Annotated Comments on the Intelligent Design Creationist Bill (SB433) Submitted to the New Mexico State Senate for the 2009 Regular Session

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Background

- This started as far back as the 1970's in New Mexico with a textbook sticker warning about the perils of evolution.
- Two years ago, two similar bills were introduced (House and Senate) as well as two memorials in 2007. They failed, or were not heard in committee.
- This 2009 bill (SB433) derives directly from the previous attempt and even more specifically from wording of a "Model" bill put out by the Discovery Institute's Center for Science and Culture. This is the center in the US for the intelligent design movement. (http://www.academicfreedompetition.com/freedom.php)

Full Text of the 2009 New Mexico Creationist Bill

SENATE BILL 433

49th legislature - STATE OF NEW MEXICO - first session, 2009 INTRODUCED BY

Kent L. Cravens

AN ACT

RELATING TO PUBLIC EDUCATION; REQUIRING PUBLIC SCHOOLS TO ALLOW TEACHERS TO TEACH ALL RELEVANT SCIENTIFIC INFORMATION WHEN TEACHING THEORIES OF BIOLOGICAL ORIGINS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Public School Code is enacted to read:

"[NEW MATERIAL] TEACHING OF BIOLOGICAL ORIGINS.--

A. The department, school district governing authorities and school administrators shall not prohibit any teacher, when biological evolution or chemical evolution is being taught in accordance with adopted standards and curricula, from informing students about relevant scientific information regarding either the scientific strengths or scientific weaknesses pertaining to biological evolution or chemical evolution. A teacher who chooses to provide such information shall be protected from reassignment, termination, discipline or other discrimination for doing so.

B. This section pertains solely to the teaching of scientific information and specifically does not protect the promotion of any religion, religious doctrine or religious belief.

C. Public school teachers may hold students accountable for knowing and understanding material taught in accordance with adopted standards and curricula about biological evolution or chemical evolution, but they shall not penalize a student in any way because that student subscribes to a particular position on biological evolution or chemical evolution.

D. For purposes of this section, "scientific information" means information derived from observation, experimentation and analyses regarding various aspects of the natural world conducted to determine the nature of or principles behind the aspects being studied. "Scientific information" does not include information derived from religious or philosophical writings, beliefs or doctrines; provided, however, that "scientific information" may have religious or philosophical implications and still be scientific in nature." (http://www.nmlegis.gov/Sessions/09%20Regular/bills/senate/SB0433.html)

Why We Know this Is a Creationist Bill

- Other states have been dealing with VERY similar bills this year. We do not believe in conspiracies, as a general rule, but we do believe in data.
- Comparing wording of bills and the "Model" bill from the Discovery Institute to this bill and one just introduced in Iowa tells the tale. (http://coolice.legis.state.ia.us/Cool-ICE/default.asp?Category=BillInfo&Service=Billbook&ga=83&hbill=HF183)

Bill Wording Comparisons

- Model Bill – "This bill would expressly provide rights and protection for teachers concerning scientific presentations on views regarding biological and chemical evolution and students concerning their positions on views regarding biological and chemical evolution."
- Iowa Bill – "current law does not expressly protect the right of instructors to objectively present scientific information relevant to the full range of scientific views regarding chemical and biological evolution," that "instructors have experienced or feared discipline, discrimination, or other adverse consequences as a result of presenting the full range of scientific views regarding chemical and biological evolution," and that "existing law does not expressly protect students from discrimination due to their positions or views regarding biological or chemical evolution."
- New Mexico Bill – "The department, school district governing authorities and school administrators shall not prohibit any teacher, when biological evolution or chemical evolution is being taught in accordance with adopted standards and curricula, from informing students about relevant scientific information regarding either the scientific strengths or scientific weaknesses pertaining to biological evolution or chemical evolution. A teacher who chooses to provide such information shall be protected from reassignment, termination, discipline or other discrimination for doing so."

And There Is More

- Model Bill – “Students may be evaluated based upon their understanding of course materials, but no student in any public school or institution of higher education shall be penalized in any way because he or she may subscribe to a particular position on any views regarding biological or chemical evolution.”
- Iowa Bill – “Students shall be evaluated based upon their understanding of course materials through standard testing procedures," they "shall not be penalized for subscribing to a particular position or view regarding biological or chemical evolution.”
- New Mexico Bill – “Public school teachers may hold students accountable for knowing and understanding material taught in accordance with adopted standards and curricula about biological evolution or chemical evolution, but they shall not penalize a student in any way because that student subscribes to a particular position on biological evolution or chemical evolution.”

Surprise! New Mexico's Bill Is the Most Evolved!

- Much of the wording in the Model Bill and in Iowa's Bill was used two years ago in the creationists' attempt to penetrate science education in New Mexico.
- There is less emphasis on students beliefs (students cannot be punished regardless of what they believe) and more emphasis on what is meant by scientific information.

So, This Bill Does not Sound Unreasonable. What Is the Problem?

There are many. Let's Analyze the bill.

> A. The department, school district governing authorities and school administrators shall not prohibit any teacher, when biological evolution or chemical evolution is being taught in accordance with adopted standards and curricula, from informing students about relevant scientific information regarding either the scientific strengths or scientific weaknesses pertaining to biological evolution or chemical evolution.

Teachers must teach to the science curriculum by contract. (Academic Freedom does not apply to public school teachers.) This bill, if enacted, would allow teachers to teach whatever they wished, **regardless of whether or not it had passed the criteria of being peer reviewed, mainstream science. There is NO mainstream, peer reviewed scientific information that indicates any "weaknesses" as used, above, regarding evolution or abiogenesis (chemical evolution).** There are yet to be understood processes, but no evidence that casts any doubt on the basic concepts of the modern theory of evolution. Current New Mexico state science standards reflect this fact. **The statement in the bill is contrary to the facts, both scientifically, pedagogically, and factually regarding adopted "standards and curricula."**

Analysis of the Creationist Bill

B. This section pertains solely to the teaching of scientific information and specifically does not protect the promotion of any religion, religious doctrine or religious belief.

This misleading and dishonest claim was thoroughly vetted in the Kitzmiller, et. al. vs. the Dover School District trial in 2005.

Judge John E. Jones, III, wrote in his final ruling: **"An objective observer would know that ID [intelligent design] and teaching about "gaps" and "problems" in evolutionary theory are creationist, religious strategies that evolved from earlier forms of creationism."**

This is exactly what science teachers and mainstream science experts in related fields have been saying many years. Judge Jones, a conservative George W. Bush appointee, came to understand this in the course of the trial.

The initiators of this bill will claim that this has nothing to do with religion. In fact, it has **everything** to do with religion, as Judge Jones came to recognize, and is in strict violation of the Non-Establishment clause of the First Amendment to the US Constitution and the New Mexico State Constitution. Which "religious" evidence against evolution would you like a public school teacher to teach your child about?

Analysis of the Creationist Bill

C. Public school teachers may hold students accountable for knowing and understanding material taught in accordance with adopted standards and curricula about biological evolution or chemical evolution, but they shall not penalize a student in any way because that student subscribes to a particular position on biological evolution or chemical evolution.

By law and by contract, a public school teacher **must** hold a student accountable for what is in the "adopted standards and curricula." By law a teacher **may not penalize** a student who "subscribes to a particular position on biological evolution or chemical evolution." This is apparently only here to make it **look** as if there were a problem where none really exists. In direct questions to the sponsors of this bill who are members of the NM Intelligent Network, not a **single** example was provided. This is an imaginary problem used as an excuse to promote a particular religious cause in disguise.

Analysis of the Creationist Bill

D. For purposes of this section, "scientific information" means information derived from observation, experimentation and analyses regarding various aspects of the natural world conducted to determine the nature of or principles behind the aspects being studied. "Scientific information" does not include information derived from religious or philosophical writings, beliefs or doctrines; provided, however, that "scientific information" may have religious or philosophical implications and still be scientific in nature."

The real intent is to redefine "scientific information" to include supernatural explanations. Information from "observation, experimentation and analysis regarding the nature of or principals..." does **not necessarily** constitute valid scientific information. Also, the religious disclaimer has nothing to do with the fact that the information intended for introduction actually does derive from a religious belief/philosophy. This particular "scientific information is disingenuous and false (mainstream peer review is lacking), and has been rejected by almost all mainstream biologists.

Conclusions

- This bill derives from the religiously motivated creationist (intelligent design) movement.
- It's intent is redefinition of students' understanding of science based on their specific religion
- Its effect will be religious.
- Litigation will surely be a result should this bill pass and be signed into law. The state will almost surely lose badly needed school money.

Conclusions

This bill has its roots in the goals of the intelligent design creationist well-funded religious goals as stated in the Discovery Institute's 20 Year Goals, as quoted below:

√ To see intelligent design theory as the dominant perspective in science.

√ To see design theory application in specific fields, including molecular biology, biochemistry, paleontology, physics and cosmology in the natural sciences, psychology, ethics, politics, theology and philosophy in the humanities; to see its influence in the fine arts.

√ To see design theory permeate our religious, cultural, moral and political life."

http://www.kcfs.org/Fliers_articles/Wedge.html

This is a bad bill intended as a wedge to teach public school students one group's particular brand of religion. This is not what the United States and the State of New Mexico are about, either morally or legally.

The primary New Mexico authors of this bill either are or have belonged to the Discovery Institute or the Intelligent Design Network of New Mexico.