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Louisiana's Senate Bill 733, signed by Governor Bobby Jindal on June 25, 2008, continues to draw scrutiny. In *New Scientist*, Amanda Geffer [reports](#) [4] (July 9, 2008), "The new legislation is the latest manoeuvre in a long-running war to challenge the validity of Darwinian evolution as an accepted scientific fact in American classrooms." {C} After the *Kitzmiller v. Dover* decision, in which intelligent design creationism was found to be non-science and unconstitutional to present in science classes, Geffer explains, "the strategy being employed in Louisiana by proponents of ID — including the Seattle-based Discovery Institute — is more subtle and potentially more difficult to challenge. Instead of trying to prove that ID is science, they have sought to bestow on teachers the right to introduce non-scientific alternatives to evolution under the banner of 'academic freedom.'"

NCSE's Josh Rosenau told Geffer why that is a misuse of the term: "Academic freedom is a great thing," he explained. "But if you look at the American Association of University Professors' definition of academic freedom, it refers to the ability to do research and publish." Geffer continues: "Rosenau distinguished this from the situation the bill addresses by pointing out that 'In high school, you're teaching mainstream science so students can go on to college or medical school, where you need that freedom to explore cutting-edge ideas. To apply 'academic freedom' to high school is a misuse of the term.'" "It's very slick," NCSE board member Barbara Forrest told Geffer. "The religious right has co-opted the terminology of the progressive left ... They know that phrase appeals to people."

Geffer reports that "Supporters of the new law clearly hope that teachers and administrators who wish to

raise alternatives to evolution in science classes will feel protected if they do so. The law expressly permits the use of 'supplemental' classroom materials in addition to state-approved textbooks. The L[ouisiana] F[amily] F[orum] is now promoting the use of online 'add-ons' that put a creationist spin on the contents of various science texts in use across the state, and the Discovery Institute has recently produced *Explore Evolution*, a glossy text that offers the standard ID critiques of evolution. ... Unlike its predecessor *Of Pandas and People*, which fared badly during the Dover trial, it does not use the term 'intelligent design'."

The Louisiana Family Forum's mission statement includes a goal of "presenting biblical principles" in "centers of influence," and the bill's sponsor credits the LFF with drafting the bill. (The "add-ons" they promote include references to young earth creationist Jonathan Woodmorappe's flood geology as well as attacks on the hominid fossil record by geocentrist Malcolm Bowden.) *New Scientist's* Gefter asked Gene Mills, the executive director of the Louisiana Family Forum, "whether the new law fits with the organisation's religious agenda." Mills answered: "Certainly it's an extension of it."

The Discovery Institute's John West, in an opinion piece at the *National Review* (July 8, 2008), insisted that there's nothing to fear from such religious agendas. "Whether the issue is sex education, embryonic stem-cell research, or evolution, groups claiming to speak for 'science' assert that it violates the Constitution for religious citizens to speak out on science-related issues. ... America is a deeply religious country, and no doubt many citizens interested in certain hot-button science issues are motivated in part by their religious beliefs. So what? Many opponents of slavery were motivated by their religious beliefs, and many leaders of the civil-rights movement were members of the clergy. Regardless of their motivations, religious citizens have just as much a right to raise their voices in public debates as their secular compatriots, including in debates about science. To suggest otherwise plainly offends the First Amendment's guarantees of freedom of speech and freedom of religion." West added, "Fearful of being branded 'anti-science,' some conservatives are skittish about such efforts to allow challenges to the consensus view of science."

Conservative columnist John Derbyshire, a staff writer at the *National Review*, replied the next day (July 9, 2008) at The Corner, the *National Review's* blog. Derbyshire explained his objections to the bill as follows: "Whether or not the law as signed is unconstitutional per se, I do not know. I do know, though — as the creationist Discovery Institute that helped promote the Act also surely knows — that the Act will encourage Louisiana local school boards to unconstitutional behavior. That's what it's meant to do. Some local school board will take the Act as a permit to bring religious instruction into their science classes. That will irk some parents. Those parents will sue. There will be a noisy and expensive federal lawsuit, possibly followed by further noisy and expensive appeals. The school board will inevitably lose. The property owners of that school district will take the financial hit. Where will the Discovery Institute be when these legal expenses come due? Just where they were in the Dover case — nowhere!"

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