

Gerald Armstrong
715 Sir Francis Drake Boulevard
San Anselmo, CA 94960
(415)456-8450

In Propria Persona

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF MARIN

CHURCH OF SCIENTOLOGY INTERNATIONAL,)
a California not-for-profit)
religious corporation,)

Plaintiff,)

vs.)

GERALD ARMSTRONG; MICHAEL WALTON;)
THE GERALD ARMSTRONG CORPORATION)
a California for-profit)
corporation; DOES 1 through 100,)
inclusive,)

Defendants.)

No. 157 680

DECLARATION OF
JONATHAN ATACK
IN OPPOSITION TO
MOTIONS FOR SUMMARY
ADJUDICATION OF 20TH
CAUSE OF ACTION; AND
13TH, 16TH, 17TH &
19TH CAUSES OF ACTION
OF SECOND AMENDED
COMPLAINT

Date: 4/21/95
Time: 9:00 a.m.
Dept: One
Trial: 5/18/95

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DECLARATION OF JONATHAN CAVEN-ATAK

I, Jonathan Caven-Atack, declare:

1. I am over the age of 18 years. I am a citizen of and resident in the United Kingdom. I have personal knowledge of the matters set forth herein, and if called upon as a witness I could testify competently thereto.
2. I am making this declaration in support of Gerald Armstrong's opposition to motions by the Church of Scientology International for summary adjudication.
3. This declaration is a supplement to another headed "General Report on Scientology", and should be consulted in conjunction with that other declaration.
4. I am the author of the book **A Piece of Blue Sky** (ISBN 0-8184-0499-X), a 400-page history and analysis of Hubbard and his organizations published by Lyle Stuart Books in the United States.
5. A true and correct copy of my booklet, **The Total Freedom Trap - Scientology, Dianetics and L. Ron Hubbard**, is appended hereto as Exhibit A.
6. The testimony of Gerald Armstrong in his successful defence against the Church of Scientology before Judge Paul Breckenridge (Los Angeles Superior Court case no. C 420153) was an important source of information for both of these publications. Armstrong's testimony was supported by that of other witnesses and through the production of numerous documents. Scientology accepted the validity of these documents and was indeed trying to recover them to prevent publication. These documents included Hubbard's records of black magic ceremonies and hypnotic rituals he had performed. Testimony and exhibits also added to existing evidence concerning Hubbard and Scientology's immoral and illegal attacks upon their perceived opponents under the supposed "scriptural doctrine" of "Fair Game". Much of the evidence in the case was brought to light for the first time. This information has been of tremendous use in freeing victims of Scientology from its deceptions and pernicious effects.
7. As Judge Breckenridge ruled "In addition to violating and abusing its own members' civil rights, the organization over the years with

its 'Fair Game' doctrine has harassed and abused those persons not in the Church whom it perceives as enemies."

8. As soon as I began to openly discuss my views concerning Scientology's immoral practices, I became the target of "Fair Game". I have been "tricked", "sued" and "lied to", as yet I have not been "destroyed". In 1980, executives of Scientology's Intelligence Agency, the Guardian's Office, admitted to a United States court that the doctrine of Fair Game had never been withdrawn. On 22 July 1980, the Fair Game doctrine was "cancelled" for the first time in Scientology's history (Hubbard Communications Office Policy Letter, "Ethics, Cancellation of Fair Game More About"). On 8 September 1983, the Church of Scientology International rescinded this cancellation, re-instituting "Fair Game" as a scriptural doctrine (Hubbard Communications Office Policy Letter, "Cancellation of Issues on Suppressive Acts and PTSes"). Those Scientologists who are aware of the doctrine are obliged to follow it as if it were legally binding. It is a part of their contract with Scientology.

9. Scientology has admitted that the Guardian's Office had control of all Scientology organizations until 1982. It is claimed that at that time, the 1,100 "criminals" who comprised the international staff of the Guardian's Office were dismissed. Factually, many of these staff members have been re-employed. The various "bureaux" of the Guardian's Office were replaced by the Office of Special Affairs, the International Finance Police, and the Association for Better Living and Education. The Office of Special Affairs houses the successor organizations to the Guardian's Office intelligence branches. The former Branch Two, which dealt with "overt data collection", has been restyled "Office of Special Affairs Investigation" or "Invest". The former Branch One (B-1), which dealt with "covert data collection" and "covert operations", uses lawyers to employ private detectives to collect information and run harassment campaigns. I have been the subject of such campaigns for over eleven years.

10. Appended as Exhibit B is a recent example of the Fair Game campaign against me, an anonymous booklet called **Anatomy of a Propagandist**. The author of this booklet obviously had access to an unsworn deposition which has not been entered in any case. Such access could only have been gained through Scientology attorneys Bowles and Moxon. The booklet largely consists of fabricated or grossly exaggerated attacks upon my character. I am currently engaged in litigation against Scientology in the UK for malicious falsehood for the publication of

similar libels and a campaign to destroy my public repute by making anonymous complaints against me.

11. Hubbard ordered his subjects to "attack the attacker". Rather than address the real concerns raised by legitimate enquiry into its practices and policies, Scientology carries out an ad hominem attack on the person raising the concerns. This practice, which Hubbard dubbed "black propaganda" or "dead agenting", is designed and intended to destroy the dissenter's character and credibility so as to draw attention away from legitimate concerns. In this way, Scientology need not reform its practices and can continue with its antisocial behaviour, by bullying critics into silence. Numerous individuals have been silenced through such intimidation.

12. I am aware that Gerald Armstrong has been the subject of an international "Fair Game" campaign. For example, in 1987, after Armstrong and Scientology had supposedly made peace, I was contacted by Richard Palmer, a journalist at the London **Sunday Times** newspaper. Palmer told me that he had just been visited in London by private detective Eugene Ingram an employee of Scientology attorneys Bowles and Moxon. Palmer gave me the business card Ingram had given him and a video tape extracted from surveillance tapes of Armstrong illegally taken by Scientology in or about 1985. Scientology has never relented in its attack upon Armstrong, taking the position that after his "settlement" Armstrong should be entirely silent about Scientology, but that Scientology could continue its campaign of defamation against him. It is my understanding that under this "settlement agreement" Scientology is requesting that Armstrong pay \$50,000 for each statement he makes to anyone concerning Scientology. This obtains even if his statements are made to correct Scientology's character assassination of him. It seems unbelievable that the United States courts could become party to this use of the Fair Game law.

13. I sincerely believe that a guarantee of Armstrong's freedom of speech is vital so that individuals can make informed decisions about Scientology. I cannot believe that any rational individual would join Scientology if they were aware of the proven statements of Gerald Armstrong. Denying such informed consent would be tantamount to intellectual fascism, and comparable to the Nazi book burnings.

14. Since 1954, Scientology has drawn upon its constitutional right to style itself a "religion" in the United States. The same right is of

course granted to other organizations with their origins in black magic and an antidemocratic manifesto. I have known Gerald Armstrong for almost eleven years. He is a man of integrity and honour. He has nothing to gain and everything to lose in his brave struggle to tell the world the truth about Hubbard and Scientology. I know that he follows this path as a matter of religious conviction. He feels that he cannot take the easy way out, but must stand up for the truth, even though he is a lone individual standing up to an organization with hundreds of millions of dollars and tens of thousands of members. If Hubbard is to be seen as the founder of a religion, surely he must be subjected to the same scrutiny that other religious leaders are subjected to. As a Christian might analyse Buddhism, so Armstrong has the right to analyse from his own religious perspective the life and teachings of Hubbard and the activities of Hubbard's "church". The United States Constitution upholds freedom of belief, so must also uphold freedom of disbelief. The Constitution also upholds free speech. Scientology does not charge Armstrong with defamation, but seeks to prevent him from telling the truth. Scientology does this to protect its own economic interests by subverting the free will of its members through information control.

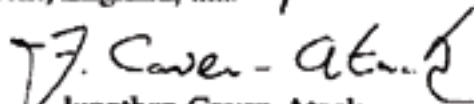
15. It is ridiculous to think that a Christian church would use the judicial system to prohibit one of its former parishioners from talking about the Trinity or the historical truth of the life of Jesus. It is frightening to think that the courts may silence Armstrong who is after all pointing out the irrefutable truth that Hubbard was a black magician who specialised in controlling his victims through hypnosis and exploitative persuasion. Hubbard's own documents and many witnesses support this view conclusively.

16. I have researched and have knowledge concerning Scientology's Fair Game operations against Armstrong's attorney Michael J. Flynn. Flynn was an opponent of Scientology from 1979 to 1986. He championed the victims of Scientology and bravely resisted its smear campaigns, intimidation and legal attacks upon him. In my own dealings with Flynn towards the end of 1986 it became apparent that he was weary of the unrelenting harassment. It is my sincere belief that Flynn was bullied into submission. This opinion is supported by Flynn's failure to support Armstrong in his courageous stand against Scientology's Fair Game litigation. I have seen documents which purport to be part of a settlement between Flynn and Scientology and can only suppose that he has been subject to a "settlement" which has scared him out of supporting his client.

17. In November 1994, the Church of Scientology sought to compel my deposition testimony in its case against Armstrong. Under English law, deposition testimony can only be obtained if a witness is unavailable to give testimony at trial. In April 1995, I gave an undertaking to the English court that I was willing to give testimony in this action. My offer has been declined. I can only interpret this as a desire on the part of Scientology to perform cross-examination without giving Armstrong the opportunity to examine me.

I declare under the penalty of perjury under the laws of the United States of America and the United Kingdom that the foregoing is true and correct to the best of my knowledge and belief.

Executed in Radcliffe-on-Trent, England, this 9th
day of April, 1995,


Jonathan Caven-Atack