Judge's Unintelligent Rant Against Design

by Phyllis Schlafly Jan. 6, 2006

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Judge John E. Jones III could still be Chairman of the Pennsylvania Liquor Control Board if millions of evangelical Christians had not pulled the lever for George W. Bush in 2000. Yet this federal judge, who owes his position entirely to those voters and the Bush who appointed him, stuck the knife in the backs of those who brought him to the dance in Kitzmiller v. Dover Area School District.

Judge Jones issued a 139-page rant against anyone who objects to force-feeding public schoolchildren with the theory of evolution. He accused parents and school board members of "breathtaking inanity" for wanting their children to learn that "intelligent design is an explanation of the origin of life that differs from Darwin's view."

Contrary to most media coverage, the Dover case was not about whether the theory of evolution or Intelligent Design (ID) is correct or should be taught. The Dover school board did not propose to say ID is scientific or valid, or even to decrease its teaching of evolution.

Students were merely to be read a brief statement asserting that "gaps in the theory exist for which there is no evidence," and that ID provides an explanation for the origin of life that could be further explored by consulting a book in the school library. While not denying that those statements may be true (it is undeniable that

evolution has gaps), Judge Jones nevertheless permanently enjoined the school board "from requiring teachers to denigrate or disparage the scientific theory of evolution" and from saying that the theory has gaps.

Judge Jones exhibited his bias for judicial activism with public remarks that should have caused his recusal. Signaling that he would exploit the dispute, Jones boasted, "It certainly is one of the most significant cases in United States history. . . . Even Charles Darwin's great grandson is attending the trial."

Former Pennsylvania Governor Tom Ridge described his close friend Judge Jones as a future candidate for governor, and when questioned Jones did not rule this out. Playing up to the New York Times in an article published days before his opinion was released, Judge Jones made the silly boast that he reads five newspapers a day.

The New York Times reported that Judge Jones was awestruck that his case appeared on the cover of Rolling Stone, and that he even bragged to his wife about it before buying a copy.

All that Jones told the New York Times is not yet publicly known, or what it told him, during his private interview with that newspaper during the trial. When another judge gave private interviews during the Microsoft trial several years ago, his action was harshly reprimanded by the Court of Appeals.

Judge Jones' pursuit of the spotlight illustrates what is wrong with our judiciary today. He smeared "fundamentalists," impugned the integrity of those who disagree with him by accusing them of lying, and issued an unnecessary permanent injunction.

Judge Jones said that ninth-graders were referred to (although not assigned) a book called "Of Pandas and People" published by the Foundation for Thought and Ethics, "a religious, Christian organization." Using guilt-by-association reasoning,

he implied that books published by religious groups, or by persons motivated by religious convictions, can and should be banned from public school.

He lashed out at witnesses who expressed religious views different from his own, displaying a prejudice unworthy of our judiciary. He denigrated several officials because they "staunchly and proudly touted their religious convictions in public."

The atheist evolutionists would not have made such a big case out of the four innocuous paragraphs ordered by the Dover school board unless they were pursuing an ideological cause. They converted the trial into a grand inquisition of religious beliefs instead of addressing science or the statement to be read to students.

As the reader of five newspapers, Judge Jones was surely aware that the Dover school board had already changed hands, indicating it would be dropping mention of intelligent design. Rather than admit that the case was largely moot, as a judge should do, he resorted to judicial activism to make the case a cause celebre.

In an era of judicial supremacy, Judge Jones' biased and religiously bigoted decision is way over the top. His decision will ultimately hurt the evolutionist cause because it shows that the evolutionists cannot defend their beliefs on the merits; they can only survive by censoring alternate views.