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Religious Repression in France: *Fraternity, Equality and Tyranny?*



French riot police stand at ease after breaking up a Paris religious freedom rally in October.

By Dan Fefferman

France, the land of “liberty, equality, fraternity,” may soon become known as the land of modern-day religious tyranny. The French Senate will soon debate a bill, already passed by the Assembly, that would legally dismantle unpopular religious groups and imprison members who attempt to rebuild them.

After unanimously passing the Assembly June 22, the legislation drew a storm of protest from human rights groups, mainstream churches, and even the US government, which has

criticized France for creating “an atmosphere of intolerance” toward minority religions.

Among the more draconian provisions of the bill are:

- The dissolution of a religious corporation if its managers have been convicted for offenses such as fraud, illegal practice of medicine and other crimes. Lawsuits to ban a group can be initiated not only by a government prosecutor but also by private parties including anti-cult groups.
- A three-year prison term and a 300,000 francs

(\$40,000) fine for any person who participates in the reconstitution of a banned corporation.

- A fine of 50,000 francs for a banned group’s actions “intended for young people,” the fine being applicable to both individuals and associations.
- The creation of a new crime of “mental manipulation,” with a penalty of two years in prison and a fine of 200,000 francs.

Not only human rights groups and countries such as

continued on page 5

What's Inside

<i>Russia's Putin and the "Liquidation" of Churches</i>	2
<i>China's Year of Religious Repression</i>	3
<i>Federal Appeals Court to Rule on ICRF v. Maryland</i>	4

On “Liquidating” Churches in President Putin’s Russia

by Elliott Abrams

An amendment signed into law by Russian President Vladimir Putin threatens the “liquidation” of thousands of religious groups at the end of this year. When President Clinton meets with Putin during the Asia-Pacific economic summit, this issue should be near the top of their bilateral agenda.

In the last days of the Soviet Union, the government enacted the most enlightened law on religion in the history of Russia, providing broad legal protections for the right to exercise religious freedom and for the equality of religious communities. The law restored rights not only to the Russian Orthodox Church but also to Old Believers, Roman Catholics, Baptists, Pentecostals, Seventh-Day Adventists, Muslims, Buddhists and a host of other faith groups that had suffered severe repression since at least 1929.

In the new atmosphere of freedom, thousands of new churches and religious groups were formed, feeding a post-Communist spiritual hunger that pervaded all regions and ethnic groups. Indigenous pastors and clerics headed many existing religious groups, while in others the leadership had been decimated by decades of communist mistreatment and needed foreign clergy and teachers to help them reestablish themselves. In yet other cases, foreign missionaries, including Western evangelicals and followers of the Church of Jesus Christ of Latter-Day Saints, founded new faith communities—legally, and with Moscow’s full knowledge.

These days of openness

quickly passed, however. The Russian Orthodox Church—nostalgic for the leading position it had held in Russian society before the Bolsheviks—soon pushed for a law to restrict, if not ban, the activities of foreign religious workers and of non-orthodox Christians (as well as dissident Orthodox groups). While President Boris Yeltsin vetoed one egregious bill the Russian parliament sent him, he allowed another version to become law in 1997.

The 1997 Religion Law discriminates among religions and violates Russia’s international commitments under the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. It restricts the rights, powers and privileges of smaller, or newer, or foreign religious communities, while giving special status to Russia’s “traditional” religions—primarily Russian Orthodoxy, Judaism, Islam and Buddhism. It also creates an onerous and intrusive registration process.

Upon taking office this spring, Putin quietly signed a significant and double-edged amendment to the 1997 law. On the positive side, he extended to Dec. 31 of this year the deadline by which religious groups must register with officials. On the negative side, however, he required that unregistered groups be “liquidated” after that date.

If a system of due process were in place for religious groups to register, the situation would not be so dangerous. But quite the reverse is true: Local officials in some regions have delayed or denied registration to and sought liquidation

of unpopular religious groups, even when they have been recognized and registered in other regions or at the federal level. Sometimes this delay or refusal occurs at the instigation of the local Russian Orthodox bishop or priest.

The threat of liquidation when the Dec. 31 deadline expires is substantial. At the end of September, according to the Russian Justice Ministry, only some 9,000 of the 17,000 religious groups in Russia had obtained registration. Given the slow pace of the registration process so far, it is hard to believe most of the remaining groups will be able to register by Dec. 31. Putin must intervene—both to speed up the process and to postpone the deadline....

It is hard to see a warming trend in U.S.-Russian relations if the holiday season headlines are full of stories about houses of worship about to be shut down or declared illegal, their property seized and their congregations out in the cold legally—and physically as well.

The writer is chairman of the US Commission on International Religious Freedom. This article originally appeared in the Nov. 14 edition of the Washington Post and is reprinted with permission of the author.

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Religious Repression Continues in China

By Alex Colvin

As people gathered on Tiananmen Square to celebrate of China's National Day on October 1, small groups of Falun Gong members emerged from the crowd chanting slogans and unfurling banners. Startled onlookers gaped as squadrons of police rushed forward and beat the demonstrators, herding them into white minivans.

One middle-aged woman with blood streaming from her mouth escaped briefly from the police only to be r e c a p t u r e d , slapped across the face and stuffed into an overcrowded van. Another woman fleeing across the plaza had her legs knocked out from under her and was kicked repeatedly by police. A large portion of Tiananmen Square was closed as more than 350 Falun

further marred by the release of a 64-page report by the Tibet Information Network detailing the brutal treatment that led to the suicide of five nuns in the Drapchi prison in 1998. The nuns had been beaten, shocked with cattle prods, and forced to stand in the hot sun for days after refusing to sing patriotic songs.

These are but a few recent incidents in an unfolding saga of religious repression as the secular Marxist government in Beijing seeks to control a rising tide of religiosity throughout China. China recognizes five state-sponsored "patriotic" religions. The government is trying to curtail the activities of unregistered groups such as the underground Catholic Church, unregistered Christian "house churches," Tibetan Buddhists loyal to the Dalai Lama, many Muslims in the northwest provinces, and followers of popular new spiritual movements such as Falun Gong.

The battle to eliminate the Falun Gong began after 10,000 Falun Gong members staged a peaceful protest in Tiananmen Square in April 1999. In July of that year, the government banned the group and began arresting its leaders. In October 1999, the national legislature passed legislation enabling authorities to sentence members of "evil cults" and those who engage in illegal religious activities to up to seven years in prison.

Since that time, police have arrested tens of thousands of Falun Gong members. Numerous beatings have been reported. According to the Information Center for Human Rights and Democracy in Hong Kong, 62 Falun Gong

members have died in custody. The latest fatality was 32-year-old Xie Gulying, who died October 18 after a beating in the police station in the eastern city of Zhuman. As many as 300 persons have been sentenced to prison terms up to 18 years. In addition, thousands have been sentenced to three-year terms in reeducation-through-labor camps. A spokesman for the Chinese government boasted to an anti-cult conference in Seattle this year that the government has succeeded in reducing the numbers of Falun Gong from 2 million to less than 80,000. Yet, in spite of these intensive efforts, the Falun Gong continues to exist, as evidenced by their protest at Tiananmen in October.

Other religious groups suffer as well. In September, Catholic Bishop Zeng Jiungmu, who had been released as a good-will gesture to the West around the time of President Clinton's visit to China, was re-incarcerated for refusing to accept the authority of the official "Patriotic" Catholic church. The official church does not recognize the authority of the Pope. During the same month, another 82-year-old Catholic priest, Ye Gongfeng, was arrested and tortured by police in the coastal province of Fujian. In addition, unregistered Protestant churches continue to be persecuted. Thousands of Tibetan Buddhist monks and nuns have been fleeing to India, and Uighur Muslims in the Xinjiang Autonomous Region have been subjected to a harsh crackdown.

China maintains that it is in accord with international standards guaranteeing the rights of

continued on page 8

China is trying to curtail the activities of groups such as the Catholic Church, Christian "house churches," Tibetan Buddhists, Muslims, and followers of new spiritual movements such as Falun Gong.

Gong members were arrested and carted away.

On the same day, the 51st anniversary of the proclamation of the People's Republic of China by Mao Tse Tung, Pope John Paul II proclaimed the canonization of 120 martyrs who had died for their faith in China. Although none of these saints had been martyred under the communist regime, the Chinese government reacted furiously, chastising the Vatican for honoring "evil-doing sinners."

China's commemoration was

U.S. Court of Appeals to Rule on Maryland Cult Task Force

by Alex Colvin

The U.S. Fourth Circuit Court of Appeals is currently considering the case *International Coalition for Religious Freedom et. al. versus Maryland et. al.* ICRF and a number of Maryland citizens filed this suit in August of 1999 charging that the activities of the Maryland Task Force to Study the Effects of Cult Activities on Public Senior Higher Education Institutions violated the rights of religious freedom, speech and association by creating an environment of fear, discrimination and intolerance on Maryland campuses.

The federal district court to which the case was originally assigned dismissed the suit on the grounds that the case was moot because the task force had already issued its report. ICRF appealed, arguing that the existence of the report continues to threaten religious freedom for members of new religions and that personnel in the Maryland System have begun to implement discriminatory and unconstitutional policies pursuant to the activities of the task force and its report.

In its 1998 session, the Maryland General Assembly passed House Joint Resolution 22 establishing a task force to study alleged activities of “dangerous cults” on the campuses of the University of Maryland System. The task force began public hearings on May 25, 1999 at the Chancellor’s Office of the University of Maryland System and then held several meetings at various campuses around the state and in Annapolis. The task force received a wide array of testimony from anticult activists, proponents of religious freedom, members of new religious move-

ments, parents, and scholars. On August 9, 1999, the task force concluded testimony and began discussions leading to preparation of its report. The task force held its final meeting on September 15, 1999 and submitted its report along with an executive summary to the legislature and the Governor of Maryland.

Neither the Maryland legislature nor the task force ever defined what they meant by the term “cult.” From the outset of the hearings, critics pointed out that the word “cult” has several different meanings, but was generally used to refer to religious groups. William Taft Stuart, professor of anthropology at the University of Maryland, testified that many scholars are choosing to use terms such as “new religious movements,” “alternative religions,” or “minority religions” in place of the word “cult.” After receiving advice from the Attorney General’s office, task force chairman, William Wood, recommended that the task force amend its mission statement to study “groups that cause problems.”

The task force had already heard extensive testimony from “former cult members” and “anticult experts” such as Ron Loomis from the American Family Association. However, following the task force’s redefinition of its mission, several prominent authorities on new religious movements were prohibited from addressing issues concerning some of the very groups that had previously been criticized—on the grounds that the task force was not discussing religion and had agreed not to talk about “cults.” For instance, Chairman Wood refused to accept several articles by Dr. James

Richardson, a leading scholar in sociology of religion and law, because the titles of his papers included the word “religion,” even though the content of the papers dealt with some of the groups that had been discussed in the task force.

Furthermore, at the same time that the task force was taking this stance in its public hearings, it was also circulating a questionnaire on letterhead bearing the heading “Task Force to Study the Effects of Cult Activities” throughout the Maryland University System. The questionnaire was sent to all counselors, residential assistants, faculty, and chaplains requesting their input. Many of the respondents replied with accounts of activities by religious groups on their campuses and these accounts were accepted into the record.

ICRF also was concerned that the composition of the task force was heavily biased. Two of the task force members, Franz Wilson and Patricia Rausch, were named to the task force as “parents of cult members.” Mr. Wilson was the chair of the Subcommittee on Outside Resources, which was responsible for inviting people to testify before the task force. In this capacity, he invited “anti-cult experts” from organizations that are notorious for prejudice against minority religious groups. Such experts were allowed

ICRF appealed, arguing that the report continues to threaten religious freedom for members of new religions and University System personnel have begun to implement unconstitutional policies.

continued on page 8

Religious Repression

from page 1

the United States have gone on record to express their concern about what the initiative portends. Mainstream religious groups in France itself have also expressed concern.

The president of the French Protestant Federation, Rev. Jean-Arnold de Clermont, considers the bill "dangerous." He warned that the Protestants should be "particularly alert...in the face of this project to legislate on cults."

The French Council of Catholic Bishops demanded that the Parliament must "amend its text." Council spokesman Fr. Stanislas Lalanne, quoted in *LeMonde*, said, "A crime of mental manipulation is so vaguely defined that it can bring on uncontrolled floods of unwanted consequences."

In an apparent effort to salvage France's international reputation and fend off challenges on constitutional grounds, Justice Minister Elisabeth Guigou ordered a "pause" in the legislative process after it passed the Assembly to consult with the French National Commission of Human Rights and others legal advisors.

In the meantime, even Alain Vivien, president of the governmental Mission to Fight Cults (MILS), reportedly sent a note sent to the Prime Minister's office stating that the word "mental manipulation... is not the most appropriate one."

Vivien and Guigou are suspected by religious freedom proponents to be seeking a way to salvage a hopelessly flawed piece of legislation that would eventually be struck down by the European Court of Human Rights. That process, however, could take



Entertainers Kirstie Alley and Isaac Hayes join scholars and members of religious minorities who reported on discrimination in France.

many years. How many "sects" would be outlawed in the meantime, and how many of their members held in prison for attempting to propagate the doctrines of banned religions, is anybody's guess.

An indication of the intolerance of French officialdom toward new religious groups was evident this October. The Foundation for Religious Tolerance, which is run by Scientologists, was denied a permit to march in Paris, despite such permits for the same march route having been granted to Palestinian groups and others wishing to express their right to freedom of speech.

Organizers were forced at the last minute to move the event to a private park on the outskirts of the city, out of public view. At a press conference at Bastille Square the same day, scores of riot police arrived to break up a small crowd of supporters who had gathered to cheer movie star Kirstie Alley and musician Isaac Hayes, who decried the government's policy toward religious groups.

The next day, members of several minority religions testified about problems they had experi-

enced due to government discrimination at a public hearing co-sponsored by the US Friends of the United Nations and the French human rights group *Omnium de Libertes*.

Sandrine, a member of the Hare Krishna movement and mother of two children, testified that because of her religious affiliation, the government removed her children from her custody after she returned to France from Mexico. She said that social welfare agencies refused to return her children to her unless she promised not to attend the local Krishna temple. Only after several months and the intervention of a concerned human rights lawyer were her children reunited with their mother.

Other cases involved false imprisonment by police, government-sanctioned pressure against businesses associated with "sects," job discrimination, travel restrictions against religious leaders, discrimination against schoolchildren for wearing distinctive clothing, denigration of religions in public school curricula, and failure by the police to protect minority religionists from attack.



RELIGIOUS FREEDOM AROUND THE WORLD

by Rupert F. Pollard

India to Try 31 for Church Attacks

Police have accused a Pakistan-based Islamic sect leader and his followers of masterminding attacks on Christian churches in southern India earlier this year. Police said by bombing churches, Hindu temples and mosques the suspects intended to create unrest and panic among India's religious minorities.

German Information Offensive Against Scientology Continues

The German Interior Ministry's Work Group on Scientology in conjunction with the State Center for Political Education has published a booklet "Brainwashing in Scientology's Rehabilitation Project Force." In the 72-page booklet, Canadian Professor of Sociology Stephen A. Kent describes alleged forced labor and imprisonment programs and camps which serve to rehabilitate deviant elite members of the Scientology organization. Prof. Kent is a known supporter of the anti-cult movement. His findings are disputed by other scholars, but the government Work Group did not include any opposing views in its publication. Scientology claims the program is voluntary and therapeutic.

German Court Rules that Unification Church Can Sue

The Unification Church in Germany considers the latest verdict by a German Higher Administra-

tive Court an important step towards lifting the entry ban against Reverend and Mrs. Moon. In 1995, the Interior Ministry issued an order prohibiting Rev. and Mrs. Moon entry to Germany, at the same time putting them on the Schengen listing, thus in effect barring the couple from entering all of the European member States of the Schengen Treaty. The church filed suit to overturn the listing, but a lower court held its suit invalid on grounds that only the Moons themselves could be parties in suing the government in this case.

The September 19th verdict reaffirms the fundamental right of the German Unification Church to be recognized as a religious community with rights specified in the German Constitution.

Protestants Face Challenges In Eastern Russia

The recent success of Protestant missionaries has put the Russian Orthodox Church and nativist minority groups on the offensive to curtail the growth of Protestant evangelism in the region. The percentage of Protestants in the Russian Far East is quite high compared to Russia as a whole. The weakness of local Orthodox structures and presence there makes it easier for foreign missionaries to pursue their aims.

China Invites New Visit by Three US Religious Leaders

China has invited three prominent US religious leaders for a visit in a move Secretary of State Madeleine Albright said was a "welcome step in the direction of openness." Don Argue, president of the National Association of Evangelicals, Catholic Archbishop Theodore McCarrick, and Rabbi Arthur Schneier will travel to China to "discuss the climate of religious freedom." (Dr. Argue's report on a similar trip in 1998 can be found at the ICRF web site, www.religiousfreedom.com.)

Religious Restrictions in Vietnam

Although restrictions on religious worship in communist Vietnam have eased since the late 1980's and six religions are now officially recognized, the police are still cracking down on any movements that question the authority of the state and the ruling Communist party.

In September five Buddhists were sentenced to between one and five years in prison. They were accused of slandering the government and "abusing democratic rights." Catholics, Hoa Hao reformed Buddhists, and the syncretistic Cao Dai religion, each of which more has than a million adherents in Vietnam, also complain of systematic repression. President Clinton visited Vietnam in November and was expected to raise the issue of religious freedom.

Religious Freedom and the Anti-Cult Movement

By Dan Fefferman

Recently I have been making it a point to attend not only conferences on religious freedom but also meetings of the anti-cult movement (ACM). Here are some of the trends I see emerging:

First, anti-cult groups seem to be cooperating more beyond international boundaries. At the Leo J. Ryan Institute conference earlier this year, keynote speaker Prof. Stephen Kent of the University of Calgary called on Americans to learn from the European model of “Human Rights vs. Religious Freedom” as opposed to the American idea of religious freedom as a cornerstone of human rights. At the American Family Foundation in Seattle last April, substantial delegations attended from both France and Japan. The Chinese government also sent an official representative. Speakers referred to the need for international cooperation and applauded each other’s efforts to combat the “threat of destructive cults.”

The audience heartily applauded a representative of the Chinese consulate who boasted that his government’s hard line policy had succeeded in reducing active participation in the Falun Gong movement from over 2 million to under 80,000. French representatives of the anti-cult group ADFI spoke of plans to expand recent legislative successes [see article page 1] to the whole of Europe. US anti-cultists called for more give and take and mutual understanding between Americans and Europeans to influence the US to give up its “obsession” with religious freedom in favor of a policy to “protect the rights of cult victims.” Japanese attorneys

expressed shock at US criticism of their government for failing to protect the religious freedom of “deprogramming” (religious kidnapping) victims, whom the anti-cultists claim are being “rescued from cults.”

Second, anti-cultists are seeking to have greater influence among scholars. This was particularly evident at Seattle’s American Family Foundation meeting, to which several internationally noted sociologists of religion such as Eileen Barker and J. Gordon Melton—formerly referred to by the anti-cult movement as “cult apologists”—were invited as presenters. The San Francisco *Chronicle* went so far as to characterize this development as a “love feast” between former enemies. In reality it is probably an effort to develop lines of communication with scholars on the one hand, while also keeping up the pressure on them to be “neutral” rather than to speak out for the rights of those they study, as some of them have done in the past.

Third, the anti-cult movement has shifted its focus from direct attacks on NRM’s to tying them up with administrative and legal red tape. In the 1970s and 80s, much of the ACM’s energy was devoted to “educating” the public and thereby recruiting families to “rescue” (abduct) members who had joined new religions. While this still goes on, it is no longer as central a focus as previously. Many of those who were successfully “deprogrammed” in the past have engaged in lawsuits against their former religions or have influenced others to do so. At the advice of their “cult expert” handlers, these former members have also gone to state authorities

with complaints regarding immigration issues, child abuse, unfair labor practices, ecology regulations, health and zoning violations, etc.

Here they sometimes have a point. Religious freedom advocates have long admitted that existing laws are usually adequate to deal with actual abuses by religious groups and their leaders. The question then becomes one of whether these groups are being unfairly targeted.

Finally the ACM is working to get governments to do what it cannot. In most countries (Japan being an apparent exception for the moment) the ACM has learned that it cannot take the law into its own hands. Instead it is working to change existing laws or create new ones to suppress movements it considers dangerous and even to make membership illegal in some cases. The current legislative initiative in France and China’s treatment of Falun Gong are prime examples, but other efforts from Russia’s and Austria’s tiered system of state approval for religious groups to the US state of Maryland’s Task Force on Cult Activities can also be cited.

Snapping authors Flo Conway and Jim Seigleman, speaking at the the Leo J. Ryan Foundation meeting in Stamford, Connecticut this year, opined that religion is “the Achilles heel of American democracy.” Arguing that members of “cults” have been robbed of their free will through “mind control,” they declared that “freedom of thought must be added to the First Amendment.” Seigleman explained that rather than an actual constitutional amendment he favors a “judicial initiative” that

continued on page 8



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Repression in China

from page 3

religious freedom because it allows believers within the five “patriotic” religions to exercise their faith. Official policy is that those who do not register with the official religions are criminals—“evil cultists,” separatists, and/or agents of foreign powers who wish to unduly westernize the country, promote disunity, and undermine the authority of the state and the communist party.

China’s leadership is preparing to turn over the reins of government to a younger generation of leaders within the next two years. They want to maintain their power, as well as China’s stability and territorial integrity. Seen through their eyes, true religious freedom poses a threat. Yet, as seen in their futile efforts to eliminate the Falun Gong or to curtail the growth of underground churches, religious repression only deepens the faith and conviction of the persecuted, creates further resentment against the government, and alienates China further from the international human rights community.

ICRF v. Maryland

from page 4

up to an hour to attack minority religions. People from groups that were attacked by these “experts” who came to speak in defense of their faith were confined to speaking in “open forums” with their time generally limited to about five minutes.

The task force excited a considerable amount of interest and comment throughout the academic world. The Chronicle of Higher Education has maintained a colloquy on their website (<http://www.chronicle.com/colloquy/99/cults/re.htm>) since August of 1999. Dr. Jeffrey K. Hadden of the University of Virginia has also collected more than seventy documents and written on the task force on his website on new religious movements (<http://religiousmovements.lib.virginia.edu/cultsect/mdtaskforce.htm>). ICRF maintains a page with background information and documents on the task force on its website at (<http://www.religiousfreedom.com/tskfrce/tfrcindex.htm>).

Anti-Cult Movement

from page 7

would do for “freedom of thought” what *Roe v. Wade* did for the right to an abortion.

Unpacking this type of Orwellian *newspeak*, one cannot help but be a little disturbed by a prospect of the state intervening to provide members of new religions the right to “freedom of thought” as defined by the anti-cult movement. Since according to the anti-cult movement, members of “cults” by definition have no freedom of thought, the way for the state to restore this freedom would be to remove the person from the offending group or else disband the group itself.

In sum, while the anti-cult movement has developed a greater degree of sophistication, international communication, and willingness to dialog with its adversaries, it is still at its core a movement against religious freedom. As the ACM has moved recently into the academic, legislative and administrative arenas in its battle against “cults” so the movement for religious freedom will need to respond with effective efforts in these areas as well.