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When it comes to modern young-earth creationist literature, there is, to coin a phrase, no new thing under the sun. The same old long-ago-debunked claims appear and reappear. I couldn't be more jaded if

I were a greenish metamorphic silicate. So when a colleague in North Carolina offered to send a copy of Kent Hovind's booklet *Help! I'm Being Taught Evolution in My Earth Science Class!* (2008), I was willing to take a look, but I wasn't expecting to find anything interesting. How wrong I was! The foreword to the book is by a Warren Overton (above)—who identifies himself as a son of the judge, William R. Overton (1939–1987), who presided over the trial in *McLean v. Arkansas*, the 1982 case in which Arkansas's Balanced Treatment for Creation-Science and Evolution-Science Act was found to be unconstitutional.

I was immediately curious: besides being the son of a federal district court judge and a fan of Kent Hovind's, who is Warren Overton? Alas, the question really ought to be: Who was Warren Overton? Born in Little Rock, Arkansas, in 1969, Warren Overton was a teen golf star, winning two state titles. He was awarded a golf scholarship to the University of Texas and later played for the golf team of the University of Arkansas, Fayetteville. He then worked in the financial services industry. Unmentioned, understandably, in his [obituary](#) [7] is the fact that he was indicted on federal charges of bank fraud and check kiting; he pleaded guilty to the check kiting charge in 2006 and served almost two years in federal prison. Rebuilding his life after his release, he died of pneumonia at the age of 41, on—ironically enough in light of the foreword—Darwin Day 2011.

Overton's foreword to *Help! I'm Being Taught Evolution in My Earth Science Class!* is dated November 2007, so I infer that he was in fact in federal prison when he wrote it. As it happens, Kent Hovind himself was behind bars then as well. On January 19, 2007, Hovind was sentenced to ten years in federal prison, having been found guilty of fifty-eight federal charges, including failing to pay payroll taxes for his employees, structuring financial transactions to avoid reporting requirements, and "corruptly endeavor[ing] to obstruct and impede the due administration of the internal revenue laws." Released in 2015, Hovind is now back to his evangelism, although now based in Lenox, Alabama, rather than Pensacola, Florida. (For complete, if slightly obsessive, coverage of Hovind's recent antics, see Peter J. Reilly's [blog](#) [8] *passim*.)

But back to Overton's foreword. As a teenager, he relates, "I watched my dad, Federal Judge William R. Overton, agonize over the decision ... I spent hours talking with my dad about the case and the struggle he endured in rendering his opinion." You might think, given his willingness to contribute a foreword to a book by Hovind, that he would denounce his father's opinion, but no: "I now see that his decision was right only because the wrong issues were covered in the law and the wrong issues were presented in trial." The law, as you might recall, required equal time for "creation science"—defined rather specifically so as to include creation *ex nihilo*, a denial of universal common ancestry, created kinds, separate ancestry of humans and apes, a worldwide flood, and a young earth—with evolution in Arkansas's public schools.

The younger Overton thus seems willing to disavow the Balanced Treatment Act's approach. He offers, "The question for taxpayers to consider is not, 'Should we teach creation in public schools?' The real issue for the taxpayers is, 'Should we teach lies in the public schools at the taxpayers' expense?'" This suggests that he is retreating from the strategy of balancing the teaching of evolution with Biblical creation, creation science, or "intelligent design" to the fallback strategy of belittling evolution as scientifically controversial. In the booklet, it is Hovind's approach as well: addressing the student asking him for aid, Hovind writes, "Your goal is to help science class be more scientific by examining and critiquing the evolution given. It just so happens that exposing lies and revealing fallacies also removes all the so-called evidence for evolution as well."

Note, by the way, the connection with the current year's crop of antiscience legislation—Indiana's Senate

Resolution 17, Oklahoma’s Senate Bill 393, South Dakota’s Senate Bill 55, and Texas’s House Bill 1485. Such bills ostensibly would (in the words of the Texas bill) allow teachers to present “the scientific strengths and scientific weaknesses of existing scientific theories” covered in the state’s science standards (and would moreover obstruct state and local educational administrators from exercising any oversight). But “scientific weaknesses” is only slightly loftier, dictionwise, than “lies and fallacies” and “so-called evidence.” And at least some of the sponsors of such bills evidently hope, as Hovind hopes with regard to his interlocutor’s teacher, that “[s]haking his faith in evolution may result in reaching him and the class for the Lord.”

It’s no wonder that, in expressing its opposition to South Dakota’s bill, Americans United for Separation of Church and State [focused](#) [9] (PDF) on the constitutional problems that it would engender: “Rather than promote scientific thought, [SB 55] would authorize teachers to discuss and teach ‘intelligent design’ as a ‘critique’ or ‘weakness’ of evolution. There is no scientific basis for intelligent design and federal courts have made clear that teaching it in public school science classrooms violates the Establishment Clause.” My only disagreement here is that the bill, like its counterparts in Indiana, Oklahoma, and Texas, would encourage the unconstitutional presentation of “creation science” just as much as it would the unconstitutional presentation of “intelligent design”—and Hovind and the younger Overton can serve as Exhibit A as to why.

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