

## 2009 MEDALS & AWARDS

### GSA PRESIDENT'S MEDAL

Presented to  
**JUDGE JOHN E. JONES III**



Judge John E. Jones III  
*Federal Judge, U.S. District Court for the  
Middle District of Pennsylvania*

#### *Citation by Judith Totman Parrish*

The theory of evolution is one of the foundations of geosciences. Through the study of fossils and living organisms and the changes they have undergone through time in morphology and ecology, paleontologists and biologists are revealing not only the history of life, but the history of the Earth itself and both the scale and tempo of that history. The theory of evolution was established by careful, diverse, and revealing tests carried out by scientists in a wide array of disciplines, from geology to computer science, ecology to mathematics. Its application ranges from medicine to the exploration for economic resources. Yet despite the strength of the evidence for evolution and its practical importance to society, it is unique among the great scientific theories in being under nearly constant attack.

The GSA President's Medal was established by President Steve Wells to recognize and be conferred upon individuals whose impact has profoundly enhanced the geosciences profession by, among other things, advancing geosciences in the service of humankind. Our recipient's work qualifies as such an enhancement. By following the law separating religion and public education he, by extension, defended the study of evolution as science and of the teaching of evolution.

The 2009 GSA President's Medalist, Judge John E. Jones III, unquestionably fits

these criteria for the medal. Judge Jones had served for four years on the U.S. District Court for the Middle District of Pennsylvania when he was assigned a case for bench trial, to be formally known as *Kitzmiller v. Dover Area School District* or, more informally to evolutionary scientists, "the Dover trial". The case challenged a decision by the school district to have a statement read before ninth-grade biology classes indicating that there are alternatives to the theory of evolution. When Judge Jones was assigned the case, the defendants took heart; Judge Jones was known to be politically conservative, and they reckoned that he was likely to rule in their favor. What they did not anticipate was thorough analysis of the law, in-depth analysis of the history and origin of intelligent design theory, and acute powers of reasoning. Judge Jones' opinion decisively laid to rest the notion that intelligent design should be taught in science classes, alongside evolution, as an alternative theory to the evolution of life.

Judge Jones' opinion is 139 pages long, and thus approached by those not in the legal profession with some caution, in anticipation of legalese barely understandable to the lay person. But it is nothing of the sort. The decision is written in plain and unmistakable English, clearly argued, scholarly, and complete. Indeed, it is an exciting document to read, and should be approached with relish.

It is particularly fitting that Judge Jones receive this medal in 2009, the bicentenary of the birth of Charles Darwin. Darwin would, I think, have approved of the clear and scholarly reasoning of Judge Jones' opinion.

#### *Response by Judge John E. Jones III*

I am humbled and delighted to accept this most impressive medal from the Geological Society of America. I suspect that it is fairly unprecedented to give it to someone outside of your world, let alone a federal judge. That simply makes it all the more special to me.

When I sat in Professor Noel Potter's geology class at my wonderful undergraduate school, Dickinson College, some thirty-six years ago, neither Professor Potter nor I could have ever imagined this day would come. And I will be very truthful — when I was hanging on a rock face outside Carlisle, Pennsylvania during that freshman year digging for trilobites, I was not thinking about the fact that they dated back to the Early Cambrian period some five hundred forty years ago, or that they were marine arthropods, or even that they were important in estimating the rate of speculation during the Cambrian

Explosion, so much as I was intent on chatting up that pretty co-ed digging away next to me. But something in professor Potter's class obviously stayed with me. In 2004 when the monestrous case of *Kitzmiller v. Dover* landed on my desk, throughout the trial the following year, I needed all the tools my good liberal arts education at Dickinson gave to me. Significant among those were the bedrock skills in geology that I learned from Professor Potter so long ago.

The Kitzmiller case represented a great confluence of not only my liberal arts education, but also my legal training and experience as a lawyer and judge. Margaret Talbot, writing in *The New Yorker* magazine, termed the trial the biology class that you wish you'd taken. So it was for me, as I sat through weeks of stunning and impressive testimony from scientific and other experts in the fields of biology, paleontology, geology, theology and pedagogy. Although as noted my own educational background was useful, it was these experts who made me a temporary expert in each of their areas. If I got the science right, it is in large measure due to their presentations.

And so for part of 2004 and all of 2005 entered your world. It was terrifically interesting, if at times daunting and complex. Indeed, one of the authors who rendered a book about the trial stated that he perceived after days of abstruse scientific testimony, including more about bacterial flagellum than I ever thought I'd learn in my lifetime, that I would be hanging on to my Starbucks coffee cup on the bench like a lifeline! Clearly, I am a living exemplar of what you can do with superb liberal arts education, since that is certainly what I obtained at Dickinson College. In the spirit of that liberal arts education, and since I entered a part of your world for a time, I hope you'll indulge me for a moment and invite you into mine. The Kitzmiller case resulted in many enduring lessons. Some hyperbolic commentators said that I saved science through my decision. I think that is pretty over the top. But I do know this — my work has served to highlight the concept of judicial independence in the United States. It has also permitted me to enhance the public's understanding of the judiciary, which is the most misunderstood of our three branches of government. The Framers, in their almost infinite wisdom, created a system of branches that exercised checks and balances. The president and the Congress are responsive to the public will via popular elections. But my branch is different, and intentionally so. It was expressly designated as a bulwark against

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the tyranny of the majority. The judiciary, as set forth in Article III of the Constitution, is not responsive to the public will, but rather to the laws of the land, the Constitution, and the Bill of Rights.

The importance of having an independent judiciary becomes patently evident in cases like Kitzmiller. Remarkably, in 2009, in the great industrialized democracy that is the United States, nearly half of all of our fellow citizens reject evolution. I know you're doing all that you can to fix that problem. For my part, I am proud to be a part of a judiciary that does not bend to the popular will but rather, as I hope was evident in the Kitzmiller case, carefully finds facts and appropriately and deliberately applies the law to those facts in

reaching its decision. That is done so without the interference of politics, emotion, fear or favor, is a tribute to those wise men assembled in Philadelphia over two-hundred twenty years ago.

In May of 2006 I was called back to Dickinson College to give the commencement address. It was one of the greatest honors of my life. There I was reunited with professor Potter, who I'd not seen in years. Noel approached me with tears in his eyes and said: "I knew you could do it." That was great, but candidly I can't say that I had as much confidence in myself as he did! But those of you who teach, please remember this — even that political science major buried in the midst of one of your classes may end up some day

vindicating your inspirational teaching skills! Noel Potter taught me that history of our planet and its rocks, water, and atmosphere, and the history of life, are inextricably intertwined. It is a lesson I never forgot.

We are over eighty years past the Great Tennessee Monkey Trial, an event that we'll see re-enacted in a couple days. But the controversy surrounding Kitzmiller informs us that there is still an astonishing amount of work to do. That my trial was labeled "Scopes II" tells you everything you need to know, doesn't it? Please keep up your spectacular work in making our world a better, smarter, and more ecologically sound place. I promised I will continue doing my part as well. I shall treasure this honor forever.