


[Home](#)
[Our Ministry](#)
[Shopping](#)
[Science](#)
[Forum](#) | [Chat](#) | [Articles](#) | [FAQ's](#) | [News](#) |

Science

[News](#)
[Articles](#)
[FAQs](#)

Shopping

[Videos](#)
[Books](#)
[Kids Stuff](#)

Ministry

[Seminar Online](#)
[Itinerary](#)
[Contact Us](#)

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[Products](#)
[Articles](#)
[FAQs](#)
[News](#)

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[8/26/2002](#)

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[7/22/2002](#)

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[7/18/2002](#)

Creation Science Evangelism Needs Your Help! News Flash!..

[7/18/2002](#)

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[Print this page](#)

INHERIT THE WIND VERSUS THE SCOPES MONKEY TRIAL

by [George Sarrell](#)

The entire actual court case transcript is available as a book called, *The World's Most Famous Court Trial* from Bryan College 423-775-2041. This expose of the errors in the movie *Inherit the Wind* is by George Sarrell 828-684-6232 (w) or 0374 (h) 500 Christ School Road Arden, NC 28704. Millions of public school students watch the movie every year.

The play and subsequent 1960 film, *Inherit the Wind*, may have been brilliant theater, but they have essentially replaced Americans' memory of what actually took place during the Scopes Monkey Trial.ⁱ The movie promotes a stereotype of the public debate about creation and evolution that gives all virtue and intelligence to the Darwinists. If one speaks out about the teaching of evolution at public hearings, the modern audiences and reporters will be placing your words in the context of *Inherit the Wind*.ⁱⁱ In their preface, Playwrights Jerome Lawrence and Robert Lee state that the play is not actual history and only a handful of phrases from the trial's transcript are used. Tragically, many today think the

scenes and characters in *Inherit the Wind* represent what actually took place. A leading distributor of educational videos goes as far as marketing the movie as "a fine educational film...your students will think about freedom and justice for a long time."ⁱⁱⁱ Recently, a new curriculum guide uses *Inherit the Wind* to teach the virtues of tolerance and fairness. ^{iv}This will only help to perpetuate the mistaken notion that *Inherit the Wind* accurately depicts what took place when Darrow and Bryan clashed during the sweltering July of 1925.

Lawrence and Lee set the stage directions and time as "Not too long ago. It might have been yesterday. It could be tomorrow." The play was written in the 1950's during the height of the red scare, a time when many Americans feared communism as a clear and present danger. Wisconsin Senator, Joseph McCarthy, went on a crusade to eradicate communist sympathizers from positions in all walks of life including the media, military, and government. The play was written as a response to McCarthyism and its authors viewed the Scopes Trial as a historic parallel to vent their disdain for McCarthy. Similarly, Arthur Miller did this when he wrote *The Crucible*, which uses the Salem witch hunts to symbolize McCarthy's shameless and invasive tactics.

The following comparison is between the 1960 film and The Scopes Trial. Actual names will be used in the critique.

Movie Name:	Actual Name:
Matthew Harrison Brady	William Jennings Bryan
Henry Drummond	Clarence Darrow
Bertrum T. Cates	John Thomas Scopes
E. K. Hornbeck	H. L. Mencken
Sarah Brady	Mary Baird Bryan
Heavenly Hillsboro	Dayton, Tennessee

The Movie: Scopes, while teaching evolution to a high-school biology class is arrested and placed in jail.

The Facts: Scopes was not a biology teacher and never taught the theory of evolution to any class. He taught physics, chemistry, and math as well as coached football, basketball, and baseball. Scopes was filling in for the normal biology teacher at the end of the year (who was out for a prolonged illness). In his autobiography, *Center of the Storm*, Scopes stated, "We reviewed for the final exam, as best I remember. To tell the truth, I wasn't sure I had taught evolution." ^v If John Scopes did not teach evolution then why was he charged with a crime?

The answer centers on The American Civil Liberties Union (ACLU) and George Rappleyea who came to Dayton from New York City to manage the financially troubled Cumberland Coal and Iron Company. The ACLU viewed the newly passed Butler Act, which forbade Tennessee teachers from teaching any theory of origins other than the Biblical account, as a threat to individual liberty and academic freedom. The ACLU also feared that William Jennings Bryan and others would eventually lead a campaign to get an anti-evolution constitutional amendment passed. Bryan had been instrumental in the women's suffrage movement and in getting prohibition enacted. The ACLU wanted to overturn the Butler Act and so advertised for a willing teacher to test the law in Tennessee newspapers. Rappleyea, along with other Dayton businessmen hoped that the trial would bring in tourist dollars as well as put Dayton on the map. With one of the major companies failing, civic leaders were concerned about jobs and hoped to attract new business to the Rhea County

area via a nationally covered court case.^{vi}

Rappleyea disliked the literal interpretation of Genesis and instead believed that God used evolution as His means of creation. Rappleyea was also upset when at the funeral of a young boy a local minister stated that the deceased would not go to heaven because he was never baptized. Therefore, Rappleyea had two motives for answering the ACLU advertisement- his disagreement with the fundamentalists' views about the Bible and the economic future of Dayton, Tennessee.

The plot originated at Robinson's drug store. In attendance were Scopes, Rappleyea, the chairman of the school board, the superintendent of schools, and two attorneys one of which was Sue Hicks who later became a judge and was immortalized in the Johnny Cash song, "A Boy Named Sue". Scopes, since he was single and had no roots in Dayton agreed to the scheme. He allowed himself to be charged with violating the Butler Act, a warrant was sworn out, and Scopes left the drug store not to go to jail, but instead to the local tennis court.

The film scenes of Scopes in jail are fictitious. Jail was never an option. The maximum penalty that could be imposed was a fine of \$500. Before the trial took place Scopes went to New York to confer with the ACLU lawyers one of whom later became a Supreme Court Justice, Felix Frankfurter.^{vii} During the trial Scopes was not incarcerated. During the fourth day of the trial he was late to the afternoon session due to his swimming at a local pond with William Jennings Bryan Junior, son of the famous politician and assistant prosecutor in the case.^{viii} So much for the rock through the jailhouse window scene!

The Movie: Scenes involving Rachel and

her father, Reverend Brown.

The Facts: Rachel and her father are fictitious additions to the historic reality of the trial in order to draw the audience to the side of the authors more 'enlightened' views as represented by Clarence Darrow. John Scopes was not engaged at the time of the trial nor did he date anyone seriously. When commenting on his supposed romance at the time of the trial the real Scopes joked that, "they had to invent romance for the balcony set".^{[ix](#)} The relentless drilling by Bryan of Rachel on the witness stand never happened as no women ever testified! The slap in the face to Rachel by Mrs. Bryan is also impossible due to Rachel's nonexistence as well as Mrs. Bryan's crippling arthritis which confined her to a wheelchair! The nighttime prayer meeting did not happen since Reverend Brown is the authors' character added to stereotype fundamentalists as vicious, ignorant, Bible thumping bigots.

The Movie: Townspeople acting rude, intolerant, and unfriendly towards Darrow, Mencken, and Scopes.

The Facts: The people of Dayton were cordial and friendly to all three. On the seventh day Darrow states, "I don't know as I was ever in a community in my life where my religious ideas differed as widely from the great mass as I have found them since I have been in Tennessee. Yet I came here a perfect stranger and I can say what I have said before that I have not found upon anybody's part – any citizen here in this town or outside, the slightest discourtesy. I have been treated better, kindlier and more hospitably than I fancied would have been the case in the north, and that is largely to the ideas that southern people have and they are, perhaps more hospitable than we are up north."^{[x](#)}

On July 9th Mencken wrote, "The town, I confess, greatly surprised me. I expected to find a squalid Southern village, with darkies snoozing on the horse blocks, pigs rooting under the houses and the inhabitants full of hookworm and malaria. What I found was a country town of charm and even beauty."[xi](#)

Neither Scopes nor Darrow were burned in effigy or threatened with being "hung from a sour apple tree". Scopes was not fired from teaching as depicted in the film when the old lady shouts that he will no longer be employed. The scientists he met at the trial encouraged and financed his quest for an advanced degree in geology at the University of Chicago. Scopes turned down the school board's offer to have his contract renewed and moved to the 'windy city'.

The Movie: Darrow haggling over the title of Colonel.

The Facts: On the opening day of the trial the judge first uses the military rank of colonel when he refers to Darrow as colonel not Bryan![xii](#) It was customary for Tennessee judges to address attorneys by various titles. Although Darrow never served in the military, Bryan had actually been a colonel during the Spanish-American War. Again, the playwrights make Darrow look witty and wise at the expense of truth.

The Movie: Bryan is frequently lampooned.

The Facts: William Jennings Bryan was not the bafloon as depicted. "Nor was Bryan the narrow-minded, pompous, hypocrite that is depicted in Brady; in fact, Bryan was known as cooperative, kind, and charming man."[xiii](#) Clarence Darrow was not accurately represented as well. "He had a hostile demeanor and was sarcastic and condescending" at the trial.[xiv](#)

Whether you agree with his policies or not, one must recognize that Bryan was a leading political figure at the turn of the last century. He was a three time democratic presidential candidate, twice elected to congress, Secretary of State for Woodrow Wilson, and served in the Nebraska Regiment during the Spanish-American War. He was for the coinage of silver, against trusts and monopolies, known as "The Great Commoner" due to his concern for the average citizen, called "The Golden-Tongued Orator" because of his tremendous speaking ability, for the federal reserve system, for income tax, for prohibition (often spoke at meetings with Billy Sunday), for the right of women to vote, for the independence of the Philippines and against imperialism, for the direct election of Senators, and worked diligently to get nations to arbitrate their differences rather than going to war.^{xv}

Bryan did not expect the public schools to teach religion but did object to the schools attacking students' faith via evolutionary indoctrination. He strongly believed that parental concern over subject matter takes precedence over the academic freedom of teachers. He stated that the people speaking through the legislature had the right to control the schools, which they create and support through taxes.^{xvi}

The Movie: The refusal of Bryan and the judge to allow expert scientific testimony regarding the theory of evolution.

The Facts: The fifth day of the trial was largely spent on the viability of expert testimony. Legal opinion and precedent against experts testifying were argued by Bryan's son. Citing a previous Tennessee case he stated:

While the general rule is that witnesses must speak the facts

yet, upon questions of skill and science, experts are competent to give their opinions in evidence, but they will not be permitted to state their opinion upon any point the jury has to decide. Deductions from facts belong to the jury, and when the examination extends so far as to substitute the opinion of the witnesses upon the very issue in controversy, for that of the jury the province of that tribunal is unwarrantedly invaded. We think it is clear that in no case can the witness be allowed to give an opinion upon the very issue involved, a danger from this would be to substitute the opinion of the experts for that of the jury themselves, whose duty it is to find the facts and whose verdict is only an expression of their deductions from those facts.^{xvii}

The sixth day's proceedings reveal that the scientific testimony was not permitted in front of the jury because the judge ruled in favor of the prosecution that expert testimony had no bearing on whether or not Scopes had broken the law. The judge did allow the scientists to make statements regarding evolution and have them entered into the record so that the appellate judges could determine if the arguments were pertinent should the case go to the state supreme court. The transcript reveals that Clarence Darrow refused to let the scientists be cross-examined by Bryan if they took the witness stand which is why their statements were read out loud by defense attorney Arthur Hays.

The Movie: Darrow makes the statement

that, "evolution is as incontrovertible as geometry."

The Facts: The [vast majority of evidence](#) read into the record has been shown to be wrong and in the case of Piltdown Man a hoax which fooled scientists for over 40 years.

The Movie: Darrow calls Bryan to the witness stand and questions him on the days of Genesis, original sin, and other topics.

The Facts: The trial did produce the most amazing courtroom scene in Anglo-American history, the calling of prosecutor Bryan to the stand by Darrow for examination on the question of whether every story in the Bible was literally true.^{xviii} Bryan wanting to defend his beliefs willingly took the stand against the strong objections of the lead prosecuting attorney. Scopes was no longer the issue as tension had now climaxed between the two lawyers. An agreement was made that after Bryan took the witness stand Darrow would be questioned by Bryan. Up to this time the prosecuting attorneys confined the case to whether or not Scopes broke the law and not about the merits of creation or evolution.

Contrary to the movie Bryan had read and was familiar with the *Origin of Species* and other evolutionary writings. He carried on a running debate with Henry Fairfield Osborn, the director of the American Museum of Natural History. If one is looking for bigotry Osborn is a good candidate. As a social Darwinist he stated that, "the standard intelligence of the average adult Negro is similar to that of the eleven-year-old youth of the species *Homo sapiens*".^{xix} Osborn not only referred to Africans as having inferior intelligence, but also that they were not fully human!

The topic of original sin never came up and the Bible does not refer to sex as original sin. Again the authors make Bryan, and by association the fundamentalists, look bad at the expense of truth.

Bryan was not badgered into stating the days of Genesis were not 24-hour days, but without any prodding said that they may be long periods of time. This attempt at harmonizing the Bible with the vast amounts of time needed for evolution is known as the day-age theory. For details go to the page "Day-Age Theory".

In the film Bryan gives the exact date and time of creation as October 23, 4004 BC at 9 A.M. At the trial Bryan stated that Bishop Usher's calculations were used in many Bibles but the dates were estimates and that he personally believed the earth was much older than 4,000 years.

Bryan was in error about the term fish being used instead of whale in the New Testament account of Jonah. The Old Testament uses great fish and the New Testament states whale. Bryan also confused when the tower of Babel was built. The tower was built after the flood, not before. Bryan did not have answers to where Cain got his wife and to questions involving ancient civilizations.

The verbal exchanges involving the age of the rock and whether a sponge thinks did not take place. The climatic ending of the testimony did not end with Bryan rattling off in succession the books of The Bible! The judge realizing that the questioning was not relevant and that matters were getting out of hand, adjourned the court and on the next day struck Bryan's testimony from the official record.

The Movie: The jury finds Scopes guilty, Bryan demands a harsher punishment than

\$100, his pitiful speech, and dramatic death.

The Facts: Darrow asked the judge to instruct the jury to find Scopes guilty and thereby prevented any closing arguments. This was a predetermined strategy so that Bryan, who was a terrific speaker, could not give his closing statements dealing with the scientific challenges to evolution and the negative effects of social Darwinism. By doing this Darrow also ensured a guilty verdict so that the case could be appealed and the constitutionality of the law challenged in the state supreme court.

Bryan did not ask for harsher punishment but instead offered to pay the fine for Scopes!^{xx} Bryan had objected to the law imposing a penalty when he first learned of anti-evolution laws being considered by state legislatures.

Bryan and Scopes had actually met six years earlier when Bryan gave the commencement address to Scopes graduating class! In a remarkable coincidence, both Bryan and Scopes graduated from the same high school in Salem, Illinois!

William Jennings Bryan died five days after the trial during an afternoon nap. He was a diabetic with heart trouble. He had been advised by his doctor to slow down but was in great demand and keep up a hectic pace. He is buried at Arlington National Cemetery under a tombstone that reads, "Statesman, yet friend to truth! Of soul sincere, in actions faithful, and in honor clear." Bryan College, a Christian school, located in Dayton, Tennessee is named in his honor.

Eighteen months later the Tennessee Supreme Court overturned the case on a technicality so that the negative publicity that had resulted from the case would end.

State law required the jury to set the fine if it was greater than \$50 and since the judge levied a fine of \$100 the case was dismissed. Darrow lost his chance to argue before the United States Supreme Court due to this simple mistake. The Butler Act remained as a Tennessee statute until 1967.

The Movie: Darrow comments to Mencken that, "a giant once lived in that body. But Bryan got lost. Because he was looking for God too high up and too far away." Mencken states that Bryan "died of a busted belly".

The Facts: Upon learning of Bryan's death Darrow was not so gracious. It was he who is quoted as saying that Bryan "died of a busted belly". Again, another reversal of the facts in order to attribute nobility and open mindedness to the side of Darrow.

The Movie: Darrow holds in one hand *The Origin of Species* and in the other the Bible, then puts them together and walks out of the courtroom with the "Battle Hymn of The Republic" playing in the background.

The Facts: This did not happen but symbolizes the supposed harmonization of the Bible with evolution in what is known as theistic evolution. A famous English evangelist was instrumental in this synthesis. His name, Henry Drummond! In the movie Clarence Darrow's name is replaced by Henry Drummond's. The real Drummond studied science at the University of Edinburgh and in addition to evangelism lectured and wrote on the reconciliation of science and religion. The use of the name becomes even more apparent when one examines the authors in International Pocket Library edition that consists of two essays. One is Henry Drummond's *"The Greatest Thing in the World"* and the other is Clarence Darrow's *"The Skeleton In The Closet"*.

The issues that brought together Darrow and Bryan during the summer of 1925 have not been laid to rest. The controversy over the origin of life by either evolution or design still rages in biology classes. The academic freedom of teachers versus parental concerns over subject matter taught is frequently a school board issue. The modernist-fundamentalist debate over the nature of the Bible and its claim to be God's Word divides denominations and churches. The doubt about evolution being an established fact surfaces in leading scientific journals. Can evolution and the Bible be reconciled is still a much debated theological topic. These issues make the Tennessee Evolution Case one of the great trials of the 20th century.

Sadly, *Inherit the Wind* grossly distorts the historic reality and doesn't do justice to the issues and people involved. Arguing for a more accurate historic account, Carol Iannone of New York University writes:

"While *Inherit the Wind* stands nominally for tolerance, latitude, and freedom of thought, the movie is full of the self-righteous certainty that it deplores in the fundamentalist camp. Some critics have detected the movie's sanctimonious tone-'bigotry in reverse'. The movie reveals a great deal about a mentality that demands open-mindedness and excoriates dogmatism, only to advance its own certainties more insistently-that promotes tolerance and intellectual integrity but stoops to vilifying the opposition, falsifying reality, and distorting history in the service of its agenda...

The truth is not that Bryan was wrong about the dangers of the philosophical materialism that Darwinism presupposes but that he was right, not that he was a once great man disfigured by fear of the future

but that he was one of the few to see where a future devoid of the transcendent would lead."[xxi](#)

[i](#) Edward J. Larson, *Summer For The Gods*, 1997 p. 241.

[ii](#) Phillip E. Johnson, *Defeating Darwinism by Opening Minds*, 1997 p. 25.

[iii](#) Teacher's Video Company 1998 and 2000 catalogs.

[iv](#) *Inherit the Wind* Curriculum Unit by Kathy Hanlon, The Center for Learning, 1998

[v](#) Scopes and Presley, *Center of The Storm*, p.163, 183-184 taken from Scopes: Creation on Trial by R.M. Cornelius and John D. Morris

[vi](#) Edward J. Larson, *Summer For The Gods*, p. 88-90.

[vii](#) Ibid p. 102.

[viii](#) Ibid p. 170.

[ix](#) Ibid p. 241.

[x](#) Transcript of the trial p. 225-226.

[xi](#) Edward J. Larson, *Summer For The Gods*, p. 93.

[xii](#) Transcript of the trial p.7.

[xiii](#) Suzanne Pavlos, *Inherit the Wind*, Cliff Notes, 2000, p.44.

[xiv](#) Ibid p. 46

[xv](#) R. M. Cornelius, William Jennings Bryan, The Scopes Trial, and *Inherit the Wind* p. 1-2

[xvi](#) Edward J. Larson, *Summer For The Gods*, p. 104

[xvii](#) Transcript of the trial p. 152-153.

[xviii](#) Doug Linder, www, What is THE trial of the century, January 1999 (taken from the New York Times)

[xix](#) Henry Fairfield Osborn, "The Evolution of Human Races", *Natural History*, Jan./Feb. 1926. Cited by Henry Morris in *The Long War Against God* p. 62.

[xx](#) R. M. Cornelius and John D Morris, *Scopes: Creation on Trial* p. 9.

[xxi](#) Carol Iannone, "The Truth About Inherit The Wind", *First Things*, Feb. 1997, p. 28-33.

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