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The Supreme Court yesterday struck down the Arkansas "Monkey Law," holding that the State violated religious freedoms by forbidding the teaching of the scientific theory of evolution in public schools.

Justice Abe Fortas, speaking for a nearly unanimous Court, called the 40-year-old law "an attempt to blot out a particular theory because of its supposed conflict with the biblical account" of man's origins.

Arkansas made it a crime, punishable by \$500 fine and dismissal, for a teacher "to teach the theory or doctrine that mankind ascended or descended from a lower order of animals."

Similar Mississippi Law

Although Fortas said the Court was not striking at a state's general power to regulate its school curriculum, the ruling was considered broad enough to bring down a similar law in Mississippi—the last State to cling to a ban on Charles Darwin's theories.

Tennessee, which staged a spectacular but inconclusive "Monkey Trial" in 1925, has since repealed its law.

Yesterday's nominal winning party was Susan Epperson, 27, a former 10th grade biology teacher at Little Rock's Central High School and now a housewife living in Oxon Hill, Md.

In a civil suit attacking the law, Mrs. Epperson said she should not have to risk criminal prosecution for doing her duty as a teacher to explain the Darwinian theory.

Plea Rejected

The Arkansas Supreme Court rejected her plea.

But Fortas said the Supreme Court had a duty to decide the case despite indications that "the statute is presently more of a curiosity than a vital fact of life." The law has not been enforced since its adoption by referendum in 1928. (No one, including Mrs.

Epperson, has ever been dismissed or prosecuted for violating the "Monkey Law.")

Fortas said the trouble with the Arkansas law was that it "selects from the body of knowledge a particular segment which it proscribes for the sole reason that it is deemed to conflict with a particular religious doctrine."

The Constitution bars states from supporting or hurting religion in general and from preferring one religion over another, Fortas noted.

Five Others Join.

Fortas' opinion was joined by five other Justices. Separate opinions were filed by Justices John M. Harlan, Hugo T. Black and Potter Stewart.

Harlan issued a special blast at the Arkansas Supreme Court for what he called "a studied effort to avoid coming to grips with this anachronistic statute and to 'pass the buck' to this Court."

Black and Stewart said the law should be voided for vagueness, since teachers were left in doubt as to whether it was safe "so much as to mention the existence of an entire system of respected human thought."

Black also criticized the Court's religious freedom approach to the case as a threat to local sovereignty and for exalting the right to teach what authorities might consider an "anti-religious doctrine."

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Court Voids 'Monkey Law' In Arkansas