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**THIS WEEK WE CONCLUDE WITH PART 3 OF THE DECISION IN 2010 REGARDING THE CONSTITUTIONALITY OF THE 1954 ADDITION OF "UNDER GOD" TO THE PLEDGE OF ALLEGIANCE. WE RESUME ANALYZING THE DECISION WRITTEN BY NINTH CIRCUIT COURT OF APPEALS JUDGE, CARLOS BEA.**

***History supports Congress’ view of the Pledge.***

Not only must we examine the words “under God” in the context of the rest of the Pledge, we must also examine them in the context of history.

**CARLOS, THE WORDS "UNDER GOD" HAVE NO CONTEXT IN THE PLEDGE. THEY ARE COMPLETELY OUT OF CONTEXT. BEFORE THE WORDS WERE ADDED, THERE WAS NO EXPRESSION OF RELIGIOUS BELIEF IN THE PLEDGE. IT WAS PURELY PATRIOTIC. AFTER THEY WERE ADDED, THERE *WAS* AN EXPRESSION OF RELIGIOUS BELIEF IN THE PLEDGE. THE PURE PATRIOTISM OF THE PLEDGE WAS CONTAMINATED WITH A RELIGIOUS BELIEF. IT DOESN'T GET ANY SIMPLER THAN THAT, CARLOS.**

**AS FOR THE CONTEXT OF HISTORY, THAT IS JUST MORE CRAP YOU ARE THROWING INTO YOUR BANKRUPT ARGUMENT TO DISTRACT EVERYONE'S ATTENTION AWAY FROM THE ISSUE.**

Without knowing the history behind these words, one might well think the phrase “one Nation under God” could not be anything but religious.

**CARLOS, THE PHRASE "ONE NATION UNDER GOD" WAS NOT ADDED TO THE PLEDGE IN 1954. YOU KNOW THAT. YOU ARE BEING INTENTIONALLY DISINGENUOUS. THAT WAS MY "POLITE" WAY OF CALLING YOU DISHONEST. KEEP IT UP CARLOS, AND THE POLITENESS WILL DISAPPEAR.**

History, however, shows these words have an even broader meaning, one grounded in philosophy and politics and reflecting many events of historical significance. The words “under God” were added to the Pledge of Allegiance in 1954 in response to the oppressive governments forming around the World.

**CARLOS, HOW DOES ADDING "UNDER GOD" TO OUR PLEDGE COMBAT THE FORMATION OF OPPRESSIVE GOVERNMENTS?**

Congress wanted to emphasize that in America, the government’s power is limited by a higher power.

**CARLOS, A HIGHER POWER WHICH NO ONE HAS YET BEEN ABLE TO PROVE, ACTUALLY EXISTS. YOU KINDA LEFT THAT PART OUT.**

But to understand this concept, we must look back to the beginning of our nation. Among the “self-evident truths” the Framers believed was the concept that all people are entitled to certain inalienable rights given to them by the “Laws of Nature and Nature’s God”

**CARLOS, THAT SOUNDS MORE LIKE SPINOZA'S GOD THAN YOUR GOD. AND JUST TO RUB SOME SALT INTO YOUR WOUND, IT SOUNDS LIKE THEY WERE PREDICTING DARWIN'S GOD A CENTURY EARLY. BY THE WAY CARLOS, IN CASE YOU DIDN'T CATCH THAT, DARWIN WAS AN ATHEIST.**

and that the purpose of government should be “to secure these rights.”

**CARLOS, IF GOD IS ALL-POWERFUL WHY WOULD YOU NEED A GOVERNMENT TO SECURE THOSE RIGHTS?**

The centuries immediately before and contemporaneous with the colonization of America had been filled with turmoil, civil strife, and persecutions, generated in large part by established sects determined to maintain their absolute political and religious supremacy. . . .

**CARLOS, DOESN'T SOUND LIKE MUCH HAS CHANGED, DOES IT?**

Long before this nation could be founded, the Framers had to convince the people in the American colonies that their individual rights were important enough to start a war. Important enough to die for. Important enough to send their sons to die for. We must remember the Framers urged a rationale for committing treason against Great Britain. For this, they needed to draw upon every weapon in their intellectual arsenal. They needed to call upon divine inspiration, as so many armies before them had.

**CARLOS, CAN YOU NAME ANY ARMY ON EARTH THAT DIDN'T HAVE GOD ON THEIR SIDE? WELL, I GUESS THAT ALWAYS TURNS OUT TO BE THE LOSING SIDE, DOESN'T IT?**

Alexander Hamilton argued in February 1775, “The sacred rights of mankind are not to be rummaged for among old parchments or musty records.

**WELL CARLOS, THAT PRETTY MUCH LEAVES YOUR BIBLE OUT OF THE PICTURE, DOESN'T IT? ARE YOU SURE YOU MEANT TO INCLUDE THAT QUOTE?**

They are written, as with a sunbeam, in the whole volume of human nature, by the hand of the Divinity himself, and can never be erased or obscured by mortal power.”

**CARLOS, HAMILTON WASN'T ABLE TO STRING TOGETHER 2 SENTENCES WITHOUT CONTRADICTING HIMSELF. IT SOUNDS LIKE MAYBE YOU TWO GUYS MIGHT BE RELATED.**

And so when the Second Continental Congress of the United States met on July 4, 1776, the original thirteen states sought to convince not only the Colonists, but also the world that a higher power granted rights directly to the people, who would in turn grant only limited powers to their new government: When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which *the Laws of Nature and of Nature’s God* entitle them,a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation. We hold these truths to be self-evident, that all men are created equal, that *they are endowed by their Creator with certain unalienable Rights*, that among these are Life, Liberty and the pursuit of Happiness.

**CARLOS, THE REASON YOU KEEP REFERRING TO THE DECLARATION OF INDEPENDENCE IS BECAUSE GOD IS NEVER MENTIONED IN THE CONSTITUTION. AND THE REASON YOU KEEP REPEATING THE SAME PART OF THE DECLARATION THAT MENTIONS THE GOD OF NATURE IS BECAUSE THAT IS THE ONLY REFERENCE TO A DEITY IN THE DECLARATION; AND EVEN THAT REFERENCE ISN'T TO YOUR GOD, BUT TO AN UNNAMED CREATOR WHICH CAN REFER TO ANYONE'S GOD. THAT IS CONSISTENT WITH THE FIRST AMENDMENT'S GUARANTEE OF FREEDOM OF RELIGION. IT IS NOT CONSISTENT WITH GOD'S FIRST COMMANDMENT "THOU SHALT HAVE NO OTHER GODS BEFORE ME."**

“The Declaration of Independence was the promise; the Constitution was the fulfillment.”

**CARLOS, AND NEITHER ONE MENTIONED THE WORD CHRISTIANITY OR JESUS ... EVEN ONCE.**

The Constitution fulfilled the promise of the Declaration by creating a government of limited powers. The government was divided into three coequal but separate branches that would check and balance one another to ensure the government remained limited, and the people’s rights secure.

**CARLOS, ARTICLES 1 AND 2 OF THE CONSTITUTION WERE DESIGNED TO MAKE THE LEGISLATIVE AND EXECUTIVE BRANCHES DIRECTLY RESPONSIBLE TO THE WILL OF THE PEOPLE (THROUGH DEMOCRATIC ELECTION). ARTICLE 3 REQUIRES THE JUDICIAL BRANCH TO BE RESPONSIBLE ONLY TO THE CONSTITUTION - NOT TO THE WILL OF THE PEOPLE. THAT IS HOW THE FOUNDERS DESIGNED OUR GOVERNMENT TO PROTECT ALL CITIZENS FROM THE TYRANNY OF THE MAJORITY.**

**UNFORTUNATELY, ROGUE JUDGES WHO WILL FORSAKE THEIR SWORN DUTY AND BOW TO THE WILL OF THE MAJORITY SOMETIMES DEFEAT THE DESIGN OF THE FOUNDERS. THERE HAVE ALWAYS BEEN JUDGES LIKE YOU CARLOS, AND UNFORTUNATELY, THERE PROBABLY ALWAYS WILL BE.**

While the Revolutionary War was waged against the abusive King of Great Britain, the Civil War was waged against abusive State governments.Many abolitionists asserted that slaves were also endowed by the Creator with certain inalienable rights that could not be taken away by the government.

**GEE CARLOS, WHERE DO YOU FIGURE THEY GOT THAT WACKY IDEA FROM? CERTAINLY NOT FROM THE BIBLE. BOTH THE OLD AND NEW TESTAMENTS ARE QUITE CLEAR ON YOUR DEITY'S SUPPORT FOR SLAVERY.**

**I ALSO NOTICE A HINT OF SUPPORT FOR SLAVERY IN YOUR WORDS: WHY DO YOU RAVE CONSTANTLY ABOUT INALIENABLE RIGHTS GRANTED BY A CREATOR, BUT THEN REFER TO ABOLITIONISTS, WHO MAKE THE SAME CLAIM FOR SLAVES, AS ASSERTIONS? YOU NEVER CALLED INALIENABLE RIGHTS "ASSERTIONS" BEFORE.**

During his Gettysburg Address, President Abraham Lincoln called upon this higher power, using the very same phrase— ”nation, under God”—to describe a belief in equality and limited government: The great task remaining before us—that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion—that we here highly resolve that these dead shall not have died in vain—that *this nation, under God*, shall have a new birth of freedom—and that government of the people, by the people, for the people, shall not perish from the earth.

**CARLOS, WHICH NATION WAS UNDER GOD: THE ONE WITH SLAVERY OR THE ONE WITHOUT IT? IF THEY WERE BOTH UNDER GOD THEN HOW COULD YOUR GOD STAND IDLY BY FOR SO LONG AND ALLOW THE ENSLAVEMENT OF ONE RACE BY ANOTHER? EITHER YOUR INVISIBLE GHOST IS NOT ALL POWERFUL AND COULDN'T STOP SLAVERY, OR HE IS ALL POWERFUL AND ALLOWED MILLIONS OF AFRICANS TO LIVE FOR CENTURIES IN MISERY AND HUMILIATION. AND CARLOS, DURING THE CIVIL WAR WHICH SIDE WAS GOD ON? BOTH SIDES CLAIMED GOD WAS ON THEIR SIDE.**

**PAT ROBERTSON CLAIMED THAT IN 1804 THE DEVIL HELPED FREE THE SLAVES IN HAITI. DID THE DEVIL HELP THE NORTH FREE THE SLAVES AGAIN, IN 1865? YOU KNOW CARLOS, IF PAT IS RIGHT, YOU MIGHT BE WORSHIPPING THE WRONG GUY.**

In 1954, during the escalating Cold War with North Korea, the Soviet Union and other communist countries, Congress further amended the Pledge by changing the phrase “one Nation indivisible” to “one Nation under God, indivisible.”

**VERY DECEPTIVE CARLOS. THEY DIDN'T CHANGE THE WORDS "ONE NATION INDIVISIBLE." THEY LEFT THOSE WORDS AS THEY WERE AND INSERTED THE WORDS "UNDER GOD" BETWEEN "NATION" AND "INDIVISIBLE."**

**YOU KNOW CARLOS, THE FACT THAT YOU HAVE TO RATIONALIZE SO DECEPTIVELY, IS WHAT STRIPS YOUR POSITION OF ANY INTEGRITY WHATSOEVER.**

The words “under God” were added as a description of “one Nation” primarily to reinforce the idea that our nation is founded upon the concept of a limited government, in stark contrast to the unlimited power exercised by communist forms of government.

**NO CARLOS. THAT IS NOT WHY THEY WERE ADDED. UNLIMITED POWER IS NOT EXERCISED BY COMMUNIST GOVERNMENTS. YOU ARE CONFUSING THEM WITH DICTATORSHIPS. I THINK THE CONFUSION IS INTENTIONAL.**

**LET'S TEST YOUR THEORY CARLOS. LET'S ASK 100 CHRISTIANS WHY THE WORDS "UNDER GOD" WERE ADDED AND SEE HOW MANY GIVE AN ANSWER SIMILAR TO THE ONE YOU JUST GAVE. WE BOTH KNOW YOU WON'T EVEN GET A HANDFUL, IF ANY. EVERYONE KNOWS WHY THE WORDS WERE ADDED AND THE CONGRESSIONAL RECORD IS THE PROOF THAT YOU ARE LYING THROUGH YOUR TEETH.**

In adding the words “under God” to the Pledge, Congress reinforced the belief that our nation was one of individual liberties granted to the people directly by a higher power: At this moment of our history the principles underlying our American Government and the American way of life are under attack by a system whose philosophy is at direct odds with our own.

**CARLOS, HOW WERE THEY ATTACKING OUR SYSTEM? I THOUGHT WE WENT OVER THERE TO FIGHT? I DON'T REMEMBER THEM COMING OVER HERE.**

**AND HOW COME THE MOST CHRISTIAN NATION ON EARTH IS ALSO THE ONLY ONE THAT IS ALMOST ALWAYS AT WAR SOMEWHERE IN THE WORLD? OH YEAH, "ONWARD CHRISTIAN SOLDIERS" - I ALMOST FORGOT.**

Our American Government is founded on the concept of the individuality and the dignity of the human being.

**CARLOS, CHRISTIANITY IS FOUNDED UPON THE DIGNITY OF THE DEITY AND THE UTTER WORTHLESSNESS OF THE INDIVIDUAL. SO OUR GOVERNMENT, AS YOU JUST DESCRIBED IT, COULDN'T POSSIBLY BE BASED ON CHRISTIANITY.**

Underlying this concept is the belief that the human person is important because he was created by God and endowed by Him with certain inalienable rights which no civil authority may usurp.

**CARLOS, IF GOD GRANTED INALIENABLE RIGHTS TO HUMANS THEN EXPLAIN HOW POWERFUL HUMANS HAVE BEEN ABLE TO DENY THOSE RIGHTS TO BILLIONS THROUGHOUT ALL OF HISTORY. THAT PROVES THE EXACT OPPOSITE OF WHAT YOU CLAIM. INALIENABLE RIGHTS CAN ONLY COME FROM ONE SOURCE, AND IT ISN'T THE SPIRIT WORLD. THEY COME FROM ... THE PEOPLE.**

The House Report adopted this statement from Representative Rabaut: By the addition of the phrase ‘under God’ to the pledge, the consciousness of the American people will be more alerted to the true meaning of our country and its form of government.

**CARLOS, WHAT HAS GOD GOT TO DO WITH DEMOCRACY? THERE IS NOTHING DEMOCRATIC ABOUT A CELESTIAL DICTATOR WHO BUTCHERS AND TORTURES THOSE WHO REFUSE TO WORSHIP HIM.**

More importantly, the children of our land, in the daily recitation of the pledge in school, will be daily impressed with a true understanding of our way of life and its origins.

**CARLOS, THAT MAY NOT BE AS TRUE AS YOU THINK IT IS. RECENTLY, GOVERNOR RICK PERRY THREATENED TO LEAD HIS STATE OF TEXAS OUT OF THE UNION. APPARENTLY RECITING THE PLEDGE EVERY SCHOOLDAY FOR YEARS DIDN'T IMPRESS HIM VERY MUCH WITH A TRUE UNDERSTANDING OF OUR WAY OF LIFE ... AT LEAST NOT THE "INDIVISIBLE" PART.**

As they grow and advance in this understanding, they will assume the responsibilities of self-government equipped to carry on the traditions that have been given to us. Undoubtedly, as the dissent sets forth in great detail, some members of Congress sought to promote religion and to combat atheism.

**CARLOS, "SOME" MEMBERS? MAYBE YOU NEED TO REREAD THE DISSENT SINCE IT IS OBVIOUS THAT HE DID READ THE CONGRESSIONAL RECORD. THERE WAS ZERO OPPOSITION TO PROMOTING CHRISTIANITY AND COMBATING ATHEISM.**

We do not dispute that those motives do not comport with the First Amendment.

**CARLOS, RIGHT THERE IS WHERE YOU SHOULD HAVE STOPPED. THAT IS THE ONLY ACCURATE STATEMENT IN YOUR ENTIRE DECISION. BUT YOU CAN'T STOP THERE, CAN YOU? YOU ARE NOW FORCED TO RATIONALIZE AWAY THE COLD FACTS IN ORDER TO ARRIVE AT THE DECISION THE MASSES REQUIRE.**

Where the dissent errs, however, is in focusing solely on what individuals *say* when they are making political statements to their constituencies and ending its analysis there instead of also looking at what Congress *did* when it enacted and amended the Pledge over time. The dissent ignores the plain language of the 2002 Act —the only evidence we have of what an overwhelming majority of both houses of Congress voted for.

**CARLOS, THE ONLY EVIDENCE WE HAVE OF WHAT THE OVERWHELMING MAJORITY OF BOTH HOUSES OF CONGRESS VOTED FOR IS CONTAINED IN THE 1954 CONGRESSIONAL RECORD. THE 2002 ACT IS IRRELEVANT BECAUSE THAT ACT DID NOT ADD THE OFFENDING WORDS, IT JUST DEFENDED THE UNCONSTITUTIONAL IMPOSITION OF RELIGION ON CHILDREN.**

**CARLOS, JUST OFF HAND, CAN YOU GUESS HOW MANY MEMBERS OF CONGRESS OPENLY ADMIT TO BEING ATHEIST? BY MY COUNT, ONE. IT IS A WELL-KNOWN FACT THAT OUR GOVERNMENT IS FOR CHRISTIANS ONLY. WHAT IS MOST AMAZING IS THAT CHRISTIANS HAVEN'T REPEALED THE FIRST AMENDMENT YET. BUT THIS DECISION SHOWS WHY THAT STEP IS UNNECESSARY: IT IS SO MUCH EASIER TO JUST IGNORE IT.**

Why does the dissent ignore the language in the statute that Congress voted for?

**CARLOS, BECAUSE THE DISSENT IS FOCUSING ON THE ISSUE AT HAND, WHICH IS WHAT YOU ARE SUPPOSED TO BE DOING INSTEAD OF TRYING TO DISTRACT EVERYONE'S ATTENTION TO IRRELEVANT ISSUES.**

Because the Congressional findings set forth in the statute do not lead to the result the dissent desires.

**CARLOS, YOU ARE THROWING ROCKS AT A MIRROR. THAT LAST SENTENCE PERFECTLY DESCRIBES WHAT YOU HAVE JUST DONE. THE NEWDOW CASE WHICH RULED THE PLEDGE UNCONSTITUTIONAL WAS NOT THE RESULT YOU DESIRED. THE RATIONALIZATIONS AND LIES THAT YOU HAVE INVOKED TO JUSTIFY YOUR RAPE OF THE FIRST AMENDMENT IS CLEAR TO ANYONE WITH AN UNBIASED MIND (WHICH IS SOMETHING YOU WILL NEVER EXPERIENCE, CARLOS).**

The dissent also ignores the inescapable fact that it is the 2002 Act that is in effect today. The dissent points to instances where individual Congressmen proclaimed, as politicians often do in election years, the obvious religious elements of the amendment.

**CARLOS, SO THEY CAN BE EXCUSED FOR PROCLAIMING THE RELIGIOUS ELEMENTS BECAUSE IT WAS AN ELECTION YEAR? CARLOS, YOUR ARGUMENTS ARE GETTING MORE DESPERATE BY THE PAGE, AND THEY WERE ALREADY PRETTY DESPERATE TO BEGIN WITH.**

The dissent calls the 2002 Congress’ purpose a sham but does not point to even one place where Congress is incorrect in its recitation of history. The dissent disregards the fact that the Supreme Court has also recognized that the Founders’ religious beliefs are a part of our nation’s history.

**CARLOS, THE FOUNDERS WERE A GROUP OF INDIVIDUALS WHO HAD MANY DIFFERENT RELIGIOUS BELIEFS INCLUDING DEISM, UNITARIANISM, CHRISTIANITY, ETC. YOU CANNOT LUMP THEM ALL TOGETHER LIKE YOU JUST TRIED TO DO. DEISTS AND UNITARIANS DO NOT BELIEVE IN YOUR GOD, CARLOS. FORTUNATELY FOR AMERICA, IT WAS THEIR INFLUENCE THAT PREVAILED AND RESULTED IN A SECULAR CONSTITUTION.**

“The fact that the Founding Fathers believed devotedly that there was a God and that the unalienable rights of man were rooted in Him is clearly evidenced in their writings, from the Mayflower Compact to the Constitution itself.”

**CARLOS, ALMOST EVERYONE BELIEVED IN GOD OVER 200 YEARS AGO. THERE WAS NO SHAME IN THAT ... IN THOSE DAYS. BUT YOU JUST SAID THAT THE UNALIENABLE RIGHTS OF MAN, ROOTED IN GOD, IS EVIDENCED BY THE CONSTITUTION ITSELF. PERHAPS YOU WOULD BE SO KIND AS TO POINT OUT ... WHERE?**

***Secular purposes that have a religious component to them can be constitutional.***

Both the purposes of inspiring and solemnizing do have a religious element to them.

**CARLOS, WHY CAN'T INSPIRATION OR SOLEMNIZING OCCUR IN THE ABSENCE OF RELIGION?**

the First Amendment requires that a statute must be invalidated if it is entirely motivated by a purpose to advance religion”

**CARLOS, THAT IS WHY MOST OF YOUR EFFORTS TO DISTRACT, ARE DEVOTED TO EXAMINING THE WHOLE PLEDGE INSTEAD OF JUST THE PART AT ISSUE. WE ALL AGREE THAT THE WHOLE PLEDGE DOES NOT ADVANCE RELIGION; BUT ONLY THE 2 WORDS "UNDER GOD"; AND THEY WERE ENTIRELY MOTIVATED BY A DESIRE TO ADVANCE CHRISTIANITY.**

**I THINK PRESIDENT EISENHOWER HIMSELF PUT IT BEST:**

**"From this day forward, the millions of our schoolchildren will daily proclaim in every city and town, every village and rural schoolhouse, the dedication of our nation and our people to the Almighty."**

**(http://www.quotedb.com/quotes/410).**

**CARLOS, FACTS LIKE THAT KIND OF KILLS YOUR WHOLE SPIEL ABOUT "UNDER GOD" BEING ADDED TO THE PLEDGE TO ENLIGHTEN KIDS ABOUT LIMITED GOVERNMENT, DOESN'T IT? EISENHOWER CERTAINLY DIDN'T AGREE WITH YOU.**

The preamble to the 2002 Act specifically mentions *Zorach v. Clausen*. In *Zorach*, the plaintiffs brought a challenge under the Establishment Clause to a New York City program releasing children who wanted to attend classes on religion from attendance in public school for part of the day. As is the case here, no student was forced to participate in any religious exercises. Similarly, in *Marsh v. Chambers*, the Court held that the opening of the Nebraska legislature’s session with a prayer by a chaplain paid for with public funds was simply an acknowledgment of the role that religion played in our nation’s history.

**CARLOS, WHY IS IT NECESSARY TO ACKNOWLEDGE THE ROLE THAT RELIGION PLAYED IN OUR HISTORY AT EVERY SESSION? ARE THE NEBRASKA LEGISLATORS SO FEEBLE THAT THEY NEED TO BE REMINDED EVERY TIME THEY CONVENE? ISN'T THAT WHAT CHURCHES ARE FOR? WOULDN'T THE GOVERNMENT BE MORE EFFICIENT IF LEGISLATORS SPENT THEIR TIME WORKING FOR THE PEOPLE THEY REPRESENT RATHER THAN PRETENDING TO TALK TO AN INVISIBLE MAN?**

There, as the Court observed, the nation’s historical practices can outweigh even obvious religious concerns under the Establishment Clause: We turn then to the question of whether any features of the Nebraska practice violate the Establishment Clause. Beyond the bare fact that a prayer is offered, three points have been made: first, that a clergyman of only one denomination-Presbyterian-has been selected for 16 years;

**GEE CARLOS, WHAT A FUCKING SURPRISE. I NEVER WOULD HAVE GUESSED THAT IN A MILLION YEARS; WHICH IS ABOUT HOW LONG I GUESS WE'RE SUPPOSED TO WAIT FOR THE RETURN OF YOUR NON-UNION CARPENTER.**

The dissent would have us strike down the Pledge because it is not *exclusively* secular,

**CARLOS, WHERE DID THE DISSENT ASK FOR THE PLEDGE TO BE STRICKEN? WHERE IN THE COMPLAINT DO THE PLAINTIFFS ASK FOR THE PLEDGE TO BE STRICKEN? IT TOOK YOU MORE THAN 2 YEARS TO WRITE THIS DECISION AFTER HEARING THE CASE, AND THE BEST YOU CAN COME UP WITH IS AN EASILY DISPROVEN LIE?**

**CARLOS, HOW MANY TIMES DID YOU PRAY TO JESUS AND ASK HIM TO GIVE YOU SOMETHING, ANYTHING, TO WRITE DOWN THAT WOULD HELP KEEP CHRISTIAN DOMINATION ALIVE? AND THE BEST HE COULD DO, WAS TO TELL YOU TO LIE AND HOPE FOR THE BEST? I SURE HOPE HE WAS A BETTER CARPENTER THAN HE IS A LEGAL CONSULTANT.**

but contains the words “under God.” The *Lemon* test, however, asks whether a challenged statute or governmental action is *predominantly* religious or secular, not exclusively secular. This formulation makes sense because oftentimes what one person considers secular, another considers religious.

**CARLOS, THAT IS NOT THE CASE HERE. "UNDER GOD" IS CLEARLY, EXCLUSIVELY RELIGIOUS. THAT IS WHY YOU KEEP TRYING TO DISTRACT EVERYONE'S ATTENTION TO THE SECULAR PART OF THE PLEDGE.**

For instance, even the dissent thinks the 1942 version of the Pledge was secular,

**CARLOS, WHAT DO YOU MEAN "EVEN THE DISSENT?" WHO DOESN'T THINK THE 1942 VERSION WAS SECULAR?**

yet that was the version challenged in *West Virginia State Bd. of Educ. v. Barnette*.

**CARLOS, IT WAS CHALLENGED ON THE BASIS THAT IT FORCED STUDENTS TO SAY THE PLEDGE OF ALLEGIANCE IN VIOLATION OF THE FIRST AMENDMENT; AND THEY WON. THAT IS WHY YOU CANNOT FORCE ATHEISTS TO PLEDGE ALLEGIANCE TO YOUR INVISIBLE FRIENDS.**

To the Jehovah’s Witnesses in *Barnette*, even the version of the Pledge that did not contain the words “under God” violated their religious freedom by causing them to pledge allegiance to something other than God.

**WRONG CARLOS, THEY DIDN'T WIN BECAUSE IT VIOLATED THEIR RELIGIOUS FREEDOM, THEY WON BECAUSE THE COURT RULED THAT THE STATE DID NOT HAVE THE POWER TO COMPEL SPEECH IN THAT MANNER. IN FACT, THE COURT REFUSED TO EVEN ADDRESS THE ISSUE OF RELIGIOUS BELIEF.**

**http://en.wikipedia.org/wiki/West\_Virginia\_State\_Board\_of\_Education\_v.\_Barnette**

**YOU KNOW CARLOS, AFTER MY MIND RECOVERS FROM REELING FROM YOUR LAST MISREPRESENTATION, I THINK I'M GOING TO ANALYZE THIS QUESTION: IF AMERICA HAD A CHANCE TO DO IT ALL OVER AGAIN, WHICH CUBAN SHOULD WE ALLOW IN: YOU ... OR CASTRO? I'M LEANING TOWARDS CASTRO MYSELF. THE MOST DAMAGE HE COULD HAVE CAUSED WOULD HAVE BEEN TO OPEN A CIGAR SHOP.**

In *Barnette*, Jehovah’s Witnesses challenged a school board regulation requiring students to recite the Pledge and salute the flag, contending that the regulation compelled them to violate their religious prohibition against bowing down to a graven image.

**CARLOS, DIDN'T IT STRIKE YOU AS ODD HOW THEY COULD CONSIDER A FLAG, TO BE GRAVEN, AND STANDING, TO BE BOWING DOWN? AND THEN HAVE NO PROBLEM KNEELING DOWN BEFORE A METALLIC CROSS?**

**IT'S ABSOLUTELY STUNNING HOW PEOPLE THAT DIM-WITTED CAN ACTUALLY FUNCTION IN DAILY LIFE, BUT SOMEHOW ... THEY DO.**

Refusal to comply with the mandatory Pledge recitation resulted in the expulsion of the student from school and criminal penalties for his parents for the consequent truancy. The school policy did not allow students to opt out for any reason, much less without explanation, as do the schools involved here. The Supreme Court held the school policy mandating recitation of the Pledge violated the Free Speech Clause of the First Amendment, because the policy forced the students, under threat of penalty, to recite the Pledge against their wishes. The Supreme Court did not, however, go as far as the dissent would here, and strike down the Pledge of Allegiance.

**CARLOS, WHY ARE YOU REPEATING SOMETHING THAT IS SO EASY TO DISPROVE? NO WHERE DO THE PLAINTIFFS, NOR THE DISSENT, ASK FOR WHAT YOU CLAIM. COME ON CARLOS, KEEP YOUR GUARD UP. THIS IS LIKE BEATING UP ON A RETARD.**

The Supreme Court held that as long as recitation of the Pledge was optional, then the Pledge was constitutional.

**CARLOS, THE PLEDGE IS NOT BEING CHALLENGED BASED ON WHETHER OR NOT IT IS OPTIONAL. IT IS BEING CHALLENGED FOR THE ADDITION OF "UNDER GOD."**

**HEY CARLOS, TRY THIS: REPLACE THE WORD GOD WITH ALLAH, AND THEN TELL EVERYONE THAT THIS PART IS OPTIONAL. THINK THAT'LL FLY? NOT EVEN FOR A SPLIT-SECOND, AND THAT'S WHAT MAKES YOUR EXCUSE ABOUT THE PLEDGE BEING OPTIONAL, A SHAM. IF YOU DID TRY THAT, CHRISTIANS WOULD GET RATIONAL REAL QUICK AND THE PLEDGE WOULD BE RESTORED TO THE WAY IT WAS WHEN EVERYONE WAS INCLUDED, AND RELIGION WAS LEFT OUT OF IT.**

The same principle applies here. This is one of the great principles of our nation, when it comes to participating in non-violent religious exercises, or holding particular religious views: All may, none must.

**CARLOS, TELL US MORE ABOUT THE VIOLENT RELIGIOUS EXERCISES. THAT SHOULDN'T BE TOO HARD TO DO. YOUR 2,000-YEAR HISTORY IS LITTERED WITH THE CORPSES OF RELIGIOUS VICTIMS.**

In the context of the Pledge, the phrase “one Nation under God” constitutes a powerful admission by the government of its own limitations.

**CARLOS, THAT'S PROVIDED THAT YOU BELIEVE IN AN INVISIBLE MAN IN THE SKY. FOR RATIONAL PEOPLE IT CONSTITUTES NOTHING MORE THAN ANOTHER ATTEMPT BY GHOST WORSHIPPERS TO IMPOSE THEIR SUPERSTITIONS ON THOSE AROUND THEM BY BRAINWASHING YOUNG, INNOCENT CHILDREN.**

Although the phrase also has religious connotations, “one Nation under God” in the Pledge is a reference to the historical and political underpinnings of our nation. As Justice Brennan noted, “The revised pledge of allegiance, for example, may merely recognize the historical fact that our Nation was believed to have been founded ‘under God.’ Thus reciting the pledge may be no more of a religious exercise than the reading aloud of Lincoln’s Gettysburg Address, which contains an allusion to the same historical fact.”

**CARLOS, CHILDREN AREN'T REQUIRED TO STAND AND PLEDGE ALLEGIANCE ... TO THE GETTYSBURG ADDRESS.**

**The Endorsement Test: The Pledge has neither the purpose nor the effect of endorsing religion.**

For the same reasons we find the Pledge does not violate the *Lemon* test, we similarly find the Pledge does not violate the Endorsement Test, first articulated by Justice O’Connor in her *Lynch* concurrence and subsequently adopted by a majority of the Court in *County of Allegheny*. Under the Endorsement Test, we look to see whether the challenged governmental action has the purpose or effect of endorsing, favoring, or promoting religion, particularly if it has the effect of endorsing one religion over another. “Endorsement sends a message to nonadherents that they are outsiders, not full members of the political community.”

**CARLOS, CHRISTIANITY CLAIMS TO BE MONOTHEISTIC. THEREFORE CHRISTIANS BELIEVE THAT THERE IS ONLY ONE GOD; SO THE GODS OF ALL THE OTHER RELIGIONS MUST BE IMAGINARY. IF YOU DON'T BELIEVE ME, JUST ASK ANY CHRISTIAN. SO "UNDER GOD" CAN ONLY BE IN REFERENCE TO THE ONE TRUE GOD, THE CHRISTIAN GOD. SO "UNDER GOD" DOES PROMOTE ONE RELIGION OVER THE OTHERS IN VIOLATION OF THE ENDORSEMENT TEST.**

Under the Endorsement Test, the question is what viewers may fairly understand to be the purpose of the display. That inquiry, of necessity, turns upon the *context* in which the contested object appears: A typical museum setting, though not neutralizing the religious content of a religious painting, negates any message of endorsement of that content. In other words, under the Endorsement Test, as under the *Lemon* Test, the words “one Nation under God” must be analyzed in terms of the context of the Pledge, which the dissent once again fails to do.

**THAT'S CORRECT CARLOS, THE DISSENT ANALYZES THE WORDS AT ISSUE RATHER THAN TRYING TO USE OTHER WORDS IN THE PLEDGE TO CONFUSE THE ISSUE.**

**"UNDER GOD" IS COMPLETELY OUT OF CONTEXT WITH THE REST OF THE PLEDGE. THAT IS WHY ALL YOUR EFFORTS ARE GOING INTO CONVINCING EVERYONE THAT THE WORDS DON'T MEAN WHAT THEY SAY THEY MEAN ... THEY MEAN WHAT YOU SAY THEY MEAN; AND NEITHER PRESIDENT EISENHOWER, NOR ANY MEMBER OF CONGRESS IN 1954 AGREED WITH YOUR INTERPRETATION.**

Thus, in *Wallace v. Jaffree*, the Court held Alabama’s moment-of-silence statute was unconstitutional because it was “enacted . . . for the sole purpose of expressing the State’s endorsement of prayer activities.” Similarly, in *County of Allegheny*, the Court held a nativity display with a banner proclaiming “Gloria in Excelsis Deo” unconstitutional because it was intended to convey the message that the viewer should give glory to God for the birth of Christ, a specifically Christian belief.

Here, in contrast, as analyzed in detail above, both the purpose and effect of the Pledge are that of a predominantly patriotic, not a religious, exercise. The phrase “under God” is a recognition of our Founder’s political philosophy that a power greater than the government gives the people their inalienable rights. Thus, the Pledge is an endorsement of our form of government, not of religion or any particular sect.

The inquiry turns on how a reasonable observer would view the wording of the Pledge as a whole: “Because our concern is with the political community writ large, the endorsement inquiry is not about the perceptions of particular individuals or saving isolated nonadherents from . . . discomfort . . . .

**CARLOS, IF WE COULD ONLY ADD ALLAH TO THE PLEDGE IT WOULD BE HYSTERICAL TO SEE HOW FAST YOU WOULD CHANGE YOUR DESCRIPTION OF "ISOLATED NONADHERENTS"; AND I'LL BET YOU WOULD SWAP OUT THE WORD "DISCOMFORT" FOR SOMETHING FAR MORE "DESCRIPTIVE."**

It is for this reason that *the reasonable observer* in the endorsement inquiry *must be deemed aware of the history and context* of the community and forum in which the activity takes place.” We recognize some school children who are unaware of its history may perceive the phrase “under God” in the Pledge to refer exclusively to a monotheistic God of a particular religion.

**WELL CARLOS, IF YOU EVER GO BACK OVER THE CONGRESSIONAL RECORD FROM 1954 YOU'LL DISCOVER THAT SCHOOLCHILDREN AREN'T THE ONLY ONES WHO THINK THAT "UNDER GOD" REFERS EXCLUSIVELY TO THE CHRISTIAN GOD. EVERY MEMBER OF CONGRESS MADE IT CLEAR THAT THEY FELT THE SAME WAY; AND DON'T FORGET IKE.**

**The Coercion Test: The Pledge does not coerce students to support or participate in religion or in a religious exercise.**

This brings us to plaintiffs’ next contention, that the recitation of the Pledge in a public school classroom unconstitutionally coerces objecting students into affirming a belief in God. Even though the students in the school are not compelledto recite the Pledge by threat of penalty, are they nonetheless coerced into participating in a religious exercise?

**CARLOS, THE PENALTY DOES NOT COME FROM THE GOVERNMENT OR THE SCHOOL DISTRICT. THE PENALTY COMES FROM A FAR MORE POTENT SOURCE ... THEIR PEERS. SIT DOWN DURING THE PLEDGE AND WE ALL KNOW THAT PEER PRESSURE WILL WORK FAR BETTER THAN ANY PUNISHMENT THAT COULD BE THREATENED BY ANY SCHOOL DISTRICT.**

**Conclusion**

We hold that California Education Code section 52720 and the School District’s Policy of having teachers lead students in the daily recitation of the Pledge, and allowing those who do not wish to participate to refuse to do so with impunity, do not violate the Establishment Clause. Therefore, we reverse the decision of the district court holding the School District’s Policy unconstitutional and vacate the permanent injunction prohibiting the recitation of the Pledge by willing students.

**MY SUMMARY**

**THE SWING VOTE ON THIS 3-JUDGE PANEL WAS DOROTHY NELSON. SHE IS A DEVOUT MEMBER OF THE BAHA'I FAITH. HER FAITH ESPOUSES BELIEF IN A GOD THAT UNITES US ALL. SHE OBVIOUSLY BELIEVES THAT CHRISTIANS ARE HER FRIENDS. SHE COULDN'T BE MORE WRONG. CHRISTIANS BELIEVE SHE IS BOUND FOR HELL, AND ... THAT SHE DESERVES IT. NELSON SHOULD HAVE BASED HER DECISION ON LAW AND REASON, NOT ON HER DESIRE TO PROMOTE BELIEF IN GOD; BECAUSE IF CHRISTIANS *ARE* ABLE TO ACHIEVE THE CHRISTIAN NATION THEY ARE STRUGGLING SO HARD TO OBTAIN, SHE WILL DISCOVER THAT SHE IS AS UNWELCOME AS ANY ATHEIST.**

**I URGE THE AUDIENCE TO READ THE DISSENT BY JUDGE STEPHEN REINHARDT. I FOUND NO EVIDENCE OF LOGICAL FALLACIES, MISREPRESENTATIONS, OR LIES. IT COULD BE BECAUSE REINHARDT IS AN HONEST MAN, OR IT MIGHT SIMPLY BE THAT NONE OF THOSE THINGS WERE NECESSARY BECAUSE HE HAD THE LAW ON HIS SIDE. IT IS AN EXCELLENT READ THAT WILL SUPPLY MANY DETAILS THAT I WAS UNABLE TO INCLUDE IN MY BRIEF EXAMINATION.**

**I FIND IT IRONIC THAT THE JUDGE LECTURING US ON PATRIOTISM IS CARLOS BEA. WHILE GHOST WORSHIPPERS WERE CHANGING THE PLEDGE IN THE FIFTIES TO INDOCTRINATE THE YOUTH OF AMERICA WITH THEIR RELIGIOUS BELIEFS, BEA ALLEGEDLY WAS DOING EVERYTHING HE COULD TO AVOID FULFILLING HIS DUTY TO HIS COUNTRY.**

**I WILL ADMIT THAT THE SOURCES I USED MAY HAVE BEEN INACCURATE OR EVEN COMPLETELY WRONG. ONLY CARLOS BEA HIMSELF KNOWS FOR SURE. BUT BASED ON WHAT I READ ABOUT HIS ALLEGED DRAFT-DODGING, HAVING CARLOS BEA LECTURE YOU ON PATRIOTISM MAKES ABOUT AS MUCH SENSE AS HIRING CASEY ANTHONY TO BABYSIT YOUR KIDS.**

**CARLOS, AN OBJECTIVE ANALYSIS OF YOUR DECISION IS CLEAR EVIDENCE THAT YOU SPENT THE 2+ YEARS BETWEEN THE CASE AND THE DECISION DESPERATELY CONSULTING GHOST WORSHIPPERS ON HOW TO JUSTIFY THE DECISION THAT WAS REQUIRED.**

**YOU, AND THEY, FAILED MISERABLY.**

**YOUR RATIONALIZATIONS, EXCUSES, DISTRACTIONS, MISREPRESENTATIONS, AND LIES CAN IN NO WAY BE SEEN AS HONEST MISTAKES. YOU ARE FAR TOO WELL EDUCATED TO BE ALLOWED TO CLAIM IGNORANCE. YOU HAVE BROUGHT SHAME TO THE JUDICIARY AND YOU SHOULD BE DISBARRED FOR HOW YOU HAVE DEFILED YOUR OATH.**

**CARLOS, IF YOU ARE GOING TO HEAVEN, THEN I THANK MY LUCKY STARS THAT I WON'T BE ANYWHERE NEAR THE PLACE ... BECAUSE THE SMELL OF BURNING FLESH IN HELL COULDN'T EVEN BEGIN TO MATCH THE STENCH IN HEAVEN ... WHEN YOU PASS THROUGH THE GATES.**

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**THE SCIENCE SEGMENT**

**SNOW LEOPARD POPULATION DISCOVERED IN AFGHANISTAN**

**THE WILDLIFE CONSERVATION SOCIETY HAS DISCOVERED A SURPRISINGLY HEALTHY POPULATION OF RARE SNOW LEOPARDS LIVING IN THE MOUNTAINOUS REACHES OF NORTHEASTERN AFGHANISTAN'S WAKHAN CORRIDOR.**

**THE DISCOVERY GIVES HOPE TO THE WORLD'S MOST ELUSIVE BIG CAT, WHICH CALLS HOME TO SOME OF THE WORLD'S TALLEST MOUNTAINS. BETWEEN 4,500 AND 7,500 SNOW LEOPARDS REMAIN IN THE WILD SCATTERED ACROSS A DOZEN COUNTRIES IN CENTRAL ASIA.**

**COMMUNITY RANGERS USED CAMERA TRAPS TO DOCUMENT THE PRESENCE OF SNOW LEOPARDS AT 16 DIFFERENT LOCATIONS ACROSS A WIDE LANDSCAPE. THE IMAGES REPRESENT THE FIRST CAMERA TRAP RECORDS OF SNOW LEOPARDS IN AFGHANISTAN.**

**THIS DISCOVERY SHOWS THAT THERE IS REAL HOPE FOR SNOW LEOPARDS IN AFGHANISTAN. NOW THE GOAL OF RESEARCHERS IS TO ENSURE THAT THESE MAGNIFICENT ANIMALS HAVE A SECURE FUTURE AS A KEY PART OF AFGHANISTAN'S NATURAL HERITAGE.**

**ACCORDING TO THE STUDY, SNOW LEOPARDS REMAIN THREATENED IN THE REGION. POACHING FOR THEIR PELTS, PERSECUTION BY SHEPHERDS, AND THE CAPTURE OF LIVE ANIMALS FOR THE ILLEGAL PET TRADE HAVE ALL BEEN DOCUMENTED IN THE WAKHAN CORRIDOR. IN RESPONSE, THERE HAS DEVELOPED A SET OF CONSERVATION INITIATIVES TO PROTECT SNOW LEOPARDS. THESE INCLUDE PARTNERING WITH LOCAL COMMUNITIES, TRAINING OF RANGERS, AND EDUCATION AND OUTREACH EFFORTS.**

**BY DEVELOPING A COMMUNITY-LED MANAGEMENT APPROACH, RESEARCHERS BELIEVE SNOW LEOPARDS WILL BE CONSERVED IN AFGHANISTAN OVER THE LONG TERM.**

**CONSERVATION EDUCATION IS NOW OCCURRING IN EVERY SCHOOL IN THE WAKHAN REGION. 59 RANGERS HAVE BEEN TRAINED TO DATE. THEY MONITOR NOT ONLY SNOW LEOPARDS BUT OTHER SPECIES INCLUDING MARCO POLO SHEEP AND IBEX WHILE ALSO ENFORCING LAWS AGAINST POACHING. THE CONSTRUCTION OF PREDATOR-PROOF LIVESTOCK CORRALS AND A LIVESTOCK INSURANCE PROGRAM COMPENSATES SHEPHERDS, THOUGH INITIAL RESEARCH SHOWS THAT SURPRISINGLY FEW LIVESTOCK FALL TO PREDATORS IN THE REGION.**

**SNOW LEOPARDS HAVE DECLINED BY AS MUCH AS 20 PERCENT OVER THE PAST 16 YEARS AND ARE CONSIDERED ENDANGERED BY THE INTERNATIONAL UNION FOR CONSERVATION OF NATURE.**

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**FAMOUS QUOTES**

**DAVID BRIN** **(BORN IN 1950) 60 YEARS OLD.**

**HE IS AN AMERICAN SCIENTIST, NASA CONSULTANT, AND AWARD-WINNING AUTHOR OF SCIENCE FICTION. HE HAS RECEIVED THE HUGO, LOCUS, CAMPBELL, AND NEBULA AWARDS.**

**"IF AN OUTSIDER PERCEIVES 'SOMETHING WRONG'**

**WITH A CORE SCIENTIFIC MODEL,**

**THE HUMBLE AND JUSTIFIED RESPONSE OF THAT CURIOUS OUTSIDER**

**SHOULD BE TO ASK 'WHAT MISTAKE AM I MAKING?'**

**BEFORE ASSUMING 100% OF THE EXPERTS ARE WRONG."**