Evolutionary Values
A Public Advocate's and Litigator's Invaluable Resource

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—Publication Date: May 1, 2023

March 22, 2023
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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
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)
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—optimization of investor/shareholder value
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)
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.
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
Thank you

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