

Will Evolution Come to Arkansas?

TOM DEARMORE

WHAT IS PAST may be prologue in some places, but in Arkansas it often has a way of seeming like today's news. For example, while millions were watching *Inherit the Wind*, the recent television re-creation of Clarence Darrow's famous examination of William Jennings Bryan in the Dayton, Tennessee, "monkey trial" of 1925, Arkansans were just beginning a "live" version of their own Scopes episode.

Forty years later, Arkansas is one of three states that still have laws forbidding the teaching in the public schools of Darwin's theory of evolution (Tennessee and Mississippi are the other two). The statute has been on the books since 1928, when it was approved by an almost two-to-one margin in a statewide referendum. Since that time, teachers have largely ignored it, and with more or less complete impunity if only because the state would be forced to print its own textbooks if science subject matter were "purified" to meet the standards of religious fundamentalism. Nonetheless they are technically risking lawsuits that could result in fines and the loss of their jobs, and many have been troubled by the conflict between the law and professional integrity. More than that, the statute raises a serious question of state involvement in religion. The *Arkansas Gazette* of Little Rock calls the anti-evolution law "an exercise in theocracy" that is "morally degrading and intellectually scandalous . . . a monument to hypocrisy."

Until recently, the law has rarely been challenged. But on December 6, Mrs. Susan Epperson, a twenty-four-year-old tenth-grade biology teacher at Central High School in Little Rock, filed a suit in the Pulaski County Chancery Court requesting that the law be declared unconstitutional. She argues that it violates her right of free speech under the Fourteenth Amendment and that it "constitutes action by the state to enter the field of religion,"

which the First Amendment prohibits. As a biology teacher, she claims, it is her duty to explain Darwin's theories. "However, when I do this, I become an irresponsible citizen, a law violator, a criminal subject to fine and dismissal from my job. On the other hand, if I obey the law, I neglect the obligations of a responsible teacher of biology. This is the sure path to the perpetuation of ignorance, prejudice, and bigotry."

Mrs. Epperson has the backing of the Arkansas Education Association, and her suit was in fact filed at the suggestion of Forrest Rozzell, the organization's executive secretary. Rozzell had already been hammering at the anti-evolution law for some time, charging that its objective was to establish a governmental policy of "selective ignorance" and that "Silence coerced by law, the avowed purpose of this statute, is the argument of force in its worst form."

Fundamentalists have traded shot for shot with Rozzell. In November, the Arkansas Association of Missionary Baptists urged state and local authorities to enforce the letter of the anti-evolution law, (So far, no attempt at enforcement has been made.) Earlier, the Arkansas Baptist Bible Fellowship adopted a resolution opposing repeal and stating the belief "that man was created in the image of God by the direct and immediate act of God without process of evolution." The resolution further asserted that "The forces of communism, liberalism and modernism seek to undermine the historic faith of our fathers by fostering the theory of evolution." But the Arkansas Council of Churches, representing nine denominations with 275,000 members, has urged repeal.

Governor Orval Faubus, a Southern Baptist, is pledged to oppose any repeal attempt in the legislature. "The Bible says man was put on earth," he says. "That's good enough

for me." He has also defended the anti-evolution law on the basis that it is "a safeguard to keep way-out teachers in line." Winthrop Rockefeller, Faubus's Republican opponent in the 1964 gubernatorial race and an avowed candidate in the 1966 election, replies that "Arkansas cannot afford to ignore centuries of scientific progress" and should not be the last state to jettison its anti-evolution code. He called Faubus's position another example of "mule-age philosophy."

Early last fall, Harry Pearson of the Pine Bluff *Commercial* contacted the original John Thomas Scopes at his home in Shreveport, Louisiana. Scopes, who is now sixty-five and a retired gas-company geologist, saw little hope that Arkansas will repeal the law. Even so, he believes that its citizens should fight to eliminate it. "You can't just lay down and go to sleep. . . . And it's a fight to be, to read and study and think, and to be able to say what you must say as a free man. . . . But it's damned near a lost cause." Perhaps Scopes had good reason for pessimism; for all the publicity of his trial and conviction—later reversed on a technicality—the Tennessee law still stands.

Mrs. Epperson, Rozzell, and Eugene Warren, the Education Association's attorney, have decided that their hope lies in the courts and not in the legislature, where the latest of several repeal bills was discreetly buried early last year. (It would take a two-thirds vote to kill the law, and in a legislature that is still rural-dominated, this is a practical impossibility.) There has never been a definitive Federal court test of the measure, and the Education Association believes that the present broadening judicial view of the Fourteenth and First Amendments may dispose of it once and for all.

But there is also a chance that the Arkansas Supreme Court, which in recent years has established a good record in civil-liberties cases, will strike down the law before it reaches a higher court. While the case may be hotly contested, we can hardly expect the serpent to crawl upon his belly again in the courtroom, or for the Earth to be created in seven days. Little Rock is no Dayton and Orval Eugene Faubus is no William Jennings Bryan.

Japan's 'Non-Military' Buildup

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EVER SINCE the Second World War, the Japanese military have represented the most faceless and voiceless element of a nation otherwise notable for its economic "miracles" and the volume of political noise it has produced in the streets of Tokyo and the chambers of the Diet. There are good reasons for this. The Japanese people have not forgotten the terrible price they paid in 1945 for the blunders and ambitions of their military leaders, and war as an instrument of national policy continues to be outlawed by their constitution. The Japanese military have no participation in government at the cabinet level. Instead of a Ministry of Defense, there is simply a Self-Defense Agency which controls a military establishment called the Self-Defense Forces. Nonetheless, in the last two years Japanese military leaders have begun to show signs of life, partly in response to the growing threat of China and partly because of directly related prodding from Washington. Apart from a modest and largely unsuccessful public-relations campaign, most of the evidence of their renewed activity has come from "top secret" defense studies that have found their way into the public domain. Although these can by no means be taken as a reflection of government policy, they clearly reveal the drift of Japanese military thinking in the context of the U.S.-Japanese Mutual Cooperation and Security Treaty and the mounting Communist challenge in the Far East.

The latest of these defense studies, code-named *Toburyu*, or *Flying Dragon*, was acknowledged by an embarrassed government last October 20 after its gist was "leaked" to opposition Socialist members of the Diet. The Socialists branded it a war plan, inasmuch as it envisages a war between the United States and Communist China and also mentions Japan's involvement in such a war. The government denied this, saying that *Flying Dragon* was merely "an exchange of memorandums

between Japan and the United States."

Flying Dragon hypothesizes a second Korean conflict in which Chinese Communist troops again clash with American G.I.s. Since Japan is allied with the United States under the Treaty of Mutual Cooperation and Security, and since U.S. warplanes would, as predicated in the study plan, utilize Japanese bases in attacking targets in Communist China and North Korea, the Japanese homeland would be subject to retaliatory strikes.

THE POSSIBILITY of a Sino-Japanese military confrontation erupting as a consequence of a flare-up between Washington and Peking is now being actively deliberated in Japan, to the dismay of many Japanese liberals and left-wingers who desire a rapprochement between Tokyo and Peking. But the government's concern is not entirely baseless. As an editorial in the *Japan Times* put it: "The close proximity



of the Chinese mainland to Japanese shores . . . must be considered as a factor likely to threaten, in a special manner, this country if Communist China became involved in an armed conflict with another nation." Indeed, Premier Eisaku Sato told the Diet in late November that the Peking régime "is threat enough without being armed with nuclear weapons. This threat to Japan's security is real, now that China is a nuclear power." It was the strongest expression of alarm about Communist China yet voiced by the Japanese government.

Although the Soviet Union was omitted from the "enemy" list in *Flying Dragon*, it was cited, along with Communist China and North

Korea, as a potential foe in an earlier and more comprehensive defense study called *Mitsuya*, or *Three Arrows*. (Russia is the only one of the three Asian Communist nations with which Japan maintains diplomatic ties.) *Three Arrows*, which was acknowledged by the Self-Defense Agency early in 1965 after significant portions of it were made public by the Socialists, provides for the "emergency" dispatch of Japanese troops to South Korea in the event of a new invasion by the Communists coupled with a simultaneous attack against Japan.

Not surprisingly, military planners in Japan have already projected the nation's primary "defense line" far beyond its territorial limits, to the 38th parallel. The "absolute necessity" of preserving an anti-Communist régime in South Korea to balk possible Red aggression—direct or indirect—via the Korean Peninsula is a prevailing theme of recent pronouncements and writings by high-ranking military men of the Defense Agency, military-affairs analysts, and an occasional political leader.

General Seiichi Yoshie, a senior member of the Joint Staff Council of the Self-Defense Agency, explored this theme in commenting on the Tokyo-Seoul "normalization" treaty, which Japan ratified on December 11: "An accurate understanding of the Republic of Korea's military strength against North Korea" he said, "will not only be greatly helpful for the defense of Japan but will also be very meaningful in pushing forward more closely and effectively the defense of the whole free world." The government itself has made it clear that the status quo in Korea is of great importance to Japan's "national interests." Thus, in 1964, the Cabinet Investigation Agency, which among many other functions is responsible for probing into Communist affairs within and without the country, declared that the reunification of Korea was "undesirable."

Banning the Ban?

Predictably, the conclusion of the rok-Japan treaty aroused the suspicions of the Socialist and Communist Parties in Japan and a large segment of the nation's intelligentsia. They see the treaty's vaguely worded preamble, calling for joint efforts