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**THIS WEEK WE CONTINUE WITH PART 2 OF 3, EXAMINING 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.**

Next, we turn to the hotly contested issue in this case, whether Congress’ purpose in enacting the Pledge of Allegiance was predominantly patriotic or religious.

**Congress’ purpose in enacting the Pledge of Allegiance was patriotic.**

Under *Lemon'*s first prong, governmental action is unconstitutional only if it has the “ostensible and predominant purpose of advancing religion.” We must defer to the government’s articulation of a secular purpose, of which patriotism is one; however, the government’s stated purpose must be sincere, not a sham. In 2002, Congress’ purpose in reaffirming the Pledge by enacting title 4 U.S.C. section 4 was predominantly secular.

**CARLOS, AS YOU JUST STATED, THE ISSUE IS WHETHER CONGRESS'S PURPOSE IN ENACTING THE ADDITION OF "UNDER GOD" TO THE PLEDGE WAS PATRIOTIC OR RELIGIOUS - NOT WHETHER THE REAFFIRMING OF THE ALTERED PLEDGE BY CONGRESS 48 YEARS LATER WAS PATRIOTIC OR RELIGIOUS.**

**YOU CONTINUE TO ATTEMPT TO DISTRACT ATTENTION AWAY FROM THE REAL ISSUE AND INTO SHAM ISSUES. THAT IS A VERY DISHONEST TACTIC FOR A JUDGE. ACTUALLY CARLOS, THAT IS A VERY DISHONEST TACTIC FOR ANYONE.**

The phrase “under God”, when read in context with the whole of the Pledge, has the predominant purpose and effect of adding a solemn and inspiring note to what should be a solemn and inspiring promise—a promise of allegiance to our Republic.

**CARLOS, THE PHRASE "UNDER GOD" IS ONLY SOLEMN AND INSPIRING TO CHRISTIANS. IT IS ANYTHING BUT THAT TO NONBELIEVERS AND THOSE WHO WORSHIP A DIFFERENT INVISIBLE GHOST THAN YOU DO.**

***We must examine the Pledge as a whole.***

When it comes to testing whether words and actions are violative of the Establishment Clause, context is determinative.

**CARLOS, THERE IS ONLY ONE CONTEXT IN WHICH THE WORDS "UNDER GOD" HAVE MEANING ... AND THAT IS IN A RELIGIOUS CONTEXT.**

The dissent analyzes only the words “under God”, instead of analyzing the context in which those words appear.

**CARLOS, THAT IS BECAUSE THE DISSENT IS FOCUSING ON THE ISSUE AT HAND, WHILE YOU ARE ATTEMPTING TO DISTRACT EVERYONE AWAY FROM THE ISSUE AND USE THE OTHER PARTS OF THE PLEDGE TO CLAIM THAT THE PHRASE "UNDER GOD" MEANS SOMETHING OTHER THAN WHAT THE WORDS CLEARLY SAY IT MEANS.**

The dissent suggests that we should look *only* at the 1954 textual amendments to the Pledge. We disagree. “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.” The California statute and the School District’s Policy provide for recitation of the entire Pledge, not just the two words to which the plaintiffs and the dissent object. Accordingly, we examine the Pledge as a whole.

**CARLOS, REALLY? LET'S TRY TO PICTURE WHAT YOU JUST SAID: EVERYONE STANDS UP AND SAYS "UNDER GOD" AND THEN SITS DOWN. SO YOUR ARGUMENT IS THAT SINCE THAT SCENARIO IS NOT REQUIRED, THEN THE PLEDGE MUST BE EXAMINED AS A WHOLE?**

**THAT IS PROBABLY THE SILLIEST ARGUMENT I HAVE EVER HEARD, CARLOS.**

**YOUR ARGUMENTS ARE STRONG EVIDENCE THAT STANFORD LAW SCHOOL NEEDS TO HAVE ITS ACCREDITATION PROCEDURES REVIEWED.**

In the previous case brought by Newdow, the Supreme Court recognized why we pledge allegiance to the flag: The very purpose of a national flag is to serve as a symbol of our country, and of its proud traditions of freedom, of equal opportunity, of religious tolerance,

and of good will for other peoples who share our aspirations.

**CARLOS, HOW ARE YOU ABLE TO FIND A PROUD TRADITION OF FREEDOM IN A COUNTRY, THAT AS LATE AS THE NINETEENTH CENTURY, STILL ENSLAVED MILLIONS OF ITS PEOPLE? HOW DO YOU SUPPORT YOUR CLAIM THAT AMERICA HAS A PROUD TRADITION OF SUPPORTING EQUAL OPPORTUNITY WHEN IT WAS DENIED TO BLACKS, WOMEN, ATHEISTS, AND MANY OTHER MINORITY GROUPS?**

**OUR TRADITION OF RELIGIOUS TOLERANCE WHICH BEGAN WITH THE FIRST AMENDMENT IS BEING ERODED BY THE EFFORTS OF THE DOMINANT CHRISTIAN MAJORITY WHICH SEEKS TO TURN OUR COUNTRY INTO A CHRISTIAN THEOCRACY WITH UNCONSTITUTIONAL ACTIONS LIKE ADDING "UNDER GOD" INTO THE PLEDGE OF ALLEGIANCE. A PLEDGE, THAT UP UNTIL THAT TIME, INCLUDED ALL AMERICANS.**

As its history illustrates, the Pledge of Allegiance evolved as a common public acknowledgment of the ideals that our flag symbolizes. The Supreme Court has held prayers, invocations and other overtly religious activities in public school violate the Establishment Clause.

**CARLOS, IF OUR NATION WERE FOUNDED AS A CHRISTIAN NATION AS SO MANY CHRISTIANS WOULD HAVE US BELIEVE, HOW COULD PRAYERS, INVOCATIONS, AND OTHER OVERTLY RELIGIOUS ACTIVITIES IN PUBLIC SCHOOLS VIOLATE THE ESTABLISHMENT CLAUSE?**

A student-led prayer before high school football games;a prayer delivered by a clergyman in a high school graduation ceremony;a period of silence in a public school for “meditation or voluntary prayer;”a required Bible reading before each school day;and a daily prayerall have been invalidated by the Supreme Court as unconstitutional school-sponsored religious exercises. All of the religious exercises invalidated in those cases shared a fundamental characteristic absent from the recitation of the Pledge:

**THAT'S RIGHT CARLOS, YOU WEREN'T ON ANY OF THEM.**

the exercise, observance, classroom lecture, or activity was predominantly religious in nature—a prayer, invocation, petition, or a lecture about “creation science.”

**CARLOS, WE AGREE THAT THE PLEDGE IS NOT PREDOMINANTLY RELIGIOUS. IT IS THE PHRASE "UNDER GOD" WHICH IS. IT IS ONLY THE PREDOMINANTLY RELIGIOUS ADDITION THAT THEY ARE OBJECTING TO. IF YOUR POSITION WERE CORRECT, YOU COULD ADD THE PHRASE "PRAISE LORD JESUS" TO ANYTHING LONGER THAN 3 WORDS AND CLAIM IT WASN'T PREDOMINANTLY RELIGIOUS.**

The purpose of public prayer is always active—to invite divine intercession, to express personal gratitude, to ask forgiveness, etc.

**CARLOS, IT'S ALSO UNCHRISTIAN. IF YOU OPEN YOUR BIBLE TO MATTHEW 6:5-6 YOU'LL FIND THAT JESUS MADE IT VERY CLEAR ABOUT HOW ONE SHOULD PRAY. AND CARLOS, HE ALSO MADE HIS FEELINGS VERY CLEAR ABOUT HOW HE FELT ABOUT THOSE WHO PRAY IN PUBLIC. WHAT IS IT WITH YOU CHRISTIANS ANYWAY? DO YOU GUYS FOLLOW *ANY* OF HIS TEACHINGS?**

**OH, THAT'S RIGHT: LOVE YOUR NEIGHBOR ... UNLESS HE'S GAY.**

On the other hand, the recitation of “one Nation under God” is a description of the Republic rather than an expression of the speaker’s particular theological beliefs, a recognition of the historical principles of governance, affected by religious belief, embedded in the Pledge.

**CARLOS, IT IS A DESCRIPTION OF THE REPUBLIC NOT SHARED BY 25% OF THE POPULATION. THAT IS WHY IT IS DIVISIVE RATHER THAN UNIFYING AND PATRIOTIC. IF THE REFERENCE WERE TO ALLAH, I GUARANTEE YOU CARLOS, THAT AS A GOOD CATHOLIC, YOUR REASONING SKILLS WOULD MIRACULOUSLY REAPPEAR.**

“Our institutions presuppose a Supreme Being.”

**CARLOS, HOW DO OUR INSTITUTIONS KNOW WHICH SUPREME BEING, OF THE THOUSANDS THAT ARE WORSHIPPED, IS THE TRUE SUPREME BEING? THE ANSWER IS EASY, CARLOS: IT IS SIMPLY A MATTER OF WHERE YOU WERE BORN. THAT IS WHAT DETERMINES WHICH SUPREME BEING YOU WILL PRESUPPOSE.**

The dissent states that the mere recitation of “under God” in the Pledge is an affirmation that God exists:

**CARLOS, SO FAR THE DISSENT IS BATTING A THOUSAND. WHAT SENSE WOULD IT MAKE TO SAY "ONE NATION UNDER CINDERELLA?" OF COURSE IT IS AN AFFIRMATION OF THE EXISTENCE OF GOD. HOW COULD IT NOT BE?**

**BY THE WAY CARLOS, IF THE DISSENT IS BATTING A THOUSAND, THAT MEANS YOU HAVEN'T GOTTEN ONE RIGHT YET.**

it “ ‘requires affirmation of a belief and an attitude of mind’ to which young Roe does not subscribe: a belief that God exists and is watching over our nation.”

**CARLOS, IF YOU CHECK OUT THE NEWS REPORTS A LITTLE MORE CAREFULLY YOU MIGHT FIND THAT GOD, NOT ONLY ISN'T WATCHING OVER US, BUT SEEMS TO HAVE LEFT THE BUILDING ENTIRELY. AMERICA IS CURRENTLY INVOLVED IN 2 WARS, WE'RE IN THE WORST FINANCIAL DEPRESSION IN 80 YEARS, AND TO MAKE MATTERS EVEN WORSE, ACCORDING TO CLIMATE DATA, WHEN GOD LEFT, HE ALSO FORGOT TO TURN THE HEATER OFF.**

If in fact the students were required to say the Pledge, the dissent would have a valid point. But the California legislature has already taken this consideration into account by allowing anyone not to say the Pledge, or hear the Pledge said, for any personal reason.

**CARLOS, THE LENGTHS YOU GO TO, TO AVOID THE CONGRESSIONAL RECORD WOULD LEAD ONE TO THINK THAT YOU ARE AFRAID THEY MIGHT REVOKE YOUR NATURALIZED CITIZENSHIP PAPERS.**

**WHEN THE PLEDGE WAS ALTERED IN 1954 CONGRESS DECLARED THAT "TRUE AMERICANS" BELIEVE IN GOD. THEREFORE, ANY KID WHO REFUSES TO SAY "UNDER GOD" HAS BEEN DECLARED UNAMERICAN BY CONGRESS. BEING VIEWED AS UNAMERICAN BY YOUR CLASSMATES CAN BE A VERY DANGEROUS THING. KIDS *ARE* BEING FORCED ALL RIGHT - BY PEER PRESSURE; AND AS EVERYONE KNOWS, THERE IS NO STRONGER PRESSURE ON THE YOUNG ... THAN PEER PRESSURE.**

What is at issue is not saying the Pledge or affirming a belief in God.

**CARLOS, YOU DROPPED AN EASY POPUP. THERE ARE ONLY 2 WORDS AT ISSUE. VERY CLEAR, UNAMBIGUOUS WORDS. IF IT IS MADE THIS SIMPLE AND YOU STILL CAN'T GRASP IT, IT ISN'T BECAUSE YOU AREN'T SMART ENOUGH - IT IS BECAUSE YOU ARE DISHONEST ENOUGH TO PRETEND YOU DON'T GET IT.**

What is at issue is whether Roechild can prevent other students, who have no such objection, from saying the Pledge.

**WRONG CARLOS. THE DISSENT REFERRED TO YOUR LAST STATEMENT AS COMPLETELY AND UTTERLY FALSE. THE REASON THE DISSENT PUT IT THAT WAY IS BECAUSE THE DISSENT MUST MAINTAIN AN ATTITUDE OF DECORUM. BUT I DON'T, CARLOS. SO LET'S CALL IT WHAT IT REALLY IS: A BLATANT LIE. THE PLAINTIFFS ONLY SEEK THE REMOVAL OF 2 WORDS - NOT THE WHOLE PLEDGE.**

In contending the Pledge is an unconstitutional religious exercise, plaintiffs erroneously fixate solely on the words “under God” and disregard the context in which those words appear.

**CARLOS, IF THE PLAINTIFFS ARE FIXATING ON THE WORDS "UNDER GOD," HOW CAN THEY BE CONTENDING THAT THE PLEDGE ITSELF IS AN UNCONSTITUTIONAL EXERCISE?**

**NICE CONTRADICTION, CARLOS.**

True, the words “under God” have religious significance.

**FINALLY CARLOS, A GLINT OF HONESTY POKES OUT FROM UNDER ALL THE DECEPTION.**

This, however, does not convert the Pledge into a prayer or other religious exercise.

**CARLOS, NO ONE SAID IT DID. YOU ARE CREATING A STRAW MAN ARGUMENT.**

As the Supreme Court has explained, “Focus exclusively on the religious component of any activity would inevitably lead to its invalidation under the Establishment Clause.” Under the dissent’s rationale, every government action that had any religious component to it would violate the Establishment Clause.

**THAT'S RIGHT CARLOS, GOVERNMENT NEEDS TO STAY OUT OF RELIGION AND FOCUS ON RUNNING THE COUNTRY. LET THE CHURCHES, SYNAGOGUES, AND MOSQUES TAKE CARE OF THOSE IN SPIRITUAL NEED - THAT'S WHAT THEY'RE THERE FOR.**

But that is clearly not the case, as the Supreme Court has repeatedly told us. Where the very same religious symbols are displayed for traditional cultural purposes and in a context evoking themes and values other than religion, they have been found not to violate the Establishment Clause. *See Van Orden v. Perry* (upholding a Ten Commandments display on state capitol grounds among other historical monuments); (upholding a crèche displayed as just one part of a city’s annual Christmas display because the crèche depicted the “historical origins of this traditional event long recognized as a National Holiday”). The Supreme Court’s most recent pronouncements on the Establishment Clause, *Van Orden* and *McCreary County*, are instructive on the importance of context. Although a display containing the Ten Commandments was at issue in both cases, the Court upheld the display in *Van Orden*, but invalidated it in *McCreary County*. The words displayed were the same, but the context made all the difference: On the one hand, the Commandments’ text undeniably has a religious message, invoking, indeed emphasizing, the Deity. On the other hand, focusing on the text of the Commandments alone cannot conclusively resolve this case. Rather, to determine the message that the text here conveys, we must examine how the text is *used*. And that inquiry requires us to consider the context of the display. The Ten Commandments display in *Van Orden* was in a state park that contained both religious and secular monuments and historical markers. In contrast, the Ten Commandments display in a Kentucky courthouse appeared alone and thus the “unstinting focus was on religious passages.” Only after the display was challenged did the County add other displays to the area. Just as the text of the Ten Commandments display may be constitutional in one context but not the other, the word “God” may violate the Establishment Clause when placed in one context, but not another. For example, a school district’s policy requiring teachers to lead students in reciting, “We give thanks to You, Lord, for keeping us alive, sustaining us and allowing us to reach this special, happy occasion,” constitutes a prayer or religious exercise violative of the Establishment Clause. There, the word “Lord,” like the Ten Commandments display in *McCreary County*, is placed in a wholly religious context and is surrounded by words whose “unstinting focus” are religious. Not so, the same word “Lord” on the granite monument in *Van Orden*, surrounded by other monuments and historical objects.Likewise, the phrase “one Nation under God” in the Pledge appears as part of a pledge of allegiance to “the Flag of the United States of America, and to the Republic for which it stands,” not a personal pledge of allegiance to God

**CARLOS, YOUR CONSTANT USE OF THE PHRASE "ONE NATION UNDER GOD" IS PROOF THAT YOU KNOW YOUR POSITION IS INDEFENSIBLE. THE ISSUE IS THE PHRASE "UNDER GOD" AND YOU AVOID THAT PHRASE LIKE KRYPTONITE.**

**AND ONCE AGAIN YOUR LOGIC(?) HAS ME ... MYSTIFIED. HOW CAN YOU PLEDGE ALLEGIANCE TO A REPUBLIC, WHICH IS UNDER GOD, WITHOUT PLEDGING ALLEGIANCE TO THE GOD ... WHICH THAT REPUBLIC IS UNDER?**

The Pledge recitation is led by a teacher, not by a clergyman or other religious leader.

**CARLOS, IF THE PLEDGE WERE LED BY A CLERGYMAN OR OTHER RELIGIOUS LEADER AT A PLACE OF WORSHIP THERE WOULD BE NO COMPLAINT. IT IS BECAUSE TEACHERS ARE BEING USED IN PUBLIC SCHOOLS TO PROMOTE ONE PARTICULAR RELIGIOUS CULT THAT IS CAUSING THE PROBLEM.**

The students doff baseball caps; they do not kneel, nor don yarmulkes, veils or rosaries.

**CARLOS, SO WHAT? THAT'S ANOTHER STRAW MAN ARGUMENT. THE PLAINTIFFS AREN'T COMPLAINING ABOUT WHAT THEY ARE *NOT* BEING FORCED TO DO.**

Here, the addition of “under God” was *used* to describe an attribute of the Republic, “one Nation under God” —a reference to the historical and religious traditions of our country, not a personal affirmation through prayer or invocation that the speaker believes in God.

**CARLOS, IT DESCRIBES AN ATTRIBUTE OF THE REPUBLIC THAT NOT ALL PEOPLE AGREE *IS* AN ATTRIBUTE OF THE REPUBLIC, ONLY A PARTICULAR RELIGIOUS SECT.**

***The legislative history shows Congress had a predominantly patriotic purpose when it enacted the Pledge.***

*Lemon* mandates our inquiry look to the “plain meaning of the statute’s words, enlightened by their context and the contemporaneous legislative history and the historical context of the statute, . . . and the specific sequence of events leading to its passage.” The dissent fails to do any of this.

**CARLOS, IF THE AUDIENCE TAKES THE TIME TO READ THE DISSENT THEY WILL DISCOVER THAT THE ONLY ONE WHO FAILED TO READ THE SPECIFIC SEQUENCE OF EVENTS IN CONGRESS LEADING TO ITS PASSAGE ... WAS YOU.**

**BUT YOU *DID* READ IT, DIDN'T YOU CARLOS? YOU *DO* KNOW ABOUT THE LEGISLATORS WHO PASSED THE PLEDGE, AND THEN RECITED IT ON THE STEPS OF THE CAPITAL; YOU *DO* KNOW THAT THEY ALL THEN SANG "ONWARD CHRISTIAN SOLDIERS MARCHING AS TO WAR," DON'T YOU CARLOS? YOU KNOW THESE THINGS BECAUSE THEY ARE IN THE CONGRESSIONAL RECORD AND YOU HAD WELL OVER 2 YEARS TO RESEARCH THIS CASE BEFORE WRITING THIS DECISION.**

**I IMAGINE THAT WAS 2 YEARS OF NEARLY NIGHTLY MEETINGS WITH GHOST WORSHIPPERS TRYING TO FIGURE OUT HOW TO DEFEAT THE FIRST AMENDMENT. THIS DECISION IS CLEAR EVIDENCE THAT YOU GUYS NEVER DID FIGURE IT OUT. YOU JUST MADE UP SOME INDEFENSIBLE CRAP AND OUTVOTED THE ONLY JUDGE ON THE PANEL WHO DID TRY TO DEFEND THE CONSTITUTION.**

In 2002, Congress reaffirmed the current Pledge, which now includes references to how it is to be recited and which specifically sets forth Congress’ reasons for the “plain meaning of the statute’s words.” It is the 2002 statute that sets forth our current Pledge. It is the contemporaneous legislative history of the 2002 Act which should tell us the purpose of the Congress in 2002 that is relevant to our inquiry because that is the statute that was in force when Roe Child-2 heard her schoolmates recite the Pledge and when Jan Roe brought this action. It remains the current statute. It is the “specific sequence of events” leading to the passage of the 2002 Act we must consider. The Dissent asserts that we should ignore the current statute in effect because it was not argued by the parties at oral argument. With respect, just because the Dissent does not like the 2002 Act does not mean we are free to ignore its legal effect.

**CARLOS, THE DISSENT DID NOT IGNORE THE 2002 ACT BECAUSE THEY "DID NOT LIKE IT." THEY IGNORED IT BECAUSE IT WAS NOT ARGUED BY THE PARTIES AT ORAL ARGUMENT, AS YOU YOURSELF JUST ADMITTED.**

**REAFFIRMING LAW THAT IS UNCONSTITUTIONAL DOES NOT MAKE IT CONSTITUTIONAL. THAT'S LIKE SAYING THAT 2 WRONGS MAKE A RIGHT.**

**POLITICIANS MAKE LAW, THEY DO NOT REAFFIRM LAW. THAT IS THE TASK OF THE JUDICIARY.**

**THE REQUIREMENTS TO BE A POLITICIAN ARE LOWER THAN THOSE REQUIRED TO BE A HAIRDRESSER. THAT MIGHT BE ONE REASON WHY THEY PASS SO MANY UNCONSTITUTIONAL LAWS. IF THEY HAD REQUIREMENTS ANYWHERE NEAR THOSE OF THE JUDICIARY, THINGS COULD ONLY BE A WHOLE LOT BETTER.**

With the 2002 Act, Congress “reaffirmed the exact language that has appeared in the Pledge for decades.” *McCreary County* tells us we must also consider the legislative history of this act to determine its predominant purpose and effect. Congress chose to explain in great detail its purpose in reaffirming the language of the Pledge, for although it did not amend the text of the Pledge, it did extensively amend the text of the statute enacting the Pledge, setting forth its specific purposes in the following extensive legislative findings:Congress finds the following:

On November 11, 1620, prior to embarking for the shores of America, the Pilgrims signed the Mayflower Compact that declared: “Having undertaken, for the Glory of God and the advancement of the Christian Faith and honor of our King and country, a voyage to plant the first colony in the northern parts of Virginia,”.

**CARLOS, IF ANYTHING, THAT IS AN ARGUMENT AGAINST YOUR POSITION. THE PILGRIM'S GOALS WERE OBVIOUSLY DENOUNCED BY THE FOUNDING FATHERS WHEN THEY REFUSED TO INCLUDE EVEN A SINGLE MENTION OF CHRISTIANITY, OR OF GOD, IN OUR CONSTITUTION.**

On July 4, 1776, America’s Founding Fathers, after appealing to the “Laws of Nature, and of

Nature’s God” to justify their separation from Great Britain, then declared: “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, AND THEN THEY PROMPTLY DENIED ALL 3 TO VARIOUS MEMBERS OF THE POPULATION.**

In 1781, Thomas Jefferson, the author of the Declaration of Independence and later the Nation’s third President, in his work titled “Notes on the State of Virginia” wrote: “God who gave us life gave us liberty. And can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are of the Gift of God. That they are not to be violated but with His wrath? Indeed, I tremble for my country when I reflect that God is just; that his justice cannot sleep forever.”

**CARLOS, AS JEFFERSON MATURED HE DEVELOPED QUITE A DIFFERENT OPINION OF YOUR GOD. AND CARLOS, IT WASN'T GOOD. I COULD GIVE YOU DOZENS OF JEFFERSON QUOTES THAT YOU WOULDN'T LIKE VERY MUCH. BUT WE BOTH KNOW THAT YOU'VE ALREADY READ THEM, HAVEN'T YOU CARLOS? BUT YOU CHOSE THAT ONE.**

On May 14, 1787, George Washington, as President of the Constitutional Convention, rose to admonish and exhort the delegates and declared: “If to please the people we offer what we ourselves disapprove, how can we afterward defend our work? Let us raise a standard to which the wise and the honest can repair; the event is in the hand of God!”.

**CARLOS, HOW IS THE FACT THAT WASHINGTON USED THE WORD "GOD" IN A PHRASE, RELEVANT?**

On July 21, 1789, on the same day that it approved the Establishment Clause concerning religion, the First Congress of the United States also passed the Northwest Ordinance, providing for a territorial government for lands northwest of the Ohio River, which declared: “Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged.”.

**CARLOS, YOU SEEM TO THINK "ENCOURAGED" CAN BE INTERPRETED AS "FORCED UPON." THEIR ENACTMENT OF THE FIRST AMENDMENT IS PROOF THEY DIDN'T INTERPRET "ENCOURAGED" THE SAME WAY YOU ARE TRYING TO INTERPRET IT.**

On September 25, 1789, the First Congress unanimously approved a resolution calling on President George Washington to proclaim a National Day of Thanksgiving for the people of the United States by declaring, “a day of public thanksgiving and prayer, to be observed by acknowledging, with grateful hearts, the many signal favors of Almighty God, especially by affording them an opportunity peaceably to establish a constitution of government for their safety and happiness.”.

**CARLOS, WE ALREADY KNOW THAT PEOPLE HUNDREDS OF YEARS AGO, WHO WERE IGNORANT OF THE DISCOVERIES THAT SCIENCE WOULD MAKE IN THE NEXT 2 CENTURIES, LIKE EVOLUTION AND RADIOMETRIC DATING, WORSHIPPED INVISIBLE GHOSTS AND BELIEVED THAT THEY WERE REAL. BUT WHAT BOTHERS RATIONAL AMERICANS MOST, IS THAT MOST PEOPLE ... STILL DO.**

**AND CARLOS, WHY DO YOU KEEP REPEATING THE PERIOD SYMBOL AT THE END OF YOUR QUOTES? IS THAT HOW THEY DID IT IN CUBA?**

**I NOTICE THAT YOU ARE NOW GOING TO SKIP AHEAD TO 1863. YOUR OBVIOUS OMISSION OF THE TREATY OF TRIPOLI IN 1797 IS GLARING FOR THE FACT THAT IT SHOWS YOU HAVEN'T THE SLIGHTEST INTENTION OF PRESENTING A BALANCED ARGUMENT. YOU WILL SIMPLY IGNORE THOSE FACTS THAT PROVE YOUR VIEW IS WRONG. YOU REMEMBER THE TREATY OF TRIPOLI DON'T YOU CARLOS? IT WAS THE TREATY THAT STATED, "As the Government of the United States of America is not, in any sense, founded on the Christian religion ...."**

**CARLOS, THAT TREATY WAS SIGNED BY OUR FOUNDING FATHERS AND APPROVED UNANIMOUSLY IN THE U.S. SENATE. BUT LET'S JUST PRETEND IT NEVER HAPPENED AND SKIP AHEAD TO THE CIVIL WAR.**

On November 19, 1863, President Abraham Lincoln delivered his Gettysburg Address on the site of the battle and declared: “It is rather for us to be here dedicated to 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, NO ONE IS CONTESTING LINCOLN'S RIGHT TO SAY "UNDER GOD." THE PLAINTIFFS ARE CONTESTING THAT PEOPLE WHO DON'T BELIEVE IN GHOSTS ARE PRESSURED INTO PLEDGING ALLEGIANCE TO YOUR INVISIBLE MAN.**

On April 28, 1952, in the decision of the Supreme Court of the United States in *Zorach v. Clauson*, in which school children were allowed to be excused from public schools for religious observances and education, Justice William O. Douglas, in writing for the Court stated: “The First Amendment, however, does not say that in every and all respects there shall be a separation of Church and State. Rather, it studiously defines the manner, the specific ways, in which there shall be no concern or union or dependency one on the other. That is the common sense of the matter. Otherwise the State and religion would be aliens to each other—hostile, suspicious, and even unfriendly.

**CARLOS, WHILE HE WAS ALIVE YOU SHOULD HAVE TOLD DOUGLAS THAT THERE IS NO NEED FOR GOVERNMENT TO BE HOSTILE, SUSPICIOUS, OR UNFRIENDLY TOWARDS RELIGION. THE FIRST AMENDMENT ONLY REQUIRES NEUTRALITY.**

Churches could not be required to pay even property taxes.

**CARLOS, BUT CHURCHES DO NOT PAY INCOME TAXES. THAT IS A PERFECT EXAMPLE OF THE POWER THAT RELIGION EXERTS OVER GOVERNMENT. A POWER THAT ALLOWS THEM TO ESCAPE THE DUTY OF HELPING TO MAINTAIN THE DEFENSE AND HEALTH OF OUR NATION, WHILE TRANSFERRING THE ENTIRE BURDEN ONTO THE BACKS OF WORKING AMERICANS. THAT MAKES RELIGION ABOUT AS UNPATRIOTIC AS ONE COULD POSSIBLY GET, DOESN'T IT CARLOS?**

Municipalities would not be permitted to render police or fire protection to religious groups. Policemen who helped parishioners into their places of worship would violate the Constitution.

**CARLOS, DOUGLAS MUST HAVE WRITTEN THAT ON A BAD NIGHT. HIS COMMON SENSE SEEMS TO HAVE VACATED THE PREMISES AND MOVED TO SILLY LAND.**

Prayers in our legislative halls; the appeals to the Almighty in the messages of the Chief Executive; the proclamations making Thanksgiving Day a holiday; ‘so help me God’ in our courtroom oaths—these and all other references to the Almighty that run through our laws, our public rituals, our ceremonies would be flouting the First Amendment.

**CARLOS, DO YOU AND DOUGLAS SHARE SOME DNA? I ASK BECAUSE HE'S USING THE SAME TYPE OF ILLOGICAL ARGUMENTS THAT YOU DO. FLOUTING THE FIRST AMENDMENT DOESN'T INCLUDE THE MERE MENTION OF GOD BY THOSE WHO BELIEVE, ONLY THE IMPOSITION OF BELIEF IN GOD ... UPON THOSE WHO DON'T.**

A fastidious atheist or agnostic could even object to the supplication with which the Court opens each session: ‘God save the United States and this Honorable Court.’ ”.

**CARLOS, DOUGLAS IS RIGHT. AS A "FASTIDIOUS ATHEIST" I DO OBJECT TO IRRATIONAL STATEMENTS. WHY DOES AN INVISIBLE MAN HAVE TO SAVE THE COUNTRY AND THE COURT? AND SAVE US FROM WHAT?**

On June 15, 1954, Congress passed and President Eisenhower signed into law a statute that was clearly consistent with the text and intent of the Constitution of the United States, that amended the Pledge of Allegiance to read: “I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.”.

**CARLOS, HOW IS ADDING "UNDER GOD" CONSISTENT WITH A CONSTITUTION IN WHICH THE WORD "GOD" NEVER APPEARS?**

On July 20, 1956, Congress proclaimed that the national motto of the United States is “In God We Trust”, and that motto is inscribed above the main door of the Senate, behind the Chair of the Speaker of the House of Representatives, and on the currency of the United States.

**CARLOS, IF YOU ARE TRYING TO WRITE A HISTORY OF THE CHRISTIAN TAKEOVER OF A SECULAR NATION YOU ARE SUCCEEDING ADMIRABLY. YOUR OWN ARGUMENTS ARE PROVIDING THE EVIDENCE OF THE THEOCRATIC INVASIONS BY THE DOMINANT RELIGIOUS CULT IN OUR COUNTRY.**

On June 17, 1963, in the decision of the Supreme Court of the United States in *Abington School District v. Schempp*, in which compulsory school prayer was held unconstitutional, Justices Goldberg and Harlan, concurring in the decision, stated: “But untutored devotion to the concept of neutrality can lead to invocation or approval of results which partake not simply of that noninterference and noninvolvement with the religious which the Constitution commands, but of a brooding and pervasive devotion to the secular and a passive, or even active, hostility to the religious. Such results are not only not compelled by the Constitution, but, it seems to me, are prohibited by it. Neither government nor this Court can or should ignore the significance of the fact that a vast portion of our people believe in and worship God

**CARLOS, I WONDER IF JUDGES GOLDBERG AND HARLAN THINK THAT OUR GOVERNMENT AND THE COURTS SHOULD NOT IGNORE THE SIGNIFICANCE OF THE FACT THAT A VAST PORTION OF OUR PEOPLE ARE OVERWEIGHT SLOBS? IN CASE YOU MISSED THE POINT CARLOS, IT WAS: WHAT DOES THE FACT THAT MOST PEOPLE BELIEVE IN GOD HAVE TO DO WITH THE RULE OF LAW?**

and that many of our legal, political, and personal values derive historically from religious teachings.

**CARLOS, ASK THOSE JUDGES "WHICH TEACHINGS?" THE TEACHING NOT TO WORK ON THE SABBATH? OR THE TEACHING TO STONE TO DEATH ADULTERERS? THE TEACHING TO TREAT YOUR SLAVES KINDLY? OR THE TEACHING THAT HOMOSEXUALS SHOULD BE PUT TO DEATH?**

Government must inevitably take cognizance of the existence of religion

**CARLOS, THE ONLY REASON SOMEONE SAYS "MUST INEVITABLY" IS IN SITUATIONS WHERE SOMETHING HAS NOT YET OCCURRED. OTHERWISE IT WOULD NOT MAKE SENSE. THOSE JUDGES JUST CLAIMED THAT GOVERNMENT *HASN'T* TAKEN COGNIZANCE OF THE EXISTENCE OF RELIGION. THAT KIND OF KILLS YOUR WHOLE ARGUMENT, WHERE YOU EARLIER LISTED ALL THE INSTANCES IN WHICH GOVERNMENT PROMOTED RELIGION, DOESN'T IT?**

**ARE YOU SURE YOU WANTED TO INCLUDE THAT? MAN, THINGS ARE GOING PRETTY BAD WHEN YOU ARE CONTRADICTED BY YOUR OWN SOURCES; SOURCES THAT YOU THINK SUPPORT YOUR ARGUMENTS.**

On March 5, 1984, in the decision of the Supreme Court of the United States in *Lynch v. Donelly*, in which a city government’s display of a nativity scene was held to be constitutional, Chief Justice Burger, writing for the Court, stated: “There is an unbroken history of official acknowledgment by all three branches of government of the role of religion in American life from at least 1789 . . .

**CARLOS, WE ALL ACKNOWLEDGE THE ROLE OF RELIGION IN AMERICAN LIFE; WE JUST DISAGREE ON THE VALUE.**

Examples of reference to our religious heritage are found in the statutorily prescribed national motto ‘In God We Trust’, which Congress and the President mandated for our currency,

**CARLOS, IF BURGER WERE STILL ALIVE YOU COULD TELL HIM THAT OUR RELIGIOUS HERITAGE DIDN'T BEGIN IN 1956. THE MOTTO ISN'T PART OF OUR HERITAGE - IT IS PART OF THE MOVEMENT BY CHRISTIAN NATIONALISTS TO CHANGE THE PRINCIPLES, UPON WHICH OUR COUNTRY WAS FOUNDED.**

and in the language ‘One Nation under God’, as part of the Pledge of Allegiance to the American flag.

**CARLOS, YOU SHOULD HAVE TOLD BURGER, WHILE HE WAS ALIVE, THAT IT DIDN'T BEGIN IN 1954 EITHER. HE OBVIOUSLY NEVER BOTHERED TO LOOK UP THE DEFINITION OF THE WORD "HERITAGE" - BUT YOU STILL HAVE TIME, CARLOS. WHEN WERE YOU BORN? 1934? HMM ... MAYBE YOU SHOULD EXPEDITE THAT LAST REQUEST.**

That pledge is recited by many thousands of public school children—and adults—every year . . .

**CARLOS, IT'S NOT LIKE THEY HAVE A CHOICE. THEY MAY NOT BE PHYSICALLY FORCED TO RECITE IT, BUT JUST TRY REMAINING SEATED DURING THE PLEDGE ... AND SEE WHAT HAPPENS.**

Art galleries supported by public revenues display religious paintings of the 15th and 16th centuries, predominantly inspired by one religious faith.

**CARLOS, PREDOMINANT WAS AN UNDERSTATEMENT.**

The National Gallery in Washington, maintained with Government support, for example, has long exhibited masterpieces with religious messages, notably the Last Supper, and paintings depicting the Birth of Christ, the Crucifixion, and the Resurrection, among many others with explicit Christian themes and messages.

**CARLOS, YOU DON'T SEE A WHOLE LOT OF MUSLIM SCENES DO YOU? HOW LONG DO YOU THINK A PAINTING OF MOHAMMED ASCENDING TO HEAVEN WOULD LAST BEFORE CHRISTIANS VANDALIZED IT, AND STARTED MAILING DEATH THREATS TO THE PAINTER AND THOSE WHO DISPLAYED IT? I WOULD GIVE IT ABOUT 2 HOURS.**

The very chamber in which oral arguments on this case were heard is decorated with a notable and permanent—not seasonal—symbol of religion: Moses with the Ten Commandments.

**CARLOS, DID YOU EVER ASK BURGER WHY MOSES IS DISPLAYING THE ORIGINAL COMMANDMENTS INSTEAD OF THE PERMANENT ONES THAT GOD GAVE HIM? YOU REMEMBER THE ORIGINAL SET DON'T YOU CARLOS? THE ONES THAT MOSES GOT IN EXODUS 20 BUT SMASHED TO PIECES. HOW LONG DO YOU FIGURE THEY WERE IN EFFECT? A WEEK, MAYBE TWO?**

**WHY DO YOU SUPPOSE YOU NEVER SEE THE PERMANENT SET OF COMMANDMENTS DISPLAYED ANYWHERE IN AMERICA? YOU KNOW, THE ONES GOD GAVE MOSES IN EXODUS 34. THOSE ARE THE COMMANDMENTS WE ARE SUPPOSED TO BE LIVING OUR LIVES BY, NOT THE SMASHED SET. I WONDER WHY CHRISTIANS NEVER DISPLAY THOSE?**

Congress has long provided chapels in the Capitol for religious worship and meditation.”.

**CARLOS, SO BURGER GAVE US A LONG LIST SHOWING THAT CHRISTIANITY IS NOT ONLY ALLOWED TO FLOURISH, BUT IS ACTUALLY PROMOTED THROUGHOUT AMERICA. HIS LIST IS POWERFUL EVIDENCE CONTRADICTING THE CONSTANT CHRISTIAN COMPLAINTS OF DISCRIMINATION, WOULDN'T YOU AGREE CARLOS?**

On June 4, 1985, in the decision of the Supreme Court of the United States in *Wallace v. Jaffree*, in which a mandatory moment of silence to be used for meditation or voluntary prayer was held unconstitutional, Justice O’Connor, concurring in the judgment and addressing the contention that the Court’s holding would render the Pledge of Allegiance unconstitutional because Congress amended it in 1954 to add the words “under God,” stated “In my view, the words ‘under God’ in the Pledge, as codified, serve as an acknowledgment of religion with ‘the legitimate secular purposes of solemnizing public occasions, and expressing confidence in the future.’ ”.

**CARLOS, WHAT YOU HAVE SHOWN IS THAT CHRISTIAN NATIONALISM PERMEATES ALL LEVELS OF GOVERNMENT, EVEN THE JUDICIARY. UNLIKE THE OTHER 2 BRANCHES, THE JUDICIAL BRANCH HAS MUCH HIGHER REQUIREMENTS, AND SOME MEMBERS HAVE BEEN ABLE TO RETARD THE TAKEOVER BY PUTTING THEIR SWORN DUTY BEFORE THEIR RELIGIOUS BELIEFS. I'M TALKING ABOUT HONORABLE CHRISTIAN JUDGES LIKE JOHN E. JONES WHO PRESIDED OVER THE INTELLIGENT DESIGN TRIAL IN 2005, FOR WHICH HE WAS REWARDED WITH AN AVALANCHE OF CHRISTIAN DEATH THREATS.**

On November 20, 1992, the United States Court of Appeals for the 7th Circuit, in *Sherman v. Community Consolidated School District 21*, held that a school district’s policy for voluntary recitation of the Pledge of Allegiance including the words “under God” was constitutional.

**CARLOS, GHOST WORSHIPPERS ARE FIRING AWAY AT THE WALL BETWEEN CHURCH AND STATE WITH EVERYTHING THEY'VE GOT. THE CONSTITUTION IS THE WALL OF THE ALAMO AND I FEEL LIKE DAVY CROCKETT.**

**YOU ANSWER TO A HIGHER AUTHORITY CARLOS, AND THAT IS WHY YOU CANNOT BE TRUSTED TO PROTECT THE PEOPLE AND THE CONSTITUTION YOU WERE SWORN TO UPHOLD. YOU ARE A DISGRACE CARLOS, BOTH A JUDGE AND AS A HUMAN BEING. CUBA COULD HAVE SENT US BETTER.**

The 9th Circuit Court of Appeals erroneously held, in *Newdow v. U.S. Congress*, that the Pledge of Allegiance’s use of the express religious reference “under God” violates the First Amendment to the Constitution, and that, therefore, a school district’s policy and practice of teacher-led voluntary recitations of the Pledge of Allegiance is unconstitutional. The erroneous rationale of the 9th Circuit Court of Appeals in Newdow would lead to the absurd result that the Constitution’s use of the express religious reference “Year of our Lord” in Article VII violates the First Amendment to the Constitution, and that, therefore, a school district’s policy and practice of teacher-led voluntary recitations of the Constitution itself would be unconstitutional.

**CARLOS, UNTIL YOU CAN PROVE THAT YOUR MAGIC CARPENTER ACTUALLY EXISTED, THE ONLY THING THAT IS ABSURD IN YOUR STATEMENT, IS THE PHRASE "YEAR OF OUR LORD."**

**IN FACT, YOU PEOPLE CAN'T EVEN AGREE ON WHICH YEAR HE WAS BORN IN. MOST CHRISTIANS SAY HE WAS BORN IN 4 BC - 4 YEARS BEFORE HE WAS BORN. WHICH ACTUALLY ISN'T ANY CRAZIER THAN THE REST OF THE CRAP FOUND IN YOUR BIBLE.**

These findings make it absolutely clear that Congress in 2002 was not trying to impress a religious doctrine upon anyone.

**CARLOS, THEY WERE DOING TWO THINGS: ONE, WAS THAT THEY WERE TRYING TO SPANK THE JUDICIARY FOR OVERRULING THEIR PREVIOUS UNCONSTITUTIONAL ACTION. BUT THE MAIN PURPOSE OF THEIR ACTION WAS TO GRANDSTAND FOR THEIR RELIGIOUS BASE SO THEY COULD KEEP THEIR JOBS.**

Rather, they had two main purposes for keeping the phrase “one Nation under God” in the Pledge:

**CARLOS, YOU KEEP REPEATING "ONE NATION UNDER GOD" BECAUSE YOUR ONLY OPTION IS DISTRACTION AND DECEPTION. YOU HAVE TO BE ONE OF THE MOST DISHONEST MEN I HAVE EVER ENCOUNTERED. DIDN'T I SAY THAT LAST WEEK? WELL, THEN I JUST SAID IT AGAIN.**

(1) to underscore the political philosophy of the Founding Fathers that God granted certain inalienable rights to the people which the government cannot take away;

**CARLOS, THAT IS NOT A POLITICAL PHILOSOPHY, THAT IS A RELIGIOUS VIEW.**

and (2) to add the note of importance which a Pledge to our Nation ought to have and which in our culture ceremonial references to God arouse.

**CARLOS, YOUR STATEMENT IMPLIES THAT OUR PLEDGE LACKED A NOTE OF IMPORTANCE BEFORE 1954. I THINK THE AMERICANS WHO PROUDLY RECITED IT BEFORE 1954 WOULD STRONGLY DISAGREE WITH YOU.**

**AND YOUR CULTURAL CEREMONIAL REFERENCES TO GOD ONLY AROUSE A NOTE OF IMPORTANCE TO CHRISTIANS. THAT LEAVES OUT THE OTHER 25% OF AMERICANS.**

Determining the purpose of the Pledge requires understanding the history of the Pledge, and any such history is incomplete without the 2002 reaffirmation.

**CARLOS, THE 2002 REAFFIRMATION HAS NOTHING TO DO WITH THE PURPOSE AND HISTORY OF THE PLEDGE. IT IS MERELY POLITICIANS DOING WHAT POLITICIANS ALWAYS DO - GRANDSTANDING FOR VOTES.**

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**THE SCIENCE SEGMENT**

**INDIGENOUS TRIBE DISCOVERED IN BRAZIL'S AMAZON RAINFOREST**

**AN INDIGENOUS TRIBE OF 200 PEOPLE WHO HAVE NEVER HAD CONTACT WITH THE OUTSIDE WORLD HAS BEEN DISCOVERED LIVING IN BRAZIL'S AMAZON RAINFOREST.**

**AIR SURVEILLANCE IMAGES SHOWED THE TRIBE IN THE JAVARI VALLEY CLOSE TO THE BORDER WITH PERU. THE FLIGHTS SHOWED FOUR LARGE VILLAGES FEATURING HUTS AND PLANTINGS OF CORN AND BANANAS BY THE COMMUNITY. THE PLANTATION, AS WELL AS THE HUTS, ARE NEW, DATED TO A MAXIMUM OF ONE YEAR. THE STATE OF THE STRAW USED IN CONSTRUCTION AND THE PLANTING OF CORN INDICATE THIS. BESIDES CORN, THERE WERE BANANAS AND A VEGETATION IN UNDERGROWTH THAT APPEARED TO BE PEANUTS, AMONG OTHER CROPS. THE FLYOVERS WERE CARRIED OUT AFTER SMALL FOREST CLEARINGS WERE DETECTED ON SATELLITE IMAGES, INDICATING THE POSSIBILITY OF HUMAN SETTLEMENTS.**

**BRAZILIAN AUTHORITIES BAN THE GENERAL POPULATION FROM ANY CONTACT WITH THE ISOLATED TRIBES DUE TO CONCERNS THAT THEY COULD EASILY BECOME INFECTED WITH DISEASES FOR WHICH THEY CARRY NO IMMUNITY. THE REGION IS ALREADY THREATENED BY ILLEGAL LOGGING, FISHING AND GOLD MINING OPERATIONS AND BY DRUG TRAFFICKERS OPERATING IN THE AREA.**

**THE NEWLY DISCOVERED GROUP PROBABLY BELONGS TO THE PANO LINGUISTIC COMMUNITY WHICH LIVES IN THE AREA. RESEARCHERS HAVE NOT ESTABLISHED CONTACT WITH THE GROUP BUT SAID THAT THE JAVARI VALLEY IS REGARDED AS HAVING THE HIGHEST CONCENTRATION OF ISOLATED GROUPS IN THE AMAZON AND THE WORLD, AND COULD BE HOME TO 2,000 INDIGENOUS PEOPLE FROM AT LEAST 14 TRIBES.**

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**FAMOUS QUOTES**

**DAN BARKER (PREVIOUSLY PROFILED)**

**"FAITH IS A COP-OUT. IT IS INTELLECTUAL BANKRUPTCY.**

**IF THE ONLY WAY YOU CAN ACCEPT AN ASSERTION IS BY FAITH,**

**THEN YOU ARE CONCEDING THAT IT CAN'T BE TAKEN ON ITS OWN MERITS."**