DECLARATION OF CANDY GUNTHER BROWN

I, Candy Gunther Brown, Ph.D. declare:

1. I serve as an expert witness for Petitioners and Plaintiffs in this action, and I have personal knowledge of each fact stated in this declaration, except as stated on information and belief and as to those facts I believe them to be true:

2. I have special knowledge, skill, experience, training, or education sufficient to qualify me as an expert on the subject to which my testimony relates (a true and correct copy of my curriculum vitae is attached hereto as Exhibit A and is incorporated herein by reference) as follows:

3. I received my B.A. (1992 summa cum laude, history and literature), M.A. (1995, history), and Ph.D. (2000, History of American Civilization) at Harvard University and currently serve as an Associate Professor in the Religious Studies department (and as an affiliate with the American Studies department and Liberal Arts and Management program) at Indiana University. At Harvard University (attended 1989-2000), I received broad, interdisciplinary training in American religious history and culture, from the 1600s to the present.

University, $300 (1998); Graduate Student Council Travel Grant, Harvard University, $500 (1998); Kate B. and Hall J. Peterson Research Fellowship, American Antiquarian Society, $1,000 (1998); Hymnody Project Grant, Institute for the Study of American Evangelicals, $1,500 (1999); Dissertation Completion Fellowship, Packard Foundation, $15,000 (1999-2000); Dissertation Completion Fellowship, Louisville Institute, $15,000 (1999-2000); Faculty Development Grants, Mellon Foundation, $6,500 (2002, 2003); Spiritual Healing Conference Grants, Deaconess, Mellon, and 5 other foundations, total $11,500 (2006); New Frontiers Exploration Traveling Fellowship, Lilly Endowment, $2,500 (2006); Outstanding Junior Faculty Award, Indiana University, $14,500 (2007-08); Summer Faculty Fellowship, Indiana University, $8,000 (2008); New Frontiers in the Arts & Humanities, Lilly Endowment, $50,000 (2009-10); Flame of Love Project, Templeton Foundation, $175,000 (2009-11); Trustees’ Teaching Award, Indiana University, $2,500 (2010); New Frontiers Exploratory Travel Fellowship, IU, $3,000 (2012); College Arts & Humanities Institute Research Travel Grant, IU, $5,000 (2012).

5. I am a current member of the American Academy of Religion, the American Society of Church History, the Society for the Scientific Study of Religion, and the American Sociological Association Section on Sociology of Religion; in the past, I was also a member of the American Historical Association, the Modern Language Association, and the Society for the History of Authorship, Reading, and Publishing.

6. My published research focuses on U.S. and global evangelical and Pentecostal Christianity, and complementary and alternative medicine (CAM), including yoga, meditation, martial arts, acupuncture, chiropractic, homeopathy, Reiki, Therapeutic Touch, and anti-cancer alternatives, and examines connections between CAM practices and religious traditions such as Hinduism, Buddhism, Taoism, and Western metaphysics. In particular, I have conducted extensive research on yoga and meditation—including school yoga and meditation programs.

7. My publications include three single-author books and two edited volumes. I am the author of The Word in the World: Evangelical Writing, Publishing, and Reading in America,

8. I have been teaching courses on American religion and culture since 1996. As a Ph.D. candidate (1996-1999), I taught in the Religion and History and Literature programs at Harvard University, and in the Comparative Literature department at Lesley University. After earning my Ph.D., I worked as an assistant professor in the History department at Vanderbilt University from 2000-2001. I was an assistant professor in the American Studies department at Saint Louis University from 2001-2006. I have been employed as an associate professor in the Religious Studies department at Indiana University from 2006 to the present. I have taught a wide variety of courses (usually two courses per semester, with enrollments for each course up to 120 students), including Religion, Illness, and Healing; Religion, Health, and Healthcare Management; Sickness and Health; and Religion and American Culture. I have also advised twenty-three theses and Ph.D. dissertations. I regularly draw upon my research in my teaching, including my research on yoga, meditation, Hinduism, Buddhism, Taoism, and metaphysics.

9. I have been asked to render an opinion regarding whether the Ashtanga yoga program in the Encinitas Union School District (EUSD) promotes or advances religion.

10. In rendering my opinion, I have reviewed the following documents: EUSD “On the Mat” Yoga Curriculum; EUSD parent statements; MOU between EUSD and KP Jois Foundation; EUSD FAQ; *GLPD Gazette*; MOU between EUSD and Regur Development Group; Timothy
1. Baird e-mail to parents; Capri quiz study guide; Capri poster of yoga *asanas*; Jois Foundation website; K. Pattabhi Jois Ashtanga Yoga Institute, Mysore, India website; Ashtanga Yoga Center website; Ashtanga.com website; NCLPP press release; C-Ville article on UVA CSC; Southern California NPR interview; and publications listed in the bibliography related to my long-term research on yoga, meditation, and CAM, a true and correct copy of which is appended as Exhibit B. I have spoken with parents from EUSD families who have observed EUSD yoga classes and/or whose children have received instruction using the EUSD yoga curriculum.

11. My opinion regarding whether the Ashtanga yoga program in the Encinitas Union School District (EUSD) promotes or advances religion is as follows:

12. Ashtanga yoga, as endorsed by the EUSD yoga curriculum, in my expert opinion, promotes and advances religion, including Hinduism, Buddhism, Taoism, and Western metaphysics.

13. Documents and statements by EUSD representatives, the Jois Foundation, the Jois Foundation Encinitas Yoga Shala, the University of Virginia Contemplative Sciences Center (CSC), the Carlsbad Ashtanga Yoga Center, and other members of the Ashtanga yoga community include religious and specifically Hindu content.

14. The practices taught by the EUSD yoga curriculum promote and advance religion, including Hinduism—whether or not these practices are taught using religious or Hindu language.

15. The basis for my opinion is as follows:

16. In order to evaluate whether the EUSD yoga program advances religion, it is not enough to read EUSD documents written for the public; one must also examine the purposes and effects of the yoga program, compare language used in public documents with that used in statements by program promoters directed toward insiders, and consider the broad context of yoga’s history.
17. The EUSD yoga program fits a definition of “religion” informed by scholarship in religious studies and comparative religion.

18. The American Academy of Religion notes the pervasiveness of religious ideologies in yoga. The American Academy of Religion—the world’s largest professional association for scholars of religion (with 10,000 members)—sponsors an annual meeting program unit dedicated to the study of “Yoga in Theory and Practice.” The official mission statement is that “this group seeks to elucidate the religious and sectarian representations of yoga in South Asian history,” and “it examines the relative pervasiveness of spiritual and religious ideologies in manifest or latent forms within the contemporary yoga scene.”

19. “Religion” should be defined to include “sacred” bodily practices and “spirituality.” Although “religion” has been defined in many ways by practitioners and scholars, there is agreement among many of today’s scholars that religion should be defined broadly enough to account for the diversity of human experience and the variety of ways people set apart that which seems sacred from that which seems profane. As a religious studies scholar, I find that “religion” by definition includes not only theistic beliefs—like those found in Christianity—but also bodily practices perceived as connecting individuals with suprahuman energies, beings, or transcendent realities, or as inducing heightened spiritual awareness or virtues. I include “spirituality” within my definition of religion—rather than distinguishing the two—because both religion and spirituality (derived from the Latin “spiritus”) make metaphysical—that is, more than physical (including suprahuman or supernatural)—assumptions about the nature of reality.

20. Many Americans fail to recognize non-Christian (e.g. Hindu) religious practices as “religion” and fail to understand the inseparability of certain bodily practices from spiritual purposes. Because Protestant Christianity has played a dominant role in American history, many Americans have been slow to recognize non-Christian religious practices—such as yoga—as religion. Protestants, and those influenced by Protestant reasoning, privilege the “Word”—the sacred text of the Bible, verbal proclamation of the “gospel,” intellectual affirmation of doctrinal
beliefs, and recitation of creeds, practiced in the context of church services directed toward worship of a single deity. Protestants tend to read their textual bias onto other religions, placing more emphasis on “sacred texts” of other traditions than many participants place upon them. Protestants have been prone to misunderstand embodied traditions in which practice is itself an essential expression of religious devotion. For many Hindus and Buddhists, for instance, religious significance exists directly in the doing, rather than secondarily in believing or saying something while performing bodily or mental practices. This is because many people understand knowledge of the sacred to be experiential, rather than merely intellectual. In the religious origins of yoga, body and spirit are not separable categories (as presupposed by Cartesian mind-body dualism), but aspects of each other, and bodily practices are spiritual as well as physical. From such a perspective, it would make little sense to isolate bodily practices from spiritual purposes—as those promoting the EUSD yoga program claim to do.3

21. **Historically, yoga has been closely associated with religious traditions of India that are today identified as Hindu, Buddhist, or Jain.**

22. **Hindu beliefs about the Divine (Brahman and Atman).** The oldest literature, which nearly all schools of what is now called Hinduism take as their source and view as the revealed words of the Divine, is the large body of orally transmitted texts known collectively as the *Vedas* (or knowledge), the earliest of which may date as far back as 1500 B.C.E. In the post-Vedic Brahmanical tradition, the all-pervading Divine existence or reality behind everything in the universe is *Brahman*, another aspect of which is *Atman*, or universal spirit. One influential school of Hindu philosophy, Advaita Vedanta, focuses on the non-duality of Self, *Atman*, and the Whole, *Brahman*, and teaches paths for realizing one’s union with the Divine.4

23. **Hindu origins of Ashtanga yoga.** The word yoga, from the Sanskrit verbal root *yuj*, is a cognate of the English “yoke,” as “yoga” and “yoke” share a common linguistic origin in the ancient Proto-Indo-European language. An exact lineage for yoga cannot be traced, since individual gurus passed various disciplines to their students, who in turn created diverse styles.
But many of India’s yoga traditions share a religious goal—attaining human salvation, variously defined as release from suffering existence and the cycle of rebirths (samsara), union with Ultimate Reality, realizing the true Self which is Divine, or spending eternity in relationship with the Divine. Thus, many people have understood the term yoga to reflect the goal of yoking individuals with the Divine. The earliest known written references to yoga are in what people today identify as Hindu texts. The Upanishads (c. 800-400 B.C.E.) and Bhagavad Gita (c. 200 B.C.E.-200 C.E.) describe yoga primarily as meditative disciplines, the purpose of which is to withdraw one’s senses from the world to yoke with the Divine, or Brahman. Many people interpret the Gita as teaching that the highest discipline, or path, of yoga is devotion through meditation on a benevolent, omnipotent supreme being. The Divine, identified with Krishna, is “the Syllable Om,” and “He who utters Om with the intention ‘I shall attain Brahman’ does verily attain Brahman.” The Yoga Sutras, attributed to the Indian sage Patanjali (c. 200 B.C.E.-200 C.E.), and often honored today as defining “classical” or “Ashtanga” yoga, prescribe eight limbs: moral codes (yama), self-purification (niyamas), posture (asana), breath-regulation (pranayama), withdrawal of the mind from the senses (pratyahara), concentration (dharana), meditation (dhyana), and bliss or absorption into the Universal (samadhi).5

24. Religious goals of yoga. Over a period of several hundred years, Hindu, Buddhist, and Jain texts elaborated yoga theory and practice, for instance describing prana, or vital breath, as an external manifestation of universal spirit, Atman, and identifying nadis, or breath channels, chakras, or wheels, and kundalini, or female serpent energy. The nadis refer to nonmaterial energy streams, the junctures of which form chakras, spinning energy vortexes where one can receive, absorb, and distribute vital energy. Moving kundalini is the object of many yoga practices. Kundalini is a force represented as a female serpent, and sometimes envisioned as a goddess, who lies dormant, coiled at the base of the spine. Her male counterpart and lover is Shiva, who resides in the crown of the head or brain. Practicing yoga awakens kundalini so that she uncoils and travels up the spine, opening chakras along the way. When kundalini reaches the sahasrara
chakra, at the crown of the head, kundalini and Shiva unite, and one attains mahasamadhi (bliss) or moksha (liberation from the cycle of birth and death).  

25. Religious goals of “postural” or “hatha” yoga. Practitioners of modern postural yoga, the form most familiar in Europe and North America, claim precedents in hatha yoga, or the “yoga of forceful exertion,” which emerged in India between the tenth and eighteenth centuries C.E. Medieval hatha yoga used a series of shatkarmas, or purifications (for instance, cleansing the stomach by swallowing a long, narrow strip of cloth); asanas, or postures; and most importantly pranayama, or breath control, to make the body immune to mortal decay. Hatha yoga purifies and unites the pingala nadi and ida nadi—associated with the right and left nostrils, and envisioned as microcosms of the sun and moon. As pranayama heats the breath, kundalini shoots upward through the central sushumna nadi, piercing chakras to generate intense heat. For the male yogi (scholars debate the extent to which women yoginis served the needs of yogis for ritualized sexual fluid exchanges or acted as agents in their own yogic paths), semen stored in kundalini’s body becomes so hot that it transmutes into the “nectar of immortality,” which the yogi drinks from his own skull to gain supernatural powers—possibly including flight, telepathy, omniscience, or an ability to take over other people’s bodies.

26. Influences of Hindu “yogis” and Western metaphysical religion, e.g. Theosophy. The only pre-modern South Asian religious order known to have self-identified as “yogis”—the Nath Yogis—practiced hatha yoga. They defined the goals of yoga to include bodily immortality, sexual pleasure, and supernatural and political power. As India entered the modern era, many Indians and European observers feared yogis and castigated them for choosing personal power over yoga’s “true” purpose of liberation. South Asian yoga practitioners increasingly rejected asanas because of their association with yogis—who sometimes performed asanas as street entertainers to earn enough money to survive. By the late nineteenth century, hatha yoga (but not other forms of yoga) had been largely rejected by Indian elites. Paradoxically, it was Westerners enthralled by Indian religions—particularly the metaphysical Theosophical Society—found by
the Russian-born Helena Blavatsky in 1875—who revived hatha yoga by reprinting neglected
texts. Even so, Blavatsky found *asanas* distasteful and omitted them from her selective re-
presentation of yoga to the West— influencing Indian Hindu modernizers to do likewise.8

27. *Asanas of Sun Salutation based on worship of solar deity.* Only in the 1920s did
*asanas* make a comeback in India—in the context of British colonial rule (until 1947) and global
cultural flows among Europe, North America, and South Asia. Beginning in the nineteenth
century, metaphysically-oriented Western health reformers attracted to a variety of New Thought
(an outgrowth of Christian Science) and nature-cure movements promoted “physical culture” as
intrinsically spiritual. In the 1920s, YMCA physical-education programs in India interpreted
*asanas* as an indigenous form of physical exercise conducive to spiritual development. Sri
Tirumalai Krishnamacharya (1888-1989) taught *asanas* as “physical culture” at the Mysore Palace
in India, and trained several individuals (including K. Pattabhi Jois) who popularized yoga in the
West. Krishnamacharya developed the now famous “Sun Salutation” (*Surya Namaskara*, or
Opening Sequence A) by combining practices used in worship of the solar deity *Surya* with *hatha*
yoga *asanas*, regional gymnastics and wrestling, and British military calisthenics. Today, yoga
promoters often explain the meaning of the Sun Salutation by quoting an “ancient verse”: “With
praying hands I face the sun, feeling love and joy in my heart. I stretch up my hand and let the sun
fill me with warmth. I bow before the sun’s radiance and place my face to the ground with humble
respect. I lift my face to the sun and then remember that to achieve such heights I must be as the
dust of the earth. I stretch up towards its light trying to reach the greatest heights and again
surrender. I stand tall as I remember the true sun within me.”9

28. Historically, the type of meditation promoted by UVA’s CSC has been
associated with Hindu and Buddhist religious traditions.

29. Purpose of mindfulness meditation is Buddhist enlightenment. Meditation (*dhyana*)
is the seventh branch of Ashtanga yoga, and mindfulness meditation refers to the seventh aspect of
the eightfold path of Buddhism. The “four noble truths” are fundamental principles of Buddhism;
namely, that life is suffering; suffering originates in attachment; suffering can be ended; and there is a path to the cessation of suffering. The “eightfold path” attributed to Siddhartha Gautama (c. fifth century B.C.E.) involves releasing objects of attachment, including the very “idea of a ‘self’ which is a delusion, because there is no abiding self . . . and we are merely a part of the ceaseless becoming of the universe.” The cultivation of mental and physical disciplines (right view, right intention, right speech, right action, right livelihood, right effort, right mindfulness, and right concentration) frees the mind from the stress of fluctuations occasioned by moving toward desires and away from dislikes or focusing on past mistakes and future worries. Extinguishing attachments removes the cause of suffering and prepares the mind and body for enlightenment, realization of Buddhahood, or nirvana—release from reincarnation’s cycle of life and death.10

30. *Mindfulness meditation promoter Jon Kabat-Zinn says mindfulness is Buddhist.*

The most influential promoter of mindfulness in America is Jon Kabat-Zinn (1944-), a European American professor of medicine and founding director of the Stress Reduction Clinic and the Center for Mindfulness in Medicine, Health Care, and Society at the University of Massachusetts Medical Center, which runs the Mindfulness-Based Stress-Reduction (MBSR) program. Kabat-Zinn used his medical credentials and university affiliation to make Buddhist meditation acceptable to non-Buddhists by downplaying religious language in favor of simple techniques. Even so, Kabat-Zinn describes mindfulness as the “heart of Buddhist meditation” and admits “it is no accident that mindfulness comes out of Buddhism, which has as its overriding concerns the relief of suffering and the dispelling of illusions.” As students graduate from the avowedly secular MBSR program, Kabat-Zinn advises them to find an ongoing meditation group such as an Insight Meditation Society, which Kabat-Zinn describes as having “a slightly Buddhist orientation.”11

31. **The EUSD yoga curriculum incorporates and endorses religious concepts.**

32. **EUSD curriculum based on Ashtanga yoga.** The MOU between the Jois Foundation and EUSD—granting EUSD $533,720 to fund a yoga program—specifies that the EUSD program is to be based on “Ashtanga Yoga” and that classroom teachers will be trained and
certified by the Jois Foundation. The curriculum teaches the three basic components of Ashtanga practice: *asanas*, controlled breathing, and focused gaze. These specifications require scrutiny of how the developers and instructors of Ashtanga yoga and the Jois Foundation elsewhere describe the purposes of these practices—points to which I return below.12

33. *The Jois Foundation is involved in shaping the EUSD yoga curriculum.* In the MOU between EUSD and the Regur Development Group, EUSD “agrees to” “coordinate with RDG to ensure ‘Self-Mastery’ instruction is in alignment with the expectations of the grant” and to “coordinate with RDG to ensure the development of any curricular materials is in alignment with the expectations of the grant”—which makes EUSD accountable to the Jois Foundation via the Regur Development Group for the content of the yoga curriculum. On information and belief, based on interviews with EUSD parents and statements made by EUSD superintendent Timothy Baird during school board meetings and interviews, yoga instructors certified by the Jois Foundation before being employed by EUSD are involved in writing the EUSD yoga curriculum—and continually revising that curriculum in reaction to parent complaints. Since parents began complaining in September 2012, Baird has asked Jois-certified instructors to “scrub” clean the yoga curriculum of explicitly religious language.

34. *EUSD curriculum teaches Ashtanga religious concepts of yama and niyama.* The EUSD yoga curriculum includes not just physical but also spiritual goals, for instance that students will “connect more deeply with their inner selves” and bring the “inner spirit of each child to the surface.” The curriculum teaches “key yoga life concepts.” The first session begins with the “character connection”: “How do my actions affect myself and others?” (followed by the question: “How can I show value for myself and those around me?”)—allusions to branches one and two of Ashtanga, *yama* and *niyama*. An article “About Ashtanga” linked from the Ashtanga.com website—“the site of the Ashtanga community”—defines these key yoga life concepts. The concepts of “yama and niyama - how I treat others and myself” include conserving “our vital
energies,” “purification,” study of “scriptural texts,” and “devotion or surrender to the higher or creative force” (i.e., religious goals in Hindu traditions).13

35.  **EUSD curriculum includes Taoist religious symbolism.** The curriculum uses the Taoist yin/yang symbol to mark bullet points throughout the “On the Mat” document. In Taoism, yin and yang are opposing, interdependent aspects of qi, or vital energy, that must be balanced to promote harmony with the Tao, or “Way,” the “universal intelligence,” “guiding force,” or “neutral essence of all life” that is “pre-existent to being and form.” Vital energy, also known as universal life-force, is more than a physical force. It is alive and life-giving, intelligent, and goal-directed—beneficently promoting homeostasis or balance.14

36.  **EUSD curriculum teaches children to play act as yogis, i.e. Hindu religious specialists.** The curriculum specifies that children play a game of “Yogi Says.” A Capri study guide teaches that each child should be a “good fellow yogi to the other students.” Historically, yogis are Hindu religious specialists who practiced asanas and pranayama for religious reasons.15

37.  **EUSD curriculum teaches Sun Salutation—which represents worship of solar deity.** The curriculum specifies that children learn the “actual names of the poses” in “Opening Sequence A” (aka Surya Namaskara or Sun Salutation), a series of poses that represents worship of the solar deity Surya. In the curricular description of the “Mountain Pose,” students are instructed to “reach their arms way up high towards the sun.”16

38.  **EUSD curriculum includes “lotus” and “resting” poses, which embody religious symbolism.** The curriculum specifies that every session should end with a series of three “Lotus” positions that “symbolize” calm and “quiet the mind” and a final “resting pose [aka Savasana or “corpse” pose]” that allows the body time to “understand the new information it has received through practicing yoga.” The lotus flower is a sacred symbol of purity and enlightenment for many Hindus, Buddhists, and Jains; the lotus position is commonly used in religious meditation. The corpse pose is sometimes explained as a way to “symbolically ‘die’ to our old ways of
thinking and doing” to “enter a state of blissful neutrality” that foreshadows final liberation from the cycle of life and death.\textsuperscript{17}

39. \textit{EUSD yoga includes pranayama—to prepare for samadhi (uniting with Universal).} The curriculum specifies that children learn “focusing on their breath,” “connecting breath with movement,” and “connecting breath with sound,” because it creates a “means for rejuvenation and vitality,” and “once students begin to gain control of their breath, they can begin to relate it into their daily lives.” A Capri study guide says “breathing is THE MOST IMPORTANT [emphasis original] part of yoga; this is what will help us to have a calm mind.” The terms rejuvenation and vitality invoke concepts of vital energy (\textit{prana}), and the goal of connecting to “daily lives” and calming the mind expresses the ideal that \textit{pranayama} leads practitioners toward the remaining Ashtanga branches—including \textit{pratyahara}, withdrawal of the mind from the senses, and ultimately \textit{samadhi}, uniting with the Universal.\textsuperscript{18}

40. \textit{EUSD yoga includes pratyahara—to prepare for samadhi.} The curriculum includes a guided meditation script that instructs students to “let go of the thoughts in your mind.” The curriculum promises that “beyond the physical benefits” of the poses, the “repetitive nature” of the sequence and “focused gaze” “helps to focus the mind,” control the “wandering tendency of the mind,” and achieve a “more balanced state of mind.” A Capri study guide says that “what we are trying to get out of yoga” is a “calm and relaxed” mind. This language alludes to religious ideas developed in Ashtanga literature (e.g. \textit{pratyahara} or withdrawal of the mind from the senses prepares one to unite with the Universal in \textit{samadhi}).\textsuperscript{19}

41. \textit{EUSD curriculum includes Buddhist mindfulness meditation.} The GLPD Gazette describes the EUSD yoga program as teaching a “mindful approach to health through yoga, meditation” in order to “balance the body.”\textsuperscript{20} The terms “mindfulness” and “balance” allude to religious concepts important in Buddhism, Taoism, and Hinduism.

42. \textbf{Parents who observed EUSD yoga classes, and/or whose children participated in these classes, attest to the inclusion and endorsement of religious elements.}
43. Posters of an “eight limbed tree” and a Jois Ashtanga Yoga Institute poster of Suryanamaskara asanas, both labeled in Sanskrit, have been displayed on the walls of EUSD classrooms. Parents attest to seeing these posters as late as fall 2012. One parent took a photograph of the asana poster and visited the website printed on the poster—where she found definitions of the eight limbs written in Sanskrit on the tree poster: “1. Yama—moral codes, 2. Niyama—self purification, 3. Asana—posture, 4. Pranayama—breath control, 5. Pratyahara—sense control, 6. Dharana—concentration, 7. Dhyana—meditation, 8. Samadhi—absorption into the universal”—explicitly religious goals important for many Hindus. A second-grader came home saying she was being taught different names for the hands and feet; when her mother looked up these names, they corresponded with the branches of Ashtanga. Parent complaints led to a revised district policy of not teaching Sanskrit names. After this change, a parent observing a Capri yoga class asked about the Sanskrit-labeled Ashtanga poster she still saw on the wall; the teacher said she was “only referring to” the poster, which was removed after this incident. As discussed below, however, Ashtanga concepts continue to be taught even without the posters.

44. EUSD-employed yoga teachers have taught children to perform the Sun Salutation. A parent who observed a yoga class at Park Dale Lane during the 2011-2012 school year noted that before beginning the Sun Salutation, the teacher asked the children to talk about everything the sun gave them and to list reasons to be thankful to the sun, and correlated the series of poses with expressing thankfulness; this is in my evaluation consistent with religious worship—adopting a bodily posture, e.g. bowing, to express gratitude to a suprahman force, e.g. the sun. Parents and students recall that children were taught the Sanskrit and English names for the Sun Salutation and the individual poses within the sequence. In the context of yoga instruction, Sanskrit has not only cultural, but specifically religious significance. In answer to the question “Why teach Sanskrit names?” yoga teachers quoted by the Yoga Journal attest that teaching Sanskrit names for yoga poses will “stir up interest” in yoga’s deeper meanings and create a “spiritual connection” because each Sanskrit letter has a specific “sound frequency”; “when you tap into the sound of yoga you
really experience Yoga with a capital Y,” since “in Vedic belief, each word is encoded with
consciousness. To put this simply, the pose name and the effect of the pose are one.” One parent
made a copy of a study guide (which I have reviewed) for a yoga quiz given to her sixth grader at
Capri Elementary School in 2011-2012. The first answer to “why do we do surya namaskara a
(sun salutations)” is “to welcome the sun.” The guide introduces other Sanskrit “yoga
vocabulary,” e.g. “utthita trikonasana,” “samastithi,” and “drishti.” A Capri student recalls her
teacher reading from a book that interprets the religious significance of various asanas in the Sun
Salutation. For instance, the teacher said that the warrior pose (Virabhadrasana) represents a god
(Shiva) slicing off someone’s head (Daksha) and replacing it with the head of a goat. Following
parent complaints, teachers stopped using Sanskrit names and started using less explicitly religious
English names for the poses—but continued to teach the same pose sequence. At last report,
EUSD teachers are now calling the Sun Salutation “Opening Sequence A” and calling, for
example, the downward facing dog (adho mukha savanasana) the “doggy pose.” However, even
after this policy change, parents report hearing instructors slip into using the former terminology
while demonstrating yoga. For instance, parents recall a yoga teacher giving a demonstration for a
PTA meeting accidentally using Sanskrit words three times and saying “oops” when she did so.
On a different occasion, while a parent was observing a kindergarten yoga class, the teacher twice
corrected herself when she said “downward facing dog.” This suggests to me that changing the
wording does not materially alter the practice, and that it is difficult for instructors trained by the
Jois Foundation to leave behind religious understandings of yoga when entering public schools.21

45. EUSD yoga instructors have taught children to say “Namaste” to each other while
gesturing with a religiously symbolic “praying hands” position. The word “Namaste” is often
translated as “I bow to the god within you” and represents the religious idea that there is divinity
in everyone; however, EUSD teachers have told children that Namaste just means “thank you” or
“peace.” One parent observed a class in which a teacher asked the children to sit in a “Namaste
circle” and place their hands in a position that resembles the “praying hands” (anjalimudra)
EUSD yoga instructors have taught children to sit in a “lotus” position that resembles that often used in Hindu, Buddhist, and Jain meditation. A sixth-grader who participated in the EUSD yoga program in 2011-2012 remembers that chanting “Om” was optional, but all children were supposed to place their hands on their knees with thumb and index finger forming a circle and palms open. This sounds like a description of Jnana Mudra, the Knowledge Hand Gesture or Mudra of Wisdom. Many religious practitioners interpret this mudra as symbolizing subordination of the individual spirit—represented with the index finger—by the Universal spirit—represented with the thumb; forming a circle with the two fingers symbolizes—and brings about—unification of the individual with the universal consciousness. During the 2012-2013 school year, a fourth-grader was asked to sit in the lotus position and told that putting her fingers in the special position was not “required” but was “extra credit.”

EUSD yoga instructors have taught children to color mandalas—circular pictures considered sacred in Hindu and Buddhist traditions. During fall 2012, a Jois Foundation certified teacher hired by EUSD to teach PE and art in the fall, prefatory to teaching yoga in the spring, introduced mandalas. The children were asked to consider their choice of colors and taught that life is “cyclical and every circle is unending, every circle has a center and humans too must find their center in their inner selves,” and the mandalas helped to reach the “center of ourselves”—language that alludes to religious concepts, for instance samsara—the endless cycle of life, death, and reincarnation. Instruction in mandalas occurred on multiple days, but stopped after parents
complained. The drawings were not sent home to parents, in contrast to the usual practice of
sending all artwork and other schoolwork home.

48. *Ashtanga-influenced curriculum is being taught across subjects in EUSD
classrooms—not only in PE class.* Although one parent pulled her son out of yoga class, he has
continued, in 2013, to be taught the “life concept” and “character” components of the Ashtanga
curriculum in other class periods. For example, he was taught in science class that washing one’s
hands to avoid spreading germs is a way to show respect to other children—an illustration of the
Ashtanga branches of *yama* and *niyama*.

49. The *Jois Foundation website includes Hindu religious content.*

50. *Jois Foundation says asanas only appear to be physical, but lead to samadhi.* A
Jois Foundation webpage “About Ashtanga Yoga” describes “eight limbed yoga” as leading to
“liberation and greater awareness of our spiritual potential.” *Practicing asanas,* “though in
appearance an external and physical discipline” can “spontaneously . . . lead to the
experience of the last four limbs”—“pratyahara (withdrawal of the senses), dharana
(concentration), dhyana (meditation), and samadhi (union).”

51. *Jois Foundation teaches Hindu chanting.* A Jois Foundation course on “Sanskrit
Chanting” teaches from the *Yoga Sutras, Bhagavad Gita,* and *Upanishads*—texts important in
Hinduism.

52. *Encinitas Jois Yoga Shala performs ritual for Hindu deity Ganesh and invites
Hindu teachers.* A video taken at the second anniversary of the Encinitas Jois Yoga Shala [a center
involved in training teachers hired by EUSD] includes Hindu religious content. A spokesperson
explains why the celebration included a Ganesh *Pooja* (a Hindu ritual to remove obstacles,
focused on the Hindu deity Ganesh; a statue of Ganesh is shown in the video): “We do the Ganesh
*Pooja* always because Ganesh is the remover of obstacles. He makes things run smoothly.” The
celebration included a talk on *karma* (a religious concept of cause and effect important in Hindu,
Buddhist, Jain, and Sikh traditions) by a Vedic astrologer, Sanjeev Verma, who explained “how
we can improve our good karma & reduce our negative karma through consciously directing the
merits of our spiritual practices & good deeds” and “through gradual meditation or mindfulness
you can become a third party . . . to yourself” and become united with the universal. Another
speaker, Vidwan H.V. Nagaraja Rao, gave “inspirational presentations on yoga philosophy” from
the Upanishads. Another special guest was Srikanth Sastri, “an esteemed priest from the local
Vedic Cultural and Spiritual Center of San Diego.”

53. Jois Foundation says doing asanas leads to enlightenment—regardless of why one
does yoga. A video taken at the Grand Opening of the Jois Foundation Greenwich Shala includes
religious content. Jois Foundation Sonia Jones is featured saying: “When Guruji [aka Pattabhi
Jois] said 99% practice, 1% theory, he’s basically telling you you know within yourself your
journey to Enlightenment.” Another spokesperson explains that “Ashtanga Yoga is not just
physical practice though asana is the first stream of Ashtanga yoga. It is not the final stages of
yoga.” Rather, yoga is “for liberation.” Although “most of us we start with asanas . . . Yoga
practice is for self-transformation. Whoever does this definitely transformation should happen, and
it will happen, for whatever reason you’re doing it, it will happen, the transformation will
happen.” The speakers provide assurance that practicing asanas will lead to enlightenment,
liberation, and self-transformation—religious goals—regardless of why people do the asanas or
whether religious theories are discussed.

54. Leaders of the University of Virginia Contemplative Sciences Center (CSC)
affirm that Ashtanga yoga and mindfulness meditation promote religion.

55. UVA’s Campbell and Shorling say even “scientific” yoga and meditation are
religious. According to an article on the CSC published in C-ville, a purpose of UVA’s CSC is to
promote Ashtanga yoga and mindfulness meditation, rather than merely conduct scientific studies
(promotional materials indicate that the CSC will study the EUSD program). The CSC was funded
by a $12 million grant from Paul and Sonia Tudor Jones (the couple who funded the Jois
Foundation and the EUSD yoga program), who are outspoken promoters of Ashtanga yoga. The
CSC’s director, John Campbell, is a certified Ashtanga yoga instructor who studied with Pattabhi Jois and previously established an Ashtanga yoga program for Jones. According to Campbell, the CSC approaches yoga and meditation with a “scientific” program, but “that’s not to say that somehow you can avoid or strip away elements that in other contexts you would call religious.” John Shorling, director of UVA’s Mindfulness Center (modeled on Jon Kabat-Zinn’s Center for Mindfulness), acknowledges that like meditation, yoga “has been practiced for thousands of years in different religious traditions,” and “at their highest forms if you really want to go deeply into them it’s difficult to do them without practicing in a religious tradition.”

56. On information and belief, UVA’s Campbell is an advisor for EUSD’s yoga program. Russell Case, director of the Jois Foundation, Encinitis, said in a NPR interview that the purpose of the EUSD yoga curriculum is to “alpha test” the Jois Foundation Ashtanga yoga curriculum, and Campbell is “helping participate in the project as far as an advisory role.”

57. Sri K. Pattabhi Jois and his son Manju Jois describe Ashtanga yoga as promoting Hinduism, even when presented as a purely physical practice stripped of religious language and instruction.

58. Pattabhi Jois says practicing asanas leads to union with God—whether one wants it or not. In an interview, Pattabhi Jois suggested that the Hindu god “Shiva first taught” yoga, as did the Bhagavad Gita, and the Upanishads. Asked “Is God important to a physical practice?” Jois responded: “The reason we do yoga is to become one with God and to realize Him in our hearts. You can lecture, you can talk about God, but when you practice correctly, you come to experience God inside. Some people start yoga and don’t even know of Him, don’t even want to know of Him. But for anyone who practices yoga correctly, the love of God will develop. And, after some time, a greater love for God will be theirs, whether they want it or not.” According to Jois, whether or not people do yoga because they want to practice religion, doing yoga leads people to love God—a religious goal. According to Jois, hatha yoga merges “vital energy” channels, and when “prana is finally at rest . . . we then realize God inside. That is our Self, our true identity. So,
Hatha yoga is experiencing God inside. . .  **Yoga is not physical**—very wrong!” Combining the 
language of “science” with that of religion, Jois described Hatha yoga as “the ultimate science of 
helping us discover what lies behind the apparent reality of body and mind.” One seeks to focus 
and control the mind [goals of the EUSD curriculum] “until **the mind assumes the form of** 
**Brahman** without any effort in contemplation.” Asked whether “there is a difference” between 
physical, mental, and spiritual yoga,” Jois answered “Yoga is one. God is one. Yoga means 
**sambandaha**, which is **atma manah samyogah**, or knowing God inside you. But using it only for 
physical practice is no good, of no use—just a lot of sweating, pushing, and heavy breathing for 
nothing. **The spiritual aspect, which is beyond the physical, is the purpose of yoga.** When the 
nervous system is purified, **when your mind rests in the atman (the Self)**, then you can 
experience the true greatness of yoga. . . .  **The essence of yoga is to reach oneness with God.**” 
Asked to define “spirituality,” Jois answered: “the sacred scriptures are the whole 
foundation of our spiritual tradition . . . The body is our temple and inside that temple is 
**atman**, and that is God. . . . **As you take practice, you come to see God inside.**”28 

59.  **Manju Jois says doing asanas automatically draws practitioners into Hindu 
spiritual path.** According to Manju Jois, son of Pattabhi Jois, when teaching “Western students,” 
his father did not discuss the “spiritual aspect” of yoga because **Hinduism is very, very hard to 
understand.” That is why “the yoga **asanas are important** - you just do. Don’t talk about the 
philosophy – **99% practice and 1% philosophy** that’s what he meant. You just keep doing it, 
keep doing it, keep doing it then slowly it will start opening up inside of you,” to 
“automatically . . . draw you into the spiritual path.” Manju Jois affirms that “We (as teachers 
of Ashtanga yoga) will definitely approach yoga through **asana** and **pranayama** and **dhyana** and 
chanting. **Then internal changes will come about**…now it will be easier to practice **yama and 
niyama**, you won’t even know you’re doing it.” Manju Jois defines yoga as a “traditional 
spiritual practice” and affirms that “every **asana** is a meditation, actually.” Through yoga, one can 
“activate this power” of **kundalini**. **The reason Ashtanga emphasizes a “long, slow inhalation**
and a long, slow exhalation” is to “let the prana flow.” Manju Jois says “I think people are paying too much attention to the physical side of practice. The Vedas state Aham Brahmasmi—I am Brahman (Brahman is cosmic consciousness). So our body is like our temple.” In another interview, Manju Jois explained his view that “Yoga is to unite. . . . That’s what so-ham means: I am God, I am the Creator. I am the Vishnu, the Preserver; I am the Shiva, the destroyer; and I am the Creator, the Brahma. I am all three, the three is you.”

60. The Carlsbad Ashtanga Yoga Center (AYC) website promotes Hindu religious content.

61. AYC observes “moon days” for Hindu religious reasons. The website for the Ashtanga Yoga Center (AYC) in Carlsbad, California (directed by Tim Miller, “the first American certified to teach by Pattabhi Jois”) explains that the “Ashtanga Yoga tradition” observes “full and new moon days” because “full moon energy corresponds” to “prana” force and “new moon energy” to apana force,” as described in the “Upanishads.”

62. AYC says asanas, coordination of breath with movements, and focused gaze (three components of EUSD curriculum) achieve spiritual purification and reveal Universal Self. A webpage on “Ashtanga Yoga Background”—linked from the AYC website via Ashtanga.com—claims that Pattabhi Jois taught Asthanga yoga “according to the sacred tradition of Guru Parampara.” The webpage attributes the eight limbs of Asthanga to Patanjali’s Yoga Sutras, and describes them as a “path of internal purification for revealing the Universal Self.” In order to “perform asana correctly in Asthanga yoga, one must incorporate the use of vinyasa (coordination of breath with movements) and tristhana (focused gaze) [the three components of the EUSD curriculum] to achieve “purification.” Asanas function in “opening and clearing the energy channels,” and “pranayama means taking in the subtle power of the vital wind.” Breathing techniques (bandhas) “unlock pranic energy and direct it into the 72,000 nadi (energy channels) of the subtle body. There are nine drishti (gazing points) [all nine are listed in the EUSD curriculum]. When these practices are performed together, the resulting state of concentration paves the way
for the practices of dharana and dhyana, the six and seventh limbs of Ashtanga yoga.” Finally, when purification is complete and mind control occurs, the Six Poisons surrounding the spiritual heart [kama (desire), krodha (anger), moha (delusion), lobha (greed), matsarya (sloth), and mada (envy)]—‘will, one by one, go completely’, revealing the Universal Self.” Terms like vital energy, purification, spiritual heart, revelation of the Universal Self, and lists of moral virtues, express religious ideals. Thus, when Russell Case, director of the Jois Foundation, Encinitas, says that “yoga by definition is concentration of the mind. And so that’s really what we mean by the word spiritual”—it is important to understand that concentration is meant to pave the way for the remaining branches of Ashtanga—ultimately “revealing the Universal Self.”

63. AYC defines Sun Salutation as bowing to God and revealing divine within. An AYC webpage on “The Alchemy of Yoga” identifies the “primary goal” of yoga as “liberation of spirit from matter.” The article refers to “dormant vital energy (kundalini shakti)” and solving the problem of “human ignorance of our divine nature.” The purpose of the Sun Salutation is to “liberate dormant energy.” The practice of “ishwara pranidhana, literally bowing to God, refers to spiritual alchemy. When we transcend ego identification long enough to discover that the divine creative power of the universe is present within our own being, we are filled with joy and reverence. Our natural impulse when this happens is to give thanks. This expression of gratitude and humility becomes the doorway for divine grace to enter our lives. . . . liberation can be gained by placing our devotion at the feet of God.” According to the Encinitas AYC, the purpose of the Sun Salutation—a central component of the EUSD curriculum—is spiritual liberation, realization of one’s divine nature, and religious devotion to God.32

64. AYC identifies “lotus” with touching the feet of God. “A Brief History of Ashtanga Yoga in Encinitas” posted by the AYC recalls that while teaching Ashtanga yoga, Pattabhi Jois, aka Guruji, “would go off on a lengthy Sanskrit chant of some scripture.” The webpage explains that “in Ashtanga yoga, the prayer chanted before practice begins, Vande Gurunam Charanaravinde (I bow to the lotus feet of my teacher)” because the “guru is the intermediary
between the student and the Divine” and “by touching the feet of the guru we touch the feet of God.” Jois also taught that “God is the only guru. Our true purpose in yoga is to awaken the guru within.”

65. **AYC instructor describes religious purpose of Sun Salutation and praying hands.** An online instructional video by one of the AYC’s yoga teachers, Pete Hurley, includes an “opening prayer” to honor the “guru in ourself” and seek a practice “filled with devotion.” The prayer begins with the mantra “Om,” and continues with a Sanskrit chant, which is translated by the Jois Ashtanga Yoga Institute as “I bow to the lotus feet of the Gurus. The awakening happiness of one’s own Self revealed . . . Pacifying delusion, the poison of Samsara [the endless cycle of birth, death, and reincarnation]. . . To Patanjali, I salute.” Hurley describes the Sun Salutation as producing a “straight line of energy [i.e. prana, or vital energy] through your spine.” The routine ends with a “Closing Prayer” in Sanskrit; the video shows Hurley in a praying hands (anjalimudra) position commonly used by Hindu and Buddhist meditators.

66. **AYC’s Tim Miller says doing asanas results in spiritual awakening—even if religious theory is not taught, and even if described as “scientific.”** The AYC website includes links to several interviews of Tim Miller. According to Miller, even if one only practices asanas without being taught religious theories, doing yoga produces spiritual transformation: “If you do the practice consistently, you, slowly over time, transform. You begin to understand what yoga is from the inside.” Yoga helps one “tune in to cosmic intelligence . . . That’s why at the beginning of practice we say a traditional prayer of gratitude and acknowledge the benefits of yoga as a tool for awakening—to recreate a space for grace.” The terms cosmic intelligence, prayer, awakening, and grace refer to religious concepts. When Miller calls yoga “scientific,” he is not claiming that yoga is un-spiritual. Rather, Miller describes yoga as a “scientific method for the realization of the fact that we are spiritual beings. . . . absolutely I see Ashtanga yoga as a spiritual practice; that was apparent to me from day one.” Miller says that he learned from Jois a focus on “our personal deity that we have, our own individual connection to some aspect of the divine,” realized through
“literally bowing to God . . . I bow to the lotus feet of the guru.” The reason that yoga cultivates a
“cessation of the fluctuation of the mind” or a “shut off” mind [taught in the EUSD curriculum] is
that “underneath the mind” one finds the “essential self” or the “spiritual self.”

67. Ashtanga.com says only the “misunderstanding mind” thinks asanas are only
physical. An article “About Ashtanga” linked from the Ashtanga.com website explains since “we
function in an extremely physical and external world the point of entry is naturally physical. So
one begins with a set of asanas.” But only the “misunderstanding mind thinks” that asanas
are “all ashtanga is. This is only the beginning of the journey. As one practices, all the elements
are cultivated so one goes deeper and starts to understand what Patanjali is talking about.”
In other words, asanas lead the way toward other branches of Ashtanga.

68. Just because the EUSD denies that its yoga program is religious does not, in
itself, mean that the program has been stripped of religious content, nor that it is necessarily
possible to separate a yoga program from religious content.

69. Denying that a practice is religious does not remove religious content. EUSD
spokespersons are aware that they must deny teaching religion. As an EUSD frequently asked
questions sheet states: “Public schools are not allowed to teach religion. That would be a violation
of the Constitution. The yoga program taught in the Encinitas Union School District provides no
religious instruction whatsoever.” EUSD’s denial that it is teaching religion fits with a pattern I
have observed in my long-term research (since 2003) on the mainstreaming of yoga, meditation,
and other forms of complementary and alternative medicine (CAM). It is often the case that
promoters of religious practices strategically downplay religious language in public documents in
order to make their practices acceptable to secular authorities and Christian critics. Religious
practices such as yoga and mindfulness meditation are often relabeled as scientific techniques,
exercise, philosophy, non-sectarian spirituality, commodity, or Christian worship. It is a common
promotional strategy to emphasize physical, mental, and emotional benefits. But because the
physical and spiritual aspects of practices such as yoga intertwine, failure to acknowledge yoga’s
religious purposes does not automatically transform yoga into secular exercise. Apparently
“secularized” yoga and meditation programs often result in superficial relabeling rather than
creation of fundamentally distinctive practices.

70. **Labeling a practice “spiritual” does not make the practice non-religious.** A
common promotional strategy is to claim that “ancient” practices predate the rise of specific
religions; identify practices with universal spirituality; and deny that they conflict with any
religion. However, merely declaring that practices are “spiritual” but not religious—or “universal”
and thus suitable for people of any or no religion—does not, as if by fiat, remove religious
meanings. Many Americans associate religion with guilt-inducing proscriptions on behavior and
requirements that adherents regularly attend church, intellectually assent to doctrines or recite
creeds, and follow legalistic rules—and want to distance themselves from this kind of religion.
Some people prefer the term spirituality, which they associate with private seeking after sacred
meaning untethered to public adherence to religious institutions, doctrines, creeds, or rituals. In
practice, the line between religion and spirituality is permeable; both religion and spirituality make
metaphysical assumptions about the world, and both fulfill similar functions, such as affirming a
person’s place in the cosmos, and offering a sense of purpose, meaning, and hope.\(^{38}\)

71. **Labeling a practice “science” does not make the practice non-religious.** My
scholarly research indicates that non-Christian religious practices are often marketed as science to
offset fears of religious contamination and to capitalize on popular esteem for science. It is
important to pay close attention to how spokespersons define “science.” The Swami Vivekananda
(1863-1902), a Vedanta (Hindu) monk, was one of the first yoga promoters to frame yoga as
“science.” Vivekananda meant that yoga is empirical; in other words, generations of practitioners
had used yoga and experienced observable results—which Vivekenanda identified as realization
of the true Self, or *Brahman* (divine) within. Vivekananda took the idea of framing yoga as
science from Helena Blavatsky, whose Theosophical Society drew on Hinduism, Buddhism, and
Zoroastrianism, and taught reincarnation, karma, the presence of life and consciousness in all
matter, and the power of thought to affect one’s self and surroundings, all of which concepts were framed as “science.” Another important figure in the history of yoga in America is the Indian-born Hindu, Paramhansa Yogananda, author of the bestselling *Autobiography of a Yogi* (1946).
Yogananda identified yoga as science, defined as empirical methods put toward spiritual ends: “Yoga is a system of scientific methods for reuniting the soul with the Spirit.” (Compare similar statements by the CSC’s Campbell, Pattabhi Jois, and the AYC’s Tim Miller.) The goal of yogic science is to transcend merely intellectual knowledge and directly experience truth. This understanding of science contrasts with how conventional scientists use the term, but the difference was lost upon the growing number of Americans whose esteem for yoga rose as they imagined it as scientific. Today, many promoters of yoga and meditation borrow vocabulary from scientists and claim scientific support from research studies (few of which meet rigorous scientific standards for randomized controlled trials), while continuing to make religious assumptions about what yoga achieves and why it does so.39

72. **There is evidence that promoters of yoga and mindfulness meditation commonly engage in “self-censorship” or “camouflage” to make practices seem less religious and thus more palatable to secular or Christian audiences.**

73. **How “self-censorship” works.** Marcy, a Cambridge, Massachusetts yoga instructor, illustrates how instructors may self-consciously put on a secular face. Personally, “I love to immerse myself” in the idea that “we are divine beings, cloaked in human flesh.” But Marcy does not want to “turn people off, or offend them.” Pragmatically, “I have to make my living at this. Now mind you, if I didn’t have to make my living, I might be able to advertise my yoga class as a spiritual yoga.” In the gym, Marcy explains yoga as being “for stress reduction, flexibility, muscle strengthening, and community. Which is all true. And all fine, you know. I censor myself sometimes because I want it to be as palatable as I can to everybody. I want to cast a wide net.” Yet Marcy always carries with her brochures for yoga retreats, hoping that her classes will whet students’ appetite for explicitly religious yoga.
74. *How “camouflage” works.* Sociologists use the term “camouflage” to describe “elaborate techniques of concealing and gradual exposure.” Holistic consultants introduce metaphysics to business and educational professionals by systematically replacing suspect terms such as “meditation” or “spirituality” with more neutral words like “intuition,” “authenticity,” “holism,” and “purity.” One consultant interviewed acknowledges that “only after I get the group’s trust do I start, very carefully. People are skeptical at first. When I suggest practicing yoga or meditation they are unconvinced about the whole process. I wait some time and then raise it again. It is a gradual process. Today I get into an organization with a topic such as time management, evaluation of employees or contact with clients, and via this window I start the process.” Later, these same consultants introduce unambiguously religious content in “advanced” training workshops.40

75. **EUSD’s denial that its yoga curriculum is religious resembles similar denials made by other programs and individuals who have brought what they understand as religious yoga into public education.**

76. **EUSD strategy of replacing religious with non-religious terms similar to Yoga Ed.** It is instructive to compare the strategies used by those promoting the EUSD yoga curriculum with the strategies used ten years ago to introduce the Yoga Ed. program into Aspen, Colorado and Los Angeles, California public school systems. Yoga Ed.’s developer, Tara Guber, argued before school boards that “this is not a religious-, dogma- or faith-based program. We don’t chant or recite specific principles or philosophy. It is not connected to any belief system.” In order to overcome resistance from “fundamentalist Baptists” on school boards, Guber removed religious language, for instance, replacing *samadhi* with “oneness,” meditation with “time in,” and *pranayama* with “bunny breathing.” As one of Guber’s followers suggested during a 2002 school-board dispute, “semantics is all we are talking about. We can change a few words and make it all happen [i.e., get the curriculum approved].” And this is exactly what Guber did.41
77. **Yoga Ed. promoter later admitted to Hindu religious goals.** After the Yoga Ed. controversy had died down, Guber revealed her motives in a 2004 interview with *Hinduism Today* magazine. The article is entitled “Tara’s Yoga for Kids: One noble soul takes on the public school system and wins a Vedic [i.e. Hindu] victory.” Guber confided to her interviewer that she had been disingenuous in presenting yoga as non-religious as a necessary condition for getting it into the school system. She expressed confidence that the practice of yoga, whatever its components are called, would “go within, shift consciousness and alter beliefs.” Since participating classroom teachers receive yoga instruction at local studios before being certified to teach Yoga Ed., teachers “undergo some degree of personal transformation that would enable them to convey, primarily through example, the deeper and more meaningful experience of yoga to their students in class.” Thus, getting yoga in the K-12 schoolroom door, even minus Hindu language, constituted a “Vedic victory.”

78. **Example of how denying that public school curriculum is religious may not remove religion.** It is instructive to compare the EUSD curriculum with language used by public university yoga instructors and textbooks that deny that yoga is religion. For example, Brad teaches for-credit yoga at a public university. When Brad claims that yoga is “not religion,” he means that yoga is a “more complete system than many religions tend to be.” Yoga is more, not less, than religion. Although Brad denies requiring students to experience yoga “through a religious lens,” in his view yoga and religion “come from the same source,” and yoga is the “hub for all Eastern religions.” Brad elaborated on the hub notion in an interview: “Yoga can be thought of as the energy surrounding all gods.” Brad’s course syllabus includes instructions on how to practice mindfulness meditation, which he recommends to students as the “core” of yoga and the “best way to appreciate the sacredness of everything.” Similarly, a textbook, *Yoga The College Way* (1996) identifies the “core” purpose of *asanas* and meditation as “salvation, enlightenment, or union with Brahman, the Divine”—goals that the author admits are “inappropriate for a public school setting.” The text proposes that public university instructors describe *asana* as a “pose” with
physical benefits, and meditation as “‘positive thinking,’ stress reduction and/or relaxation
techniques.” Professing that yoga’s “spiritual paths can be followed or bypassed,” the textbook
teaches how to meditate using the syllable “Om.” The “written word ‘om’ is a very powerful
object at which to gaze. It visually represents the divine, but also conjures up the sound of the
divine.” Om is a mantra, a “sacred sound repeated to bring one to a higher state of awareness of
God,” and has an “essence that has divine, cosmic energy, giving it special power. It reflects on a
specific deity with a certain meter or rhythm.” Such language goes beyond description to teach
students how to follow yoga’s “spiritual paths”—all the while denying that yoga is “religious.”

79. 13. There is evidence that many yoga promoters believe that practicing
“secularized” yoga will lead practitioners to embrace yoga’s religious concepts.

80. Yoga promoters writing for sympathetic audiences describe secularized yoga as
gateway to religious yoga. Phil Catalfo writes for the Yoga Journal that “while many Westerners
come to yoga primarily for its health benefits, it seems safe to say that most people who open to
yoga will, in time . . . come to see yoga as a spiritual practice.” Yoga Journal’s Anne Cushman
points to the “millions of Americans for whom ‘yoga’ means ‘asana’—and for whom the physical
postures are both the gateway into the practice and the vehicle for the spiritual teachings. . . .
Hatha yoga taps into our lust for physical perfection, but at the same time, it . . . is an entryway to
spiritual awakening.” Cushman notes that “for most people, it starts as simply as this: Yoga makes
us feel good, and we like to feel good.” But “if you look closely at the serious yoga practitioner—
the person who does it on a regular basis for more than a year or so—you’ll often find that asana
has become not just an end in itself, but the medium through which he or she begins to explore
other yogic teachings.” Popular yoga teacher Beryl Bender Birch notes that “people get turned on
to yoga in health clubs, and if they’re looking to deepen their practice, they’ll go to the yoga
studio. It’s definitely a way in.” According to yoga advocate Victor Parachin, “there is no
requirement that participants have any religious or spiritual outlook. Yet many who begin to
practice yoga say they experience subtle shifts in attitude and thoughts.”

Motion For The Issuance Of An Alternative Writ Of Mandamus; Memorandum Of Points And Authorities; Declarations of
Jennifer Sedlock, Candy Gunther Brown, Ph.D., and Dean R. Broyles, Esq.

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81. *Hindus warn that yoga will cause Christians to adopt Hinduism.* Prominent Hindu spokespersons warn that Christians who practice yoga will inevitably adopt Hindu religion. Sannyasin Arumugaswami, the managing editor of *Hinduism Today,* attests that Hinduism is the “soul” of yoga and that “a Christian trying to adapt these practices will likely disrupt their own Christian beliefs.” Aseem Shukla, M.D., a surgeon and co-founder of the Hindu American Foundation, warns that Christians who practice yoga may inadvertently enter the Hindu path to realize one’s own divinity: “But be forewarned. Yogis say that the dedicated practice of yoga will subdue the restless mind, lessen one’s cravings for the mundane material world and put one on the path of self-realization—that each individual is a spark of the divine. Expect conflicts if you are sold on the exclusivist claims of Abrahamic faiths—that their God awaits the arrival of only His chosen few at heaven’s gate—since yoga shows its own path to spiritual enlightenment to all seekers, regardless of affiliation.” Julia, the owner of a midwestern yoga studio, agrees that practicing yoga causes Christians to change their religious beliefs. Julia notes that the “YMCA’s made a difference” in alleviating the hesitancy of Christians to try yoga, but “you can’t practice yoga and not be affected by these deeper meanings of it, by what it really means”—that each person’s “inner being” is “like God,” a “perfect” and “eternally wise being.”

82. *There is evidence that even “secularized” yoga promotes Hinduism and related religions, as participants in “secularized” yoga do come to embrace religious yoga.*

83. *Examples of Christians changing their religion through yoga practice.* Religion scholars Sabine Henrichsen-Schrembs and Peter Versteeg have noticed that regardless of why people begin doing yoga, “a shift seems to take place,” leading people to “a whole new spiritual awareness and totally identifying with the yoga philosophy.” For example, Sharon, a yoga professor at a public university, tried yoga to “give time to myself,” an emphasis lacking in her Episcopal church. Sharon gradually “let go” of her “own religion,” and, marrying a man with “Eastern” views, allowed yoga to fill the void left by her abandoned Christian beliefs. Following her divorce, Sharon returned to church, but now feels more comfortable in a Unitarian...
congregation. Kristin, a college-age yoga-studio intern, grew up Catholic, but tried yoga because it appeared to be “not religious. I mean they have yoga classes at the YMCA and that’s a Christian organization.” Kristin explored yoga “starting with the physical aspects,” since she enjoyed the stretching. But “then I started reading” and discovered a “really good mind body spirit thing.” Kristin now considers the “eight limbs of Ashtanga” to be “basically similar to the 10 commandments,” but better since the principles are “just like suggestions” by contrast to rule-oriented Christianity.46

84. Pattern of “secularized,” spiritually-premised practices leading people to change religion. A pattern that I have observed in my long-term research on yoga, meditation, and other forms of CAM is that participation in spiritually-premised practices—even when marketed as “secular” and stripped of religious language—leads practitioners to change their religious views. Because this process often occurs gradually, individuals may not even recognize that it is taking place or consciously choose to change their religious beliefs. This tendency is accentuated when promoters conceal religious theories for beginners, progressively introducing spiritual nuggets after novices have been attracted by physical benefits.

85. I have agreed to testify at trial; and will be sufficiently familiar with the pending action to provide a meaningful oral deposition concerning the specific trial testimony I am expected to give, either orally or by deposition testimony.

86. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 2/8/13

Candy Gunther Brown, Ph.D.
congregation. Kristin, a college-age yoga-studio intern, grew up Catholic, but tried yoga because it appeared to be “not religious. I mean they have yoga classes at the YMCA and that’s a Christian organization.” Kristin explored yoga “starting with the physical aspects,” since she enjoyed the stretching. But “then I started reading” and discovered a “really good mind body spirit thing.” Kristin now considers the “eight limbs of Ashtanga” to be “basically similar to the 10 commandments,” but better since the principles are “just like suggestions” by contrast to rule-oriented Christianity.46

84. Pattern of “secularized,” spiritually-premised practices leading people to change religion. A pattern that I have observed in my long-term research on yoga, meditation, and other forms of CAM is that participation in spiritually-premised practices—even when marketed as “secular” and stripped of religious language—leads practitioners to change their religious views. Because this process often occurs gradually, individuals may not even recognize that it is taking place or consciously choose to change their religious beliefs. This tendency is accentuated when promoters conceal religious theories for beginners, progressively introducing spiritual nuggets after novices have been attracted by physical benefits.

85. I have agreed to testify at trial; and will be sufficiently familiar with the pending action to provide a meaningful oral deposition concerning the specific trial testimony I am expected to give, either orally or by deposition testimony.

86. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 2/8/13

Candy Gunther Brown, Ph.D.
Endnotes:

1 “Yoga in Theory and Practice,”

2 Durkheim, Labor, 131; Albanese, Religions, 2-9; Pals, Theories, 10-12; J. Smith, Relating, 179-196; Orsi, Between, 183-198; Tweed, Crossing, 73; Kunin, Religion, 3; Barnes and Sered, Religion.

3 R. King, Orientalism, 3; Eck, New, 4.

4 R. King, Orientalism, 3; Worthington, Yoga, 5; J. Alter, Yoga, 247.

5 Singleton, Yoga, 4; David White, Yoga, 6, 8; Jacobsen, Yoga, 7; Shvetashvatara Upanishad 4:17; Taittiriya Upanishad 1.8.1; Bhagavad Gita 7:8, qtd. in Babamani, “Om”; Yoga Sutras 1:2, qtd. in Aranya, Yoga, 6-11; Lidell, Sivananda, 15; Strauss, Yoga, 2-5; R. King, Orientalism, 181; Raposa, Meditation, 68; T. Berry, Religions, 94.

6 Rieker, Yoga, 101; Krishna, Kundalini, 13; Syman, Subtle, 5.

7 Singleton, Yoga, 27-29; David White, Yoga, 10-11, 16; Varenne, Yoga, 15.

8 Singleton, Yoga, 70, 77; David White, Yoga, 11-12, 17-18, 21.

9 Singleton, Yoga, 5, 22, 91-92, 114, 129, 152-158, 175-180; David White, Yoga, 21; Banuet-Alvers, College, 2.


11 Kabat-Zinn, Wherever, 4-6, 263; Kabat-Zinn, Catastrophe, 1-2, 12-13, 33, 38, 95, 436; Center for Mindfulness, “Programs.”

12 MOU between EUSD and KP Jois Foundation, 1-2.
13 MOU between EUSD and KP Jois Foundation, 1-2; Paul Dallaghan, “About Ashtanga,”

14 “On the Mat,” 1, 2, 4, 5, 7, 8, 10, 14, 18, 22, 26, 30, 32, 35, 38, 41, 42, 44, 45, 47, 48; Raposa,
Meditation, 40-41; Kuriyama, Expressiveness, 229, 266; Porkert, Chinese, 67; Carter, Powerful,
54-56, 59; Sutherland, “Point,” 41; L. Barnes, Needles, 4; Whorton, Nature, xii; Harrington, Cure,
223; Syman, Subtle, 5; Fuller, Spirituality, 149.

15 MOU between EUSD and KP Jois Foundation, 2; Capri quiz study guide.

16 MOU between EUSD and KP Jois Foundation, 2.

17 MOU between EUSD and KP Jois Foundation, 10, 1; “Padma-asana—The Lotus Posture,”

18 MOU between EUSD and KP Jois Foundation, 1, 10; Capri study guide.

19 MOU between EUSD and KP Jois Foundation, 3, 33, 42; Capri study guide.

20 GLPD Gazette (September 2012), 1.

21 Margaret Braun, “Why Teach Sanskrit Names,” Yoga Journal,
www.yogajournal.com/for_teachers/1415 (accessed 1/6/13); Capri study guide.

22 “About Ashtanga Yoga,” www.joisyoga.com/about-ashtanga-yoga.html#ashtangaYoga
(accessed 1/22/13).

23 “About Ashtanga Yoga,” www.joisyoga.com/about-ashtanga-yoga.html#ashtangaYoga
(accessed 1/22/13).

24 “Jois Yoga Encinitas 2nd Anniversary” video, “Interview with Sanjeev Verma: Vedic


27 “Does Yoga have a Place in Public Schools?” AirTalk (December 17, 2012), www.scpr.org/programs/airtalk/2012/12/17/29724/does-yoga-have-a-place-in-public-schools/ (accessed 1/30/13).


31 “Ashtanga Yoga Background,” www.ashtanga.com/html/background.html (accessed 1/23/13); “Does Yoga have a Place in Public Schools?” AirTalk (December 17, 2012),


34 Pete Hurley, “Ashtanga Yoga Start Practice 7 Standing Poses,”
www.ashtangayogavideos.com/video-gallery.php (accessed 1/22/13); Shri K. Pattabhi Jois

“Tim Miller: Taming the Mind, Enlightening the Body and Unveiling the Spirit,” interview by
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aysnyc.org/index.php?option=com_content&task=view&id=146&Itemid=161


38 Fuller, Spiritual, 5; R. Wuthnow, Boomers, 134; Stark, Believe, 88.

39 David White, Yoga, 20; Blavatsky, Secret, 289-306; Yogananda, Autobiography; Yogananda,
“Yoga”; Eck, New, 105; J. Alter, Yoga, 32.

40 “Marcy,” interview, in Bender, Metaphysicals, 42; Zaidman, Goldstein-Gidoni, and Nehemya,

42 “Tara’s Yoga.”


44 Birch, qtd. in Isaacs, “Pumping”; Cadge and Bender, “Yoga,” 48; Catalfo, “Yoga”; Cushman, “Yoga,” 68-75; Parachin, Wisdom, 165.
