

# NEWS AND COMMENTS

## SUING THE SMITHSONIAN

Is the Smithsonian Institution — the treasure house of America — violating the First Amendment to the U.S. Constitution by promoting the religion of secular humanism through its displays on evolution?

The answer is yes, according to Dale Crowley, Jr., and he hopes that the courts will agree with him. In April 1978, on behalf of the National Bible Knowledge Association and the National Foundation for Fairness in Education, he filed suit against the Smithsonian's Museum of Natural History, which is completing a \$463,000 Hall of Evolution. Its five sections — struggle for existence, genetics, natural selection, differentiation of population, and environmental variation and extinction — are designed to promote the general theory of evolution as a fact.

The lawsuit is significant because of the Smithsonian's prestigious position in the world of science. The Institution began as a dream of a lonely English scientist who desired to perpetuate his name and at the same time serve the human race. In 1826, James Smithson bequeathed his fortune of \$500,000 "to the United States of America, to found at Washington, under the name of the Smithsonian Institution, an Establishment for the increase & diffusion of knowledge among men."

This strange bequest caused much debate, but the dream finally became a reality in 1846, when Congress passed an act creating the Institution. Its earliest secretaries were scientists, and it seemed natural that this new establishment should concentrate primarily on scientific investigation and the publishing of its findings. Smithson's wish for "increase & diffusion of knowledge" meant that no branch of knowledge could rightly be excluded, but the secretaries agreed that the Smithsonian would not engage in any activity that was adequately provided for by other agencies.

Through the years, under the sponsorship of the U.S. government which provides 90% of its support, the Smithsonian has gradually expanded its duties to preserving the nation's treasures through art galleries and museums, studying American ethnology, maintaining a national zoo, facilitating the international exchange of scientific publications, and supporting scientific research by carrying on field exploration and laboratory investigation through its own projects and through grants to outside workers.

Now, the Smithsonian represents an authoritative source of cultural and scientific information. Each year, busloads of children from all over the United States visit the National Museum of Natural History. If these

impressionable young minds are shown the Hall of Evolution, without seeing alternative views of origins, they will doubtless accept evolution as a fact.

According to Crowley, the Smithsonian is using taxpayers' money to indoctrinate the children in a religion, i.e., a theory that requires faith. This is a violation of the First Amendment which requires the government to remain *neutral* toward religious matters. The plaintiffs are therefore requesting the government to neutralize its preference to the religion of secular humanism by providing equal time and funds to present biblical creationism as an alternative view of the origin of life.

The government moved to dismiss the lawsuit, saying that the request for an exhibit on creation would represent an establishment of religion, which is prohibited by the U.S. Constitution. A hearing was held on November 9, and one month later, U.S. District Judge Barrington D. Parker ruled in favor of the Smithsonian, saying that it "in no way treats evolution as part of a religion, secular humanism or otherwise."

Crowley says he will appeal the ruling, because "evolution is a matter of faith, strictly.... I object to the idea that my children go through this museum and are indoctrinated by sheer speculation presented as fact." Further developments in this case will prove interesting.

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