Evolutionary Values

A Public Advocate's and Litigator's Invaluable Resource

Julian Gresser

Attorney/Author *"How the Leopard Changed its Spots: Evolutionary Values for an Age in Crisis"*
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juliangresser77@gmail.com
bbilan.org

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Precipice or Transition?

- Transition?—false narratives, contempt and defiance of law, captive agencies
- Callicles to Socrates in Gorgias: Might Makes Right

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Defining Evolutionary Values

- Essential to individual, community, and planetary survival
- Test: Does this decision affirm life, enhance happiness, reduce misery, expand compassion, allay fear, build trust, and promote greater balance?
- Higher Ordinate (Evolutionary) Goals
- We can disagree but we needn't be enemies. (We are all mortal and will soon die.)
- Seeing the Big Picture (rights of Nature, responsibilities to succeeding generations, protection of the vulnerable
- Crystalizing and focusing core issue(s)

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Practical Uses in Public Advocacy

- **Understand the Power of False Narrative**

*** "Our hands are tied", closing Digital Divide, scientific proof is "anecdotal"-- essentials of the Shadow Game**

*** Tragic Choices v. False Choices**

- **Antidote: Tear off the Mask, Expose and Challenge the underlying values—optimizaiton of investor/shareholder value**

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Practical Uses – Citizen's Rights as Affirming and Embodying Evolutionary Values

- **Legal Rights and Government Responsibilities**
  - **NEPA, CEQA, ADA, Due Process, Historic Sites, Civil Rights, Substantive Due Process (illegal taking) as Evolutionary Values, special rights and needs of children for protection**
- **Administrative Processes as Affirming Evolutionary Values**
  - **Interagency consultation to gather expertise, substantial evidence rules, non-delegation of legislative authority as a bulwark against conclusionary, arbitrary, and capricious decision making—all checks on autocracy and despotism)**

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Local Ordinances—Articulating Evolutionary Values in the Preamble, Charters, and Declarations

- **Legal Effects**
- **Example**

The intent of this Ordinance is to affirm and advance Evolutionary Values that:

- **recognize the fundamental rights of the public to be heard and to exercise informed consent on matters that deeply concern their personal health, property, and wellbeing;**
- **protect children, minorities, and those who lack the financial and legal means to defend themselves;**
- **rebalance and allocate the risks and costs of public industrial hazards upon those entities that are imposing them away from the public that is being asked to bear them;**
- **adopt, affirm, incorporate the Precautionary and ALARA Principles;**
- **safeguard the environment and succeeding generations;**
- **uphold truthfulness, fairness, and the integrity in science and public discourse.**

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FFLA et al. v. LAC-BOS

- Law as a powerful means to advance Evolutionary Values
- Challenging CEQA-BOS approved Categorical Exemption
- Insisting on Fair Due Process (People's right to be heard)
- Challenging illegal taking of property without compensation

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Thank you

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