

Twenty Three Direct Links between the Dover decision and Ohio’s “Critical Analysis of Evolution”  
Lesson  
and the History of its Development

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<b>Quotes from Dover Decision (number references page in Judge Jones’s Dover ruling)</b>	<b>Comparison with Ohio Department of Education documents and Ohio Board of Education actions (reference)</b>
<p>“The court in McLean stated that creation science rested on a “contrived dualism” that recognized only two possible explanations for life, the scientific theory of evolution and biblical creationism (and) noted the “fallacious pedagogy” of the two model approach.” (P. 71)</p> <p>“Both Defendants and many of the leading proponents of ID make a bedrock assumption which is utterly false. Their presupposition is that evolutionary theory is antithetical to a belief in the existence of a supreme being and to religion in general” (p. 136)</p>	<p>“THERE ARE ESSENTIALLY ONLY TWO SCIENTIFIC HYPOTHESES ABOUT OUR ORIGINS. The Naturalistic and the Design Hypothesis (Emphasis in original). (E)vidence that supports the design hypothesis... supports theistic belief...evidence that supports the Naturalistic Hypothesis...inhibits theistic beliefs...(and) supports atheism and agnosticism.” John Calvert, Founder of ID Net in <i>invited (from Kansas)</i> address to Ohio Board of Education Standards Committee; 13 January 2002 (<a href="http://www.arn.org/docs/ohio/calvertto_standardscommittee011302.htm">http://www.arn.org/docs/ohio/calvertto_standardscommittee011302.htm</a>)</p>
<p>This “‘contrived dualism’ ... treated the two (hypotheses) as mutually exclusive such that ‘one must either accept the literal interpretation of Genesis or else believe in the godless system of evolution,’” (p. 22/23)</p>	<p>“THE SCIENTIFIC HYPOTHESIS THAT COMPETES WITH THE NATURALISTIC HYPOTHESIS IS THE DESIGN HYPOTHESIS.” (Emphasis in original; Calvert <i>Ibid</i>)</p>

<p>“Defendants contend that the Court should ignore all evidence of ID’s lineage and religious character because the Board members (are not) familiar with the Wedge Document...Defendants’ argument lacks merit legally and logically. The evidence that Defendants are asking this Court to ignore is exactly the sort that the court in McLean considered and found dispositive concerning the question of whether creation science was...scientific... or... religious...The McLean court considered ...the activities and mission statements of creationist think-tanks...The court did not make the relevance of such evidence conditional on whether the Arkansas Board of Education knew the information.” (P. 26 and 27)</p> <p>“Dramatic evidence of ID’s religious nature and aspirations is found in what is referred to as the “Wedge Document.” The Wedge Document, developed by the Discovery Institute’s Center for Renewal of Science and Culture” (P. 28)</p>	<p>At least two copies of “The Wedge Document” were released by the Ohio Department of Education in a Public Request for Records action by Americans United for the Separation of Church and State (i.e. the ODOE is and was aware of the document). One copy includes writing (by a ODE/OBOE individual?) that reads “This is the scariest f***ing thing I have ever read”</p> <p>The “aspects” of the Ohio “Critical Inquiry of Evolution” model lesson can be traced back to the book “Icons of Evolution” written by Jonathan Wells, a fellow at the Discovery Institute “think-tank” and illustrated by Jody Sjogren, co-Founder of ID Net (along with John Calvert) and Science Excellence for All Ohioans (SEAO, along with Dr. Robert Lattimer)</p> <p>ODOE staff marginal comments on early drafts of the <i>Critical Analysis</i> “Model Lesson” include “creationist dogma,” “very religious,” “fairly religious,” and a long description of <a href="http://www.rae.org">www.rae.org</a> (“revolution against evolution” cited as a reference in earlier drafts of <i>Critical Analysis</i>)</p>
<p>Past creationists and ID creationists (e.g. Pandas) cite “<b>abrupt appearance</b>’ (of taxa “theory” that) implyi(es) divine creation” (P. 34; emphasis added)</p>	<p>“The “Cambrian explosion” of animal phyla is the best known, but not the only example, of the <b>sudden appearance</b> of new biological forms in the fossil record.”</p> <p>(Current version of <i>Critical Analysis</i>; emphasis added)</p>
<p>Past creationists and ID creationists (e.g. Pandas) “(exploit) the same alleged gaps in the fossil record” (P. 34)</p>	<p>“A growing number of scientists now question that <i>Archaeopteryx</i> and other transitional fossils really are transitional forms. The fossil record as a whole shows that major evolutionary changes took place suddenly over brief periods of time followed by longer periods of “stasis” during which no...transitional organisms appeared.”</p> <p>(Current version of <i>Critical Analysis</i>)</p>

<p>Past creationists and ID creationists (e.g. Pandas) cite “the alleged inability of science to explain complex biological information like DNA” (P. 34)</p>	<p>“(S)ome scientists think that assembling the key building blocks (the bases in DNA) into a genetic text...is extremely improbable—like the odds of cutting all the letters out of an encyclopedia, tossing them up in the air...” and “(T)he origin of genetic information remains unclear.” (Field test version of <i>Critical Analysis</i>)</p>
<p>Judge Jones rebukes “proponents of...creationism merely aim to...alert students to a supposed “controversy” in the scientific community” (P. 34)</p>	<p>“Some scientists think similarities in anatomical structure reflect similar functional needs in different animals, not common ancestry.”</p> <p>“(observation of) many variant genetic codes...challenges the claim of a universal common ancestor as the source for all genetic codes.”</p> <p>“Scientists have learned that peppered moths do not actually rest on tree trunks.”</p> <p>“(S)ome scientists now doubt that this (Miller-Urey) experiment actually simulates early Earth conditions.”</p> <p>NOTE: All quotes from earlier drafts of <i>Critical Analysis</i> lesson released by ODOE; there are no references given (or known to exist) for these claims.</p>
<p>“In addition, creationists made the same argument that the complexity of the <b>bacterial flagellum</b> supported creationism as Professors Behe and Minnich now make for ID.” (P. 34; emphasis added)</p>	<p>During his March 2002 presentation to the Ohio Board of Education “Dr. Wells then showed statements from scientists, which support the concept of design in living organisms. One peer-reviewed report used the <b>bacterial flagellum</b> as an example of intricate design. Dr. Wells explained that the theory of intelligent design is derived from inferences made from biological evidence.”</p> <p>(<a href="http://www.creationists.org/200_0311OSBEelsey.html">http://www.creationists.org/200_0311OSBEelsey.html</a>; emphasis added)</p>

“the Dover School Board singles out the scientific theory of evolution, specifically and repeatedly targeting it as a “theory” with “[g]aps,” “problems,” and inadequate empirical support. In singling out the one scientific theory that has historically been opposed by certain religious sects, the Board sent the message that it “believes there is some problem peculiar to evolution,” and “[i]n light of the historical opposition to evolution by Christian fundamentalists and creationists[,] . . . the informed, reasonable observer would infer the School Board’s problem with evolution to be that evolution does not acknowledge a creator.” (p 57)

ODOE staff rejected edits to Ohio’s science content standards from its own advisory committee members for places to add “theory” other than with “evolution”

ODOE and OBOE rejected repeated appeals to note that ALL scientific theories are subject to testing and critical analysis, not just evolution

"I am convinced this is a religious effort cloaked as science," (OBOE member Rob Hovis; at <http://www.wcpo.com/news/2004/local/03/09/schoolboard.html>)

“The letters and editorials...are probative of the perception of the community at large. They reveal that the entire community has consistently and unwaveringly understood the controversy to concern whether a religious view should be taught as science in the Dover public school system. Moreover...the letters to the editor and editorials are relevant and probative of the community’s collective social judgment that the challenged conduct advances religion.” (P. 59)

Letters to the editor in Ohio and correspondences sent by Ohio citizens to ODOE and OBOE (as released by ODOE) reveal exactly the same pattern of community understanding of the governmental endorsement of religion regarding Ohio’s standards and the *Critical Analysis* model lesson

“These exhibits are thus probative of the fact that members of the Dover community perceived the Board as having acted to promote religion, with many citizens lined up as either for the curriculum change, on religious grounds, or against the curriculum change, on the ground that religion should not play a role in public school science class. Accordingly, the letters and editorials are relevant to, and provide evidence of, the Dover community’s collective social judgment about the curriculum change because they demonstrate that “[r]egardless of the listener’s support for, or objection to,” the curriculum change, the community and hence the objective observer who personifies it, cannot help but see that the ID Policy implicates and thus endorses religion. (p. 61 & 62)

“Moreover, ID’s backers have sought to avoid the scientific scrutiny which we have now determined that it cannot withstand by advocating that the *controversy*, but not ID itself, should be taught in science class. This tactic is at best disingenuous, and at worst a canard. The goal of the IDM is not to encourage critical thought, but to foment a revolution which would supplant evolutionary theory with ID.” (P. 89; emphasis in original)

“Therefore, although Defendants have asserted that the ID Policy has the secular purposes of promoting **critical thinking** and improving science education, the opposite of such purposes occurred in fact as biology teachers had already began to omit teaching material regarding the theory of evolution in the months preceding the adoption of the ID Policy.” (P. 99-100; emphasis added)

“Although Defendants attempt to persuade this Court that each Board member who voted for the biology curriculum change did so for the secular purpose of improving science education and to exercise **critical thinking skills**, their contentions are simply irreconcilable with the record evidence. Their asserted purposes are a sham, and they are accordingly unavailing,” (p. 130; emphasis added)

“the amendment does not weaken the "**teach the controversy**" intent of the (Critical analysis of evolution) indicator/benchmark, and this is good.” (Comments by Jody Sjogren, co-founder of IDNet and SEAO at [www.intelligentdesignnetwork.org/SjogrenReport121102.htm](http://www.intelligentdesignnetwork.org/SjogrenReport121102.htm); emphasis added)

”I think that our curriculum should really develop **critical thinking skills**. I think that your viewpoint of showing the two models is very consistent with our model to develop higher level -- not to have facts presented without asking students to critically analyze within that framework.” (OBOE member Deborah Owens-Fink at <http://www.creationists.org/JosephGuthrie.html>; emphasis added)

“The three key supporters of **teach-the-controversy** on the Board (Deborah Owens Fink, Michael Cochran, and James Turner) all spoke in favor of the (Critical Analysis) amendment” ([www.sciohio.org/firestorm.htm](http://www.sciohio.org/firestorm.htm); emphasis added)

“State Rep. Linda Reidelbach's bill on origin science...promotes teaching origin science objectively and merely makes it permissible for teachers and students to consider all the scientific evidence. This approach fosters **critical thinking** and academic freedom, (Letter to the Editor, Cleveland Plain Dealer by OBOE member, Deborah Owens-Fink, 22 March 2002; emphasis added)

“But what the adopted language does do, according to board member Mike Cochran, is to "allow students to understand that there are dissenting views within the scientific community" regarding evolution.” ([www.nationalreview.com/comment/winnick101802.asp](http://www.nationalreview.com/comment/winnick101802.asp))

<p>“...Pandas misrepresents... the tree of life” (P. 84)</p>	<p>“Darwin’s tree of Life” misrepresented in earlier drafts of <i>Critical Inquiry</i> (dropped, not corrected in subsequent drafts)</p>
<p>“...Pandas misrepresents “homology,”” (P. 85)</p>	<p>Numerous erroneous statements made regarding homology in various versions of <i>Critical Analysis</i></p>
<p>“Pandas fails to address the well-established biological concept of exaptation, ...because they (ID supporters) deny that organisms change function, which is a view necessary to support abrupt appearance.” (P. 85)</p>	<p>“exaptation” not cited in several relevant places in any version or draft of <i>Critical Inquiry</i></p>
<p>“Pandas distorts and misrepresents evidence in the fossil record about pre- Cambrian-era fossils” (P. 85)</p>	<p>“(there were) virtually no fossils (with the exception of some sponge embryos) in the pre Cambrian level.” October 6, 2003 version of <i>Critical Analysis</i> (entire statement never corrected; dropped instead)</p>
<p>“The evidence presented in this case demonstrates that ID is not supported by any peer-reviewed research, data or publications.” (P. 87)</p>	<p>No peer-reviewed research, data or publications have been included with any drafts of the <i>Critical Analysis</i> lesson including the current one</p>
<p>“the Board brazenly chose not to follow the advice of their only science education resources” (P. 118)</p>	<p>“The challenging sample answer <i>oversimplifies</i>...” “(the supposedly challenging answer) is <i>not a challenge</i> to evolutionary biology.” “(the sentence)is <i>wrong</i>” “the sentence is <i>a lie</i>” “(the sentence) is <i>off topic</i>...” “(the statement uses the flawed logic of) if you do not see speciation occur, then it must not happen” “(the statement argues wrongly that) because we have not seen bacteria turn into organelles, then it must not be true.” “(the statement) is an <i>oversimplification</i>...” “(the sentence) <i>oversimplifies</i> the issue...” (Comments by ODOE staff scientists to <i>Critical Analysis</i>; many of the statements remain in the lesson today with little or no change.)</p>

<p>“This self-imposed convention of science, which limits inquiry to testable, natural explanations about the natural world, is referred to by philosophers as “methodological <b>naturalism</b>” and is sometimes known as the <b>scientific method</b>... Methodological <b>naturalism</b> is a “ground rule” of science today which requires scientists to seek explanations in the world around us based upon what we can observe, test, replicate, and verify.” (P. 65)</p> <p>“The Discovery Institute, the think tank promoting ID whose CRSC developed the Wedge Document, acknowledges as “Governing Goals” to “defeat scientific materialism and its destructive moral, cultural and political legacies” and “replace materialistic explanations with the theistic understanding that nature and human beings are created by God.”” (P. 68)</p>	<p>“What is <b>Naturalism</b>? <b>Naturalism</b> is the DOCTRINE that all phenomena result only from natural processes and not by design... Presently <b>Naturalism</b> censors the design hypothesis. The censorship serves to protect evolution from criticism. Evolution winds up being supported by a philosophy rather than the <b>scientific method</b>... The effect of modern origins science is to imbue a belief in <b>naturalism</b>. This has led our government into a practice that has the effect of indoctrinating our children and culture in <b>Naturalism</b>. I happen to think that is somewhat problematic. That is why I am here today. To talk about State sponsored <b>naturalism</b>.”</p> <p>John Calvert, Founder of ID Net in <i>invited (from Kansas) address to Ohio Board of Education Standards Committee; 13 January 2002</i> (<a href="http://www.arn.org/docs/ohio/calvertto_standardscommittee011302.htm">http://www.arn.org/docs/ohio/calvertto_standardscommittee011302.htm</a>)</p>
<p>“Science cannot be defined differently for Dover students than it is defined in the scientific community” (p.70)</p>	<p>“and while not “believed in” through faith may be accepted or rejected on the basis of evidence.” (part of the Ohio Academy of Science’s definition of “science” rejected by the OBOE when it defined the term for Ohio students</p>
<p>“Nor did anyone on the Board or in the administration ever contact the NAS, the AAAS, the National Science Teachers’ Association, the National Association of Biology Teachers, or any other organization for information about ID or science education before or after voting for the curriculum change. (33:113 (Bonsell); 30:24-27 (Buckingham)).” (p. 138)</p>	<p>“Intelligent Design (does) not belong in (Ohio’s) science classrooms or lesson plans for science” (letter by NAS president Alberts to OBOE President Sheets; 9 February 2004. NOTE: Letter was ignored by the Board)</p>
<p>“The <b>breathhtaking inanity of the Board</b>’s decision is evident when considered against the factual backdrop which has now been fully revealed through this trial. The students, parents, and teachers of the Dover Area School District deserved better than to be dragged into this legal maelstrom, with its resulting <b>utter waste of monetary and personal resources</b>.” (P. 138; emphasis added)</p>	<p>?</p>