

THE SCOPES MONKEY TRIAL

A Play Created From The Transcripts of the 1925 Scopes Evolution Trial
By William Missouri Downs

CAST OF CHARACTERS

GENDER NEUTRAL CASTING RECOMMENDED

CLARENCE DARROW

WILLIAM JENNINGS BRYAN

ATTORNEY-GENERAL STEWART

DEFENSE ATTORNEY HAYS

JUDGE RAULSTON

MORGAN (*a young boy or girl*)

BAILIFF

JOHN T. SCOPES/ Narrator

WHITE (*superintendent of schools*) / Narrator

DR. METCALF (*a zoologist*) / Narrator

F.E ROBINSON (*an owner of a local bookstore*) / Narrator

REVEREND CARTWRIGHT

The Scopes Monkey Trial

(ACT ONE)

(The Actors come forward and speak directly to the audience. As they speak, ATTORNEY GENERAL, WILLIAM JENNINGS BRYAN, CLARENCE DARROW and DEFENSE ATTORNEY unload from their briefcases old law books and modern laptops - Macintoshes for Darrow and Hays - IBMs for Bryan and Stewart. They talk on their cell phones and check their palm pilots. HAYS wears a yarmulke.)

NARRATOR #1

March 1925, the Tennessee legislature enacts the Butler Act, which made it unlawful for teachers in public schools or professors at universities to teach any theory that denies the story of divine creation as told by the Bible.

NARRATOR #2

The law, commonly known as the anti-evolution act, stated that any teacher or professor found guilty could be fined not less than \$100 nor more than \$500. This was a fairly large sum, for the average pay for a Tennessee schoolteacher in 1925 was \$634 per year.

SCOPES/NARRATOR #3

In July of that year, twenty-four-year-old John T. Scopes, a science teacher and part-time football coach at a small high school in Dayton Tennessee is arrested for teaching evolution.

NARRATOR #1

His trial became an international media event when three-time presidential candidate William Jennings Bryan became a member of the prosecution.

(BRYAN works the crowd, shakes hands with audience.)

NARRATOR #4

Mr. Bryan was the Billy Graham of his day.

SCOPES/NARRATOR #3

For the defense there was Clarence Darrow, a champion of liberal causes and perhaps the greatest lawyer of his generation. Darrow was an agnostic.

(BRYAN and DARROW shake hands.
There is a blizzard of flashbulbs as they
wave at the audience.)

NARRATOR #4

The trial took place amidst a carnival-like atmosphere as tens of thousands of people crowded into the tiny town of Dayton.

NARRATOR #5

Even though the town looked like a state fair, the trial was real. It concerned several issues: the rights of taxpayers to control what is taught in public schools, separation of church and state, academic freedom and the tensions between religion and science.

SCOPES/NARRATOR #3

Because most people were under the mistaken impression that the theory of evolution holds that man descended from monkeys--.

NARRATOR #2

Many make the same mistake today--.

SCOPES/NARRATOR #3

...The trial was called the great "Monkey Trial."

NARRATOR #4

In 1962, nearly forty years after the trial, Mr. Scopes said..."

SCOPES/NARRATOR #3

I feel that restrictive legislation on academic freedom is forever a thing of the past, that religion and science may now address one another in an atmosphere of mutual respect and of a common quest for truth."

NARRATOR #1

Have Mr. Scopes's thoughts come true? In 2000, the Fordham Foundation published an appraisal of state science standards. That report gave twelve states a failing grade when it came to teaching evolution.

SCOPES/NARRATOR #3

Tonight's play is not Inherit the Wind. Inherit the Wind used only a handful of lines from the original trial. This play has been drawn from the actual 1925 trial transcripts.

NARRATOR #4

By being more accurate, we hope to show how little things have changed in the ___ years since the trial. For the issues brought up by the trial are as prevalent today as they were in 1925.

SCOPES/NARRATOR #3

To make our point, we will stage the trial as if it were happening today, in the year 20__.

The Scopes Monkey Trial.

ALL

(JOHN T. SCOPES turns and we find that he is in handcuffs. The BAILIFF unfastens Scopes.)

(The JUDGE enters.)

The State of Tennessee vs. John Thomas Scopes! All rise! Court'll come to order.

(JUDGE RAULSTON steps up to the rostrum and pounds his gavel.)

JUDGE RAULSTON
I ask Reverend Cartwright to open court with prayer.

(The REVEREND steps up to the Judge's rostrum.)

REVEREND
Oh, God, Thou who are the creator of the heaven and the earth. Thou who are the preserver and controller of all things, we pray Thy blessings upon this court. We pray that Thy blessings might guide the Judge, that he may give wise decisions.

(In the middle of the prayer, HAYS returns with a chair. He stops and stands there rather awkwardly, chair in hand, waiting for the prayer to end.)

REVEREND
We pray that Thou would bless the jury and bless the lawyers on each side. And bless these newspapermen as they take reports and interpret the facts. Oh God, Great Creator of the world, make us fully conscious of Thy presence. We ask this in the name of our Lord and Savior, Jesus Christ. Amen.

Amen!
BAILIFF, STEWARD,
JUDGE RAULSTON & BRYAN

BAILIFF
Oyez, oyez, this honorable circuit court is now open pursuant to adjournment. Everyone sit down.

Ahem.
JUDGE RAULSTON

Everyone sit down - *Please*.
BAILIFF

JUDGE RAULSTON
Attorney General Stewart--. Is it getting hot in here? Read the indictment.

ATTORNEY GENERAL

(Reading)

“State of Tennessee. County of Rhea. Circuit Court. The grand jurors for the state aforesaid charge that John Thomas Scopes, a school teacher, did unlawfully and willfully teach in the public schools a theory that denies the story of the divine creation as taught in the Bible, and did teach instead that man descended from a lower order of animals.” This is a violation of the Butler Act, what's commonly known as the anti-evolution law, which makes it a crime to teach the theory of evolution in any public school or university supported by state funds.

JUDGE RAULSTON

Thank you.

ATTORNEY GENERAL

Your honor, there're counsel on both sides from out-of-state. I'd like to have these people introduced.

JUDGE RAULSTON

Yes, I'll be glad to hav'em.

ATTORNEY GENERAL

For the prosecution I'm joined by William Jennings Bryan, the great orator, former U.S. congressman, and three-time presidential nominee, who needs no introduction.

JUDGE RAULSTON

And for the defense?

DEFENSE ATTORNEY

Me? I'm Arthur Hays of New York. Your honor, I wish at this time to ask the court to make an announcement to the people, and ask that they not carry off the chairs of the attorneys. We are a necessary evil.

JUDGE RAULSTON

I don't believe the courtroom should expect the judge to look after chairs. Let the Bailiff see to that.

BAILIFF

No more carrying off the chairs!

JUDGE RAULSTON

Ahem.

BAILIFF

No more carrying off the chairs - *Please!*

ATTORNEY GENERAL

Mr. Hays is from the American Civil Liberties Union.

DEFENSE ATTORNEY

Yes, I work for the A.C.L.U. Who are you working for?

ATTORNEY GENERAL

And this is Mr. Clarence Darrow from Chicago. Famous for his defense of the murderers Leopold and Loeb.

DARROW

And many other cases.

JUDGE RAULSTON

The Court is honored to have such distinguished ladies and gentlemen present. Mr. Scopes, what's your plea?

DEFENSE ATTORNEY

May it please your honor, we make a motion to quash the indictment because it violates Article One of the constitution of Tennessee: The right to worship freely. No citizen can be compelled to attend, erect or support any form of worship against his consent--.

ATTORNEY GENERAL

Your honor, the act says nothing about "religious worship." A man can belong to the Baptists, the Methodists, the Lutherans, or any other church.

DARROW

The law gives preference to the Bible. Why not the Koran?

ATTORNEY GENERAL

If your honor please, the King James Version of the Bible is recognized in this section of the country. The laws of the land recognize the Bible--.

DARROW

Does the law of the land recognize the Bible as a part of a course in biology?

ATTORNEY GENERAL

I don't think the law recognizes them as confusing one another--.

DARROW

Then why does this statute impose the theory of creation, as taught in the Bible, and exclude under *penalty of law* any other theory of creation?

ATTORNEY GENERAL

Mr. Darrow, this is not a religious question.

DARROW

Doesn't it prefer the Bible to the Koran?

ATTORNEY GENERAL

It doesn't mention the Koran.

DARROW

Does it not prefer the Bible to the Koran?!

ATTORNEY GENERAL

We are not living in a heathen country.

DARROW

Will you answer my question? Does it not prefer the Bible--?

ATTORNEY GENERAL

I've answered your question. We are not living in a heathen country, so how could it prefer the Koran?! Are you saying that teaching the Bible in the public schools is a religious matter?

DARROW

To teach any theory set forth in the Bible in the public schools is an invasion of the rights of the citizen.

ATTORNEY GENERAL

Because it imposes a religious opinion?

DARROW

Yes. If there be in the state of Tennessee a single child who is a Jew or a Muslim or an atheist, to impose the Bible on any course of science, in a public school, is an invasion of his civil and religious rights.

BRYAN

My friends, this is not an invasion of religious rights. Any person can go to church on Sunday or any other day, and worship according to the dictates of his conscience. It's not an invasion, it's an effort on the part of the legislature to control and direct the expenditure of state funds, which they have the right to do.

DARROW

Your honor, the State of Tennessee under an honest and fair interpretation of the constitution has no more right to teach the Bible as a divine book than the book of Mormons, or the book of Confucius, or Buddha, or the Essay on Emerson, or any one of the 10,000 books to which human souls have gone for consolation.

BRYAN

My friends, Mr. Scopes can console his soul all he wants. He can stand on the street corner and expound until he becomes hoarse! But he cannot go into the public schools, which are supported by public funds, and teach evolution.

DEFENSE ATTORNEY

The indictment is also vague. It fails to inform my client as to the nature and cause of the accusation against him.

BRYAN

The law says, "...it shall be unlawful for any person in any of the universities or public schools to teach any theory that denies the story of the divine creation of man as taught in the Bible." What may I ask is vague about that? You didn't prepare to defend him on a charge of arson, did you? He's not here for transporting liquor--.

DEFENSE ATTORNEY

Your honor, what does the law mean by "teach?" Does it mean to assert as true, or merely to mention in the classroom a belief that some people hold?

ATTORNEY GENERAL

Your honor, this is an effort to becloud the true issues of this case--.

DARROW

If the Court please.

JUDGE RAULSTON

I'll hear you.

DARROW

Ladies and gentlemen, this law makes the Bible the yardstick to measure every man's intelligence. Are your mathematics good? Turn to Elijah. Is your philosophy good? See Samuel. Is your astronomy good? See Genesis. This law was not passed because it's best for public morals that the children shall not know anything about evolution. This law was passed because it's contrary to the divine account contained in Genesis, that's all, that's the basis of it. The prosecution says that this teacher, John Scopes knows what he's here for. One thing is for sure, I know why he's here, because the fundamentalists are after everybody that thinks. Because ignorance and bigotry are rampant, and it's a mighty strong combination!

JUDGE RAULSTON

(pounding his gavel)

Mr. Darrow, there's no law in the state of Tennessee that undertakes to compel this defendant, or any other citizen, to accept employment in the public schools. The relationship between a teacher and his employer are purely contractual. If his conscience constrains him to teach evolution, he can find opportunities elsewhere. The Court, therefore, is now pleased to overrule the whole motion.

DEFENSE ATTORNEY

Your honor, we desire to enter an exception to your ruling.

JUDGE RAULSTON

Granted.

(The BAILIFF steps up and gives the Judge a bouquet of flowers in a vase.)

JUDGE RAULSTON

Thank you. *(he reads the attached note)* I desire to thank the lady, little girl or whoever it may be that's so mindful of the Court as to send up this beautiful bouquet.

(The ATTORNEY GENERAL and BRYAN politely applaud. JUDGE RAULSTON sets the flowers aside.)

JUDGE RAULSTON

Are you ready to read the indictment?

ATTORNEY GENERAL

The indictment's been read, but we'd be happy to read it again.

JUDGE RAULSTON

I mean, what's your plea, Mr. Scopes?

JOHN SCOPES

(standing)

Not guilty.

JUDGE RAULSTON

The defendant pleads not guilty. Now ladies and gentlemen, I'll ask the counsel for both sides to make an opening statement, in which you will *briefly* outline what your theory is in the case.

DARROW

Your honor, ladies and gentlemen of the jury, should the government force religious obedience or is that the right of the individual. As one very famous lawyer wrote, *(reading)* "Thomas Jefferson said that to attempt to compel people to accept a religious doctrine by act of law does not make Christians but hypocrites. Thomas Jefferson pointed out that God had it in His power to control man's mind, but that He did not see fit to coerce that mind into obedience. If God Himself was not willing to force man into accepting certain religious views, then man - uninspired and liable to error - ought not to use it." These words were written by Mr. William Jennings Bryan.

ATTORNEY GENERAL

Your honor, I object to that part of the statement that brought in Mr. Bryan's name.

DARROW

Your honor, I maintain that I've a right to use Mr. Bryan's name--.

JUDGE RAULSTON

I don't think Bryan's personal views are involved in this case, so I sustain the motion.

DARROW

Fine. These words were written twenty years ago by *a member of the prosecution*--.

ATTORNEY GENERAL

Your honor, He's treading upon the soil you directed him not to tread upon!

JUDGE RAULSTON

I'd like you to make no further reference to Mr. Bryan.

BRYAN

I ask no protection from the Court.

JUDGE RAULSTON

Yes I know. Proceed.

DARROW

We maintain that all scientific truth cannot be contained in the Bible since so many truths have been discovered since the Bible was written. Moses never heard of electricity, the telephone, the radio, the airplane. Moses knew nothing about scientific thought. And so, there is no more justification for imposing the conflicting views of the Bible on courses in biology than there would be for imposing the views of biologists on courses in comparative religion. The Bible is not a science book. It's not a textbook on chemistry. It's not long enough to be. It's not a book on biology. The men who wrote it knew nothing about biology. It's not a work on astronomy. The men who wrote it looked out at the stars and had no thought but that the earth was at the center of the universe and that the sun went around the earth. But we know better. And so we intend to call a dozen or so expert witnesses to testify on the theory of evolution. We will call Dr. Fay-Cooper Cole of the University of Chicago who has reviewed the fossil record and will show us how "missing links" are no longer missing. Dr. Maynard M. Metcalf, a zoologist... a zoologist...

(DARROW stops because of a quiet, but heated debate going on between BRYAN and the ATTORNEY GENERAL.)

JUDGE RAULSTON

Have you finished your statement?

DARROW

I have not, your honor.

(More talking between BRYAN and the ATTORNEY- GENERAL.)

DARROW

I'd like a little quiet. I've got a loud voice, but--!

ATTORNEY GENERAL

If the Court please, we desire to enter an objection to the defense calling expert witness regard to evolution. That has nothing to do with this case.

DEFENSE ATTORNEY

Just a moment, your honor--!

ATTORNEY GENERAL

Wait until I'm through--!

DEFENSE ATTORNEY

Yes, but I don't want his honor to rule until you hear me--!

ATTORNEY GENERAL

The defense has *no* right to read a theory or theories on evolution in the presence of this jury. It'll only prejudice them.

DEFENSE ATTORNEY

Your Honor, the jury, we believe, is an intelligent body of citizens that knows the difference between testimony and oratorical flights.

ATTORNEY GENERAL

If your honor please, we understand we're not mediocre lawyers.

DEFENSE ATTORNEY

That's not what I meant--.

JUDGE RAULSTON

I think it's proper for the Court to withhold ruling upon this questions until the evidence is offered. Are you through Dr. Darrow?

DARROW
(beat)

Yes.

JUDGE RAULSTON

Would the state's side like to make an opening statement?

BRYAN

My friends, we wish to make no opening statement. The facts will speak for themselves.

JUDGE RAULSTON

Call your first witness.

ATTORNEY GENERAL

We call Superintendent of Schools, Mr. Walter White.

(MR. WHITE enters and takes the stand.)

BAILIFF

You-swear-to-tell-the-truth-the-whole-truth-and-nothing-but-the-truth-So-help-you-God?

SUPERINTENDENT WHITE

I do.

ATTORNEY GENERAL)

Mr. White, you are the Superintendent of schools here in Rhea County are you not?

SUPERINTENDENT WHITE

Yes-ma'am. (sir)

ATTORNEY GENERAL

What subjects did Mr. Scopes teach?

SUPERINTENDENT WHITE

Mr. Scopes taught chemistry, biology and other subjects. He was also the football coach.

ATTORNEY GENERAL

(holding up a book)

Did he teach from this book, Hunter's biology?

SUPERINTENDENT WHITE

Yes-ma'am.

ATTORNEY GENERAL

We file the book as exhibit one. What school did he teach in?

SUPERINTENDENT WHITE

Rhea County Central High, here in Dayton.

ATTORNEY GENERAL

And is that school supported by state funds?

SUPERINTENDENT WHITE

Yes-ma'am. (sir)

ATTORNEY GENERAL

Did you have any conversations with Mr. Scopes concerning his teaching of Hunter's biology?

SUPERINTENDENT WHITE

Yes-ma'am.

ATTORNEY GENERAL

Did he not admit that he broke the law?

JUDGE RAULSTON

By teaching evolution?

ATTORNEY GENERAL

Yes-sir. We think it's competent as an admission.

JUDGE RAULSTON

(waits for an objection)

Proceed.

SUPERINTENDENT WHITE

Scopes said that he reviewed the entire textbook, and among other things, said he couldn't teach from that book without teaching evolution. Of course, I defended the statute.

ATTORNEY GENERAL

So, Mr. Scopes, here, openly admitted that he taught evolution.

SUPERINTENDENT WHITE

He defended himself by saying that the law was unconstitutional.

ATTORNEY GENERAL

I'll ask you if this is the King James Version of the Bible, and to file it as an exhibit to your testimony?

DEFENSE ATTORNEY

Do you mean to file that in evidence?

ATTORNEY GENERAL

We offer this in evidence, yes, as explanatory of what the act relates to when it says the "Bible."

DEFENSE ATTORNEY

Your honor, we insist that the prosecution prove what the Bible is before they put one in evidence.

ATTORNEY GENERAL

Sorry. You've lost me.

DEFENSE ATTORNEY

I'm sure you know that there are many different and contradictory versions of the Bible.

BRYAN

We use the King James Version in these parts.

DEFENSE ATTORNEY

True. Protestants use the King James Version. On the other hand, Catholics use the Douay Version. But the original manuscripts containing the inspired word of God, written in Hebrew, Aramaic and Greek, have all been lost for many hundreds of years.

BRYAN

And so, your honor, wouldn't it seem logical to use what we know, the King James Version?

DEFENSE ATTORNEY

But is that the most accurate version? The Douay Version contains six whole books and portions of other books, which are not included in the King James. There are over 30,000 differences between the Douay and King James versions. Which version does the Tennessee legislature call for? Which version does God intend?

ATTORNEY GENERAL

What's the defense saying, we must all learn Hebrew, Aramaic and Greek in order to continue with this trial?

DEFENSE ATTORNEY

Your honor, it's important to note that in 1611--.

ATTORNEY GENERAL

(quietly)

Oh for God sake--.

DEFENSE ATTORNEY

When the King James revision was made, little was known of the Hebrew language. To understand the Bible one must know Hebrew. Yet, scholarly study of Hebrew didn't begin until 1753, 142 years after the King James Version. In short, the King James Version has many errors, none of them basic.

JUDGE RAULSTON

Would you raise the same objection if they attempted to file any other Bible?

DEFENSE ATTORNEY

Not if someone testifies that the King James Version or whatever version they use is in fact the true Bible.

JUDGE RAULSTON

(beat)

Let the objection be overruled.

DARROW

What particular edition is it? We want it so we can get a copy.

ATTORNEY GENERAL

This is the Holman's Pronouncing Edition of the Holy Bible, containing the Old and New Testaments, known as the authorized King James Version.

DARROW

Publisher?

ATTORNEY GENERAL

(reading the inside cover)

"A. J. Holman & Company, Philadelphia."

DARROW

You sure we can get that on sale here, can't we?

ATTORNEY GENERAL

How's that?

DARROW

Do you know whether we can find that book on sale here?

ATTORNEY GENERAL

You can find this exact same edition on sale at Robinson's bookstore just down the block. You may cross-examine, if you care to.

(DEFENSE ATTORNEY approaches the witness.)

DEFENSE ATTORNEY

Mr. Superintendent, did you ever talk with Mr. Scopes before he taught evolution?

SUPERINTENDENT WHITE

No, I did not.

DEFENSE ATTORNEY

You never said anything to him or to any other teacher about *not* teaching evolution?

SUPERINTENDENT WHITE

No, sir. I didn't for these reasons--.

DEFENSE ATTORNEY

I don't care anything about the reason. This book of Hunter's... What's the name of that book?

ATTORNEY GENERAL

Biology--. Sorry, I thought you were asking me.

DEFENSE ATTORNEY

I'm asking the witness.

SUPERINTENDENT WHITE

George William Hunter's Civic Biology.

DEFENSE ATTORNEY

That was the official book adopted by the board of education, was it not?

SUPERINTENDENT WHITE

In Tennessee, the board of education doesn't adopt books.

DEFENSE ATTORNEY

Who does?

SUPERINTENDENT WHITE

The Tennessee Textbook Commission.

DEFENSE ATTORNEY

Oh. The Tennessee Textbook Commission. Was this the official book adopted by the Tennessee Textbook Commission?

SUPERINTENDENT WHITE

It *was*, but the contract expired.

DEFENSE ATTORNEY

Had any other book been adopted in the meantime?

SUPERINTENDENT WHITE

No, sir.

DEFENSE ATTORNEY

So, Mr. Scopes here taught from the *official* book adopted by the Tennessee Textbook Commission.

SUPERINTENDENT WHITE

Yes, sir. But--.

DEFENSE ATTORNEY

Thank you.

DARROW

(holding up a copy of Civic Biology)

Mr. (Ms.) White. Have you read this book?

SUPERINTENDENT WHITE

In parts.

DARROW

Then, why don't you read it for us. Start, like, here.

SUPERINTENDENT WHITE

(reading)

"The Doctrine of Evolution - We have now learned that animal forms may be arranged so as to begin with very simple one-celled forms and culminate with a group which contains man himself."

DARROW

Have you noticed any mental or moral deterioration growing out of having that book?

SUPERINTENDENT WHITE

How's that?

ATTORNEY GENERAL

Objection.

JUDGE RAULSTON

Sustained.

DARROW

Have you noticed any mental or moral deterioration in the students?

ATTORNEY GENERAL

Objection.

JUDGE RAULSTON

Sustained.

DARROW

How bout yourself? You suffering from any moral deterioration?

SUPERINTENDENT WHITE

No-sir.

You're sure? DARROW

Yes. SUPERINTENDENT WHITE

So reading this passage didn't harm you any? DARROW

No. But I'm not a child. SUPERINTENDENT WHITE

So, you think it's better to teach children pat answers before they even learn to question, so that they'll have no need to question, so that they won't even know how to formulate a question--! DARROW

Objection! ATTORNEY GENERAL

Aren't your schools just teaching students how to quickly make up their minds, rather than how to effectively change them--! DARROW

Objection! ATTORNEY GENERAL

The witness is dismissed. DARROW

(WHITE Exits.)

We call Hanna Morgan. A freshman at Dayton High School. ATTORNEY GENERAL

(MORGAN takes the stand.)

(PLEASE NOTE: A girl or a boy can play the role of Morgan - minor rewrites will be needed if it is a boy)

You-swear-to-tell-the-truth-the-whole-truth-and-nothing-but-the-truth-So-help-you-God? BAILIFF

Okay. MORGAN

Your name is Hanna Morgan? ATTORNEY GENERAL

Yes-ma'am MORGAN

How old are you? ATTORNEY GENERAL

Fifteen. MORGAN

Will you speak a little louder? ATTORNEY GENERAL

Fifteen. MORGAN

Did you attend school here in Dayton last year? ATTORNEY GENERAL

Yes-ma'am. (sir) MORGAN

Did Mr. Scopes teach you? ATTORNEY GENERAL

Yes-ma'am. MORGAN

Did he ever undertake to teach anything about evolution? ATTORNEY GENERAL

Yes-ma'am. MORGAN

I think, your honor, I'll object to that. Ask her what evolution is. DARROW

What's the difference--? All right. JUDGE RAULSTON

Just state in your own words what he taught you. ATTORNEY GENERAL

He said that the earth was once a hot molten mass, too hot for plant or animal life to exist. Then, in the sea, the earth cooled. And there was a little germ of a one-cell organism formed. And this kept evolving until it got to be a pretty good-sized animal. It became a land animal, and from this came man. MORGAN

He said that we all started as a little one-celled animal? A lower form of life? ATTORNEY GENERAL

Yes-ma'am. MORGAN

Which evolved and evolved and finally got bigger and became a land animal? ATTORNEY GENERAL

MORGAN

Yes-ma'am.

ATTORNEY GENERAL

The culmination of which was man. How did Mr. Scopes classify man with reference to other animals?

MORGAN

He classified man along with cats and dogs, cows, monkeys and all that.

ATTORNEY GENERAL

He classified them along with monkeys.

MORGAN

Yes-ma'am.

ATTORNEY GENERAL

By any chance did he happen to mention that mankind is a divine creation?

MORGAN

No, ma'am.

ATTORNEY GENERAL

By any change did mention that God created mankind?

MORGAN

No, ma'am.

ATTORNEY GENERAL

Or that God was involved in this process in any way?

MORGAN

The subject of God never came up.

ATTORNEY GENERAL

The subject of God never came up! You may cross-examine.

DARROW

Let's see, your name is?

ATTORNEY GENERAL

Hanna--. Sorry. I thought...

MORGAN

Hanna Morgan.

DARROW

Now, Hanna, what do you mean by "classify?"

MORGAN

Well, that men were just the same as them.

DARROW

He didn't say a cat was the same as a man?

MORGAN

No, sir. He said man, unlike these animals, had reasoning power.

DARROW

Well, there's some doubt about that. Now, Hanna, he said they were all mammals, didn't he?

MORGAN

Yes-sir.

DARROW

Did he tell you what a mammal was, or don't you remember?

MORGAN

He just said these animals were mammals and man was a mammal.

DARROW

Did he tell you what distinguished mammals from other animals?

MORGAN

I don't remember.

DARROW

Didn't he say that mammals were those beings which have hair and suckled their young?

MORGAN

I don't remember.

DARROW

But he said that all of them were mammals?

MORGAN

All what?

DARROW

Dogs and cows and man and whales?

MORGAN

Yes-sir. But I don't know about whales. He said all the others.

DARROW

You've never seen a whale suckling its young?

MORGAN

I have not.

DARROW

Is this the book he taught you from?

MORGAN

Yes-sir.

DARROW

Is there anything in this book that says mankind descended from monkeys?

MORGAN
Yes-sir.

DARROW
That mankind descended from monkeys?

MORGAN
Oh! No, sir, not that I know of.

DARROW
It's not in this book about man coming from the same cell that the monkey came from?

MORGAN
Not that I could find.

DARROW
Well, it doesn't. Now, that's about what he taught you, huh? It hasn't hurt you any has it?

MORGAN
Well, no-sir.

DARROW
Are you a church member?

MORGAN
Yes-sir.

DARROW
Still belong?

MORGAN
Yes-sir.

DARROW
Attend regularly?

MORGAN
Yes-sir.

DARROW
You didn't leave the church when he told you all forms of life began with a single cell?

MORGAN
No-sir.

DARROW
Did he tell you anything else that was wicked?

MORGAN
Not that I remember.

DARROW
That's all.

(MORGAN steps down.)

BRYAN

Your honor, the evidence is complete. The testimony shows that Mr. Scopes knew the law, understood the law, and that he willfully violated the law. The state rests.

JUDGE RAULSTON

Mr. Darrow, you're up.

DEFENSE ATTORNEY

We call Dr. Maynard M. Metcalf.

(DR. METCALF takes the stand.)

BAILIFF

You-swear-to-tell-the-truth-the-whole-truth-and-nothing-but-the-truth-So-help-you-God?

DR. METCALF

I so swear.

(BRYAN gets up, walks to the witness stand and glares at Metcalf - as if to make him "vanish in a puff of smoke." Then he returns to his seat.)

DARROW

Give us your name?

DR. METCALF

(distracted by what Bryan just did)

Maynard M. Metcalf--.

ATTORNEY GENERAL

Just a moment, I want to impart a little information to you as a matter of procedure. We've a rule in this fine state that precludes the defendant from taking the stand if he doesn't take the stand *first*.

DARROW

Well, you've caught me on it.

JUDGE RAULSTON

That's a technicality. I'll allow you to withdraw the witness.

DARROW

Your honor, every single word that was said against this defendant, *everything* is true.

JUDGE RAULSTON

So, Mr. Scopes doesn't care to take the stand in his own defense?

DARROW

What's the use?

Very well. Proceed.

JUDGE RAULSTON

What's your profession?

DARROW

I'm a zoologist.

DR. METCALF

And just what is that?

DARROW

It's the study of animals.

DR. METCALF

How long have you been studying these critters?

DARROW

I began when I was about fourteen.

DR. METCALF

You've not learned it all yet, have you?

DARROW

I'm afraid not.

DR. METCALF

Where do you teach?

DARROW

At the Johns Hopkins University.

DR. METCALF

Have you memberships in various organizations?

DARROW

I've been secretary treasurer and president of the American Society of Zoologists and president of the American Association for the Advancement of Science.

DR. METCALF

Any articles, books, journals?

DARROW

Oh, I suppose sixty or seventy.

DR. METCALF

Are you a member of any church?

DARROW

I'm a member of the United Church, which is a Congregationalist church.

DR. METCALF

And are you connected with church activities? Aside from being a member?

DARROW

DR. METCALF

I'm in charge of a Bible study class.

DARROW

Doctor, do you understand, or at least ever studied evolution?

DR. METCALF

I've always been particularly interested in evolution.

DARROW

Do you know any scientific man in the world that's not an evolutionist?

ATTORNEY GENERAL

We object to that!

JUDGE RAULSTON

Sustained.

ATTORNEY GENERAL

Of course, Mr. Darrow, if you'd like to take a poll.

DARROW

(to Dr. Metcalf)

Is evolution accepted by the scientific community?

ATTORNEY GENERAL

We object.

JUDGE RAULSTON

Sustained.

DEFENSE ATTORNEY

Your honor, we call this witness to say, among other things, that in the profession evolution is largely accepted--.

ATTORNEY GENERAL

Your honor has passed on that--.

DEFENSE ATTORNEY

Our whole case depends upon proving that evolution is a reasonable scientific theory.

JUDGE RAULSTON

I don't know how you can prove it reasonable by showing that one person believes it. Sustain the objection.

DARROW

(to Dr. Metcalf)

Is evolution taught in all the leading universities of the world--?!

ATTORNEY GENERAL

We object to that--.

DARROW

Is there anything in the theory of evolution in conflict with the creation of man as given in Genesis--?

ATTORNEY GENERAL

We object to that, of course--.

DARROW

Will you tell what it means, the fact of evolution?!

(Beat, they both look at the ATTORNEY GENERAL, but there is no objection.)

DR. METCALF

Evolution, I think, means change. I think it means the change of an organism from one character into a different character. And by character I mean its structure, or its behavior or its function, or its method of development.

DARROW

And this evolution includes man?

DR. METCALF

Surely.

DARROW

Been a lot of talk here about theories. What's a theory?

DR. METCALF

A theory is a logical explanation, not a guess.

DARROW

A whale suckles its young, does it not?

DR. METCALF

Yes.

DARROW

And how is the whale classified?

DR. METCALF

A whale is a mammal.

ATTORNEY GENERAL

May I ask what the defense hopes to show by this line of questioning?

DARROW

We expect to show first what evolution is, and, secondly, that any interpretation of the Bible, that intelligent people could possibly make, is not in conflict with evolution--.

BRYAN

(to the jury - the audience)

My friends, to permit experts to testify upon this issue would be to substitute trial by jury with trial by expert, and announce to the world that your honor believes this jury is too stupid to determine a simple question of fact--.

DEFENSE ATTORNEY

Your honor, is there anything in Anglo-Saxon law that insists that the determination of either court or jury must be made in ignorance? Are we entitled to show what the Bible is? Are we entitled to teach what evolution is? Your honor, who is afraid of a statement of facts?

ATTORNEY GENERAL

If they want to make a school down here in Tennessee to educate our poor ignorant people, let'em establish a private school; let them bring down their great experts! We don't object. But we do object to these foreign gentlemen from New York, making a school house out of this Court.

DEFENSE ATTORNEY

Why "from New York?"

ATTORNEY GENERAL

I noticed you don't want to be from Tennessee, and hence I thought I'd place you.

BRYAN

My friends, some of the experts whom they've brought here, don't believe in God. The great majority, the leading scientists, don't believe in God; they have different ideas! What's happening here is that the defense, the A.C.L.U., is trying to put words into the mouth of God. Instead of God creating man in His own image. Instead of creating him out of the dust of the ground, they say that He issued some sort of protoplasm, or soft dish rag, and put it in the ocean.

DARROW

Let me ask a question. When it said, "in His own image," did you think that meant the physical man?

BRYAN

Yes, I do, and I'll give you my reason--.

DARROW

Take the statement that God said, "Let us make man in our own image."

BRYAN

It says, "Like unto Him" and "made in His image!"

DARROW

You think then, to believe the Bible, one must believe that the physical man, as we see him, looks like God?

DEFENSE ATTORNEY

If any teacher in a Tennessee school failed to teach that man physically looks like God, would he be violating the law?

ATTORNEY GENERAL

Well, we'll try that lawsuit when we get to it. Let us talk about the matters involved in this case.

BRYAN

My friends, they bring in this distinguished gentleman, a disciple of Mr. Darrow. He says evolution is an established fact, that everyone believes--.

DARROW

You seem so sure as to what our witnesses are going to say. How is it that you're in a position to know what they're going to say without allowing them to testify?

BRYAN

Let me ask you something. Do you believe the story of the divine creation?

DARROW

That's none of your damn business.

JUDGE RAULSTON

I don't think the defense has offered a courteous answer.

DARROW

That's so. Instead of those words, I'll say, I think my thoughts on divine emanation are of no concern to the prosecution or this case.

BRYAN

And I'll say to you that I've as little concern as to where you emanated from, or as to where you are going, as any man I ever met.

DARROW

Now, may I ask for an apology, your honor?

JUDGE RAULSTON

Yes, sir.

BRYAN

I didn't mean to give offense. I beg your pardon.

JUDGE RAULSTON

It's like old sweethearts making up. Dr. Metcalf, you may stand aside. At least till we know what we're going to do with you.

(DR. METCALF exits.)

BRYAN

My friends, I think this is a fair illustration, if a man made a contract with somebody to bring rain in a dry season down here, and if he was to have \$500 for an inch of rain, and if the rain did not come, could he sue to collect the money? Could he bring experts in to prove that a drought was better than rain? These people want to come here with experts to make you believe that the law should never have been passed. This isn't a place for expert testimony. We have sufficient proof in the book!

JUDGE RAULSTON

You mean the Bible?

BRYAN

No, sir! The biology book. No, not the Bible, you see in this state they can't teach the Bible. They can only teach things that declare it to be a lie. We can't teach the Bible, even with teachers that we pay with our own money! *(holding up the biology book)* No matter

when the law was passed; no matter what the board of education did; no matter whether they put their stamp of approval upon this book, the moment that law became law, anything in this book contrary to that law was prohibited! And nobody knew that better than Mr. Scopes himself. Now, we have little--. What's the Morgan girl's first name?

ATTORNEY GENERAL

Hanna.

BRYAN

Little Hanna Morgan. And, my friends, that girl is going to make a great lawyer some day. I didn't realize it until I saw how a fifteen-year-old understood the subject so much better than the distinguished A.C.L.U. lawyers. This case is open-and-shut! Christians believe man came from above, evolutionists believe he came from below! These scientists would destroy the Bible on evidence that wouldn't convict a habitual criminal of a misdemeanor! They found a tooth in a sandpit in Nebraska and they call it a missing link. Here we have Mr. Hunter. And here we have the diagram from his book.

(The ATTORNEY GENERAL takes out a large diagram and puts it on an easel. This Diagram is shown at the end of this script.)

BRYAN

On page 194 we have this chart. The "Tree of Life." I take it that counsel for the defense has examined it carefully?

DARROW

We have.

BRYAN

(whacking the diagram with his pointer stick)

This diagram purports to give someone's family tree. It says there are thousands of various types of protozoa, thousands of sponges. Thousands of insects, thousands of fish. Thousands of mammals. And then there is this little circle! Man is in that little circle! Find him, find man! They're teaching your children that man is a mammal and so indistinguishable among the mammals that they leave him there with thousands of other mammals. Talk about putting Daniel in the lion's den! How dared these scientists put man in a little ring with lions and tigers and everything that's bad! Shutting man up in a little circle like that with all these animals, that have an odor, that extends beyond the circumference of the circle--!

DEFENSE ATTORNEY

If the court please, whether Mr. Bryan knows it or not, he is an animal and a mammal--.

DARROW

Mr. Hays, are you sure? He doesn't have much hair and I don't believe he suckles his young.

BRYAN

I want to talk to the parents out there. Tell me that these parents have no right to declare that their children shall not be compelled to link their ancestors to monkeys in the jungle! And not even American monkeys, but from old world monkeys! My

friends, you have the right to say that no teacher, paid with your hard earned money, shall rob your children of faith and send them home, skeptical, infidels, agnostics, or atheists!

DARROW

Are we also to teach the children that the world is 6000 years old? That the world is flat and that the earth is the center of the universe? And that man is the center of the earth? It's a dignified position for man to be the center. But it's a theory of ignorance and superstition.

BRYAN

It's better than evolution, which is not a theory, but a hypothesis!

DARROW

The difference between the theological mind and the scientific mind is that the theological mind is locked, because what's revealed is settled. It's not open for discussion, speculation or verification. After Christ there is no need for curiosity!

(BRYAN picks up another book.)

BRYAN

Here's the book of Darwin that's spoken of in Hunter's biology--. Here is the speculation that is taught as fact--.

DEFENSE ATTORNEY

Which book is that, Mr. Bryan?

BRYAN

The Descent of Man by Charles Darwin.

DEFENSE ATTORNEY

That's not been offered as evidence.

BRYAN

I should be glad to offer it.

DEFENSE ATTORNEY

We'd be glad to have it!

BRYAN

Let's have it put in now, so there'll be no doubt.

DEFENSE ATTORNEY

If you'll let it go in, then why not let us call our witnesses?

(ATTORNEY GENERAL takes the book from the Judge and drops the book in his briefcase.)

BRYAN

(oblivious to what just happened behind him)

Now, my friends - I beg your pardon, if the court please, I'm so used to talking in front

of large audiences instead of a court that I'll sometimes say "my friends," although I happen to know not all of you are my friends. Now, this expert witness, did they ask him how life began? They did not ask whether, if in the beginning, there was God. They did not, because more than half of the scientists of this country do not believe there's a God or immortality. Nor do they believe in miracles. There's no place for miracles in evolution.

JUDGE RAULSTON

Sorry to interrupt, Mr. Bryan, but are you saying that before evolution could be reconcilable with the Bible it would have to be admitted that God created the first cell?

BRYAN

Our contention is, even if they put God back, it doesn't make it harmonious with the Bible. Because they eliminate everything supernatural. That means they eliminate the virgin birth! That means they eliminate the resurrection of the body! That means they eliminate the doctrine of atonement! They believe man has been rising all the time, that man never fell, that when Jesus came there was no reason for His coming! Theirs is the doctrine that gives us the philosopher Nietzsche, and the testimony of my distinguished friend from Chicago (*indicating Darrow*) in his speech in the Leopold and Loeb case. Where he said that because Leopold adopted Nietzsche's philosophy of the superman, he was not accountable for the taking of human life! That the universities and the professors who taught Nietzsche are more responsible for the crime than Leopold himself.

(Please note: In the 1925 trial Bryan pronounced Nietzsche "Nitchy".)

DARROW

I never said that.

BRYAN

I'll read you what you said in that speech--.

DARROW

If you'll read it all.

BRYAN

I'll read the part I want - you can read the rest.

DARROW

I want to object to injecting any other case into this proceeding.

BRYAN

(*thumbing through a trial book*)

If I don't find it, I want to tender an apology. I've never in my life misquoted a man intentionally. Ah! Here it is! (*Reading*) "If this boy, Leopold, is to blame for this, where did he get it? The university would be more to blame than he. The scholars of the world would be more to blame. Your honor, it's hardly fair to hang a 19-year-old boy for a philosophy that was taught to him at the university."

DARROW

Will you let me see it?

BRYAN

Oh, yes, but let me have it back.

DARROW

I'll give you a new one and I'll even autograph it for you.

BRYAN

Now, my friends, Mr. Darrow asked little Hanna, "Did evolution hurt you? Did it do you harm?" Why didn't he ask the girl's mother?

DARROW

She didn't testify.

BRYAN

My friends, it's the mothers who find out. It's not necessary that a girl, whose mind is poisoned by this stuff, poisoned by the stuff administered without ever having the precaution to write "poison" on the outside, it's the parents that are doing that!

(DARROW raises his hand.)

JUDGE RAULSTON

Yes, Mr. Darrow.

DARROW

I want to read what I said. I shan't include an argument.

JUDGE RAULSTON

There's no objection.

DARROW

(reading)

"It's the duty of the university, as I conceive it, to be the great storehouse of wisdom, and to let students go there, learn, and choose. Every changed idea in the world has had its consequences. Every new religious doctrine has created its victims. Every new philosophy has caused suffering. There's no great movement that does not bear its toll of life and death; no great ideal but does good and harm, and we cannot stop because it may do harm."

BRYAN

Nietzsche did praise Darwin. Nietzsche, himself, became an atheist following Darwin's doctrine, and went insane.

DARROW

He didn't make half as many insane people as your great theologians have.

DEFENSE ATTORNEY

Your Honor, all we ask is that you give us a chance prove it, to show you what evolution is! To call our scientific witnesses! To allow expert testimony--!

ATTORNEY GENERAL

If the court please, when science strikes that upon which man's eternal hope is founded, then I say the foundation of civilization is about to crumble! I submit, my friends, that under a correct construction of this statute scientific evidence is inadmissible!

DEFENSE ATTORNEY

Your honor--.

ATTORNEY GENERAL

Please don't interrupt! I'm talking to the court! I'll answer anything you want and write you a letter to boot. Now, your Honor, there shouldn't be any clash between science and religion. I'm sorry that there is, but who brought it on? How did it occur? It occurred from teaching agnosticism, which breeds in the soul of the child infidelity, and atheism, and drives him from the Bible! I say, bar the door! Do not allow science to enter!

DEFENSE ATTORNEY

You done? May I speak?

ATTORNEY GENERAL

The floor is yours.

DEFENSE ATTORNEY

Your honor, I remember in my history the story of the burning of the great library of Alexandria. The greatest library the world had ever known. It was here that Euclid wrote his treatise on mathematics. It was in Alexandria that the first developments in astronomy allowed sailors to study the stars for navigation rather than rely on the predictions of oracles. It was here that Archimedes discovered pi and Hipparchus that stars might have both births and deaths. And it was in Alexandria, 250 years before the birth of Christ, that the great astronomer Aristarchus figured out that the earth revolved around the sun. Then, in 640 AD, just before the library was burned, the Egyptians went to the hostile general and said, "Your honor, please don't destroy this great library, for it contains all the truth that has been gathered," and the Islamic general said, "but the Koran contains all truth. If the library contains the truth that the Koran contains we don't need the library and if the library does not contain the truth found in the Koran then we must destroy the library." We say, keep your Bible. Keep it as your guide, but keep it where it belongs, in the world of your own conscience, in the world of your individual judgment, but don't try to tell an intelligent world that this book, written by men who knew none of the fundamental facts of science, can be put into a course of biology! Your Honor, you cannot legislate belief. Faith cannot be mandated. Theology should not be forced on anyone. The government cannot create a Christian. Doesn't separation of church and state mean that we each may choose our own individual path to heaven without government interference? And so, we ask your honor to admit expert testimony as a matter of sound procedure and as a matter of justice. Let us make our case!

(JUDGE pounds the gavel.)

JUDGE RAULSTON

Ladies and gentlemen, in the final analysis, under the provisions of the act involved in this case, the evidence of experts would shed no light on the issues. Therefore, the Court is content to sustain the motion of the attorney general to exclude the expert testimony. You can tell your experts to go home, they won't be needed here.

(JUDGE pounds the gavel.)

DARROW

How the hell can the Court determine whether or not this law is unreasonable without informing itself--?!

BRYAN

Excuse me, your honor, but I think that's a reflection upon the Court and court system of the fine state of Tennessee.

DARROW

Don't worry. The state of Tennessee *don't* rule the world yet!

BRYAN

I suppose the only mistake the good Lord made is that he didn't withhold the completion of the creation until he could've had a conference with you!

DARROW

I rather think you're right!

DEFENSE ATTORNEY

May I respectfully move that the Court hear evidence, in order to inform itself, in the *absence* of the jury.

ATTORNEY GENERAL

If witnesses are put on the stand, as your honor knows, they'll just ask a thousand questions that have little connection to the matter at hand.

JUDGE RAULSTON

I'll allow written affidavits, placed in the record, without the jury reading them. Give them to the bailiff.

DEFENSE ATTORNEY

We need the rest of the day to draft them.

JUDGE RAULSTON

Didn't you expect this Court to rule correctly?

DARROW

We expect to protect our rights in some other court. Is that plain enough for you?!

JUDGE RAULSTON

Are you suggesting--.

DARROW

(pissed)

I don't understand why every request of the state is granted without question, while the bare suggestion of anything that's perfectly competent on our part is overruled!

JUDGE RAULSTON

(his fixed smile vanishes)

I hope you don't mean to reflect upon the Court--?

DARROW

Well, your honor has the right to hope!

(Beat.)

JUDGE RAULSTON

Mr. Darrow, he who would unlawfully and wrongfully show contempt for a Court of justice, sows the seeds of discord and breeds contempt for both the law and the courts. It's

been my policy on the bench to be cautious and to endeavor to avoid hasty conclusions. But in the face of what I consider an unjustified expression of contempt, I'm impelled to call upon you, Mr. Darrow, to know why you should not be dealt with for contempt. Therefore, I hereby order that a citation from this Court be served upon the said Mr. Darrow.

What's the bond?

DARROW

\$5,000.

JUDGE RAULSTON

(JUDGE pounds the gavel and exits.)

All rise!

BAILIFF

(The lawyers exit.)

BAILIFF

Now, folks, Please, exit the courtroom in an orderly fashion. Do not crowd the aisles or block the aisle ways. After a short break we will continue this trial.

(The lights fade.)

End Of Act One

The Scopes Monkey Trial

(ACT TWO)

(Just as in Act One the Narrators talk to the audience as the Lawyers take the places.)

NARRATOR #1

In 1967, forty years after the trial, the Butler anti-evolution law was quietly repealed.

SCOPES/NARRATOR #3

John Washington Butler, the Tennessee state legislator who introduced the law, said that he was disappointed that the Judge had not allowed Darrow to call his scientific experts, because he too kinda wanted to find out what evolution was.

NARRATOR #2

The teaching of Evolution has often been blamed for society's ills. When fundamentalist preacher Aimee Semple McPherson claimed she was kidnapped in 1926, she said her abductors were gamblers, dope peddlers and evolutionists.

SCOPES/NARRATOR #3

After the Columbine tragedy in Littleton, Colorado in 1999, Representative Tom DeLay, Republican of Texas, blamed the incident in part on the teaching of evolution rather than creationism in public schools. He said, "Our school systems teach the children that they are nothing but glorified apes who are evolutionized out of some primordial soup of mud."

NARRATOR #4

Today, the "E" word is still a problem. In 1999, the Kansas state school board ruled that teachers did not have to cover evolution, the big bang or talk about the age of the earth. The ruling was later reversed.

SCOPES/NARRATOR #3

In Arkansas, during committee hearings for a law that would have required all schools, museums, and zoos to advertise that evolution was only a "theory," Representative Denny Altes said...

NARRATOR #2

"If we teach kids that we're descended from monkeys, don't you think they'll act like monkeys?"

NARRATOR #1

In Mississippi, the state science curriculum does not include any reference to the "E" word in its Biology I or Biology II standards.

NARRATOR #4

In Memphis, the school district now notifies local clergy when its teachers are about to teach the "E" word.

ALL

The Scopes Monkey Trial.

BAILIFF

The State of Tennessee vs. John Thomas Scopes! All rise! Court'll come to order. All pagers and cell phones off. Please.

(JUDGE RAULSTON and THE REVEREND enter.)

JUDGE RAULSTON

(reading from a small note)

Ladies and Gentlemen, An old resident of Dayton, Mr. Blevins, has died--ah, passed away, and his funeral will be this afternoon at four-thirty. Those wishing to attend may do so. Pass out quietly.

(There is a sharp, sudden sputter, the far off sound of electricity arcing. The lights flicker.)

JUDGE RAULSTON

(to the BAILIFF)

Seems like we're having some problems. Bailiff will you see what is up?

BAILIFF

Yes-sir.

(The BAILIFF exits.)

JUDGE RAULSTON

Now, Reverend, will you open us with prayer--?

(The Reverend steps up to the Judge's podium.)

REVEREND

Our Father--.

DARROW

Your honor, I object to court being opened with a prayer.

BRYAN

What's this?

JUDGE RAULSTON

Mr. Darrow, it's been my custom since I've been a judge to have prayer in the courtroom and I know of no reason why I shouldn't follow up. So, I overrule the objection--.

(The JUDGE pounds his gavel.)

DARROW

Your Honor, there should be no attempt by means of prayer or in any other way to influence the deliberation of the jury. For that reason we object to opening court with prayer, and I'm going to ask the reporters to take down the prayer and make specific objections to any parts we think are especially obnoxious to our case!

JUDGE RAULSTON

(beat, then to Bryan)

Do you want to say anything?

BRYAN

(to the ATTORNEY GENERAL)

Go ahead.

ATTORNEY GENERAL

You honor, it is commendable for the jury, judge and lawyers to ask for divine guidance.

DARROW

I don't object to the jury or anyone else praying privately or asking for divine guidance, but I do object to turning this courtroom into a revival house and forcing people to pray.

ATTORNEY GENERAL

Your Honor, in order that the record may show the state's position, we think it's quite proper to open court with prayer. Such an idea extended by the agnostic counsel for the defense is foreign to the ideas of the people--.

DEFENSE ATTORNEY

May I enter an objection to the statement "agnostic counsel for the defense?"

ATTORNEY GENERAL

Excuse me, I meant, a Jew and an infidel.

DEFENSE ATTORNEY

As a members of the defense who is not an agnostic, I'd like to state the objection from my point of view. Our objection goes to the fact that we believe that this daily opening of the court with prayers increases the atmosphere of hostility to our point of view--.

ATTORNEY GENERAL

I'd advise the defense that this is a God fearing country!

DEFENSE ATTORNEY

Before the proceedings go further, may I present a petition to the court, addressed to the Honorable John T. Raulston. *(reading)* "We, the following named representatives of various well-known religious organizations, churches, synagogues, do hereby petition your honor that if you continue your custom of opening court with prayer--."

ATTORNEY GENERAL

Just a minute, this is absolutely out of order! Your honor has passed upon the motion!

DEFENSE ATTORNEY

I insist upon making this motion--!

ATTORNEY GENERAL

I'm making an objection to the court - will you please keep your mouth shut!

DEFENSE ATTORNEY

Will your Honor hear my motion?!

JUDGE RAULSTON

I'll hear it, proceed.

DEFENSE ATTORNEY

(Reading the petition.)

"We, the following representatives of various well-known religious organizations... beg you to consider the fact that among the persons intimately connected with, and actively participating in this trial, there are many to whom the prayers of the fundamentalist Christians are not spiritually uplifting and are occasionally offensive. It seems to us only just that we should hear a prayer which requires no mental reservations on our part." Signed: Rabbi Jerome Marks of--.

ATTORNEY GENERAL

Your honor, their very opposition contradicts their own selves. They say, that evolution doesn't contradict the Bible - doesn't contradict Christianity. So why are they objecting to prayer?

DARROW

Your Honor, there are numerous religious sects who call themselves Christians, respectively maintaining different and conflicting doctrines. Some believe in the literal truth of the Scriptures, while others believe them to be allegorical. That, may it please your honor, is my reason for this objection to the daily prayer.

JUDGE RAULSTON

The Court has no purpose by opening the court with prayer to influence anybody wrongfully, but hopes that such may influence somebody rightfully. I believe in prayer myself; I constantly invoke divine guidance and I see no reason why I shouldn't continue to do so. Don't worry, I've instructed the minister to make no reference to the issues involved in this case. Therefore, I'm pleased to overrule the objection and invite the Reverend to open court.

DARROW

I want to take exception--!

JUDGE RAULSTON

Let the exceptions go in the record

REVEREND

Our Father, to Thee we give all praise. We pray Thy blessings upon the deliberations of this Court, to the end that Thy Word may be vindicated. Bless the proceedings of this Court, bless the Court, the Judge, as he presides, and may there be in every heart and in every mind a reverence to the Great Creator of the world. We ask that Thou wilt enlighten our minds and lead us to understand, we ask it in the name of our Blessed Redeemer, Jesus Christ, Amen.

(The BAILIFF enters and whispers to the JUDGE.)

BAILIFF

Oyez, oyez, this honorable circuit court is now open pursuant to adjournment. Sit down. Please.

JUDGE RAULSTON

I've just been informed that the air conditioning in this building has failed entirely. It's going to get pretty darn hot, this being Tennessee and July. So, let's, at least, keep cool heads.

DARROW

Your honor, speaking of cool heads, may I?

JUDGE RAULSTON

You have the floor.

DARROW

I've tried to treat the court fairly and a little more than fairly when I recognize the odds are against me, I try to lean the other way the best I can. I'm not saying this, your honor, to influence you, but to put myself right. I do think, however, your honor, that I went further than I should've gone this morning. One thing snapped out after another. Personally, I don't think it constitutes contempt, but I'm quite certain that my remarks should not have been made and the court could not help take notice. I apologize.

JUDGE RAULSTON

Mr. Darrow, I'm proud of Tennessee, I think Tennessee is a great state. It's produced such men as James K. Polk. I also believe that Jesus came into the world to save man from sin. He taught that it was godly to forgive. I believe in Christ. I believe in these principles. I accept your apology.

(Courteous applause.)

JUDGE RAULSTON

Now, I know that the Attorney General has something to say. Don't you?

ATTORNEY GENERAL

(disingenuous)

Yes. Your honor, before the Court proceeds - I want to make a statement. A few minutes ago, I said a thing which upon reflection I feel sorry for. I expressed myself in a rather discourteous manner. I apologize.

DEFENSE ATTORNEY

If your honor please. I'm happy to accept the apology of the Attorney General, as long as there are no further references or allusions to the economic, political, social or *religious* views of counsel for the defense.

DARROW

I don't consider it an insult, but rather a compliment to be called an agnostic. I don't pretend to know where many ignorant men are sure of themselves - that's all agnosticism means. It's okay not to know. It's not a crime to question. Changing ones

(CONT'D)

DARROW (CONT'D)

mind is not a sign of weakness. And it's not a sign of strength because someone holds on to a particular belief, rule, or creed long after it has been shown meaningless, false or at least questionable. It doesn't make someone smart because he jumps to conclusions. And a person is not a fool because he doesn't blindly accept authority. The Attorney General did, however, use the word, "infidel." A word that has no meaning whatever. Everybody is an infidel that does not believe in the prevailing religion. In a Muslim country, everybody that's not a Mohammedan is an infidel, and among the Christians, everybody is an infidel that's not a Christian, or professes to be. While I take no offense, I don't think the fact that I'm an agnostic should weigh in the balance as to whether Mr. Scopes is innocent or guilty.

JUDGE RAULSTON
(to the ATTORNEY GENERAL)

What do you say?

ATTORNEY GENERAL

I think we are wasting a lot of valuable time in... in... in felicitation. It's getting hot. I'd like to be done with this.

DARROW

Your honor, before we continue.

JUDGE RAULSTON

Yes, Mr. Darrow.

DARROW

Off to the left is a large sign about ten feet long announcing, "Read Your Bible," and a hand pointing to it. The word "Bible" is in large letters, perhaps a foot and a half tall--.

ATTORNEY GENERAL

Hardly that tall I think.

DARROW

What's that?

ATTORNEY GENERAL

Hardly that tall.

DARROW

We'll call it a foot.

JUDGE RAULSTON

Compromise on a foot.

DARROW

I'd guess more, but I might be wrong again, your honor.

BAILIFF

Fourteen inches.

DARROW

I move that it be removed.

ATTORNEY GENERAL

If your honor please, why should we remove the sign cautioning the people to read the word of God?

DEFENSE ATTORNEY

Your honor, everything which might possibly prejudice the jury along religious lines, for or against the defense, should be removed.

ATTORNEY GENERAL

I've never seen the time in the history of this country when any man should be afraid to be reminded of the fact that he should read his Bible! Now, if the defense wants to align itself with the devil and his satellites--!

DEFENSE ATTORNEY

Your honor, we once again object to that kind of language--!

ATTORNEY GENERAL

I say when that time comes, than it's time for us to tear up all of the Bibles! Throw them in the fire and let the country go to hell--!

DEFENSE ATTORNEY

I'd like to move the Court to expunge the last remarks.

JUDGE RAULSTON

Yes, expunge that part where he said you were satellites of the devil.

BRYAN

May it please the Court.

JUDGE RAULSTON

I'll hear you.

BRYAN

I cannot understand why "Read Your Bible" would necessarily mean partiality toward our side.

DARROW

We might agree to get up a sign of equal size on the other side and in the same position reading, "Hunter's Biology," or "Read your evolution." This sign can have no effect but to influence this case. Your honor, I read the Bible myself - more or less - and it's pretty good reading -- in places.

BRYAN

We're not swearing by Hunter's Biology. We are swearing by the Bible!

JUDGE RAULSTON

If anyone thinks it might influence the jury in any way, I've no purpose except to give both sides a fair trial. Let the sign come down.

(The BAILIFF removes the sign.)

DEFENSE ATTORNEY

Your honor, in my argument this morning, we insisted there was no such thing as *the* Bible, that there are many bibles. And so I ask the Court to admit in evidence the Catholic Bible.

Is it in English?
JUDGE RAULSTON

Yes.
DEFENSE ATTORNEY
(*baffled*)

Let it be filed.
JUDGE RAULSTON

Your honor, we also wish to introduce as evidence...
DEFENSE ATTORNEY

(He stops because JUDGE RAULSTON is not paying attention. Instead, he's leafing through the Catholic Bible.)

Your honor...?
DEFENSE ATTORNEY

(Beat. JUDGE RAULSTON notices that everyone is waiting for him.)

Huh? Oh. Just reading, for my own... edification.
JUDGE RAULSTON

Your honor, we also wish to introduce as evidence the Torah--.
DEFENSE ATTORNEY

Your honor, it's unnecessary for us to consider these other books. If they want expert testimony, that has anything to do with this case, then call an expert on the King James Bible.
ATTORNEY GENERAL

We tried to bring in experts--.
DEFENSE ATTORNEY

Your expert this morning didn't qualify as an expert on the Bible, except to say he taught a Sunday school class.
ATTORNEY GENERAL

We didn't offer him for that purpose. We now expect to call an expert on the Bible.
DEFENSE ATTORNEY

Oh, you didn't count him as an expert?
ATTORNEY GENERAL

We count him as a Christian, possibly not as good as you, Ms. Stewart
DARROW

Your honor, when it comes to Bible experts, do they think that they can bring them in here to instruct the members of the jury, eleven of whom are members of the church? A man may discuss the Bible all he wants, but he does not find out anything about the Bible until he accepts God and Christ--!
BRYAN

DARROW

Your honor, the defense would like to call an expert witness on the Bible, someone who accepts God and Christ. A man who presumably understands what the Bible means. The defense calls the foremost Bible student, the great orator, former U.S. congressman, and three-time presidential nominee, who needs no introduction. Mr. William Jennings Bryan.

(Bedlam breaks out. The attorneys on both sides jump to their feet.)

ATTORNEY GENERAL
(overlapping)

What's this?!

DARROW
(overlapping)

If anyone can instruct the members of the jury, eleven of whom are members of the church, it's Mr. Bryan!

ATTORNEY GENERAL
(overlapping)

You can't call a member of the prosecution as a witness for the defense--!

DEFENSE ATTORNEY
(overlapping)

Your honor, they've objected to every one of our witnesses--!

(The JUDGE pounds his gavel in an attempt to restore order.)

JUDGE RAULSTON
(overlapping)

Order! Order--!

ATTORNEY GENERAL
(overlapping)

This is unheard of!

DEFENSE ATTORNEY
(overlapping)

Then who can we call as a witness!?

ATTORNEY GENERAL
(overlapping)

If your honor please, I insist that Mr. Darrow can be put on the stand, and Mr. Hays!

DARROW

If you wish!

ATTORNEY GENERAL
(overlapping)

Then I call Mr. Darrow and Mr. Hays!

Not at the same time!

DARROW
(overlapping)

Order! I mean it now! Order!

JUDGE RAULSTON
(overlapping)

(BRYAN takes the stand.)

Where do you want me to sit--?!

BRYAN
(overlapping)

You can't do this, Mr. Bryan--!

ATTORNEY GENERAL
(overlapping)

(The confusion ends as BRYAN takes the stand. The Judge glares at the Bailiff.)

You call that restoring order?

JUDGE RAULSTON

I'm sorry, your honor, I was cheering.

BAILIFF

Mr. Bryan, you're not objecting to going on the stand?

JUDGE RAULSTON
(beat)

Not at all!

BRYAN

Your Honor, please--! Mr. Bryan! I beg you not to do this!

ATTORNEY GENERAL

We have nothing to fear.

BRYAN

Mr. Bryan--. For the love of God...

ATTORNEY GENERAL

Do you want Mr. Bryan sworn?

JUDGE RAULSTON

That won't be necessary.

DARROW

I can make affirmation. I can say "So help me God."

BRYAN
(self-confident)

I take it you'll tell the truth.

DARROW

(Please note: for the rest of the play, the actors slowly begin using palm leaf fans to cool themselves. On the fans are printed a toothpaste ad, which reads, "Do your gums bleed?" Their use should be subtle at first, but, by the end of the play, steady.)

Now, Mr. Bryan.

DARROW

Yes, Mr. Darrow.

BRYAN

You've given considerable study to the Bible, haven't you?

DARROW

Yes, I've studied the Bible for about fifty years. Of course, I've studied it more as I've become older than when I was but a boy.

BRYAN

You're what's call an expert.

DARROW

The one beauty about Christianity is that it doesn't take an expert to understand it.

BRYAN

Have you ever examined any other religions?

DARROW

I've never felt it necessary to look up competing religions.

BRYAN

What about the religion of Buddha? Ever investigate them? Do you regard them as competitive?

DARROW

No, I think they're inferior.

BRYAN

But you have written and published articles about the Bible.

DARROW

Yes.

BRYAN

Yes you have. Almost weekly, and sometimes you've made interpretations of various things in the Bible--.

DARROW

BRYAN

I wouldn't say "interpretations," but comments on lessons.

DARROW

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

BRYAN

I believe everything in the Bible should be accepted as it's given. Some of the Bible is given illustratively. For instance: "Ye are the salt of the earth," I would not insist that man was actually salt.

DARROW

But when you read that Jonah swallowed the whale - or that the whale swallowed Jonah - excuse me please - how do you literally interpret that?

BRYAN

It says that a "big fish" swallowed Jonah, it doesn't say a whale.

DARROW

You sure?

BRYAN

That's my recollection. A big fish, and I believe it, and I believe in a God who can make a big fish and can make a man and make both do what He pleases.

DARROW

(looking the Bible)

Doesn't the New Testament say a whale?

BRYAN

That may be true; I cannot remember in my own mind what I read about it.

DARROW

You don't know whether it was an ordinary run of the mill fish, or one made special for that purpose?

BRYAN

You may guess - you evolutionists guess.

DARROW

But when we do guess, we have the sense to guess right.

BRYAN

But don't do it often.

DARROW

You're not prepared to say whether that big fish was made especially to swallow a man or not?

BRYAN

The Bible doesn't say, so I'm not prepared to say.

DARROW

But do you *believe* He made them - that He made such a fish and that it was big enough to swallow Jonah?

BRYAN

Yes. One miracle is just as easy to believe as another.

DARROW

It is for me.

BRYAN

It is for me also.

DARROW

Just as hard?

BRYAN

It's hard for you, but easy for me. A miracle is a thing performed beyond what man can perform. When you get beyond what man can do, you get within the realm of miracles. It's just as easy to believe the miracle of Jonah as any other miracle in the Bible.

DARROW

Is it just as easy to believe that Jonah swallowed a whale?

BRYAN

The Bible doesn't make extreme statements as evolutionists do. Your definitions include a lot of imagination.

DARROW

And you have a definition that excludes everything but imagination!

ATTORNEY GENERAL

I object to that as argumentative.

DARROW

The witness must not argue with me, either. Do you consider the story of Joshua and the sun a miracle?

BRYAN

I suppose you mean that the earth stood still? I accept the Bible absolutely.

DARROW

The Bible says Joshua commanded the *sun* to stand still for the purpose of lengthening the day, doesn't it? And you believe it?

BRYAN

I do.

DARROW

Do you believe at that time the sun went around the earth?

BRYAN

No, the earth goes around the sun.

DARROW

Do you believe that the men who wrote the Bible thought that the day could be lengthened by stopping the sun?

BRYAN

I don't know what they thought.

DARROW

Have you an opinion as to whether, whoever wrote this book, believed it--? (*checking the Bible*) Joshua, the Book of Joshua - did Joshua think the sun went around the earth or not?

BRYAN

I believe that he was inspired--.

DARROW

Can you answer my question, Mr. Bryan?

BRYAN

When you let me finish the statement, Mr. Darrow.

DARROW

It's a simple question, but finish it.

BRYAN

You cannot measure the length of my answer by the length of your question.

DARROW

No, except that the answer be longer.

BRYAN

I believe that the Bible is inspired. Whether the one who wrote it, as he was directed to write, understood the things he was writing about, I do not know.

DARROW

Do you think whoever inspired it believed that the sun went around the earth?

BRYAN

I believe it was inspired by the Almighty, and He may've used language that could be understood at that time. Instead of using language that could not be understood until Mr. Darrow was born.

DARROW

So the Bible might be subject to interpretation?

BRYAN

He used language that could be understood then!

DARROW

If the day was lengthened by stopping either the earth or the sun, it must've been the earth?

BRYAN

You know as well as I.

DARROW

Better! The earth does go around the sun, right? You got no doubt about that, right?

BRYAN

I see nothing wrong in protecting the Lord against your criticism.

DARROW

You suppose he needs protection?

BRYAN

He was using language which at that time the people understood.

DARROW

Now, Mr. Bryan, have you ever pondered what would've happened if the earth stood still?

BRYAN

No.

DARROW

You have not?

BRYAN

No. The God I believe in could've taken care of that.

DARROW

Have you ever pondered what would naturally happen to the earth if it stood still suddenly?

BRYAN

No.

DARROW

Don't you know it would've been converted into a molten mass?

BRYAN

You can testify to that when I get you on the stand.

DARROW

You've never investigated that subject?

BRYAN

I don't think I've ever had the question asked.

DARROW

Or ever thought of it?

BRYAN

I've been too busy with things that I think are more important.

DARROW

All right. How about the story of the temptation of Eve by the serpent? That's pretty important, right? You believe that?

BRYAN

I do.

DARROW

Do you believe that after Eve ate the apple, or gave it to Adam, whichever way it was, that God cursed Eve, and at that time decreed that all womankind thenceforth and forever should suffer the pains of childbirth?

BRYAN

I accept it as it is.

DARROW

So you believe that childbirth came about because Eve tempted Adam to eat fruit?

BRYAN

Just as it says.

DARROW

And you believe that's the reason that God made the snakes crawl on their bellies?

BRYAN

Yes.

DARROW

Have you any idea how the snake went before that time?

BRYAN

No-sir. I do not.

DARROW

Do you know whether they walked on their tails?

BRYAN

I've no way to know.

DARROW

What about the great flood. You know about that don't you?

BRYAN

A little.

DARROW

You believe the story of the great flood?

BRYAN

Yes.

DARROW

You believe that all the living things that were not contained in the ark were destroyed?

BRYAN

I think the fish may've survived.

DARROW

Outside of the fish?

I cannot say.

BRYAN

I'm asking you whether you *believe*?

DARROW

I do!

BRYAN

That all living things outside of the fish were destroyed?

DARROW

What I said about the fish was merely a matter of humor. I accept that, as the Bible gives it, and I've never found any reason for denying, disputing, or rejecting it.

BRYAN

How long ago was this flood? (*looking in the Bible*) Here it is 2,348 BC.

DARROW

What was Bishop Usher's calculation.

BRYAN

It's printed in the introduction to this Bible. Right here. 2,348--.

DARROW

Everybody knows, at least, I think most of the people know, that's only an estimate.

BRYAN

But what do you think that the Bible itself, says? Don't you know how it was arrived at?

DARROW

I never made the calculation.

BRYAN

A calculation from what? From the generations of man in the Bible?

DARROW

I wouldn't want to say.

BRYAN

What do you think?

DARROW

I don't think about things I don't think about.

BRYAN

Do you think about things you do think about?!

DARROW

Objection!

ATTORNEY GENERAL

He's a hostile witness.

DARROW

JUDGE RAULSTON

I'm going to let Mr. Bryan control.

ATTORNEY GENERAL

Your honor, Mr. Bryan is perfectly able to take care of this, but we are attaining no evidence.

BRYAN

My friends, these gentlemen did not come here to attain evidence. They came here to try revealed religion! I'm here to defend it! Because if evolution wins, Christianity goes. And so I'll accept any question from the man from Chicago who calls the people of Tennessee "yokels--."

DARROW

I've never called them yokels.

BRYAN

You insulted them, you said they were ignorant and bigots.

DARROW

And you insult every man of science and learning in the world because he doesn't believe in your fool religion.

JUDGE RAULSTON

I will not stand for that! I'm talking to both of you!

DARROW

Let us make it definite, 2,348--.

BRYAN

That's the time given there (*indicating the Bible*), but I don't pretend to say that's exact.

DARROW

Don't you know there are any number of civilizations that can be traced back to more than 5,000 years? The ancient civilizations of China are 6,000 or 7,000 years old, at the very least.

BRYAN

No. They could not run back beyond the creation, according to the Bible, 6,000 years.

DARROW

Did you know that they've found trees with over eight thousand tree rings?

BRYAN

I'm not willing to accept the opinions of people who are trying to find excuses for rejecting the Christian religion when they attempt to give dates and hours and minutes or tree rings. They'll have to get together and be more exact than they have yet been to compel me to accept what they say as if it were absolutely true.

DARROW

You do know that there are thousands of Christians who believe the earth is much more ancient-- that the human race is much more ancient?

BRYAN

I think there may be.

DARROW

So you believe every nation, every organization of men, every animal, in the world outside of the fishes--.

BRYAN

The fish, I want you to understand, was merely a matter of humor!

DARROW

You believe that all the various human races on the earth have come into being in the last 4,000 years, or 4,200 years, whatever it is?

BRYAN

That's the date (*referring to the Bible*) given here on the first page, according to Bishop Usher, which I say I only accept because I've no reason to doubt it.

DARROW

Do you know a scientific man on the face of the earth that believes any such thing?

BRYAN

I've never felt a great deal of interest in the efforts that have been made to dispute the Bible by the speculations of men. I only know what the Bible means. I only know God's word.

DARROW

Are you the only human being on earth who knows the word of God?

ATTORNEY GENERAL

I object!

JUDGE RAULSTON

Sustained.

DARROW

Do you know about how many people there were on this earth at the beginning of the Christian era?

BRYAN

I don't think I ever saw a census on that subject.

DARROW

Do you know about how many people there were on this earth 3,000 years ago?

BRYAN

No.

DARROW

Do you know anything about how many people there were in Egypt 3,500 years ago, or how many people there were in China 5,000 years ago?

BRYAN

No.

DARROW

Ever tried to find out?

BRYAN

No-sir. You are the first man I ever heard of who's been interested in it.

DARROW

Am I the first man you've ever heard of who's been interested in the age of human societies and primitive man?! Where have you lived all your life?

BRYAN

Not near you.

DARROW

Nor near anybody else of learning. Do you know there are thousands of books in our libraries on all those subjects?

BRYAN

I'll take your word for it.

DARROW

You've never, in all your life, made any attempt to find out about the other peoples of the earth - how old their civilizations are, or how long they've existed on the earth, have you?

BRYAN

I've been so well satisfied with the Christian religion that I've spent no time trying to find arguments against it.

DARROW

Were you afraid you might find some?

BRYAN

I've all the information I need to live and to die by.

DARROW

So you can't tell me how old the earth is?

BRYAN

No-sir, I cannot.

(DARROW picks up the Bible)

DARROW

The book you've introduced in evidence does.

BRYAN

I don't think so.

DARROW

It says right here that creation had occurred, "at the beginning of the night before Monday, the 23rd of October, 4004 BC."

BRYAN

That's Bishop Usher's calculation.

DARROW
It's printed in the Bible you introduced in evidence!

BRYAN
That's only a calculation!

DARROW
So the earth could be older?

BRYAN
It's possible.

ATTORNEY GENERAL
Your Honor, what's the purpose of this interrogation?

BRYAN
The purpose is to cast ridicule on everybody who believes in the Bible.

ATTORNEY GENERAL
Your honor, in the name of all that's legal, stop this examination! These gentlemen would no more file this testimony as part of the record in this case than they would file a rattlesnake and handle it themselves!

DARROW
We'll file it. Every word of it!

DEFENSE ATTORNEY
Your honor, I rather sympathize with the Attorney General, but their evidence, this Bible, which goes to the jury, says that the world started in 4004 B. C. Mr. Bryan has just stated that the world could "possibly" be older. That's very helpful to us.

JUDGE RAULSTON
Proceed.

DARROW
Does the statement, "The morning and the evening were the first day," and "The morning and the evening were the second day," mean anything to you?

BRYAN
Yes.

DARROW
Do you think the sun was made on the fourth day?

BRYAN
Yes.

DARROW
And so they had evening and morning without the sun for three days?

BRYAN
I believe in creation as there told, and if I'm not able to explain it, I will accept it.

DARROW

Mr. Bryan, what I want to know is, do you *believe* the sun was made on the fourth day?

BRYAN

I believe they were made in the order in which they were given there!

DARROW

Can you answer my question?!

BRYAN

I've answered it! I believe that it was made on the fourth day-- in the fourth day.

DARROW

And they had evening and morning for three whole days, without any sun? How do you suppose He pulled that off?

BRYAN

(beat)

I don't think it necessarily means a twenty-four-hour day.

DARROW

You don't?

BRYAN

No.

DARROW

What do you consider it to be?

BRYAN

If you'll take the second chapter - let me have the book. *(examining the Bible)* The fourth verse of the second chapter says: "These are the generations of the heavens and of the earth, when they were created in the day that the Lord God made the earth and the heavens," the word "day" there in the very next chapter is used to describe a period of time.

DARROW

Then, when the Bible said, for instance, "and God called the firmament heaven. And the evening and the morning were the second day," that doesn't necessarily mean twenty-four hours?

BRYAN

I don't think it necessarily does.

DARROW

You don't?

BRYAN

I know a great many people who do.

DARROW

You're the expert, what do you think?

BRYAN

I don't think it does.

DARROW

So, you don't think those were literal days?

BRYAN

I think it would be just as easy, for the kind of God I believe in, to make the earth in six days as in six years or in 6,000,000 years or in 600,000,000 years.

DARROW

So they weren't literal days?

BRYAN

My impression is they were periods, but I would not attempt to argue against anybody who wants to believe they were literal days.

DARROW

Have you any idea of the length of those periods?

BRYAN

I do not.

DARROW

They might've been a very long time. The creation might've been going on for a very long time! Am I right?! (*beat - No answer*) Do you believe that the first woman was Eve and Adam was the first man?

BRYAN

Yes.

DARROW

You swallow that, huh, fig leaves and all? Do you believe Eve was literally made out of Adam's rib?

BRYAN

I do.

DARROW

So, did you ever discover where Cain got his wife?

BRYAN

No.

DARROW

You've never looked into it?

BRYAN

No.

DARROW

The Bible says Cain got a wife, doesn't it? In the beginning, according to the Bible, there was just Adam and Eve and their sons Cain and Abel, but Cain got a wife. Where did she come from? Were there other people already on the earth at that time? Is it *possible* that other people could've been around for a very long time.

BRYAN

I cannot say.

DARROW

You cannot say. It never entered your consideration?!

BRYAN

It never bothered me.

DARROW

Where she came from you don't know.

BRYAN

No sir, I leave the agnostics to hunt for her.

DARROW

But aren't you curious? Don't you at least have a theory?

BRYAN

I have no way to know.

DARROW

You're an expert and you have no way to know. Cain got a wife and you're not even curious about where she came from! No proof, no experiments, not even a logical guess! Life, Mr. Bryan is a process. Process implies change. Change requires adaptability. Adaptability begins by asking how do you know? You can't answer that question, and yet you want to impose this thinking on a science class!

BRYAN

Your honor, I think I can shorten this testimony. The only purpose Mr. Darrow has is to slur the Bible! I'm simply trying to protect the word of God against the greatest atheist or agnostic in the United States--! I want the world to know! I want the world to know that this man, who doesn't believe in God, is trying to use a court in Tennessee--!

DARROW

I object!

BRYAN

(continuing)

To slur the Bible--!

DARROW

I object--!

BRYAN

This man's only purpose is only to slur the Bible--!

DARROW

My purpose is to prevent bigots and ignoramuses from controlling the education of the United States and you know it! For there's not a single line of any constitution that can withstand bigotry and ignorance when it seeks to destroy the rights of the individual. And bigotry and ignorance are ever active. Mr. Bryan, I'm exempting you and your fool ideas that no intelligent Christian on earth believes--! The witness is dismissed!

*(Pause. BRYAN steps down from the stand.
Long pause.)*

JUDGE RAULSTON

There are two things that may lead a judge into error. One is prejudice and passion, another is an over-zealousness to be absolutely fair to all parties. I fear that I may've committed error in my over-zealousness. I feel that the testimony of Mr. Bryan can shed no light upon any issues that will be pending before the higher courts. Therefore, I'm pleased to expunge the testimony given by Mr. Bryan.

DARROW

Your honor, we have no witnesses to offer, no proof to offer on the issues that the Court has laid down. Mr. Scopes did teach what the witnesses said he taught. And so, to save time we'll ask the Court to instruct the jury to find the defendant guilty. We make no objection. It'll save a lot of time. The case is over.

ATTORNEY GENERAL

We are pleased to accept the suggestion of Mr. Darrow--.

BRYAN

May it please the Court.

JUDGE RAULSTON

Yes, Mr. Bryan.

BRYAN

I fully agree with the Court that the testimony taken is not legitimate or proper. I assume that you'll expunge the questions as well as the answers.

JUDGE RAULSTON

I expunge the whole proceedings.

BRYAN

Thank you. Now, I want to answer the charges made by the counsel for the defense as to my ignorance and bigotry.

DARROW

I object. Your honor, the witness has been excused. The testimony is done.

BRYAN

Then we would like to call... I'd like to call...

ATTORNEY GENERAL

(quietly pleading)

Mr. Bryan, it's not a good idea.

DARROW

The trial is over, William.

(BRYAN stands there for a moment, almost in a daze.)

JUDGE RAULSTON

Do you wish to make a statement, Mr. Bryan?

BRYAN

I just want to finish my sentence.

DARROW

Why can't he go outside on the lawn and finish his sentence? He can talk to the reporters.

BRYAN

I'm not asking to make a statement.

JUDGE RAULSTON

I'll hear you.

BRYAN

I think it's hardly fair for them to bring into the limelight my views on religion and stand behind a dark lantern that throws light on other people, but conceals themselves. I think it's only fair that the country should know the religious attitude of the people who come down here to deprive the people of Tennessee of the right to run their own schools--.

DARROW

I object--!

JUDGE RAULSTON

I overrule--!

BRYAN

That's all I have to say!

(Pause.)

JUDGE RAULSTON

(addressing the audience - the jury)

Ladies and gentlemen of the jury, it's charged that the accused violated what is commonly known as the anti-evolution statute. This statute provides that it shall be unlawful for any person to teach in any of the universities or other public schools any theory that denies the divine creation as taught in the Bible. To this charge the defendant has pleaded not guilty. The jury can have no bias either way, but you should search for and find the truth, and bring into this Court such a verdict you think truth dictates and justice demands.

ATTORNEY GENERAL

May I say a few words to the jury?

JUDGE RAULSTON

To the jury? Of course.

ATTORNEY GENERAL

Human beings are mighty small. We sometimes become inflated with our importance, but the world little cares for man as an individual. He is born, he works, he dies, but causes go on forever. We who participated in this case may congratulate ourselves that we attached ourselves to a mighty issue. I've no power to determine this issue, nor does the counsel on other side, even this honorable Court has no such power. The people will determine this issue.

(Beat. BRYAN sits. DARROW addresses the jury.)

DARROW

Ladies and gentlemen, I know two intelligent people can agree only for a little distance, like company walking along a road. They may go together a few blocks and then one branches off. The remainder go together a few more blocks and another branches off. Human minds are just that way, provided they're free. It's impossible, if you leave freedom in the world, to mold the opinions of one man upon the opinions of another - only tyranny can do that! Only someone who says, you've must to believe as I believe. It's a crime to know more than I know! Ignorance and fanaticism are ever busy and needs feeding. Always it's feeding. Today, it's the schoolteachers. The next day it's the professors, the magazines, the books, the newspapers. After a while, it's the setting of man against man and creed against creed until with flying banners and beating drums we're marching backward to the glorious age of the sixteenth century when bigots lit torches to burn the men who dared to bring any intelligence and enlightenment and culture to the human mind! The life of every American citizen depends upon the tolerance of his fellow man. If we are not tolerant, if we cannot respect each other's opinions, then no life is safe! When the citizens forget what liberty means, when the spirit of freedom has fled from the hearts of the people, then it's easily sacrificed it under the law.

(Beat)

JUDGE RAULSTON

We'll take a moment so the jury can deliberate.

(The JUDGE pounds his gavel. The lights fade to half. There is a short musical interlude. The lights rise.)

BAILIFF

Be seated, please.

JUDGE RAULSTON

Has the jury has come to a verdict?

(The BAILIFF hands the JUDGE a small envelop with the verdict.)

JUDGE RAULSTON

(after reading the verdict)

Mr. Scopes? The jury has found you guilty. The statute makes this an offense punishable by a fine of not less than \$100 nor more than \$500.

J. T. SCOPES

(standing)

Your honor, I feel that I've been convicted of violating an unjust statute. I will continue in the future as I've done in the past, to oppose this law in any way I can. Any other action would be in violation of my ideal of academic freedom - that is to teach the truth as guaranteed in our constitution, of personal and religious freedom.

JUDGE RAULSTON

The Court imposes on you a fine of \$100 and costs, which you'll arrange with the clerk.

DEFENSE ATTORNEY

We wish to make a motion for a new trial.

JUDGE RAULSTON

Yes, the record will show it. Brother Cartwright will pronounce the benediction, if there are no objections.

REVEREND CARTWRIGHT

May the grace of our Lord Jesus Christ, the love of God and the communion and fellowship abide with you all, now and in the future. We ask this in the name of our Lord and Savior, Jesus Christ. Amen.

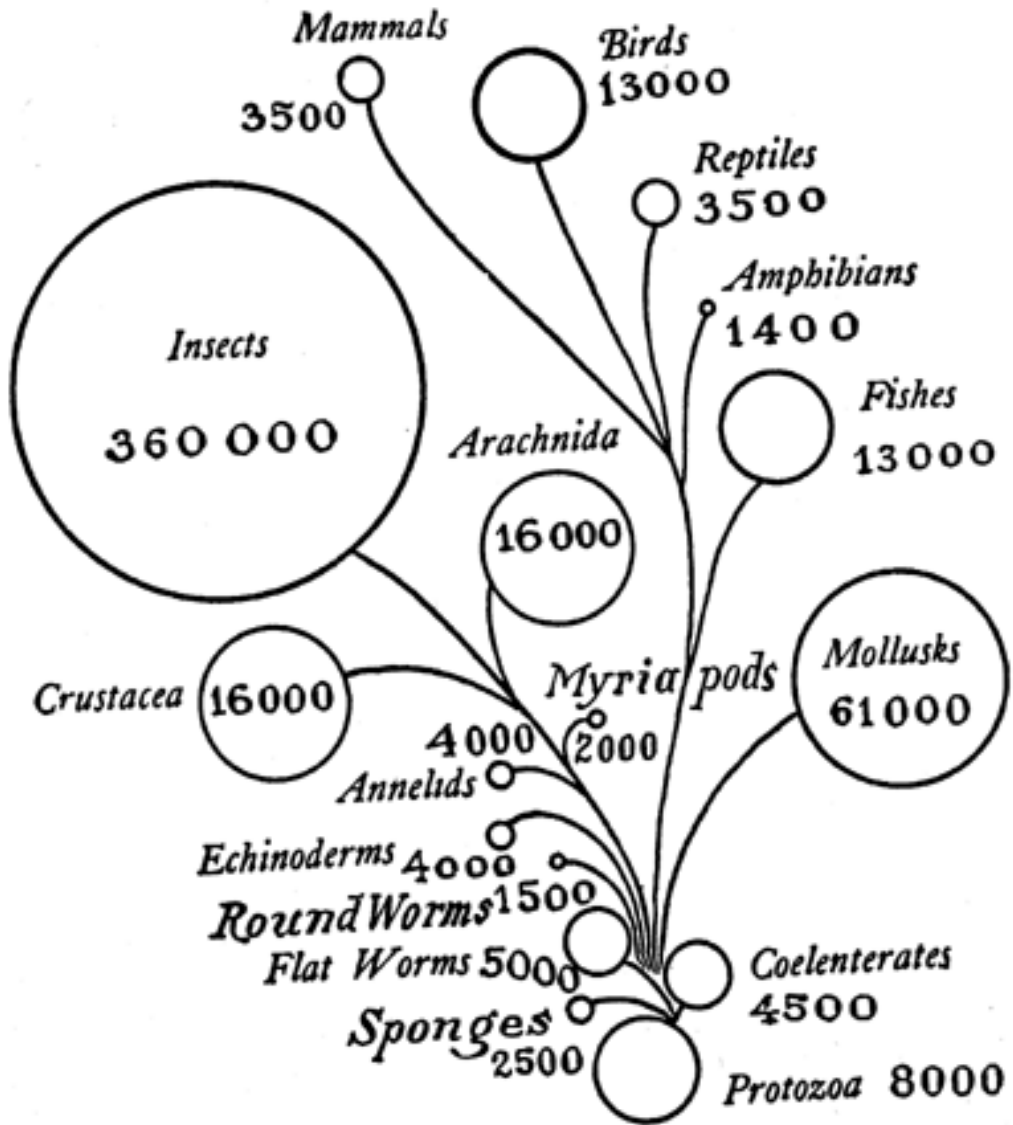
BAILIFF, ATTORNEY GENERAL, JUDGE
RAULSTON, WILLIAM JENNINGS BRYAN

Amen.

(All but DARROW, HAYS and SCOPES exit.
They are left alone in the courtroom looking up at
the American Flag.)

(Black out.)

The End



The Chart From Hunters Biology