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8 **In the UNITED STATES COURT OF APPEALS for the NINTH CIRCUIT**

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10 **In re: JOHN HUTCHENS et al** Fed. R. App. P. 3, 4, 8, 10, 15, 16, 18, 24, 21, 27
11 **TWO MINERS & 8000 ACRES OF LAND** Circuit No.09-71150, Honorable Justices:
12 **(T.W. ARMAN and JOHN F. HUTCHENS,** O,SCANNLAIN, SILVERMAN & BYBEE
13 **IRON MOUNTAIN MINES, INC.,** CONSTITUTIONAL CHALLENGE
14 **real parties in interest), “Two Miners”** EMERGENCY INJUNCTIVE RELIEF
15 **under God, indivisible, and on behalf of a class** MORE EVIDENCE FOR JUDGMENT
16 **Petitioners & Plaintiffs** AND AJUDICATION ON THE MERITS.

17 v. INCIDENTAL & PEREMPTORY MANDAMUS
18 **USDC-CES ,** Respondent FILED UNDER THE GREAT SEAL.
19 **UNITED STATES: TITLE 18; Defendant** CREATION & ABSOLUTE APPOINTMENT;
20 **CALIFORNIA: SEC. 19; Defendant** ESSENTIAL PRODUCTS ADMINISTRATION

21 **VIOLATIONS: § 241., § 242., § 245., § 3729.** & COMMISSIONS OF FEMA AND THE EPA.
22 **WRIT OF RIGHT! RCRA CITIZEN SUIT!** First amended complaint of manifest injustice,
23 **RWQCB; GOVERNMENT CODE LIABLE** Civil No. 2:91-cv-00768 & Circuit No. 09-70047,
24 **CONSTITUTIONAL VIOLATIONS!** Concurrent jurisdictions, interventions by right.
25 **CIVIL RIGHTS VIOLATIONS!** Corporeal violation of the Public Trust;
26 **PRIVATE PROPERTY VIOLATIONS!** § 706 §2201 §2403 § 2409a §2410 §2680
27 **PUBLIC TRUST VIOLATIONS!** Preliminary injunctive relief, §3006A(a)(1)(I)

28 **CONSTITUTIONAL REPRIMAND AND REPUDIATION APPOINTMENT**

Constitutional challenge. First amended complaint of manifest injustice. Circuit No. 09-71150
EMERGENCY INJUNCTIVE RELIEF INCIDENTAL AND PEREMPTORY MANDAMUS
APPEAL FOR EXTRAORDINARY WRITS IN THE NATURE OF MANDAMUS

1 **FACTS**

2 The Supreme Court has interpreted religion to mean a sincere and meaningful belief that occu-
3 pies in the life of its possessor a place parallel to the place held by God in the lives of other per-
4 sons. The religion or religious concept need not include belief in the existence of God or a su-
5 preme being to be within the scope of the First Amendment.

6 As the case of *United States v. Ballard*, 322 U.S. 78, 64 S. Ct. 882, 88 L. Ed. 1148 (1944),
7 demonstrates, the Supreme Court must look to the sincerity of a person's beliefs to help decide
8 if those beliefs constitute a religion that deserves constitutional protection. The *Ballard* case
9 involved the conviction of organizers of the I Am movement on grounds that they defrauded
10 people by falsely representing that their members had supernatural powers to heal people with
11 incurable illnesses. The Supreme Court held that the jury, in determining the line between the
12 free exercise of religion and the punishable offense of obtaining property under False Pretenses,
13 should not decide whether the claims of the I Am members were actually true, only whether the
14 members honestly believed them to be true, thus qualifying the group as a religion under the
15 Supreme Court's broad definition.

16 In addition, a belief does not need to be stated in traditional terms to fall within First Amend-
17 ment protection. For example, Scientology—a system of beliefs that a human being is essen-
18 tially a free and immortal spirit who merely inhabits a body—does not propound the existence
19 of a supreme being, but it qualifies as a religion under the broad definition propounded by the
20 Supreme Court. The Supreme Court has deliberately avoided establishing an exact or a narrow
21 definition of religion because freedom of religion is a dynamic guarantee that was written in a
22 manner to ensure flexibility and responsiveness to the passage of time and the development of
23 the United States. Thus, religion is not limited to traditional denominations.

24 The First Amendment guarantee of freedom of religion has deeply rooted historical signifi-
25 cance. Many of the colonists who founded the United States came to this continent to escape
26 religious persecution and government oppression.

27 This country's founders advocated religious freedom and sought to prevent any one religion or
28 group of religious organizations from dominating the government or imposing its will or beliefs

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1 on society as a whole. The revolutionary philosophy encompassed the principle that the inter-
2 ests of society are best served if individuals are free to form their own opinions and beliefs.
3 When the colonies and states were first established, however, most declared a particular relig-
4 ion to be the religion of that region. But, by the end of the American Revolution, most state-
5 supported churches had been disestablished, with the exceptions of the state churches of Con-
6 necticut and Massachusetts, which were disestablished in 1818 and 1833, respectively. Still,
7 religion was undoubtedly an important element in the lives of the American colonists, and U.S.
8 culture remains greatly influenced by religion.

9 **1) Establishment Clause**

10 The Establishment Clause prohibits the government from interfering with individual religious
11 beliefs. The government cannot enact laws aiding any religion or establishing an official state
12 religion. The courts have interpreted the Establishment Clause to accomplish the separation of
13 church and state on both the national and state levels of government.

14 The authors of the First Amendment drafted the Establishment Clause to address the problem
15 of government sponsorship and support of religious activity. The Supreme Court has defined
16 the meaning of the Establishment Clause in cases dealing with public financial assistance to
17 church-related institutions, primarily parochial schools, and religious practices in the public
18 schools. The Court has developed a three-pronged test to determine whether a statute violates
19 the Establishment Clause. According to that test, a statute is valid as long as it has a secular
20 purpose; its primary effect neither advances nor inhibits religion; and it is not excessively en-
21 tangled with religion. Because this three-pronged test was established in *Lemon v. Kurtzman*,
22 403 U.S. 602, 91 S. Ct. 2105, 29 L. Ed. 2d 745 (1971), it has come to be known as the *Lemon*
23 test. Although the Supreme Court adhered to the *Lemon* test for several decades, since the
24 1990s, it has been slowly moving away from that test without having expressly rejected it.

25 **2) INSTITUTIONALIZATION OF RELIGION IN GOVERNMENT**

26 Christmas and the First Amendment have had a rocky relationship. A decades-long battle over
27 the place of worship and tradition in public life has erupted nearly every year when local gov-
28 ernments sponsor holiday displays on public property. Lawsuits against towns and cities often,

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1 but not always, end with the courts ordering the removal of religious symbols whose govern-
2 ment sponsorship violates the First Amendment. Since the 1980s, however, the outcome of
3 such cases has become less predictable as deep divisions on the Supreme Court have resulted in
4 new precedents that take a more nuanced view of the law. In such cases, context determines
5 everything. Placing a nativity scene with the infant Jesus outside a town hall may be unconsti-
6 tutional, for example, but the display may be acceptable if Santa Claus stands nearby.

7 On the question of religious displays, the First Amendment has two broad answers depending
8 on the sponsor. Any private citizen can put up a nativity scene on private property at Christmas
9 time: citizens and churches commonly exercise their First Amendment right to Freedom of
10 Speech to do so. But when a government sets up a similar display on public property, a differ-
11 ent aspect of the amendment comes into play. Governments do not enjoy freedom of speech,
12 but, instead, are controlled by the second half of the First Amendment—the Establishment
13 Clause, which forbids any official establishment of religion. All lawsuits demanding that a
14 crèche, cross, menorah, or other religious symbol be removed from public property allege that
15 the government that put it there has violated the Establishment Clause.

16 The Supreme Court has reviewed challenges to government sponsored displays of religious
17 symbols under the *Lemon* test. Based on criteria from several earlier decisions and named after
18 the case *Lemon v. Kurtzman*, 403 U.S. 602, 91 S. Ct. 2105, 29 L. Ed. 2d 745 (1973), the test
19 recognizes that government must accommodate religion but forbids it to support religion. To
20 survive constitutional review, a display must meet all three requirements or "prongs" of the test:
21 it must have a secular (nonreligious) purpose, it must have the primary effect of neither advanc-
22 ing nor inhibiting religion, and it must avoid excessive entanglement between government and
23 religion. Failing any of the three parts of the test constitutes a violation of the Establishment
24 Clause.

25 Starting in the 1980s, the test began to divide the Supreme Court. Conservative justices ob-
26 jected because it blocked what they saw as a valid acknowledgment of the role of religion in
27 public life; opposing them were justices who believed in maintaining a firm line between gov-
28 ernment and religion. In significant cases concerning holiday displays, the Court continued to

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1 use the *Lemon* test but with new emphasis on the question of whether the display has the effect
2 of advancing or endorsing a particular religion.

3 This shift in emphasis first emerged in 1984 in a case involving a Christmas display owned and
4 erected by the City of Pawtucket, Rhode Island, in a private park. The display included both a
5 life-sized nativity scene with the infant Jesus, Mary, and Joseph and secular symbols such as
6 Santa's house, a Christmas tree, striped poles, animals, and lights. Pawtucket residents success-
7 fully sued for removal of the nativity scene in federal district court, where it was found to have
8 failed all three prongs of the *Lemon* test (*Donnelly v. Lynch*, 525 F. Supp. 1150 [D.R.I. 1981]).
9 The decision was upheld on appeal, but, surprisingly, in *Lynch v. Donnelly*, 465 U.S. 668, 104
10 S. Ct. 1355, 79 L. Ed. 2d 604 (1984), the Supreme Court narrowly reversed in a 5–4 vote and
11 found the entire display constitutional.

12 The majority in *Lynch* stressed historical context, emphasizing that the crèche belonged to a
13 tradition "acknowledged in the Western World for 20 centuries, and in this country by the peo-
14 ple, by the Executive Branch, by the Congress, and the courts for two centuries." The display,
15 ruled the Court, passed each prong of the *Lemon* test. First, the city had a secular purpose in
16 celebrating a national holiday by using religious symbols that "depicted the historical origins"
17 of the holiday. Second, the display did not primarily benefit religion. Third, no excessive en-
18 tanglement between government and religion existed. Perhaps most significantly, the Court saw
19 the crèche as a "passive symbol": although it derived from religion, over time it had come to
20 represent a secular message of celebration.

21 *Lynch* laid bare the deep divisions on the Court. By emphasizing context, the majority appeared
22 to suggest that the ruling was limited to circumstances similar to those in the case at hand: reli-
23 gious symbols could be acceptable in a holiday display if used with secular symbols. The ma-
24 jority did not enunciate any broad new protections for governments eager to sponsor crèches.
25 Nonetheless, the opinion did not satisfy the dissenters, who sharply criticized the majority for
26 failing to vigorously apply the *Lemon* test. They noted that the city could easily have celebrated
27 the holiday without using religious symbols, and they saw the crèche as nothing less than gov-
28 ernment endorsement of religion.

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1 The emphasis on context became even more pronounced in a 1989 case, *County of Allegheny v.*
2 *American Civil Liberties Union*, 492 U.S. 573, 109 S. Ct. 3086, 106 L. Ed. 2d 472. In *Alle-*
3 *gheny*, a Pennsylvania county appealed a lower court ruling that had banned its two separate
4 holiday displays: a crèche situated next to poinsettia plants inside the county courthouse, and an
5 eighteen-foot menorah (a commemorative candelabrum in the Jewish faith) standing next to a
6 Christmas tree and a sign outside a city-county office building. Each religious symbol was
7 owned by a religious group—the crèche by the Catholic Holy Name Society and the menorah
8 by Chabad, a Jewish organization. Viewing the displays in context, the Court permitted one but
9 not the other, and its reasoning turned on subtle distinctions.

10 The Court deemed the crèche an unconstitutional endorsement of religion for two reasons.
11 First, the presence of a few flowers around the crèche did not mediate its religious symbolism
12 in the way that the secular symbols had done for the crèche in *Lynch*. Second, the prominent
13 location doomed the display. By choosing the courthouse, a vital center of government, the
14 Court said the county has sent "an unmistakable message" that it endorsed Christianity.
15 But the menorah passed constitutional review. Like the crèche in *Lynch*, its religious signifi-
16 cance was transformed by the presence of secular symbols: the forty-five-foot Christmas tree
17 and a sign from the city's mayor that read, "During this holiday season, the city of Pittsburgh
18 salutes liberty. Let these festive lights remind us that we are keepers of the flame of liberty and
19 our legacy of liberty." Even so, members of the majority disagreed on precisely what message
20 was sent by the display. Justice HARRY A. BLACKMUN read it as a secular message of holiday
21 celebration. In a more complicated view, Justice Sandra Day O'Connor said it "acknowledg[ed]
22 the cultural diversity of our country and convey[ed] tolerance of different choice in matters of
23 religious belief or non-belief by recognizing that the winter holiday season is celebrated in di-
24 verse ways by our citizens." Whatever the exact message, the majority agreed that it did not
25 endorse religion.

26 Since the 1980s the thrust of Supreme Court doctrine has been to allow publicly sponsored
27 holiday displays to include religious symbols. This expansive view of the First Amendment
28 grew out of the Court's acknowledgment that local governments can accommodate civic tradi-

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1 tion. Religious symbols on their own are unconstitutional. A display including such symbols
2 may pass review, however, if it features secular symbols as well. Context is the determinant: to
3 avoid violating the Establishment Clause, a crèche or menorah may need a boost from Santa
4 Claus.

5 The Court has stated that the Establishment Clause means that neither a state nor the federal
6 government can organize a church. The government cannot enact legislation that aids one relig-
7 ion, aids all religions, or prefers one religion over another. It cannot force or influence a person
8 to participate in, or avoid, religion or force a person to profess a particular religious belief. No
9 tax in any amount can be levied to support any religious activities or organizations. Neither a
10 state nor the federal government can participate, whether openly or secretly, in the affairs of
11 any religious groups.

12 Federal and state governments have accepted and implemented the doctrine of the separation of
13 church and state by minimizing contact with religious institutions. Although the government
14 cannot aid religions, it can acknowledge their role as a stabilizing force in society. For example,
15 religious institutions, along with other charitable or nonprofit organizations, have traditionally
16 been given tax exemptions. This practice, even when applied to religious organizations, has
17 been deemed constitutional because the legislative aim of a property tax exemption is not to
18 advance religion but to ensure that the activities of groups that enhance the moral and mental
19 attitudes of the community will not be inhibited by taxation. The organizations lose the tax ex-
20 emption if they undertake activities that do not serve the beneficial interests of society. Thus, in
21 1983, the Supreme Court decided in *Bob Jones University v. United States*, 461 U.S. 574, 103
22 S. Ct. 2017, 76 L. Ed. 2d 157, that nonprofit private schools that discriminated against their
23 students or prospective students on the basis of race could not claim tax-exempt status as a
24 charitable organization for the purposes of federal tax laws.

25 It is also believed that the elimination of such tax exemptions would lead the government into
26 excessive entanglements with religious institutions. The exemption, therefore, is believed to
27 create only a minimal and remote involvement between church and state—less than would re-
28 sult from taxation. The restricted fiscal relationship, therefore, enhances the desired separation.

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1 **Religion and Education** The many situations in which religion and education overlap are a
2 source of great controversy. In the early nineteenth century, the vast majority of Americans
3 were Protestant, and Protestant-based religious exercises were common in the public schools.
4 Legal challenges to these practices began in the state courts when a substantial number of Ro-
5 man Catholics arrived in the United States. Until 1962 when the U.S. Supreme Court began to
6 directly address some of these issues, most states upheld the constitutionality of prayer and Bi-
7 ble reading in the public schools.

8 In the 1962 case of *ENGEL V. VITALE*, 370 U.S. 421, 82 S. Ct. 1261, 8 L. Ed. 2d 601, the Su-
9 preme Court struck down as unconstitutional a prayer that was a recommended part of the pub-
10 lic school curriculum in the state of New York. The prayer had been approved by Protestant,
11 Catholic, and Jewish leaders in the state. Although the prayer was nondenominational and stu-
12 dent participation in it was strictly voluntary, it was struck down as violative of the Establish-
13 ment Clause.

14 **3) Agostini v. Felton**

15 In June 1997 the U.S. Supreme Court rolled back restrictions that it had imposed twelve years
16 earlier on federal aid to religious schools. In a 5–4 decision in *Agostini v. Felton*, 117 S. Ct.
17 1997 (1997), the Court ruled that public school teachers can teach remedial education classes to
18 disadvantaged students on the premises of parochial schools—a dramatic reversal of the Court's
19 earlier hard line.

20 Federal law provides funds for such services to all children of low-income families under title I
21 of the Elementary and Secondary Education Act of 1965 (20 U.S.C.A. § 6301 et seq.). But in
22 1985 the Court barred public school instructors from teaching title I classes on parochial school
23 premises. In *Aguilar v. Felton* (473 U.S. 402, 105 S. Ct. 3232, 87 L. Ed. 2d 290), the majority
24 ruled that the mere presence of public employees at these schools had the effect of unconstitu-
25 tionally advancing religion. To comply with the order, New York parked vans outside of paro-
26 chial school property to deliver the services, a system that cost taxpayers \$100 million between
27 1985 and 1997.

28 _____
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1 In a 1995 challenge, New York City argued that intervening cases had invalidated the Supreme
2 Court's earlier ruling. Upon accepting the case on appeal in 1997, the Court agreed. In her ma-
3 jority opinion, Justice Sandra Day O'Connor held that Aguilar had been overruled by two more
4 recent cases based on the Establishment Clause of the U.S. Constitution, *Witters v. Washington*
5 *Department of Services for the Blind*, 474 U.S. 481, 106 S. Ct. 748, 88 L. Ed. 2d 846 (1986),
6 and *Zobrest v. Catalina Foothills School District*, 509 U.S. 1, 113 S. Ct. 2462, 125 L. Ed. 2d
7 (1993). O'Connor said that the two cases—permitting a state tuition grant to a blind person who
8 attended a Christian college, and allowing a state-employed sign language interpreter to ac-
9 company a deaf student to a Catholic school, respectively—made it clear that the premises in
10 *Aguilar* were no longer valid.

11 Although limited specifically to title I programs, the decision added fuel to another long-
12 standing controversy. Proponents and opponents of school vouchers—a system under which
13 parents would be able to allocate their tax dollars to their children's private school education—
14 disputed whether the case indicated that the Court was moving toward embracing the voucher
15 idea.

16 In 1963, the Supreme Court heard the related issues of whether voluntary Bible readings or
17 recitation of the Lord's Prayer were constitutionally appropriate exercises in the public schools
18 (*ABINGTON SCHOOL DISTRICT V. SCHEMPP*, 374 U.S. 203, 83 S. Ct. 1560, 10 L. Ed. 2d 844). It
19 was in these cases that the Supreme Court first formulated the three-pronged test for constitu-
20 tionality. In applying the new test, the Court concluded that the exercises did not pass the first
21 prong of the test: they were not secular in nature, but religious, and thus they violated the Es-
22 tablishment Clause because they violated state neutrality requirements.

23 Although students in public schools are not permitted to recite prayers, the practice of a state
24 legislature opening its sessions with a nondenominational prayer recited by a chaplain receiving
25 public funds has withstood constitutional challenge. In *Marsh v. Chambers*, 463 U.S. 783, 103
26 S. Ct. 3330, 77 L. Ed. 2d 1019 (1983), the Supreme Court ruled that such a practice did not vio-
27 late the Establishment Clause. In making its decision, the Court noted that this was a customary
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1 practice and that the proponents of the Bill of Rights also approved of the government ap-
2 pointment of paid chaplains.

3 The Supreme Court has also held that a religious invocation, instituted by school officials, at a
4 public school graduation violates the Establishment Clause (*LEE V. WEISMAN*, 505 U.S. 577,
5 112 S. Ct. 2649, 120 L. Ed. 2d 467 [1992]). Subsequently, the Court made clear that even indi-
6 rect school support of a prayer given by students violates the First Amendment. In *Santa Fe*
7 *Independent School District v. Doe*, 530 U.S. 290, 120 S.Ct. 2266, 147 L.Ed.2d 295 (2000), the
8 Court held that a Texas public school district could not let its students lead prayers over the
9 public address system before its high school football. The school district's sponsorship of the
10 public prayers by elected student representatives was unconstitutional because the schools
11 could not coerce anyone to support or participate in religion.

12 In 1980, the Supreme Court overturned a Kentucky statute requiring the posting of the Ten
13 Commandments, copies of which were purchased with private contributions, in every public
14 school classroom (*Stone v. Graham*, 449 U.S. 39, 101 S. Ct. 192, 66 L. Ed. 2d 199). Although
15 the state argued that the postings served a secular purpose, the Court held that they were plainly
16 religious. Four of the Supreme Court's nine justices dissented from the Court's opinion and
17 were prepared to conclude that the postings were proper based on their secular purpose.

18 Because the Establishment Clause calls for government neutrality in matters involving religion,
19 the government need not be hostile or unfriendly toward religions because such an approach
20 would favor those who do not believe in religion over those who do. In addition, if the govern-
21 ment denies religious speakers the ability to speak or punishes them for their speech, it violates
22 the First Amendment's right to Freedom of Speech. The Supreme Court held in 1981 that it was
23 unconstitutional for a state university to prohibit a religious group from using its facilities when
24 the facilities were open for use by organizations of all other kinds (*Widmar v. Vincent*, 454 U.S.
25 263, 102 S. Ct. 269, 70 L. Ed. 2d 440). The principles established in *Widmar* were unanimously
26 reaffirmed by the Supreme Court in *Lamb's Chapel v. Center Moriches Union Free School Dis-*
27 *trict*, 508 U.S. 384, 113 S. Ct. 2141, 124 L. Ed. 2d 352 (1993). In 1995, the Supreme Court
28 held that a state university violates the Free Speech Clause when it refuses to pay for a religious

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1 organization's publication under a program in which it pays for other student organization pub-
2 lications (*Rosenberger v. Rector and Visitors of the University of Virginia*, 515 U.S. 819, 115
3 S. Ct. 2510, 132 L. Ed. 2d 700).

4 Facing another education and religion issue, the Supreme Court declared in *Illinois ex rel.*
5 *McCullum v. Board of Education*, 333 U.S. 203, 68 S. Ct. 461, 92 L. Ed. 649 (1948), that pub-
6 lic school buildings could not be used for a program that allowed pupils to leave classes early
7 to receive religious instruction. The Court found that this program violated the Establishment
8 Clause because the tax-supported public school buildings were being used for the teaching of
9 religious doctrines, which constituted direct government assistance to religion.

10 However, the Court held that a release-time program that took place outside the public school
11 buildings was constitutional because it did not involved religious instruction in public school
12 classrooms or the expenditure of public funds (*Zorach v. Clauson*, 343 U.S. 306, 72 S. Ct. 679,
13 96 L. Ed. 954 [1952]). All costs in that case were paid by the religious organization conducting
14 the program.

15 The U.S. Supreme Court has also held that states may not restrict the teaching of ideas on the
16 grounds that they conflict with religious teachings when those ideas are part of normal class-
17 room subjects. In *Epperson v. Arkansas*, 393 U.S. 97, 89 S. Ct. 266, 21 L. Ed. 2d 228 (1968),
18 the Court struck down a state statute that forbade the teaching of evolutionary theory in public
19 schools. The Court held that the statute violated the Establishment Clause because its purpose
20 was to protect religious theories of creationism from inconsistent secular theories.

21 In *Edwards v. Aguillard*, 482 U.S. 578, 107 S.Ct. 2573, 96 L.Ed. 2d 510 (1987), the Supreme
22 Court struck down a Louisiana "Creationism Act" which prevented any teaching of evolution in
23 public schools unless the course was also accompanied by the teaching of biblical creationism.

24 In his majority opinion, Justice WILLIAM BRENNAN wrote that the *Lemon* test had to be used to
25 judge the constitutionality of the Creationism Act. The state contended that the law was simply
26 designed to promote Academic Freedom by ensuring that students would hear about more than
27 one theory on the origins of life. However, the Court noted that teachers were permitted to pre-
28 sent more than one such theory before the law had been passed. The actual purpose of the law,

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1 then, had to be to make sure that creationism was taught if anything at all was taught. Brennan
2 ruled that the act did not have a secular purpose and that it did not advance academic freedom.
3 To the contrary, it restricted the abilities of teachers to teach what they deemed appropriate.
4 Brennan also pointed out that Louisiana provided instructional packets to assist in the teaching
5 of creationism but did not provide similar materials for the teaching of evolution. This demon-
6 strated an interest in promoting creationism and religion.

7 In a 1993 case, the Supreme Court held that the Establishment Clause did not prevent a public
8 school from providing a sign language interpreter for a deaf student who attended a religiously
9 affiliated school within the school district (*Zobrest v. Catalina Foothills School District*, 509
10 U.S. 1, 113 S. Ct. 2462, 125 L. Ed. 2d 1). Commentators have noted that this case demonstrates
11 the Court's willingness to uphold religiously neutral government aid to all school children, re-
12 gardless of whether they attend a religiously affiliated school, where the aid is designed to help
13 the children overcome a physical or learning disability. As of 2003, it was not clear, however,
14 whether the Court would extend this holding to more general forms of aid to children in reli-
15 gious and public schools alike.

16 **Government and Religion** The closing of government offices on particular religious holidays
17 is unconstitutional if no secular purpose is served (*Mandel v. Hodges*, 54 Cal. App. 3d 596, 127
18 Cal. Rptr. 244 [1976]). But if employees won the closing through Collective Bargaining, it is
19 permissible even without a secular purpose (*Americans United for Separation of Church and*
20 *State v. Kent County*, 97 Mich. App. 72, 293 N.W. 2d 723 [1980]).

21 Government display of symbols with religious significance raises Establishment Clause issues.
22 In the 1984 case of *Lynch v. Donnelly*, 465 U.S. 668, 104 S. Ct. 1355, 79 L. Ed. 2d 604, the
23 Supreme Court upheld the right of a city to erect in a park a Christmas display that included
24 colored lights, reindeer, candy canes, a Santa's house, a Christmas tree, a "SEASONS
25 GREETINGS" banner, and a nativity scene. The Court decided the inclusion of the nativity
26 scene along with traditional secular Christmas symbols did not promote religion to an extent
27 prohibited by the First Amendment.

1 Since the mid-1990s, displays of the Ten Commandments in public buildings other than
2 schools has become more common. Several judges drew national attention when they posted
3 the Ten Commandments in their courtrooms, thereby triggering litigation. Alabama trial judge
4 Roy Moore used the publicity from his refusal to remove the Ten Commandments from his
5 courtroom to run for and be elected chief justice of the Alabama Supreme Court in November
6 2000. After taking office in January 2001, he briefly avoided controversy by posting the Ten
7 Commandments in his chambers rather than in the Supreme Court's courtroom. However,
8 Moore installed a 5,300 pound Ten Commandments monument in the judicial building on a
9 summer night in 2001. A group of citizens objected and filed a lawsuit in U.S. District Court.
10 In November 2002, the federal court issued an order directing Moore to remove the monument.
11 Moore refused and vowed to appeal the decision (*Glassroth v. Moore*, 242 F.Supp. 2d 1068
12 [M.D.Ala.2002]). In 2003, the Eleventh Circuit Court of Appeals affirmed the lower court deci-
13 sion in *Glassroth v. Moore*, 335 F. 3d 1282. Despite a federal court order to remove the monu-
14 ment, Moore refused. Finally, in September 2003, the other members of the Alabama Supreme
15 Court had the monument removed. Moore was suspended from office while a judicial inquiry
16 commission reviewed his conduct.

17 **4) Free Exercise Clause**

18 The Free Exercise Clause guarantees a person the right to practice a religion and propagate it
19 without government interference. This right is a liberty interest that cannot be deprived without
20 Due Process of Law. Although the government cannot restrict a person's religious beliefs, it can
21 limit the practice of faith when a substantial and compelling state interest exists. The courts
22 have found that a substantial and compelling State Interest exists when the religious practice
23 poses a threat to the health, safety, or Welfare of the public. For example, the government could
24 legitimately outlaw the practice of Polygamy that was formerly mandated by the doctrines of
25 the Church of Jesus Christ of Latter-Day Saints (Mormons) but could not outlaw the religion or
26 belief in Mormonism itself (*Reynolds v. United States*, 98 U.S. 145, 25 L. Ed. 244 [1878]). The
27 Supreme Court has invalidated very few actions of the government on the basis of this clause.
28

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1 Religious practices are not the only method by which a violation of the Free Exercise Clause
2 can occur. In *West Virginia State Board of Education v. Barnette*, 319 U.S. 624, 63 S. Ct. 1178,
3 87 L. Ed. 1628 (1943), the Supreme Court held that a public school could not expel children
4 because they refused on religious grounds to comply with a requirement of saluting the U.S.
5 flag and reciting the Pledge of Allegiance. In that case, the children were Jehovah's Witnesses,
6 and they believed that saluting the flag fell within the scope of the biblical command against
7 worshipping false gods.

8 A more recent decision by the Ninth Circuit Court of Appeals ignited a firestorm of contro-
9 versy. The appeals court, in *Newdow v. U.S. Congress*, 292 F.3d 597 (9th Cir. 2002), ruled that
10 Congress had violated the Establishment Clause when, in 1954, it inserted the words "Under
11 God" into the pledge. Therefore, a California school district's daily recitation of the Pledge of
12 Allegiance injured the daughter of an atheist father, for the pledge sent a message to her that
13 she was an "outsider" and not a member of the political community. The defendants vowed to
14 petition the Supreme Court to review the case. The Ninth Circuit stayed its ruling until the Su-
15 preme Court resolved the issue by either denying review or taking the appeal.

16 In *Wisconsin v. Yoder*, 406 U.S. 205, 92 S. Ct. 1526, 32 L. Ed. 2d 15 (1972), the Supreme
17 Court held that state laws requiring children to receive education up to a certain age impinged
18 upon the religious freedom of the Amish who refuse to send their children to school beyond the
19 eighth grade because they believe that doing so would impermissibly expose the children to
20 worldly influences that conflicted with Amish religious beliefs.

21 In 1993, Congress passed the controversial Religious Freedom Restoration Act (RFRA), which
22 provides that "[g]overnment shall not substantially burden a person's exercise of religion even
23 if the burden results from a rule of general applicability, "unless the government can demon-
24 strate that the burden advances a compelling governmental interest in the least restrictive way.
25 This statute was enacted in response to the Supreme Court's 1990 decision in *Employment Divi-
26 sion v. Smith*, 494 U.S. 872, 110 S. Ct. 1595, 108 L. Ed. 2d 876. The *Smith* case involved a
27 state law that denied Unemployment Compensation benefits to anyone who had been fired
28 from his or her job for job-related misconduct. This case involved two individuals who had

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1 been fired from their jobs for ingesting peyote, which was forbidden by state law. The indi-
2 viduals argued that their ingestion of peyote was related to a religious ceremony in which they
3 participated. The Supreme Court ruled that the Free Exercise Clause did not require an exemp-
4 tion from the state law banning peyote use and that unemployment compensation could there-
5 fore lawfully be denied.

6 RFRA directly superseded the *Smith* decision. However, soon after it was enacted, many courts
7 ruled that RFRA violated either the Establishment Clause or the Separation of Powers doctrine.
8 In the 1997 case of *City of Boerne v. P. F. Flores*, 1997 WL 345322, the U.S. Supreme Court
9 voted 6–3 to invalidate RFRA on the grounds that Congress had exceeded the scope of its en-
10 forcement power under section 5 of the Fourteenth Amendment in enacting RFRA. Section 5 of
11 the Fourteenth Amendment permits Congress to enact legislation enforcing the Constitutional
12 right to free exercise of religion. However, the Court held that this power is limited to preventa-
13 tive or remedial measures. The court found that RFRA went beyond that and actually made
14 substantive changes in the governing law. Because Congress exceeded its power under the
15 Fourteenth Amendment in enacting RFRA, it contradicted vital principles necessary to main-
16 tain separation of powers and the federal-state balance and thus was unconstitutional.

17 Although the Free Exercise Clause protects against government action, it does not restrict the
18 conduct of private individuals. For example, the courts generally will uphold a testator's re-
19 quirement that a beneficiary attend a specified church to receive a testamentary gift because the
20 courts refuse to question the religious views of a testator in the interest of public policy. Simi-
21 larly, the Free Exercise Clause does not protect a person's religious beliefs from infringement
22 by the actions of private corporations or businesses, although federal and state Civil Rights
23 laws may make such private conduct unlawful.

24 The government cannot enact a statute that wholly denies the right to preach or to disseminate
25 religious views, but a state can constitutionally regulate the time, place, and manner of solicit-
26 ing upon the streets and of conducting meetings in order to safeguard the peace, order, and
27 comfort of the community. It can also protect the public against frauds perpetrated under the
28 cloak of religion, as long as the law does not use a process amounting to a Prior Restraint,

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1 which inhibits the free exercise of religion. In a 1951 case, the Supreme Court held that it was
2 unconstitutional for a city to deny a Baptist preacher the renewal of a permit for evangelical
3 street meetings, even though his previous meetings included attacks on Roman Catholicism and
4 Judaism that led to disorder in the streets, because it constituted a prior restraint (*Kunz v. New*
5 *York*, 340 U.S. 290, 71 S. Ct. 312, 95 L. Ed. 280).

6 State laws known as Sunday closing laws, which prohibit the sale of certain goods on Sundays,
7 have been declared constitutional against the challenge of Orthodox Jews who claimed that the
8 laws created an economic hardship for them because their faith requires them to close their
9 businesses on Saturdays and who therefore wanted to do business on Sundays (*Braunfield v.*
10 *Brown*, 366 U.S. 599, 81 S. Ct. 1144, 6 L. Ed. 2d 563 [1961]). The Supreme Court held that,
11 although the law imposed an indirect burden on religion, it did not make any religious practice
12 itself unlawful.

13 In *United States v. Lee*, 455 U.S. 252, 102 S. Ct. 1051, 71 L. Ed. 2d 127 (1982), the Supreme
14 Court upheld the requirement that Amish employers withhold Social Security and unemploy-
15 ment insurance contributions from their employees, despite the Amish argument that this vio-
16 lated their rights under the Free Exercise Clause. The Court found that compulsory contribu-
17 tions were necessary to accomplish the overriding government interest in the proper function-
18 ing of the Social Security and unemployment systems.

19 The Supreme Court has also upheld the assignment and use of Social Security numbers by the
20 government to be a legitimate government action that does not violate the Free Exercise Clause
21 (*Bowen v. Roy*, 476 U.S. 693, 106 S. Ct. 2147, 90 L. Ed. 2d 735 [1986]).

22 In the 1989 case of *Hernandez v. Commissioner of Internal Revenue*, 490 U.S. 680, 109 S. Ct.
23 2136, 104 L. Ed. 2d 766, the Supreme Court held that the government's denial of a taxpayer's
24 deduction from gross income of "fixed donations" to the Church of Scientology for certain reli-
25 gious services was constitutional. These fees were paid for certain classes required by the
26 Church of Scientology, and the Court held that they did not classify as charitable contributions
27 because a good or service was received in exchange for the fee paid.

28 _____
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1 In *Jimmy Swaggart Ministries v. Board of Equalization*, 493 U.S. 378, 110 S. Ct. 688, 107 L.
2 Ed. 2d 796 (1990), the Court ruled that a religious organization is not exempt from paying a
3 state's general sales and use taxes on the sale of religious products and religious literature.
4 Similarly, the Court decided in *Heffron v. International Society for Krishna Consciousness*
5 (*ISKCON*), 452 U.S. 640, 101 S. Ct. 2559, 69 L. Ed. 2d 298 (1981), that a state rule limiting the
6 sale or distribution of merchandise to specific booths was lawful, even when applied to
7 ISKCON members whose beliefs mandated them to distribute or sell religious literature and
8 solicit donations in public places.

9 Military regulations have also been challenged under the Free Exercise Clause. In *Goldman v.*
10 *Weinberger*, 475 U.S. 503, 106 S. Ct. 1310, 89 L. Ed. 2d 478 (1986), the Supreme Court held
11 that the Free Exercise Clause did not require the U.S. Air Force to permit an Orthodox Jewish
12 serviceman to wear his yarmulke while in uniform and on duty. The Court found that the mili-
13 tary's interest in discipline was sufficiently important to outweigh the incidental burden the rule
14 had on the serviceman's religious beliefs.

15 However, a law that places an indirect burden on the practice of religion so as to impede the
16 observance of religion or a law that discriminates between religions is unconstitutional. Thus,
17 the Supreme Court has held that the denial of unemployment compensation to a Seventh-Day
18 Adventist who was fired from her job and could not obtain any other work because of her re-
19 fusal to work on Saturdays for religious reasons was unconstitutional (*Sherbert v. Verner*, 374
20 U.S. 398, 83 S. Ct. 1790, 10 L. Ed. 2d 965 [1963]). The *Sherbert* case was reaffirmed and ap-
21 plied in the 1987 case of *Hobbie v. Unemployment Appeals Commission of Florida*, 480 U.S.
22 136, 107 S. Ct. 1046, 94 L. Ed. 2d 190.

23 In the 1993 case of *Church of the Lukumi Babalu Aye, Inc. v. Hialeah*, 508 U.S. 520, 113 S. Ct.
24 2217, 124 L. Ed. 2d 472, remanded on other grounds, the High Court overturned a city law that
25 forbade animal slaughter insofar as the law banned the ritual animal slaughter by a particular
26 religious sect. The Court found that the law was not a religiously neutral law of general appli-
27 cability but was specifically designed to prevent a religious sect from carrying out its religious
28 rituals.

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1 In *Cruz v. Beto*, 405 U.S. 319, 92 S. Ct. 1079, 31 L. Ed. 2d 263 (1972), the Supreme Court af-
2 firmed that prisoners are entitled to their rights under the Free Exercise Clause, subject only to
3 the requirements of prison security and discipline. Thus, the Court held that a Texas prison
4 must permit a Buddhist prisoner to use the prison chapel and share his religious materials with
5 other prisoners, just as any other prisoner would be permitted to so act.

6 States have been allowed to deny disability benefits, however, to applicants who refuse to sub-
7 mit to medical examinations for religious reasons. Courts have held that this is constitutional
8 because the state has a compelling interest in verifying that the intended recipients of the tax-
9 produced assistance are people who are legitimately entitled to receive the benefit. Likewise,
10 states can regulate religious practices to protect the public health. Thus, state laws requiring the
11 vaccination of all children before they are allowed to attend school are constitutional because
12 the laws are designed to prevent the widespread epidemic of contagious diseases. Public health
13 protection has been deemed to outweigh any competing interest in the exercise of religious be-
14 liefs that oppose any forms of medication or immunization.

15 A number of cases have involved the issue of whether there is a compelling state interest to re-
16 quire that a blood transfusion be given to a patient whose religion prohibits such treatment. In
17 these cases, the courts look to the specific facts of the case, such as whether the patient is a mi-
18 nor or a mentally incompetent individual, and whether the patient came to the hospital volun-
19 tarily seeking help. The courts have generally authorized the transfusions in cases of minors or
20 mentally incompetent patients in recognition of the compelling government interest to protect
21 the health and safety of people. However, the courts are divided as to whether they should order
22 transfusions where the patient is a competent adult who steadfastly refuses to accept such
23 treatment on religious grounds despite the understanding that her or his refusal could result in
24 death. As of 2003, the Supreme Court had not ruled on this issue, and therefore there was no
25 final judicial opinion on the propriety of such orders.

26 The use of secular courts to determine intra-church disputes has raised issues under both the
27 Free Exercise Clause and the Establishment Clause. The Supreme Court decided in the 1871
28 case of *Watson v. Jones*, 80 U.S. 679, 20 L. Ed. 666, that judicial intervention in cases involv-

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1 ing ownership and control of church assets necessarily had to be limited to determining and en-
2 forcing the decision of the highest judicatory body within the particular religious group. For
3 congregational religious groups, such as Baptists and Jews, the majority of the congregation
4 was considered the highest judicatory body. In hierarchical religions, such as the Roman Ca-
5 tholicism and Russian Orthodoxy, the diocesan bishop was considered the highest judicatory
6 authority. The Supreme Court consistently applied that principle until its 1979 decision in
7 *Jones v. Wolf*, 443 U.S. 595, 99 S. Ct. 3020, 61 L. Ed. 2d 775. In that case, the Court held that
8 the "neutral principles of law developed for use in all property disputes" could be constitution-
9 ally applied in intra-church litigation. Under this case, courts can examine the language of the
10 church charters, real and Personal Property deeds, and state statutes relating to the control of
11 property generally.

12 **5) Religious Oaths Prohibited**

13 The Constitution also refers to religion in Article VI, Clause 3, which provides, "No religious
14 test shall ever be required as a qualification to any office or public trust under the United
15 States." The provision is binding only on the federal government.

16 In early American history, individual states commonly required religious oaths for public offi-
17 cers. But after the Revolutionary War, most of these religious tests were eliminated. As of
18 2003, the individual states, through their constitutions or statutes, have restrictions similar to
19 that of the U.S. Constitution on imposing a religious oath as a condition to holding a govern-
20 ment position.

21 Freedom to express religious beliefs is entwined with the First Amendment guarantee of free-
22 dom of expression. The federal or state governments cannot require an individual to declare a
23 belief in the existence of God as a qualification for holding office (*Torcaso v. Watkins*, 367
24 U.S. 488, 81 S. Ct. 1680, 6 L. Ed. 2d 982 [1961]).

25 Congress took an unprecedented step when it passed the International Religious Freedom Act
26 of 1998. (Pub. L.105-292, 112 Stat. 2787). The law seeks to promote religious freedom world-
27 wide. It created a special representative to the Secretary of State for international religious free-
28 dom. This representative serves on a U.S. Commission on International Religious Freedom, an

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1 advisory organization. The act gives the president authority to take diplomatic and other appro-
2 priate action with respect to any country that engages in or tolerates violations of religious
3 freedom. In extreme circumstances, the president is empowered to impose economic sanctions
4 on countries that systematically deny religious fr

5 **6) For Gods Sake: Religious Organizations Preach Environmental Stewardship**

6 **7) More People See Compelling Links Between Religion and the Environment**

7 Larry West, About.com: <http://environment.about.com/od/activismvolunteering/a/religion.htm>

8 **Dear EarthTalk: What are religious leaders and organizations doing to communicate the**
9 **importance of safeguarding our natural environment? –, Taos, NM**

10 Perhaps it's not surprising that those who care for God's creation take environmental issues se-
11 riously. But only in recent years have Sunday sermons and other religious services put green
12 topics front and center.

13 **Faith-based Environmental Programs Reflect Spiritual Teachings**

14 Much of the credit for increases in such "faith-based" environmentalism can go to the National
15 Religious Partnership for the Environment (NRPE), which was founded in 1993 to "weave the
16 mission of care for God's creation across all areas of organized religion." NRPE has forged re-
17 lationships with a diverse group of religious organizations, including the U.S. Catholic Confer-
18 ence, the National Council of Churches of Christ, the Coalition on the Environment and Jewish
19 Life, and the Evangelical Environmental Network.

20 These organizations work with NRPE to develop environmental programs that mesh with their
21 own varied spiritual teachings. For instance, some 135,000 congregations--counting Catholic
22 parishes, synagogues, Protestant and Eastern Orthodox churches and evangelic congregations--
23 have been provided with resource kits on environmental issues, including sermons for clergy,
24 lesson plans for Sunday school teachers, and even conservation tips for church and synagogue
25 building managers.

26 **Many Religious Groups Embrace Environmental Issues**

27 Even Evangelical Christians, known for their conservative take on most issues, are going green.

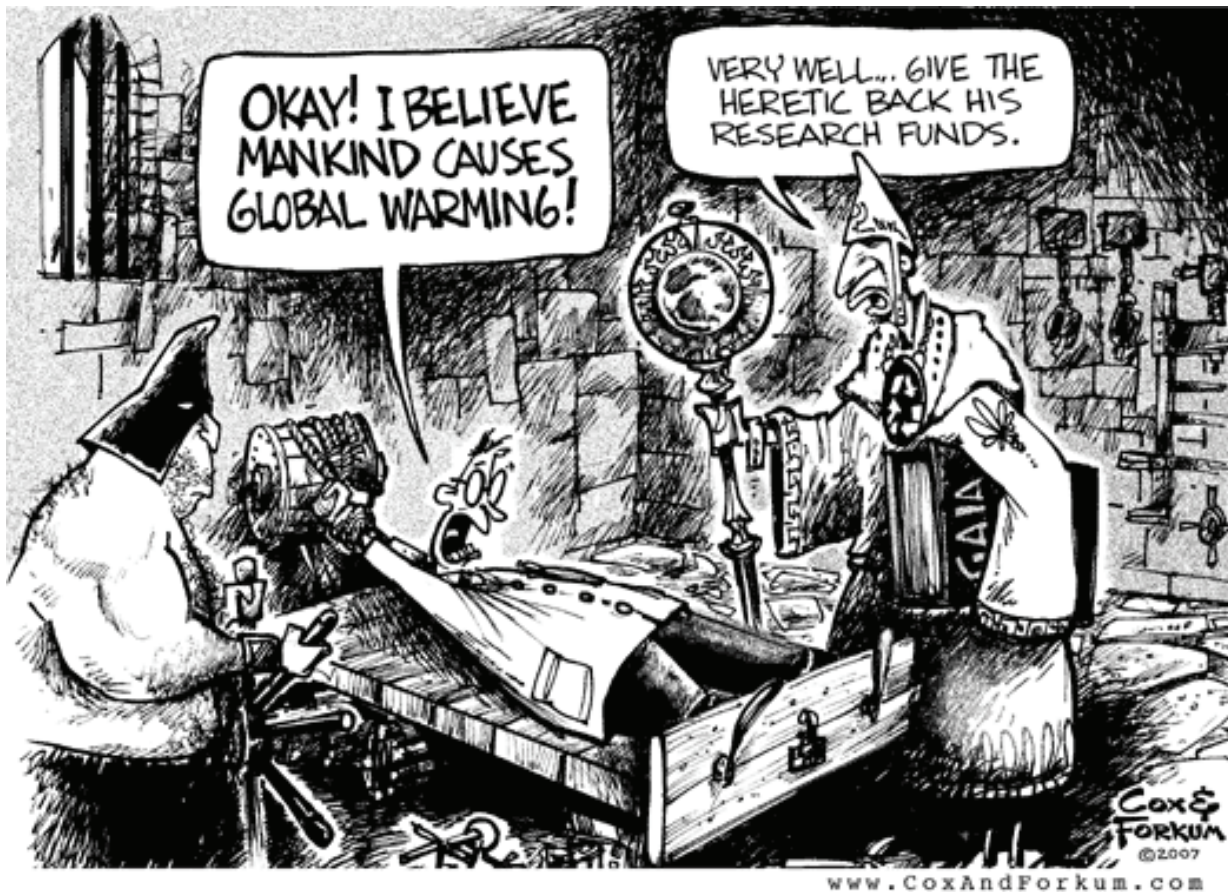
28 The Colorado-based National Association of Evangelicals[is urging its 30 million members to

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1 pursue a “biblically balanced agenda” to protect the environment alongside fighting poverty.
2 Indeed, it was Evangelical minister, Reverend Jim Ball, who started the influential “What
3 Would Jesus Drive?” campaign promoting hybrid cars back in 2003. More recently Ball has
4 worked with likeminded Evangelicals to craft a faith-based policy statement on global warm-
5 ing.

6 Another key organization is the Forum on Religion and Ecology, which holds conferences that
7 bring religious leaders together from all over the world to discuss religion’s role in ecological
8 matters.



24 **Individual Congregations Take Action**

25 Earth Ministry, an association of 90 churches around Seattle, takes a more “hands-on” ap-
26 proach. It organizes hikes, book parties, and volunteer support for local agricultural projects,
27 helping to educate thousands of people along the way. Some congregations also conduct church
28

1 “greenings,” like replacing church light bulbs with energy-saving compact fluorescents and
2 virgin copier paper with recycled paper.
3 Some more hard-hitting environmental actions have sprung up at the congregation level as
4 well. In Mississippi, Jesus People Against Pollution brought together local churchgoers to pres-
5 sure authorities to clean-up local toxic waste sites. And in Detroit, the Sisters of the Immaculate
6 Heart turned a former crack house into a community vegetable garden. Meanwhile, New
7 York’s Hamburg Presbyterian Church “adopted” a nearby creek and won it designation as a
8 protected habitat. And just like good environmentalists everywhere, Hamburg Presbyterian’s
9 parishioners continue to monitor the creek to ensure that it remains vibrant and healthy.
10 earthtalk@emagazine.com.

11 www.coxandforkum.com

12 **The Ages of Gaia Exposed**

13 by Lewis Loflin

14 In Why Fundamentalists are Beyond Reason, I made a passing comment that New Age religion
15 and environmentalism seem inter-related. A visitor questioned the remark and I looked into the
16 matter. While the article was aimed mainly at Christian fundamentalists, I had noticed a similar
17 pattern of religious fundamentalism in the environmental movement that did resemble a relig-
18 ion or a cult. (Eden, good and evil, an authoritarian attitude, etc.) While I was aware of the
19 Leftist politics in the movement, the level of religion and the related social patterns are as-
20 tounding.

21 My conclusion is their scientific claims on ozone, global warming, etc. are pseudo-science and
22 scare propaganda. Their main theme is political power and social control just like all religious
23 fundamentalists.

24 A discussion of Pantheism and Deism

25 **The Ages of Gaia and science facts they won't talk about**

26 Let me explain how I use the term "fundamentalism." While the term is often used to describe
27 a rigid outlook on say a religion such as Christianity or Islam, the term can have a broader
28

1 meaning in that the central belief controls all aspects of life including economics, science, so-
2 cial issues, etc. To a Christian creation science is true because it supports a particular biblical
3 belief, period. It's the under-pinning of the faith (truth whatever one holds it to be) must be de-
4 fended. To the atheist, any notion of God in any form in science is equally taboo because sci-
5 ence (misused) is the under-pinning of atheism. Properly used, science doesn't prove or dis-
6 prove God; it just doesn't address the issue.

7 This is true of other beliefs or philosophies such as fascism or communism. Hitler was the
8 godhead of Nazism, Stalin the godhead of Stalinism, etc. Science is the godhead of atheism.

9 All forms of fundamentalism reject and often sacrifice the individual for group control. People
10 are expendable while Gaia is not. But science is not popular with most of the public and is a
11 poor basis for spiritualism or emotion. It doesn't deal in the things that make us feel good or
12 answer ultimate questions most strive for. From what I've seen most of these people drift into
13 Eastern religion or various form of New Age nonsense in a search for something their emo-
14 tions can grasp.

15 New Age religion is not a religion as we define one with a creed or ceremony. "Unlike most
16 formal religions, it has no holy text, central organization, membership, formal clergy, geo-
17 graphic center, dogma, creed, etc (It) is in fact a free-flowing spiritual movement; a network of
18 believers and practitioners who share somewhat similar beliefs and practices. It's an ill-defined
19 mish-mash of beliefs that result from having no creed or organization. This is what often re-
20 sults when irreligious or non-religious people are searching for some foundation for their lives.

21 New Age religion doesn't provide the structure of a church and is more limited to individuals
22 or very small groups.

23 See New Age Religion.

24 Quoting Science under Siege by Michael Fumento, Noting that one (allegedly) scientific the-
25 ory the Gaia theory actually claims that the earth is a living organism, essayist Charles Krau-
26 thammer writes that "contemporary environmentalism . . . indulges in earth worship to the
27 point of idolatry." The godhead (or goddess head in this case) is mother earth which has be-
28

1 come for many a spiritual being in her own right.

2 Quoting author and biologist Michael Crichton, "Environmentalism seems to be the religion of
3 choice for urban atheists...If you look carefully, you see that environmentalism is in fact a per-
4 fect 21st century remapping of traditional Judeo-Christian beliefs and myths...

5 To quote Rex Murphy, "Save the Earth is evangelical to its green and etymological roots. We
6 see repeated in environmentalism the great dualisms of good and evil -- the modern twin being,
7 say, sustainability versus pollution. We see, too, in some aspects of the environmental move-
8 ment that almost irresistible instinct to proselytize and "convert" that is the watermark of all
9 the great faiths, the ferocity to persuade that only comes with the possession of an exclusive
10 and undeniable truth...There is a lot of that mushy New-Ageism...the wild enthusiasms of mys-
11 ticism..."

12 From Praise the green god from whom all blessings flow at www.globeandmail.com April 24,
13 2004

14 **Michael Crichton Speech - Environmentalism as Religion**

15 **Extracts from Science under Siege by Michael Fumento**

16 Now we have something with at least a form of a creed and are marketable to a large general
17 public. It gets around all the Bible morality stuff and seems to have the support of science.

18 Unlike New Age religion, the environmental movement goes beyond just spiritualism into
19 politics, economics, and science. It intrudes on people in the real world sometimes good and
20 sometimes bad. Clean air and water are certainly good, but reducing the human race to subsis-
21 tence agriculture and allowing/causing the deaths of millions of people is another matter. Its
22 ranks are often filled with crackpots, disgruntled socialists, and anarchists of all types. It's a
23 full-scale political machine opposed to traditional western culture and science.

24 The problem is just like Creation Science (Genesis) the science facts don't jive well with the
25 belief system. How to sell it without some form of Hell or damnation for the non-believers that
26 won't observe the truth? As the Nazis were very fond of saying, tell a lie long enough and it
27 will be believed. As one Christian calls it "a combination of pseudo-science, new age mysti-
28

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1 cism, paganism, and socialism which serves as a combination of political philosophy and relig-
2 ion. This is clearly an attempt to replace America's historic secular culture with a new religion
3 -- a pagan religion." To me it's also an odd alliance of those that oppose some or all parts of
4 our traditional Judeo-Christian, capitalist, and Enlightenment civilization. Sort of like the De-
5 mocratic Party being an alliance of anti-Republicans.

6 There are often socialist and anti-Western themes in general in the environmental movement.
7 Under the National Religious Partnership for the Environment (NRPE) and their funding of
8 hard-Left Fenton Communications, environmental fundamentalists are pursuing a dangerous
9 political/religious theology which is attempting to merge pagan and New Age religion, statist
10 politics, socialism, and environmental fanaticism. In the political area, this merging of envi-
11 ronmental religion into national politics is a violation of separation of church and state and
12 should be treated as such.

13 James Lovelock is the father of environmental religion and has melded an earth-worshiping
14 superstitious spiritualism onto science. He attacks mainstream science for questioning his ab-
15 surd pseudo-science/theology. He is a typical atheist/agnostic longing for spiritualism so he
16 invents his own. Besides the fact he hides in a remote area Great Britain, he's expresses anger
17 others won't fund his pantheistic speculations.

18 James Lovelock is a nutcase that not only claims the earth is a "living organism" but holds
19 Western Civilization and in particular Christianity in total contempt. In his introduction to the
20 book he attacks scientific peer review as an "inquisition" and attacks fellow scientists as hacks
21 of corporations and universities more interested in "good working conditions, a steady income,
22 tenure, and a pension." They just buy into his nonsense and he knows it. To quote Lovelock
23 himself, "When I wrote the first book on Gaia I had no inkling that it would be taken as a reli-
24 gious book." He confuses "hypothesis" which he defines as "what if" with theory.

25 Even more scary he reduces humans to another "organism" and says the following, "It is the
26 health of the planet that matters, not that of some individual species of organisms...the people
27 and ecosystems of the First World—from a Gaian perspective, a region that is clearly expend-
28

1 able. That "expendable" First World is the developed nations and people in general. Read his
2 rantings below. Lovelock to the dismay of many environmental extremists is a big supporter of
3 nuclear power.

4 Lovelock to the dismay of many environmental extremists is a big supporter of nuclear power.

5 **About James Lovelock and Nuclear Power**

6 **<http://www.sullivan-county.com/immigration/e0.html>**

7 **Selected Extracts**

8 **PREFACE, Ages of Gaia by James Lovelock.**

9 Science, unlike other intellectual activities, is almost never done at home. Modern science has
10 become as professional as the advertising industry. And, like that industry, it relies on an ex-
11 pensive and exquisitely refined technique. There is no place for the amateur in modern science,
12 yet, as is often the way with professions, science more often applies its expertise to the trivial
13 than to the numinous.

14 Where are the independent scientists? In fact, nearly all scientists are employed by some large
15 organization, such as a governmental department, a university, or a multinational company.

16 Only rarely are they free to express their science as a personal view. They may think that they
17 are free, but in reality they are, nearly all of them, employees; they have traded freedom of
18 thought for good working conditions, a steady income, tenure, and a pension.

19 They are also constrained by an army of bureaucratic forces, from the funding agencies to the
20 health and safety organizations. Scientists are also constrained by the tribal rules of the disci-
21 pline to which they belong. A physicist would find it hard to do chemistry and a biologist
22 would find physics well-nigh impossible to do. To cap it all, in recent years the "purity" of sci-
23 ence is ever more closely guarded by a self-imposed inquisition called the peer review.

24 This well-meaning but narrow-minded nanny of an institution ensures that scientists work ac-
25 cording to conventional wisdom and not as curiosity or inspiration moves them. Lacking free-
26 dom they are in danger of succumbing to a finicky gentility or of becoming, like medieval
27 theologians, the creatures of dogma.
28

Constitutional challenge. First amended complaint of manifest injustice. Circuit No. 09-71150

**MORE EMERGENCY INJUNCTIVE RELIEF INCIDENTAL AND PEREMPTORY MANDAMUS
APPEAL FOR EXTRAORDINARY WRITS IN THE NATURE OF MANDAMUS**

1 I wrote the first Gaia book so that a dictionary was the only aid needed and I have tried to write
2 this way in the present book. I am puzzled by the response of some of my scientific colleagues
3 who take me to task for presenting science this way. Things have taken a strange turn in recent
4 years; almost the full circle from Galileo's famous struggle with the theological establishment.
5 It is the scientific establishment that makes itself esoteric and is the scourge of heresy.

6 I have had to become a radical scientist also because the scientific community is reluctant to
7 accept new theories as fact, and rightly so. It was nearly 150 years before the notion that heat is
8 a measure of the speed of molecules became a fact of science, and 40 years before plate tecton-
9 ics was accepted by the scientific community.

10 Now perhaps you see why I work at home supporting myself and my family by whatever
11 means come to hand.

12 It would be difficult after spending nearly twenty years developing a theory of the Earth as a
13 living organism—where the evolution of the species and their material environment are tightly
14 coupled but still evolve by natural selection—to avoid capturing views about the problems of
15 pollution and the degradation of the natural environment by humans.

16 Gaia theory forces a planetary perspective. It is the health of the planet that matters, not that of
17 some individual species of organisms. This is where Gaia and the environmental movements,
18 which are concerned first with the health of people, part company. The health of the Earth is
19 most threatened by major changes in natural ecosystems.

20 Agriculture, forestry, and to a lesser extent fishing are seen as the most serious sources of this
21 kind of damage with the inexorable increase of the greenhouse gases, carbon dioxide, methane,
22 and several others coming next. Geophysicologists do not ignore the depletion of the ozone
23 layer in the stratosphere with its concomitant risk of increased irradiation with short-wave ul-
24 traviolet, or the problem of acid rain. These are seen as real and potentially serious hazards but
25 mainly to the people and ecosystems of the First World—from a Gaian perspective, a region
26 that is clearly expendable.

27 It was buried beneath glaciers, or was icy tundra, only 10,000 years ago. As for what seems to
28

1 be the greatest concern, nuclear radiation, fearful though it is to individual humans is to Gaia a
2 minor affair. It may seem to many readers that I am mocking those environmental scientists
3 whose life work is concerned with these threats to human life. This is not my intention. I wish
4 only to speak out for Gaia because there are so few who do, compared with the multitudes who
5 speak for the people.

6 Because of this difference in emphasis, a concern for the planet rather than for ourselves, I
7 came to realize that there might be the need for a new profession, that of planetary medicine. I
8 am indebted to the historian Donald McIntyre for writing to tell me that it was James Hutton
9 who first introduced the idea of planetary physiology in the eighteenth century. Hutton was a
10 physician as well as a geologist.

11 Physiology was the first science of medicine, and one of the aims of this book is to establish
12 "geophysiology" as a basis for planetary medicine...Since 1982 the United Nations University,
13 through its program officer, Walter Shearer, has provided moral and material support espe-
14 cially for the notion of planetary medicine.

15 **Extracts from the Chapter God and Gaia. P. 203-223 by James Lovelock.**

16 When I wrote the first book on Gaia I had no inkling that it would be taken as a religious book.
17 Although I thought the subject was mainly science, there was no doubt that many of its readers
18 found otherwise. Two-thirds of the letters received, and still coming in, are about the meaning
19 of Gaia in the context of religious faith. This interest has not been limited to the laity; a most
20 interesting letter came from Hugh Montefiore, then Bishop of Birmingham. He asked which I
21 thought came first, life or Gaia.

22 My attempts to answer this question led to a correspondence, reported in a chapter of his book
23 The Probability of God. I suspect that some cosmologists are similarly visited by enquires from
24 those who imagine them to be at least on nodding terms with God. I was naive to think that a
25 book about Gaia would be taken as science only.

26 So where do I stand about religion? While still a student I was asked seriously, by a member of
27 the Society of Friends, if I had ever had a religious experience. Not understanding what he
28

1 meant, imagining that he referred to a manifestation or a miracle, I answered no. Looking back
2 from 45 years on, I now tend to think that I should have said yes. Living itself is a religious
3 experience. At the time, however, the question was almost meaningless because it implied a
4 separation of life into sacred and secular parts. I now think that there can be no such division.
5 My thoughts about religion when a child grew from those of my father and the country folk I
6 knew. It was an odd mixture, composed of witches, May trees, and the views expressed by
7 Quakers, in and outside the Sunday school at a Friends' meeting house. Christmas was more of
8 a solstice feast than a Christian one. We were, as a family, well into the present century, yet
9 still amazingly superstitious. So ingrained was my childhood conditioning about the power of
10 the occult that in later life it took a positive act of will to stop touching wood or crossing fin-
11 gers whenever some hazard was to be faced. Christianity was there not so much as a faith,
12 rather as a set of sensible directions on how to be good...

13 What about God? I am too committed to the scientific way of thinking to feel comfortable
14 when enunciating the Creed or the Lord's Prayer in a Christian Church. The insistence of the
15 definition "I believe in God the Father Almighty, Maker of Heaven and Earth" seems to anes-
16 thetize the sense of wonder, as if one were committed to a single line of thought by a cosmic
17 legal contract.

18 I have kept my doubts in a separate place for too long. Now that I write this chapter, I have to
19 try somehow to explain, to myself as well as to you, what is my religious belief. I am happy
20 with the thought that the Universe has properties that make the emergence of life and Gaia in-
21 evitable. But I react to the assertion that it was created with this purpose. It might have been;
22 but how the Universe and life began are ineffable questions.

23 When a scientist colleague uses evidence about the Earth eons ago to explain his theory of the
24 origins of life it stirs a similar sense of doubt. How can the events so long ago that led to the
25 emergence of anything so intricate as life be treated as a fact of science? It is human to be curi-
26 ous about antecedents, but expeditions into the remote past in search of origins is as supremely
27 unimportant as was the hunting of the snark.
28

1 The greater part of the information about our origins is with us here and now; so let us rejoice
2 in it and be glad to be alive.

3 At a meeting in London recently, a wise man, Dr. Donald Braben, asked me: “Why do you
4 stop with the Earth? Why not consider if the Solar System, the Galaxy, or even the Universe is
5 alive?” My instant answer was that the concept of a living Earth, Gaia, is manageable. We
6 know that there is no other life in this Solar System, and the nearest star is utterly remote.
7 There must be other Gaias circling other docile long-lived stars but, curious though I may be
8 about them and about the Universe, these are intangible—concepts for the intellect, not the
9 senses. Until, if ever, we are visited from other parts of the Universe we are obliged to remain
10 detached.

11 Many, I suspect, have trodden this same path through the mind. Those millions of Christians
12 who make a special place in their hearts for the Virgin Mary possibly respond as I do. The
13 concept of Yahweh as remote, all-powerful, all-seeing is either frightening or unapproachable.
14 Even the sense of presence of a more contemporary God, a still, small voice within, may not be
15 enough for those who need to communicate with someone outside. Mary is close and can be
16 talked to.

17 She is believable and manageable. It could be that the importance of the Virgin Mary in faith is
18 something of this kind, but there may be more to it. What if Mary is another name for Gaia?
19 Then her capacity for virgin birth is no miracle or parthenogenetic aberration, it is a role of
20 Gaia since life began. Immortals do not need to reproduce an image of themselves; it is enough
21 to renew continuously the life that constitutes them. Any living organism a quarter as old as the
22 Universe itself and still full of vigor is as near immortal as we ever need to know. She is of this
23 Universe and, conceivably, a part of God. On Earth she is the source of life everlasting and is
24 alive now; she gave birth to humankind and we are a part of her.

25 This is why, for me, Gaia is a religious as well as a scientific concept, and in both spheres it is
26 manageable. Theology is also a science, but if it is to operate by the same rules as the rest of
27 science, there is no place for creeds or dogma. By this I mean theology should not state that
28

1 God exists and then proceed to investigate his nature and his interactions with the Universe and
2 living organisms. Such an approach is prescriptive, presupposes his existence, and closes the
3 mind to such questions as:

4 What would the Universe be like without God? How can we use the concept of God as a way
5 to look at the Universe and ourselves? How can we use the concept of Gaia as a way to under-
6 standing God? Belief in God is an act of faith and will remain so. In the same way, it is otiose
7 to try to prove that Gaia is alive. Instead, Gaia should be a way to view the Earth, ourselves,
8 and our relationships with living things.

9 The life of a scientist who is a natural philosopher can be deeply religious. Curiosity is an in-
10 timate part of the process of loving. Being curious and getting to know the natural world leads
11 to a loving relationship with it. It can be so deep that it cannot be articulated, but it is nonethe-
12 less good science.

13 Creative scientists, when asked how they came upon some great discovery, frequently state, “I
14 knew it intuitively, but it took several years work to prove it to my colleagues.” Compare that
15 statement with this one by William James, the nineteenth-century philosopher and psycholo-
16 gist, in *The Varieties of Religious Experience*:

17 The truth is that in the metaphysical and religious sphere, articulate reasons are cogent for us
18 only when our inarticulate feelings of reality have already been impressed in favor of the same
19 conclusion. Then, indeed, our intuitions and our reason work together, and great world ruling
20 systems, like that of the Buddhist or of the Catholic philosophy, may grow up.

21 Our impulsive belief is here always what sets up the original body of truth, and our articulately
22 verbalized philosophy is but a showy translation into formulas. The unreasoned and immediate
23 assurance is the deep thing in us, the reasoned argument is but a surface exhibition. Instinct
24 leads, intelligence does but follow.

25 This was the way of the natural philosophers in James Hutton's time in the eighteenth century
26 and is still the way of many scientists today. Science can embrace the notion of the Earth as a
27 super organism and can still wonder about the meaning of the Universe.
28

1 How did we reach our present secular humanist world? In times that are ancient by human
2 measure, as far back as the earliest artifacts can be found, it seems that the Earth was wor-
3 shipped as a goddess and believed to be alive. The myth of the great Mother is part of most
4 early religions. The Mother is a compassionate, feminine figure; spring of all life, of fecundity,
5 of gentleness. She is also the stern and unforgiving bringer of death. As Aldous Huxley re-
6 minds in *The Human Experience*:

7 In Hinduism, Kali is at once the infinitely kind and loving mother and the terrifying Goddess
8 of destruction, who has a necklace of skulls and drinks the blood of human beings from a skull.
9 This picture is profoundly realistic; if you give life, you must necessarily give death, because
10 life always ends in death and must be renewed through death.

11 At some time not more than a few thousand years ago the concept of a remote master God, an
12 overseer of Gaia, took root. At first it may have been the Sun, but later it took on the form we
13 have with us now of an utterly remote yet personally immanent ruler of the Universe. Charlene
14 Spretnak, in her moving and readable book, *The Spiritual Dimensions of Green Politics*, attrib-
15 utes the first denial of Gaia, the Earth goddess, to the conquest of an earlier Earth-centered
16 civilization by the Sun- worshipping warriors of the invading Indo-European tribes.

17 Picture yourself as a witness of that decisive moment in history, that is, as a resident of the
18 peaceful, artful, Goddess- oriented culture in Old Europe. (Don't think “matriarchy”! It may
19 have been, but no one knows, and that is not the point.) It is 4,500 BC. You are walking along
20 a high ridge, looking out across the plains to the east. In the distance you see a massive wave
21 of horsemen galloping towards your world on strange, powerful animals. (The European an-
22 cestor of the horse had become extinct.)

23 They brought few women, a chieftain system, and only a primitive stamping technique to im-
24 press their two symbols, the sun and a pine tree. They moved in waves first into southeastern
25 Europe, later down into Greece, across all of Europe, also into the Middle and Near East,
26 North Africa and India. They brought a sky god, a warrior cult, and patriarchal social order.
27 And that is where we live today—in an Indo-European culture, albeit one that is very techno-
28

1 logically advanced.

2 The evolution of these horsemen to the modern men who ride their infinitely more powerful
3 machines of destruction over the habitats of our partners in Gaia seems only a small step. The
4 rest of us, in the cozy, comfortable hell of urban life, care little what they do so long as they
5 continue to supply us with food, energy, and raw materials and we can continue to play the
6 game of human interaction.

7 In ancient times, belief in a living Earth and in a living cosmos was the same thing. Heaven
8 and Earth were close and part of the same body. As time passed and awareness grew of the
9 vast distances of space and time through such inventions as the telescope, the Universe was
10 comprehended and the place of God receded until now it hides behind the Big Bang, claimed
11 to have started it all. At the same time, as population increased so did the proportion forced to
12 lead urban lives out of touch with Nature. In the past two centuries we have nearly all become
13 city dwellers, and seem to have lost interest in the meaning of both God and Gaia. As the theo-
14 logian Keith Ward wrote in the Times in December 1984:

15 It is not that people know what God is, and have decided to reject him. It seems that very few
16 people even know what the orthodox traditional idea of God, shared by Judaism, Islam and
17 Christianity. is. They have not the slightest idea what is meant by the word God. It just has no
18 sense or possible place in their lives.

19 Instead they either invent some vague idea of a cosmic force with no practical implications at
20 all; or they appeal to some half- forgotten picture of a bearded super-person constantly interfer-
21 ing with the mechanistic laws of Nature.

22 I wonder if this is the result of sensory deprivation. How can we revere the living world if we
23 can no longer hear the bird song through the noise of traffic, or smell the sweetness of fresh
24 air? How can we wonder about God and the Universe if we never see the stars because of the
25 city lights? If you think this to be exaggeration, think back to when you last lay in a meadow in
26 the sunshine and smelt the fragrant thyme and heard and saw the larks soaring and singing.

27 Think back to the last night you looked up into the deep blue black of a sky clear enough to see
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1 the Milky Way, the congregation of stars, our Galaxy.

2 The attraction of the city is seductive. Socrates said that nothing of interest happened outside
3 its walls and, much later, Dr. Johnson expressed his view of country living as “One green field
4 is like another.” Most of us are trapped in this world of the city, an everlasting soap opera, and
5 all too often as spectators, not players. It is something to have sensitive commentators like Sir
6 David Attenborough bring the natural world with its visions of forests and wilderness to the
7 television screens of our suburban rooms. But the television screen is only a window and only
8 rarely clear enough to see the world outside; it can never bring us back into the real world of
9 Gaia.

10 City life reinforces and strengthens the heresy of humanism, that narcissistic devotion to hu-
11 man interests alone. The Irish missionary Sean McDonagh wrote in his book, *To Care for the*
12 *Earth*: “The 20 billion years of God's creative love is either seen simply as the stage on which
13 the drama of human salvation is worked out, or as something radically sinful in itself and need-
14 ing transformation.”

15 The heartlands of the great religions are now in the last bastions of rural existence, in the Third
16 World of the tropics. Elsewhere God and Gaia that once were joined and respected are now
17 divorced and of no account. We have, as a species, almost resigned from membership in Gaia
18 and given to our cities and our nations the rights and responsibilities of environmental regula-
19 tion. We struggle to enjoy the human interactions of city life yet still yearn to possess the natu-
20 ral world as well. We want to be free to drive into the country or the wilderness without pollut-
21 ing it in so doing; to have our cake and eat it.

22 Human and understandable such striving may be, but it is illogical. Our humanist concerns
23 about the poor of the inner cities or the Third World, and our near-obscene obsession with
24 death, suffering, and pain as if these were evil in themselves—these thoughts divert the mind
25 from our gross and excessive domination of the natural world. Poverty and suffering are not
26 sent; they are the consequences of what we do. Pain and death are normal and natural; we
27 could not long survive without them. Science, it is true, assisted at the birth of technology.
28

1 But when we drive our cars and listen to the radio bringing news of acid rain, we need to re-
2 mind ourselves that we, personally, are the polluters. We, not some white-coated devil figure,
3 buy the cars, drive them, and foul the air. We are therefore accountable, personally, for the de-
4 struction of the trees by photochemical smog and acid rain. We are responsible for the silent
5 spring that Rachel Carson predicted.

6 There are many ways to keep in touch with Gaia. Individual humans are densely populated cel-
7 lular and endosymbiont collectives, but clearly also identities. Individuals interact with Gaia in
8 the cycling of the elements and in the control of the climate, just like a cell does in the body.

9 You also interact individually in a spiritual manner through a sense of wonder about the natural
10 world and from feeling a part of it. In some ways this interaction is not unlike the tight cou-
11 pling between the state of the mind and the body. Another connection is through the powerful
12 infrastructures of human communication and mass transfer.

13 We as a species now move a greater mass of some materials around the Earth than did all the
14 biota of Gaia before we appeared. Our chattering is so loud that it can be heard to the depths of
15 the Universe. Always, as with other and earlier species within Gaia, the entire development
16 arises from the activity of a few individuals. The urban nests, the agricultural ecosystems, good
17 and bad, are all the consequences of rapid positive feedback starting from the action of an in-
18 spired individual.

19 A frequent misunderstanding of my vision of Gaia is that I champion complacency, that I claim
20 feedback will always protect the environment from any serious harm that humans might do. It
21 is sometimes more crudely put as “Lovelock's Gaia gives industry the green light to pollute at
22 will.” The truth is almost diametrically opposite.

23 Gaia, as I see her, is no doting mother tolerant of misdemeanors, nor is she some fragile and
24 delicate damsel in danger from brutal mankind. She is stern and tough, always keeping the
25 world warm and comfortable for those who obey the rules, but ruthless in her destruction of
26 those who transgress. Her unconscious goal is a planet fit for life. If humans stand in the way
27 of this, we shall be eliminated with as little pity as would be shown by the micro-brain of an
28

1 intercontinental ballistic nuclear missile in full flight to its target.

2 What I have written so far has been a testament built around the idea of Gaia. I have tried to
3 show that God and Gaia, theology and science, even physics and biology are not separate but a
4 single way of thought. Although a scientist, I write as an individual, and my views are likely to
5 be less common than I like to think. So now let me tell you something of what the scientific
6 community has to say on this subject.

7 In science, the more discovered, the more new paths open for exploration. It is usual in sci-
8 ence, when things are vague and unclear, for the path to be like that of a drunkard wandering in
9 a zigzag. As we stagger back from what lastly dawns upon our befuddled wits is the wrong
10 way, we cross over the true path and move nearly as far to the, equally wrong, opposite side. If
11 all goes well, our deviations lessen and the path converges towards, but never completely fol-
12 lows, the true one. It gives a new insight to the old tag in vino veritas. So natural is this way to
13 find the truth that we usually program our computers to solve problems too tedious to do our-
14 selves by setting them to follow the same trial-and-error, staggering, stumbling walk.

15 The process is dignified and mystified by calling it “iteration,” but the method is the same. The
16 only difference is that, so quickly is it done, the eye never sees the fumbling.

17 We have lost the instinctive understanding of what life is and of our place within Gaia. Our
18 attempts to define life are much in the stage of the drunkard's walk. The two opposing verges
19 representing the extremes of iteration are illustrated by a splendid philosophical debate that has
20 gone on for the past twenty years between the molecular biologists on the one side and the new
21 school of thermodynamics on the other.

22 Jacques Monod's *Chance and Necessity*, although first published in 1970, most clearly and
23 beautifully conveys the clear, strong, and rigorous approach of solid science based firmly in a
24 belief in a materialistic and deterministic Universe. The other verge is represented by those,
25 like Erich Jantsch, who believe in a self-organizing Universe. It is concerned with the thermo-
26 dynamics of the unsteady state of which dissipative structures such as flames, whirlpools, and
27 life itself are examples. Although the participants are all well known and respected in the Eng-
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1 lish-speaking world, most of this entertaining debate has gone on in French, so many of us
2 have missed the fun.

3 The essence of this contest is a rerun of the ancient battle between the holists and the reduc-
4 tionists. As Monod reminds us:

5 Certain schools of thought (all more or less consciously or confusedly influenced by Hegel)
6 challenge the value of the analytical approach to systems as complex as living beings. Accord-
7 ing to these holist schools which, phoenix like, are reborn in every generation, the analytic atti-
8 tude (reductionitss) is doomed to fail in its attempts to reduce the properties of a very complex
9 organization to the “sum” of the properties of its parts.

10 It is a very stupid and misguided quarrel which merely testifies to the holists' total lack of un-
11 derstanding of scientific method and the crucial role analysis plays in it. How far could a Mar-
12 tian engineer get if trying to understand an earthly computer, he refused on principle to dissect
13 the machine's basic electronic components which execute the operation of propositional alge-
14 bra.

15 These strong words were in the 1970 edition of Chance and Necessity. Maybe they are by now
16 less extremely held, but they serve well to express what was and still is an important scientific
17 constituency.

18 No one now doubts that it was plain, honest reductionist science that allowed us to unlock so
19 many of the secrets of the Universe, not least those of the living macromolecules that carry the
20 genetic information of our cells. But clear, strong, and powerful though it may be, it is not
21 enough by itself to explain the facts of life. Consider Jacques Monod's Martian engineer.

22 Would it have been sensible to have dashed in with a kit of tools and disassembled analytically
23 the computer he found? Or would it have been better, as a first step, to have switched it on and
24 questioned it as a whole system? If you have any doubts about the answer to this question then
25 consider the thought that the hypothetical Martian engineer was an intelligent computer and the
26 object he examined, you.

27 By contrast, in 1972 Ilya Prigogine wrote:
28

1 It is not instability but a succession of instabilities which allow the crossing of the no man's
2 land between life and no-life. We start to disentangle only certain stages. This concept of bio-
3 logical order leads automatically to a more blurred appreciation of the role of chance and ne-
4 cessity to recall the title of the well-known work by Jacques Monod. Fluctuation which allows
5 the system to depart from states near thermodynamic equilibrium represents the stochastic as-
6 pect, the part played by chance. Contrariwise, the environmental instability, the fact that the
7 fluctuations will increase, represents necessity. Chance and necessity cooperate instead of op-
8 posing one another.

9 I wholly agree with Monod that the cornerstone of the scientific method is the postulate that
10 Nature is objective. True knowledge can never be gained by attributing "purpose" to phenom-
11 ena. But, equally strongly, I deny the notion that systems are never more than the sum of their
12 parts. The value of Gaia in this debate is that it is the largest of living systems. It can be ana-
13 lyzed both as a whole system and, in the reductionist manner, as a collection of parts. This
14 analysis need disturb neither the privacy nor the function of Gaia any more than would the
15 movement of a single commensal bacterium on the surface of your nose.

16 Prigogine was not the first to recognize the inadequacies of equilibrium thermodynamics. He
17 had many illustrious predecessors, among them the physical chemists J. W. Gibbs, L. Onsager,
18 and K. G. Denbigh, who explored the thermodynamics of the steady state. But it was that truly
19 great physicist, Ludwig Boltzmann, who pointed the way towards the understanding of life in
20 thermodynamic terms. And it was by reading Schrödinger's book *What Is Life?* in the early
21 1960s that I first realized that planetary life was revealed by the contrast between the near-
22 equilibrium state of the atmosphere of a dead planet and the exuberant disequilibrium of the
23 Earth.

24 When we cross from the sharp clarity of the real world into that nightmare land of dissipating
25 structures, what do we learn that makes the next staggering lurch less erroneous than the last? I
26 have gained from Prigogine's world view a confirmation of a suspicion that time is a variable
27 much too often ignored. In particular, many of the apparent contradictions between these two
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1 schools of thought seem to resolve if viewed along the time dimension instead of in space.
2 We have evolved from the world of simple molecules through dissipative structures to the
3 more permanent entities that are living organisms. The further we go from the present, either
4 into the past or the future, the greater the uncertainty. Darwin was right to dismiss thoughts
5 about the origins of life; as Jerome Rothstein has said, the restrictions of the second law of
6 thermodynamics prevent us from ever knowing about the beginning or the end of the Universe.
7 In our guts and in those of other animals, the ancient world of the Archean lives on. In Gaia,
8 also, the ancient chaotic world of dissipating structures that preceded life still lives on. A re-
9 cent and relatively unknown discovery of science is that the fluctuations at every scale from
10 viscosity to weather can be chaotic.

11 There is no complete determinism in the Universe; many things are as unpredictable as a per-
12 fect roulette wheel. An ecologist colleague of mine, C. S. Holling, has observed that the stabil-
13 ity of large-scale ecosystems depends upon the existence of internal chaotic instabilities. These
14 pockets of chaos in the larger, stable Gaian system serve to probe the boundaries set by the
15 physical constraints to life. By this means the opportunism of life is insured, and no new niche
16 remains undiscovered. For example, I live in a rural region surrounded by farmers who keep
17 sheep.

18 It is impressive how adventurous young lambs, through their continuous probing of my bound-
19 ary hedges, can find their way through onto the richer, ungrazed land on my side. The behavior
20 of young men is not so different.

21 My reason for wandering onto the battlefield of the war between holists and reductionists was
22 to illustrate how polarized is science itself. Let me conclude this digressionary visit and return
23 to the theme of this chapter, God and Gaia. And let me start by reminding you of Daisy-
24 world—a model which is reductionist and holistic at the same time. It was made to answer a
25 criticism of Gaia, that it was teleology. The need for reduction arose because the relationships
26 between all the living things on Earth in their countless trillions and the rocks, the air, and the
27 oceans could never be described in full detail by a set of mathematical equations. A drastic
28

1 simplification was needed.

2 But the model with its closed loop cybernetic structure was also holistic. This also applies to
3 ourselves. It would be pointless to attempt to disentangle all the relationships between the at-
4 oms within the cells that go to make up our bodies. But this does not prevent us from being
5 real and identifiable, and having a life span of at least 70 years.

6 We are also in an adversary contest between our allegiance to Gaia and to humanism. In this
7 battle, politically minded humanists have made the word “reductionist” pejorative, to discredit
8 science and to bring contumely to the scientific method. But all scientists are reductionists to
9 some extent; there is no way to do science without reduction at some stage.

10 Even the analyzers of holistic systems, confronted with an unknown system, do tests, such as
11 perturbing the system and observing the response, or making a model of it and then reducing
12 that model. In biology it is impossible to avoid reduction, even if we wished.

13 The material and relationships of living things are so phenomenally complex that a holistic
14 view is seen only when it suits the biota to exist as an identifiable entity such as a cell, a plant,
15 a nest, or Gaia. Certainly, the entities themselves can be observed and classified with a mini-
16 mum of invasion, but sooner or later curiosity will drive an urge to discover what the entities
17 are made of and how they work.

18 In any case, the idea that mere observation is neutral is itself an illusion. Someone once said
19 that the reason the Universe is running down is that God is always observing it and hence re-
20 ducing it. Be this as it may, there is little doubt that a nature reserve, a wildlife park, or an eco-
21 system is reduced in proportion to the amount of time that we and our children perturb the
22 wildlife by watching them.

23 In *The Self-Organizing Universe*, Erich Jantsch made a strong argument for the omnipresence
24 of a self-organizing tendency; so that life, instead of being a chance event, was an inevitable
25 consequence. Jantsch based his thoughts on the theories of those pioneers of what might be
26 called the “thermodynamics of the unsteady state”—Max Eigen, Ilya Prigogine, Humberto
27 Maturana, Francisco Varela, and their successors. As scientific evidence accumulates and theo-
28

1 ries are developed in this recondite topic, it may become possible to encompass the metaphor
2 of a living Universe. The intuition of God could be rationalized; something of God could be-
3 come as familiar as Gaia.

4 For the present, my belief in God rests at the stage of a positive agnosticism. I am too deeply
5 committed to science for undiluted faith; equally unacceptable to me spiritually is the material-
6 ist world of undiluted fact. Art and science seem inter- connected with each other and with re-
7 ligious, and to be mutually enlarging.

8 That Gaia can be both spiritual and scientific is, for me, deeply satisfying. From letters and
9 conversations I have learnt that a feeling for the organism, the Earth, has survived and that
10 many feel a need to include those old faiths in their system of belief, both for themselves and
11 because they feel that Earth of which they are a part is under threat. In no way do I see Gaia as
12 a sentient being, a surrogate God. To me Gaia is alive and part of the ineffable Universe and I
13 am a part of her.

14 The philosopher Gregory Bateson expressed this agnosticism in his own special way:

15 The individual mind is immanent but not only in the body. It is immanent also in pathways and
16 messages outside the body; and there is a larger mind of which the individual mind is only a
17 sub-system. This larger mind is comparable to God and is perhaps what some people mean by
18 God, but it is still immanent in the total interconnected social systems and planetary ecology.
19 As a scientist I believe that Nature is objective but also recognize that Nature is not predeter-
20 mined. The famous uncertainty principle that the physicist Werner Heisenberg discovered was
21 the first crack in the crystalline structure of determinism.

22 Now chaos is revealed to have an orderly mathematical prescription. This new theoretical un-
23 derstanding enlightens the practice of weather forecasting. Previously it was believed, as the
24 French physicist Laplace had stated, that given enough knowledge (and, in this age, computer
25 power) anything could be predicted.

26 It was a thrill to discover that there was real, honest chaos decently spread around the Universe
27 and to begin to understand why it is impossible in this world ever to predict if it will be raining
28

1 at some specific place or time. True chaos is there as the counter- part of order. Determinism is
2 reduced to a collection of fragments, like jewels that have fallen on the surface of a bowl of
3 pitch.

4 Science has its fashions, and one thing guaranteed to stir interest and start a new fashion is the
5 exploration of a pathology. Health is far less interesting than disease. I well recall as a school-
6 boy visiting the Museum of the London School of Hygiene and Tropical Medicine where there
7 were on display life-sized models of subjects stricken by tropical illnesses. Although less well
8 crafted, they were so strange and horrible as to make tame the professional horrors of Madame
9 Tussaud's waxworks.

10 The sight of full-sized models of the victims of elephantiasis or leprosy and the imagination of
11 their suffering made bearable the adolescent agonies of a schoolboy. Contemporary science is
12 similarly fascinated by pathologies of a mathematical kind. Theoretical ecology, as we have
13 already discussed, is more concerned with sick than with healthy ecosystems. The vagaries of
14 weather are more interesting than the long-term stability of climate. Continuous creation never
15 had a chance in face of the ultimate pathology of the Big Bang.

16 Interest in the pathologies of science has a curious link with religion. Mathematicians and
17 physicists are, without seeming aware of it, into demonology. They are found investigating
18 “catastrophe theory” or “strange attractors.” They then seek from their colleagues in other sci-
19 ences examples of pathologies that match their curious models. Perhaps I should explain that in
20 mathematics, an attractor is a stable equilibrium state, such as a point at the bottom of a smooth
21 bowl where a ball will always come to rest.

22 Attractors can be lines, planes, or solids as well as points, and are the places where systems
23 tend to settle down to rest. Strange attractors are chaotic regions of fractional dimensions that
24 act like black holes, drawing the solutions of equations to their unknown and singular domains.
25 Phenomena of the natural world—such as weather, disease, and ecosystem failures— are char-
26 acterized by the presence of these strange attractors in the clockwork of their mathematics,
27 lurking like time bombs as harbingers of instability, cyclical fluctuations, and just plain chaos.
28

1 The remarkable thing about real and healthy living organisms is their apparent ability to control
2 or limit these destabilizing influences. It seems that the world of dissipating structures,
3 threatened by catastrophe and parasitized by strange attractors, is the foreworld of life and of
4 Gaia and the underworld that still exists. The tightly coupled evolution of the physical environment
5 and the autopoietic entities of pre-life led to a new order of stability; the state associated
6 with Gaia and with all forms of healthy life. Life and Gaia are to all intents immortal,
7 even though composed of entities that at least include dissipative structures. I find a curious
8 resemblance between the strange attractors and other denizens of the imaginary world of
9 mathematical constructs and the demons of older religious belief.

10 A parallel that goes deep and includes an association with sickness not health, famine not
11 plenty, storm not calm. A saint of this fascinating branch of mathematics is the Frenchman,
12 Benoit Mandelbrot. From his expressions in fractional dimensions it is possible to produce
13 graphic illustrations of all manner of natural scenes: coastlines, mountain ranges, trees, and
14 clouds, all startlingly realistic. But when Mandelbrot's scientific art is applied to strange attractors
15 we see, in graphic form, the vividly colored image of a demon or a dragon.

16 Gaia theory may seem to be dull in comparison with these exotica. A thing, like health, to be
17 taken for granted except when it fails. This may be why so few scientists and theologians are
18 interested in it; they prefer the exploration of the Universe, or of the origins of life, to the exploration
19 of the natural world that surrounds them. I find it difficult to explain to my colleagues
20 why I prefer to live and work alone in the depths of the country. They think that I must be
21 missing all the excitement of exploration.

22 I prefer a life with Gaia here and now, and to look back only to that part of her history which is
23 knowable, not to what might have been before she came into being.

24 The point of the fable is to argue that it is not necessary to know the intricate details of the origin
25 of life itself to understand the evolution of Gaia and of ourselves. In a similar way, the contemplation
26 of those other remote places before and after life, Heaven and Hell, may be irrelevant
27 to the discovery of a seemly way of life. We may well have been assisted by the nature of
28

1 the Universe to cheat chaos and evolve spontaneously, on some Hadean shore, into our ances-
2 tral form of life.

3 It seems unlikely that we come from a life form planted here by visitors from elsewhere; or
4 even arrived clinging to some piece of cometary debris from outer space. I like to think that
5 Darwin dismissed enquires about the origins of life not merely because the information avail-
6 able in his time was so sparse that the search for life's origin would have had to remain specu-
7 lative, but, more cogently, because he recognized that it was not necessary to know the details
8 of the origin of life to formulate the evolution of the species by natural selection. This is what I
9 mean by the concept of Gaia being manageable.

10 The belief that the Earth is alive and to be revered is still held in such remote places as the west
11 of Ireland and the rural parts of some Latin countries. In these places, the shrines to the Virgin
12 Mary seem to mean more, and to attract more loving care and attention, than does the church
13 itself. The shrines are almost always in the open, exposed to the rain and to the sun, and sur-
14 rounded by carefully tended flowers and shrubs.

15 I cannot help but think that these country folk are worshipping something more than the Chris-
16 tian maiden. There is little time left to prevent the destruction of the forests of the humid trop-
17 ics with consequences far-reaching both for Gaia and for humans. The country folk, who are
18 destroying their own forests, are often Christians and venerate the Holy Virgin Mary. If their
19 hearts and minds could be moved to see in her the embodiment of Gaia, then they might be-
20 come aware that the victim of their destruction was indeed the Mother of humankind and the
21 source of everlasting life.

22 Deism	Christianity	Judaism	Islam	Gnosticism	Unitarianism
23 Zoroastrianism	Pantheism	Fundamentalism	Evolution	Original Sin	Trinity
24 End Times	Apostle Paul	Apostle John	John Calvin	St. Augustine	Pelagius
25 Martin Luther	Real Jesus	Identity	Willie Martin	Royal Race	Pat Robertson

26 Also see New Age Religion and What is paganism?
27
28

1 **What does Al Gore say about the science behind global warming?**

2 "As it happens, the idea of social justice is inextricably linked in the Scriptures with ecology."
3



21 **8) What is New age Religion?**

22 New Age Religion is not a religion at all, but a vast syncretism (or mixing) of numerous reli-
23 gious and philosophical ideas. This has been going on since the time of Alexander the Great,
24 but was snuffed out under Christianity and its enforced dogma starting around 325 AD. Alex-
25 ander's vast empire opened the door for Eastern religion and mysticism to move West, while
26 Greek philosophy and reason moved East. Today the same process continues, but on a global
27 scale in particular with the internet.

28 It has some similarities to ancient Gnosticism adopting both its methods and its individual na-
ture. Most often rejecting reason and science, New Age religion more than anything is emo-

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1 tional, filling in a void left by a secular culture and discontent with traditional religious beliefs.
2 Modern environmentalism could be broadly classified into New Age religion because of its
3 treatment as a pseudo-religion and deification of Nature. See the links below.
4

5 **Introduction**

6 The New Age Movement is in a class by itself. Unlike most formal religions, it has no holy
7 text, central organization, membership, formal clergy, geographic center, dogma, creed, etc.
8 They often use mutually exclusive definitions for some of their terms. The New Age is in fact a
9 free-flowing spiritual movement; a network of believers and practitioners who share somewhat
10 similar beliefs and practices. Their book publishers take the place of a central organization;
11 seminars, conventions, books and informal groups replace of sermons and religious services.

12 Quoting John Naisbitt (1):

13 "In turbulent times, in times of great change, people head for the two extremes: fundamentalism
14 and personal, spiritual experience...With no membership lists or even a coherent philosophy or
15 dogma, it is difficult to define or measure the unorganized New Age movement. But in every
16 major U.S. and European city, thousands who seek insight and personal growth cluster around
17 a metaphysical bookstore, a spiritual teacher, or an education center."

18 The New Age is definitely a heterogeneous movement of individuals; most graft some new age
19 beliefs onto their regular religious affiliation. Recent surveys of US adults (2) indicate that
20 many Americans hold at least some new age beliefs:

21 8% believe in astrology as a method of foretelling the future

22 7% believe that crystals are a source of healing or energizing power

23 9% believe that Tarot Cards are a reliable base for life decisions

24 about 1 in 4 believe in a non-traditional concept of the nature of God which are often associated
25 with New Age thinking:

26 11% believe that God is "a state of higher consciousness that a person may reach"

27 8% define God as "the total realization of personal, human potential"

28 3% believe that each person is God

1 The group of surveys cited above (2) classify religious beliefs into 7 faith groups. Starting with
2 the largest, they are: Cultural (Christmas and Easter) Christianity, Conventional Christianity,
3 New Age Practitioner, Biblical (Fundamentalist, Evangelical) Christianity, Atheist/Agnostic,
4 Other, and Jewish, A longitudinal study from 1991 to 1995 shows that New Agers represent a
5 steady 20% of the population, and are consistently the third largest religious group.

6 New Age teachings became popular during the 1970's as a reaction against what some per-
7 ceived as the failure of Christianity and the failure of Secular Humanism to provide spiritual
8 and ethical guidance for the future. Its roots are traceable to many sources: Astrology, Channel-
9 ing, Hinduism, Gnostic traditions, Neo-paganism, Spiritualism, Theosophy, Wicca, etc. The
10 movement started in England in the 1960's where many of these elements were well estab-
11 lished. Small groups, such as the Findhorn Community in Inverness and the Wrekin Trust
12 formed. The movement quickly became international. Early New Age mileposts in North
13 America were a "New Age Seminar" ran by the Association for Research and Enlightenment,
14 and the establishment of the East-West Journal in 1971. Actress Shirley MacLaine is perhaps
15 their most famous current figure.

16 During the 1980's and 90's, the movement came under criticism from a variety of groups.
17 Channeling was ridiculed; seminar and group leaders were criticized for the fortunes that they
18 made from New Agers. Their uncritical belief in the "scientific" properties of crystals was ex-
19 posed as groundless. But the movement has become established and become a stable, major
20 force in North American religion during the past generation. As the millennium comes to a
21 close, the New Age is expected to expand, promoted by the social backlash against logic and
22 science.

23 24 **9) The "New Age" That Does Not Exist**

25 Major confusion about the New Age has been generated by academics, counter-cult groups,
26 Fundamentalist and other Evangelical Christians and traditional Muslim groups, etc. Some ex-
27 amples are:

28

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1 Many of the above groups have dismissed Tasawwuf (Sufism) as a New Age cult. In reality,
2 Sufism has historically been an established mystical movement within Islam, which has always
3 existing in a state of tension with the more legalistic divisions within Islam. It has no connec-
4 tion with the New Age.

5 Some conservative Christians believe that a massive, underground, highly coordinated New
6 Age organization exists that is infiltrating government, media, schools and churches. No such
7 entity exists. Some conservative Christians do not differentiate among the Occult, Satanism,
8 Wicca, other Neo-pagan religions. And they seem to regard all as forms of Satanism who per-
9 form horrendous criminal acts on children. In fact, the Occult, Satanism, Neo-pagan religions
10 are very different phenomena, and essentially unrelated. Dr. Carl Raschke, professor of Reli-
11 gious Studies at the University of Denver describes New Age practices as the spiritual version
12 of AIDS; it destroys the ability of people to cope and function." He describes it as "essentially,
13 the marketing end of the political packaging of occultism...a breeding ground for a new Ameri-
14 can form of fascism."

16 **10) New Age Beliefs**

17 A number of fundamental beliefs are held by many New Age followers; individuals are en-
18 couraged to "shop" for the beliefs and practices that they feel most comfortable with:

19 Monism: All that exists is derived from a single source of divine energy.

20 Pantheism: All that exists is God; God is all that exists. This leads naturally to the concept of
21 the divinity of the individual, that we are all Gods. They do not seek God as revealed in a sa-
22 cred text or as exists in a remote heaven; they seek God within the self and throughout the en-
23 tire universe.

24 Panentheism: God is all that exists. God is at once the entire universe, and transcends the uni-
25 verse as well.

26 Reincarnation: After death, we are reborn and live another life as a human. This cycle repeats
27 itself many times. This belief is similar to the concept of transmigration of the soul in Hindu-
28 ism.

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1 Karma: The good and bad deeds that we do adds and subtracts from our accumulated record,
2 our karma. At the end of our life, we are rewarded or punished according to our karma by being
3 reincarnated into either a painful or good new life. This belief is linked to that of reincarnation
4 and is also derived from Hinduism

5 An Aura is believed to be an energy field radiated by the body. Invisible to most people, it can
6 be detected by some as a shimmering, multi-colored field surrounding the body. Those skilled
7 in detecting and interpreting auras can diagnose an individual's state of mind, and their spiritual
8 and physical health.

9 Personal Transformation A profoundly intense mystical experience will lead to the acceptance
10 and use of New Age beliefs and practices. Guided imagery, hypnosis, meditation, and (some-
11 times) the use of hallucinogenic drugs are useful to bring about and enhance this transforma-
12 tion. Believers hope to develop new potentials within themselves: the ability to heal oneself and
13 others, psychic powers, a new understanding of the workings of the universe, etc. Later, when
14 sufficient numbers of people have achieved these powers, a major spiritual, physical, psycho-
15 logical and cultural planet-wide transformation is expected.

16 Ecological Responsibility: A belief in the importance of uniting to preserve the health of the
17 earth, which is often looked upon as Gaia, (Mother Earth) a living entity.

18 Universal Religion: Since all is God, then only one reality exists, and all religions are simply
19 different paths to that ultimate reality. The universal religion can be visualized as a mountain,
20 with many sadhanas (spiritual paths) to the summit. Some are hard; others easy. There is no one
21 correct path. All paths eventually reach the top. They anticipate that a new universal religion
22 which contains elements of all current faiths will evolve and become generally accepted
23 worldwide.

24 New World Order As the Age of Aquarius unfolds, a New Age will develop. This will be a
25 utopia in which there is world government, and end to wars, disease, hunger, pollution, and
26 poverty. Gender, racial, religious and other forms of discrimination will cease. People's alle-
27 giance to their tribe or nation will be replaced by a concern for the entire world and its people.

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1 The Age of Aquarius is a reference to the precession of the zodiac. The earth passes through
2 each of the signs of the zodiac approximately every 24,000 years. Some believe that the earth
3 entered the constellation Aquarius in the 19th Century, so that the present era is the dawning of
4 the age of Aquarius. Others believe that it will occur at the end of the 20th century. It is inter-
5 esting to note that the previous constellation changes were:
6 from Aries to Pisces the fish circa 1st century CE. This happened at a time when Christianity
7 was an emerging religion, and many individuals changed from animal sacrifice in the Jewish
8 temple to embracing the teachings of Christianity. The church's prime symbol at the time was
9 the fish.
10 from Taurus to Aries the ram circa 2,000 BCE. This happened at a time when the Jews engaged
11 in widespread ritual sacrifice of sheep and other animals in the Temple
12 from Gemini to Taurus the bull circa 4,000 BCE. During that sign, worshiping of the golden
13 calf was common in the Middle East.

14 15 **11) New Age Practices**

16 Many practices are common amongst New Ager. A typical practitioner is active in only a few
17 areas:

18 **Channeling:** A method similar to that used by Spiritists in which a spirit of a long dead indi-
19 vidual is conjured up. However, while Spiritists generally believe that one's soul remains rela-
20 tively unchanged after death, most channelers believe that the soul evolves to higher planes of
21 existence. They usually try to make contact with a single, spiritually evolved being. That be-
22 ing's consciousness is channeled through the medium and relays guidance and information to
23 the group, through the use of the medium's voice. Channeling has existed since the 1850's and
24 many groups consider themselves independent of the New Age movement. The popular A
25 Course in Miracles was channeled by Jesus through a New Age psychologist, Dr. Helen
26 Schucman over an 8 year period.

27 **Crystals:** Crystals are materials which has its molecules arranged in a specific, highly ordered
28 internal pattern. This pattern is reflected in the crystal's external structure which typically has

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1 symmetrical planar surfaces. Many common substances, from salt to sugar, from diamonds to
2 quartz form crystals. They can be shaped so that they will vibrate at a specific frequency and
3 are widely used in radio communications and computing devices. New Agers believe that crys-
4 tals posses healing energy.

5 **Meditating:** A process of blanking out the mind and releasing oneself from conscious thinking.
6 This is often aided by repetitive chanting of a mantra, or focusing on an object.

7 **New Age Music:** A gentle, melodic, inspirational music form involving the human voice, harp,
8 lute, flute, etc. It is used as an aid in healing, massage therapy and general relaxation.

9 **Divination:** The use of various techniques to foretell the future, including I Ching, Pendulum
10 movements, Runes, Scrying, Tarot Cards. Astrology The belief that the orientation of the plan-
11 ets at the time of one's birth, and the location of that birth predicts the individual's future and
12 personality. Belief in astrology is common amongst New Agers, but definitely not limited to
13 them.

14 **Holistic Health:** This is a collection of healing techniques which have diverged from the tradi-
15 tional medical model. It attempts to cure disorders in mind, body and spirit and to promote
16 wholeness and balance in the individual. Examples are acupuncture, crystal healing, homeopa-
17 thy, iridology, massage, various meditation methods, polarity therapy, psychic healing, thera-
18 peutic touch, reflexology, etc.

19 **Human Potential Movement:** (a.k.a. Emotional Growth Movement) This is a collection of
20 therapeutic methods involving both individualized and group working, using both mental and
21 physical techniques. The goal is to help individuals to advance spiritually. Examples are Esalen
22 Growth Center programs, EST, Gestalt Therapy, Primal Scream Therapy, Transactional Analy-
23 sis, Transcendental Meditation and Yoga.

24 The Canadian Census (1991) recorded only 1,200 people (0.005%) who identify their religion
25 as being New Age. However, this in no way indicates the influence of new age ideas in the
26 country. Many people identify with Christianity and other religions, but incorporate many new
27 age concepts into their faith.

1 References Used J. Naisbitt and P. Aburdene, Megatrends 2000", William Morrow and Com-
2 pany, New York, NY (1990)

3 George Barnia, "The Index of Leading Spiritual Indicators", Word Publishing, Dallas TX,
4 (1996)

5 Richard Kyle, "The Religious Fringe", InterVarsity Press, Downers Grove, IL (1993), Page
6 285-298

7 J.Gordon Melton, "Whither the New Age?", Chapter 35 of T. Miller, "America's Alternative
8 Religions", SUNY Press, Albany, NY (1995)

9 LinkLight is a New Age site whose goal is to "create a spiritual connection between everyone
10 on this Planet, and in this way raise the Consciousness of the Planet." They are at:

11 <http://www.linklight.com> ;http://www.sullivan-county.com/nf0/nov_2000/new_age_rel.htm

13 **RELIGION & ENVIRONMENT**

14 What's so important about the potentially powerful influence of conservative evangelical Chris-
15 tians on environmental issues, especially global warming? For years, many of these evangeli-
16 cals have been charging environmentalists-and those progressive Christians who support envi-
17 ronmentalism-with idolatry for lavishing worship on "God's creation" rather than God. More-
18 over, they have been skeptical, if not downright hostile, toward government-mandated protec-
19 tion of the environment.

20 So as President Bush early in his administration initiated efforts to roll back a slew of federal
21 environmental regulations-including safeguards on clean air and water and protections against
22 commercial logging and drilling on public lands, among others-and withdrew American sup-
23 port for the Kyoto treaty on global warming, he knew he could count on conservative evangeli-
24 cals to remain firmly in his corner.

25 But changes are afoot. In February 2006, a group of 86 respected evangelical Christian leaders
26 from across the nation unveiled a campaign for environmental reform and put out a statement
27 calling on all Christians to push for federal legislation that would reduce carbon dioxide emis-
28 sions in an effort to stem global warming. This Evangelical Climate Initiative, which has

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1 helped publicly solidify a nascent environmentalism in the evangelical community, also intends
2 to lobby federal legislators, hold environmental meetings at churches and colleges, and run
3 television and radio ads that link drought, starvation, and hurricanes to global warming.

4 "The same love for God and neighbor that compels us to preach salvation through Jesus Christ,
5 protect the unborn, preserve the family and the sanctity of marriage, and take the whole Gospel
6 to a hurting world, also compels us to recognize that human-induced climate change is a serious
7 Christian issue requiring action now," their statement read in part.

8 But weeks before the Climate Initiative's statement was released publicly, another group of
9 high-profile evangelicals was working to quash it. In a January 2006 letter to National Associa-
10 tion of Evangelicals, whose affiliated churches and ministries were considering taking a stand
11 against global warming, these leaders warned that "global warming is not a consensus issue,
12 and our love for the Creator and respect for His creation does not require us to take a position."

13 So how did conservative evangelicals, who tend to present a unified front on most matters of
14 political significance, end up in such a public breach? And what effect might the growing
15 commitment among evangelicals to combat global warming and other environmental perils
16 have on the 2006 congressional races and the 2008 presidential election?

17 Explore these conservative evangelical issues and learn how other faiths view their obligation
18 to the planet-and let us hear your voice-in the MOYERS ON AMERICA Religion & the Envi-
19 ronment Citizens Class. ...Bill Moyers

20 **I would call myself a secularist, who is quite happy to tolerate the existence of**
21 **all the other various religious denominations – even the relatively new, secular**
22 **religion - environmentalism.**

23 **Is it fair to label environmentalism as a ‘new’ religion?**

24 Emile Durkheim, in his famous sociological text *The Elementary Forms of Religious*
25 *Life*, defined religion as ‘a unified system of beliefs and practices relative to sacred
26 things, that is to say, things set apart and forbidden – beliefs and practices which unite
27 into one single moral community called a Church, all of those who adhere to them’.

28 What strikes me about Durkheim’s definition is the lack of reference to God, or gods,

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1 nor does he mention spirituality, or other worlds. For Durkheim, religion is essentially
2 the social construction of the sacred: this unites its apologists and adherents into a
3 'single moral community'. The contemporary environmentalist movement has much in
4 common with Durkheim's definition of a 'single moral community'.
5

6 A few weeks ago, the Secretary of State for Energy and Climate Change, Ed Miliband
7 MP, flanked by senior Bishops announced their campaign for a 'carbon fast' during the
8 next forty days of Lent. Yes, it's a cheap eco-friendly publicity stunt, done in order to
9 endow everyday environmental behaviour with a sense of religious authority. Such
10 stunts highlight the fact that apologists of environmentalist causes care less about the
11 actual management of nature, than they do about launching moral crusades – not to
12 alter the earth mind you, but to micro-manage human behaviour like never before.
13

14 'Carbon emission' is fast becoming the new original sin of our age, for which us
15 humans must seek redemption. According to the Archbishop, Dr Rowan Williams, for
16 Lent we need to 'live more simply and cherish more deeply the creation of which we
17 are only a part'. Carbon fasting has now become a way to absolve yourself of all your
18 'carbon sins' - sinful rituals like driving to work, or using the dishwasher or washing
19 machine are viewed as immoral acts to be reigned in.
20

21 William Swatos, the editor of the *International Journal of Research on Religion* argues
22 that environmentalism, as an ideology, has the potential to 'serve as an implicit
23 religion'. Ian Plimer, a professor of Geology argued recently that environmentalism is
24 on par with 'Creationism'.
25

26 Peter Beyer, the author of *Religion and Globalization* makes the point that what we are
27 currently witnessing is the steady rise, and rise, and 'upsurge', of what he describes as
28 'contemporary religious environmentalism'. According to Beyer, there are at least three

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1 different styles of 'eco-religiosity', that he claims were born during the hazy, hippy days
2 of Woodstock.

3
4 The author, Michael Crichton goes further, he argues that environmentalism is 'one of
5 the most powerful religions in the Western World'. Crichton makes a rather good point
6 when he reminds his readers of past environmental predictions that have had serious
7 factual flaws – like, for example the banning of DDT. Crichton aptly describes the
8 banning as one of the 'most disgraceful episodes in the twentieth century' – and I
9 agree. The ban has directly caused the death of millions of African people, mainly
10 children – all in the name of environmentalism. Environmentalism must be a religion –
11 indeed, why else would environmentalists be in such denial over the millions of deaths
12 they caused due to the ban?

13
14 Dr David Orrell, a Canadian based mathematician, argues that when it comes to
15 making future predictions based on models the 'track record of any kind of long-distant
16 prediction is really bad'. Orrell added that 'scientists cannot even write the equation of
17 a cloud, let alone make a workable model of the climate'.

18
19 Instead of putting forward proposals for more investment in research and innovation,
20 environmentalists and Church leaders appear happier to moralise about our varied
21 lifestyles and habits – and of course, none of this desperate search for moral
22 coherence will actually help to improve the environment.

23 The New Holy Wars

24 Economic Religion Versus Environmental Religion in Contemporary America

25 By Robert H. Nelson

26 392 pages | 6.125 x 9.25 | 2010

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28

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APPEAL FOR EXTRAORDINARY WRITS IN THE NATURE OF MANDAMUS**

1 “Nelson makes an overwhelmingly persuasive case that in our times the leading secular relig-
2 ion was once economics and is now environmentalism. . . . Out of that utterly original idea for
3 scholarly crossovers—good Lord, an economist reading environmentalism and even economics
4 itself as theology!—come scores of true and striking conclusions. . . . It’s a brilliant book,
5 which anyone who cares about the economy or the environment or religion needs to read.

6 That’s most of us.”—Deirdre McCloskey, University of Illinois at Chicago

7 “Nelson compellingly argues that religion is a powerful force in economic and social life, . . .
8 even if that fact is seldom recognized by most academics and policy makers. The dominant re-
9 ligious influences are secularized versions of Catholicism and Protestantism, not because the
10 leading scholars are piously trying to advance their faith by other means, but because their in-
11 tellectual horizons have been shaped by worldviews that have framed their consciousness. He
12 convinces me that unless these presuppositions are acknowledged, examined, broadened, and
13 revised, the economic and ecological crises that the world now faces will not be understood or
14 met at their deeper levels.”—Max L. Stackhouse, Princeton Theological Seminary

15 “Robert Nelson argues that environmentalism is a religion. . . . This provocative thesis raises
16 hard and embarrassing questions about the bases of environmentalism that every serious stu-
17 dent of the subject must confront.”—Dan Tarlock, Director of the Program in Environmental
18 and Energy Law, Chicago-Kent College of Law

19 "Anyone who wants to understand twenty-first century politics should begin with The New
20 Holy Wars, which makes clear the fundamental conflict between how economists and envi-
21 ronmentalists see the world.”—Andrew P. Morriss, H. Ross and Helen Workman Professor of
22 Law and Business, University of Illinois, Urbana-Champaign

23 The present debate raging over global warming exemplifies the clash between two competing
24 public theologies. On one side, environmentalists warn of certain catastrophe if we do not take
25 steps now to reduce the release of greenhouse gases; on the other side, economists are con-
26 cerned with whether the benefits of actions to prevent higher temperatures will be worth the
27 high costs. Questions of the true and proper relationship of human beings and nature are as old
28 as religion. Today, environmentalists regard human actions to warm the climate as an immoral

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1 challenge to the natural order, while economists seek to put all of nature to maximum use for
2 economic growth and other human benefits.

3 Robert Nelson interprets such contemporary struggles as battles between the competing secu-
4 larized religions of economics and environmentalism. The outcome will have momentous con-
5 sequences for us all. This deep book probes beneath the surface of the two movements rhetoric
6 to uncover their fundamental theological commitments and visions.

8 **12) Environmentalism as Religion: Michael Crichton**

9 In 2003 Michael Crichton sent the Ecology industry into a rage by exposing them as a religion.
10 He can get away with it because he has both the science background and enough money not to
11 be silenced by the eco-lobby. In fact environmentalism is as much a fundamentalist' religion as
12 that of Pat Robertson. He is correct about the religious undertones, but it's also a political
13 movement as he points out.

14 In 2008 global warming has fallen off the radar as the presidential election, high energy costs,
15 and the Wall Street meltdown have dominated the news. But this one article seems to have
16 been left out of the discussion. Besides reports of such record cold in Mongolia killing people
17 and livestock, the December 19, 2007 Washington Times reports:

18 **"In Buenos Aires (Argentina), snow fell for the first time since the year 1918. Dozens of**
19 **homeless people died from exposure. In Peru, 200 people died from the cold...(in 2007)**
20 **Johannesburg, South Africa, had the first significant snowfall in 26 years. Australia...New**
21 **Zealand...weather turned so cold..."**

22 To quote former Vice President Al Gore, in his book entitled Earth in the Balance,

23 **"The richness and diversity of our religious tradition throughout history is a spiritual re-**
24 **source long ignored by people of faith, who are often afraid to open their minds to teach-**
25 **ings first offered outside their own systems of belief. But, the emergence of a civilization**
26 **in which knowledge moves freely and almost instantaneously through the world has**
27 **spurred a renewed investigation of the wisdom distilled by all faiths. This pan religious**

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1 **perspective may prove especially important where our global civilization's responsibility**
2 **for the earth is concerned."**

3 Remarks to the Commonwealth Club by Michael Crichton San Francisco September 15, 2003
4 (Extract)

5 I have been asked to talk about what I consider the most important challenge facing mankind,
6 and I have a fundamental answer. The greatest challenge facing mankind is the challenge of
7 distinguishing reality from fantasy, truth from propaganda. Perceiving the truth has always
8 been a challenge to mankind, but in the information age (or as I think of it, the disinformation
9 age) it takes on a special urgency and importance.

10 We must daily decide whether the threats we face are real, whether the solutions we are offered
11 will do any good, whether the problems we're told exist are in fact real problems, or non-
12 problems. Every one of us has a sense of the world, and we all know that this sense is in part
13 given to us by what other people and society tell us; in part generated by our emotional state,
14 which we project outward; and in part by our genuine perceptions of reality. In short, our strug-
15 gle to determine what is true is the struggle to decide which of our perceptions are genuine, and
16 which are false because they are handed down, or sold to us, or generated by our own hopes
17 and fears.

18 As an example of this challenge, I want to talk today about environmentalism. And in order not
19 to be misunderstood, I want it perfectly clear that I believe it is incumbent on us to conduct our
20 lives in a way that takes into account all the consequences of our actions, including the conse-
21 quences to other people, and the consequences to the environment. I believe it is important to
22 act in ways that are sympathetic to the environment, and I believe this will always be a need,
23 carrying into the future. I believe the world has genuine problems and I believe it can and
24 should be improved. But I also think that deciding what constitutes responsible action is im-
25 mensely difficult, and the consequences of our actions are often difficult to know in advance. I
26 think our past record of environmental action is discouraging, to put it mildly, because even our
27 best intended efforts often go awry. But I think we do not recognize our past failures, and face
28 them squarely. And I think I know why.

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1 I studied anthropology in college, and one of the things I learned was that certain human social
2 structures always reappear. They can't be eliminated from society. One of those structures is
3 religion. Today it is said we live in a secular society in which many people---the best people,
4 the most enlightened people---do not believe in any religion. But I think that you cannot elimi-
5 nate religion from the psyche of mankind. If you suppress it in one form, it merely re-emerges
6 in another form. You can not believe in God, but you still have to believe in something that
7 gives meaning to your life, and shapes your sense of the world. Such a belief is religious.
8 Today, one of the most powerful religions in the Western World is environmentalism. Envi-
9 ronmentalism seems to be the religion of choice for urban atheists. Why do I say it's a religion?
10 Well, just look at the beliefs. If you look carefully, you see that environmentalism is in fact a
11 perfect 21st century remapping of traditional Judeo-Christian beliefs and myths.
12 There's an initial Eden, a paradise, a state of grace and unity with nature, there's a fall from
13 grace into a state of pollution as a result of eating from the tree of knowledge, and as a result of
14 our actions there is a judgment day coming for us all. We are all energy sinners, doomed to die,
15 unless we seek salvation, which is now called sustainability. Sustainability is salvation in the
16 church of the environment. Just as organic food is its communion, that pesticide-free wafer that
17 the right people with the right beliefs, imbibe.
18 Eden, the fall of man, the loss of grace, the coming doomsday---these are deeply held mythic
19 structures. They are profoundly conservative beliefs. They may even be hard-wired in the brain,
20 for all I know. I certainly don't want to talk anybody out of them, as I don't want to talk any-
21 body out of a belief that Jesus Christ is the son of God who rose from the dead. But the reason I
22 don't want to talk anybody out of these beliefs is that I know that I can't talk anybody out of
23 them. These are not facts that can be argued. These are issues of faith.
24 And so it is, sadly, with environmentalism. Increasingly it seems facts aren't necessary, because
25 the tenets of environmentalism are all about belief. It's about whether you are going to be a sin-
26 ner, or saved. Whether you are going to be one of the people on the side of salvation, or on the
27 side of doom. Whether you are going to be one of us, or one of them.

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1 Am I exaggerating to make a point? I am afraid not. Because we know a lot more about the
2 world than we did forty or fifty years ago. And what we know now is not so supportive of cer-
3 tain core environmental myths, yet the myths do not die. Let's examine some of those beliefs.
4 There is no Eden. There never was. What was that Eden of the wonderful mythic past? Is it the
5 time when infant mortality was 80%, when four children in five died of disease before the age
6 of five? When one woman in six died in childbirth? When the average lifespan was 40, as it
7 was in America a century ago. When plagues swept across the planet, killing millions in a
8 stroke. Was it when millions starved to death? Is that when it was Eden?
9 ...In short, the romantic view of the natural world as a blissful Eden is only held by people who
10 have no actual experience of nature. People who live in nature are not romantic about it at all.
11 They may hold spiritual beliefs about the world around them, they may have a sense of the
12 unity of nature or the aliveness of all things... If Eden is a fantasy that never existed, and man-
13 kind wasn't ever noble and kind and loving, if we didn't fall from grace, then what about the
14 rest of the religious tenets? What about salvation, sustainability, and judgment day? What about
15 the coming environmental doom from fossil fuels and global warming, if we all don't get down
16 on our knees and conserve every day?
17 Well, it's interesting. You may have noticed that something has been left off the doomsday list,
18 lately. Although the preachers of environmentalism have been yelling about population for fifty
19 years, over the last decade world population seems to be taking an unexpected turn. Fertility
20 rates are falling almost everywhere. As a result, over the course of my lifetime the thoughtful
21 predictions for total world population have gone from a high of 20 billion, to 15 billion, to 11
22 billion (which was the UN estimate around 1990) to now 9 billion, and soon, perhaps less.
23 There are some who think that world population will peak in 2050 and then start to decline.
24 There are some who predict we will have fewer people in 2100 than we do today. Is this a rea-
25 son to rejoice, to say halleluiah? Certainly not. Without a pause, we now hear about the coming
26 crisis of world economy from a shrinking population. We hear about the impending crisis of an
27 aging population. Nobody anywhere will say that the core fears expressed for most of my life
28 have turned out not to be true...

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1 Okay, so, the preachers made a mistake. They got one prediction wrong; they're human. So
2 what. Unfortunately, it's not just one prediction. It's a whole slew of them. We are running out
3 of oil. We are running out of all natural resources. Paul Ehrlich: 60 million Americans will die
4 of starvation in the 1980s. Forty thousand species become extinct every year. Half of all species
5 on the planet will be extinct by 2000. And on and on and on. With so many past failures, you
6 might think that environmental predictions would become more cautious. But not if it's a relig-
7 ion. Remember, the nut on the sidewalk carrying the placard that predicts the end of the world
8 doesn't quit when the world doesn't end on the day he expects. He just changes his placard, sets
9 a new doomsday date, and goes back to walking the streets. One of the defining features of re-
10 ligion is that your beliefs are not troubled by facts, because they have nothing to do with facts.
11 ...I can cite the appropriate journal articles not in whacko magazines, but in the most presti-
12 geous science journals, such as Science and Nature. But such references probably won't impact
13 more than a handful of you, because the beliefs of a religion are not dependant on facts, but
14 rather are matters of faith. Unshakeable belief.

16 **13) Fundamentalism**

17 Most of us have had some experience interacting with religious fundamentalists, and we under-
18 stand that one of the problems with fundamentalists is that they have no perspective on them-
19 selves. They never recognize that their way of thinking is just one of many other possible ways
20 of thinking, which may be equally useful or good. On the contrary, they believe their way is the
21 right way, everyone else is wrong; they are in the business of salvation, and they want to help
22 you to see things the right way. They want to help you be saved. They are totally rigid and to-
23 tally uninterested in opposing points of view. In our modern complex world, fundamentalism is
24 dangerous because of its rigidity and its imperviousness to other ideas.

25 I want to argue that it is now time for us to make a major shift in our thinking about the envi-
26 ronment, similar to the shift that occurred around the first Earth Day in 1970, when this aware-
27 ness was first heightened. But this time around, we need to get environmentalism out of the
28

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1 sphere of religion. We need to stop the mythic fantasies, and we need to stop the doomsday
2 predictions. We need to start doing hard science instead.

3 There are two reasons why I think we all need to get rid of the religion of environmentalism.
4 First, we need an environmental movement, and such a movement is not very effective if it is
5 conducted as a religion. We know from history that religions tend to kill people, and environ-
6 mentalism has already killed somewhere between 10-30 million people since the 1970s. It's not
7 a good record. **Environmentalism needs to be absolutely based in objective and verifiable**
8 **science, it needs to be rational, and it needs to be flexible...**

9 How will we manage to get environmentalism out of the clutches of religion, and back to a sci-
10 entific discipline? There's a simple answer: we must institute far more stringent requirements
11 for what constitutes knowledge in the environmental realm. I am thoroughly sick of politicized
12 so-called facts that simply aren't true. It isn't that these "facts" are exaggerations of an underly-
13 ing truth. Nor is it that certain organizations are spinning their case to present it in the strongest
14 way. Not at all---what more and more groups are doing is putting out is lies, pure and simple.
15 Falsehoods that they know to be false...At this moment, the EPA is hopelessly politicized. In
16 the wake of Carol Browner, it is probably better to shut it down and start over. What we need is
17 a new organization much closer to the FDA. We need an organization that will be ruthless
18 about acquiring verifiable results, that will fund identical research projects to more than one
19 group, and that will make everybody in this field get honest fast...

20 So it's time to abandon the religion of environmentalism, and return to the science of environ-
21 mentalism, and base our public policy decisions firmly on that.

22 23 **CONSTITUTIONAL REPUDIATION AND REPRIMAND**

24 “In interpreting “removal” and “remedial,” we next follow the Supreme Court’s guidance in tak-
25 ing a comprehensive, holistic view of CERCLA because it is a “fundamental canon of statutory
26 construction that the words of a statute must be read in their context and with a view to their place
27 in the overall statutory scheme.” FDA v. Brown & Williamson Tobacco Corp., 529 U.S. 120, 133,

28

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1 120 S.Ct. 1291, 146 L.Ed.2d 121 (2000) (quoting Davis v. Mich. Dep't of Treasury, 489 U.S.
2 803, 809, 109 S.Ct. 1500, 103 L.Ed.2d 891 (1989)).

3 Petitioners reject the Supreme Courts invocation of holism, reprimand such ruling as a reckless
4 disregard of the truth, deliberate ignorance of actual information, and false claims resulting in
5 civil rights violations and manifest injustice, tyranny, despotism, and negligent endangerment.
6 Wherefore, the laws, agencies and departments, and branches of government must remedy and
7 repair the negligently unscientific, unconscionable, and unconstitutional violation of federally
8 protected civil rights, constitutional rights, and other inalienable rights retained by the people
9

10 **REDUCTION OF HOLISM TO RELIGION**

11 Holism (from ὅλος holos, a Greek word meaning all, entire, total) is the idea that all the prop-
12 erties of a given system (physical, biological, chemical, social, economic, mental, linguistic,
13 etc.) cannot be determined or explained by its component parts alone. Instead, the system as a
14 whole determines in an important way how the parts behave.

15 The general principle of holism was concisely summarized by Aristotle in the Metaphysics:

16 "The whole is more than the sum of its parts" (1045a10). *wikipedia*

17 Reductionism is sometimes seen as the opposite of holism. Reductionism in science says that a
18 complex system can be explained by reduction to its fundamental parts. For example, the proc-
19 esses of biology are reducible to chemistry and the laws of chemistry are explained by physics.
20

21 **History**

22 The term holism was introduced by the South African statesman Jan Smuts in his 1926 book,
23 Holism and Evolution. Smuts defined holism as "The tendency in nature to form wholes that
24 are greater than the sum of the parts through creative evolution."

25 The idea has ancient roots. Examples of holism can be found throughout human history and in
26 the most diverse socio-cultural contexts, as has been confirmed by many ethnological studies.

27 The French Protestant missionary, Maurice Leenhardt coined the term cosmomorphism to indi-
28 cate the state of perfect symbiosis with the surrounding environment which characterized the

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1 culture of the Melanesians of New Caledonia. For these people, an isolated individual is totally
2 indeterminate, indistinct and featureless until he can find his position within the natural and so-
3 cial world in which he is inserted. The confines between the self and the world are annulled to
4 the point that the material body itself is no guarantee of the sort of recognition of identity which
5 is typical of our own culture.

6
7 **In science**

8 **Holism in science**

9 In the latter half of the 20th century, holism led to systems thinking and its derivatives, like the
10 sciences of chaos and complexity. Systems in biology, psychology, or sociology are frequently
11 so complex that their behavior is, or appears, "new" or "emergent": it cannot be deduced from
12 the properties of the elements alone.

13 Holism has thus been used as a catchword. This contributed to the resistance encountered by
14 the scientific interpretation of holism, which insists that there are ontological reasons that pre-
15 vent reductive models in principle from providing efficient algorithms for prediction of system
16 behavior in certain classes of systems.

17 Further resistance to holism has come from the association of the concept with quantum mysti-
18 cism. Recently, however, public understanding has grown over the realities of such concepts,
19 and more scientists are beginning to accept serious research into the concept.

20 Scientific holism holds that the behavior of a system cannot be perfectly predicted, no matter
21 how much data is available. Natural systems can produce surprisingly unexpected behavior,
22 and it is suspected that behavior of such systems might be computationally irreducible, which
23 means it would not be possible to even approximate the system state without a full simulation
24 of all the events occurring in the system. Key properties of the higher level behavior of certain
25 classes of systems may be mediated by rare "surprises" in the behavior of their elements due to
26 the principle of interconnectivity, thus evading predictions except by brute force simulation.

27 Stephen Wolfram has provided such examples with simple cellular automata, whose behavior
28 is in most cases equally simple, but on rare occasions highly unpredictable.

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1 Complexity theory (also called "science of complexity"), is a contemporary heir of systems
2 thinking. It comprises both computational and holistic, relational approaches towards under-
3 standing complex adaptive systems and, especially in the latter, its methods can be seen as the
4 polar opposite to reductive methods. General theories of complexity have been proposed, and
5 numerous complexity institutes and departments have sprung up around the world. The Santa
6 Fe Institute is arguably the most famous of them.

7 8 **In anthropology**

9 There is an ongoing dispute as to whether anthropology is intrinsically holistic. Supporters of
10 this concept consider anthropology holistic in two senses. First, it is concerned with all human
11 beings across times and places, and with all dimensions of humanity (evolutionary, biophysical,
12 sociopolitical, economic, cultural, psychological, etc.). Further, many academic programs fol-
13 lowing this approach take a "four-field" approach to anthropology that encompasses physical
14 anthropology, archeology, linguistics, and cultural anthropology or social anthropology.[6]
15 Some leading anthropologists disagree, and consider anthropological holism to be an artifact
16 from 19th century social evolutionary thought that inappropriately imposes scientific positivism
17 upon cultural anthropology.[7]

18 The term "holism" is additionally used within social and cultural anthropology to refer to an
19 analysis of a society as a whole which refuses to break society into component parts. One defi-
20 nition says: "as a methodological ideal, holism implies ... that one does not permit oneself to
21 believe that our own established institutional boundaries (e.g. between politics, sexuality, relig-
22 ion, economics) necessarily may be found also in foreign societies." [8]

23 24 **In ecology**

25 Ecology is the leading and most important approach to holism, as it tries to include biological,
26 chemical, physical and economic views in a given area. The complexity grows with the area, so
27 that it is necessary to reduce the characteristic of the view in other ways, for example to a spe-
28

1 cific time of duration. More information are to be found in the field of systems ecology, a
2 cross-disciplinary field influenced by general systems theory. see Holistic Community.

3
4 **In economics**

5 With roots in Schumpeter, the evolutionary approach might be considered the holist theory in
6 economics. They share certain language from the biological evolutionary approach. They take
7 into account how the innovation system evolves over time. Knowledge and know-how, know-
8 who, know-what and know-why are part of the whole business economics. Knowledge can also
9 be tacit, as described by Michael Polanyi. These models are open, and consider that it is hard to
10 predict exactly the impact of a policy measure. They are also less mathematical.

11
12 **In philosophy**

13 Main articles: Semantic holism and confirmation holism

14 In philosophy, any doctrine that emphasizes the priority of a whole over its parts is holism.
15 Some suggest that such a definition owes its origins to a non-holistic view of language and
16 places it in the reductionist camp. Alternately, a 'holistic' definition of holism denies the neces-
17 sity of a division between the function of separate parts and the workings of the 'whole'. It sug-
18 gests that the key recognisable characteristic of a concept of holism is a sense of the fundamen-
19 tal truth of any particular experience. This exists in contradistinction to what is perceived as the
20 reductionist reliance on inductive method as the key to verification of its concept of how the
21 parts function within the whole. In the philosophy of language this becomes the claim, called
22 semantic holism, that the meaning of an individual word or sentence can only be understood in
23 terms of its relations to a larger body of language, even a whole theory or a whole language. In
24 the philosophy of mind, a mental state may be identified only in terms of its relations with oth-
25 ers. This is often referred to as content holism or holism of the mental.

26 Epistemological and confirmation holism are mainstream ideas in contemporary philosophy.

27 Ontological holism was espoused by David Bohm in his theory on The Implicate Order.

28

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1 **In sociology**

2 Main article: Gemeinschaft and Gesellschaft

3 Emile Durkheim developed a concept of holism which he opposed to the notion that a society
4 was nothing more than a simple collection of individuals. In more recent times, Louis Dumont
5 [9] has contrasted "holism" to "individualism" as two different forms of societies. According to
6 him, modern humans live in an individualist society, whereas ancient Greek society, for exam-
7 ple, could be qualified as "holistic", because the individual found identity in the whole society.
8 Thus, the individual was ready to sacrifice himself or herself for his or her community, as his or
9 her life without the polis had no sense whatsoever.

10
11 **In psychology of perception**

12 A major holist movement in the early twentieth century was gestalt psychology. The claim was
13 that perception is not an aggregation of atomic sense data but a field, in which there is a figure
14 and a ground. Background has holistic effects on the perceived figure. Gestalt psychologists
15 included Wolfgang Koehler, Max Wertheimer, Kurt Koffka. Koehler claimed the perceptual
16 fields corresponded to electrical fields in the brain. Karl Lashley did experiments with gold foil
17 pieces inserted in monkey brains purporting to show that such fields did not exist. However,
18 many of the perceptual illusions and visual phenomena exhibited by the gestaltists were taken
19 over (often without credit) by later perceptual psychologists. Gestalt psychology had influence
20 on Fritz Perls' gestalt therapy, although some old-line gestaltists opposed the association with
21 counter-cultural and New Age trends later associated with gestalt therapy. Gestalt theory was
22 also influential on phenomenology. Aron Gurwitsch wrote on the role of the field of conscious-
23 ness in gestalt theory in relation to phenomenology. Maurice Merleau-Ponty made much use of
24 holistic psychologists such as work of Kurt Goldstein in his "Phenomenology of Perception."

25
26 **In teleological psychology**

27 Alfred Adler believed that the individual (an integrated whole expressed through a self-
28 consistent unity of thinking, feeling, and action, moving toward an unconscious, fictional final

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1 goal), must be understood within the larger wholes of society, from the groups to which he be-
2 longs (starting with his face-to-face relationships), to the larger whole of mankind. The recog-
3 nition of our social embeddedness and the need for developing an interest in the welfare of oth-
4 ers, as well as a respect for nature, is at the heart of Adler's philosophy of living and principles
5 of psychotherapy.

6 Edgar Morin, the French philosopher and sociobiologist, can be considered a holist based on
7 the transdisciplinary nature of his work.

8 Mel Levine, M.D., author of A Mind at a Time,[10] and co-founder (with Charles R. Schwab)
9 of the not-for-profit organization All Kinds of Minds, can be considered a holist based on his
10 view of the 'whole child' as a product of many systems and his work supporting the educational
11 needs of children through the management of a child's educational profile as a whole rather
12 than isolated weaknesses in that profile.

14 **In theological anthropology**

15 In theological anthropology, which belongs to theology and not to anthropology, holism is the
16 belief that the nature of humans consists of an ultimately divisible union of components such as
17 body, soul and spirit.

19 **In theology**

20 Holistic concepts are strongly represented within the thoughts expressed within Logos (per
21 Heraclitus), Panentheism and Pantheism.

23 **In brain science**

24 A lively debate has run since the end of the 19th century regarding the functional organization
25 of the brain. The holistic tradition (e.g., Pierre Marie) maintained that the brain was a homoge-
26 neous organ with no specific subparts whereas the localizationists (e.g., Paul Broca) argued that
27 the brain was organized in functionally distinct cortical areas which were each specialized to
28 process a given type of information or implement specific mental operations. The controversy

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1 was epitomized with the existence of a language area in the brain, nowadays known as the
2 Broca's area.[11] Although Broca's view has gained acceptance, the issue isn't settled insofar as
3 the brain as a whole is a highly connected organ at every level from the individual neuron to the
4 hemispheres.

5 6 **Applications**

7 **Architecture and industrial design**

8 Architecture and industrial design are often seen as enterprises, which constitute a whole, or to
9 put it another way, design is often argued to be an holistic enterprise.[12] In architecture and
10 industrial design holism tends to imply an all-inclusive design perspective, which is often re-
11 garded as somewhat exclusive to the two design professions. Holism is often considered as
12 something that sets architects and industrial designers apart from other professions that partici-
13 pate in design projects. This view is supported and advocated by practising designers and de-
14 sign scholars alike, who often argue that architecture and/or industrial design have a distinct
15 holistic character.

16 17 **Education reform**

18 The Taxonomy of Educational Objectives identifies many levels of cognitive functioning,
19 which can be used to create a more holistic education. In authentic assessment, rather than us-
20 ing computers to score multiple choice test, a standards based assessment uses trained scorers
21 to score open-response items using holistic scoring methods.[13] In projects such as the North
22 Carolina Writing Project, scorers are instructed not to count errors, or count numbers of points
23 or supporting statements. The scorer is instead, instruct to judge holistically whether "as a
24 whole" is it more a "2" or a "3". Critics question whether such a process can be as objective as
25 computer scoring, and the degree to which such scoring methods can result in different scores
26 from different scorers.

27 28 **Medicine**

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1 Holism appears in psychosomatic medicine. In the 1970s the holistic approach was considered
2 one possible way to conceptualize psychosomatic phenomena. Instead of charting one-way
3 causal links from psyche to soma, or vice-versa, it aimed at a systemic model, where multiple
4 biological, psychological and social factors were seen as interlinked. Other, alternative ap-
5 proaches at that time were psychosomatic and somatopsychic approaches, which concentrated
6 on causal links only from psyche to soma, or from soma to psyche, respectively.[14] At present
7 it is commonplace in psychosomatic medicine to state that psyche and soma cannot really be
8 separated for practical or theoretical purposes.[citation needed] A disturbance on any level -
9 somatic, psychic, or social - will radiate to all the other levels, too. In this sense, psychosomatic
10 thinking is similar to the biopsychosocial model of medicine.

11 Alternative medicine practitioners purport to adopt a holistic approach to healing, that empha-
12 sizes the emotional, mental, spiritual, and physical elements of the patient, and claim to treat
13 the whole person in this context. Some examples of holistic approaches include ayurveda,
14 chiropractic, homeopathy, traditional Chinese medicine, naturopathy, Unani and reflexology.
15 There is a major axis of miscommunication between traditional western science and holistic
16 practices. Most of these theories have basis in a "vital force" (or qi, ki, prana) which has been
17 largely misinterpreted by the western world as being in direct contradiction with much of mod-
18 ern science In addition, the popular view of holistic practitioners is that they place little value in
19 the microscopic analysis of individual, isolated, and separate systems within the natural world.
20 While many holistic arts are popularized and practiced incorrectly or incompletely, traditional
21 forms of holistic practice including various forms of meditation (zen, qigong, yoga) are based
22 on natural phenomenon which reductionist philosophically can at this point only describe as
23 separate phenomenon. This is largely due to the fact that though the process of isolating and
24 defining phenomenon the western scientific paradigm has established a network of relations of
25 these phenomenon. This conceptual map can also act as a barrier to other explanations which
26 may not organize the phenomenon using the same established network of relations. In the case
27 of this vital energy it can be explained on various levels of electricity and through the quantum
28 field theory. There are also many metaphors used by various philosophies to describe the inter-

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1 action of the vital energy with the body. When translated into English, many of these meta-
2 phors are often distorted. However, many researchers are currently working to establish an
3 agreeable definition for holistic phenomenon within western scientific parameters.
4 Acupuncture, which in a practice that is over 5000 years old and based around manipulation of
5 qi within the body has been recognized as effective by the WHO and the AMA. Another phe-
6 nomenon which plays different roles in reductionist/holistic medicine is what is know in the
7 west as the placebo effect. In the west this refers to patients who become "cured" of their ill-
8 nesses after being prescribed sugar pills in place of medicine. The active phenomenon at work
9 here is the brain's role in physical health, holistic philosophy utilizes this mechanism within the
10 brain in its medical practice while reductionist medicine seeks to decrease its influence as much
11 as possible. Neither practice is wrong in its pursuit, the goals are merely different. Western
12 medicine seeks to establish remedies for illness using compounds while holistic medicine es-
13 tablishes practices which regulate the body to prevent it from becoming sick. Curative versus
14 Preventative is a good way to describe a major difference between western and holistic medi-
15 cine.

16 See also

17 Buckminster Fuller

18 Confirmation holism

19 David Bohm

20 Emergence

21 Gaia hypothesis

22 Gestalt

23 Gestalt psychology

24 Gross National Happiness

25 Holistic health

26 Holistic science

27 Holon

28 Howard T. Odum

- 1 Jan Smuts
- 2 Kurt Goldstein
- 3 Logical holism
- 4 Organicism
- 5 Polytely
- 6 Panarchy
- 7 Synergetics
- 8 Synergy
- 9 Systems theory
- 10 Willard Van Orman Quine
- 11 Further reading
- 12 Dusek, Val, *The Holistic Inspirations of Physics: An Underground History of Electromagnetic*
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- 19 Dreyfus, H.L. *Holism and Hermeneutics* in *The Review of Metaphysics.* 34. pp. 3–23.
- 20 James, S. *The Content of Social Explanation.* Cambridge University Press. Cambridge, 1984.
- 21 Harrington, A. *Reenchanted Science: Holism in German Culture from Wilhelm II to Hitler.*
- 22 *Princeton University Press.* 1996.
- 23 Brief explanation of Koestler's derivation of "holon"
- 24 Holism in nature – and coevolution in ecosystems
- 25 Stanford Encyclopedia of Philosophy article: "Holism and Nonseparability in Physics"
- 26 James Schombert of University of Oregon Physics Dept on quantum holism
- 27 Theory of sociological holism from "World of Wholeness"
- 28

1 Reductionism can either mean (a) an approach to understand the nature of complex things by
2 reducing them to the interactions of their parts, or to simpler or more fundamental things or (b)
3 a philosophical position that a complex system is nothing but the sum of its parts, and that an
4 account of it can be reduced to accounts of individual constituents. This can be said of objects,
5 phenomena, explanations, theories, and meanings.

7 **THE CONSTITUTION AS AN APPLIED SCIENCE AND METHOD OF ITS USE.**

8 Reductionism is strongly related to a certain perspective on causality. In a reductionist frame-
9 work, phenomena that can be explained completely in terms of other, more fundamental phe-
10 nomena, are called epiphenomena. Often there is an implication that the epiphenomenon exerts
11 no causal agency on the fundamental phenomena that explain it.

12 Reductionism does not preclude emergent phenomena but it does imply the ability to under-
13 stand the emergent in terms of the phenomena from and process(es) by which it emerges.

15 **History**

16 Reductionism dates back to ancient Greek philosophy in which some philosophers, notably
17 Democritus, viewed the world as a mechanistic, material machine. Democritus was famous for
18 his theory of atomism.

19 It was introduced later by Descartes in Part V of his Discourses (1637). Descartes argued the
20 world was like a machine, its pieces like clockwork mechanisms, and that the machine could be
21 understood by taking its pieces apart, studying them, and then putting them back together to see
22 the larger picture. Descartes was a full mechanist, but only because he did not accept the con-
23 servation of direction of motions of small things in a machine, including an organic machine.

24 Newton's theory required such conservation for inorganic things at least. When such conserva-
25 tion was accepted for organisms as well as inorganic objects by the middle of the 20th century,
26 no organic mechanism could easily, if at all, be a Cartesian mechanism.

28 **Types of reductionism**

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1 The distinction between the processes of theoretical and ontological reduction is important.
2 Theoretical reduction is the process by which one theory is absorbed into another; for example,
3 both Kepler's laws of the motion of the planets and Galileo's theories of motion worked out for
4 terrestrial objects are reducible to Newtonian theories of mechanics, because all the explanatory
5 power of the former are contained within the latter. Furthermore, the reduction is considered to
6 be beneficial because Newtonian mechanics is a more general theory—that is, it explains more
7 events than Galileo's or Kepler's. Theoretical reduction, therefore, is the reduction of one ex-
8 planation or theory to another—that is, it is the absorption of one of our ideas about a particular
9 thing into another idea.

10 Methodological reductionism is the position that the best scientific strategy is to attempt to re-
11 duce explanations to the smallest possible entities. Methodological reductionism would thus
12 hold that the atomic explanation of a substance's boiling point is preferable to the chemical ex-
13 planation, and that an explanation based on even smaller particles (quarks, perhaps) would be
14 even better.

15 Methodological reductionism, therefore, is the position that all scientific theories either can or
16 should be reduced to a single super-theory through the process of theoretical reduction.

17 Finally, ontological reductionism is the belief that reality is composed of a minimum number of
18 kinds of entities or substances. This claim is usually metaphysical, and is most commonly a
19 form of monism, in effect claiming that all objects, properties and events are reducible to a sin-
20 gle substance. (A dualist who is an ontological reductionist would presumably believe that eve-
21 rything is reducible to one of two substances.)

22 **Reductionism and science**

24 Reductionist thinking and methods are the basis for many of the well-developed areas of mod-
25 ern science, including much of physics, chemistry and cell biology. Classical mechanics in par-
26 ticular is seen as a reductionist framework, and statistical mechanics can be viewed as a recon-
27 ciliation of macroscopic thermodynamic laws with the reductionist approach of explaining
28 macroscopic properties in terms of microscopic components.

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1 In science, reductionism can be understood to imply that certain fields of study are based on
2 areas that study smaller spatial scales or organizational units. While it is commonly accepted
3 that the foundations of chemistry are based in physics, and microbiology is rooted in chemistry,
4 similar statements become controversial when one considers larger-scale fields. For example,
5 claims that sociology is based on psychology, or that economics is based on sociology and
6 psychology would be met with reservations. These claims are difficult to substantiate even
7 though there are clear connections between these fields (for instance, most would agree that
8 psychology can impact and inform economics.) The limit of reductionism's usefulness stems
9 from emergent properties of complex systems which are more common at certain levels of or-
10 ganization. For example, certain aspects of evolutionary psychology and sociobiology are re-
11 jected by some who claim that complex systems are inherently irreducible and that a holistic
12 approach is needed to understand them.

13 Daniel Dennett defends scientific reductionism, which he says is really little more than
14 materialism, by making a distinction between this and what he calls "Greedy reductionism": the
15 idea that every explanation in every field of science should be reduced all the way down to
16 particle physics or string theory. Greedy reductionism, he says, deserves some of the criticism
17 that has been heaped on reductionism in general because the lowest-level explanation of a phe-
18 nomenon, even if it exists, is not always the best way to understand or explain it.

19 Some strong reductionists believe that the behavioral sciences should become "genuine" scien-
20 tific disciplines by being based on genetic biology, and on the systematic study of culture (cf.
21 Dawkins's concept of memes). In his book *The Blind Watchmaker*, Richard Dawkins intro-
22 duced the term "hierarchical reductionism" to describe the view that complex systems can be
23 described with a hierarchy of organizations, each of which can only be described in terms of
24 objects one level down in the hierarchy. He provides the example of a computer, which under
25 hierarchical reductionism can be explained well in terms of the operation of hard drives, proc-
26 essors, and memory, but not on the level of AND or NOR gates, or on the even lower level of
27 electrons in a semiconductor medium.

1 Both Dennett and Steven Pinker argue that too many people who are opposed to science use the
2 words "reductionism" and "reductionist" less to make coherent claims about science than to
3 convey a general distaste for the endeavor, saying the opponents often use the words in a rather
4 slippery way, to refer to whatever they dislike most about science. Dennett suggests that critics
5 of reductionism may be searching for a way of salvaging some sense of a higher purpose to life,
6 in the form of some kind of non-material / supernatural intervention. Dennett terms such aspira-
7 tions "skyhooks," in contrast to the "cranes" that reductionism uses to build its understanding of
8 the universe from solid ground.

9 Others argue that inappropriate use of reductionism limits our understanding of complex sys-
10 tems. In particular, ecologist Robert Ulanowicz says that science must develop techniques to
11 study ways in which larger scales of organization influence smaller ones, and also ways in
12 which feedback loops create structure at a given level, independently of details at a lower level
13 of organization. He advocates (and uses) information theory as a framework to study
14 propensities in natural systems. Ulanowicz attributes these criticisms of reductionism to the
15 philosopher Karl Popper and biologist Robert Rosen.

17 **Reductionism in mathematics**

18 In mathematics, reductionism can be interpreted as the philosophy that all mathematics can (or
19 ought to) be built off a common foundation, which is usually axiomatic set theory. Ernst Zer-
20 melo was one of the major advocates of such a view, and he was also responsible for the devel-
21 opment of much of axiomatic set theory. It has been argued that the generally accepted method
22 of justifying mathematical axioms by their usefulness in common practice can potentially un-
23 dermine Zermelo's reductionist program.

24 As an alternative to set theory, others have argued for category theory as a foundation for cer-
25 tain aspects of mathematics.

27 **Ontological reductionism**

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1 Ontological reductionism is the claim that everything that exists is made from a small number
2 of basic substances that behave in regular ways (compare to monism). Ontological reduction-
3 ism denies the idea of ontological emergence, and claims that emergence is an epistemological
4 phenomenon that only exists through analysis or description of a system, and does not exist on
5 a fundamental level.

6 Ontological reductionism takes two different forms: Token ontological reductionism is the idea
7 that every item that exists is a sum item. For perceivable items, it says that every perceivable
8 item is a sum of items at a smaller level of complexity. Type ontological reductionism is the
9 idea that every type of item is a sum (of typically less complex) type(s) of item(s). For perceiv-
10 able types of item, it says that every perceivable type of item is a sum of types of items at a
11 lower level of complexity. Token ontological reduction of biological things to chemical things
12 is generally accepted. Type ontological reduction of biological things to chemical things is of-
13 ten rejected.

14 Michael Ruse has criticized ontological reductionism as an improper argument against vitalism.

16 **Reductionism in linguistics**

17 Linguistic reductionism is the idea that everything can be described in a language with a lim-
18 ited number of core concepts, and combinations of those concepts. The most known form of
19 reductionist constructed language would be Esperanto (Also See Basic English and the con-
20 structed language Toki Pona).

22 **Limits of reductionism**

23 A contrast to the reductionist approach is holism or emergentism. Holism recognizes the idea
24 that things can have properties as a whole that are not explainable from the sum of their parts
25 (emergent properties). The principle of holism was concisely summarized by Aristotle in the
26 Metaphysics: "The whole is more than the sum of its parts".

27 The term Greedy reductionism, coined by Daniel Dennett, is used to criticize inappropriate use
28 of reductionism. Other authors use different language when describing the same thing.

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1
2 **In philosophy**

3 The concept of downward causation poses an alternative to reductionism within philosophy.
4 This view is developed and explored by Peter Bøgh Andersen, Claus Emmeche, Niels Ole Fin-
5 nemann, and Peder Voetmann Christiansen, among others. These philosophers explore ways in
6 which one can talk about phenomena at a larger-scale level of organization exerting causal in-
7 fluence on a smaller-scale level, and find that some, but not all proposed types of downward
8 causation are compatible with science. In particular, they find that constraint is one way in
9 which downward causation can operate. The notion of causality as constraint has also been ex-
10 plored as a way to shed light on scientific concepts such as self-organization, natural selection,
11 adaptation, and control
12

13 **In science**

14 Phenomena such as emergence and work within the field of complex systems theory pose limits
15 to reductionism. Stuart Kauffman is one of the advocates of this viewpoint. Emergence is
16 strongly related to nonlinearity. The limits of the application of reductionism become especially
17 evident at levels of organization with higher amounts of complexity, including culture, neural
18 networks, ecosystems, and other systems formed from assemblies of large numbers of interact-
19 ing components. Symmetry breaking is an example of an emergent phenomenon. Nobel laure-
20 ate P.W.Anderson used this idea in his famous paper in Science in 1972, 'More is different'[13]
21 to expose some of the limitations of reductionism. The limitation of reductionism was ex-
22 plained as follows. The sciences can be arranged roughly linearly in a hierarchy as particle
23 physics, many body physics, chemistry, molecular biology, cellular biology, ..., physiology,
24 psychology and social sciences. The elementary entities of one science obeys the laws of the
25 science that precedes it in the above hierarchy. But, this does not imply that one science is just
26 an applied version of the science that precedes it. Quoting from the article, "At each stage, en-
27 tirely new laws, concepts and generalizations are necessary, requiring inspiration and creativity
28

1 to just as great a degree as in the previous one. Psychology is not applied biology nor is biology
2 applied chemistry."

3 Sven Erik Jorgensen, an ecologist, lays out both theoretical and practical arguments for a
4 holistic approach in certain areas of science, especially ecology. He argues that many systems
5 are so complex that it will not ever be possible to describe all their details. Drawing an analogy
6 to the Heisenberg uncertainty principle in physics, he argues that many interesting and relevant
7 ecological phenomena cannot be replicated in laboratory conditions, and thus cannot be meas-
8 ured or observed without influencing and changing the system in some way. He also points to
9 the importance of interconnectedness in biological systems. His viewpoint is that science can
10 only progress by outlining what questions are unanswerable and by using models that do not
11 attempt to explain everything in terms of smaller hierarchical levels of organization, but instead
12 model them on the scale of the system itself, taking into account some (but not all) factors from
13 levels both higher and lower in the hierarchy.

14 Disciplines such as cybernetics and systems theory strongly embrace a non-reductionist view of
15 science, sometimes going as far as explaining phenomena at a given level of hierarchy in terms
16 of phenomena at a higher level, in a sense, the opposite of a reductionist approach.

18 **In decision theory**

19 In decision theory, a nonlinear utility function for a quantity such as money can create a situa-
20 tion in which all relevant decisions to be made in a given time period must to be considered si-
21 multaneously in order to maximize utility, if all relevant decisions act on utility only through
22 this quantity. In such a situation, the optimal choice for a given decision depends on the possi-
23 ble outcomes of all other decisions, including those which may have no causal relationship to
24 the decision at hand. Breaking such a problem apart into individual decisions and optimizing
25 each smaller decision can lead to drastically sub-optimal decisions. Such nonlinear utility func-
26 tions for money are used in economics and are necessary in order to satisfy reasonable assump-
27 tions about rational behavior. Such decision making situations are the norm, rather than the ex-
28 ception, in many business settings.

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1
2 **In religion**

3 Certain religious beliefs or doctrines assign supernatural original causes to phenomena. In this
4 context, even if a given system appears to operate by causes and effects that can be explained
5 within a strict reductionist framework, belief or doctrine might hold that its true genesis and
6 placement within larger (and typically unknown) systems is bound up with an intelligence or
7 consciousness that is beyond normal or uninvited human perception. Some such beliefs consti-
8 tute a form of teleology, a perspective which is generally in conflict with reductionism.

9
10
11 **Benefits of reduction**

12 An ontological reduction reduces the number of ontological primitives that exist within our
13 ontology. Philosophers welcome this, because every ontological primitive demands a special
14 explanation for its existence. If we maintain that life is not a physical property, for example,
15 then we must give a separate explanation of why some objects possess it and why others do not.
16 This is more often than not a daunting task, and such explanations often have the flavor of ad
17 hoc contrivances or deus ex machina. Also, since every ontological primitive must be acknowl-
18 edged as one of the fundamental principles of the natural world, we must also account for why
19 this element in particular should be considered one of those underlying principles. (To return to
20 an earlier example, it would be extremely difficult to explain why planets are so fundamental
21 that special laws of motion should apply to them.) This is often extremely hard to do, especially
22 in the face of our strong preference for simple explanations. Pursuing ontological reduction
23 thus serves to unify and simplify our ontology, while guarding against needless multiplication
24 of entities in the process.

25 At the same time, the requirements for satisfactorily showing that one thing is reducible to an-
26 other are extremely steep. First and foremost, all features of the original property or object must
27 be accounted for. For example, lightning would not be reducible to the electrical activity of air
28 molecules if the reduction explained why lightning is deadly, but not why it always seeks the

1 highest point to strike. Our preference for simple and unified explanations is a strong force for
2 reductionism, but our demand that all relevant phenomena be accounted for is at least as strong
3 a force against it.

4 **Alternatives to reductionism**

6 In recent years, the development of systems thinking has provided methods for tackling issues
7 in a holistic rather than a reductionist way, and many scientists approach their work in a holistic
8 paradigm. When the terms are used in a scientific context, holism and reductionism refer pri-
9 marily to what sorts of models or theories offer valid explanations of the natural world; the sci-
10 entific method of falsifying hypotheses, checking empirical data against theory, is largely un-
11 changed, but the approach guides which theories are considered. The conflict between reduc-
12 tionism and holism in science is not universal--it usually centers on whether or not a holistic or
13 reductionist approach is appropriate in the context of studying a specific system or phenome-
14 non.

15 In many cases (such as the kinetic theory of gases), given a good understanding of the compo-
16 nents of the system, one can predict all the important properties of the system as a whole. In
17 other cases, trying to do this leads to a fallacy of composition. In those systems, emergent
18 properties of the system are almost impossible to predict from knowledge of the parts of the
19 system. Complexity theory studies such systems.

20 Certain religious beliefs or doctrines assign supernatural original causes to phenomena. In this
21 context, even if a given system appears to operate by causes and effects that can be explained
22 within a strict reductionist framework, belief or doctrine might hold that its true genesis and
23 placement within larger (and typically unknown) systems is bound up with an intelligence or
24 consciousness that is beyond normal or uninvited human perception. Some such beliefs consti-
25 tute a form of teleology, a perspective which is generally in conflict with reductionism.

26 27 **LEGAL STANDARD**

28

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1 “No matter how important, conspicuous, and controversial the issue, and regardless of how
2 likely the public is to hold the Executive Branch politically accountable, an administrative
3 agency’s power to regulate in the public interest must always be grounded in a valid grant of
4 authority from Congress. Courts must take care not to extend a statute’s scope beyond the point
5 where Congress indicated it would stop. 153 F.3d 155, affirmed. **O’Connor, J.,**

6
7 **FURTHER EVIDENCE OF FALSE CLAIMS DEMONIZING IRON MOUNTAIN MINES**

8 World's 'Worst Water' Found Near Redding

9 Acidity at Iron Mountain mine stuns scientists

10 Carl T. Hall, Chronicle Science Writer

11 Thursday, March 23, 2000

12 (03-23) 04:00 PDT Redding -- In an odd chemical fluke that has astonished scientists, the
13 world's most acidic water has been found deep inside the polluted remnants of an abandoned
14 mine just west of this Shasta County city.

15 Already ranked among the worst pollution sites in the country, the vast underground web of
16 mining operations at Iron Mountain, a federal Superfund cleanup site, now has a dubious new
17 claim to fame.

18 “It's the world's worst water,” said Charles Alpers, a research chemist at the U.S. Geological
19 Survey who has been sampling Iron Mountain runoff since the early 1970s.

20 But he and other scientists insisted that the water posed no threat to human health because it is
21 found in tiny quantities, is safely diluted and scrubbed clean before it reaches the tributaries of
22 the Sacramento River downstream, the main source of drinking water for Redding.

23 The acidic water, they say, is more a scientific curiosity.

24
25 **Excerpt from SFGate, part of the San Francisco Chronicle, June 12, 2009**

26 Rick Sugarek knows not to splash through the puddles inside "the mouth of the beast."
27
28

1 That is what he calls the gaping wound near Redding known to everybody else as the Iron
2 Mountain Mine, which is widely regarded by scientists as one of the most polluted places in the
3 world.

4 The project manager for the Environmental Protection Agency said he once dropped a pen in
5 some running water inside the mine and when he recovered it, it was coated in copper. The wa-
6 ter is so acidic that droplets eat holes in blue jeans and dissolve the stitching on boots, much
7 like battery acid.

8 Sugarek stood Thursday in a shaft once known as the Richmond Mine. It is the source of the
9 toxic stew that has polluted the Sacramento River and its tributaries for more than a century,
10 killed thousands of fish and turned a once-majestic mountain into a hellish breeding ground for
11 nasty bacterial slime that helps create what geologists say is the "world's worst water."

12 JUDICIAL SWADDLING AND DEFERENCE ARE AN UNCONSTITUTIONAL VIOLATION
13 AND ABUSE OF PROTECTIONS OF THE 1ST AMENDMENT ESTABLISHMENT CLAUSE

14 "There can be no doubt that this sort of noneconomic injury is one of the most serious conse-
15 quences of discriminatory government action and is sufficient in some circumstances to support
16 standing." 468 U.S. 737, 755, 104 S.Ct. 3315, 82 L.Ed.2d 556 (1984).

17 See also *Community Hosp. of Monterey Peninsula v. Thompson*, 323 F.3d 782, 792 (9th Cir.
18 2003) ("considerable less deference" is owed to agency's interpretation that conflicts with prior
19 interpretation); *Santamaria-Ames v. INS*, 104 F.3d 1127, 1132 n.7 (9th Cir. 1996) (no defer-
20 ence owed to interpretation that is contrary to plain and sensible meaning of regulation); *United*
21 *States v. Trident Seafoods, Inc.*, 60 F.3d 556, 559 (9th Cir. 1995) (no deference owed to inter-
22 pretation offered by counsel where the agency has not established a position).

23 See also *Defenders of Wildlife v. Browner*, 191 F.3d 1159, 1162 (9th Cir.) (describing twostep
24 Chevron review, and noting when Congress leaves a statutory gap for the agency to fill, any
25 administrative regulations must be upheld unless they are arbitrary, capricious, or manifestly
26 contrary to the statute), amended by 197 F.3d 1035 (9th Cir. 1999).

27 See also *American Fed. of Government Employees v. FLRA*, 204 F.3d 1272, 1275 (2000)
28 (noting agency's interpretation of a statute outside of its administration is reviewed de novo).

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1 See also *Resources Invs., Inc. v. U.S. Army Corps of Eng'rs*, 151 F.3d 1162, 1165 (9th Cir.
2 1998) (deference does not extend to agency litigating positions that are wholly unsupported by
3 regulations, rulings, or administrative practice).

4 The Supreme Court held, in *Ex Parte Milligan* 71 U.S. 2: No doctrine, involving more pernicious
5 consequences, was ever invented by the wit of man than that any of its provisions can be
6 suspended during any of the great exigencies of government.”

7 The Solid Waste Disposal Act also provides at 6921(b)(3)(A)(ii), “suit may be brought
8 against the EPA for failure to perform a non-discretionary act or duty under RCRA. 42 U.S.C.
9 § 6972(a)(2).” CERCLA also provides for citizen suits for failures to perform, such as when:
10 “Each remedial action shall utilize permanent solutions and alternative treatment technologies
11 or resource recovery technologies to the maximum extent practicable. (NCP §300.430(f)(5)(ii))
12 Petitioner demands that the EPA comply with the General Mining Law and Landowners
13 property rights in recognition of the Title by Patent Deeds, provisions of the National Contin-
14 gency Plan (NCP) the Clean Water Act (CWA), the Solid Waste Act (RCRA), the Comprehen-
15 sive Environmental Response, Compensation, and Liability Act (CERCLA, or SUPERFUND),
16 the Emergency Planning and Community Right to Know Act (EPCRA), the California Water
17 Code, the California Health and Safety Code. and the California Toxic Pits Act, the same pro-
18 visions as were required of Iron Mountain Mines and as were used to justify the invasion and
19 occupation of Iron Mountain Mine by the EPA, used to justify the inverse condemnation of
20 Iron Mountain Mines by the EPA, used to justify the Taking without Just Compensation of Iron
21 Mountain Mines, Inc. property by the EPA, used to justify the stigmatic injury and desecration
22 of Iron Mountain Mines by the EPA, used to justify the negligently arbitrary and capricious
23 conduct of the Iron Mountain Mines Superfund site by the EPA, used to justify the deprivations
24 of the rights to Due Process and Equal Protection of T.W. Arman and Iron Mountain Mines,
25 Inc. by the EPA, and used to justify the Personal Injury and Property Damage of T.W. Arman
26 and Iron Mountain Mines, Inc. by the abuse of discretion of the Court as it was manipulated by
27 the EPA.

28 Once liability is established, the defendant may avoid joint and several liability by establishing

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1 that it caused only a divisible portion of the harm—for example, it contributed only a specific
2 part of the hazardous substances that spilled. Even if a defendant cannot do so, it may seek con-
3 tribution from other PRPs under 42 U.S.C. § 9613(f)(1). See *Pinal Creek Group*, 118 F.3d at
4 1300 (noting that Congress’s amendment of CERCLA to include § 9613(f)(1) “clarify[ies] and
5 confirm[s]” that contribution is available to PRPs). “A PRP’s contribution liability will corre-
6 spond to that party’s equitable share of the total liability and will not be joint and several. “ *Id.*
7 at 1301.

8 “It has been justly thought a matter of importance to determine from what source the United
9 States derives its authority... The question here proposed is whether our bond of union is a
10 compact entered into by the states, or whether the Constitution is an organic law established by
11 the People.

12 To this we answer: ‘We the People... ordain and establish this Constitution’...

13 Therefore, to “**establish certain limits not to be transcended by the government.**”

14
15
16 Because this case involves an agency’s construction of a statute it administers, the Court’s analy-
17 sis is governed by *Chevron U.S. A. Inc. v. Natural Resources Defense Council, Inc.*, 467 U.S. 837
18 “***Chevron* deference is premised on the theory that a statute’s ambiguity constitutes an im-
19 plicit delegation from Congress to the agency to fill in the statutory gaps. See 467 U.S., at
20 844. In extraordinary cases, however, there may be reason to hesitate before concluding that
21 Congress has intended such an implicit delegation. This is hardly an ordinary case.”...**

22 **Given [mining’s] unique political history, as well as the breadth of the authority that the
23 [EPA] has asserted, the Court is obliged to defer not to the agency’s expansive construction
24 of the statute, but to Congress’ consistent judgment to deny the [EPA] this power....**

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1 THE COURTS HAVE ERRED IN THEIR DEFENSE OF THE CONSTITUTION.

2 THE RULE MUST BE DISCHARGED!

3 CREATION OF THE ESSENTIAL PRODUCTS ADMINISTRATION

4 CREATION OF THE OFFICE OF THE WARDEN OF THE FORESTS & STANNARIES.

5 CREATION OF THE SPECIAL DEPUTY PRIVATE ATTORNEY GENERAL.

6 DETINUE SUR BAILMENT, REMISSION AND REVERSION.

7
8 *writ of unspeakable errors, divide et regnes!* RELIEF: UNCONSTITUTIONAL LAW IN

9 VIOLATIONS OF FIRST, FOURTH, AND TENTH AMENDMENT PROTECTIONS.

10 § 3729. FALSE CLAIMS; MISTAKE! PROHIBITION! EQUITABLE ESTOPPEL!

11
12 Plaintiff's Pray for Declaratory and Preliminary Injunctive Relief, Damages according to Proof.

13 quo Warranto Incidental and Peremptory Mandamus filed under the Great Seal of the United States.

14
15 Date: **Freedom Day**

16
17 June 19, 2009 Signature: _____

18 s/ John F. Hutchens, *pro se; sui juris*; Tenant in-Chief, Warden of the Forests & Stannaries;

19 Iron Mountain Mines, Inc.

20
21 This last act is the signature of the commission.

22
23 Date: **Juneteenth**

24 June 19, 2009 Signature: _____

25 **John F. Hutchens, Original Absolute Reprimand; Constitutional Repudiation Appointment.**

26
27
28 _____
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