

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DAVID A. PECK, ESQ.
State Bar No. 171854
LIVIA BORAK, ESQ.
State Bar No. 259434
COAST LAW GROUP LLP
1140 South Coast Highway 101
Encinitas, CA 92024
Tel.: (760) 942-8505
Fax: (760) 942-8515

Attorneys for Intervenor
YES! YOGA FOR ENCINITAS STUDENTS

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO, CENTRAL DIVISION

STEPHEN SEDLOCK, JENNIFER SEDLOCK,
WILLIAM FREDERICK BENTZ, as guardian ad
litem, for minors J.S. and F.S.,

Petitioners & Plaintiffs,

v.

TIMOTHY BAIRD, SUPERINTENDENT, in his
official capacity; EMILY ANDRADE, TRUSTEE,
in her official capacity; MARLA STRICH,
TRUSTEE, in her official capacity; GREGG
SONKEN, TRUSTEE, in his official capacity;
CAROL SKILJAN, TRUSTEE, in her official
capacity; and MAUREEN MUIR, TRUSTEE, in
her official capacity, ENCINITAS UNION
SCHOOL DISTRICT,

Respondents & Defendants.

YES! YOGA FOR ENCINITAS STUDENTS, an
unincorporated association,

Intervenor.

Case No.:
37-2013-00035910-CU-MC-CTL

**DECLARATION OF MARK
SINGLETON, Ph.D.**

[IMAGED FILE]

Date: May 20, 2013
Time: 9:00 a.m.
Judge: John S. Meyer
Dept: C-61

1 **DECLARATION OF MARK SINGLETON**

2 I, Mark Singleton, Ph.D., declare as follows:

3 1. I submit this declaration in support of Intervenor YES! Yoga For Encinitas
4 Students' defense of this action and to rebut Petitioners' claim that yoga is inherently
5 religious. I have personal knowledge of the facts set forth below, except as to those stated
6 on information and belief, and I would testify thereto if called to do so.

7 2. I have a Ph.D from the Divinity Faculty of Cambridge University, UK. I teach
8 at St. John's College, Santa Fe. I am a scholar of yoga in tradition and modernity, and
9 have authored and edited numerous books on the topic, including *Yoga Body, The Origins*
10 *of Modern Posture Practice* (2010) and *Yoga in the Modern World* (ed. 2008). I am
11 co-chair of the American Academy of Religion's Yoga Consultation. A true and correct
12 copy of my curriculum vitae is attached hereto as Exhibit A.

13 3. I have been asked to render my opinion about whether yoga may be
14 practiced free from religious ideology. In doing so, I have reviewed Petitioners' First
15 Amended Petition and Complaint, as well as Candy Gunther Brown's declaration, dated
16 February 8, 2013. (Brown Declaration).

17 Traditional Hatha Yoga

18 4. Many of the most popular forms of yoga practiced in the United States today
19 stem from the Indian tradition of "hatha yoga", whose most visible feature is *asana*, or
20 posture practice. The striking thing about hatha yoga in tradition is the strong current of
21 universalism, and lack of sectarian identity. The most important example of this is the locus
22 classicus of hatha, the Hathapradipika (HP) (more commonly known as the
23 Hathayogapradipika, c.1450). The HP does not align itself with metaphysical teachings or
24 beliefs that would identify it with one particular sect, nor does it contain the kind of
25 sectarian features that one might expect from texts of this period with strong religious
26 affiliations. Hatha yoga in its "classical" medieval formulation does not belong to any
27 particular religious group. The HP is the culmination of a process that had been going on
28 for a long time in India, where yoga practice became detached from particular religious or

1 metaphysical beliefs.

2 5. The Dattatreya-yogasastra, an earlier text teaching hatha yoga, is clear on
3 this matter: anyone can practice this yoga, no matter what their belief. Some believe in
4 God (brahmins); some believe there is no God (Buddhists); some practice renunciation
5 (ascetics); and some focus on the good to be had in this world and have no belief in a
6 hereafter (materialists). The Dattatreya-yogasastra clearly conveys that yoga was for
7 everyone, and that it did not belong to any single religion. One can reasonably claim, in
8 fact, that versions of yoga such as these are self-consciously non-religious, in the sense
9 that they are not partisan to a particular metaphysics, or dogma, or set of rituals.

10 6. Nonetheless, it is clear that throughout its history, yoga has been an
11 important feature of many of the sectarian systems that we would today call "religions". We
12 find yoga techniques in many varieties of religion: Hinduism, as well as among Sikhs,
13 Buddhists, Jains, Muslims and others. And as Dattatreya's text suggests, we also find it
14 being practiced by those with none of the beliefs that we could today call "religious".
15 Moreover, hatha yoga also comports pragmatic, non-metaphysical and even banal
16 concerns for the health of the body. In other words, to recognize yoga's long association
17 with Indian religions does not mean that yoga is "inherently religious".

18 Ashtanga Vinyasa Yoga and Modern Yoga

19 7. T. Krishnamacharya is credited with "discovering" or "inventing" the practice
20 Ashtanga Vinyasa Yoga. Krishnamacharya's influence on the development of postural
21 yoga in the United States and elsewhere is second to none. Although he himself was a
22 Hindu Brahmin and belonged to the Shri Vaishnava sect, he espoused universalism in this
23 yoga teaching. Krishnamacharya's biographer Mala Srivatsan emphasizes that for
24 Krishnamacharya: "Yoga was not merely doing asana-s nor has it anything to do with
25 religion. This was how Krishnamacharya saw and taught yoga." (Srivatsan, Mala. 1997.
26 _SriKrishnamacharya the Purnacarya_ ; Chennai: Private Printing, Vignesh Printers
27 1997). Krishnamacharya presented a form of yoga that could be open and accessible to
28 all, beyond religious sectarianism, gender, caste or nationality. In the year before his

1 death, he declared, "We need to de-Indianize yoga in order to try to universalize it." (Dars,
2 Sarah. 1989. "*Au pied de la montagne*", *Viniyoga*, Shri T. Krishnamacharya, *La Traversée*
3 *d'un siècle* 24, 1989: 4-13).

4 8. What is today called "Ashtanga Vinyasa Yoga" was developed by
5 Krishnamacharya in the 1930s during his tenure as yoga teacher at the Jaganmohan
6 Palace in Mysore. His employer was the Maharaja of Mysore, and Krishnamacharya was
7 in charge of teaching yoga asanas to the royal youth. The Maharaja was an enthusiastic
8 patron of modern physical culture in the state of Mysore, and an important player in the
9 revival of native Indian physical culture disciplines. The palace records show clearly that
10 the yoga asana teachings, as well as the sun salutation class, were categorized as
11 physical culture. It is likely that Krishnamacharya took inspiration from non-yogic sources
12 in the development of his system. Senior teacher Claude Maréchal, who interviewed
13 Krishnamacharya during the 1970s and 80s, reports that Krishnamacharya decided to
14 introduce standing poses into his sequences after watching a British military regiment
15 stationed in Mysore going through their exercises. (Claude Maréchal, Interview by Mark
16 Singleton, June 23, 2012). In my opinion, this indicates that the postures of Ashtanga
17 Vinyasa are adaptive: they don't belong to any one culture or religion, but can be used in
18 many different contexts.

19 9. The sequences that Krishnamacharya developed (only many decades later
20 renamed Ashtanga Vinyasa) were in some ways very typical of widespread experiments in
21 physical culture that were happening in India at this time. They included the kinds of
22 dynamic, aerobic movements that are often similar to the popular western methods of
23 gymnastics that had already been introduced in India. Regardless of whether Ashtanga
24 Yoga is considered ancient or not, it is clear it was developed (or revived) within an active,
25 modern, physical culture context. It is not that the system is not greatly indebted to the
26 hatha yoga tradition, nor that many of its practitioners were not devout Hindus. But this
27 was a function of the time and the place, not of any element inherent in the system itself,
28 as comparison with other, similar systems of physical culture of the time demonstrates.

1 Modern Yoga

2 10. Similarly, modern sport and physical culture grew up in the same cultural
3 milieu as modern yoga. But it cannot therefore be asserted that such practices are
4 inherently religious. For example, the game of basketball was created in the context of a
5 religious missionary organization (the YMCA) in the same decade that modern yoga began
6 to develop in America (1891). In my opinion, to claim that the practice of yoga techniques
7 in secular, ecumenical, or religiously plural settings in the United States today is inherently
8 religious is akin to claiming that college basketball is inherently religious because of its
9 missionary Christian origins.

10 11. Many modern, globalized forms of yoga have a history and development that
11 is culturally distinct from traditional, Indian yogas. They arose in close dialogue with a
12 number of non-Indian theories and practices including western philosophy; educational
13 theory; psychology; body-centered psychotherapy; gymnastics; body-building and physical
14 culture; biomedicine, health and hygiene; and, more contemporary disciplines like
15 neurobiology. These disciplines do not in themselves comport a religious component.

16 12. The essential point is that yoga as it has developed in the United States in
17 the past 150 years is a distinctly American cultural phenomenon. It is rooted in American
18 culture as much (and sometimes far more) than in Indian culture. Many of the elements
19 which contributed to its current form are in no way inherently religious. In Professor
20 Brown's Declaration, themes which are associated with yoga as such are, in fact, key
21 concerns of modern American cultural history more generally (such as the relief of
22 suffering; managing mental delusions; concern for how one's actions effect others; valuing
23 others; energy management; the mind-body connection; attaining a calm and relaxed body
24 and mind etc.). (Brown Declaration, ¶¶34, 36, 38-41, 48). That yoga literature is used by
25 some yoga teachers to illustrate the importance of such concerns is not an indication that
26 these concerns are religious.

27 //

28 //

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

Executed on this 11th day of May, 2013 at Santa Fe, NM.

Mark Singleton

Mark Singleton, Ph.D.

EXHIBIT A

Curriculum Vitae

Dr. Mark Singleton

Personal Details:

Date of Birth: March 20th, 1972 Telephone: Home: (+1) 505-819-3939
Work: (+1) 505-984-6000
Nationality: British E-mail: mhsingleton@sjsf.edu
Correspondence Address: St. John's College, 1160
Camino Cruz Blanca, Santa Fe, NM
87505

Education and Diplomas:

- 2008. Ph.D. Divinity (South Asian Religions),
Divinity Faculty and Sidney Sussex College, University of Cambridge, U.K.
- 1998. M.Phil (Distinction) in European Literature,
Faculty of Modern and Medieval Languages University of Cambridge, U.K.
- 1995. B.A. (Double First Class Honours, Distinction in spoken French) in English and French,
University of Birmingham, U.K.
- 1994. Diplôme d'études européennes intégrées, Lettres Modernes, Stendhal University, Grenoble,
France (Distinction)

Academic Awards:

- 2002-6. Graduate Domestic Research Scholarship (University of Cambridge).
- 2005. Bethune Baker Fieldwork Scholarship (Divinity Faculty, University of Cambridge).
- 2005. Sidney Sussex College Funds for Travel and Research Abroad (University of Cambridge).
- 2005. Spalding Trust Scholarship for Fieldwork in Religion.
- 1995. R.L. Graeme Ritchie Memorial Prize (for special aptitude in the French language).
- 1995. Manoukian-Lilley Prize (for the most outstanding work in the field of French literature).
- 1995. Tibbotts Memorial Prize (for excellence in the study of English Literature).
- 1993. Jane J. Milne Prize, 1993 (for outstanding work in English and French Literature).
- 1992. Eleanora Allen Travel Scholarship, 1992 (best first year Combined Honours student).

Employment:

- 2007-13 . Professor, St. John's College, Santa Fe, NM, USA.
- 2003-4. Research Assistant, Dharam Hinduja Institute of Indic Research, Faculty of
Divinity, University of Cambridge.
- 2000-3. Freelance lecturer, South Asian Religion and Yoga. London and Vancouver.
- 1998-2001. Teacher, Editor and administrator at the Alice Educational Project, Varanasi, India.
- 1995-97. English as a second language teacher in Mexico and Guatemala.
- 1994-95. English as a second language teacher in Egypt.
- 1990-91. English Language assistant, Ecole St. Joseph, Paris, France.

PUBLICATIONS

In preparation:

Monograph: *Yoga on the Eve of Orientalism*

Roots of Yoga: A Sourcebook from the Indic Traditions (with Dr. James Mallinson).

Forthcoming:

2013. (ed. with Ellen Goldberg) *Gurus of Modern Yoga* (New York: Oxford University Press)

2013. 'T. Krishnamacharya' in Singleton and Goldberg (eds.), *The Gurus of Modern Yoga*.

In Print:

2012. 'The Medium and the Message: Visual Reproduction and the Yogāsana Revival', in V. Lo and R. Yoeli-Tlalim (eds.) *Sports, Medicine and Immortality: from Ancient China to the World Wide Web* (London: British Museum).

2012. 'Yoga Makaranda of T. Krishnamacharya', in D.G. White (ed.), *Yoga in Practice* (Princeton, NJ: Princeton University Press), pp.337-352.

2012. 'Body at the Centre: The Postural Yoga Renaissance and Transnational Flows' in Beatrix Hauser (ed.) *Yoga Traveling: Conceptualizing Body and Self in Transcultural Perspective* (Heidelberg: Springer)

2010. 'Review of Peter Connolly's *A Student's Guide to the History and Philosophy of Yoga*.' *International Journal of Hindu Studies* Vol. 14 Nos. 2-3, 2010

2010. *Yoga Body, The Origins of Modern Posture Practice* (New York: Oxford University Press).

2010. 'Modern Yoga', in K.A. Jacobsen (ed.) *Encyclopedia of Hinduism* (Leiden: Brill).

2008. (ed. with Jean Byrne) *Yoga in The Modern World: Contemporary Perspectives* (London; New York: Routledge Hindu Studies Series).

2008. 'The Classical Reveries of Modern Yoga: Patañjali and Constructive Orientalism', in Singleton and Byrne (eds). See above.

2008. 'Introduction: Putting the Modern in Modern Yoga', in Singleton and Byrne (eds). See above.

2007. (ed.) *Asian Medicine, Tradition and Modernity, Special Yoga Issue*, 3.1 (Leiden: Brill).

2007. 'Suggestive Therapeutics: New Thought's Relationship to Modern Yoga' in M. Singleton (ed.) *Asian Medicine, Tradition and Modernity*, 3.1: 64-84.

2007. 'Lure of the Fallen Seraphim: Sovereignty and Sacrifice in James Joyce and Georges Bataille', *James Joyce Quarterly*, 44.2 (Winter): 303-323.

2007. 'Yoga, Eugenics and Spiritual Darwinism in the Early Twentieth Century'. *International Journal of Hindu Studies*, 11, 2: 125-146.
2007. 'British Wheel of Yoga' in D. Cush, C. Robinson and M. York (eds.) *Encyclopedia of Hinduism*, (London and New York: Curzon-Routledge): 123-3.
2007. 'Choudhury, Bikram (b. 1946)' in D. Cush et al (eds.): 142.
2007. 'Desikachar, T.K.V. and Viniyoga' in D. Cush et al (eds.): 178.
2007. 'Indra Devi (1900-2002)' in D. Cush et al (eds.): 369-70.
2007. 'Iyengar, B.K.S. (b. 1918) and Iyengar Yoga' in D. Cush et al (eds.): 380-1.
2007. 'Krishnamacharya, T. (1888-1989)' in D. Cush et al (eds.): 424.
2007. 'Kuvalayananda, Swami (1883-1966) and Kaivalyadhama' in D. Cush et al (eds.): 441-2.
2007. 'Jois, K. Pattabhi and Ashtanga Vinyasa Yoga' in D. Cush et al (eds.): 393.
2007. 'Satchidananda, Swami and Integral Yoga' in D. Cush et al (eds.): 769.
2007. 'Satyananda, Swami (b. 1923) and the Bihar School of Yoga' in D. Cush et al (eds.): 776.
2007. 'Vishnudevananda (1927-93) and Sivananda Yoga' in D. Cush et al (eds.): 960-1.
2007. 'Yogendra, Shri (1897-1989) and the Yoga Institute, Santa Cruz': 1041-2.
2007. 'Yoga, Modern' in D. Cush et al (eds.): 1033-1038.
2006. Review of Joseph Alter's *Yoga in Modern India*, in *Asian Medicine, Tradition and Modernity*, 2.1: 91-93.
2005. 'Salvation Through Relaxation: Proprioceptive Therapy in Relation to Yoga', *Journal of Contemporary Religion* 20, 3 (2005) 289-304.

Conference and Seminar Presentations:

2013. 'Le bien- être dans le yoga modern'. Théorie et pratiques du bien-être : corps, habitat et communauté, Centre d'Études de l'Inde et de l'Asie du Sud (CNRS/EHESS), Paris.
2011. 'Ownership, Lineage and the Yoga Free Market: Tracing Modern Yoga's Cultural Politics'. 'Yoga Debates Historicized'. North American Hinduism Consultation, American Academy of Religions, November 19-22, San Francisco
2011. Respondent. 'Reconstructing Yoga: Perspectives on Mark Singleton's *Yoga Body: The Origins of Modern Posture Practice*' (North American Hinduism Consultation) American Academy of Religions, November 19-22, San Francisco
2011. 'Christian Influences in the Development of Modern Yoga'. 'Yoga and Christianity' (RISA panel)

American Academy of Religion, November 19-22, San Francisco, CA.

2011. 'A Brief History of Holism: Mapping the Person in Modern Transnational Yoga'. Keynote Lecture, Donner Institute, Finland (Conference on Post-Secular Religious Practices, June 16th)
2011. 'Transcultural Languages of the Body in Postural Yoga'. Loyola Marymount University, Graduate Seminar, March 16.
2009. 'The Anxiety of Authenticity in Modern Yoga'. Authenticity and Yoga Conference. Sausalito, CA.
2009. 'Tantra in South Asia'. St. John's College, Public Lecture. June 16.
2008. 'The Medium and the Message: Visual Reproduction and the Yogāsana Revival', Sports, Medicine and Immortality Conference, British Museum. March.
2008. 'Shankara in Santa Fe: The Eastern Classics Program at St. John's College', Classics for an Emerging World Conference, Columbia University. January.
2007. 'Patañjali and Constructive Orientalism', North American Hinduism Consultation and Yoga in Theory and Practice Consultation, American Academy of Religions Conference, San Diego. November.
2007. 'Yoga in Relation to Vedānta'. Panel Debate, St. John's College, Santa Fe. April.
2005. 'Yoga as Spectacle'. Religious Studies Seminar, Dunedin University, New Zealand. June.
2005. 'From Superman to Shaktiman: Yoga, Eugenics and Spiritual Darwinism in the Early Twentieth Century'. Sanskrit Tradition in the Modern World Conference, Manchester University (UK). May.
2005. "'Spiritual Relaxation" and the early History of Yoga in the West'. Divinity Faculty Senior Seminar, Cambridge University (UK). March.