

# Coverage of The Scopes Trial by H.L. Mencken

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## Contents

1. Homo Neanderthalensis, June 29, 1925
2. Sickening Doubts About Publicity, June 29, 1925
3. Impossibility of Obtaining Fair Jury, July 10, 1925
4. Trial as Religious Orgy, July 11, 1925
5. Souls Need Reconversion Nightly, July 13, 1925
6. Darrow's Eloquent Appeal, July 14, 1925
7. Law and Freedom, July 15, 1925
8. Fair Trial Beyond Ken, July 16, 1925
9. Malone the Victor, July 17, 1925
10. Genesis Triumphant, July 18, 1925
11. Tennessee in the Frying Pan, July 20, 1925
12. Bryan, July 27, 1925
13. Aftermath, September 14, 1925

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## 1. Homo Neanderthalensis

*The Baltimore Evening Sun*, June 29, 1925

Such obscenities as the forthcoming trial of the Tennessee evolutionist, if they serve no other purpose, at least call attention dramatically to the fact that enlightenment, among mankind, is very narrowly dispersed. It is common to assume that human progress affects everyone -- that even the dullest man, in these bright days, knows more than any man of, say, the Eighteenth Century, and is far more civilized. This assumption is quite erroneous. The men of the educated minority, no doubt, know more than their predecessors, and of some of them, perhaps, it may be said that they are more civilized -- though I should not like to be put to giving names -- but the great masses of men, even in this inspired republic, are precisely where the mob was at the dawn of history. They are ignorant, they are dishonest, they are cowardly, they are ignoble. They know little if anything that is worth knowing, and there is not the slightest sign of a natural desire among them to increase their knowledge.

Such immortal vermin, true enough, get their share of the fruits of human progress, and so they may be said, in a way, to have their part in it. The most ignorant man, when he is ill, may enjoy whatever boons and usufructs modern medicine may offer -- that is, provided he is too poor to choose his own doctor. He is free, if he wants to, to take a bath. The literature of the world is at his disposal in public libraries. He may look at works of art. He may hear good music. He has at hand a thousand devices for making life less wearisome and more tolerable: the telephone, railroads, bichloride tablets, newspapers, sewers, correspondence schools, delicatessen. But he had no more to do with bringing these things into the world than the horned cattle in the fields, and he does no more to increase them today than the birds of the air.

On the contrary, he is generally against them, and sometimes with immense violence. Every step in human progress, from the first feeble stirrings in the abyss of time, has been opposed by the great majority of men. Every valuable thing that has been added to the store of man's possessions has been derided by them when it was new, and destroyed by them when they had the power. They have fought every new truth ever heard of, and they have killed every truth-seeker who got into their hands.

The so-called religious organizations which now lead the war against the teaching of evolution are nothing more, at bottom, than conspiracies of the inferior man against his betters. They mirror very accurately his congenital hatred of knowledge, his bitter enmity to the man who knows more than he does, and so gets more out of life. Certainly it cannot have gone unnoticed that their membership is recruited, in the overwhelming main, from the lower orders -- that no man of any education or other human dignity belongs to them. What they propose to do, at bottom and in brief, is to make the superior man infamous -- by mere abuse if it is sufficient, and if it is not, then by law.

Such organizations, of course, must have leaders; there must be men in them whose ignorance and imbecility are measurably less abject than the ignorance and imbecility of the average. These super-Chandala often attain to a considerable power, especially in democratic states. Their followers trust them and look up to them; sometimes, when the pack is on the loose, it is necessary to conciliate them. But their puissance cannot conceal their incurable inferiority. They belong to the mob as surely as their dupes, and the thing that animates them is precisely the mob's hatred of superiority. Whatever lies above the level of their comprehension is of the devil. A glass of wine delights civilized men; they themselves, drinking it, would get drunk. Ergo, wine must be prohibited. The hypothesis of evolution is credited by all men of education; they themselves can't understand it. Ergo, its teaching must be put down.

This simple fact explains such phenomena as the Tennessee buffoonery. Nothing else can. We must think of human progress, not as of something going on in the race in general, but as of something going on in a small minority, perpetually beleaguered in a few walled towns. Now and then the horde of barbarians outside breaks through, and we have an armed effort to halt the process. That is, we have a Reformation, a French Revolution, a war for democracy, a Great Awakening. The minority is decimated and driven to cover. But a few survive -- and a few are enough to carry on.

The inferior man's reasons for hating knowledge are not hard to discern. He hates it because it is complex -- because it puts an unbearable burden upon his meager capacity for taking in ideas. Thus his search is always for short cuts. All superstitions are such short cuts. Their aim is to make the unintelligible simple, and even obvious. So on what seem to be higher levels. No man who has not had a long and arduous education can understand even the most elementary concepts of modern pathology. But even a hind at the plow can grasp the theory of chiropractic in two lessons. Hence the vast popularity of chiropractic among the submerged -- and of osteopathy, Christian Science and other such quackeries with it. They are idiotic, but they are simple -- and every man prefers what he can understand to what puzzles and dismays him.

The popularity of Fundamentalism among the inferior orders of men is explicable in exactly the same way. The cosmogonies that educated men toy with are all inordinately complex. To comprehend their veriest outlines requires an immense stock of knowledge, and a habit of thought. It would be as vain to try to teach to peasants or to the city proletariat as it would be to try to teach them to streptococci. But the cosmogony of Genesis is so simple that even a yokel can grasp it. It is set forth in a few phrases. It offers, to an ignorant man, the irresistible reasonableness of the nonsensical. So he accepts it with loud hosannas, and has one more excuse for hating his betters.

Politics and the fine arts repeat the story. The issues that the former throw up are often so complex that, in the present state of human knowledge, they must remain impenetrable, even to the most enlightened men. How much easier to follow a mountebank with a shibboleth -- a Coolidge, a Wilson or a Roosevelt! The arts, like the sciences, demand special training, often very difficult. But in jazz there are simple rhythms, comprehensible even to savages.

What all this amounts to is that the human race is divided into two sharply differentiated and mutually antagonistic classes, almost two genera -- a small minority that plays with ideas and is capable of taking them in, and a vast majority that finds them painful, and is thus arrayed against them, and against all who have traffic with them. The intellectual heritage of the race belongs to the minority, and to the minority only. The majority has no more to do with it than it has to do with ecclesiastic politics on Mars. In so far as that heritage is apprehended, it is viewed with enmity. But in the main it is not apprehended at all.

That is why Beethoven survives. Of the 110,000,000 so-called human beings who now live in the United States, flogged and crazed by Coolidge, Rotary, the Ku Klux and the newspapers, it is probable that at least 108,000,000 have never heard of him at all. To these immortals, made in God's image, one of the greatest artists the human race has ever produced is not even a name. So far as they are concerned he might as well have died at birth. The gorgeous and incomparable beauties that he created are nothing to them. They get no value out of the fact that he existed. They are completely unaware of what he did in the world, and would not be interested if they were told.

The fact saves good Ludwig's bacon. His music survives because it lies outside the plane of the popular apprehension, like the colors beyond violet or the concept of honor. If it could be brought within range, it would at once arouse hostility. Its complexity would challenge; its lack of moral purpose would affright. Soon there would be a movement to put it down, and Baptist clergymen would range the land denouncing it, and in the end some poor musician, taken in the un-American act of playing it, would be put on trial before a jury of Ku Kluxers, and railroaded to the calaboose.

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## 2. Sickening Doubts About Value of Publicity

*The Baltimore Evening Sun*, July 9, 1925

Dayton, Tenn., July 9. -- On the eve of the great contest Dayton is full of sickening surges and tremors of doubt. Five or six weeks ago, when the infidel Scopes was first laid by the heels, there was no uncertainty in all this smiling valley. The town boomers leaped to the assault as one man. Here was an unexampled, almost a miraculous chance to get Dayton upon the front pages, to make it talked about, to put it upon the map. But how now?

Today, with the curtain barely rung up and the worst buffooneries to come, it is obvious to even town boomers that getting upon the map, like patriotism, is not enough. The getting there must be managed discreetly, adroitly, with careful regard to psychological niceties. The boomers of Dayton, alas, had no skill at such things, and the experts they called in were all quacks. The result now turns the communal liver to water. Two months ago the town was obscure and happy. Today it is a universal joke.

I have been attending the permanent town meeting that goes on in Robinson's drug store, trying to find out what the town optimists have saved from the wreck. All I can find is a sort of mystical confidence that God will somehow come to the rescue to reward His old and faithful partisans as they deserve -- that good will flow eventually out of what now seems to be heavily evil. More specifically, it is believed that settlers will be attracted to the town as to some refuge from the atheism of the great urban Sodoms and Gomorrah.

But will these refugees bring any money with them? Will they buy lots and build houses, Will they light the fires of the cold and silent blast furnace down the railroad tracks? On these points, I regret to report, optimism has to call in theology to aid it. Prayer can accomplish a lot. It can cure diabetes, find lost pocketbooks and restrain husbands from beating their wives. But is prayer made any more efficacious by giving a circus first? Coming to this thought, Dayton begins to sweat.

The town, I confess, greatly surprised me. I expected to find a squalid Southern village, with darkies snoozing on the horse-blocks, pigs rooting under the houses and the inhabitants full of hookworm and malaria. What I found was a country town full of charm and even beauty -- a somewhat smallish but nevertheless very attractive Westminster or Balair.

The houses are surrounded by pretty gardens, with cool green lawns and stately trees. The two chief streets are paved from curb to curb. The stores carry good stocks and have a metropolitan air, especially the drug, book, magazine, sporting goods and soda-water emporium of the estimable Robinson. A few of the town ancients still affect galluses and string ties, but the younger bucks are very nattily turned out. Scopes himself, even in his shirt sleeves, would fit into any college campus in America save that of Harvard alone.

Nor is there any evidence in the town of that poisonous spirit which usually shows itself when Christian men gather to defend the great doctrine of their faith. I have heard absolutely no whisper that Scopes is in the pay of the Jesuits, or that the whisky trust is backing him, or that he is egged on by the Jews who manufacture lascivious moving pictures. On the contrary, the Evolutionists and the Anti-Evolutionists seem to be on the best of terms, and it is hard in a group to distinguish one from another.

The basic issues of the case, indeed, seem to be very little discussed at Dayton. What interests everyone is its mere strategy. By what device, precisely, will Bryan trim old Clarence Darrow? Will he do it gently and with every delicacy of forensics, or will he wade in on high gear and make a swift butchery of it? For no one here seems to doubt that Bryan will win -- that is, if the bout goes to a finish. What worries the town is the fear that some diabolical higher power will intervene on Darrow's side -- that is, before Bryan heaves him through the ropes.

The lack of Christian heat that I have mentioned is probably due in part to the fact that the fundamentalists are in overwhelming majority as far as the eye can reach -- according to most local statisticians, in a majority of at least nine-tenths. There are, in fact, only two downright infidels in all Rhea county, and one of them is charitably assumed to be a bit balmy. The other, a yokel roosting far back in the hills, is probably simply a poet got into the wrong pew. The town account of him is to the effect that he professes to regard death as a beautiful adventure.

When the local ecclesiastics begin alarming the peasantry with word pictures of the last sad scene, and sulphurous fumes begin to choke even Unitarians, this skeptical rustic comes forward with his argument that it is foolish to be afraid of what one knows so little about -- that, after all, there is no more genuine evidence that anyone will ever go to hell than there is that the Volstead act will ever be enforced.

Such blasphemous ideas naturally cause talk in a Baptist community, but both of the infidels are unmolested. Rhea county, in fact, is proud of its tolerance, and apparently with good reason. The klan has never got a foothold here, though it rages everywhere else in Tennessee. When the first kleagles came in they got the cold shoulder, and pretty soon they gave up the county as hopeless. It is run today not by anonymous daredevils in white nightshirts, but by well-heeled Free-masons in decorous white aprons. In Dayton alone there are sixty thirty-second-degree Masons -- an immense quota for so small a town. They believe in keeping the peace, and so even the stray Catholics of the town are treated politely, though everyone naturally regrets they are required to report to the Pope once a week.

It is probably this unusual tolerance, and not any extraordinary passion for the integrity of Genesis, that has made Dayton the scene of a celebrated case, and got its name upon the front pages, and caused its forward-looking men to begin to wonder uneasily if all advertising is really good advertising. The trial of Scopes is possible here simply because it can be carried on here without heat -- because no one will lose any sleep even if the devil comes to the aid of Darrow and Malone, and Bryan gets a mauling. The local intelligentsia venerate

Bryan as a Christian, but it was not as a Christian that they called him in, but as one adept at attracting the newspaper boys -- in brief, as a showman. As I have said, they now begin to mistrust the show, but they still believe that he will make a good one, win or lose.

Elsewhere, North or South, the combat would become bitter. Here it retains the lofty qualities of the duello. I gather the notion, indeed, that the gentlemen who are most active in promoting it are precisely the most lacking in hot conviction -- that it is, in its local aspects, rather a joust between neutrals than a battle between passionate believers. Is it a mere coincidence that the town clergy have been very carefully kept out of it? There are several Baptist brothers here of such powerful gifts that when they begin belaboring sinners the very rats of the alleys flee to the hills. They preach dreadfully. But they are not heard from today. By some process to me unknown they have been induced to shut up -- a far harder business, I venture, than knocking out a lion with a sandbag. But the sixty thirty-second degree Masons of Dayton have somehow achieved it.

Thus the battle joins and the good red sun shines down. Dayton lies in a fat and luxuriant valley. The bottoms are green with corn, pumpkins and young orchards and the hills are full of reliable moonshiners, all save one of them Christian men. We are not in the South here, but hanging on to the North. Very little cotton is grown in the valley. The people in politics are Republicans and put Coolidge next to Lincoln and John Wesley. The fences are in good repair. The roads are smooth and hard. The scene is set for a high-toned and even somewhat swagger combat. When it is over all the participants save Bryan will shake hands.

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### 3. Impossibility of Obtaining Fair Jury

*The Baltimore Evening Sun*, July 10, 1925

Dayton, Tenn., July 10. -- The trial of the infidel Scopes, beginning here this hot, lovely morning, will greatly resemble, I suspect, the trial of a prohibition agent accused of mayhem in Union Hill, N.J. That is to say, it will be conducted with the most austere regard for the highest principles of jurisprudence. Judge and jury will go to extreme lengths to assure the prisoner the last and least of his rights. He will be protected in his person and feelings by the full military and naval power of the State of Tennessee. No one will be permitted to pull his nose, to pray publicly for his condemnation or even to make a face at him. But all the same he will be bumped off inevitably when the time comes, and to the applause of all right-thinking men.

The real trial, in truth, will not begin until Scopes is convicted and ordered to the hulks. Then the prisoner will be the Legislature of Tennessee, and the jury will be that great fair, unimpassioned body of enlightened men which has already decided that a horse hair put into a bottle will turn into a snake and that the Kaiser started the late war. What goes on here is simply a sort of preliminary hearing, with music by the village choir. For it will be no more possible in this Christian valley to get a jury unprejudiced against Scopes than would be possible in Wall Street to get a jury unprejudiced against a Bolshevik.

I speak of prejudice in its purely philosophical sense. As I wrote yesterday, there is an almost complete absence, in these pious hills, of the ordinary and familiar malignancy of Christian men. If the Rev. Dr. Crabbe ever spoke of bootleggers as humanely and affectionately as the town theologians speak of Scopes, and even Darrow and Malone, his employers would pelt him with their spyglasses and sit on him until the ambulance came from Mount Hope. There is absolutely no bitterness on tap. But neither is there any doubt. It has been decided by acclamation, with only a few infidels dissenting, that the hypothesis of evolution is profane, inhumane and against God, and all that remains is to translate that almost unanimous decision into the jargon of the law and so have done.

The town boomers have banqueted Darrow as well as Bryan, but there is no mistaking which of the two has the crowd, which means the venire of tried and true men. Bryan has been oozing around the country since his first day here, addressing this organization and that, presenting the indubitable Word of God in his caressing, ingratiating way, and so making unanimity doubly unanimous. From the defense yesterday came hints that this was making hay before the sun had legally begun to shine -- even that it was a sort of contempt of court. But no Daytonian believes anything of the sort. What Bryan says doesn't seem to these congenial Baptists and Methodists to be argument; it seems to be a mere graceful statement of the obvious.

Meanwhile, reinforcements continue to come in, some of them from unexpected sources. I had the honor of being present yesterday when Col. Patrick Callahan, of Louisville, marched up at the head of his cohort of 250,000,000 Catholic fundamentalists. The two colonels embraced, exchanged a few military and legal pleasantries and then retired up a steep stairway to the office of the Hicks brothers to discuss strategy. Colonel Callahan's followers were present, of course, only by a legal fiction; the town of Dayton would not hold so large an army. In the actual flesh there were only the colonel himself and his aide-de-camp. Nevertheless, the 250,000,000 were put down as present and recorded as voting.

Later on I had the misfortune to fall into a dispute with Colonel Callahan on a point of canon law. It was my contention that the position of the Roman Church, on matters of doctrine, is not ordinarily stated by laymen -- that such matters are usually left to high ecclesiastical authorities, headed by the Bishop of Rome. I also contended, perhaps somewhat fatuously, that there seemed to be a considerable difference of opinion regarding organic evolution among these authorities -- that it was possible to find in their writings both ingenious arguments for it and violent protests against it. All these objections Colonel Callahan waived away with a genial gesture. He was here, he said, to do what he could for the authority of the Sacred Scriptures and the aiding and comforting of his old friend, Bryan, and it was all one to him whether atheists yelled or not. Then he began to talk about prohibition, which he favors, and the germ theory of diseases, which he regards as bilge.

A somewhat more plausible volunteer has turned up in the person of Pastor T.T. Martin, of Blue Mountain, Miss. He has hired a room and stocked it with pamphlets bearing such titles as "Evolution a Menace," "Hell and the High Schools" and "God or Gorilla," and addresses connoisseurs of scientific fallacy every night on a lot behind the Courthouse. Pastor Martin, a handsome and amiable old gentleman with a great mop of snow-white hair, was a professor of science in a Baptist college for years, and has given profound study to the biological sections of the Old Testament.

He told me today that he regarded the food regulations in Leviticus as so sagacious that their framing must have been a sort of feat even for divinity. The flesh of the domestic hog, he said, is a rank poison as ordinarily prepared for the table, though it is probably harmless when smoked and salted, as in bacon. He said that his investigations had shown that seven and a half out of every thirteen cows are quite free of tuberculosis, but that twelve out of every thirteen hogs have it in an advanced and highly communicable form. The Jews, protected by their piety against devouring pork, are immune to the disease. In all history, he said, there is authentic record of but one Jew who died of tuberculosis.

The presence of Pastor Martin and Colonel Callahan has given renewed confidence to the prosecution. The former offers proof that men of science are, after all, not unanimously atheists, and the latter that there is no division between Christians in the face of the common enemy. But though such encouragements help, they are certainly not necessary. All they really supply is another layer of icing on the cake. Dayton will give Scopes a rigidly fair and impartial trial. All his Constitutional rights will be jealously safeguarded. The question whether he voted for or against Coolidge will not be permitted to intrude itself into the deliberations of the jury, or the gallant effort of Colonel Bryan to get at and establish the truth. He will be treated very politely. Dayton, indeed, is proud of him, as Sauk Center, Minn., is proud of Sinclair Lewis and Whittingham, Vt., of Brigham Young. But it is lucky for Scopes that sticking pins into Genesis is still only a misdemeanor in Tennessee, punishable by a simple fine, with no alternative of the knout, the stone pile or exile to the Dry Tortugas.

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#### 4. Trial as a Religious Orgy

*The Baltimore Evening Sun*, July 11, 1925

Chattanooga, Tenn., July 11. -- Life down here in the Cumberland mountains realizes almost perfectly the ideal of those righteous and devoted men, Dr. Howard A. Kelly, the Rev. Dr. W.W. Davis, the Hon. Richard H. Edmonds and the Hon. Henry S. Dulaney. That is to say, evangelical Christianity is one hundred per cent triumphant. There is, of course, a certain subterranean heresy, but it is so cowed that it is almost inarticulate, and at its worst it would pass for the strictest orthodoxy in such Sodoms of infidelity as Baltimore. It may seem fabulous, but it is a sober fact that a sound Episcopalian or even a Northern Methodist would be regarded as virtually an atheist in Dayton. Here the only genuine conflict is between true believers. Of a given text in Holy Writ one faction may say this thing and another that, but both agree unreservedly that the text itself is impeccable, and neither in the midst of the most violent disputation would venture to accuse the other of doubt.

To call a man a doubter in these parts is equal to accusing him of cannibalism. Even the infidel Scopes himself is not charged with any such infamy. What they say of him, at worst, is that he permitted himself to be used as a cat's paw by scoundrels eager to destroy the anti-evolution law for their own dark and hellish ends. There is, it appears, a conspiracy of scientists afoot. Their purpose is to break down religion, propagate immorality, and so reduce mankind to the level of the brutes. They are the sworn and sinister agents of Beelzebub, who yearns to conquer the world, and has his eye especially upon Tennessee. Scopes is thus an agent of Beelzebub once removed, but that is as far as any fair man goes in condemning him. He is young and yet full of folly. When the secular arm has done execution upon him, the pastors will tackle him and he will be saved.

The selection of a jury to try him, which went on all yesterday afternoon in the atmosphere of a blast furnace, showed to what extreme lengths the salvation of the local primates has been pushed. It was obvious after a few rounds that the jury would be unanimously hot for Genesis. The most that Mr. Darrow could hope for was to sneak in a few men bold enough to declare publicly that they would have to hear the evidence against Scopes before condemning him. The slightest sign of anything further brought forth a peremptory challenge from the State. Once a man was challenged without examination for simply admitting that he did not belong formally to any church. Another time a panel man who confessed that he was prejudiced against evolution got a hearty round of applause from the crowd.

The whole process quickly took on an air of strange unreality, at least to a stranger from heathen parts. The desire of the judge to be fair to the defense, and even polite and helpful, was obvious enough -- in fact, he more than once stretched the local rules of procedure in order to give Darrow a hand. But it was equally obvious that the whole thing was resolving itself into the trial of a man by his sworn enemies. A local pastor led off with a prayer calling on God to put down heresy; the judge himself charged the grand jury to protect the schools against subversive ideas. And when the candidates for the petit jury came up Darrow had to pass fundamentalist after fundamentalist into the box -- some of them glaring at him as if they expected him to go off with a sulphurous bang every time he mopped his bald head.

In brief this is a strictly Christian community, and such is its notion of fairness, justice and due process of law. Try to picture a town made up wholly of Dr. Crabbes and Dr. Kellys, and you will have a reasonably accurate image of it. Its people are simply unable to imagine a man who rejects the literal authority of the Bible. The most they can conjure up, straining until they are red in the face, is a man who is in error about the meaning of this or that text. Thus one accused of heresy among them is like one accused of boiling his grandmother to make soap in Maryland. He must resign himself to being tried by a jury wholly innocent of any suspicion of the crime he is charged with and unanimously convinced that it is infamous. Such a jury, in the legal sense, may be fair.

That is, it may be willing to hear the evidence against him before bumping him off. But it would certainly be spitting into the eye of reason to call it impartial.

The trial, indeed, takes on, for all its legal forms, something of the air of a religious orgy. The applause of the crowd I have already mentioned. Judge Raulston rapped it down and threatened to clear the room if it was repeated, but he was quite unable to still its echoes under his very windows. The courthouse is surrounded by a large lawn, and it is peppered day and night with evangelists. One and all they are fundamentalists and their yells and bawlings fill the air with orthodoxy. I have listened to twenty of them and had private discourse with a dozen, and I have yet to find one who doubted so much as the typographical errors in Holy Writ. They dispute raucously and far into the night, but they begin and end on the common ground of complete faith. One of these holy men wears a sign on his back announcing that he is the Bible champion of the world. He told me today that he had studied the Bible four hours a day for thirty-three years, and that he had devised a plan of salvation that would save the worst sinner ever heard of, even a scientist, a theater actor or a pirate on the high seas, in forty days. This gentleman denounced the hard-shell Baptists as swindlers. He admitted freely that their sorcerers were powerful preachers and could save any ordinary man from sin, but he said that they were impotent against iniquity. The distinction is unknown to city theologians, but is as real down here as that between sanctification and salvation. The local experts, in fact, debate it daily. The Bible champion, just as I left him, was challenged by one such professor, and the two were still hard at it an hour later.

Most of the participants in such recondite combats, of course, are yokels from the hills, where no sound is heard after sundown save the roar of the catamount and the wailing of departed spirits, and a man thus has time to ponder the divine mysteries. But it is an amazing thing that the more polished classes also participate actively. The professor who challenged the Bible champion was indistinguishable, to the eye, from a bond salesman or city bootlegger. He had on a natty palm beach suit and a fashionable soft collar and he used excellent English. Obviously, he was one who had been through the local high school and perhaps a country college. Yet he was so far uncontaminated by infidelity that he stood in the hot sun for a whole hour debating a point that even bishops might be excused for dodging, winter as well as summer.

The Bible champion is matched and rivaled by whole herds of other metaphysicians, and all of them attract good houses and have to defend themselves against constant attack. The Seventh Day Adventists, the Campbellites, the Holy Rollers and a dozen other occult sects have field agents on the ground. They follow the traveling judges through all this country. Everywhere they go, I am told, they find the natives ready to hear them and dispute with them. They find highly accomplished theologians in every village, but even in the county towns they never encounter a genuine skeptic. If a man has doubts in this immensely pious country, he keeps them to himself.

Dr. Kelly should come down here and see his dreams made real. He will find a people who not only accept the Bible as an infallible handbook of history, geology, biology and celestial physics, but who also practice its moral precepts -- at all events, up to the limit of human capacity. It would be hard to imagine a more moral town than Dayton. If it has any bootleggers, no visitor has heard of them. Ten minutes after I arrived a leading citizen offered me a drink made up half of white mule and half of coca cola, but he seems to have been simply indulging himself in a naughty gesture. No fancy woman has been seen in the town since the end of the McKinley administration. There is no gambling. There is no place to dance. The relatively wicked, when they would indulge themselves, go to Robinson's drug store and debate theology.

In a word, the new Jerusalem, the ideal of all soul savers and sin exterminators. Nine churches are scarcely enough for the 1,800 inhabitants: many of them go into the hills to shout and roll. A clergyman has the rank and authority of a major-general of artillery. A Sunday-school superintendent is believed to have the gift of prophecy. But what of life here? Is it more agreeable than in Babylon? I regret that I must have to report that it is not. The incessant clashing of theologians grows monotonous in a day and intolerable the day following. One longs for a merry laugh, a burst of happy music, the gurgle of a decent jug. Try a meal in the hotel; it is tasteless



and swims in grease. Go to the drug store and call for refreshment: the boy will hand you almost automatically a beaker of coca cola. Look at the magazine counter: a pile of Saturday Evening Posts two feet high. Examine the books: melodrama and cheap amour. Talk to a town magnifico; he knows nothing that is not in Genesis.

I propose that Dr. Kelly be sent here for sixty days, preferably in the heat of summer. He will return to Baltimore yelling for a carboy of pilsner and eager to master the saxophone. His soul perhaps will be lost, but he will be a merry and a happy man.

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## 5. Souls Need Reconversion Nightly

*The Baltimore Evening Sun*, July 13, 1925

Dayton, Tenn., July 13. -- There is a Unitarian clergyman here from New York, trying desperately to horn into the trial and execution of the infidel Scopes. He will fail. If Darrow ventured to put him on the stand the whole audience, led by the jury, would leap out of the courthouse windows, and take to the hills. Darrow himself, indeed, is as much as they can bear. The whisper that he is an atheist has been stilled by the bucolic make-up and by the public report that he has the gift of prophecy and can reconcile Genesis and evolution. Even so, there is ample space about him when he navigates the streets. The other day a newspaper woman was warned by her landlady to keep out of the courtroom when he was on his legs. All the local sorcerers predict that a bolt from heaven will fetch him in the end. The night he arrived there was a violent storm, the town water turned brown, and horned cattle in the lowlands were afloat for hours. A woman back in the mountains gave birth to a child with hair four inches long, curiously bobbed in scallops.

The Book of Revelation has all the authority, in these theological uplands, of military orders in time of war. The people turn to it for light upon all their problems, spiritual and secular. If a text were found in it denouncing the Anti-Evolution law, then the Anti-Evolution law would become infamous overnight. But so far the exegetes who roar and snuffle in the town have found no such text. Instead they have found only blazing ratifications and reinforcements of Genesis. Darwin is the devil with seven tails and nine horns. Scopes, though he is disguised by flannel pantaloons and a Beta Theta Pi haircut, is the harlot of Babylon. Darrow is Beelzebub in person and Malone is the Crown Prince Friedrich Wilhelm.

I have hitherto hinted an Episcopalian down here in the coca-cola belt is regarded as an atheist. It sounds like one of the lies that journalists tell, but it is really an understatement of the facts. Even a Methodist, by Rhea county standards, is one a bit debauched by pride of intellect. It is the four Methodists on the jury who are expected to hold out for giving Scopes Christian burial after he is hanged. They all made it plain, when they were examined, that they were free-thinking and independent men, and not to be run amuck by the superstitions of the lowly. One actually confessed that he seldom read the Bible, though he hastened to add that he was familiar with its principles. The fellow had on a boiled shirt and a polka dot necktie. He sits somewhat apart. When Darrow withers to a cinder under the celestial blowpipe, this dubious Wesleyan, too, will lose a few hairs.

Even the Baptists no longer brew a medicine that is strong enough for the mountaineers. The sacrament of baptism by total immersion is over too quickly for them, and what follows offers nothing that they can get their teeth into. What they crave is a continuous experience of the divine power, an endless series of evidence that the true believer is a marked man, ever under the eye of God. It is not enough to go to a revival once a year or twice a year; there must be a revival every night. And it is not enough to accept the truth as a mere statement of indisputable and awful fact: it must be embraced ecstatically and orgiastically, to the accompaniment of loud shouts, dreadful heavings and gurglings, and dancing with arms and legs.

This craving is satisfied brilliantly by the gaudy practices of the Holy Rollers, and so the mountaineers are gradually gravitating toward the Holy Roller communion, or, as they prefer to call it, the Church of God. Gradually, perhaps, is not the word. They are actually going in by whole villages and townships. At the last count of noses there were 20,000 Holy Rollers in these hills. The next census, I have no doubt, will show many more. The cities of the lowlands, of course, still resist, and so do most of the county towns, including even Dayton, but once one steps off the State roads the howl of holiness is heard in the woods, and the yokels carry on an almost continuous orgy.

A foreigner in store clothes going out from Dayton must approach the sacred grove somewhat discreetly. It is not that the Holy Rollers, discovering him, would harm him; it is simply that they would shut down their boiling of the devil and flee into the forests. We left Dayton an hour after nightfall and parked our car in a wood a mile or so beyond the little hill village of Morgantown. Far off in a glade a flickering light was visible and out of the\_ he silence came a faint rumble of exhortation. We could scarcely distinguish the figure of the preacher; it was like looking down the tube of a dark field microscope. We got out of the car and sneaked along the edge of a mountain cornfield.

Presently we were near enough to see what was going on. From the great limb of a mighty oak hung a couple of crude torches of the sort that car inspectors thrust under Pullman cars when a train pulls in at night. In their light was a preacher, and for a while we could see no one else. He was an immensely tall and thin mountaineer in blue jeans, his collarless shirt open at the neck and his hair a tousled mop. As he preached he paced up and down under the smoking flambeaux and at each turn he thrust his arms into the air and yelled, "Glory to God!" We crept nearer in the shadow of the cornfield and began to hear more of his discourse. He was preaching on the day of judgment. The high kings of the earth, he roared, would all fall down and die; only the sanctified would stand up to receive the Lord God of Hosts. One of these kings he mentioned by name -- the king of what he called Greece-y. The King of Greece-y, he said, was doomed to hell.

We went forward a few more yards and began to see the audience. It was seated on benches ranged round the preacher in a circle. Behind him sat a row of elders, men and women. In front were the younger folk. We kept on cautiously, and individuals rose out of the ghostly gloom. A young mother sat suckling her baby, rocking as the preacher paced up and down. Two scared little girls hugged each other, their pigtails down their backs. An immensely huge mountain woman, in a gingham dress cut in one piece, rolled on her heels at every "Glory to God." To one side, but half visible, was what appeared to be a bed. We found out afterward that two babies were asleep upon it.

The preacher stopped at last and there arose out of the darkness a woman with her hair pulled back into a little tight knot. She began so quietly that we couldn't hear what she said, but soon her voice rose resonantly and we could follow her. She was denouncing the reading of books. Some wandering book agent, it appeared, had come to her cabin and tried to sell her a specimen of his wares. She refused to touch it. Why, indeed, read a book? If what was in it was true then everything in it was already in the Bible. If it was false then reading it would imperil the soul. Her syllogism complete, she sat down.

There followed a hymn, led by a somewhat fat brother wearing silver-rimmed country spectacles. It droned on for half a dozen stanzas, and then the first speaker resumed the floor. He argued that the gift of tongues was real and that education was a snare. Once his children could read the Bible, he said, they had enough. Beyond lay only infidelity and damnation. Sin stalked the cities. Dayton itself was a Sodom. Even Morgantown had begun to forget God. He sat down, and the female aurochs in gingham got up.

She began quietly, but was soon leaping and roaring, and it was hard to follow her. Under cover of the turmoil we sneaked a bit closer. A couple of other discourses followed, and there were two or three hymns. Suddenly a change of mood began to make itself felt. The last hymn ran longer than the others and dropped gradually into a monotonous, unintelligible chant. The leader beat time with his book. The faithful broke out with exultations.

When the singing ended there was a brief palaver that we could not hear and two of the men moved a bench into the circle of light directly under the flambeaux. Then a half-grown girl emerged from the darkness and threw herself upon it. We noticed with astonishment that she had bobbed hair. "This sister," said the leader, "has asked for prayers." We moved a bit closer. We could now see faces plainly and hear every word.

What followed quickly reached such heights of barbaric grotesquerie that it was hard to believe it real. At a signal all the faithful crowded up the bench and began to pray -- not in unison but each for himself. At another they all fell on their knees, their arms over the penitent. The leader kneeled, facing us, his head alternately thrown back dramatically or buried in his hands. Words spouted from his lips like bullets from a machine gun -- appeals to God to pull the penitent back out of hell, defiances of the powers and principalities of the air, a vast impassioned jargon of apocalyptic texts. Suddenly he rose to his feet, threw back his head and began to speak in tongues -- blub-blub-blub, gurgle-gurgle-gurgle. His voice rose to a higher register. The climax was a shrill, inarticulate squawk, like that of a man throttled. He fell headlong across the pyramid of supplicants.

A comic scene? Somehow, no. The poor half wits were too horribly in earnest. It was like peeping through a knothole at the writhings of a people in pain. From the squirming and jabbering mass a young woman gradually detached herself -- a woman not uncomely, with a pathetic home-made cap on her head. Her head jerked back, the veins of her neck swelled, and her fists went to her throat as if she were fighting for breath. She bent backward until she was like half of a hoop. Then she suddenly snapped forward. We caught a flash of the whites of her eyes. Presently her whole body began to be convulsed -- great convulsions that began at the shoulders and ended at the hips. She would leap to her feet, thrust her arms in air and then hurl herself upon the heap. Her praying flattened out into a mere delirious caterwauling, like that of a tomcat on a petting party.

I describe the thing as a strict behaviorist. The lady's subjective sensations I leave to infidel pathologists. Whatever they were they were obviously contagious, for soon another damsel joined her, and then another and then a fourth. The last one had an extraordinary bad attack. She began with mild enough jerks of the head, but in a moment she was bounding all over the place, exactly like a chicken with its head cut off. Every time her head came up a stream of yells and barkings would issue out of it. Once she collided with a dark, undersized brother, hitherto silent and stolid. Contact with her set him off as if he had been kicked by a mule. He leaped into the air, threw back his head and began to gargle as if with a mouthful of BB shot. Then he loosened one tremendous stentorian sentence in the tongues and collapsed.

By this time the performers were quite oblivious to the profane universe. We left our hiding and came up to the little circle of light. We slipped into the vacant seats on one of the rickety benches. The heap of mourners was directly before us. They bounced into us as they cavorted. The smell that they radiated, sweating there in that obscene heap, half suffocated us. Not all of them, of course, did the thing in the grand manner. Some merely moaned and rolled their eyes. The female ox in gingham flung her great bulk on the ground and jabbered an unintelligible prayer. One of the men, in the intervals between fits, put on spectacles and read his Bible.

Beside me on the bench sat the young mother and her baby. She suckled it through the whole orgy, obviously fascinated by what was going on, but never venturing to take any hand in it. On the bed just outside the light two other babies slept peacefully. In the shadows, suddenly appearing and as suddenly going away, were vague figures, whether believers or of scoffers I do not know. They seemed to come and go in couples. Now and then a couple at the ringside would step back and then vanish into the black night. After a while some came back. There was whispering outside the circle of vision. A couple of Fords lurched up in the wood road, cutting holes in the darkness with their lights. Once some one out of sight loosed a bray of laughter.

All this went on for an hour or so. The original penitent, by this time, was buried three deep beneath the heap. One caught a glimpse, now and then, of her yellow bobbed hair, but then she would vanish again. How she breathed down there I don't know; it was hard enough ten feet away, with a strong five-cent cigar to help. When the praying brothers would rise up for a bout with the tongues their faces were streaming with perspiration. The

fat harridan in gingham sweated like a longshoreman. Her hair got loose and fell down over her face. She fanned herself with her skirt. A powerful old gal she was, equal in her day to obstetrics and a week's washing on the same morning, but this was worse than a week's washing. Finally, she fell into a heap, breathing in great, convulsive gasps.

We tired of it after a while and groped our way back to our automobile. When we got to Dayton, after 11 o'clock -- an immensely late hour in these parts -- the whole town was still gathered on the courthouse lawn, hanging upon the disputes of theologians. The Bible champion of the world had a crowd. The Seventh Day Adventist missionaries had a crowd. A volunteer from faraway Portland, Ore., made up exactly like Andy Gump, had another and larger crowd. Dayton was enjoying itself. All the usual rules were suspended and the curfew bell was locked up. The prophet Bryan, exhausted by his day's work for Revelation, was snoring in his bed up the road, but enough volunteers were still on watch to keep the battlements manned.

Such is human existence among the fundamentalists, where children are brought up on Genesis and sin is unknown. If I have made the tale too long, then blame the spirit of garrulity that is in the local air. Even newspaper reporters, down here, get some echo of the call. Divine inspiration is as common as the hookworm. I have done my best to show you what the great heritage of mankind comes to in regions where the Bible is the beginning and end of wisdom, and the mountebank Bryan, parading the streets in his seersucker coat, is pointed out to sucklings as the greatest man since Abraham.

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## 6. Darrow's Eloquent Appeal

*The Baltimore Evening Sun*, July 14, 1925

Dayton, Tenn., July 14. -- The net effect of Clarence Darrow's great speech yesterday seems to be precisely the same as if he had bawled it up a rainspout in the interior of Afghanistan. That is, locally, upon the process against the infidel Scopes, upon the so-called minds of these fundamentalists of upland Tennessee. You have but a dim notion of it who have only read it. It was not designed for reading, but for hearing. The clanging of it was as important as the logic. It rose like a wind and ended like a flourish of bugles. The very judge on the bench, toward the end of it, began to look uneasy. But the morons in the audience, when it was over, simply hissed it.

During the whole time of its delivery the old mountebank, Bryan, sat tight-lipped and unmoved. There is, of course, no reason why it should have shaken him. He has those hill billies locked up in his pen and he knows it. His brand is on them. He is at home among them. Since his earliest days, indeed, his chief strength has been among the folk of remote hills and forlorn and lonely farms. Now with his political aspirations all gone to pot, he turns to them for religious consolations. They understand his peculiar imbecilities. His nonsense is their ideal of sense. When he deluges them with his theological bilge they rejoice like pilgrims disporting in the river Jordan.

The town whisper is that the local attorney-general, Stewart, is not a fundamentalist, and hence has no stomach for his job. It seems not improbable. He is a man of evident education, and his argument yesterday was confined very strictly to the constitutional points -- the argument of a competent and conscientious lawyer, and to me, at least very persuasive.

But Stewart, after all, is a foreigner here, almost as much so as Darrow or Hays or Malone. He is doing his job and that is all. The real animus of the prosecution centers in Bryan. He is the plaintiff and prosecutor. The local lawyers are simply bottle-holders for him. He will win the case, not by academic appeals to law and precedent, but by direct and powerful appeals to the immemorial fears and superstitions of man. It is no wonder that he is

hot against Scopes. Five years of Scopes and even these mountaineers would begin to laugh at Bryan. Ten years and they would ride him out of town on a rail, with one Baptist parson in front of him and another behind.

But there will be no ten years of Scopes, nor five years, nor even one year.

Such brash young fellows, debauched by the enlightenment, must be disposed of before they become dangerous, and Bryan is here, with his tight lips and hard eyes, to see that this one is disposed of. The talk of the lawyers, even the magnificent talk of Darrow, is so much idle wind music. The case will not be decided by logic, nor even by eloquence. It will be decided by counting noses -- and for every nose in these hills that has ever thrust itself into any book save the Bible there are a hundred adorned with the brass ring of Bryan. These are his people. They understand him when he speaks in tongues. The same dark face that is in his own eyes is in theirs, too. They feel with him, and they relish him.

I sincerely hope that the nobility and gentry of the lowlands will not make the colossal mistake of viewing this trial of Scopes as a trivial farce. Full of rustic japes and in bad taste, it is, to be sure, somewhat comic on the surface. One laughs to see lawyers sweat. The jury, marched down Broadway, would set New York by the ears. But all of that is only skin deep.

Deeper down there are the beginnings of a struggle that may go on to melodrama of the first caliber, and when the curtain falls at least all the laughter may be coming from the yokels. You probably laughed at the prohibitionists, say, back in 1914. Well, don't make the same error twice.

As I have said, Bryan understands these peasants, and they understand him. He is a bit mangy and flea-bitten, but no means ready for his harp. He may last five years, ten years or even longer. What he may accomplish in that time, seen here at close range, looms up immensely larger than it appears to a city man five hundred miles away. The fellow is full of such bitter, implacable hatreds that they radiate from him like heat from a stove. He hates the learning that he cannot grasp. He hates those who sneer at him. He hates, in general, all who stand apart from his own pathetic commonness. And the yokels hate with him, some of them almost as bitterly as he does himself. They are willing and eager to follow him -- and he has already given them a taste of blood.

Darrow's peroration yesterday was interrupted by Judge Raulston, but the force of it got into the air nevertheless. This year it is a misdemeanor for a country school teacher to flout the archaic nonsense of Genesis. Next year it will be a felony. The year after the net will be spread wider. Pedagogues, after all, are small game; there are larger birds to snare -- larger and juicier. Bryan has his fishy eye on them. He will fetch them if his mind lasts, and the lamp holds out to burn. No man with a mouth like that ever lets go. Nor ever lacks followers.

Tennessee is bearing the brunt of the first attack simply because the civilized minority, down here, is extraordinarily pusillanimous.

I have met no educated man who is not ashamed of the ridicule that has fallen upon the State, and I have met none, save only judge Neal, who had the courage to speak out while it was yet time. No Tennessee counsel of any importance came into the case until yesterday and then they came in stepping very softly as if taking a brief for sense were a dangerous matter. When Bryan did his first rampaging here all these men were silent.

They had known for years what was going on in the hills. They knew what the country preachers were preaching -- what degraded nonsense was being rammed and hammered into yokel skulls. But they were afraid to go out against the imposture while it was in the making, and when any outsider denounced it they fell upon him violently as an enemy of Tennessee.

Now Tennessee is paying for that poltroonery. The State is smiling and beautiful, and of late it has begun to be rich. I know of no American city that is set in more lovely scenery than Chattanooga, or that has more charming homes. The civilized minority is as large here, I believe, as anywhere else.

It has made a city of splendid material comforts and kept it in order. But it has neglected in the past the unpleasant business of following what was going on in the cross roads Little Bethels.

The Baptist preachers ranted unchallenged.

Their buffooneries were mistaken for humor. Now the clowns turn out to be armed, and have begun to shoot.

In his argument yesterday judge Neal had to admit pathetically that it was hopeless to fight for a repeal of the anti-evolution law. The Legislature of Tennessee, like the Legislature of every other American state, is made up of cheap job-seekers and ignoramuses.

The Governor of the State is a politician ten times cheaper and trashier. It is vain to look for relief from such men. If the State is to be saved at all, it must be saved by the courts. For one, I have little hope of relief in that direction, despite Hays' logic and Darrow's eloquence. Constitutions, in America, no longer mean what they say. To mention the Bill of Rights is to be damned as a Red.

The rabble is in the saddle, and down here it makes its first campaign under a general beside whom Wat Tylor seems like a wart beside the Matterhorn.

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## 7. Law and Freedom

*The Baltimore Evening Sun*, July 15, 1925

Dayton, Tenn., July 15. -- The cops have come up from Chattanooga to help save Dayton from the devil. Darrow, Malone and Hays, of course, are immune to constabulary process, despite their obscene attack upon prayer. But all other atheists and anarchists now have public notice they must shut up forthwith and stay shut so long as they pollute this bright, shining, buckle of the Bible belt with their presence. Only one avowed infidel has ventured to make a public address. The Chattanooga police nabbed him instantly, and he is now under surveillance in a hotel. Let him but drop one of his impious tracts from his window and he will be transferred to the town hoose-gow.

The Constitution of Tennessee, as everyone knows, puts free speech among the most sacred rights of the citizen. More, I am informed by eminent Chattanooga counsel, that there is no State law denying it -- that is, for persons not pedagogues. But the cops of Chattanooga, like their brethren elsewhere, do not let constitutions stand in the way of their exercise of their lawful duty. The captain in charge of the squad now on watch told me frankly yesterday that he was not going to let any infidels discharge their damnable nonsense upon the town. I asked him what charge he would lay against them if they flouted him. He said he would jail them for disturbing the peace.

"But suppose," I asked him, "a prisoner is actually not disturbing the peace. Suppose he is simply saying his say in a quiet and orderly manner."

"I'll arrest him anyhow," said the cop.

"Even if no one complains of him?"

"I'll complain myself."

"Under what law precisely?"

"We don't need no law for them kind of people."

It sounded like New York in the old days, before Mayor Gaynor took the constitution out of cold storage and began to belabor the gendarmerie with it. The captain admitted freely that speaking in the streets was not disturbing the peace so long as the speaker stuck to orthodox Christian doctrine as it is understood by the local exegetes.

A preacher of any sect that admits the literal authenticity of Genesis is free to gather a crowd at any time and talk all he wants. More, he may engage in a disputation with any other expert. I have heard at least a hundred such discussions, and some of them have been very acrimonious. But the instant a speaker utters a word against divine revelation he begins to disturb the peace and is liable to immediate arrest and confinement in the calaboose beside the railroad tracks.

Such is criminal law in Rhea county as interpreted by the uniformed and freely sweating agents. As I have said, there are legal authorities in Chattanooga who dissent sharply, and even argue that the cops are a set of numbskulls and ought to be locked up as public nuisances. But one need not live a long, incandescent week in the Bible belt to know that jurisprudence becomes a new science as one crosses the border. Here the ordinary statutes are reinforced by Holy Writ, and whenever there is a conflict Holy Writ takes precedence.

Judge Raulston himself has decided, in effect, that in a trial for heresy it is perfectly fair and proper to begin proceedings with a prayer for the confutation and salvation of the defendant. On lower levels, and especially in the depths where policemen do their thinking, the doctrine is even more frankly stated. Before laying Christians by the heels the cops must formulate definite charges against them. They must be accused of something specifically unlawful and there must be witnesses to the act. But infidels are *fera naturae*, and any cop is free to bag at sight and to hold them in durance at his pleasure.

To the same category, it appears, belong political and economic radicals. News came the other day to Pastor T.T. Martin, who is holding a continuous anti-evolution convention in the town, that a party of I.W.W.'s, their pockets full of Russian gold, had started out from Cincinnati to assassinate him. A bit later came word they would bump off Bryan after they had finished Martin, and then set fire to the town churches. Martin first warned Bryan and then complained to the police. The latter were instantly agog. Guards were posted at strategic centers and a watch was kept upon all strangers of a sinister appearance. But the I.W.W.'s were not caught. Yesterday Pastor Martin told me that he had news that they had gone back to Cincinnati to perfect the plot. He posts audiences at every meeting. If the Reds return they will be scotched.

Arthur Garfield Hays, who is not only one of the counsel for the infidel Scopes but also agent and attorney of the notorious American Civil Liberties Union in New York, is planning to hold a free speech meeting on the Courthouse lawn and so make a test of the law against disturbing the peace as it is interpreted by the *polizei*. Hays will be well advertised if he carries out this subversive intention. It is hot enough in the courtroom in the glare of a thousand fundamentalist eyes; in the town jail he would sweat to death.

Rhea county is very hospitable and, judged by Bible belt standards, very tolerant. The Dayton Babbitts gave a banquet to Darrow, despite the danger from lightning, meteors and earthquakes. Even Malone is treated politely, though the very horned cattle in the fields know that he is a Catholic and in constant communication with the Pope. But liberty is one thing and license is quite another. Within the bounds of Genesis the utmost play of opinion is permitted and even encouraged. An evangelist with a new scheme for getting into Heaven can get a

crowd in two minutes. But once a speaker admits a doubt, however cautiously, he is handed over to the secular arm.

Two Unitarian clergymen are prowling around the town looking for a chance to discharge their "hellish heresies." One of them is Potter, of New York; the other is Birkhead, of Kansas City. So far they have not made any progress. Potter induced one of the local Methodist parsons to give him a hearing, but the congregation protested and the next day the parson had to resign his charge. The Methodists, as I have previously reported, are regarded almost as infidels in Rhea county. Their doctrines, which seem somewhat severe in Baltimore, especially to persons who love a merry life, are here viewed as loose to the point of indecency. The four Methodists on the jury are suspected of being against hanging Scopes, at least without a fair trial. The State tried to get rid of one of them even after he had been passed; his neighbors had come in from his village with news that he had a banjo concealed in his house and was known to read the Literary Digest.

The other Unitarian clergyman, Dr. Birkhead, is not actually domiciled in the town, but is encamped, with his wife and child, on the road outside. He is on an automobile tour and stopped off here to see if a chance offered to spread his "poisons." So far he has found none.

Yesterday afternoon a Jewish rabbi from Nashville also showed up, Marks by name. He offered to read and expound Genesis in Hebrew, but found no takers. The Holy Rollers hereabout, when they are seized by the gift of tongues, avoid Hebrew, apparently as a result of Ku Klux influence. Their favorite among all the sacred dialects is Hittite. It sounds to the infidel like a series of college yells.

Judge Raulston's decision yesterday afternoon in the matter of Hays' motion was a masterpiece of unconscious humor. The press stand, in fact, thought he was trying to be jocose deliberately and let off a guffaw that might have gone far if the roar of applause had not choked it off. Hays presented a petition in the name of the two Unitarians, the rabbi and several other theological "reds," praying that in selecting clergymen to open the court with prayer hereafter he choose fundamentalists and anti-fundamentalists alternately. The petition was couched in terms that greatly shocked and enraged the prosecution. When the judge announced that he would leave the nomination of chaplains to the Pastors' Association of the town there was the gust of mirth aforesaid, followed by howls of approval. The Pastors' Association of Dayton is composed of fundamentalists so powerfully orthodox that beside them such a fellow as Dr. John Roach Straton would seem an Ingersoll.

The witnesses of the defense, all of them heretics, began to reach town yesterday and are all quartered at what is called the Mansion, an ancient and empty house outside the town limits, now crudely furnished with iron cots, spittoons, playing cards and the other camp equipment of scientists. Few, if any, of these witnesses will ever get a chance to outrage the jury with their blasphemies, but they are of much interest to the townspeople. The common belief is that they will be blown up with one mighty blast when the verdict of the twelve men, tried and true, is brought in, and Darrow, Malone, Hays and Neal with them. The country people avoid the Mansion. It is foolish to take unnecessary chances. Going into the courtroom, with Darrow standing there shamelessly and openly challenging the wrath of God, is risk enough.

The case promises to drag into next week. The prosecution is fighting desperately and taking every advantage of its superior knowledge of the quirks of local procedure. The defense is heating up and there are few exchanges of courtroom amenities. There will be a lot of oratory before it is all over and some loud and raucous bawling otherwise, and maybe more than one challenge to step outside. The cards seem to be stacked against poor Scopes, but there may be a joker in the pack. Four of the jurymen, as everyone knows, are Methodists, and a Methodist down here belongs to the extreme wing of liberals. Beyond him lie only the justly and incurably damned.

What if one of those Methodists, sweating under the dreadful pressure of fundamentalist influence, jumps into the air, cracks his heels together and gives a defiant yell? What if the jury is hung? It will be a good joke on the fundamentalists if it happens, and an even better joke on the defense.



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## 8. Fair Trial Is Beyond Ken

*The Baltimore Evening Sun*, July 16, 1925

Dayton, Tenn., July 16. -- Two things ought to be understood clearly by heathen Northerners who follow the great cause of the State of Tennessee against the infidel Scopes. One is that the old mountebank, Bryan, is no longer thought of as a mere politician and jobseeker in these Godly regions, but has become converted into a great sacerdotal figure, half man and half archangel -- in brief, a sort of fundamentalist pope. The other is that the fundamentalist mind, running in a single rut for fifty years, is now quite unable to comprehend dissent from its basic superstitions, or to grant any common honesty, or even any decency, to those who reject them.

The latter fact explains some of the most astonishing singularities of the present trial -- that is, singularities to one accustomed to more austere procedures. In the average Northern jurisdiction much of what is going on here would be almost unthinkable. Try to imagine a trial going on in a town in which anyone is free to denounce the defendant's case publicly and no one is free to argue for it in the same way -- a trial in a courthouse placarded with handbills set up by his opponents -- a trial before a jury of men who have been roweled and hammered by those opponents for years, and have never heard a clear and fair statement of his answer.

But this is not all. It seems impossible, but it is nevertheless a fact that public opinion in Dayton sees no impropriety in the fact that the case was opened with prayer by a clergyman known by everyone to be against Scopes and by no means shy about making the fact clear. Nor by the fact that Bryan, the actual complainant, has been preparing the ground for the prosecution for months. Nor by the fact that, though he is one of the attorneys of record in the case, he is also present in the character of a public evangelist and that throngs go to hear him whenever he speaks, including even the sitting judge.

I do not allege here that there is any disposition to resort to lynch law. On the contrary, I believe that there is every intent to give Scopes a fair trial, as a fair trial is understood among fundamentalists. All I desire to show is that all the primary assumptions are immovably against him -- that it is a sheer impossibility for nine-tenths of those he faces to see any merit whatever in his position. He is not simply one who has committed a misdemeanor against the peace and dignity of the State, he is also the agent of a heresy almost too hellish to be stated by reputable men. Such reputable men recognize their lawful duty to treat him humanely and even politely, but they also recognize their superior duty to make it plain that they are against his heresy and believe absolutely in the wisdom and virtue of his prosecutors.

In view of the fact that everyone here looks for the jury to bring in a verdict of guilty, it might be expected that the prosecution would show a considerable amiability and allow the defense a rather free plan. Instead, it is contesting every point very vigorously and taking every advantage of its greatly superior familiarity with local procedure. There is, in fact, a considerable heat in the trial. Bryan and the local lawyers for the State sit glaring at the defense all day and even the Attorney General, A.T. Stewart, who is supposed to have secret doubts about fundamentalism, has shown such pugnacity that it has already brought him to forced apologies.

The high point of yesterday's proceedings was reached with the appearance of Dr. Maynard M. Metcalfe, of the Johns Hopkins. The doctor is a somewhat chubby man of bland mien, and during the first part of his testimony, with the jury present, the prosecution apparently viewed him with great equanimity. But the instant he was asked a question bearing directly upon the case at bar there was a flurry in the Bryan pen and Stewart was on his feet with protests. Another question followed, with more and hotter protests. The judge then excluded the jury and the show began.

What ensued was, on the surface, a harmless enough dialogue between Dr. Metcalfe and Darrow, but underneath there was very tense drama. At the first question Bryan came out from behind the State's table and planted himself directly in front of Dr. Metcalfe, and not ten feet away. The two McKenzies followed, with young Sue Hicks at their heels.

Then began one of the clearest, most succinct and withal most eloquent presentations of the case for the evolutionists that I have ever heard. The doctor was never at a loss for a word, and his ideas flowed freely and smoothly. Darrow steered him magnificently. A word or two and he was howling down the wind. Another and he hauled up to discharge a broadside. There was no cocksureness in him. Instead he was rather cautious and deprecatory and sometimes he halted and confessed his ignorance. But what he got over before he finished was a superb counterblast to the fundamentalist buncombe. The jury, at least, in theory heard nothing of it, but it went whooping into the radio and it went banging into the face of Bryan.

Bryan sat silent throughout the whole scene, his gaze fixed immovably on the witness. Now and then his face darkened and his eyes flashed, but he never uttered a sound. It was, to him, a string of blasphemies out of the devil's mass -- a dreadful series of assaults upon the only true religion. The old gladiator faced his real enemy at last. Here was a sworn agent and attorney of the science he hates and fears -- a well-fed, well-mannered spokesman of the knowledge he abominates. Somehow he reminded me pathetically of the old Holy Roller I heard last week -- the mountain pastor who damned education as a mocking and a corruption. Bryan, too, is afraid of it, for wherever it spreads his trade begins to fall off, and wherever it flourishes he is only a poor clown.

But not to these fundamentalists of the hills. Not to yokels he now turns to for consolation in his old age, with the scars of defeat and disaster all over him. To these simple folk, as I have said, he is a prophet of the imperial line -- a lineal successor to Moses and Abraham. The barbaric cosmogony that he believes in seems as reasonable to them as it does to him. They share his peasant-like suspicion of all book learning that a plow hand cannot grasp. They believe with him that men who know too much should be seized by the secular arm and put down by force. They dream as he does of a world unanimously sure of Heaven and unanimously idiotic on this earth.

This old buzzard, having failed to raise the mob against its rulers, now prepares to raise it against its teachers. He can never be the peasants' President, but there is still a chance to be the peasants' Pope. He leads a new crusade, his bald head glistening, his face streaming with sweat, his chest heaving beneath his rumpled alpaca coat. One somehow pities him, despite his so palpable imbecilities. It is a tragedy, indeed, to begin life as a hero and to end it as a buffoon. But let no one, laughing at him, underestimate the magic that lies in his black, malignant eye, his frayed but still eloquent voice. He can shake and inflame these poor ignoramuses as no other man among us can shake and inflame them, and he is desperately eager to order the charge.

In Tennessee he is drilling his army. The big battles, he believes, will be fought elsewhere.

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## 9. Malone the Victor

*The Baltimore Evening Sun*, July 17, 1925

Dayton, Tenn., July 17. -- Though the court decided against him this morning, and the testimony of the experts summoned for the defense will be banned out of the trial of the infidel Scopes, it was Dudley Field Malone who won yesterday's great battle of rhetoricians. When he got upon his legs it was the universal assumption in the courtroom that Judge Raulston's mind was already made up, and that nothing that any lawyer for the defense could say would shake him. But Malone unquestionably shook him. He was, at the end, in plain doubt, and he

showed it by his questions. It took a night's repose to restore him to normalcy. The prosecution won, but it came within an inch of losing.

Malone was put up to follow and dispose of Bryan, and he achieved the business magnificently. I doubt that any louder speech has ever been heard in a court of law since the days of Gog and Magog. It roared out of the open windows like the sound of artillery practice, and alarmed the moonshiners and catamounts on distant peaks. Trains thundering by on the nearby railroad sounded faint and far away and when, toward the end, a table covered with standing and gaping journalists gave way with a crash, the noise seemed, by contrast, to be no more than a pizzicato chord upon a viola da gamba. The yokels outside stuffed their Bibles into the loud-speaker horns and yielded themselves joyously to the impact of the original. In brief, Malone was in good voice. It was a great day for Ireland. And for the defense. For Malone not only out-yelled Bryan, he also plainly out-generated and out-argued him. His speech, indeed, was one of the best presentations of the case against the fundamentalist rubbish that I have ever heard.

It was simple in structure, it was clear in reasoning, and at its high points it was overwhelmingly eloquent. It was not long, but it covered the whole ground and it let off many a gaudy skyrocket, and so it conquered even the fundamentalists. At its end they gave it a tremendous cheer -- a cheer at least four times as hearty as that given to Bryan. For these rustics delight in speechifying, and know when it is good. The devil's logic cannot fetch them, but they are not above taking a voluptuous pleasure in his lascivious phrases.

The whole speech was addressed to Bryan, and he sat through it in his usual posture, with his palm-leaf fan flapping energetically and his hard, cruel mouth shut tight. The old boy grows more and more pathetic. He has aged greatly during the past few years and begins to look elderly and enfeebled. All that remains of his old fire is now in his black eyes. They glitter like dark gems, and in their glitter there is immense and yet futile malignancy. That is all that is left of the Peerless Leader of thirty years ago. Once he had one leg in the White House and the nation trembled under his roars. Now he is a tinpot pope in the coca-cola belt and a brother to the forlorn pastors who belabor half-wits in galvanized iron tabernacles behind the railroad yards. His own speech was a grotesque performance and downright touching in its imbecility. Its climax came when he launched into a furious denunciation of the doctrine that man is a mammal. It seemed a sheer impossibility that any literate man should stand up in public and discharge any such nonsense. Yet the poor old fellow did it. Darrow stared incredulous. Malone sat with his mouth wide open. Hays indulged himself one of his sardonic chuckles. Stewart and Bryan fils looked extremely uneasy, but the old mountebank ranted on. To call a man a mammal, it appeared, was to flout the revelation of God. The certain effect of the doctrine would be to destroy morality and promote infidelity. The defense let it pass. The lily needed no gilding.

There followed some ranting about the Leopold-Loeb case, culminating in the argument that learning was corrupting -- that the colleges by setting science above Genesis were turning their students into murderers. Bryan alleged that Darrow had admitted the fact in his closing speech at the Leopold-Loeb trial, and stopped to search for the passage in a printed copy of the speech. Darrow denied making any such statement, and presently began reading what he actually had said on the subject. Bryan then proceeded to denounce Nietzsche, whom he described as an admirer and follower of Darwin. Darrow challenged the fact and offered to expound what Nietzsche really taught. Bryan waved him off.

The effect of the whole harangue was extremely depressing. It quickly ceased to be an argument addressed to the court -- Bryan, in fact, constantly said "My friends" instead of "Your Honor" -- and became a sermon at the camp-meeting. All the familiar contentions of the Dayton divines appeared in it -- that learning is dangerous, that nothing is true that is not in the Bible, that a yokel who goes to church regularly knows more than any scientist ever heard of. The thing went to fantastic lengths. It became a farrago of puerilities without coherence or sense. I don't think the old man did himself justice. He was in poor voice and his mind seemed to wander. There was far too much hatred in him for him to be persuasive.

The crowd, of course, was with him. It has been fed upon just such balderdash for years. Its pastors assault it twice a week with precisely the same nonsense. It is chronically in the position of a populace protected by an espionage act in time of war. That is to say, it is forbidden to laugh at the arguments of one side and forbidden to hear the case of the other side. Bryan has been roving around in the tall grass for years and he knows the bucolic mind. He knows how to reach and inflame its basic delusions and superstitions. He has taken them into his own stock and adorned them with fresh absurdities. Today he may well stand as the archetype of the American rustic. His theology is simply the elemental magic that is preached in a hundred thousand rural churches fifty-two times a year.

These Tennessee mountaineers are not more stupid than the city proletariat; they are only less informed. If Darrow, Malone and Hays could make a month's stumping tour in Rhea county I believe that fully a fourth of the population would repudiate fundamentalism, and that not a few of the clergy now in practice would be restored to their old jobs on the railroad. Malone's speech yesterday probably shook a great many true believers; another like it would fetch more than one of them. But the chances are heavily against them ever hearing a second. Once this trial is over, the darkness will close in again, and it will take long years of diligent and thankless effort to dispel it -- if, indeed, it is ever dispelled at all.

With a few brilliant exceptions -- Dr. Neal is an example -- the more civilized Tennesseans show few signs of being equal to the job. I suspect that politics is what keeps them silent and makes their State ridiculous. Most of them seem to be candidates for office, and a candidate for office, if he would get the votes of fundamentalists, must bawl for Genesis before he begins to bawl for anything else. A typical Tennessee politician is the Governor, Austin Peay. He signed the anti-evolution bill with loud hosannas, and he is now making every effort to turn the excitement of the Scopes trial to his private political uses. The local papers print a telegram that he has sent to Attorney-General A.T. Stewart whooping for prayer. In the North a Governor who indulged in such monkey shines would be rebuked for trying to influence the conduct of a case in court. And he would be derided as a cheap mountebank. But not here.

I described Stewart the other day as a man of apparent education and sense and palpably superior to the village lawyers who sit with him at the trial table. I still believe that I described him accurately. Yet even Stewart toward the close of yesterday's session gave an exhibition that would be almost unimaginable in the North. He began his reply to Malone with an intelligent and forceful legal argument, with plenty of evidence of hard study in it. But presently he slid into a violent theological harangue, full of extravagant nonsense. He described the case as a combat between light and darkness and almost descended to the depths of Bryan. Hays challenged him with a question. Didn't he admit, after all, that the defense had a tolerable case; that it ought to be given a chance to present its evidence? I transcribe his reply literally:

"That which strikes at the very foundations of Christianity is not entitled to a chance."

Hays, plainly astounded by this bald statement of the fundamentalist view of due process, pressed the point. Assuming that the defense would present, not opinion but only unadorned fact, would Stewart still object to its admission? He replied.

"Personally, yes."

"But as a lawyer and Attorney-General?" insisted Hays.

"As a lawyer and Attorney-General," said Stewart, "I am the same man."

Such is justice where Genesis is the first and greatest of law books and heresy is still a crime.

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## 10. Genesis Triumphant

*The Baltimore Evening Sun*, July 18, 1925

Dayton, Tenn., July 18. -- All that remains of the great cause of the State of Tennessee against the infidel Scopes is the formal business of bumping off the defendant. There may be some legal jousting on Monday and some gaudy oratory on Tuesday, but the main battle is over, with Genesis completely triumphant. Judge Raulston finished the benign business yesterday morning by leaping with soft judicial hosannas into the arms of the prosecution. The sole commentary of the sardonic Darrow consisted of bringing down a metaphorical custard pie upon the occiput of the learned jurist.

"I hope," said the latter nervously, "that counsel intends no reflection upon this court."

Darrow hunched his shoulders and looked out of the window dreamily.

"Your honor," he said, "is, of course, entitled to hope."

No doubt the case will be long and fondly remembered by connoisseurs of judicial delicatessen -- that is, as the performances of Weber and Fields are remembered by students of dramatic science. In immediate retrospect, it grows more fantastic and exhilarating. Scopes has had precisely the same fair trial that the Hon. John Philip Hill, accused of bootlegging on the oath of Howard A. Kelly, would have before the Rev. Dr. George W. Crabbe. He is a fellow not without humor; I find him full of smiles today. On some near tomorrow the Sheriff will collect a month's wages from him, but he has certainly had a lot of fun.

More interesting than the hollow buffoonery that remains will be the effect upon the people of Tennessee, the actual prisoners at the bar. That the more civilized of them are in a highly feverish condition of mind must be patent to every visitor. The guffaws that roll in from all sides give them great pain. They are full of bitter protests and valiant projects. They prepare, it appears, to organize, hoist the black flag and offer the fundamentalists of the dung-hills a battle to the death. They will not cease until the last Baptist preacher is in flight over the mountains, and the ordinary intellectual decencies of Christendom are triumphantly restored.

With the best will in the world I find it impossible to accept this tall talk with anything resembling confidence. The intelligentsia of Tennessee had their chance and let it get away from them. When the old mountebank, Bryan, first invaded the State with his balderdash they were unanimously silent. When he began to round up converts in the back country they offered him no challenge. When the Legislature passed the anti-evolution bill and the Governor signed it, they contented themselves with murmuring pianissimo. And when the battle was joined at last and the time came for rough stuff only one Tennessean of any consequence volunteered.

That lone volunteer was Dr. John Neal, now of counsel for the defense, a good lawyer and an honest man. His services to Darrow, Malone and Hays have been very valuable and they come out of the case with high respect for him. But how does Tennessee regard him? My impression is that Tennessee vastly underestimated incredibly that a farmer who read the Bible knew more than any scientist in the world. Such dreadful bilge, heard of far away, may seem only ridiculous. But it takes on a different smack, I assure you, when one hears it discharged formally in a court of law and sees it accepted as wisdom by judge and jury.

Darrow has lost this case. It was lost long before he came to Dayton. But it seems to me that he has nevertheless performed a great public service by fighting it to a finish and in a perfectly serious way. Let no one mistake it for comedy, farcical though it may be in all its details. It serves notice on the country that Neanderthal man is organizing in these forlorn backwaters of the land, led by a fanatic, rid sense and devoid of conscience. Tennessee, challenging him too timorously and too late, now sees its courts converted into camp meetings and its Bill of Rights made a mock of by its sworn officers of the law. There are other States that had better look to their arsenals before the Hun is at their gates.

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## 11. Tennessee in the Frying Pan

*The Baltimore Evening Sun*, July 20, 1925

That the rising town of Dayton, when it put the infidel Scopes on trial, bit off far more than it has been able to chew -- this melancholy fact must now be evident to everyone. The village Aristides Sophocles Goldsboroughs believed that the trial would bring in a lot of money, and produce a vast mass of free and profitable advertising. They were wrong on both counts, as boomers usually are. Very little money was actually spent by the visitors: the adjacent yokels brought their own lunches and went home to sleep, and the city men from afar rushed down to Chattanooga whenever there was a lull. As for the advertising that went out over the leased wires, I greatly fear that it has quite ruined the town. When people recall it hereafter they will think of it as they think of Herrin, Ill., and Homestead, Pa. It will be a joke town at best, and infamous at worst.

The natives reacted to this advertising very badly. The preliminary publicity, I believe, had somehow disarmed and deceived them. It was mainly amiable spoofing; they took it philosophically, assured by the local Aristideses that it was good for trade. But when the main guard of Eastern and Northern journalists swarmed down, and their dispatches began to show the country and the world exactly how the obscene buffoonery appeared to realistic city men, then the yokels began to sweat coldly, and in a few days they were full of terror and indignation. Some of the bolder spirits, indeed, talked gaudily of direct action against the authors of the "libels." But the history of the Ku Klux and the American Legion offers overwhelmingly evidence that 100 per cent Americans never fight when the enemy is in strength, and able to make a defense, so the visitors suffered nothing worse than black, black looks. When the last of them departs Daytonians will disinfect the town with sulphur candles, and the local pastors will exorcise the devils that they left behind them.

Dayton, of course, is only a ninth-rate country town, and so its agonies are of relatively little interest to the world. Its pastors, I daresay, will be able to console it, and if they fail there is always the old mountebank, Bryan, to give a hand. Faith cannot only move mountains; it can also soothe the distressed spirits of mountaineers. The Daytonians, unshaken by Darrow's ribaldries, still believe. They believe that they are not mammals. They believe, on Bryan's word, that they know more than all the men of science of Christendom. They believe, on the authority of Genesis, that the earth is flat and that witches still infest it. They believe, finally and especially, that all who doubt these great facts of revelation will go to hell. So they are consoled.

But what of the rest of the people of Tennessee? I greatly fear that they will not attain to consolation so easily. They are an extremely agreeable folk, and many of them are highly intelligent. I met men and women -- particularly women -- in Chattanooga who showed every sign of the highest culture. They led civilized lives, despite Prohibition, and they were interested in civilized ideas, despite the fog of Fundamentalism in which they moved. I met members of the State judiciary who were as heartily ashamed of the bucolic ass, Raulston, as an Osler would be of a chiropractor. I add the educated clergy: Episcopalians, Unitarians, Jews and so on -- enlightened men, tossing pathetically under the imbecilities of their evangelical colleagues. Chattanooga, as I found it, was charming, but immensely unhappy.

What its people ask for -- many of them in plain terms -- is suspended judgment, sympathy, Christian charity, and I believe that they deserve all these things. Dayton may be typical of Tennessee, but it is surely not all of Tennessee. The civilized minority in the State is probably as large as in any other Southern State. What ails it is simply the fact it has been, in the past, too cautious and politic -- that it has been too reluctant to offend the Fundamentalist majority. To that reluctance something else has been added: an uncritical and somewhat childish local patriotism. The Tennesseans have tolerated their imbeciles for fear that attacking them would bring down the derision of the rest of the country. Now they have the derision, and to excess -- and the attack is ten times as difficult as it ever was before.

How they are to fight their way out of their wallow I do not know. They begin the battle with the enemy in command of every height and every gun; worse, there is a great deal of irresolution in their own ranks. The newspapers of the State, with few exceptions, are very feeble. One of the best of them, the Chattanooga News, set up an eloquent whooping for Bryan the moment he got to Dayton. Before that it had been against the anti-evolution law. But with the actual battle joined, it began to wobble, and presently it was printing articles arguing that Fundamentalism, after all, made men happy -- that a Tennessean gained something valuable by being an ignoramus -- in other words, that a hog in a barnyard was to be envied by an Aristotle. The News was far better than most: it gave space, too, to the other side, and at considerable risk. But its weight, for two weeks, was thrown heavily to Bryan and his balderdash.

The pusillanimous attitude of the bar of the State I described in my dispatches from Dayton. It was not until the trial was two days old that any Tennessee lawyers of influence and dignity went to the aid of Dr. John R. Neal -- and even then all of the volunteers enlisted only on condition that their names be kept out of the newspapers. I should except one T.B. McElwee. He sat at the trial table and rendered valuable services. The rest lurked in the background. It was an astounding situation to a Marylander, but it seemed to be regarded as quite natural in Tennessee.

The prevailing attitude toward Neal himself was also very amazing. He is an able lawyer and a man of repute, and in any Northern State his courage would get the praise it deserves. But in Tennessee even the intelligentsia seem to feel that he has done something discreditable by sitting at the trial table with Darrow, Hays and Malone. The State buzzes with trivial, idiotic gossip about him -- that he dresses shabbily, that he has political aspirations, and so on. What if he does and has? He has carried himself, in this case, in a way that does higher credit to his native State. But his native State, instead of being proud of him, simply snarls at him behind his back.

So with every other man concerned with the defense -- most of them, slackaday, foreigners. For example, Rappelyea, the Dayton engineer who was first to go to the aid of Scopes. I was told solemnly in Dayton, not once but twenty times, that Rappelyea was (a) a Bowery boy from New York, and (b) an incompetent and ignorant engineer. I went to some trouble to unearth the facts. They were (a) that he was actually a member of one of the oldest Huguenot families in America, and (b) that his professional skill and general culture were such that the visiting scientists sought him out and found pleasure in his company.

Such is the punishment that falls upon a civilized man cast among fundamentalists. As I have said, the worst of it is that even the native intelligentsia help to pull the rope. In consequence all the brighter young men of the State -- and it produces plenty of them -- tend to leave it. If they remain, they must be prepared to succumb to the prevailing blather or resign themselves to being more or less infamous. With the anti-evolution law enforced, the State university will rapidly go to pot; no intelligent youth will waste his time upon its courses if he can help it. And so, with the young men lost, the struggle against darkness will become almost hopeless.

As I have said, the State still produces plenty of likely young bucks -- if only it could hold them! There is good blood everywhere, even in the mountains. During the dreadful buffooneries of Bryan and Raulston last week two typical specimens sat at the press table. One was Paul Y. Anderson, correspondent of the St. Louis Post-Dispatch, and the other was Joseph Wood Krutch, one of the editors of the Nation. I am very familiar with the work of both of them, and it is my professional judgment that it is of the first caliber. Anderson is one of the best newspaper reporters in America and Krutch is one of the best editorial writers.

Well, both were there as foreigners. Both were working for papers that could not exist in Tennessee. Both were viewed by their fellow Tennesseans not with pride, as credits to the State, but as traitors to the Tennessee Kultur and public enemies. Their crime was that they were intelligent men, doing their jobs intelligently.

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## 12. Bryan

*The Baltimore Evening Sun*, July 27, 1925

It was plain to everyone, when Bryan came to Dayton, that his great days were behind him -- that he was now definitely an old man, and headed at last for silence. There was a vague, unpleasant manginess about his appearance; he somehow seemed dirty, though a close glance showed him carefully shaved, and clad in immaculate linen. All the hair was gone from the dome of his head, and it had begun to fall out, too, behind his ears, like that of the late Samuel Gompers. The old resonance had departed from his voice: what was once a bugle blast had become reedy and quavering. Who knows that, like Demosthenes, he had a lisp? In his prime, under the magic of his eloquence, no one noticed it. But when he spoke at Dayton it was always audible.

When I first encountered him, on the sidewalk in front of the Hicks brothers law office, the trial was yet to begin, and so he was still expansive and amiable. I had printed in the *Nation*, a week or so before, an article arguing that the anti-evolution law, whatever its unwisdom, was at least constitutional -- that policing school teachers was certainly not putting down free speech. The old boy professed to be delighted with the argument, and gave the gaping bystanders to understand that I was a talented publicist. In turn I admired the curious shirt he wore -- sleeveless and with the neck cut very low. We parted in the manner of two Spanish ambassadors.

But that was the last touch of affability that I was destined to see in Bryan. The next day the battle joined and his face became hard. By the end of the first week he was simply a walking malignancy. Hour by hour he grew more bitter. What the Christian Scientists call malicious animal magnetism seemed to radiate from him like heat from a stove. From my place in the court-room, standing upon a table, I looked directly down upon him, sweating horribly and pumping his palm-leaf fan. His eyes fascinated me: I watched them all day long. They were blazing points of hatred. They glittered like occult and sinister gems. Now and then they wandered to me, and I got my share. It was like coming under fire.

What was behind that consuming hatred? At first I thought that it was mere evangelical passion. Evangelical Christianity, as everyone knows, is founded upon hate, as the Christianity of Christ was founded upon love. But even evangelical Christians occasionally loose their belts and belch amicably; I have known some who, off duty, were very benignant. In that very courtroom, indeed, were some of them -- for example, old Ben McKenzie, Nestor of the Dayton bar, who sat beside Bryan. Ben was full of good humor. He made jokes with Darrow. But Bryan only glared.

One day it dawned on me that Bryan, after all, was an evangelical Christian only by sort of afterthought -- that his career in this world, and the glories thereof, had actually come to an end before he ever began whooping for Genesis. So I came to this conclusion: that what really moved him was a lust for revenge. The men of the cities had destroyed him and made a mock of him; now he would lead the yokels against them. Various facts clicked into the theory, and I hold it still. The hatred in the old man's burning eyes was not for the enemies of God; it was for the enemies of Bryan.

Thus he fought his last fight, eager only for blood. It quickly became frenzied and preposterous, and after that pathetic. All sense departed from him. He bit right and left, like a dog with rabies. He descended to demagoguery so dreadful that his very associates blushed. His one yearning was to keep his yokels heated up -- to lead his forlorn mob against the foe. That foe, alas, refused to be alarmed. It insisted upon seeing the battle as a comedy. Even Darrow, who knew better, occasionally yielded to the prevailing spirit. Finally, he lured poor Bryan into a folly almost incredible.



I allude to his astounding argument against the notion that man is a mammal. I am glad I heard it, for otherwise I'd never believe it. There stood the man who had been thrice a candidate for the Presidency of the Republic -- and once, I believe, elected -- there he stood in the glare of the world, uttering stuff that a boy of eight would laugh at! The artful Darrow led him on: he repeated it, ranted for it, bellowed it in his cracked voice. A tragedy, indeed! He came into life a hero, a Galahad, in bright and shining armor. Now he was passing out a pathetic fool.

Worse, I believe that he somehow sensed the fact -- that he realized his personal failure, whatever the success of the grotesque cause he spoke for. I had left Dayton before Darrow's cross-examination brought him to his final absurdity, but I heard his long speech against the admission of expert testimony, and I saw how it fell flat and how Bryan himself was conscious of the fact. When he sat down he was done for, and he knew it. The old magic had failed to work; there was applause but there was no exultant shouts. When, half an hour later, Dudley Field Malone delivered his terrific philippic, the very yokels gave him five times the clapper-clawing that they had given to Bryan.

This combat was the old leader's last, and it symbolized in more than one way his passing. Two women sat through it, the one old and crippled, the other young and in the full flush of beauty. The first was Mrs. Bryan; the second was Mrs. Malone. When Malone finished his speech the crowd stormed his wife with felicitations, and she glowed as only a woman can who has seen her man fight a hard fight and win gloriously. But no one congratulated Mrs. Bryan. She sat hunched in her chair near the judge, apparently very uneasy. I thought then that she was ill -- she has been making the round of sanitariums for years, and was lately in the hands of a faith-healer -- but now I think that some appalling prescience was upon her, and that she saw in Bryan's eyes a hint of the collapse that was so near.

He sank into his seat a wreck, and was presently forgotten in the blast of Malone's titanic rhetoric. His speech had been maundering feeble and often downright idiotic. Presumably, he was speaking to a point of law, but it was quickly apparent that he knew no more law than the bailiff at the door. So he launched into mere violet garrulity. He dragged in snatches of ancient chautauqua addresses; he wandered up hill and down dale. Finally, Darrow lured him into that fabulous imbecility about man as a mammal. He sat down one of the most tragic asses in American history.

It is the national custom to sentimentalize the dead, as it is to sentimentalize men about to be hanged. Perhaps I fall into that weakness here. The Bryan I shall remember is the Bryan of his last weeks on earth -- broken, furious, and infinitely pathetic. It was impossible to meet his hatred with hatred to match it. He was winning a battle that would make him forever infamous wherever enlightened men remembered it and him. Even his old enemy, Darrow, was gentle with him at the end. That cross-examination might have been ten times as devastating. It was plain to everyone that the old Berseker Bryan was gone -- that all that remained of him was a pair of glaring and horrible eyes.

But what of his life? Did he accomplish any useful thing? Was he, in his day, of any dignity as a man, and of any value to his fellow-men? I doubt it. Bryan, at his best, was simply a magnificent job-seeker. The issues that he bawled about usually meant nothing to him. He was ready to abandon them whenever he could make votes by doing so, and to take up new ones at a moment's notice. For years he evaded Prohibition as dangerous; then he embraced it as profitable. At the Democratic National Convention last year he was on both sides, and distrusted by both. In his last great battle there was only a baleful and ridiculous malignancy. If he was pathetic, he was also disgusting.

Bryan was a vulgar and common man, a cad undiluted. He was ignorant, bigoted, self-seeking, blatant and dishonest. His career brought him into contact with the first men of his time; he preferred the company of rustic ignoramuses. It was hard to believe, watching him at Dayton, that he had traveled, that he had been received in

civilized societies, that he had been a high officer of state. He seemed only a poor clod like those around him, deluded by a childish theology, full of an almost pathological hatred of all learning, all human dignity, all beauty, all fine and noble things. He was a peasant come home to the dung-pile. Imagine a gentleman, and you have imagined everything that he was not.

The job before democracy is to get rid of such canaille. If it fails, they will devour it.

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### 13. Aftermath

*The Baltimore Evening Sun*, September 14, 1925

The Liberals, in their continuing discussion of the late trial of the infidel Scopes at Dayton, Tenn., run true to form. That is to say, they show all their habitual lack of humor and all their customary furtive weakness for the delusions of *Homo neanderthalensis*. I point to two of their most enlightened organs: the eminent New York World and the gifted New Republic. The World is displeased with Mr. Darrow because, in his appalling cross-examination of the mountebank Bryan, he did some violence to the theological superstitions that millions of Americans cherish. The New Republic denounces him because he addressed himself, not to "the people of Tennessee" but to the whole country, and because he should have permitted "local lawyers" to assume "the most conspicuous position in the trial."

Once more, alas, I find myself unable to follow the best Liberal thought. What the World's contention amounts to, at bottom, is simply the doctrine that a man engaged in combat with superstition should be very polite to superstition. This, I fear, is nonsense. The way to deal with superstition is not to be polite to it, but to tackle it with all arms, and so rout it, cripple it, and make it forever infamous and ridiculous. Is it, perchance, cherished by persons who should know better? Then their folly should be brought out into the light of day, and exhibited there in all its hideousness until they flee from it, hiding their heads in shame.

True enough, even a superstitious man has certain inalienable rights. He has a right to harbor and indulge his imbecilities as long as he pleases, provided only he does not try to inflict them upon other men by force. He has a right to argue for them as eloquently as he can, in season and out of season. He has a right to teach them to his children. But certainly he has no right to be protected against the free criticism of those who do not hold them. He has no right to demand that they be treated as sacred. He has no right to preach them without challenge. Did Darrow, in the course of his dreadful bombardment of Bryan, drop a few shells, incidentally, into measurably cleaner camps? Then let the garrisons of those camps look to their defenses. They are free to shoot back. But they can't disarm their enemy.

The meaning of religious freedom, I fear, is sometimes greatly misapprehended. It is taken to be a sort of immunity, not merely from governmental control but also from public opinion. A dunderhead gets himself a long-tailed coat, rises behind the sacred desk, and emits such bilge as would gag a Hottentot. Is it to pass unchallenged? If so, then what we have is not religious freedom at all, but the most intolerable and outrageous variety of religious despotism. Any fool, once he is admitted to holy orders, becomes infallible. Any half-wit, by the simple device of ascribing his delusions to revelation, takes on an authority that is denied to all the rest of us.

I do not know how many Americans entertain the ideas defended so ineptly by poor Bryan, but probably the number is very large. They are preached once a week in at least a hundred thousand rural churches, and they are heard too in the meaner quarters of the great cities. Nevertheless, though they are thus held to be sound by millions, these ideas remain mere rubbish. Not only are they not supported by the known facts; they are in direct contravention of the known facts. No man whose information is sound and whose mind functions normally can conceivably credit them. They are the products of ignorance and stupidity, either or both.

What should be a civilized man's attitude toward such superstitions? It seems to me that the only attitude possible to him is one of contempt. If he admits that they have any intellectual dignity whatever, he admits that he himself has none. If he pretends to a respect for those who believe in them, he pretends falsely, and sinks almost to their level. When he is challenged he must answer honestly, regardless of tender feelings. That is what Darrow did at Dayton, and the issue plainly justified the act. Bryan went there in a hero's shining armor, bent deliberately upon a gross crime against sense. He came out a wrecked and preposterous charlatan, his tail between his legs. Few Americans have ever done so much for their country in a whole lifetime as Darrow did in two hours.

The caveat of the New Republic is so absurd that it scarcely deserves an answer. It is based upon a complete misunderstanding of the situation that the Scopes trial revealed. What good would it have done to have addressed an appeal to the people of Tennessee? They had already, by their lawful representatives, adopted the anti-evolution statute by an immense majority, and they were plainly determined to uphold it. The newspapers of the State, with one or two exceptions, were violently in favor of the prosecution, and applauded every effort of the rustic judge and district attorney to deprive the defense of its most elemental rights.

True enough, there was a minority of Tennesseans on the other side -- men and women who felt keenly the disgrace of their State, and were eager to put an end to it. But their time had passed; they had missed their chance. They should have stepped forward at the very beginning, long before Darrow got into the case. Instead, they hung back timorously, and so Bryan and the Baptist pastors ran amok. There was a brilliant exception: John R. Neal. There was another: T.R. Elwell. Both lawyers. But the rest of the lawyers of the State, when the issue was joined at last, actually helped the prosecution. Their bar associations kept up a continuous fusillade. They tried their best to prod the backwoods Dogberry, Raulston, into putting Darrow into jail.

There was but one way to meet this situation and Darrow adopted it. He appealed directly to the country and to the world. He had at these recreant Tennesseans by exhibiting their shame to all men, near and far. He showed them cringing before the rustic theologians, and afraid of Bryan. He turned the State inside out, and showed what civilization can come to under Fundamentalism. The effects of that cruel exposure are now visible. Tennessee is still spluttering -- and blushing. The uproar staggered its people. And they are doing some very painful thinking. Will they cling to Fundamentalism or will they restore civilization? I suspect that the quick decision of their neighbor, Georgia, will help them to choose. Darrow did more for them, in two weeks, than all their pastors and politicians had done since the Civil War.

His conduct of the case, in fact, was adept and intelligent from beginning to end. It is hard, in retrospect, to imagine him improving it. He faced immense technical difficulties. In order to get out of the clutches of the village Dogberry and before judges of greater intelligence he had to work deliberately for the conviction of his client. In order to evade the puerile question of that client's guilt or innocence and so bring the underlying issues before the country, he had to set up a sham battle on the side lines. And in order to expose the gross ignorance and superstition of the real prosecutor, Bryan, he had to lure the old imposter upon the stand.

It seems to me that he accomplished all of these things with great skill. Scopes was duly convicted, and the constitutional questions involved in the law will now be heard by competent judges and decided without resort to prayer and moving pictures. The whole world has been made familiar with the issues, and the nature of the menace that Fundamentalism offers to civilization is now familiar to every schoolboy. And Bryan was duly scotched, and, if he had lived, would be standing before the country today as a comic figure, tattered and preposterous.

All this was accomplished, in infernal weather, by a man of sixty-eight, with the scars of battles all over him. He had, to be sure, highly competent help. At his table sat lawyers whose peculiar talents, in combination, were of the highest potency -- the brilliant Hays, the eloquent Malone, the daring and patriotic Tennessean, Neal. But it was Darrow who carried the main burden, and Darrow who shaped the final result. When he confronted Bryan at last, the whole combat came to its climax. On the one side was bigotry, ignorance, hatred, superstition, every sort of blackness that the human mind is capable of. On the other side was sense. And sense achieved a great victory.