



God and Darwin: The *York Daily Record* and the Intelligent Design Trial Epilogue

In her description of the trial proceedings of October 18, 2005, Lauri Lebo decided to describe in her lede what she felt had been the most important moment of the trial so far. In her view, intelligent design scientist Michael Behe's inability to explain the biological mechanism that drove intelligent design was a turning point; it seemed to Lebo to prove that intelligent design was a scientifically bankrupt and illegal attempt to shoehorn Christianity into the classroom. The trial hinged on the question of whether intelligent design was a religious belief rather than a scientific theory, and Lebo felt Behe's testimony had largely resolved it.

Lebo was preparing to leave the newsroom at around 11 p.m. when her phone rang. It was *York Daily Record* Managing Editor Randy Parker. He was concerned about her lede; he felt it unfair to the defense, after weeks of lopsided coverage of only the plaintiffs' case. Lebo's coverage, he said, had been "OK so far, but now I think we're just piling it on."¹ He encouraged her to lead her article on a positive note, emphasizing the defense's successes.

Lebo did not think there had been any. "Rothschild eviscerated them," she told Parker. At the same time, she was wrestling with a growing awareness that if she did not comply with Parker's request, she might be taken off the story. She had spent a year and a half researching and writing about the controversy, and not only did she feel personal ownership of the story, but she also felt well-qualified to explain the scientific niceties of the testimony. Still, she held her ground. Eventually, the managing editor backed down, and the lede remained the same.

The trial ended two weeks later, in November 2005. In closing arguments, Dover Attorney Patrick Gillen argued that School Board Head Alan Bonsell had introduced the policy mandating the mention of intelligent design in science class not because of his own creationist religious beliefs, but because he feared "science taught as dogma."² The school board, Gillen argued, was

¹ Lauri Lebo, *The Devil in Dover: An Insider's Story of Dogma v. Darwin in Small-town America*, (New York: New Press), 2008, p. 158.

² Lauri Lebo, *The Devil in Dover*, p. 174.

motivated only by a desire to protect students' education from scientists' bias against intelligent design. Plaintiffs' attorney Eric Rothschild tethered his closing argument to the First Amendment's establishment clause. He noted that under British rule, the colony of Pennsylvania was the only one in which Catholics could worship freely and publicly, and quoted the colony's founder William Penn: "'No human authority can, in any case whatsoever, control or interfere with the rights of conscience, and no preference shall ever be given by law to any religious establishment or modes of worship.'"³

District Court Judge John E. Jones III delivered his opinion the following month, December 2005. He found with the plaintiffs, ruling that the school board's attempt to promote alternatives to evolution, specifically intelligent design, was a religiously motivated policy and therefore violated the students' constitutional rights under the First Amendment.

After the trial, Lebo was invited to speak at a conference at Stony Brook University called "Evolution 2006." Her editors at first asked her not to participate, fearing for the newspaper's credibility. Lebo later wrote:

Editors told me that scientists had "a vested interest in the outcome of the national debate" over evolution and intelligent design; therefore, it could be perceived as a conflict of interest and I could jeopardize the newspaper's objectivity. I was told that if I defied the newspaper's directive not to speak there, I would be "subject to discipline, up to and including dismissal."⁴

Lebo finally succeeded in striking a deal with her editors: She could speak at the event if she did not mention the *York Daily Record's* name in her speech. But Lebo's disputes with her editors over evolution were not over. In 2007, Lebo asked her editors for a leave of absence to write a book on her experiences covering the Dover trial. They refused, and Lebo resigned from the paper rather than give up her book idea. Her account of the trial, *The Devil in Dover*, was published in 2008.

³ Lauri Lebo, *The Devil in Dover*, p. 176.

⁴ Lauri Lebo, *The Devil in Dover*, p. xiii.