NEW ORLEANS — The state will appeal a federal judge's ruling which declared unconstitutional the Louisiana law requiring the teaching of creation science in public schools, Attorney General William J. Guste Jr. said here Friday. "We feel that we have an obligation to support the laws written by the Legislature unless they're patently unconstitutional," Guste said during a press conference in his office at 234 Loyola Ave.

"And we don't feel that this law is patently unconstitutional. Nowhere does it involve itself with religion. It has to do with science just like Darwinism is, at best, a scientific theory."

In his decision handed down Thursday, U.S. District Judge Adrian G. Duplantier found that scientific creationism, by its nature, is religious. The state law has been tied up by legal wrangling for more than three years. "Because it promotes the beliefs of some theistic sects to the detriment of others, the statute violates the fundamental First Amendment principle that a state must be neutral in its treatment of religions," Duplantier wrote in the opinion.

"Until the Legislature decides that they want to repeal this law, we feel an obligation to continue the effort to support its constitutionality," the attorney general said. If the Legislature repealed the law requiring the teaching of creation science in public schools, the whole issue would be moot, Guste said. However, he said he will not counsel the lawmakers to repeal the statute. "That's entirely up to their wisdom," Guste said.

Duplantier's decision came in a suit filed in December 1981 by the American Civil Liberties Union on behalf of 30 plaintiffs. The judge's ruling was based on arguments he received from both sides in the case and came without a trial.

The 1981 state law required balanced treatment for evolution and creationism in Louisiana's public schools. Charles Darwin, a 19th-century English naturalist, propounded a theory of evolution which holds that mankind evolved from lower species over millions of years. Creationism follows the biblical account of the Earth's formation. The doctrine holds that the world, matter, and the various forms of life were created by God out of nothing.

The Legislature approved the creationism bill in 1981. The legislation was to go into effect with the 1982-83 school year, but never did because of the court challenge.

Two efforts to repeal it — in 1982 and 1984 — failed. The Louisiana creationism law was the only one remaining in the nation. The Arkansas Legislature passed a similar bill in 1981, but it was declared unconstitutional in 1982. The state of Arkansas did not appeal the decision.