Today, debates over how large a role government should play in its citizens' everyday lives are rampant. Some believe that government should play no role, impose no regulations and leave everyone to do as they please. Others think government should be allowed to regulate certain aspects of a person's life if those regulations are in the public's best interest. Should government be concerned with keeping citizens safe and healthy or are government regulations intrusive and evidence of living in a nanny state?

What's a nanny state?

The term “nanny state” has come to symbolize government overreach and interference in the lives of American citizens. A British term, it compares the relationship between government and the people in terms of child rearing. In other words, if you think you live in a “nanny state” you most likely believe that the government treats you like a child, incapable of making your own decisions.

Dictionary.com defines nanny state as “a government perceived as authoritarian, interfering or overprotective.” Debates over living in a nanny state usually arise in cases of public health and risk management.

For example, when mandatory seat belt laws went into effect, there were

More than 150 years after Charles Darwin published his landmark study On the Origin of Species, controversy continues to swirl around his scientific theory of evolution. First hotly debated in England in 1860, just seven months after its publication, Darwin’s research detailed how life on Earth evolved through a process called “natural selection,” where animals and plants change over time to adapt to their environment. For example,

CONTINUED ON PAGE 4
Science vs. Religion CONTINUED FROM PAGE 1

according to Darwin, over the course of millions of years modern man “evolved” from apes.

That first debate over Darwin’s findings pitted science against religion, with religious leaders of the day arguing that Earth and the species that inhabit it, including people, were the handiwork of God, as described in the Bible, not the result of an ongoing biological process. Over time, as the idea of evolution generally became more accepted, it became the foundation of biological studies. But the conflict between religion and science never completely disappeared.

In the past several years, the debate has escalated in a number of states, where lawmakers have passed, or have considered passing, bills that encourage schools to teach other views in addition to evolution, such as “creationism,” which focuses on the idea that life was created by God, and “intelligent design,” which contends that life is too complex to be the result of natural selection, so an intelligent process must be at work.

Debating evolution?

In 2008, Louisiana was the first state to pass legislation, often called “academic freedom” bills, designed to reopen the debate in the classroom, giving teachers the right to teach creationism, intelligent design and other ideas about life on Earth, in addition to evolution. The Louisiana Science Education Act states it promotes “open and objective discussion of scientific theories being studied, including evolution, the origins of life, global warming, and human cloning.”

Since its passage, Louisiana lawmakers have tried, more than once, to repeal the Science Education Act, which encourages teachers to debate established scientific concepts like evolution and global warming in the classroom. Despite being endorsed by 78 Nobel laureate scientists and supported by the American Association for the Advancement of Science, in May 2013 the latest repeal effort failed, when the Louisiana Senate Education Committee rejected it.

In April 2012, Tennessee became the latest state to join the movement, putting into effect legislation that encourages teachers to “present the scientific strengths and scientific weaknesses of existing scientific theories,” including the “controversial” theories of “biological evolution, the chemical origins of life, global warming, and human cloning.”

“Telling students that evolution and climate change are scientifically controversial is miseducating them,” Eugenie Scott, executive director of the National Center for Science Education, a nonprofit organization focused on defending evolution education in the schools, said in a prepared statement. “Good science teachers know that. But the Tennessee legislature has now made it significantly harder to ensure that science is taught responsibly in the state’s public schools.”

Supporters of these legislative measures view them differently. New Hampshire State Representative Jerry Bergevin told the Concord Monitor he sponsored an anti-evolution bill in that state because he wanted “the full portrait of evolution and the people who came up with the ideas to be presented. It’s a worldview and it’s godless. Atheism has been tried in various societies, and they’ve been pretty criminal domestically and internationally. The Soviet Union, Cuba, the Nazis, China today: they don’t respect human rights.”

The New Hampshire bill, which was defeated in March 2012, would have required that evolution be “taught in the public schools of this state as a theory, including the theorists’ political and ideological viewpoints and their position on the concept of atheism.”

Over the past several years, in addition to Louisiana, Tennessee and New Hampshire, several other states including, Texas, Florida, Missouri, Oklahoma, Kansas, Georgia and Alabama have considered similar anti-evolution legislation. At this time, there is no indication that New Jersey lawmakers are considering any such legislation.

“The issue seems to be more prevalent in southern states than northern states,” explains Nicholas Celso, a professor at New Jersey’s Kean University who practices school law. “One possible explanation for this may be that, generally speaking, southern states tend to be more conservative socially and politically.”

Constitutional concerns

When it comes to these types of academic freedom bills, it’s the U.S. Constitution’s First Amendment that comes into play on both sides.

Within the First Amendment, “the free speech clause protects the individual’s right not only to speak freely, but also to receive and disseminate information without undue governmental restriction,” explains Celso. “The First Amendment also contains the ‘religious clauses’ that protect the right to worship freely and to be free from governmental imposition or inhibition of religion.”

Since this type of legislation often restricts the teaching of evolution and encourages the teaching of certain religion-based beliefs, individual students’ constitutional rights related to religion can be threatened. At the same time, students are entitled to freedom of speech and information.

“Since the First Amendment protects individuals from the government, its protections extend to the public schools, because the schools are paid with public money raised through taxes imposed by the government. Therefore, the public schools must refrain from teaching students what to believe, suggesting that they should or should not believe in religion, or in any way interfering with their beliefs,” says Celso. “Those who have traditionally supported banning or regulating the teaching of evolutionary theory have done so primarily because they view the theory as contrary to the
teaching of various religious explanations of the origins of mankind.”

By adding creationism and intelligent design to the curriculum along with evolution, rather than eliminating the teaching of evolution, states, and in some cases school districts, that pass “academic freedom” regulations generally avoid constitutional challenges in the courts, notes Celso. But the question of imposing religious beliefs on students can still spark controversy and potential court action.

For example, in 2004 in Pennsylvania, the Dover School Board passed a policy requiring that a statement mentioning intelligent design had to be read to ninth grade biology students. A group of parents protested the measure, and a federal judge ruled that it violated the First Amendment’s Establishment Clause, which requires that government not promote or inhibit religion. “The overwhelming evidence at trial established that intelligent design is a religious view, a mere relabeling of creationism, and not a scientific theory,” wrote Judge John E. Jones in his decision.

A changing perspective

The Dover ruling was a complete turnaround from the most famous ruling related to the teaching of evolutionary theory, known as the Scopes Monkey Trial. In the most highly publicized, sensationalized trial of its day, high school teacher John Scopes was convicted of violating a 1925 law passed in Tennessee called the Butler Act, which made it illegal to teach evolution in a public school. According to the Butler Act, schools were prohibited from teaching “any theory that denies the story of the Divine Creation of man as taught in the Bible, and to teach instead that man has descended from a lower order of animals.”

After Scopes’ conviction (he was fined $100), 13 other states considered passing similar laws at the time, but only Mississippi and Arkansas did. It wasn’t until 1968 that the U.S. Supreme Court, in Epperson vs. Arkansas, finally ruled that these laws were unconstitutional.

Two decades later, a Louisiana law introduced a new wrinkle into the debate by requiring equal time for creationism to be taught alongside evolution. With its decision in the 1987 case of Edwards vs. Aguillard, the U.S. Supreme Court found that law to be unconstitutional because it infringed on the First Amendment’s Establishment Clause. The Court’s opinion stated that the Louisiana Legislature had a “preeminent religious purpose in enacting this statute.”

The Science Guy weighs in

According to a Gallup poll released in June of last year, 46 percent of Americans believe in creationism. Shortly after the results of that poll, Bill Nye, known to many as the “Science Guy” from his popular children’s show on PBS, denounced creationism in a video posted on YouTube by Big Think, an online knowledge forum.

In the video, titled “Creationism Is Not Appropriate for Children,” Nye called evolution “the fundamental idea in all of life science, in all of biology.” Nye also had a message for parents, “I say to grownups, ‘If you want to deny evolution and live in your world that’s completely inconsistent with everything we’ve observed in the universe that’s fine. But don’t make your kids do it.’ We need them. We need scientifically literate voters and taxpayers for the future.”

The video received more than a million views and was widely criticized by the religious community. In a telephone interview with The Huffington Post, Nye went on to say, “If we raise a generation of students who don’t believe in the process of science, who think everything that we’ve come to know about nature and the universe can be dismissed by a few sentences translated into English from some ancient text, you’re not going to continue to innovate.”

The effects of the “academic freedom” laws passed in Louisiana and Tennessee have yet to be seen. However, just as with previous laws, they will likely be tested in the courts, finding their way ultimately to the U.S. Supreme Court.