

TWO CHEERS BUT THREE VOTESJune 3, 2002Harold Porter

The Apostle Paul, who contributed more literary papers to the Christian Scriptures than any one, writes of receiving "the peace of God that passes all understanding." A friend, during a recent casual conversation, suggested that in reality, "The peace that passes all understanding is, just that, understanding." I believe she is right. And that is especially true when it comes to others that we are to have any intercourse with. I don't mean that in the conjugal sense, but that is also true. But as a path to peace between persons, understanding seems the high road.

We know that to walk in the other's shoes is a good exercise, especially so, when you disagree with them. Regardless of what you or I think of our mayor's leadership through these difficult days of racial tension, we can understand why he rightly said to a rather hostile audience, "I must walk in your shoes but you must also walk in mine."

Familiarity may or may not bring contempt but it does seem true that only through relationships can there ever be understanding or any hope of reconciliation. In previous years I sought such a practice when I made, with some idealism, three trips to the Soviet Union seeking a greater dialogue during the days of the cold war and the iron curtain. But I had a personal inspiration for greater understanding between East and West, because I knew that those Russians couldn't be all bad. My mother came from there and she was, and is, as lovely a person as there could ever be.

We have hopefully increased in our understanding of one another right here in these hallowed halls.

There are undoubtedly persons here we may have formed a negative or slanted opinion of, perhaps from a newspaper account, or from remarks made by others. But after getting to know them personally across our tables, or chatting together with drink in hand, saw another side to their character and realized that we all are part of the rich diversity in the human equation, with much to gain from each other.

Of course, understanding flowers best when civility is present and that is a real part of this club's discourse. I remember my apprehension after delivering one of my papers on a controversial subject fearing that it would invoke some deep disagreement. In the line that forms after the reading, Tom Gephardt approached, reached out his hand, and simply said, "Hal, you did the best you could." A comment I will always cherish.

Because of my vocation, I have studied the Ten Commandments at some length and surely failed at them. I know how they came into being and that they were not simply handed over one day on stone tablets from on high. They originated from the flesh and blood struggle of a people recently freed from slavery who struggled to become a community with a sense of justice that mirrored their God who desired it to be equitably distributed to all.

I am not one that would have these commandments imposed on our public school walls, or on the halls of justice. They are embedded in a particular religious dogma and, in the United States, no religious doctrine is to be established by law.

Besides, I cherish the First Amendment, knowing of no greater spirituality ever written into law. Further, we all know the complexity of applying commandments, or similar absolute principles to a given situation, because situations are all different. So, yes, I am concerned that judges do have latitude to interpret the situation when they apply our laws and

that they not be reduce to mindless automatons in black robes.

Keeping partisan politics or religious interpretations out of the judiciary while maintaining our system of checks and balances, is a complex subject in itself. But in our social order there is one of the Ten Commandments I find we break the most, one that I constantly struggle with, and that is the Ninth, "You shall not bear false witness against your neighbor."

Of course, this is a great burden for those of us who live in pulpits but it is true universally, for anyone who has a mind at all, who forms opinions, who engages in both great and small talk. Yes, if there is anything we wish to maintain about ourselves, it is to be rightly and fairly understood and not libeled.

But surely we have found that it is difficult to keep from contrasting the worst in others with the best of our selves. One of the most brilliant theologians of a few decades ago, Reinhold Niebuhr, the one who wrote the serenity prayer adopted by Alcoholics Anonymous, offered sound advise about those with whom we may disagree. "Yes, we must fight their falsehood with our truth, but we must also fight the falsehood in our truth."

But it remains, that whenever we get upset with the local newspaper, or while listening to talk radio, or with someone's characterization of another, we know it is usually because we feel a false witness has occurred.

Wrestling with these concerns leads me to share my response to a movie I am sure most of us have seen, "Inherit the Wind", based on the celebrated play of the same name.

The movie was a fictional account of the so-called "Trial of the Century", the first to be nationally broadcast, popularly known as the "Monkey Trial", held

in Dayton, Tennessee in 1925. It was a time when our society was convulsing over the theory of evolution, more so than even today, if that can be imagined.

In the original movie there was, as in the play, a disclaimer that the movie was fiction and could be descriptive of a time, "Not too long ago. It might have been yesterday. It could be tomorrow." I didn't know at the time that the genesis of this play-movie was a veiled attack on the red-baiting during the McCarthy era.

Anyway, the controversy in the play-film was the debate over evolution. I remember well my initial reaction to the movie. I liked it and was very much caught up in it. The trial centered on the guilt or innocence of a young high school teacher accused of teaching evolution, which was proscribed by his state's law.

I liked the movie because evolution and not biblical creationism came out on top. I had no problem with that knowing full well that Genesis was not a scientific textbook. Also, the movie affirmed free thought and tolerance and that truth should be sought out wherever it could be found. What the movie exposed as ugly was bigotry, fundamentalism, self-righteousness and intolerance.

Further, the movie was very dramatic, nominated for several academy awards, with exceptional performances by Spencer Tracy as the defense attorney, Fredrick March for the prosecution, and Gene Kelly, as the meddling reporter. I grew up with those actors and had a fondness for each. Their presence gave reassuring authority to the movie's content.

I especially appreciated the last scene in which Spencer Tracy, having lost the legal victory but won the moral one, is alone in the courtroom. As he leaves, he picks up a copy of Darwin's, *The Origin of the Species*, and then notices the Bible that had been

used to swear in the witnesses against bearing false witness. He picks it up in his other hand and weighs both books as if equal on the scale of justice, and then packs them away together in his briefcase and exits. The movie's message was clear. Religion, as bigotry, had been exposed but religion that promotes justice and compassion was to be maintained. So, too, science and its ongoing search for truth. It all felt well with my own personal dictum, "faith exposed to reason, reason enlarged by faith."

"Inherit the Wind", the play and the three movies based on it, continues to be very popular and remains a mainstay in the curricula of many schools. But, even though comfortable with its liberal themes, I was not totally comfortable with the movie. Frederick March, playing the attorney for the prosecution, was portrayed as a bumbling religious fundamentalist - and the town as a bunch of small minded Bible thumpers. It was referred to as "Heavenly Hillsboro - The buckle on the Bible Belt." But every viewer knew the actual town was in Tennessee.

I knew of the Scopes Trial but had not read anything in great detail about it. I recalled that the main prosecutor in the 1925 case was William Jennings Bryan. I knew little of him either, his portrayal in the movie was that of a pompous religious fundamentalist, a comic character, who, in disgrace, dies immediately after the case is over. He is made to appear a self-appointed prophet of God, who goes on the witness stand and is exposed as a religious and intellectual fool.

At the time, I thought, having had considerable confrontations with fundamentalists myself, that a better case could be made by an informed religious conservative as to the reasons why they have a conflict with evolution, especially as taught in public schools.

Harry Emerson Fosdick, probably the best known liberal preacher, had preached his famous sermon,

"Shall the Fundamentalist Win?" during the same era of the Scopes Trial. In it he cautioned. "We should not identify the Fundamentalists with conservatives. All Fundamentalists are conservative, but not all conservatives are Fundamentalists. The best conservatives can often give lessons to the liberals in true liberality of the spirit, but the Fundamentalist program is essentially illiberal and intolerant."

Unfortunately, Fosdick lost his Presbyterian pulpit because of that sermon. The point being, if the movie wanted to show the real tension between religious modernism and conservatism over the issue of evolution, they could have portrayed the conservatives in better light than they did.

Instead they made the character, based on William Jennings Bryan, this pathetic fanatic who believed God would behave just as he was doing, if God knew the situation as well as he did.

Other than this, I still liked the movie-play as a fictional drama of probably our nation's most famous trial. First, it did try to bring favorable light on the debate over evolution. Second, expose the tension between local control of public education and the academic freedom of teachers. Third, the conflict between science and the Bible. Fourth, the collision between majoritarianism and individual rights. And fifth, the cultural gap between populism and elitism, between regionalism and nationalism.

So I let it go at that, knowing little of the actual trial of 75 years ago.

Eventually though, and slowly, some further revelations came my way.

I vaguely knew that Bryan had been the Democratic nominee for the presidency but what I discovered was that he ran three times - the only person to do so on the ticket of a major political party. Amazing in

itself, I also learned he could probably have been nominated a couple of more times.

He ran first in 1896 losing to McKinley. Many historians feel that tight race was filled with vote fraud and the election was actually stolen from Bryan, including his loss of Ohio.

In 1900, Bryan lost again to McKinley and lost again in 1908 to Taft. But for nearly 30 years Bryan was the most persuasive leader of the Democratic Party and transformed it into the people's party, a party that viewed government not as a threat but as the means to bring prosperity to all.

Of course, in history it is always hard to remember who came in second place. But I thought these revelations alone were in amazing contrast to this fool character portrayed in "Inherit the Wind." Further, I found Bryan the loser more attractive to me because he did not have a defeatist or victim mentality. Even after these major defeats, he would carry on full speed, not abandoning what he considered the righteousness of his cause. His usual comment was "The people gave and the people have taken away, blessed be the name of the people."

I also learned, rather recently, that Bryan stood unchallenged in the early '20's "as the most widely influential layman in the Presbyterian Church" - my own denomination. In 1923, two years before the Scopes trial, Bryan - never to be the leader of the nation - now thought to lead his church and ran for the denomination's top post. He narrowly lost by 24 votes: 451 - 427. But, again, he did not fold over during that convention but led the fight for several church policies and even a policy warning against evolutionary thinking, albeit a far less measure than he had hoped.

So, with these new insights, and as literary paper time allows, I read all I could about this man, wondering how "Inherit the Wind" could do him such an

injustice, could disregard the 9<sup>th</sup> Commandment in their portrayal of him. I searched out some of his sixteen books, as well as those who critiqued his life. It wasn't that I wanted to pay homage to the righteousness of his many causes. I simply wanted to meet the real character beyond the charade in the movie that, under the cover of artistic license, had made him into such a buffoon.

In doing so, I discovered a rather amazing life, far beyond for what he is often remembered - one of the greatest orators that our century has produced. Still, it was good to review his most famous, "Cross of Gold" speech, delivered at the Democratic Convention of 1896 which ended with his memorable words: "You shall not press down upon the brow of labor this crown of thorns, you shall not crucify mankind upon a cross of gold." The power of that speech didn't need a microphone to reach nearly every heart of the 10,000 gathered in Chicago and it won him the nomination.

From that moment on, no other politician could wear the label "The Great Commoner" as well as Bryan. Most all of his concerns focused on a fairer distribution of wealth. Wealth, to Bryan, was not about trickling down. It must trickle up. He was the premier spokesperson for the "struggling masses." Early on he said, "God made all men, and he did not make some to crawl on hands and knees and others to ride upon their backs." No one believed more in the will and value of the average citizen. His mantra was, "Equal rights for all, special privileges to none."

Bryan has been rightly criticized for his belief in majoritarianism for it could easily over ride the views of the minority and lead to the tyranny of the majority. But Bryan's populism was based on a sincere view that the average person made the most sense and, if heeded, would bring a benefit to everyone. Some of his best supporters, both political and religious, felt he went too far with it.

But Bryan never moved too far from the common labor class and no one listened to them more. So it was not surprising when in 1934 at the dedication of a statue of him in Washington, FDR said of him, that Bryan was "a force for good in his own generation. . .and kept alive many of the ancient faiths on which we are building today." Indeed, as Herbert Hoover bitterly assessed it, the New Deal was "Bryanism under new words and methods."

Paolo Coletta, in his definitive three volume biography of Bryan, made a telling political summary. Bryan "never won the Presidency, yet Congress submitted and the states accepted four federal constitutional amendments (the XVI, XVII, XVIII and XIX) largely at (Bryan's) behest." They were, the power to collect income taxes, direct election of Senators, prohibition, and women's suffrage.

Coletta goes on to say, "No contemporary had a greater impact upon the writing or rewriting of state constitutions. Nor did anyone do more to convert the Democracy from the conservatism of Grover Cleveland to the progressivism of Wilson. As champions of liberalism, Theodore Roosevelt and Wilson were converts to Bryanism. They came over to his views, not he to theirs." P. 292

Most of the issues that Bryan supported would eventually come into being effecting more legislation than most presidents. Just a few might be mentioned. Besides the four amendments to the constitution, there was - workman's compensation, the minimum wage, the eight hour day, control of trusts, government guaranty of bank deposits, the initiative and referendum, campaign finance laws, federal regulation of railroads, telegraph, telephone, water resources, and food processing. Bryan championed them all! Only prohibition and his crusade against evolution would not have a lasting effect, but even the later is questionable.

Bryan has aptly been described as a Politician Puritan. He himself admitted that "My father taught me to believe in Democracy as well as Christianity." But even as a religious evangelical, he was not as narrow as most. His faith was more in keeping with the Golden Rule and much more concerned with bringing Heaven to earth than to get to Heaven.

Bryan was much closer to the social gospel movement, seeking to improve the ills of society. He was ecumenical in his religious relationships and quite at home with persons of other faiths. He believed that "the law of love should pervade all human relationships" both domestically and internationally.

That is one of the reasons he resigned as Secretary of State under Wilson. A staunch neutralist, entry into the war did not square with his commitment to the Prince of Peace. His resignation brought great ridicule to him but many of his strategies for arbitration between nations would be picked up by later generations and were embedded in the League of Nations. In spite of his pacifist leaning, he remained a strong patriot and would back the President when war came. And during the war, when Wilson fought for his second term against Charles Evans Hughes, Bryan gave more speeches on Wilson's behalf than he did for himself in any of his three campaigns. It made the difference in Wilson's close victory.

His unrelenting conviction that the love of God meant love of neighbor meant "prejudice of any kind" was wrong. He believes all persons were equally made in God's image. He loved Jefferson, who certainly had a different religious outlook than Bryan, and would only add to those inalienable rights of life, liberty and the pursuit of happiness, "the right to worship God according to the dictates of one's conscience."

Bryan advocated for the state's neutrality when it came to religion, even though, in his mind, that did not prevent prayer in public schools.

His unending crusade against evolution - and it was a crusade - was that it was just a long line of guesses but not fact. He had read Darwin's *Origin of the Species* and *The Descent of Man*, but found them harmful. Darwinism operated "by the law of hate," he wrote, "the merciless law by which the strong crowd out and kill off the weak." If we are only beast, he would argue, then why love? Evolution was a materialistic view of life and not a spiritual one. He was mainly worried that youth would grow up without any moral foundation and industry would be run by the law of the jungle.

Bryan often pointed to Germany's brutal militarism, their Darwinian concept of a super race thinking that might makes right. In Darwinism there was no room for the meek in the world or for compassion itself. Bryan early predicted the threat of eugenics, and a decade or so later his view was vindicated in how Hitler used it to purify society. Such primitive eugenics would also be employed in the United States. Bryan claimed he wasn't opposed to science itself, only social Darwinism.

During the Scopes Trial, to the disappointment of fundamentalists who supported him, Bryan confessed that the creation undoubtedly took a longer period than the six days described in Genesis. He consented that some forms of evolution probably had taken place in vegetation. But he was adamant that humans didn't evolve from the gorilla. Confronted by the evidence from geologists and paleontologists as to the millions of years the earth had been around, suggesting the long evolution of humans, he would reply, "It is better to trust the Rock of Ages than to know the ages of the rocks."

At the famous trial, it is true that Bryan made a mistake agreeing to be put on the witness stand as an expert Bible witness, goaded there by the clever Clarence Darrow. Bryan was probably too eager, as the great defender of the faith, to take on Darrow - the

agnostic Goliath of that day. On the stand, Bryan's performance was rather clumsy. Darrow exposed the worst side of Bryan's religious beliefs and Darrow relished it. The irony was that Bryan and Darrow had fought for many of the same political programs and Darrow had supported Bryan in his first two presidential campaigns.

But if you read the actual transcript of that examination by Darrow you will find it was quite different from the play-movie. Bryan was not, as depicted, devastated by the relentless questioning by Darrow, nor did he fall apart. In the movie he is portrayed as totally devastated, left alone without support, murmuring that he was being laughed at as he tumbled, weeping into his wife's consoling arms.

Not true. Bryan remained after the trial, still the champion of the Common Man. He continued on as the great orator he was for the next few days, speaking to huge audiences as he made preparations to have his summation speech printed - a speech that the trial's abrupt conclusion prevented him from making. He died peacefully in his sleep during an afternoon nap, five days after the trial. The primary reason was his long neglect of diabetes mellitus not, as the play suggests, a broken spirit. His funeral was a national event.

Other differences between the actual Scopes Trial and the Monkey version in "Inherit the Wind" are too numerous to mention in this paper. But let me add one glaring one. In the play-movie, Bryan's stand-in laments after Scopes is only fined \$100, "your Honor, the prosecution takes exception! Where the issues are so titanic, the court must mete our more drastic punishment. . .to make an example of this transgressor!" In reality, Bryan had advised Tennessee that the law Scopes was tried by should have no penalty but if there ever were one, he would pay the fine himself.

To be fair, the play-movie was an attempt to deal with the broader concerns of tolerance, freedom of thought, and individual rights. All good concerns. But it does so with its own touch of self-righteous certainty about them and, certainly at the expense of the person, William Jennings Bryan.

The actual trial, however, certainly was an incredible show. It truly was a "Summer of the Gods", as Edward Larson put it in his Pulitzer Prize book by the same name. Some of the finest minds of the era were gathered in little Dayton, Tennessee with over two hundred journalists ready to make the most of it. The Gods were three. The most capable of trial lawyers of that day, Clarence Darrow - "The Lawyer of the Damned," - H.L. Mencken, the brilliant acerbic journalist of biting criticism - "The Sage of Baltimore," and Bryan of several nicknames - "The Great Commoner", "The Boy Orator of the Platte", "The Peerless Leader", "The Prince of Peace", and, not so favorably, "The Fundamentalist Pope".

The trial was a battle for the minds of the country with the trial itself as mere background. None of them could claim a clear victory, either morally or legally, regarding evolution. Still, I am grateful for such a contest and especially for these three who lived so vividly among us.

Darrow's life is also worth exploring. His incredible eleven hour summation at that other famous trial, that of Loeb and Leopold, must be considered the most eloquent attack on the death penalty ever written. In many ways Darrow was a fatalist. He wrote that we are all "traveling the same route to a common doom." But further understanding suggests his was a life-affirming fatalism. Summing up his life he writes, "No one can feel this universal relationship (that we are all living together on a small raft on an endless sea) without being gentler, kindlier, and more humane toward all the infinite forms of beings that live with us, and must die with us." p. 411

As to H.L. Mencken, there is probably a more humane soul in him than is revealed in his unsparing biting quotes about everyone and everything. I must quote a couple, though.

For those in religious leadership Mencken writes: "A Pastor - One employed by the wicked to prove to them by example that virtue doesn't pay."

And for those who are in the legal profession he says: "A Courtroom - A place where Jesus Christ and Judas Iscariot would be equals, with the betting odds favoring Judas."

No, the Scopes trial did not settle the question of the origin of the universe or of our humble appearance in it. The battle between evolution and creationism, or today's more sophisticated theory called, intelligent design, is not over. That fight continues all over the country and most presently in Ohio. But that is a paper for some one else to address.

Angels or Apes, anyone? Or neither? If neither, who are we? Charles Darwin, looking at the evidence before him, saw nothing lofty about our nature. Why? Because all of "nature's individuals struggle for their own personal benefits and nothing else." That remains the crux of the matter. Are we really determined by our own genes or not? We know, at least, Bryan's answer and it is a resounding no!

My paper has been less ambitious, only a simple journey for understanding of a time, "Not too long ago. It might have been yesterday. It could be tomorrow." But thankfully it has led to a person of incredible achievement and to question more fully why Bryan's life needed to be so vilified and distorted in order to lift up the virtues of tolerance, freedom of thought, and individual rights.

So I conclude by saying, two cheers for Bryan but three votes. Two cheers because I can not agree with all his religious views, but three votes, because given his political platforms, I would have voted for him three times for President, simply on the issues.

Recommended:

*Summer for the Gods*, Edward Larson, Harvard University Press, 1998

*William Jennings Bryan* (3 vols.), Paolo E. Coletta, University of Nebraska Press, 1969

*A Righteous Cause*, Robert W. Cherny, University of Oklahoma Press, 1994 (Second Edition).

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