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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
10

11 PLANS, Inc.,) Case No. CIV. S-98-0266 FCD PAN
12)
Plaintiffs,)
13)
v.)
14)
SACRAMENTO CITY UNIFIED SCHOOL)
15 DISTRICT, TWIN RIDGES ELEMENTARY)
SCHOOL DISTRICT, DOES 1-100,)
16)
Defendants.) Date: July 30, 2004
17) Time: 10:00 a.m.
Place: Courtroom 2

18 I, the undersigned, do hereby declare:

19 1. My name is Douglas Sloan.

20 2. I am Professor of History and Education Emeritus at Teachers College, the graduate
21 school of education of Columbia University, where I have been employed since 1969.

22 3. I hold a B.A. from Southern Methodist University (1955), a Bachelor of Divinity
23 degree (the equivalent of the present-day Masters of Divinity) from Yale University Divinity School
24 (1958), and a Ph.D. in history from Columbia University (1969).

25 4. At Teachers College I taught courses in history and education. During the last fifteen
26 years of my time there, I was also coordinator of the Program in Religion and Education which
27 Teachers College offers in cooperation with Union Theological Seminary and The Jewish Theological

28 . . .

1 Seminary in New York City, in which capacity I was also appointed Adjunct Professor of Religion and
2 Education at both of these seminaries.

3 5. I am currently Editor of the *Research Bulletin* of the Research Institute for Waldorf
4 Education.

5 6. From 1992-2000 I was also Director of the Masters Degree Program in Waldorf
6 Education at Sunbridge College, Spring Valley, New York, a Waldorf teacher training institution.
7 This masters program is recognized and fully accredited by the State of New York.

8 7. While at Teachers College I also established an introductory, elective course in
9 Waldorf education as a regular part of the College's curricular offerings.

10 8. I have written numerous books and articles on various topics in the history and
11 philosophy of education and religion.

12 9. A true and correct copy of my current curriculum vitae which contains a list of my
13 published works is attached to this report as Exhibit A.

14 10. I consider myself qualified to render expert opinions in the area of history, education,
15 and religion based upon my education and experience.

16 11. I have been retained by the School District Defendants in this case as both an expert
17 and percipient witness on the issue of whether anthroposophy is a religion.

18 12. By all scholarly criteria of what constitutes religion, anthroposophy is not a religion.

19 13. On April 10, 2004, I provided an expert report containing my opinion that
20 anthroposophy is not a religion under academic analysis and definition.

21 14. In considering the relation of anthroposophy to religion, I considered briefly some of
22 the main approaches to the scholarly study of religion itself, in order to approach more precisely what
23 can and cannot be said to constitute religion, and, more specifically, *a* religion.

24 15. The attempt to define religion has been notoriously difficult, and the approaches to
25 doing so are many. In general there have been three main approaches.

26 16. The first can perhaps be called the *essentialist* approach. Essentialist definitions tend
27 to focus on the inner essence or substance, the metaphysical reality claims, of religions, and the
28 relationships to these demanded of human beings by the claimed realities. One of the conceptual

1 difficulties with this focus is that philosophers and others can make metaphysical and ethical
2 arguments about the nature of reality without advancing these as themselves constituting a religion,
3 although they may well have implications for religion.

4 17. The second main approach to the study and definition of religion can be called the
5 *functional* approach, and is probably the theoretical approach most favored by social scientists,
6 although as I shall point out, some theologians also favor it. Functional definitions of religion stress
7 the effects, the functions of religion, in actual life—the ways in which religion functions to fulfill basic
8 human needs, both individually and communally. Different scholars stress different functions as the
9 defining characteristic of religion. Among these various functional definitions are, for examples: the
10 *cognitive*—religion provides meaning systems for understanding and coping with life; the
11 *psychological*—religion functions to meet psychological needs, such as, a sense of security in the face
12 of life’s uncertainties, a sense of identity, a sense of purpose, and so forth; the *social*—religion serves
13 primarily to provide values for social cohesion and the preservation of the social group; and the
14 *ideological* (Marxist definitions of religion are a good example)—religion serves the power interests
15 of governing elites by deluding the masses. Each of these taken by itself is decidedly reductionist, and,
16 in order to avoid inordinate reductionism, most scholars attempt to fashion combinations of various
17 functional approaches.

18 18. One form of functionalism, often utilized by students of religion, is that of the
19 twentieth-century American theologian, Paul Tillich. Religion Tillich defined as expressing “the
20 ultimate concern” of an individual or of an entire culture. Every person and every society, he argued,
21 has its “ultimate concern” (often, to be sure, directed toward less than ultimate objective realities).
22 In fact, for Tillich, every culture is grounded in its own ultimate concern, to which it gives concrete
23 expression. Culture itself as a whole is, therefore, *the* religious expression and activity par excellence.
24 “Religion,” Tillich famously wrote, “is the substance of culture, culture is the form of religion.”
25 (Tillich, 1959) Tillich’s position can be a good illustration of how the strength of the functionalist can
26 also be its main weakness. The strength is that it enables one to see the religious functions, as noted
27 above, of many human activities not usually recognized as religious: the state, the university, science,
28 technology, the stock exchange, Sunday afternoon football, and so on. Each has its ultimate concern,

1 and often its own “priesthood,” paths of initiation, dogmas, sacred texts, and other marks of religion.
2 The weakness is that a definition which begins to apply to everything often ends up telling us little
3 about anything.

4 19. In view of these various approaches, it is not surprising that one leading historian of
5 American religion (Catherine Albanese of UC Santa Barbara), whose works I reviewed in forming my
6 opinion, has observed that scholars have become increasingly less certain about what should be
7 counted as religion as a general phenomenon. “In the end,” she writes, “religion is a feature that
8 encompasses *all* of human life, and therefore it is difficult if not impossible to define it.” (Albanese,
9 *America: Religions and Religion*; 1992, pp.2-3).

10 20. In this light it is probably also not surprising that historians of religion turn mainly to
11 the third approach to the definition of religion, namely, the *formal*. Scholars in the history of religion
12 and comparative religion deal primarily with the actual religious forms manifested by concrete
13 religious groups and movements. These religious forms include such things as beliefs and doctrines
14 (creeds), ritual activities, forms of worship, sacred texts, and recognized sources of authority. The
15 advantage and strength of this approach is that it is concrete and makes it possible to determine
16 whether a group actually functions, not just religiously in general, a la Paul Tillich, for instance, but
17 as a formal, identifiable religion as such. It also is possible then to distinguish it in detail from other
18 religions and their forms, and to trace the actual development of a specific religion over time. In this
19 perspective, a religious group is one that manifests and is organized around these common religious
20 forms, albeit with its own distinct versions of them. This approach can also incorporate aspects of the
21 first two approaches.

22 21. It is especially from the perspective of this third approach to the definition of religion,
23 the formal, that I can meaningfully and concretely testify that anthroposophy is not a religion.

24 22. My personal knowledge of anthroposophy stems from my involvement over the past
25 sixteen (16) years with the Anthroposophic Press, the Anthroposophical Society of North America,
26 and my relationship with Sunbridge College. I was on the Board of Directors of the Anthroposophic
27 Press from 1988-1996; I was president of the board of directors for the Association of Waldorf Schools
28 . . .

1 of North America from 1993-1996; and I was also the director of the masters in Waldorf education
2 program at Sunbridge College from 1992-2000.

3 23. The Austrian philosopher Rudolf Steiner was born in Austria in 1861 and died in
4 Dornach, Switzerland in 1925.

5 24. Apart from a few lectures given in Scandanavia and Great Britain, Steiner’s entire life
6 and work were spent in Germany and Switzerland. All his lectures and books were presented
7 originally in the German language. Many, though not all, of his books and lectures have been
8 translated into various other languages, including English.

9 25. Anthroposophy is the name given by Rudolf Steiner to designate the way of knowing,
10 the method of inquiry, that he established.

11 26. Perhaps a note about the term anthroposophy is in order. When first experienced by
12 Americans the term frequently seems strange. However, as a moment’s reflection can show, it need
13 be no stranger than the wholly familiar word, anthropology, except that instead of the Greek word
14 *logos*, commonly translated in this connection narrowly as “study,” the Greek word for “wisdom,”
15 *sophia*, is joined to the Greek for human being, *anthropos*. What this “wisdom of the human being”
16 might include Steiner attempted to show in considerable detail throughout his life (including some
17 6000 lectures that he gave in the course of his life). Because he maintained that all that he presented
18 as anthroposophy was the result of a way of knowing, a mode of inquiry, every element in it is subject
19 to being weighed and evaluated by each individual using his or her own freedom of judgment.

20 27. Steiner also frequently spoke of anthroposophy as “spiritual science.” This is a literal
21 English translation of the German word *Geisteswissenschaft*, the word used in the German university
22 for what in English is termed the “Humanities.” In the German university the natural sciences are
23 called the *Naturwissenschaften*, and what we designate as the humanities are called the
24 *Geisteswissenschaften*—literally, “spiritual sciences.” In the German university, therefore, the spiritual
25 sciences include all those subjects having to do with meaning, value, and qualities. Literature,
26 philosophy, history, and the arts, as well as theology, are all “spiritual sciences,”
27 *Geisteswissenschaften*. Steiner clearly wanted to deepen the *Geisteswissenschaften* and to put the
28 realms of meaning, value, and qualities on a solid knowledge foundation (a need recognized by other

1 leading thinkers at the time), a foundation that would open new avenues of inquiry and that would
2 ultimately have consequences not only for the traditional humanities but also for the natural sciences
3 as well.

4 28. Accordingly, out of Steiner’s work have come new movements in a variety of fields,
5 among them movements in medicine, agriculture, the arts, mathematics, social thought and economics,
6 education, and religion.

7 29. As stated above, Rudolf Steiner presented anthroposophy as a way of knowing, a
8 method of inquiry. He set forth the epistemological ground for this way of knowing in his two earliest
9 publications, his doctoral dissertation, *Truth and Knowledge*, published in 1892, and, following shortly
10 thereafter in 1894, his book *The Philosophy of Freedom* (Steiner, 1963a; Steiner, 1964).

11 30. Rudolf Steiner considered *The Philosophy of Freedom* to be his most important work
12 for it developed the foundations for anthroposophy as a way of knowing.

13 31. In *The Philosophy of Freedom* Steiner addressed what he saw as two interrelated
14 questions, that of the nature of human knowing and that of the possibility of genuine human freedom
15 of will grounded in knowing. In this book he attempted to show that human thinking, understood and
16 developed in its depths is unlimited in its possibilities, and can, therefore, be the basis for free and
17 responsible human action, shorn of all biological, social, or creedal determinism. Thinking, he argued,
18 has the potential of being able to deal with the qualitative realm—the realm of meaning, values, and
19 qualities as such—just as rigorously as it now deals with the quantitative—that which we can count,
20 measure, and weigh.

21 32. The human being, Steiner sought to show in these early works, has the possibility for
22 genuine creativity and moral freedom and responsibility based on knowledge, not just on belief. These
23 emphases—a way of knowing for exploring the many dimensions of the world, including especially the
24 qualitative, and individual freedom of decision and action based on this way of knowing—have been
25 from its beginning the central, guiding principles of anthroposophy.

26 33. Two further observations about Steiner’s development of anthroposophy as a way of
27 knowing might be helpful. First, while anthroposophy claims to open new methods and areas of
28 knowledge, this does not mean that Steiner was unaware or unappreciative of other traditions of

1 knowing, or that he saw no connection or continuity between his approach and those of many others.
2 Steiner was fully aware of and saw himself in an appreciative-critical relationship with the whole
3 western tradition of philosophy (Steiner, 1973), and was deeply knowledgeable of eastern thought.
4 As a young man he was selected to edit the scientific papers of Johann Wolfgang von Goethe, and
5 spent seven years at the task, producing what is considered by many to be the definitive edition of
6 Goethe's scientific work. He subsequently again and again referred to Goethe's scientific method as
7 a fundamental contact point for understanding and developing his own epistemological and scientific
8 approach (Steiner, 1950; Steiner, 1968). The reappraisal, only recently now taking place, of Goethe's
9 scientific work, long dismissed as unimportant, adds weighty support to Steiner's view of the
10 significance of Goethe in this respect.(Amrine, 1987; Seaman & Zajonc, 1998). Steiner also saw his
11 epistemology as carrying forward the phenomenological and epistemological approach then being
12 developed in Germany, and he dedicated his doctoral thesis to Eduard von Hartmann, one of the
13 founders of modern phenomenology.

14 34. The second observation has to do with the breadth of Steiner's interests and activities.
15 As is evident, Steiner addressed a variety of areas, not all of which are touched on here. He also was
16 not reticent in producing his own research findings to be considered a part of anthroposophy. In doing
17 so, however, Steiner always insisted that every individual has to decide for him or herself what in the
18 content he presented is convincing and what not. Nor did Steiner intend that what he said was the final
19 or the whole word on a particular subject. It is significant, in my judgment, that a word frequently
20 used by anthroposophists themselves to describe Steiner's information on a particular subject is the
21 word, "indications," as in, "Steiner's indications about" "Indications" suggests possible fruitful
22 ideas to consider, activities to try out, subjects to contemplate, directions to pursue.

23 35. It is a wholly personal choice not only whether one follows Steiner's method of
24 knowing and tries to develop it, but also whether, out of conviction, one accepts—or does not—Steiner's
25 own results and content flowing from that method as he practiced it. If the principle of individual
26 freedom based on knowledge is violated in following Steiner's indications, then the entire method is
27 vitiated.

28 36. It is the case that Steiner ranged widely in many directions, and often in great detail.

1 And in his lectures he presented his findings about science, education, economics, and so forth, but
2 also his findings about the nature of the human being as body, soul, and spirit, the world of spirit, of
3 life before and after death, even speaking at great length about beings such as the Christ, angels,
4 archangels, and others.

5 37. Clearly much of what Steiner said had direct relevance for religion. Yet, this is true
6 of many thinkers from, for examples, Plato and Aristotle to Spinoza and Leibniz, to William James
7 and, in our own recent time, Alfred North Whitehead.

8 38. Whitehead, for instance, a great mathematician and logician, developed a philosophical
9 system which included as central to it the concepts of God, immaterial creativity, and eternal objects.

10 39. Not surprisingly, religious thinkers of many sorts—Protestant, Catholic, Buddhist—have
11 found Whitehead’s philosophy congenial to their own religious interests, and have drawn on it
12 extensively, even developing from Whitehead’s so-called process philosophy various versions of
13 process theology.

14 40. Whitehead, however, was not propounding a religion but rather a philosophical
15 approach based on his own inquiries into the nature of existence.

16 41. Similarly, much of what Steiner speaks about has import for religion, but is itself not
17 religion, and, therefore, is never demanded to be accepted as a matter of belief.

18 42. Those who do take up any of Steiner’s statements do so, if in the spirit of
19 anthroposophy, either as “indications” worthy of being explored as promising or as findings of which
20 they are convinced on the basis of their own determinations.

21 43. It is the case that a movement for religious renewal did grow out of Steiner’s work. The
22 Christian Community is a religious movement with all of the accouterments and characteristics
23 associated traditionally with religion, and, in this case specifically, Christian religion. It is, however,
24 entirely separate from the Anthroposophical Society in organization and practice. Although the
25 Christian community draws upon anthroposophy for insight—in a way very similar to that in which
26 Protestant and Catholic process theologians draw upon the process philosophy of Alfred North
27 Whitehead—none of the creeds or practices of the Christian Community are a part of anthroposophy.
28 Rudolf Steiner himself insisted that the Christian Community and the Anthroposophical Society be

1 kept completely separate. He was adamant, moreover, that the Christian Community not be regarded
2 by anthroposophists or others as the anthroposophical church.

3 44. The Anthroposophical Society is not a religious group. Rather it is a completely open
4 society.

5 45. Persons can be members of the Anthroposophical Society regardless of their
6 viewpoints on life. Christian, Jew, Muslim, Buddhist, Hindu, Marxist, atheist—all can become
7 members. Nor do they have to surrender their viewpoint at the door to become members.

8 46. The Anthroposophical Society does not identify itself as a religious group.

9 47. Unlike most Christian churches, anthroposophy has no creed or any other form of
10 doctrinal statement to which members must or are expected to subscribe.

11 48. Anthroposophy has no clergy or form of clergy, unlike religious groups, such as the
12 Christian, Jewish, Islamic and others.

13 49. Membership in the anthroposophical Society does not qualify a person to perform a
14 marriage ceremony in New York State.

15 50. Anthroposophy does not have sacraments, such as the Eucharist and baptism common
16 in most Christian churches.

17 51. Unlike nearly all religions, such as Christianity, Judaism, Islam, and even some eastern
18 religions, anthroposophy does not claim a sacred scripture unique to itself.

19 52. Unlike many religions, such as the Catholic church, most Protestant churches, and
20 Islam, anthroposophy does not have or administer a system of canon law.

21 53. Anthroposophy does not have ceremonial functions, nor does it hold formal worship
22 services.

23 54. Anthroposophy does not make efforts at propagation or missionizing as is often a
24 central activity of many churches and religions.

25 55. To reiterate, anthroposophy is a way of knowing, a method of inquiry.

26 56. An atheist may become a member of an anthroposophical society, and remain an
27 atheist; an agnostic may become a member of an anthroposophical society, and remain an agnostic;
28 a member of a traditional religious sect or denomination may become a member of an

1 anthroposophical society, and remain a member of their sect or denomination.

2 57. In every fundamental respect, anthroposophy is not a religion and the Anthroposophical
3 Society is not a religious organization.

4 The facts set forth in this declaration are based on my personal knowledge and professional
5 expertise. If called as a witness, I would and could testify competently thereto.

6 I declare under penalty of perjury that the foregoing is true and correct.

7 Executed on _____, at _____, New York.

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Douglas Sloan, Ph.D.

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