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Another Attack on Evolution

In the battles over evolution, it's usually the critics of evolution who are accused of crossing church/state lines.

But last week, some of those critics filed suit in federal court against the University of California at Berkeley, charging that its views on evolution are leading it to violate the separation of church and state. Berkeley was sued for maintaining a Web site, [Understanding Evolution](#), to help schoolteachers. The site contains a [links section](#) that notes the many religious organizations that have stated that faith is not incompatible with evolution, and these links violate the First Amendment, according to the suit.

While much of the debate over evolution is taking place in public schools, not colleges, the lawsuit is the latest example of how these discussions can spill into higher education — even when there is a wide and strongly held consensus among scientists backing evolution. In fact, this is the second lawsuit this year in which anti-evolution groups have gone after the University of California. The university system was [sued](#) in August over its refusal to certify high school courses on creationism and “intelligent design” as meeting the entry requirements for admission.

“These suits are attempts to bully academic institutions into compromising the science education that they provide, and I hope universities continue to stand up and not take it,” said Alan I. Leshner, chief executive officer of the American Association for the Advancement of Science. He said that efforts to oppose evolution have already moved from elementary and secondary schools to theme parks and science museums “so it's not surprising to see this directed at institutions of higher education.”

One irony of the Berkeley lawsuit is that science organizations have been calling on universities to sponsor projects that reach out to public schools to explain evolution. “Berkeley is doing exactly what it ought to be doing,” Leshner said.

The lawsuit charges otherwise. It was brought by Jeanne Caldwell, a California parent whose husband, Larry, is a lawyer, an anti-evolution activist, and the founder of a group called [Quality Science Education for All](#). In an interview, Larry Caldwell, said he was not affiliated with the [Discovery Institute](#), which is leading much of the campaign against evolution, but within an hour of Caldwell talking to *Inside Higher Ed*, the Discovery Institute sent — unsolicited — material denouncing the Berkeley Web site.

Caldwell said that by linking to religious groups' statements in favor of religion, Berkeley was “taking a position on evolution and attempting to persuade minor students to accept that position.” He said it was the “height of hypocrisy for this to be coming from people who claim that they are trying to keep religious instruction out of science class.” The suit was also filed against the National Science Foundation, which is providing some financial support for the Web site.

Asked if the links did not represent straightforward facts (that various religious groups do back evolution), Caldwell said that links should have been included to religious groups offering non-evolution views. He also objected to suggestions to teachers about how they can talk with students about views they have heard opposing evolution, and how teachers may need to respect religious sensibilities in some parts of the country and watch what they say.

Caldwell declined to discuss his views on the origins of life, but said, “I don’t think evolution provides a scientific explanation for the origin of life.” He said that he wasn’t trying to impose religious views. “I’m talking about fossil record,” he said. “I just don’t think the scientific evidence for evolution is very strong at all.”

The professors who run the Web site have been asked by Berkeley officials not to discuss the legal issues related to the suit. But Roy L. Caldwell, one of those professors, did agree to offer his thoughts on why the Web site and the legal battle over it are important. Caldwell, who is not related to Larry Caldwell, is a professor of integrative biology and director of the [Museum of Paleontology](#) at Berkeley.

“I am a scientist, and I understand what science is. It is fact-based. It involves hypothesis testing. It is not faith-based,” he said. The Web site was designed to help teachers — especially those who may feel pressure because of the current attacks on evolution — better explain the science. The information about religious views was included on the Web site not out of a desire to change anyone’s religious beliefs, Roy Caldwell said, but because many teachers ask for advice on how to deal with this issue, since their students ask them about it.

The information about religious groups is strictly factual, he said. “The fact is that there are many people who recognize that religious faith and science are not necessarily incompatible,” he said.

While the focus of the lawsuit is about evolution, Roy Caldwell said that critics of evolution have a larger agenda. “I think this is a much broader attack on scientific principles in general,” he said.

Michael R. Smith, assistant chancellor for legal affairs at Berkeley, said that the university would defend the lawsuit “with vigor and enthusiasm.”

He said that the argument that Berkeley was violating the First Amendment with regard to church/state separation was “highly questionable,” and that “it’s the university’s job to share scientific and other information with the public.”

In addition, he said that the lawsuit was seeking to attack Berkeley’s exercise of another part of the First Amendment by trying to censor a Web site. “The university has rights of free speech,” Smith said.

— [Scott Jaschik](#)