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Patenting the preposterous

By Dr. Tim Gorski

There was an excellent 3-page article by David Voss in the May 21st issue of Science magazine entitled “New Physics’ Finds a Haven At the Patent Office,” which I highly recommend to skeptics.

Voss briefly begins by reviewing an important fact about how patents are awarded that is not widely known. This is that the U.S. Patent and Trademark Office (USPTO) does not require working models of devices whose inventors are seeking to have them patented. Therefore, whether a patent is granted or not depends solely on the ability of USPTO employees to determine whether or not an application describes something which is “novel, nonobvious, and reducible to practice,” to use the law’s terminology.

But these crucial features can be very difficult to appreciate. The claim of “novelty,” for example, is ubiquitous even in the scientific literature. But, often, the novelty is trivial, slight, or virtually nonexistent. Whether a product or device is “nonobvious” is even more open to interpretation. This requirement may even be too stringent. Arthur C. Clarke, for example, is said to have first proposed the notion of communications satellites. But does this mean that a patent application for a communications satellite should be rejected out-of-hand unless it incorporates some other “novel” and “nonobvious” feature. Finally, since the USPTO does not require demonstrations of methods or devices being considered, it must rely on the statements of applicants that their ideas really are “reducible to practice.”

A moment’s reflection would also lead a sensible person to realize that there is enormous room for ridiculous things to slip through the USPTO. After all, the people who review patent applications cannot be thoroughly knowledgeable about everything, are subject to making errors, and, like the rest of us, harbor their own biases. In addition, according to Voss, the USPTO is woefully understaffed, with some 3000 examiners having to review 240,000 applications every year. And applications have been increasing at a rate of 8% annually. The USPTO plans to add hundreds of additional examiners, but the pay is said to be low and government officials themselves acknowledge the difficulty of maintaining quality under such conditions.

Interestingly, the USPTO caught on long ago to one particular favorite of enterprising but unwitting inventors which is neither novel, nonobvious, or reducible to practice: perpetual motion machines. Such devices can be patented only if

working models are submitted and stand up to testing. None have, of course. The historical genesis of this policy is that the scourge of perpetual motion machines have long been a popular means by which con artists have separated gullible but hopeful investors from their cash. But this has not stopped the USPTO from awarding two patents, 5,616,219 and 5,628,886 to a Florida company for a device that essentially claims to produce energy from cold fusion.

According to Voss, the company's initial efforts to patent their devices failed because the absurdity of its principles of operation were clearly seen to be absurd by USPTO examiners who specialize in nuclear science. But a reapplication that studiously avoided any reference to cold fusion managed to get by the group of examiners who normally consider electrochemical devices.

Voss mentions a variety of other ridiculous patents, including 5,830,064 for a device that responds to psychic influences. This one managed to get by an examiner who normally works on medical devices but who was assigned to consider it in a classification of games and toys. The company that owns the patent, Mindsong, Inc., is now selling a \$425 appliance that is supposed to be able to allow the remote operation of electrical devices plugged into household current, a sort of psychic "Clapper." The company CEO, one John Haaland, is quoted by Voss as saying that skeptics "should buy it and try it." This is the typical remark of frauds and fakes, of course.

Sandia National Laboratory bought a "LifeGuard" machine from DKL Inc., which holds patent 5,748,088 for this device said to be able to detect "entities" by "dielectrokinesis" at distances of up to 600 meters. Sandia's tests and tear-down of the "LifeGuard" showed that it didn't work as claimed and was essentially nothing but a fancy dowsing rod. But, of course, the company "stands by the product," notes Voss, and quotes a DKL engineer as dismissing the Sandia work as "rubbish."

Voss managed to track down the USPTO examiner who approved the patent in this particular case. He quotes her as saying that she did so because, "I trusted them that it works as they claimed, and I assumed that people skilled in the art would use this word [dielectrokinesis] all the time."

Nicholas Godici, the deputy assistant commissioner for patents, is quoted by Voss as agreeing with this approach. "We assume the information provided in an application is accurate," he said, while describing a patent as merely, "a legal right to exclude others" from using it.

But, clearly, patents are much more than that. The cold fusion company's CEO, for example, claims to have raised \$5 million from investors. Patents and even "patent pending" claims are well-known marketing tools. But even if very few products or devices are ever sold, people will invest money and patiently wait if someone can gain the credibility that comes with holding a government patent. For this, in the minds of most people, "proves" the value and practicality of associated claims and promises of commercial success and fortune. If only the USPTO, or the government generally, or anyone else, for that matter, could be so infallible!

In an interesting sidebar, Voss also describes the efforts of a cold fusion enthusiast who managed to get a job as a patent examiner. Thomas Valone, who has his own company apparently devoted to such "technologies," sent out email messages last year calling on like-minded people to help him "infiltrate" the USPTO. He recruited at least one such individual, who has since left the office.

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The III John 2 Controversy

Critical Thinking, Biblical Scholarship, and Charismatic Christianity

By Danny Barnett

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“In regione caecorum rex est lucus.” – Desiderius Erasmus

Before I go any further, I present to you the entire text of the Third Epistle of John, one of the shortest works accepted by Christians as canonical. This translation comes from the King James Version of the Holy Bible (Cum Privilegio, 1611).

The elder unto the wellbeloved Gaius, whom I love in the truth.

Beloved, I wish above all things that thou mayest prosper and be in health, even as thy soul prospereth. For I rejoiced greatly, when the brethren came and testified of the truth that is in thee, even as thou walkest in the truth. I have no greater joy than to hear that my children walk in truth.

Beloved, thou doest faithfully whatsoever thou doest to the brethren, and to strangers; which have borne witness of thy charity before the church: whom if thou bring forward on their journey after a godly sort, thou shalt do well: because that for his name's sake they went forth, taking nothing of the Gentiles. We therefore ought to receive such, that we might be fellowhelpers to the truth.

I wrote unto the church: but Diotrefes, who loveth to have the preeminence among them, receiveth us not. Wherefore, if I come, I will remember his deeds which he doeth, prating against us with malicious words: and not content therewith, neither doth he himself receive the brethren, and forbiddeth them that would, and casteth them out of the church.

Beloved, follow not that which is evil, but that which is good. He that doeth good is of God: but he that doeth evil hath not seen God. Demetrius hath good report of all men, and of the truth itself: yea, and we also bear record; and ye know that our record is true.

I had many things to write, but I will not with ink and pen write unto thee: but I trust I shall shortly see thee, and we shall speak face to face.

Peace be to thee. Our friends salute thee. Greet the friends by name.

Now that you've finished reading this epistle, what impression does it leave on you? To me, this letter from the apostle John seems divided into four distinct parts. First, John sends his fond wishes and advice to a disciple named Gaius. He then mentions someone named Diotrefes who has apparently spoken ill of John at a nearby congregation. Next, he admonishes Gaius to shun evil and delivers news of support from Demetrius. The letter concludes with some benedictions and exhortations. Does this sound reasonable?

You may be wondering why I presented the epistle without verse divisions. I prefer to read the Scriptures the way they were penned by the authors — without any clumsy verse breaks. This makes it easier for me to absorb the context of the entire work. Having said that, I wish to direct your attention to John's greeting to Gaius: “Beloved, I wish above all things that thou mayest prosper and be in health, even as thy soul prospereth.” This passage carries the verse marking of III John 2.

Now I want you to read an excerpt from a 1989 booklet by faith healer Robert Tilton.

The world will try to hold you back. The devil wants to keep you in the dark. That old limiting, carnal spirit will tell you not to expect anything, that you don't deserve any more than you've got. The carnal-minded will tell you that your sickness, your poverty, whatever your trial, is something you just have to put up with.

Either they don't know that God wants you to be in health and prosper (III John 2), or they don't think there's enough health and prosperity to go around. . . . Their spiritual eyes are blind, and they don't want you to see either.¹

Now compare Tilton's quote with this statement by Texas faith healers Charles and Frances Hunter, also known as the Happy Hunters.

Many people find it easier to believe what the devil wants us to see than what God has for us, but it takes a little supernatural vision to look into an area and see what God has for you! The devil wants to see you sick and in poverty, but God said, "Beloved, I wish above all things that thou mayest prosper and be in health, even as thy soul prospereth" (III John 2).²

Notice that Tilton and the Happy Hunters apparently identify God as the source of the quote "Beloved, I wish above all things..." rather than the apostle John.

I have seen and heard many pastors and evangelists such as Prophet James Andrews, Charles Capps, Billy Joe Daugherty, Creflo A. Dollar, Jesse Duplantis, the late Hobart E. Freeman, Dwain Hobbs, J. Charles Jessup, Peter Popoff, Don Stewart, and Lee Sullivan make statements that all mirror this precept: "According to III John 2, it is God's will that you prosper and be in health." Is it possible that these individuals — many of whom maintain their own healing and/or prosperity ministries — know something about III John 2 that I don't?

At first glance, this article may seem more at home in the writings of someone like Hank Hanegraaff, the "Bible Answer Man," than in a skeptic's newsletter. However, I'm convinced that by highlighting the controversy over the meaning of III John 2, an important exercise in critical thinking has already presented itself. Now that the basic foundations for the debate have been laid down, I would like to discuss the history and mechanics of the III John 2 controversy. It is my hope that believers, skeptics, and those who are both will find this treatise informative.

Oral Roberts and Seed-Faith

Oral Roberts, a Tulsa-based faith healer, may be the person most responsible for generating the modern controversy over III John 2. Where once he travelled the world holding tent revivals and healing crusades wherever he went, Roberts now presides over Oral Roberts University and the City of Faith medical complex in Tulsa. He is also well-known in Christian circles for developing the concept of Seed-Faith. The idea behind Seed-Faith is that if you're in need of a miracle of some sort, you need to "seed" into a ministry or organization dedicated to doing the work of the Lord, such as Oral Roberts' ministry. If you are faithful, God will send blessings down upon you. This principle has been emulated and imitated by many evangelists and ministers other than Roberts.

Seed-Faith owes much to Roberts' use of III John 2. One example of his use of this Scripture verse can be found in his 1975 book, *Seed-Faith Commentary on the Holy Bible*. After quoting III John 2, Roberts informs the reader that "This great statement by God sums up God's wish of wishes for every one of us human beings as we reach out for a better life."³ He then adds:

Consider first that God calls you, "BELOVED!" This is a word you say to the only one who is most dear to you, one you love with all your heart, one you want to be with and whose interest you hold highest. Beloved! I like to write my name in the verse so it says, "Beloved Oral."

Beloved _____ !

(Please pause, take a pen and write your name in the blank space.) Yes, fill that blank place with YOUR name, with yourself. God loves you. God is concerned about you. He wishes good and great things for you.⁴

In his 1975 book *A Daily Guide to Miracles and Successful Living through Seed-Faith*, Roberts discussed how he stumbled upon the verse several years before:

I was hurrying out that morning to make a class at Phillips University. I had a wife and two children and was trying to support them and go to school. I always had a habit of reading a little in the Bible every morning. But I forgot that morning and I ran out to catch the bus and then I stopped and ran back in,

grabbed up my Bible, and it just fell open to that little book in the New Testament, 3 John – verse 2. There it was. I had read the New Testament over one hundred times, and had never noticed that verse.⁵

The way Roberts described it, the discovery of III John 2 was an epiphany. It reassured Roberts that God wanted him “to prosper and be in health.” Thus, III John 2 became one of the building blocks for Seed-Faith. However, this discovery has not been without its critics, as noted by James Morris in his 1973 book *The Preachers*.

It is probably shocking to some fundamentalists when critics point out that Brother Roberts had introduced the occult practice of stichomancy, a form of divination performed by opening a book, especially the Bible, and hoping that a random passage will provide guidance or inspiration. Among the more emotional and superstitious the practice of stichomancy is still followed . . .⁶

Considering the fact that fundamentalist Christians oppose occult sciences such as astrology and psychometry, it seems strange that Seed-Faith, adopted by more than a few Christian evangelists, may have been based on an occult practice. In all fairness, Roberts may have never heard of stichomancy before. However, it probably didn't help Roberts at all when Morris also revealed that the concept for Seed-Faith was widely advertised in the occult magazine *Chimes*.⁷ Jerry Sholes, a former Roberts associate and the author of *Give Me That Prime-Time Religion*, corroborated Morris' discovery. “Who came up with Seed-Faith first...Oral or Chimes?” asked Sholes. “Who knows? It did work for Oral so well, however, that it turned his ministry around.”⁸

At one point, Roberts stated, “I usually don't hear from a person unless he's nearing the point of desperation. I don't resent that because it was at my own point of desperation that I began to seek God for help.”⁹ Sholes commented on Roberts' apparent use of III John 2 to reach out to the sick and the desperate:

He tells people, “God is a good God.” “God wants you to prosper and be in good health.” The part about your soul prospering is de-emphasized and is subtly pointed toward Seed-Faith. . . . He says that, in order for your soul to prosper you must give God your best and then expect His best back in return. Usually, when you give God your best, it means giving money...give God your biggest bill, not your smallest. Give God your best and expect a whopping miracle in return. Now, if you're a viewer out there in televisionland and you have some kind of terrible problem that you haven't been able to solve on your own, you're a prime candidate for that type of appeal. If you're desperately down on your luck, in very poor health, or have a marriage that you'd like to see working, you'll very likely respond to Oral's message.¹⁰

Sholes did not see much evidence that Seed-Faith was working for those who were poor or ill. However, he claimed to know of one person who did benefit from Seed-Faith – Oral Roberts. Keep in mind that all prices listed date from the late 1970s.

Oral's wardrobe is obtained from Brioni and most of the suits he wears each and every day have a price tag of at least \$500. He wears \$100 shoes and drives \$25,000 cars which are replaced every six months. He is a member of Southern Hills Country Club, the most prestigious and elite country club in Tulsa. The membership fee alone at Southern Hills is \$18,000 (which includes a share of stock valued at \$9,000) and, in addition to that, members are charged monthly dues of \$130.¹¹

Advertised as a means through which a believer can “release his faith” towards God, money figures prominently in the teachings of many healing-based and prosperity-based ministries other than that of Oral Roberts. Arthur Fredrick Ide cited the Happy Hunters as an example:

Imitating Elmer Gantry, Frances and Charles Hunter of Houston shout at their listeners to give them millions of dollars; their sheep, hearing the ram's horn blare, bleat out a promise to give them millions of dollars. Once the promise is made, the Hunters lower their sights and rifle in on thousands of dollars, crying out, “If god tells you to put in five thousand dollars, what are you going to put in?” The response is quick and as expected: the audience yells back “Five thousand dollars.”¹²

In the Hunters' 1983 book *To Heal the Sick*, Frances (who has also used III John 2 to bolster her claims) once stated that God told her to ask a believer if he tithed before she cast the "spirit of muscular dystrophy" out of his children.¹³ Frances did not elaborate on what she would have done with those children if their father responded in the negative.

My Preacher Said That His Interpretation of the Bible Said That God Said It, I Believe It, And That Settles It

Considering what a straight reading of the Third Epistle of John reveals, how can the believer possibly read verse 2 any other way except as a greeting from John to Gaius? Lowell D. Streiker, author of the 1984 book *The Gospel Time Bomb*, detailed the way in which new converts were often encouraged to read the Bible by fundamentalist Protestant and Charismatic teachers:

"God will speak to you through the Scriptures," the revivalist tells the convert, "revealing His will for your life by granting you a sense of assurance and comfort or by striking you with feelings of conviction and discomfort as you read His Holy Word." The convert is urged to read the Bible "devotionally," that is for his personal comfort and guidance.

Little importance is attached to studying the Bible as a historical document. The Scriptures are not to be understood through historicogrammatical exegesis. They are to be obeyed as God's message to the individual reader....

The ultrafundamentalist not only accepts the authority of the Bible, he worships it. He is so filled with awe and devotion that he scarcely reads the printed words at all. He collects and memorizes passages out of context, stringing them together to form intellectually unassailable systems of infallible teachings. Whether he realizes it or not, he accepts on faith what his leaders tell him. And since scattered verses from the Bible can be assembled in support of anything, the canny manipulator is at a distinct advantage in arranging the Scriptures to suit his proclivities.¹⁴

Basically, Streiker said a mouthful. Many pastors and evangelists teach that the Bible is the Christian's final authority in matters of belief, doctrine, and ethics, referring to it as the "infallible Word of God." However, Streiker appears to hint that infallibility is a fairly subjective concept in fundamentalist Christianity. After all, who teaches the parishioners what God is trying to tell them? Your friendly neighborhood pastor or visiting evangelist. And maybe that individual will say something like this: "God says in His Word that He wants you to prosper and be in health. It's right there in III John 2."

As far as stringing together disjointed Scriptures is concerned, here's a homework assignment. Using your favorite Internet search engine, type "III John 2" in the "Search For" field and hit the "Send" button. You should get a list of Web sites in which III John 2 is quoted or at least mentioned. One good example is a page titled "God's plan for healing" (<http://www.glorytogod.org/healing.html>), which lists an assortment of Scripture verses that allegedly speak about divine healing. Some of them do. And then again, some of them don't — including III John 2.

Prosperity Indeed!

It would be remiss of me not to mention some of the spiritual teachers who used III John 2 to promote their own healing ministries.

Hobart Freeman succumbed to a treatable illness in 1984 after refusing medical intervention, apparently believing his faith in God would be sufficient to heal him.

Oral Roberts' ministry has been on the decline since 1987, when he stated that God would "call him home" if he did not receive \$8 million by April 1.

Peter Popoff enjoyed an extravagant lifestyle at the expense of his followers until arch-skeptic James Randi exposed his corrupt tactics on national television; Popoff is now back on late-night cable with a lower profile.

Robert Tilton has been through various legal battles, two messy divorces, and a brief alliance with a bizarre North Carolina exorcist; Tilton has since left Dallas for Florida, and his Word of Faith Family Church has recently been sold.

What went wrong?

Having said all this, I'm not necessarily knocking belief in supernatural healing. If you sincerely believe that miracles of healing are happening today, I may want to see proof of these miracles (I am, after all, a skeptic), but I won't automatically dismiss your beliefs out of hand. However, if you are in charge of a healing or prosperity ministry, and you're telling people that "The Word of God says in III John 2 that God wants you to prosper and be in health," I'll know exactly where you're coming from.

Don't get me wrong; use of III John 2 doesn't automatically make you crooked or dishonest. At best, it's merely an example of uneven Biblical scholarship that needs a little shoring up. At worst, every word you say is suspect, people who have given generously to your ministry are starting to ask questions, and there's a fairly decent chance that someone like James Randi or Ole Anthony may show up incognito at your next crusade, taking notes and paying careful attention to what's going on around them.

After all, that's what skeptics do.

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Henry Morris says "No"

by John Blanton ([e-mail](#))

Dr. Henry Morris is Founder and President Emeritus of the Institute for Creation Research in Santee, CA. His article *What They Say* in the March edition of *Back to Genesis* appears on the ICR Web site (<http://www.icr.org/>). "Evolutionary scientists sometimes say the most fascinating things" writes Dr. Morris. And he quotes a few of them.

The "evolutionary scientists," according to Morris, are contradicting themselves. They are claiming proof for evolution while at the same time making statements concerning the absence of proof. "Furthermore, the problem cannot be solved by stretching the imaginary process out over millions of years. The fossils also say no! There are no evolutionary transitions fossilized anywhere, although billions of fossils are there still preserved in the rocks" Morris writes. He quotes Robert L. Carroll's book *Patterns and Processes of Vertebrate Paleontology* (Cambridge, U.K., Cambridge University Press, 1997), p. 391:

One of the outstanding problems in large-scale evolution has been the origin of major taxa, such as the tetrapods, birds, and whales, that had appeared to rise suddenly, without any obvious answers, over a

comparatively short period of time.

Morris points out “Professor Carroll, an eminent Canadian paleontologist, is well aware of such highly publicized fossils as archaeopteryx (the alleged half-reptile, half-bird) and the so-called walking whale, but he still has to acknowledge that birds and whales arose suddenly without obvious ancestors. As a matter of fact, it is well known by paleontologists that literally all phyla, classes, orders, and families of plants and animals have arisen suddenly without obvious transitional ancestors, as far as the fossil record shows.”

Well, that just about puts the lid on it, doesn't it. Morris has caught evolutionists speaking out of both sides of their mouths. Or has he?

Troy Britain (TroyBritain@compuserve.com) dug a little deeper into the matter, and he published his findings in the January/February 1999 issue of *Reports of the National Center for Science Education*. In his article *Just What Do They Say, Dr. Morris?* he prints the context of the Robert Carroll quote with Morris' quoted text in italics:

Is macroevolution conceptually different than microevolution? The main driving forces are the same as at the species level: population growth, genetic variation, and behavioral plasticity. At both time scales, external factors of the biological and physical environment control the rate, scope, and direction of change.

One of the outstanding problems in large-scale evolution has been the origin of major taxa, such as the tetrapods, birds, and whales, that had appeared to arise suddenly, without any obvious ancestors, over a comparatively short period of time. Increased knowledge of the fossil record has greatly increased our understanding of these and other transitions, and show that they do not necessarily require processes that differ from those known to occur at much lower taxonomic levels. To Simpson and others of his generation, higher categories were recognized by a combination of factors: morphological and adaptive distinction, a significant number of included taxa, and appreciable longevity. From examples considered in this text, it can be seen that adaptive change, morphological change, and radiation can be decoupled in that each may occur at a different time. We now see that the overall rate of evolution is not greatly faster during the origin of a group than it is within the ancestral or the descendant lineages, and with the discovery of intermediate forms, we see that they are not necessarily any more poorly represented in the fossil record than single lineages might be at other stages of evolution.

Britain notes that the full context from Carroll's book does not bear out the point Dr. Morris is trying to make but rather disputes it. A favorite pastime of creationists is to quote real scientists out of context to make it appear that they contradict each other. A favorite pastime of skeptics is to expose this creationist trick.

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