his autobiography, Scopes confessed that he always felt uncomfortable as the defendant in the monkey trial because he didn't remember actually teaching evolution.

In 1960, John Scopes returned to Dayton, Tennessee for the first time in 35 years. He came for the anniversary of the monkey trial -- and the premiere of a Hollywood film it had inspired, *Inherit the Wind*.

The film's director, Stanley Kramer, invited the whole town of Dayton to see the movie at a local drive-in.

Give me that old time religion

Give me that old time religion

Give me that old time religion

It's good enough for me.

Eloise Reed: There were those who felt shamed about the notoriety that the town got. I have never felt that way about it myself. We were the town, the little town that we were. We were not what we were portrayed to be.

Townpeople Chant:

"Glory, Glory Hallelujah
Glory, Glory Hallelujah
His truth is marching on...
We'll hang Bert Cates to a sour apple tree
We'll hang Bert Cates to a sour apple tree
We'll hang Bert Cates to a sour apple tree..."

Narrator: After the premiere, producer-director Stanley Kramer attended a party hosted by Eloise Reed.

Eloise Reed: Kramer, the producer came over and sat down beside me, and said, "What did you think of the film?" And I said, "I didn't like it. I thought it was awful." And he said, "What do you mean? What did you not like about it?" I said, "It wasn't like that at all."

Narrator: The trial did put Dayton on the map. People came from all over the world to see the courthouse where the Scopes trial took place.

Five years after the trial, in memory of William Jennings Bryan, a fundamentalist college opened in Dayton.

Edward Larson: Fundamentalism did not die in Dayton. We all know that today because it's very much alive now. They built their own colleges, such as Bryan College right in Dayton, Tennessee and formed their own religious denominations that the elites in America didn't even notice.

Phillip Johnson: I'm on the religious side myself as a believer in divine creation but on the other hand many errors come out of our camp as well as out of the other one. And it's good that they should be challenged. So I think the clash of these ideas, as long as the debate is open and honest, is all to the good.

Eugenie Scott: I'm hoping that it won't take three hundred years before all Christians can decide that it's okay for evolution to take place through natural selection or through other means and still find that compatible with their faith.

Eloise Reed: The question was not solved -- it will never be solved. Everyone in this world is involved, every living human being in the answer to that issue.