



CHAPTER ONE

THE TAKEOVER

JULIE SMITH: "My daughter came home from school, and she says to me, 'Mom, evolution is a lie. What kind of Christian are you, anyway?'"

The town of Dover looks like any of its dozen neighboring communities in the bucolic rolling hills of southern central Pennsylvania. Its neat wooden homes and sprawling cornfields, its little shops and churches, remind me of an earlier America. If you swap those hills and farms for desert, forest, or mountains, it could be any of a thousand wholesome, conservative, and religious communities struggling to survive across the country. Dover is like these American towns, and like much of America, in another way: a deep but invisible faultline of divided beliefs runs right down the middle.

In Dover, that fault suddenly gave way in October 2004 when the local school board proposed a slight alteration to the high school biology curriculum. The rush of pent-up energy released shook this little town to its core, turning neighbor against neighbor, pupil against teacher, and parishioner against pastor. Many regarded those on the opposite side of the divide with

disbelief: How on earth they could have lived so close to and so peacefully with people whose fundamental worldview was so different from their own? Others had one foot on each side, and struggled to decide which way to go. Accusations flew, threats were made, and lies were told. Slowly, the fault grew deeper and longer, spreading outward across the nation, polarizing citizens far from Dover and exposing the deep differences in the ways Americans conceive of God and see the world and our place in it—in short, everything.



There is an old Dover and a new Dover. The old one is rooted in Revolutionary War history and the conservatism of multigeneration farms and family trades. The new one is conservative, too, but more educated, more urbane, and, well, less old. As the nearby towns of Harrisburg to the north and York to the south grow, Dover has taken on the role of a suburb; the locals may grudgingly appreciate some of the economic benefits of the newcomers, but their urban attitudes are a less welcome currency.

The old Dover has also been undergoing a religious conversion. Its established, mainline Protestant denominations are being joined by more fundamentalist evangelical churches, intent on spreading their Good News. The new Dover is predominantly Christian, too, but is far more diverse, tolerant, and, on the whole, embracing of modernity. And though there is a rough correlation between the side of the fault you live on and whether you are old or new Dover, it is not that simple. Denomination weighs in heavily, too. Evangelicals and fundamentalists are far more likely to be on one side; more moderate, less vocal believers (as well as agnostics and atheists) are more likely to be on the other. But even that's too simple.

What determines which tectonic plate you're riding depends, more than anything else, on what you believe God is like: Does He prefer Americans? Christians? Republicans? Does He send those who disobey His Word to Hell? Does He hate the ACLU, or does He love it? Is He the kind of God who checks the "no specific preferences" box?

Finally, it depends on whether you are fundamentally certain that God exists, He has a plan, and that's the end of the story, or you're willing to entertain a range of other possibilities. In this regard, Dover's story reflects the tensions growing in the nation as a whole, and it foreshadows the bigger battles to come.



Barrie Callahan is new Dover. She is an attractive, compact, and energetic woman in her mid-fifties. She reminds me a little of Sally Struthers, the actress who played Gloria in the 1970s sitcom *All in the Family*. Her wild, curly blond hair seems out of place in this conservative town. In fact, she is an outsider, having grown up in a suburb of Philadelphia, one hundred miles to the east. Culturally and politically, that one hundred miles might as well be a thousand. As political analyst James Carville quips, Pennsylvania has Philly on the east, Pittsburgh on the west, and Alabama in between.

Barrie's husband, Fred, is also considered an outsider, though he grew up in nearby West York—just six miles to the east, and still in “Alabama”—where he has spent his adult life running a successful paper products business started by his father. Barrie and Fred have lived in the hills of Dover for thirty years, but like other relative newcomers they still wouldn't feel welcome at the suppers at the Dover Fire Hall, where the old Dover families gather weekly. Some of those old families have been in the area “since before America was America,” says Joel Lieb, a local teacher who traces his own Dover ancestors back to the 1600s. “Their graves are right here in the cemetery,” says Lieb, “I couldn't forget them if I wanted to.”

Despite her outsider status, Barrie Callahan was elected to the Dover Area School Board in 1993, after being a stay-at-home mom throughout her older daughter's childhood. She'd majored in psychology at Ursinus College, a small, exclusive liberal arts college near Philadelphia, and she wanted to put her education, energy, and brains to use helping to raise the community's education standard.

It was sometime in the late 1990s, she says, that she first began to notice religious rhetoric creeping onto the stage of school board meetings. “I tried to ignore it,” she says. “I just thought it was eccentric. I didn’t think it would get out of hand.”

The twice-monthly board meetings, held in the cafeteria at the elementary school, were generally modest affairs with the nine board members joined by a reporter or two from the local papers and sometimes a couple of parents with a gripe or an axe to grind. But as the months went on, says Callahan, those meetings grew stranger, more divisive, and more intense.

At first, the zealous chief agent of this new direction was Alan Bonsell, the owner of a car radiator repair shop in town. Bonsell is a large man with a robust goatee and mustache, and short reddish hair that exaggerates the size of his forehead, giving him a playful, bear cub look. He’d been elected to the board in 2001 on a slate with three other conservative candidates who were all campaigning against the school board’s plan to overhaul the aging high school building. Though he was new to the board, Bonsell was old Dover through and through.

Shortly after taking office, Bonsell began voicing his concerns about the state of morality among Dover students. He said that he wanted to “bring prayer and faith back into the schools.” He frequently mentioned the Bible and creationism. He had a cocksure attitude, and his religious opinions were often colored by a passionate patriotism.

Bonsell’s feelings were shared by another vocal board member, Bill Buckingham. Buckingham, also an old-time Dover resident and super-Christian, echoed and sometimes amplified Bonsell’s concerns. He also spoke out about America’s primacy, its exceptional role in world history and its favored status in the mind of God, the threats posed by secular liberalism, and the arrogance of science—particularly evolutionary biology. Soon many in the old Dover community began to line up behind Bonsell and Buckingham, particularly members of their conservative evangelical churches, Church of the Open Door and Harmony Grove Church.

At first, Callahan says, “I refused to recognize it. I had friends who said they thought it was a religious takeover of the board of education. That whole idea in this day and age seemed just too preposterous to me. But they were right. I didn’t keep track,” she says, “and I didn’t write things down, but the frequency of religious remarks just kept climbing.”

She recalled a number of events that at the time seemed isolated and merely quirky, but now, in hindsight, clearly indicated the controversy to come. For instance, at the board’s annual retreat in 2002, shortly after he joined the board, Bonsell said his highest priority was “creationism” and his second highest “school prayer.” He spoke frankly about wanting to put the historic role of faith in the founding of America back into the curriculum.

At subsequent retreats and meetings, Bonsell had a clear and simple message: America is God’s country, those legal American citizens who accept Jesus into their hearts are God’s people, and the students of Dover should be taught as much. “It wasn’t just Bible talk,” says Callahan. “It was the Bible *and* the founding fathers.” Dissenters who felt uncomfortable with the message were considered both atheists and unpatriotic.

At one school board meeting someone suggested that if the Christian creation story were told in science class, so should be those of other religions. Another community member was heard commenting after the meeting, “There is only one religion: Christianity. The rest are atheism.”

“They were so absolutely sure they were right, beyond question,” says Callahan, shaking her head of curls in disbelief.



And then came the burning of Zach Strausbaugh’s mural.

A few years earlier, in 1998, Strausbaugh, a high school senior, spent an entire semester painting a four-foot-high, sixteen-foot-long depiction of the evolution of prehuman hominids into more-modern types, the kind of “ape evolving into upright human” that often illustrated old-fashioned science texts. Strausbaugh’s mural was part of his senior-year project, and he

worked on it under the sanction of two teachers, one representing the art department and the other the science department.

“For a whole semester I worked on it in my art class, at lunch, and before school. I put a lot of time into it,” said Strausbaugh, who went on to graduate from the local Penn State campus and to become a designer at a local sheet-metal shop. The mural, which was painted directly on two eight-foot pieces of plywood, wasn’t a work of high art, but it was very good for a high school project. It showed nine nearly life-size bipedal figures running across the savanna, from left to right on the mural, representing different stages of early hominid evolution. The figure furthest to the left is hairy and long-armed and the one at the right relatively clean-cut and more upright. It’s a take-off on the classic evolutionary progression image, but in this case it’s showing only *micro*-evolution—no evolution from one species or kind of animal into another is going on here—no monkey-to-man imagery. Any one of the figures could easily be a brother of its neighbor, but the overall effect of nine generations is significant enough that there is no way the first and ninth figures could be siblings. The evolutionary principle illustrated by the painting is that over time, nearly imperceptible changes add up to notable and significant ones.

At the end of the year, Strausbaugh finished his painting and gave it to the school’s science department. No one complained at all. In fact, he got an A for the project and a lot of attention and appreciation from both the art teacher he’d worked with and the science teacher who inherited the mural and mounted it in his biology lab. For five years, the painting hung in the science classroom, a fixture of the school.

Then, on a Monday in August 2003, Bertha Spahr came to school and found that Strausbaugh’s painting had disappeared. Spahr, a veteran science teacher at Dover High and the director of the school’s science department, called the assistant principal and asked what had happened. He told her that Larry Reeser, who was then head of the Dover High building and grounds department, had come in over the weekend and removed the mural from the classroom. The sixty-eight-year-old Reeser later told *York Daily Record*

reporter Lauri Lebo that the painting offended his faith, was obscene, and was full of lies. Furthermore, he said, his granddaughter was entering ninth grade the following year and he didn't want her to be exposed to its "graphic nature." The nakedness. The animality. So he burned it.

Spahr was alarmed and outraged. She called the district superintendent, Richard Nilsen, who told her that Reeser had burned the painting for religious reasons and assured her that he'd been reprimanded and disciplined and a memo had been added to his personnel file. Apparently, though, rumors of Reeser's reprimand were greatly exaggerated. In fact, not only had the board not punished Reeser for burning Strausbaugh's mural, one board member later told Spahr that he was there for the purge and that he "gleefully watched it burn."

When I called Reeser and asked him what had really happened, he told me that he'd been sworn to secrecy, that he could not tell me who had put him up to the affair. He said he was at work on his own book about it and I should leave him alone. Then he hung up.

"I was amazed that someone would do something like that, so blatantly and so disrespectful. I thought it was ignorant and very inappropriate," says Strausbaugh today.

To many in the Dover community, the self-righteous cremation of "objectionable" artwork was a sign, recognizable from other ominous moments in history, that something was going terribly wrong in the power structure of the Dover schools.

The strange thing is, the mural wasn't scientifically controversial. Many old-time creationists, and most intelligent designers of any scientific sophistication, accept the basic evolutionary principle illustrated in Strausbaugh's painting. There really is no choice, if you want to retain a modicum of scientific credibility. Evidence of this kind of micro-evolutionary change is everywhere. Viruses do it virtually before our eyes; and variation among dog breeds, say, or subspecies of frogs, is uncontroversial. Where IDers draw the line, however, is at Darwin's original inference, that those small changes within a species will eventually add up to the creation of altogether new

forms and the evolution of new species. Creationists from William Jennings Bryan on up have derisively called this process of incremental change “monkey to man” evolution.

But Strausbaugh’s painting doesn’t make that inference. If it had shown finches whose beaks changed size over time, for example, Reeser likely wouldn’t have paid it much attention, and it wouldn’t have been controversial. Most intelligent design proponents readily acknowledge those small changes in the famous Galápagos finches, which played a key role in the development of Darwin’s theory of natural selection.¹ In fact, if beak changes were illustrated in proportion to the changes in the hominids in the mural, it would probably take an ornithologist with calipers to detect them, they would be so subtle; much more subtle, for instance, than the difference between the species of Darwin’s famous finches. From this perspective, the mural should have been acceptable even to IDers. To the degree that it expressed an evolutionary concept at all, it promoted the least controversial one around.

The reason the mural rubbed some people the wrong way probably has less to do with their intellectual and heartfelt objections to the idea of small evolutionary changes occurring over time, though, than to the fact that the running proto-men were buck naked. If they’d been wearing Scout uniforms, or even just fig leaves, they might have been fine. What is so threatening, so offensive, is the idea that humans are right in there with the rest of the animal kingdom. Beasts. Monkeys. Naked apes. There is no idea more objectionable to certain religious viewpoints than the one that humans are merely animals and subject to the same natural forces as the birds and the bees.

For many, including the old Doverians on the new Dover school board, this is the crux of the battle. Are we special? Are we each a product of a thought of God, and each a part of His plan? Are our lives intrinsically meaningful? Do we possess God-given free will, or is our sense of freedom just another biological adaptation, an illusion of independence from the causal, mechanistic world that defines the materialist’s reality? Are we God’s creatures, different from the rest of the biological world, or are we simply

smarter animals, hunting, grunting, and inventing gods for no purpose but merely to survive and reproduce?

What I found most amazing about the mural story when I first heard it is how little was the splash it made. A few people complained, others shook their heads, but most did nothing.

“If a big deal had been made about the burning of that mural, if the board had looked further into it, made it public, and taken some responsibility, maybe things would have stopped there,” says Callahan. But they didn’t.



A few months later, in the 2003 election, Callahan was voted off of the board, which then became dominated by a more conservative and more evangelical old-Dover majority. Callahan was ambivalent about giving up her seat. She hadn’t campaigned at all, she says. If the people of Dover wanted her to represent them, she was willing; yet after an increasingly ugly and stressful decade of service, she was also ready to step down. But leaving the board didn’t end her involvement. She was off the board, but she was still a concerned mom.

Callahan’s younger daughter, Katie, was still in high school, and she and her classmates were suffering from a paucity of biology textbooks, a problem that had frustrated Callahan for more than a year. So, despite her lack of an official role, she kept attending board meetings “to find out why they weren’t ordering the books.”

The biology book in question is one of the country’s most popular high school textbooks, and Dover had long used earlier editions. Titled *Biology: A Living Science*, its many editions are authored by the well-known Brown University biologist Kenneth Miller and Joseph Levine. *Biology* is generally considered by teachers and school boards around the country to be the gold standard for basic high school biology texts.

By the June 7, 2004, meeting Callahan had sensed that the board’s reluctance to buy books was fueled by more than money concerns. She asked Dover old-timer Bill Buckingham, then chairman of the board’s

curriculum committee, if he would be leading a vote on whether to authorize the new textbooks.

No, he said, they were not ready to vote on the acquisition. Callahan asked why not? If they didn't order the books soon, another school year would begin with no biology texts. Buckingham paused a moment, looked right at Callahan, and told her that he didn't like the textbook because it was "laced with Darwinism." He wasn't going to proceed with the acquisition until he found a way to balance the teaching of Darwinism with the teaching of creationism, he said. "It's inexcusable to teach from a book that says man descended from apes and monkeys," he was quoted as saying in the *York Daily Record* the next day. "We want a book that gives balance to education."

Callahan couldn't believe her ears.

Then a recent graduate of Dover High School, Max Pell, took the floor. He said that any book that taught creationism would probably violate the constitutionally mandated separation of church and state, and that it would be unfair to students of other faiths. Plus, Pell said, it would be inviting a lawsuit because it's unconstitutional to teach creationism in public school.

Callahan watched as Buckingham and Bonsell came down on Pell like a ton of bricks. They accused the young man of having been brainwashed at university, of being Godless, and of being un-American.

The separation of church and state was never intended by the founding fathers, anyway, said Buckingham. The separation, he said, was a myth invented and propounded by atheists.

The rabbit was out of the hat. "This country wasn't founded on Muslim beliefs or evolution," Buckingham said. "This country was founded on Christianity, and our students should be taught as such."

And look, Buckingham continued, he wasn't being exclusive or unreasonable. He didn't want to teach just creationism. There are two, and only two, viable theories that can explain the history of life, he said, and they are creationism and evolution. He wanted to teach both.

“My jaw dropped,” said Callahan. “I couldn’t believe it. They wanted to teach creationism. That’s what this whole textbook delay was about!”

And then things popped into high gear. Reporter Heidi Bernhard-Bubb, working on a story for the *York Dispatch*, called the American Civil Liberties Union in Harrisburg to get their take on the constitutionality of the board’s proposal. The lawyer who took the call, Paula Knudsen, immediately contacted Pennsylvania’s ACLU legal director. “I knew it was a constitutional case,” she said. “If what the reporter told me was right, it was a clear violation of the First Amendment.”

The ACLU got many other calls about the board’s decision. One of the first was from Callahan. Another was from long-time high school math teacher Steve Stough. School board members Casey and Jeff Brown called the ACLU, too, and so did parent Cyndi Sneath. She directed the ACLU to her neighbor Tammy Kitzmiller—whose name became attached to the eventual court case—because Kitzmiller’s daughter Jessica was going into ninth grade at the high school and would be directly affected by a curriculum change.

The very next day, June 8, 2004, the school board received a notice from the ACLU threatening legal action if they tried to put creationism into their science curriculum. “The case law was pretty clear about this,” says Knudsen.

The next school board meeting took place a week later, on June 14. It drew a hundred people from the community, an unheard of number for Dover. Whatever denial or avoidance had kept the religious debate simmering below ground gave way, and the battle over whether to teach creationism alongside of evolution erupted into the open.

Buckingham was quoted in the two daily York newspapers as saying that his generation had prayed and read from the Bible during school, and that ever since, liberals in “black robes” had been taking away such rights of Christians. “Two thousand years ago, someone died on a cross,” Buckingham said. “Can’t someone take a stand for Him?”

Soon after this meeting, Buckingham upped the ante by announcing that he wanted the board to consider purchasing another textbook: *Of*

Pandas and People: The Central Question of Biological Origins. This was an intelligent design textbook that had been recommended to him by Richard Thompson, president of the Thomas More Law Center. Thompson, a former prosecutor from Michigan, whose Center was funded by Tom Monaghan, the ultra-conservative and religious founder of Domino's Pizza, had also offered to represent the school board free of charge in any legal battles that might come from the teaching of *Pandas*.

At the board's next meeting, and after further consultation with Thompson, Buckingham suddenly shifted gears. For one thing, he stopped—or at least tried to stop—using the word *creationism*, substituting the words *intelligent design*. Second, he abandoned the idea of using *Of Pandas and People* as the main biology text, and argued instead for buying copies of *Pandas* as a “curricular supplement.” In fact, he refused to authorize the purchase of *Biology* unless the board also bought *Pandas*.

But Buckingham was losing traction with the board as the book came to a vote. Jane Cleaver, one of his supporters on the nine-member board, was home sick that night, and without her, the vote on authorizing *Biology* split 4 to 4. Now it was up to Angie Yingling, another Buckingham ally. But her support was wearing thin and, worried that the school would have to start another year without any textbooks, she switched her vote. Finally, *Biology* was approved, with no money set aside for *Pandas*.

Buckingham was furious with Yingling. He approached her after the meeting and asked, “Have you any idea what you’ve just done?”

But Yingling hadn't killed *Pandas*' chances after all. Within weeks of that vote, the Dover School District mysteriously received a donation of sixty copies of the book. Buckingham and his allies on the board set about figuring out how to weave them, and ID, into the curriculum.

They presented their solution at the early-October 2004 meeting: put the copies of *Pandas* into the classroom and have them available for reference, and prepare the teachers to answer questions about ID as they arose. Dover's science teachers weren't happy. But hoping to see the end of the controversy and to finally get their textbooks, they reluctantly accepted this “compromise,” says Spahr.

On October 18, 2004, the board approved, in a 6-to-3 vote, a resolution that amended the school district's science curriculum in the first officially mandated mention of intelligent design in U.S. public schools. The amendment says: "Students will be made aware of gaps/problems in Darwin's theory and of other theories of evolution including, but not limited to, intelligent design. Note: *Origins of Life* is not taught."²

At the end of that meeting two board members resigned in protest. One of them said that she had been repeatedly asked by other board members if she was "born again," and that she now understood that "holding a certain religious belief is of paramount importance" to the zealous majority on the board.

On November 19, the board announced through a press release that it would require teachers to read to all incoming biology students a four-paragraph statement disparaging evolution and pointing students toward ID. They did so against the advice of the science teachers, led by Spahr; of their own lawyer (who knew that the ACLU would likely take legal action); and of the Seattle-based Discovery Institute, the preeminent ID-promoting think tank. Discovery recommended that the board adopt a "teach the controversy" policy about evolution. They wanted to avoid a constitutional battle like this one, they said, at least until ID earned its stripes as an alternative scientific theory. They were determined that ID not be legally branded as creationism, and wary about what might happen here.

Spahr and the other science teachers were furious. They responded with a memo requesting the right to opt out and turn their classes over to administrators for the reading of the statement, their frustration reflected in their emphatic use of all caps: "This request," the memo said, "is based upon our considered opinion that reading the statement violates our responsibilities as professional educators as set forth in the Code of Professional Practice and Conduct for Educators[.] INTELLIGENT DESIGN IS NOT SCIENCE. INTELLIGENT DESIGN IS NOT BIOLOGY. INTELLIGENT DESIGN IS NOT AN ACCEPTED SCIENTIFIC THEORY."

No one in Dover was unaware of the school controversy. By Dover standards, the fall board meetings were enormous. They were also fractious, and

raucous. The community had divided into warring camps, the national press was on to the story, and another alienated and hopeless board member, Noel Wenrich, had resigned. He said that Buckingham and his staunchest allies had become unreasonable and ferocious bullies, questioning the patriotism and faith of anyone who didn't agree with them.

Angie Yingling, just trying to do the right thing, became another board casualty. She explains that in October 2004, when the board originally voted to insert ID into the curriculum, she was cajoled into voting in favor of the change by members who said that not to vote yes would mean she was an atheist. She just couldn't stand the pressure, she said. But in December, when it became clear the board was blithely leading the district into a costly legal battle, she found the courage to change her mind and tried to get the rest of the board to do the same.

"We've got our point across to the local, state, and national levels," Yingling said at the time. "It's wrong, I think it's wrong, and you know it's wrong; it's against state and federal law, and you know it."

Finally, in December, as she too resigned, Yingling explained that she had been misled about what the curriculum changes meant. The board's religious agendas "are spiraling out of control," she said. And members of the board were acting like "religious zealots, preaching from the shadows."

As a tactic, however, quitting the board was of dubious value because the remaining board members simply choose replacements to fill vacancies. The resignations, far from making a point, actually encouraged the further concentration of pro-ID power. In late November, the board considered eighteen applicants to fill the vacated spots. Some of those applicants were highly educated and qualified professionals. But in the end, the seats went to four super-Christians whose primary qualifications were their clear support of the board's intelligent design policy. The board had already decided to ignore the advice of its teachers, its own local lawyer—who warned that if the board lost the case it could be responsible for a million dollars or more in legal fees—its dissenting members, and the majority of the school dis-

strict community. Now, with a fully packed board and with the pro bono support of a big-city super-conservative law firm determined to take the issue to the Supreme Court, nothing could stop them.

“It’s like being on the *Titanic*. Everyone seems to see the iceberg, but no one is steering away,” Yingling said. How right she was.



By now, I’ve read the statement adopted by the board a thousand times. I can (and sometimes do) recite it in my sleep. I still find it riveting: as a writer, editor, and lover of English, and as an admirer of Darwin’s theories, I find it almost painful to read. At the same time, its 166 words express so much about the history of this conflict:

The Pennsylvania Academic Standards require students to learn about Darwin’s Theory of Evolution and eventually to take a standardized test of which evolution is a part.

Because Darwin’s Theory is a theory, it continues to be tested as new evidence is discovered. The Theory is not a fact. Gaps in the Theory exist for which there is no evidence. A theory is defined as a well-tested explanation that unifies a broad range of observations. Intelligent Design is an explanation of the origin of life that differs from Darwin’s view. The reference book, *Of Pandas and People*, is available for students who might be interested in gaining an understanding of what Intelligent Design actually involves.

With respect to any theory, students are encouraged to keep an open mind. The school leaves the discussion of the *Origins of Life* to individual students and their families. As a Standards-driven district, class instruction focuses upon preparing students to achieve proficiency on Standards-based assessments.

Deconstructing this short and convoluted statement is largely the job set out for Judge John Jones III, who will preside over the Middle District Court of Pennsylvania destined to try this case. I can’t wait to see him get started.