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## THE FRENCH AND GERMAN VERSUS AMERICAN DEBATE OVER 'NEW RELIGIONS', SCIENTOLOGY, AND HUMAN RIGHTS

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### Abstract

This article critically examines the allegations of religious intolerance that United States officials and governmental staff have leveled against France and Germany (along with other European countries) for their policies on, and actions toward, Scientology and other controversial groups. It argues that American officials appear to be poorly informed about the bases for the Europeans' critical positions, and that those officials have been the recipients of selective information provided by Scientology itself along with Scientology's supporters. It concludes by offering a preliminary analysis of this Euro-American debate in the context of 'international social movements' theory within the social sciences.

### Notice

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## BIBLIOGRAPHY

### 1) Introduction

In recent years, various officials of the United States government have been critical of some European approaches to groups variously called sects, cults, minority or alternative religions, and new religious movements. These groups have been the subject of governmental studies in several European countries-Belgium (see Allard, 1999; Fautré, 1999), France (la Commission d'Enquête, 1995; 1999; see Introvigne, 1999a: 365-367), Germany (Deutscher Bundestag, 1998; see Seiwert, 1999), Sweden (see Swedish Government Commission, 1998), and Switzerland (Business Review Commission of the National Assembly, 1999), and many of these studies have raised concerns among American officials. Moreover, Scientology's battles in France, Greece, Belgium, and especially Germany, have gained considerable American press, and additional battles have involved the Jehovah's Witnesses in several European states (for example, La Commission d'Enquête, 1995: 70-71, 78, 79; 1999: 196, 223 [for France]; Deutscher Bundestag, 1998: 234 [for Germany]; Morvant, 1996: 1 [for Romania]). Some nations (for example, Austria, Belgium, France, and Poland [Luxmoore, 2000]) have established sect or "cult observatories" or other administrative bodies designed to gather information on groups and educate their citizens about the dangers concerning many of them. In turn, the existence of these observatories has caused Americans alarm.

In an attempt to counterbalance criticisms that France and Germany specifically have received over their stands toward Scientology and some other controversial organizations, this article will highlight human rights issues involving these groups (sometimes taking place in the United States) that American officials and staff usually overlook when scrutinizing the actions of their European counterparts. While I do not endorse all the positions that these European countries have taken in this very sensitive and complex debate, I do understand why French and German governmental officials believe that the Americans fail to appreciate their position that several groups, especially Scientology, are threats to democracies and/or citizens and require stern governmental opposition. In order, however, to lay the groundwork for scrutinizing the American's criticisms of France and Germany over Scientology and other groups, it will be helpful to review some of the official

sources that provide information about European human rights issues, especially in the context of factors that have contributed to the transformation of European religion in recent years.

## 2) Official Sources That Provide Information About European Human Rights Issues

At least to the English-speaking world, much of the information about religious human rights situations in Europe comes out of the United States, especially through two annual reports by the United States Department of State. One of them is on human rights and the other (after passage of the International Religious Freedom Act of 1998) is on international religious freedom (United States Department of State, 1998; Public Law 105-292, 1998). These annual reports comment on human rights issues in all of the countries in the world (except the United States itself), and some of them have had critical sections on the supposed plight of several 'religions' in various European countries. Serious violations of religious rights in countries can lead to American sanctions.

Also reporting on European human rights issues is the fifty-four nation Organization [formerly Conference] on Security and Cooperation in Europe (OSCE, formerly the CSCE from 1974 to 1995). In 1976 the U.S. Congress established the Commission on Security and Cooperation in Europe, which people often call the Helsinki Commission (after the city in which the CSCE accords were signed). The Commission's responsibilities include the obligation:

to monitor and report on the implementation of the decisions of the Conference on Security and Cooperation in Europe (CSCE [now OSCE]), a multi-nation diplomatic process that embraces issues from military security to economic and environmental cooperation to human rights and humanitarian efforts. To this end, the Commission pursues specific concerns at CSCE meetings, holds congressional hearings, leads delegations to CSCE countries, and publishes reports. The Commission has focused special attention on the implementation of human rights agreements by what was once the Soviet Union and the countries of East-Central Europe, as well as reviewing human rights questions raised with the United States (Commission on Security and Cooperation in Europe, 1993: iii).

Some of the Helsinki Commission's hearings in Washington, D.C., have greatly offended French and German officials, as have some of its delegations' meetings with these officials.

Europe, of course, is an extremely complex part of the world, with ancient tribalisms cross-cutting languages, religions, and national boundaries. In its broadest dimensions, it includes Russia in the East and Greenland and Iceland in the West, and the state of 'new religions' across these nations often varies dramatically. Various ways exist to group together the array of countries and their discussions on sects and 'new religions,' but the most effective way is to do so according to membership in several existing political and economic associations. The fifteen nation European Union, for example, saw its Committee on Civil Liberties and Internal Affairs issue a report on "cults" in late 1997 (Committee on Civil Liberties and Internal Affairs, 1997), only to have its European Parliament's plenary reject it in July 1998 and send it back for further possible consideration (CESNUR, 2000a). The Council of Europe (currently with forty-one member states) passed a recommendation on the "illegal activities of sects" in 1999 (Council of Europe, 1999). Also occasionally addressing issues related to these groups are the European Commission on Human Rights and the European Court of Human Rights (see Richardson, 1995), although concerns exist about their effectiveness (Gunn, 1996). In addition to the religious human rights activities of these European bodies, the United Nations also continues its monitoring of these issues, as do a number of non-governmental human rights agencies on national and international levels.

Heated debates over 'new religions' or sects have taken place between the French and Germans versus American officials, and those debates are the focus of this study. Most particularly, these debates have involved issues related to Scientology. European reactions to this American-based transnational organization have become a sore point in international relations, and the sheer volume of information that American agencies produce on human rights has muffled the European perspective on this group. Moreover, Scientology itself has carried out an aggressive campaign against the opposition it has received in France and Germany, and has found that these American governmental agencies, and many human rights non-governmental agencies, are receptive to its complaints (for example, Boyle and Sheen [eds.], 1997: 312-314). Of course, the social and cultural contexts in which these debates take place were altered forever by the collapse of European Communism, and it is worth highlighting some of the more significant ramifications that have direct or indirect bearing on the Scientology controversy.

### 3) The Fall of the Berlin Wall and Its Impact Upon Religion

A new era for religion began in Europe with the fall of the Berlin Wall (beginning November 9, 1989). Religions whose presence in Communist countries had been impeded or banned now rushed into what was new territory-territory now freed from strict societal control and restrictive travel regulations (Maxwell, 1992; Miller, 1993; Morvant, 1996: 1). By the summer of 1992, for example, in eastern Germany "an estimated 300 groups [were] panning for members" (Fisher, 1992: A33; cf. Seiwert, 1999: 325). A year earlier, 18,293 converts were baptized as Jehovah's Witnesses in Czechoslovakia, Hungary, Yugoslavia, Poland, Romania, and the Soviet Union, with more than 370,000 members attending thirty conventions in those former Communist countries (Maxwell, 1992: 37; see Cimino, 1994). Likewise, teachers of "New Age" religions and philosophies saw similar opportunities, and by early 1992 they were giving lectures and holding meetings in such cities as Prague, Budapest, and Cracow (Cimino, 1992; Lattin, 1992). Both American-based churches and Islamic groups proliferated in Albania, with the government's banishment of Scientology (after a corruption scandal) being a rare exception to an otherwise tolerant policy (Morvant, 1996: 2).

All the while, religions that had carved out space as opposition parties (such as Catholicism in the former East Germany and Poland) had to redefine themselves after the atheistic enemy that was Communism lost political power (see Cimino, 1990a; Richardson, 1997: 262-263). Other religions (like Romania's Orthodox Church) that had been closely aligned with now-fallen regimes scrambled to establish new identities. Certainly many of the religious forces at work after the fall of the Wall were exclusively European in content and context, such as the long-standing tensions among Protestants, Catholics, and the Orthodox churches (Cimino, 1990b). Amidst these tensions, many European countries have variations on what amount to state-supported churches. Germany, Scandinavian countries, the United Kingdom, Greece, and so on, represent variations on this arrangement. This arrangement almost never excludes faiths from practicing, but it does favour certain religions (usually for historical and cultural reasons) with special status and benefits.

The missionary rush that many countries experienced involved waves of proselytizers from organizations based primarily in the United States (Cimino, 1991; Moore, 1992: 40). The American-based missionaries represented numerous religious expressions, ranging from Evangelical Christians to heterodox Christians (Mormons, Jehovah's Witnesses), and alternative religions claimants (such as Scientology). Even globalized, controversial groups such as the Hare Krishnas and the Unification Church/the Moonies have substantial American footholds. Based in the United States and elsewhere, some "established sects" had been recruiting in Europe long before the end of Communism, and had well-developed infrastructures and histories in various countries that had been behind the Iron Curtain (see Stark, 1985; Wilson, 1990: 128-148).

Launching from the American home-front, Evangelical Christians were the best-organized, with an extensive grass-roots organization and (after Ronald Reagan's presidential election in 1980) considerable experience with anticommunist, foreign affairs activities in such countries as El Salvador, Guatemala, Honduras, Nicaragua, the Philippines, and South Africa (Diamond, 1995: 219, 223; Martin, 1999: 71-72). Various Christian Right organizations-Jerry Falwell's Moral Majority, Pat Robertson's Freedom Council, Maranatha Campus Ministries, and the neo-conservative Institute on Religion and Democracy-attended White House briefings on Central America (Diamond, 1995: 218 ). Taken together, the members of these groups held "a conviction that increasing globalization is a fulfillment of dire Biblical prophecies foreshadowing the return of Christ and the onset of Armageddon. The very term by which most conservative Protestants identify themselves-'evangelical'-announces their intention to carry their message, as Jesus instructed, 'unto all the world'" (Martin, 1999: 67). Presumably, only conservative American Christianity, as envisioned by these evangelicals and developed in one strain of American civil religion, could spare the world from tragedy (see Kent and Spickard, 1994: 374-382; Ribuffo, 1998).

Consequently, by the time that Europe opened up as a new missionary field, Evangelicals and Fundamentalists were well known in foreign affairs and State Department circles. Their missionary efforts frequently coincided with American political and corporate agendas, as State Department

officials attempted to eliminate barriers to their foreign efforts as big money helped pay the costs. In the current religious rights debates in Europe, Evangelical Christians continue to play a significant role on the American 'side.'

For example, one member of the U.S. Department of State's Commission on International Religious Freedom, John R. Bolton, came from a right-wing, business-aligned think-tank-the American Enterprise Institute (United States Commission on International Religious Freedom, 2000). Another commissioner is Nina Shea, Director of the Center for Religious Freedom of Freedom House, which is a conservative Christian non-governmental organization that aspires to "'remoralize' American foreign policy" and "overturn the established-that is, liberal-order" (Goldberg, 1997: 46, 52). The Commission's executive director, Steven McFarland, had been the Director of the Christian Legal Society's Center for Law and Religious Freedom-"an organization of evangelical Protestant lawyers" (Associated Press, 1999; United States Commission on International Religious Freedom, 1999).

In early 1999, President Clinton appointed prominent evangelical Christian and the winner of the U.S. Secretary of State's Distinguished Public Service Award, Robert A. Seiple, as the first U.S. Ambassador-at-Large for International Religious Freedom-a position from which he resigned in September 2000 [Carnes, 2000]). To a prayer group in January 1999, Seiple "recounted how his faith has sustained him through harrowing events in his life, including the 300 combat missions he flew during the Vietnam War. In addition, he served for 10 [sic: 11] years as president of World Vision Inc., . . ." (Loomis, 1999: 1). In the early 1990s, World Vision was "the world's largest evangelical relief and development agency" (Interhemispheric Resource Center, 1991: 2) whose projects annually reach millions of people around the world. A report, however, on the organization nearly a decade ago concluded, "World Vision appears to suffer from conflicts between its good intentions, its evangelical goals, and its entanglement in politics" (Interhemispheric Resource Center, 1991: 14). This conflict became apparent once again in 1997, when other conservative Christians felt that World Vision's support of "family planning" implied that the organization supported abortion (which the organization did not [Morrison, 1997: 5]). I know (from private correspondence) that at least one French government

official wondered whether Seiple's religious commitment influenced his perception of religious human rights issues.

Still another evangelical Christian in the human rights debate is Karen Lord, Counsel for Freedom of Religion for the Helsinki Commission—a fact that she told me when we met briefly in Washington, D.C. early in 1998. Finally, and most dramatically, in 1997 the Department of State's Bureau of Democracy, Human Rights, and Labor Affairs published a report specifically on the American government's monitoring of Christian persecution around the world (United States Department of State, 1997b; see Martin, 1999: 76-77).

These American-based missionaries frequently encountered languages, cultures, and laws that they did not understand. Church-state relations, for example, vary widely in Europe, and they often vary in ways that perplex American visitors. Likewise, even the practice of democracy in Europe, with parliaments or other bodies attempting to adapt national laws to trans-European agreements, is different from the American governmental experience (see Colomer [ed.], 1996). Germany, for example, has a constitution that specifically bans the secular government from establishing a state church, but state offices collect taxes for Catholicism, Judaism, and the numerous Protestant communities with which they have collection agreements. Moreover, the government must maintain a "militant" protection "of the free democratic basic order," which thereby obligates officials to monitor, and if necessary take action against, anti-democratic organizations operating in the country (see Kommers, 1997: 217, 510). Such action, however, cannot violate human rights agreements, which Germany has ratified. This pro-active position reflects the country's efforts to protect its democracy by attempting to ensure that a group like Nazism will never again gain political ascendancy. Because, however, this position has no American counterpart, some Americans bristle and recoil at the idea that the German government (through its Federal Office for the Protection of the Constitution) officially monitors the American-based group, Scientology (see Deutscher Bundestag, 1998: 291).

Somewhat differently, France's constitution defines the country as a secular state, but a 1905 clause gives the government the possibility of describing religious groups either as non-taxable "associations of worship" or taxable "cultural associations." Within its secular parameters,

however, a French commission has identified groups which it believes are inimical to the public order due to their totalitarianism, violations of fundamental liberties, inordinate emphasis on finances, disregard for appropriate medical care, and so on. These identifications have put the country at odds with the State Department, in part because some of the identified groups (such as Scientology and the Jehovah's Witnesses) have direct American ties.

The United States involves itself in these European human rights debates over religion even though its government has not ratified the United Nations Convention on the Rights of the Child (among other treaties). This failure to ratify crucial human rights treaties puts the U.S. at odds with all of the European countries. A scathing report, for example, about American human rights violations appeared in 1999 by the non-governmental organization, Human Rights Watch. It reported:

[i]n 1998, the United States continued to exempt itself from its international human rights obligations, particularly where international human rights laws grant protections or redress not available under U.S. law. In ratifying international human rights treaties it has typically carved away added protections for those in the United States by adding reservations, declarations, and understandings. Even years after ratifying key human rights treaties, the U.S. still fails to acknowledge human rights law as U.S. law. Moreover, the U.S. is behind the rest of the developed world in failing to ratify the key international instrument on women's rights and virtually alone in the world in failing to ratify the international children's rights convention (Human Rights Watch, 1999: 2).

Consequently, the United States and key European countries hold each other and themselves to different standards on some very crucial human rights issues.

As these religious human rights debates escalate, Europeans remain aware of the major sectarian tragedies that happen occasionally around the world (Jonestown, Aum Shinri Kyo, Heaven's Gate, Waco, etc. [see La Commission d'Enquête, 1995:36]). Moreover, Europe has tragedies and "close-calls" of its own. Twenty-one of the eighty Branch Davidians who died at Mt. Carmel in 1993 were British citizens (Thibodeau and Whiteson, 1999: 355-357; Wright [ed.], 1995: 379-381), and most of the seventy-four murder/suicide victims of the

Order of the Solar Temple (who died at various times from late 1994 to early 1997) were Swiss and French (see Mayer, 1999). Authorities believe that they narrowly averted disaster in 1998 when Spanish police arrested a sect leader, twenty-six adults, and five children on the island of Tenerife. Allegedly "its members believed that the end of the world was destined to occur" at 8pm on January 8th, "and that their souls would be picked up by spacecraft and transported to another planet" (Brown and Millward, 1998). In mid-June 1999, Swiss officials became concerned that comments made by the UFO 'sect' leader, Rael, in his group's magazine, *Apocalypse*, were suggesting that he was planning suicide and martyrdom for his followers (Stamm, 1999). With these points as background, permit me to present several issues that may help identify some of the reasons for tension between European countries and the United States on religious human rights issues, particularly involving Scientology.

4) Scientology's Successful Negotiations to Receive Tax Exempt, Charitable Status from the American Internal Revenue Service (IRS)

Among the most controversial American exports to Europe was Scientology, a group whose religious claims received a dramatic boost by its receipt of tax exempt charitable status by the IRS in October 1993. Researchers may never know all of the behind-the-scenes negotiations that went on between Scientology and the IRS leading up to the agreement (see Frantz, 1997), but publicly an IRS spokesperson "said that Scientologists provided sufficient information on salaries paid to church officials for the government to determine that executives were not receiving any improper benefits" (Chronicle of Philanthropy, 1993). Another factor, however, that Scientology leadership apparently saw influencing the decision was the large number of lawsuits--one Scientology source says 2,300 (International Association fo Scientologists, 1994?: 1r; Miscavige, 1993: 30)--the organization and its members had brought against the governmental body. Consequently, in a victorious speech that the current leader gave to his followers about the IRS agreement, he reported, "the attorneys working for the government defending these law suits were to become so inundated that their entire budget would be wiped out handling our cases" (Miscavige, 1993: 23; see Church of Scientology International, 1993: [3]). Not surprisingly, therefore, the IRS negotiated the termination of all of these lawsuits in the final Scientology agreement.

Many aspects of the decision seem remarkable. While the organization may have owed up to a billion dollars in back taxes (see Miscavige, 1993: 27), it only had to pay the IRS \$12.5 million (Department of the Treasury-Internal Revenue Service, 1993: 8). The Church Tax Compliance Committee that the two parties established to monitor Scientology's adherence to the agreement consisted of Scientology's leaders--an arrangement that some critics thought was like having foxes watch a hen house (Department of the Treasury-Internal Revenue Service, 1993: 7, 16) . But at least two aspects of the decision revealed that Scientology realized immediately that it could market that decision globally. First, it ensured that a branch of its international organization dedicated to both propagating the ideology and attacking transnational enemies--the International

Association of Scientologists-was among the organizations that specifically received charitable designations (Department of the Treasury-Internal Revenue Service, 1993: 10). By this designation, Scientology could give tax receipts to Americans providing resources toward the organization's international propagation efforts. Most dramatically, however, was the aspect of the agreement that required the IRS to send a statement about the exemption to all countries in the world (Miscavige, 1993: 32).

This agreement between Scientology and the IRS essentially provided the organization with the same tax designation held by a wide variety of religious organizations. Consequently, Scientology now was able to represent instances of resistance to it in various European countries as examples of religious discrimination against an American-based group. On those 'discrimination' claims, Scientology began to receive support from the American Department of State, which has as its mandate to protect Americans, American organizations and interests, and religious freedom overseas. Indirectly, too, the IRS-Scientology agreement helped create a political atmosphere in Washington that became receptive to Scientology spokespersons, especially Hollywood celebrities, speaking to politicians and other government officials about the alleged discrimination that they and their organization suffered in Germany, France, and other European countries.

##### 5) American Policy Makers and Relationships with Controversial Religions

The prominent role that Scientology celebrities played on Capital Hill (and which I discuss in more detail later) highlights an important issue in the Franco-German versus American debate over Scientology and other controversial groups. Several European countries are concerned about the excessive access that some controversial religions have to American policy-makers. Europeans believe that these controversial religions are providing American policy-makers with information that often is questionable in content and accuracy. They also believe that this questionable information overshadows the facts and interpretations that the Europeans themselves try to provide.

## 5.1) The Unification Church

Examples abound of what the Europeans mean. Well known, for example, are the politically conservative circles in which Reverend Sun Myung Moon's Unification Church operates, and most commentators realize the political power that its conservative newspaper, *The Washington Times*, has among some policy-makers. Two former American Presidents—George Bush and Gerald Ford—have spoken at Moon-sponsored conferences, as have Senators Orrin Hatch (R-UT), Jesse Helms (R-NC), Jack Kemp (R-NY), Richard Lugar (R-IN), and Pete Wilson (R-CA) (see Clarkson, 1997: 53, see 45-75). Although, in comparison to Europe, the Unification Church's influence has been greater in other parts of the world such as Latin America and Asia, it has entered the European religious human rights debates through conferences sponsored by one of its organizations, the International Coalition for Religious Freedom.

The International Coalition for Religious Freedom has held four conferences—in Berlin; Washington; Sao Paulo, Brazil; and Tokyo. They pull together what sometimes is an impressive array of academics, middle-level or former governmental officials, non-governmental organizations and lobby groups (such as Freedom House and its Director, Nina Shea [see International Coalition for Religious Freedom, 1998; 1999]), along with representatives from controversial religions themselves. (Shea, of course, became a Commissioner in the State Department's Commission on International Religious Freedom, prior to which she served on the Advisory Committee on Religious Freedom to the U.S. Secretary of State [United States Commission on International Religious Freedom, 2000].)

What concerns some European officials, however, is that the sponsoring organization, the Unification Church, is directed by a convicted tax-fraud felon (United States Court of Appeals. . . . , 1983; see Lubasch, 1982; *News American*, 1984; *Washington Post*, 1983) who advocates a theocratic government (see Barker, 1984: 88-89; Bromley and Shupe, 1979: 97-106)—one that would be inimical to various human rights standards. Many Europeans are reluctant (and in the case of the Germans, unable) to give much if any latitude to organizations whose human rights demands toward society may cloak anti-democratic, authoritarian actions against their own members. The French, moreover, cannot support an organization that likely strives to undermine

the country's constitutional separation of church and state (Journal Officiel, 1905).

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## 5.2) Scientology

By far the most controversial religious human rights lobby-group that has impacted American foreign policy in Europe is comprised of Scientology's Hollywood celebrities. Their access to political decision-makers has diminished the stature of American foreign relations officials in the eyes of their German and French counterparts, and also probably in the eyes of other informed Europeans. In 1996 and 1997, a Scientology affiliate, Religious Technology Center, in Los Angeles was paying \$725,000 to a Washington-based firm to lobby Congress on Scientology's behalf (Dahl, 1998: 14a). The lobbying firm was Federal Legislative Associates, and in 1998 three of its staff-Stephen Amitay, Lybra Clemons, and David H. Miller--received another \$420,000 for their efforts--by far the largest amount spent by eight "clergy and religious organizations" which reported (according to American law) their spending on lobbyists that year (Center for Responsive Politics, 1998). Working with three particular Scientology celebrities--John Travolta, Isaac Hayes, and Chick Corea--this lobby firm helped to arrange a number of high-profile meetings on Capitol Hill.

What irritates various European officials so much, especially the Germans, is that these Scientologists have official public relations titles inside the Scientology organization itself. The founder of Scientology is L. Ron Hubbard (often abbreviated to LRH) and all three of these celebrities are LRH Public Relations Officers (see the list attached to Anderson, 1980; 1, 3; Church of Scientology International, 1994). As LRH Public Relations Officers, these people have the assignment to "help make LRH's accomplishments and technology known to the public," through such activities as radio and television talk shows, letters to newspapers, magazines and professional journals, and meetings with civic leaders (International Association of Scientologists, 1990).

Probably through the efforts of the high-paid Scientology lobbyists, Travolta, Hayes, and Corea made presentations before the Helsinki Commission in September 1997. A

photographer for a New York newspaper captured the Chairman of the Helsinki Commission at the time, Alfonse D'Amato, hugging Travolta on the day on which Travolta "testified about persecution of Scientologists" at the hearing (New York Post, 1997).

Earlier in 1997, President Bill Clinton met Travolta at a conference in Philadelphia, and the American President told Travolta that he wanted to help him with Scientology's problems in Germany. He followed up on that promise by arranging for the White House political affairs director to set up a briefing with Travolta and other Scientologists with national security advisor, Sandy Berger (Young, 1998: 138). Even before Travolta and Clinton met, an exclusive article that Clinton supposedly wrote against drug-use appeared in Scientology's propaganda magazine in France (Clinton, 1996). Actors and Scientologists, Tom Cruise and Nicole Kidman, contributed \$14,000--part of the \$58,000 they donated between 1998 and mid-June 2000--to the Senate campaign of Clinton's wife, Hilary (Stern, 2000). (Their other recipients included Al Gore [\$5,000] and the Democratic Minority Leader in the Senate, Tom Daschle [\$2,000] [von Rimscha, 2000]). A high-profile Scientology lawyer in Washington, D.C., (John Coale, husband of Scientologist lawyer and television commentator, Greta Van Susteren) gave \$20,000 to the Democratic party (which is Clinton's party) in 1998 (Jacoby, 1998: 5) and \$70,000 by March 2000 (Wayne, 2000: A1). In August 2000, when Travolta introduced the President at a \$25,000-a-plate fund-raising dinner for the Clinton presidential library, the celebrity gushed, "'Let's raise our glasses to our President, the greatest president of all time'" (Travolta quoted in Kennedy, 2000: 2).

On June 14, 2000, Scientologist and actress, Catherine Bell, filled in for her friend (and Scientologist), Anne Archer, before the House Committee on International Relations. (Worth noting is that The Washington Post reported on her upcoming testimony, but confused fantasy with reality by running a picture of her in her television character's U.S. Marine uniform, which gave the impression that Bell was in the military [Grove, 2000].) Bell, like other Hollywood Scientologists before her, criticized Germany's position on the organization to which she belongs, and (as part of her presentation) introduced German citizens in the audience who allegedly had experienced discrimination in Germany because they were

Scientologists.

Among the Germans she introduced was "Ms. Antje Victore, who in 1997 became the first German Scientologist to be granted asylum by a U.S. immigration court on the grounds that she faced ruinous religious persecution if she had to return to Germany" (Bell, 2000: [3-4]). Bell could not have known that, two weeks later, Germany's Stern magazine would expose her asylum application as fraudulent. Already in deep personal financial trouble herself, Victore feared that she was going to be called as a witness against her former Scientologist boss who was about to go on trial for tax evasion. If she were to have been put on the stand, then she likely would have been pressed to provide information about Scientology's business activities in Germany. Consequently, in an effort to get her out of the country, Scientology agents from the organization's Office of Special Affairs got at least five Scientology business owners to write fake letters to her, all rejecting her for employment because of her Scientology involvement. Apparently on the basis of these fake "job rejection" letters, an American immigration judge granted her asylum. In sum, part of Bell's testimony before the committee was based upon information that her organization provided her about a fraudulent event (Kruttschnitt, Nuebel, and Schweitzer, 2000; see Billerbeck, 2000).

The other Scientologist who testified at the hearing (Chick Corea apparently was scheduled to speak, but was unable to attend) was Craig Jensen, Corporate Executive Officer of Executive Software, a company that wrote the disk defragmenter program that Microsoft uses in its Windows 2000 program. (A defragmenter rewrites all files on a disk or hard drive so that all parts of each file are stored on contiguous sectors rather than spread throughout it.) It is not clear how far back Jensen's relationship goes with the House committee chairman, Benjamin A. Gilman (R. NY-20th), but on July 2, 1998 Craig Jensen and a "Sally Jensen" (also of Executive Software) were among ten California Scientologists who donated to Gilman's campaign fund (totaling \$7,400). (Both Jensens gave \$1,000 [Center for Responsive Politics, 1999: 18; cf. von Rimscha, 2000: 2]). The following year (on October 21, 1999), Gilman, along with Representative Matt Salmon (R-AZ), introduced a bill (House Resolution 388) that (had it not died in committee) would have chastised Germany for its treatment of Scientology (Gilman, 1999; see Cienski, 1999).

Before Gilman's committee, Jensen complained that Hamburg, Germany's Ministry of the Interior, in conjunction with the state's "Working Group Against Scientology," instituted a so-called 'sect-filter' requiring that potential employees declare that they are not affiliated with Scientology (Jensen 2000: 4). Consequently, some German government officials were calling for "a full-scale government prohibition on the sale of Windows 2000 in Germany" (Jensen, 2000: 2). These same objections had led the U.S. Trade Representative, Charlene Barshefsky, to challenge the German position a month before Jensen's appearance, even suggesting that the U.S. would file a formal complaint against Germany at the World Trade Organization if the issue were not to be resolved (Burgess, 2000).

German information on the practice is readily available on the State of Bavaria's web site, where it describes its 'sect-filter' by stating, that, as of November 1, 1996, contractors had "to submit an affidavit (affidavit of protection) in certain cases declaring that they were not followers of the Scientological teachings," claiming, "public offices run the risk of being infiltrated when entertaining business contracts with Scientology" (Government of the State of Bavaria, 2000). "Software consulting" was one type of business about which these officials specifically were concerned (Government of the State of Bavaria, 2000).

Jensen was unable to say why German officials reacted so dramatically to the news that his company designed a program that was part of the Windows 2000 package (Jensen, 2000: 2 n.2), yet the reasons were not difficult to discern. As German Ambassador, Jürgen Chrobog reported in his letter to the House committee:

The Federal Labor Court ruled in 1995 that Scientology was not a religious congregation, but a commercial enterprise. The court quoted one of L. Ron Hubbard's instructions to 'make money, make more money-make other people produce so as to make money' and concluded that Scientology purports to be a 'church' merely as a cover to pursue its economic interests. Therefore, Germany does not consider the Scientology organization a religion. It is not alone in this assessment: Belgium, France, Great Britain, Ireland, Italy, Luxembourg, Spain, Israel, and Mexico, to name a few, share this view.

German authorities are also concerned about Scientology's documented history of taking advantage of vulnerable individuals, and that its totalitarian structure and methods may pose a risk to citizens and our democratic society (Chrobog, 2000, 1-2; but on the complicated position of Scientology in Italy, see the "Italian Supreme Court" entry and discussion in CESNUR, 1999).

Jensen spoke as if German actions were examples of religious discrimination, but in Germany the Scientology organization is not a religion and, according to many of its governmental officials, a probable threat to democracy.

Moreover, Jensen failed to inform House committee that a reason German officials were especially concerned about his company's involvement with the software was because they feared espionage by Scientology itself. Their concern was that Scientologists (who, like him, presumably were involved in product design) could have placed a secret code in the program that would have allowed the organization to enter the software while it was defragmenting and read the disk or hard drive's contents. These fears were grounded in Scientology's history of espionage activities against government targets around the world.

Eleven Scientologists were convicted on conspiracy and theft charges in 1979 and 1980 for operations that they had carried out against several federal offices (see United States District Court for the District of Columbia, 1979; 1980). In 1992, the Church of Scientology of Toronto and seven Scientologists were convicted on various criminal charges related to their infiltration of the Ontario Provincial Police and the Ontario Ministry of the Attorney General (Court of Appeal for Ontario, 1997; see Claridge, 1992a; 1992b). A Greek court case against Scientology's "Center of Applied Philosophy of Greece" (KEFE) revealed a document apparently indicating that a Scientologist had given KEFE a classified report from the Hellenic Intelligence Agency of the government (Beneas, 1995: 3-4). (Not surprisingly, the court ordered the organization to cease operations completely [St. Petersburg Times, 1997; Washington Post, 1997]). In December 1990, a Scientologist and two private investigators received three month suspended sentences for illegal espionage in Denmark (Mission Interministérielle de Lutte contra les Sectes, 2000: 47). Finally, French officials monitoring 'cults'

believe that Scientologists "succeeded in infiltrating the environment of a former state president . . ." (Alain Vivien, quoted in Luedenscheider Nachrichten, 1999) - presumably Francois Mitterrand (Heimgaertner, 1999: 2) --and possibly got inside the judicial police (AFP, 1999b). Taken together, therefore, Germany's security concerns about software developed by a prominent Scientologist certainly are justified. Jensen, however, failed even to mention his organization's history of governmental espionage when testifying before the House Committee on International Relations. His failure to do so is unfortunate, since this information would have helped committee members understand Germany's reaction upon learning that a software company owned by a prominent Scientologist contributed to the Windows 2000 operating system.

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### 5.3) America's 'Subversives' Filter-The U.S. Code

In all of the debate over Germany's "sect filter," no one has pointed out the striking similarities between it and the "loyalty oath" that American civil servants in the federal and District of Columbia governments must sign. According to 5 USC Sec. 7311 of the United States Code:

[a]n individual may not accept or hold a position in the Government of the United States or the government of the District of Columbia if he -

(1) advocates the overthrow of our constitutional form of government;

(2) is a member of an organization that he knows advocates the overthrow of our constitutional form of government....

The U.S. Code specifies that an employee can be investigated, and possibly suspended, terminated or legally charged, for "[e]stablishing or continuing a sympathetic association with a saboteur, spy, traitor, seditionist, anarchist, or revolutionist, or with any espionage or other secret agent or representative of a foreign nation, or any representative of a foreign nation whose interests may be inimical to the interests of the United States" (U.S. Code, Sec.8. [3]).

Without getting further into the merits of German

officials' perception of Scientology, many of them see that organization as a threat to their democratic state because of the group's history of espionage in the context of intra-organizational totalitarianism and probable human rights abuses against many of its members. Germany's Ambassador, Jürgen Chrobog, summarized most of these conclusions in a letter that he wrote to Congressman Gilman in 1997, after Gilman's Committee on International Relations received a bill that six congressional members sponsored a House Resolution protesting Germany's alleged discrimination against religious minorities (House of Representatives, 1997). Succinctly, Chrobog wrote, "there are increasing indications that the Scientology organization uses totalitarian and thus unconstitutional means to oppress its members and their families" (Chrobog, 1997: 1). Consequently, German government officials, like their American counterparts, maintain the right to bar such people from civil service positions and other roles involving the receipt of public money or sensitive information.

#### 5.4 Hollywood Celebrities and Their 'Nazi' Analogy

Certainly the most incendiary event involving celebrities was the "open letter" to Chancellor Helmut Kohl in January 1997 that equated the German government's handling of Scientology with Nazis' persecution of Jews prior to World War II. Many of the thirty-four Hollywood celebrities who signed it had close ties to prominent Scientologists John Travolta and Tom Cruise, and German officials were infuriated with the letter (Whittell, 1997). (Indeed, to their credit, the State Department and the Secretary of State denounced the Nazi comparison [see United States Department of State, 1996; 1997a], as did the United Nations investigator on religious freedom [Higgins, 1998].) Seen in context, however, with the Scientology celebrity lobby, all of these incidents indicated to the Germans (and, for that matter, to the French [Bouilhet and Doré, 1999; Ternisien, 1999: 14]) that American foreign policy toward their country about religious human rights was being unduly influenced by what many critics cleverly call "Scientologywood."

#### 6) Primary Groups Lobbying in Europe on Behalf of Controversial 'Religions'

While the Scientology lobby has had a surprising impact

inside the United States government, intense lobbying on the part of various interested parties also occurs on international levels. A document, for example, that a Greek court made public showed very clearly that Scientology in Greece set out to "[e]stablish comm[unication] lines in the area of Human Rights groups" (Office of Special Affairs, 1995: 7), and it is certain that the organization has attempted to forge similar links with human rights organizations throughout Europe. (For example, from Poland in September 1994, German Scientologists sent a four-page "Executive Summary" about their group's supposed plight in Germany to delegates participating in the CSCE summit in Budapest [Scientology Kirche Deutschland eV, 1994].)

The highest profile lobbying and information group for controversial religions is CESNUR (the Center for Studies on New Religions), which is based in Torino, Italy (with contacts throughout Europe and North America) under the directorship of patent/trademark lawyer and independent scholar, Massimo Introvigne. A persistent critic of any national attempts to identify or curtail so-called 'cults,' Introvigne has spoken out against what he considers to be intolerance toward "minority religions," especially in Belgium, France, and Germany. On July 30, 1998, for example, he spoke about (alleged) intolerance and related issues before the Commission on Security and Cooperation in Europe (i.e., the Helsinki Commission) in Washington, D.C., and concluded by warning against public sponsorship of private anti-cult organizations (which he dislikes partly because, he says, they ignore scholarly findings [Introvigne, 1998]). He expanded on these themes in his 1999 presentation to the OSCE, which met in Vienna (Introvigne, 1999b). (In turn, Karen Lord of the Helsinki Commission, and Jeremy Gunn--who has been on the staff of the United States Institute of Peace, the United States Department of State's Commission of International Religious Freedom, and the U.S. Mission to the OSCE--spoke at CESNUR's June 1999 conference in Pennsylvania [CESNUR, 2000b]. Both Lord and Gunn also were scheduled again to speak at the 2000 conference in Latvia [CESNUR, 2000c]). Many observers of Europe's "religious tolerance" wars, however, share the observation made about Introvigne and his associates in Holland--that they are "very partial toward the public defense of those sects (for which they are often members) which have been discredited" (Louter, 1997: 5).

For example, Introvigne publically endorsed a fiction book written by the controversial (now deceased-by suicide) guru, Dr. Frederick Lenz (Zen Master Rama)-known for his materialism, financial exploitation of members, and the likely sexual coercion of many of his female devotees (Konigsberg, 1998). "Those who disagree with the alternative spirituality world view (once called New Age) in general will probably also disagree with this book," Introvigne concluded in his endorsement of Lenz's *Surfing the Himalayas*. "They may, however, recognize it as the real thing, the work of a key figure in the alternative spirituality tradition" (Introvigne, 1998?). Likewise, his testimony on behalf of Scientologists on trial in Lyon, France (in a case that led to manslaughter and fraud convictions involving six of them) did little to erase his "sect-friendly" image (A.R. [F], 1997; Cossu, 1998; Morgan, 1998). Moreover, controversies around some of his scholarship (especially about both "Internet terrorism" and the American Psychological Association's discussion on "brainwashing" and coercive persuasion), plus additional questions about his membership in the ultra-conservative Catholic organization, *Alleanza Cattolica*, have brought Introvigne into battle with critics (see Sarper and Martinez [eds.], 1999).

Many German and French officials working on issues related to religious 'sects' and human rights do not see CESNUR and Introvigne as neutral parties in the ongoing debates (a judgement that certainly flows both ways). Consequently, other people and organizations have damaged their reputations (rightly or wrongly) among these officials by associating too closely with CENSUR. Certainly this is the case with the United Kingdom's "new religious" information organization, *INFORM*, which is organizing a conference with CESNUR in 2001 (CESNUR, 2000d). (Many scholars, however, see both CESNUR and *INFORM* in a favourable light, and they share its criticism of the "sect-monitors" in France, Germany, and Belgium.)

#### 6.1) French Allegations Against Karen Lord

The most significant example of a person's association with Introvigne and CESNUR damaging her reputation among some governmental officials apparently happened in the case of Karen Lord. On March 22, 1999, Lord had been present at an OSCE Supplementary Human Dimension Meeting on Freedom of Religion in Vienna, where the OSCE issued a scathing report

on the condition of "new religions" or "sects." It stated that the French National Assembly had:

published the Guyard Report, which listed 172 cults deemed harmful and dangerous. This resulted in media reports libeling minority religions, the circulation of rumors and false information, and incitement of religious intolerance. Against this background, a manifold pattern of virtual persecution has developed. Minority religions have been publically marginalized and stigmatized, and there have been attempts to hinder their activities . . . .

Basing this report on a July 7, 1998 "press release" (updated on March 4, 1999) by a Belgium-based group called Human Rights Without Frontiers, the statement specifically mentioned the Interministerial Mission Fighting Cults (MILS) and its President, Alain Vivien. According to the OSCE statement, The Mission's actions have led "to slanderous reports in the media, to professional prohibitions, to religious discrimination by the French authorities and to increasing intolerance from civil society towards ordinary people on the grounds of their personal religious beliefs" (OSCE Supplementary Human Dimension Meeting . . . , 1999).

Representing MILS at the OSCE meeting was its secretary-general, Denis Barthélemy, who responded to four 'attacks' that were similar to the OSCE Supplementary statement, three of which he claimed had originated with Scientology and the other by the Jehovah's Witnesses. He attempted to explain France's position on religious human rights, and mentioned that religious freedoms can conflict with collective freedoms on a number of points ( Barthélemy, 1999). Subsequently, Introvigne, whose paper was among those to which Barthélemy responded, called his statement an "hysterical reaction" (also "an emotional statement-at times verging on hysterical" [CESNUR, 1999?]). Needless to say, the French were extremely displeased by the entire affair.

About two weeks after the OSCE meeting (on April 6, 1999), MILS officials received a delegation representing the American Ambassador-at-Large for International Religious Freedom, and among them were Jeremy Gunn and Karen Lord (both of whom, French officials believed, were supporters both of many controversial groups and of the French critics at the OSCE). Making tense matters even worse, the MILS

officials had requested normal background information on the delegation prior to their arrival, and their official sources indicated to them that a member of the delegation was either close to Scientology or an actual member. Deducing that the suspect person may have been Lord, the President of MILS, Alain Vivien, refused to answer a question that she posed, and only answered to the head of the American delegation.

The Americans were insulted. In a June 8, 1999 hearing of the Helsinki Commission, Co-Chairman Senator Ben Nighthorse Campbell (R CO) overstated the incident when he said that Alain Viven:

originally refused to meet Karen Lord sitting right here, a member of our staff, and her delegation because he obviously had wrong information. This incident was certainly an eye opener for this Chairman and for the members of our Commission because she was thought to be part of a dangerous sect.

Well, alarm bells went off all over Washington and certainly among the Democrats and Republicans that make up this Helsinki Commission. We do have a very good, broad group of conservatives and liberals and moderates on the Commission (quoted in Commission on Security and Cooperation in Europe, 1999: 41-42).

For their part, the French were still angry at the criticisms these delegates and others were leveling at their policies while at the same time seemingly supporting Scientology and other controversial groups. On June 11, 1999, MILS discussed the incident concerning Lord within a four-page general letter, in which it indicated its surprise at her membership in the visiting delegation, since she was "implicated to be near or a member of a sect" ("mise en cause comme étant un proche ou membre d'une secte" ) [Mission Interministérielle de Lutte contre les Sectes, 1999: 3]).

Soon after the tense Franco-American meeting, both Lord and Gunn made presentations to the June 1999 CESNUR conference in Pennsylvania, where apparently they indicated that CESNUR played an important role in providing information to American officials about religious tolerance in various Western European countries (CESNUR, 2000b: 1). In the eyes of French officials, the involvement of both Lord and Gunn

with CESNUR simply reinforced their distrust of these Americans. Gunn, in turn, remained affronted by the incident between the MILS president and Lord, so a year after it happened, he presented an account of it before the House International Relations Committee (on June 14, 2000). He stated that Lord was not a Scientologist, and next he challenged Vivien "either to provide evidence to support it [i.e., the Scientology claim] or to issue an apology to Ms. Lord and the United States" (Gunn, 2000a: 7-8). The CESNUR web site also reported on the incident, and dismissed the allegation that Lord was "part of a dangerous international totalitarian cults [sic]" by saying that she "is a member of a small U.S. Christian congregation" (CESNUR, 2000b).

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## 6.2) Introvigne's Critique of the MILS's Report for the Year 2000

Hostility between CESNUR and MILS shows no sign of abating, as Introvigne continues his criticism of the French governmental 'anticult' organization. Most recently, Introvigne scoffed at the responses that MILS offered to the September 2000 Report by the U.S. Department of State's Bureau of Democracy, Human Rights, and Labor on "International Religious Freedom" (United States Department of State, 2000a; 2000b). French officials asserted that their country's balance between, on the one hand, freedom of conscience and, on the other hand, public order provided far greater religious protections than did the American model (which only emphasized conscience issues [Mission Interministérielle de Lutte contra les Sectes, 2000b: 8-9]). With this assertion as background, the French report specifically challenged the authority of the Department of State to make pronouncements about the nature of various organizations operating in France. A section within the Department of State's "executive summary" about the larger report criticized France in a section subtitled, "Stigmatization of Certain Religions by Wrongfully Associating Them with Dangerous 'Cults' or 'Sects'" (United States Department of State, 2000a: 6). Since part of the first amendment to the American Constitution states, "Congress shall make no law respecting an establishment of religion," the MILS report wondered what gave the State Department the 'right' to pronounce on "the religious nature or not of a group, a movement, a cult, or a sect or any other body" within French borders when it could not do

so in its own land (Mission Interministérielle de Lutte contra les Sectes, 2000b: 8, 18). Likewise, when the executive summary of the International Religious Freedom report mentioned the French list of 173 'cults' and concluded, "[a] few of the groups on the list are clearly dangerous, but most are merely unfamiliar or unpopular" (United States Department of State, 2000a: 7), MILS replied that the Americans apparently had made lists themselves but failed to convey them! (Mission Interministérielle de Lutte contra les Sectes, 2000b: 18).

Introvigne dismissed these and other French challenges by concluding, "[t]he most egregious part of the [MILS] report is an unprecedented (even by MILS [sic] standard) assault on the United States," including its Constitution (Introvigne, 2000). He discarded the MILS officials' claim about the superiority of the French-over-the-American stand toward religion by mentioning the "the massacre of hundreds of thousands of Roman Catholics and other religious dissidents during the [French] Revolution" (Introvigne, 2000). Indeed, he added, "MILS can only be understood within the framework of French century-old aggressive secular humanism grounded in the French Revolution itself" (Introvigne, 2000)-a conclusion that suggests the conservative Catholic orientation of the CESNUR organization.

In a cryptic but important sentence, Introvigne used this "secular humanism" criticism to explain why the French indicated that the U.S. gave sanctuary to "militarized organizations of some large multinational cults" that go so far as to proclaim a "'Call to Arms' against democratic institutions" ((Mission Interministérielle de Lutte contra les Sectes, 2000b: 36 n. 9). Unless readers knew (Introvigne claimed) the secular humanistic orientation of MILS officials, the French report's statement about militarized cults receiving American sanctuary "would seem a simple incident of unchecked foolishness by individual anticultists unwisely invested with an official position" (Introvigne, 2000).

What Introvigne's dismissive CESNUR critique failed to mention, however, was that this French allusion to militarized cults gaining American sanctuary almost certainly was to the American charitable status that the Internal Revenue Service had granted to Scientology. Presumably the French understood that the structure of

Scientology's 'elite' Sea Org[anization] resembles a military structure (complete with uniforms and ranks), and that at least one of its main facilities (at Hemet, California) apparently has personnel trained in the use of explosives, semi-automatic rifles, and other stockpiled weapons (Tabayoyon, 1994, paragraphs 28-33). In addition, the French officials also likely knew that a staff member in Scientology's "Office of Special Affairs International" had issued a "Call-To-Arms" against Germany on May 4, 1994 (in response to what it called "neo-Nazi government attacks" against it [Buchele, 1994]). Moreover, these officials certainly knew of the "Call to Arms" against France itself, issued by the Church of Scientology International's President, Heber Jentzsch (Jentzsch, [2000]). Introvigne, therefore, had attempted to dismiss MILS and its annual report without providing contexts for the report's claims, and this attempt will reinforce the opinion of MILS officials that the Italian-based organization is a biased, apologetic 'cult'-defender.

### 6.3) Additional Groups Lobbying in Europe on Behalf of Controversial 'Religions'

As far as governmental officials in several countries believe, CESNUR is not the only European group apparently lobbying on behalf of allegedly controversial "minority religions." These officials are convinced that another group--Human Rights Without Frontiers (run by Willy Fautré in Belgium)--shares the same agenda, partly because the group seems quick to post favourable information about Scientology and other groups (see the comment in M. Barthélemy, 1999). Likewise, the membership of a British Lord in Scientology, Baron Duncan James McNair (see Muir, 1994), discredits a group to which he belongs--the Conseil pour Les Droits de l'Homee et la Liberte Religieuse--in the eyes of the French. (In 1999, McNair wrote to Lord Russell-Johnston, who was the President of The Parliamentary Assembly of the Council of Europe, that the French situation of having the Interministerial Mission Fighting Cults working within the French Prime Minister's office "equates to having the Witchfinder General installed at No. 10 Downing Street" [McNair, 1999]). Likewise, the Germans dismissed McNair's "Ad Hoc Committee to Investigate Discrimination Against Ethnic and Religious Minorities in Germany" because of his Scientology involvement, as they do a new Scientology-sponsored "organization" (or so it seems) on the Internet, The Foundation for Religious Tolerance

(Foundation for Religious Tolerance, 2000).

The Council of Europe became so concerned about the availability of biased information from lobbyists that it recently passed a resolution stating:

It is of prime importance to have reliable information on these groups that emanates neither exclusively from the sects themselves nor from associations set up to defend the victims of sects.

Consequently, the Council has recommended that the governments of member states "where necessary, to set up or support independent national or regional information centres on groups of a religious, esoteric, or spiritual nature" (Council of Europe, 1999: 2). To some American officials, it is unthinkable that governments would collect information on religious groups. From a European standpoint, however, these centres may be the best way to control the quality of information that government officials, law enforcement, and the general public receive.

#### 7) The American Lesson About Privately Run "Cult" Information Organizations

Another reason that the Council of Europe has called for government-funded information centres is because it has learned from the American experience that privately run so-called "cult-information" organizations are extremely vulnerable both to infiltration by sect-planted spies and to destruction by the very groups that they attempt to monitor. Indeed, many of the controversial new religions are really multi-faceted transnationals that have ready access to enormous resources--far more than any "cult-information" or "cult-monitoring" private agency ever could muster (see Kent, 1999a). The American example of the Cult Awareness Network provides Europeans with a negative model--a worst case scenario--that occurred when a "cult-monitoring" agency lacked state protection.

To simplify a complicated story, Scientology bankrupted the Cult Awareness Network through legal challenges and, finally, a highly questionable court case, and through them acquired its name, logo, phone number, and files as part of the bankruptcy payment. All the while, Scientology had a spy in the Cult Awareness Network office who was filing secret reports about the organization's strategies to avoid

bankruptcy and protect its files. The personal correspondence that distraught parents or former members sent to the Cult Awareness Network now is in the hands of its greatest enemy-Scientology, and the new Cult Awareness Network directors have offered to turn over the files to the respective groups themselves (see Kent and Krebs, 1998b: 39-42). This kind of gross violation of privacy and confidentiality would not happen if the European nations have governmentally-sponsored monitoring and information sharing agencies, as has been recommended by the French, the Germans, the Belgians, and the Council of Europe.

Key American government officials, however, seem to be uninformed about these events in their own country. The Chairman and Co-Chairman of the Congressional Caucus on Committee on Human Rights International Relations, Tom Lantos (D-CA) and Benjamin A. Gilman (R-NY), protested to the President of The Parliamentary Assembly of the Council of Europe, "[t]here are grave risks that encouraging the formation of 'information centres' will in fact result in the dissemination of misinformation that will reinforce unfair stereotypes and contribute to the growth of intolerance rather than understanding" (Lantos and Gilman, 1999: 2). These officials seem to be unaware of the misinformation that is disseminated by non-governmental, sect-directed or influenced information and lobbying organizations, the most blatant of which-the 'new' Scientology-directed CAN-operates in the United States itself.

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#### 8) The Belgian and French 'Sect Lists'

Among the most frequently criticized activities by Western European governments is the production (by government-commissioned bodies) of reports that name groups as being sects (or, as some people prefer in translation, cults). A 1997 Belgian parliamentary commission on potential dangers from cults (see Allard, 1999) spoke about them both as small, but not harmful, groups within religions and harmful groups espousing religious or philosophical purposes that involve illegality, harm, or the impairment of human dignity (United States Department of State, 1999a: 2). The final report, however, listed 189 sectarian (or cult) groups operating in the country (for a partial list see Religious Tolerance, 2000), but in so labeling them did not

identify whether they supposedly were or were not harmful.

The Belgian Parliament adopted the commission's report (but not the list of 'cults'), and by doing so established a "Center for Information and Advice on Harmful Sectarian Organizations." This Centre was to involve itself in proposing relevant legislation and providing general public education, but the law prohibited it from providing opinions about particular organizations (United States Department of State, 1999a: 3). In, however, one of its educational campaigns, a government agency implied that the Anthroposophic Society was a dangerous sect, and the Society successfully sued to get the offensive material removed (United States Department of State, 1999a: 28; see Willy Fautré's comments in Commission on Security and Cooperation in Europe, 1999: 22).

Relying heavily on material provided by Human Rights Without Frontiers, the OSCE criticized Belgium in a report on "Religious Discrimination and Related Violations of Helsinki Committees," after its March, 1999 meeting in Vienna (International Helsinki Federation for Human Rights, 1999). The OSCE could not have foreseen, however, the raids (in Brussels, Malines, Louvain, and Heidonck, as well as in France) against an array of groups and businesses associated with Scientology (apparently in response to a 1997 Brussels complaint by someone seeking to recover money she had paid into the organization [AFP, 1999a]).

The fact that the Scientology raids occurred simultaneously in Belgium and France indicates that the two countries work together on at least some sectarian or cult issues. One of French reports, too, which a Commission of Inquiry Into Cults of the National Assembly produced, bears some similarities to the Belgian effort, with the French naming 172 'cults' in addition to the Jehovah's Witnesses (La Commission d'Enquête, 1995: 21-25, see 60). Likewise, as happened in Belgium, the Anthroposophists protested their inclusion in the French list, and in March 2000 they won an court judgement of 20,000 francs and an additional 90,000 francs in damages. The judge in the case issued a scathing evaluation of the principal investigator, Jacques Guyard, and the research methods of the Commission of Inquiry, denying its status as a serious report (Dumay, 2000).

American officials added their criticisms to the report, but in doing so unintentionally demonstrated the merit of

French officials having actually printed the names of the 'cults' about which it was concerned. Among the critics was Jeremy Gunn, in his capacity as Director of Research and Deputy General Counsel for the U.S. Commission on International Religious Freedom. (Gunn's interest in France dates back at least to 1975, when he was a History and Humanities instructor in Paris for his alma mater, Brigham Young University [Gunn, 2000b: 3].) In his June 14, 2000 statement before the U.S. House International Relations Committee, he listed six methodological concerns that he had with the compilation of the French list by the French Commission of Inquiry Into Cults and other publications by MILS. He claimed:

- 1) The Commission did not consult with informed academics or scholars of new religions.
- 2) Neither the Commission nor MILS officials consulted with current leaders and members of the 'sects.'
- 3) The major documentary evidence behind various French reports came from closed police files, the contents of which neither the groups nor its members can refute or even see.
- 4) The Commission and MILS generalized onto the groups themselves from the alleged misdeeds (or even proven crimes) of members (for example, with the fraud and manslaughter convictions of Scientologists in Lyon).
- 5) By focusing on problems that occur within groups rather than on the problems themselves, French reports lost the ability to compare the frequency of these occurrences to neutral populations.
- 6) The French 'anti-cult' movement (including a report published by MILS in 2000) relied upon "untested accusations against groups and ignores findings that oftentimes exonerate groups" (Gunn, 2000a: 12, see 10-12).

He concluded his analysis by referring to "the 'methodology' of prejudice" that underlies reports being produced by the French Interministerial Commission Combating Cults and the French Assembly's Commission of Inquiry Into Cults (Gunn, 2000a: 12).

While not wishing enter into a comprehensive methodological

debate, each of these criticisms nevertheless has a ready response. Gunn's chastisement of the French investigators' failure to consult scholars about the 'new religions' actually may have been an attempt on the part of officials to avoid bias in their findings. Undoubtedly MILS and Commission members felt that a number of scholars themselves have been compromised by various groups, so it was pointless to rely upon many of them for unbiased information. Indeed, this debate about objectivity and impartiality among scholars who write on so-called 'new religions' now rages within both social scientific circles and Internet communities (Kent and Krebs, 1998a; 1998b; 1999; Lewis, 2000; Melton, 2000; Reader, 2000; see Hausherr, 1999), and certainly French officials would not have been able to solve it.

Initially regarding Gunn's second point, it also seems reasonable that consultations with current leaders and members likely would provide important sources of information. This likelihood would be true, however, only if the groups allow informants to speak freely, critically, and without fear of retaliation, which often is not the case. Along these same lines, legitimate fear of retaliation requires that investigative agencies keep reports secret. The fact that French officials used police files of this nature actually indicates that it obtained access to highly confidential material that the public rarely sees. Moreover, these governmental officials would be justified in generalizing crimes from the perpetrators to their organizations if and when they show that the people were committing "religious crimes" or "crimes for religions" "in accordance with groups' operational goals" (Kent, 1998: 121).

Regarding Gunn's fifth methodological criticism, comparative studies of "incidence rates" of deviation or crimes certainly are worth seeking, but researchers can conduct examinations of one type of social organization-in this case, minority religious claimants-in an effort to determine internal activities of a deviant and/or criminal nature outside of a comparative context. Finally, on Gunn's sixth point, exonerating evidence is important to acknowledge, but sometimes it reflects elements other than an accurate rendition of facts. Along these lines, Gunn mentioned that MILS has listed the Children of God/The Family as a problematic sect, yet brutal raids of Family communes by French police in 1993 on suspicions of child

sexual abuse led to a judge dismissing all charges against group members and closing the case (Gunn, 2000: 2; see Richardson, 1999: 181). Indeed, citing information like this is crucial for a balanced report that convinces informed scholars and officials, but even in this Family case much is open to interpretation. For example, a 1995 ruling by a British judge concluded, "I am totally satisfied that there was widespread sexual abuse of young children and teenagers by adult members of The Family, and that this abuse occurred to a significantly greater extent with The Family than occurred in society outside it" (Ward, 1995: 111; see Kent, 1994: 167-169). If Ward were to have been correct (and very good documentation indicates that he is), then the important questions about the French raid (and several others around the world) involve the failure of officials to find child sexual abuse victims rather than ones about the group's exoneration amidst persecution. (Likely answers would address The Family's destruction of controversial 'underage sex' publications in the late 1980s and early 1990s; rehearsals among members about answering questions by authorities; fear among the Family children of being permanently removed from their parents and friends; and doctrinal changes around child sexual practices in the early 1990s). Future MILS reports would be less open to criticism if they were to include some examples that appear (at first glance) to contradict their findings, but the sparsity of such information in reports up until now does not necessarily invalidate their contents.

#### 8.1) Institut Théologique de Nîmes, Greater Grace Ministries, and The Bible Speaks

Putting these important methodological questions aside, some of the best evidence for the value of French authorities having named sects (or 'cults') comes, inadvertently, from an analysis of a group whose cause Gunn has championed. In his meeting with French MILS officials on April 6, 1999 (as part of a three person American delegation), Gunn spoke about the alleged plight of the Institut Théologique de Nîmes (also called Eglise Evangelique de la Grace). The group's pastor in France, Louis DeMeo, has complained about discrimination against his group and its members after the Institut showed up on the 'cults' list, and (as a French official informed me), Gunn reiterated many of DeMeo's claims to MILS. (Apparently MILS officials supported the Commission of Inquiry's placement of it on the list because their information told

them that some of the group's educational methods probably violated the International Convention on the Rights of the Child-one of the conventions [the French pointed out] that the American government had not ratified [Mission Interministérielle de Lutte contra les Sectes, 1999 :2].) Moreover, Gunn probably had this group in mind when he told the House International Relations Committee (on June 14, 2000), that among the French and Belgian lists were such established groups as "Southern Baptists" (Gunn, 2000a: 10). Indeed, Massimo Introvigne called DeMeo as the "leader of an independent Baptist group" (CESNUR, 2000b).

For a group that (at least according to the 1995 French report) has somewhere between fifty and five hundred members, the Institut has attracted a great deal of American attention. In, for example, the U.S. Department of State's Annual Report on Religious Freedom for 1999 has four paragraphs devoted to it, most of which repeat its discrimination claims as the result of the "sect" label (United States Department of State, 1999a: 33). Equally important, DeMeo testified before the Helsinki Commission at its June 8, 1999 meeting in Washington, D.C., where he related his harassment and discrimination accounts to the committee. They include: allegations about brainwashing in children's education; job discrimination; denial of access to a public hall; and financial discrimination from a bank and the governmental tax authority. In addition, DeMeo complained that he could not do anything to get French officials to remove his group's name from the list (DeMeo in Commission on Security and Cooperation in Europe, 1999: 27-30).

Information, however, that members of MILS published in January 2000 about the American parent church of the Institut, Greater Grace Ministries (of Baltimore, Maryland) make it highly unlikely that they plan to change their opinion (see Greater Grace Missions, 2000). MILS indicated that it had learned from various press sources that Greater Grace Ministries had worked with Scientology to take-over an 'anti-cult' organization and transform it into a "cult-defending" one (Mission Interministérielle de Lutte contra les Sectes, 2000: 19). The action to which the report alluded involved Scientology's take-over of the Cult Awareness Network, assisted by a Greater Grace minister and spokesman, George Robertson.

The story of Greater Grace Ministries illustrates why

French officials resent criticism from American officials about their critical stance toward some groups. In essence, the ministry's founder and central pastor, Carl H. Stevens, Jr., had used undue influence to defraud a member (Betsy Dovydenas) out of \$6.6 million (US) when he ran a ministry called The Bible Speaks in Lenox, Massachusetts. Dovydenas won a 1982 court decision against her former pastor, but she got little of her money back since The Bible Speaks had declared bankruptcy (with some of the money having gone toward Stevens's purchase of a Florida condo [Russell, 1999: 18]). According to an article that appeared shortly after the trial in the Boston Globe Magazine:

[t]he ferocity of Judge James F. Quenan Jr.'s decision [against Stevens] came as a surprise even to Betsy's attorneys. Quenan was convinced of 'an astonishing saga of clerical deceit, avarice, and subjugation on the part of the Church's founder, Carl H. Stevens.' The decision went on: 'He has abused the trust of the Claimant [Betsy Dovydenas] as well as the trust of many good and devout members of the Church....' The judge was convinced that Stevens 'demanded the Claimant's total submission to him.... In short, the Claimant was a marionette at the end of a number of strings manipulated by Stevens (Boucher, 1987).

Stevens, meanwhile, closed down his Lenox operation and moved to Baltimore in 1986 and established a new group, Greater Grace Ministries, with the help of another pastor, George Robertson.

Robertson was never ordained by a recognized institution, and he described this new organization in Baltimore as "having an 'independent evangelical orientation that recognizes Baptist teachings'" (Robertson quoted in Russell, 1999: 18). Critics of the French who say that their officials are suppressing Baptist groups do not realize the tenuous (and perhaps, nonexistent) relationship that the Institut (through its American parent body) actually has with the Baptists.

Robertson served as a spokesman for Greater Grace (Crockett, 1987), and in his new church (like in Stevens's previous one), he and his congregants had to suffer the criticism of the old Cult Awareness Network, which considered it a cult and frequently said so to the media. Consequently, soon after settling into Baltimore, Robertson

became the executive vice president "and moving force" of a group called Friends of Freedom, which spent much of its time attacking the Cult Awareness Network and aligning itself with similar efforts being undertaken by Scientology (Martin, 1992: 3). When Scientology bankrupted the old Cult Awareness Network and took over its operation, Robertson became its new chairman (Hansen, 1997: 68). Having established, therefore, this close connection between the Institut's parent American body and Scientology, French MILS officials are unlikely to soften their stand toward the organization. They also suspect that they now know how this small group became so well placed in American governmental circles-it used its Scientology connections.

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#### 9) French Governmental Actions and Issues

Despite setbacks that some of the French studies have received, these reports sufficiently reflect (if not influence) governmental opinion about the dangers of some "sects." Partly because of their influence, the French National Assembly unanimously passed a bill that established a new crime of "mental manipulation." (It still has to return to the Senate for a second reading.) As punishment, this new crime could lead to a five-year imprisonment and 50,000 franc fine. Moreover, two convictions of members on charges such as life-endangerment, illegal medical use, or false advertising could result in the dissolution of the 'cult' itself (AFP, 2000; Henley, 2000; see the law itself in Assemblée Nationale, 2000). It remains to be seen whether this bill actually becomes law, but if it does then it is possible that government officials will use it to attempt to close down Scientology (AFP, 2000)-a goal that MILS already has put before the Prime Minister in a report (St. Petersburg Times, 2000).

One earlier attempt by the French Council of State to curtail the organization by demanding its back-taxes while refusing it permission to pay them with funds from outside the country was struck down in March 2000. The European Court of Justice ruled (in a case that Scientology brought to it) that the government could not require prior notice before the organization could receive direct foreign investment-investment that Scientology had needed in order to meet the government's tax demands (European Court of

Justice, 2000; see United States Department of State, 1999b: 8). In another case, the state had to pay 20,000 francs in damages to two plaintiffs after the state had failed to make photocopies of forty-four documents that mysteriously disappeared in 1998 (Reuters, 2000). This disappearance was unrelated to the 1999 disappearance of three tons of files related to another Scientology case, which eventually got explained as a clerical error (Washington Post, 1999).

## 10) Religious Human Rights Violations on American Soil

While much debate among American government officials has taken place about whether actions against Scientology by French and German governments constitute human rights violations, comparatively little discussion has occurred concerning probable crimes and religious human rights abuses that occur on American soil. These probable crimes and abuses are the very type of activities that European officials are trying to protect their citizens against, but they have nearly an impossible task when it comes to impressing this perspective upon their American counterparts.

### 10.1) Scientology's RPF Programs

The most dramatic case in point involves the knowledge that many European government officials have about Scientology's operation of forced labour and re-indoctrination programs in California and Florida. Similar programs run in England and Denmark. These abusive programs, named the Rehabilitation Project Force or, simply, RPF, involve forcible confinement, physical coercion, social and psychological degradations, obligatory confessions, and hard labour, which the Scientology organization imposes upon its most committed but deviating or poorly performing members. American media have discussed the RPF beginning as early as 1984, including Forbes magazine, the Los Angeles Times, The Clearwater Sun, The St. Petersburg Times, and, most recently, ABC's 20/20, A&E's Investigative Reports, and George magazine. Moreover, the World Wide Web is replete with information about it (see the versions of Kent, 1997).

Especially because of Germany's mid-century history, it will never grant Scientology religious status as long as it operates forced labour, RPF programs anywhere in the world.

When, however, a delegate of a German parliamentary commission on sects brought up the RPF in a 1998 meeting with the Assistant Secretary of the Bureau of Democracy, Human Rights, and Labor, this State Department official had no idea what the delegate was talking about. Hints at the German frustration over the Americans' lack of knowledge on this subject came out in a quote given by the German chairperson of the delegation. She told a reporter, "'The knowledge of some US representatives about the totalitarian aspect of Scientology is limited. With time the USA will also come to the realization that this is about an anti-democratic and anti-pluralistic organization, and then a country like America will have to wake up'" (AFP. 1998).

#### 10.2) The American Failure to Protect Children from Harmful Religious Practices

The American refusal to ratify the UN Convention on the Rights of the Child continues to allow Europeans to charge that the US has not paid the kind of appropriate attention to child protection issues as they are attempting. For example, in 1998, two American researchers published an article, "Child Fatalities From Religion-motivated Medical Neglect," which concluded, "[w]hen faith healing is used to the exclusion of medical treatment, the number of preventable child fatalities and the associated suffering are substantial and warrant public concern. Existing laws may be inadequate to protect children from this form of medical neglect" (Asser and Swan, 1998: 625). They identified twenty-three religious groups that held "core beliefs of medical care avoidance" (Asser and Swan, 1998: 628). After the study was published, the authors discovered an American church that has buried seventy-eight children since 1955 in its own graveyard, and another one that had twelve children die in less than a twenty-year period (Swan, 1998: 6). Once again, the American experience has taught that the state must take a role in protecting some children from the faith of their parents, and some European national reports on sects or 'cults' have discussed the need to protect children in this regard.

Remarkable to the Europeans is that American legislation specifically exempts children from necessary medical care on religious grounds. The 1996 Child Abuse Prevention and Treatment Act states, "'Nothing in this Act shall be construed as establishing a Federal requirement that a parent or legal guardian provide a child any medical

service or treatment against the religious beliefs of the parent or legal guardian'" (quoted in Swan, 1998: 99). Almost certainly this clause is the result of lobbying by the Christian Science Church, which in the past hired legal teams that included such high profile individuals as the eventual White House prosecutor, Kenneth Starr, and future Secretary of State, Warren Christopher (Swan, 1998: 7). By contrast, European nations have committed themselves to protecting children from medical neglect caused by parents. As stated in Article 24 of the United Nations "Convention on the Rights of the Child:"

States Parties recognize the right of the child to enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services (United Nations High Commissioner for Human Rights, 1989: 9).

The right of children to medical care, therefore, supercedes the wishes of parents who would deny them available care on religious grounds (as happens in parts of the United States).

### 10.3) Human Rights Claims as Cloaks for Abuse Opportunities

The example of religious exemptions for children's medical treatment in the US has led European officials to wonder about the extent to which some American groups are attempting to cloak criminal or harmful activities behind claims of religious protection on national and international levels. In its report, for example, at the beginning of 2000, MILS indicated that it was concerned about sects "frequently using the religious mask" ("le sectarisme utilisant fréquemment le masque religieux") to transgress laws (Mission Interministérielle de Lutte Contre Les Sectes, 2000: 18). This cynical perspective already had some evidence to support it from a Time magazine article that mentioned the unexpected impact of a Florida religious liberty protection law (Cloud, 1999). In that state, a Scientology organization faced criminal charges that involved the unlawful practice of medicine (which, by the way, is a major issue in France, Italy, and Spain) and the abuse or neglect of a disabled adult. These charges (which the state eventually dropped because of problems with the coroner's report) stemmed from the death of Scientologist

Lisa McPherson (State of Florida vs. Church of Scientology Flag Service Organization, Inc..., 1998: 18). A related civil case against Scientology still is pending. (McPherson died in 1995 after being in Scientology's care for 17 days.) Scientology, however, argued that these cases interfere with its right to practice its faith, which is now protected by state statute (Cloud, 1999: 33). By extension, many European officials are concerned that the staunch American focus on what it considers to be international human rights issues may provide legal cover for American-based organizations that are involved in harmful or criminal actions. This concern is legitimate.

#### 10.4) Gerry Armstrong, Silence Agreements, and the Right to Self-Dignity

Lost amidst Scientology's assertions that France and Germany are violating the human rights of its members is the reality that the organization itself may be involved with violating the free speech and self-dignity rights of a former member, Gerald (Gerry) Armstrong. Indeed, some of Scientology's efforts to silence Armstrong are in response to remarks that he made while visiting Germany. The court case in which this free speech issue resides is complex, and through that case Armstrong currently has two warrants outstanding for his arrest in California. The facts in the case, however, suggest that Armstrong is not the guilty party. In order to understand how and why Armstrong's free speech and self-dignity rights might have been violated, we first need to review his tortuous relationship with the Scientology organization.

Armstrong had been in Scientology for about twelve years (between 1969 and 1981), which included two periods in the RPF (totalling 25 months [Superior Court of the State of California for the County of Los Angeles, 1984: 1461, 1473]). In January, 1980, as a member of the Sea Org, he received Hubbard's approval to perform research for a biography of the leader, and soon was passing along important documents (with the organization's permission) to Omar Garrison, whom the organization had selected as the biographer. Armstrong helped assemble approximately 400 binders of relevant material, plus conducted interviews with dozens of people (including relatives) who had known Hubbard during various phases of his life. By 1981, however, Armstrong began to realize that Hubbard and Scientology had misrepresented crucial aspects of Hubbard's

life, and this realization, combined with Scientology's unwillingness to correct them, led to his resignation from the Sea Org in December. He continued, however, to assist Garrison with his research, and he stayed in touch with Scientology's biography project of its leader (see Breckenridge, 1984b:1-13 [Bates Numbers 1-13]).

On February 18, 1982, Scientology issued a document called a "Suppressive Person Declare," in which the organization charged Armstrong with an array of "crimes" against it. This declaration made him a target (called 'fair game') of the organization's operatives, since a suppressive person could be "tricked, cheated, lied to, sued, or destroyed" (quoted in Breckenridge, 1984b:13 [Bates Number 2374]).

During an altercation with Scientology (which occurred after the organization obtained, under exceedingly questionable circumstances, Armstrong's wedding-ceremony-and-celebration photographs that he was trying to sell), someone in the organization refused to return the photos and told him to get an attorney. As a result of this incident, combined with what he knew about the organization's aggression toward perceived enemies, Armstrong "became terrified and feared that his life and the life of his wife were in danger, and he also feared that he would be the target of costly and harassing lawsuits" (Breckenridge, 1984b: 14 [Bates Number 2375]). He engaged a lawyer, and from Garrison he obtained numerous copies of items that he felt he might need in order to defend himself in the anticipated legal proceedings.

As expected, around this time the physical assaults and harassment began. Armstrong was:

being followed and surveilled by individuals who admitted employment by [the Church of Scientology of California]; being assaulted by one of these individuals; being struck bodily by a car driven by one of these individuals; having two attempts by said individuals to involve Defendant Armstrong in a freeway automobile accident; having said individuals come onto Defendant Armstrong's property, spy in his windows, create disturbances, and upset his neighbors (Breckenridge, 1984b: 14-15 [Bates Numbers 2375-2376]).

When the Church of Scientology and Hubbard's wife, Mary Sue Hubbard, sued Armstrong for the documents' return, a

California court rejected the suit and even awarded Armstrong court costs (Breckenridge, 1984a).

The decision was a serious blow for the organization. Damaging documents had slipped out of the organization's control, and the presiding judge used his decision to issue a damning indictment of the organization. In an attempt, therefore, to discredit Armstrong, Scientology devised an entrapment scheme against him that proved to be very successful. A Scientology agent contacted Armstrong under the pretense that he represented a "loyalist" faction within Scientology that wanted to oust current leadership and reform the organization from within. Seeking Armstrong's help in planning how to carry out this supposed plot, the agent arranged a series of meetings with other supposed "loyalists" so that they could talk strategy. Unbeknownst to Armstrong, a private investigator taped the meetings. Armstrong brainstormed a number of possible ways that the "loyalists" could use to bring down current leaders, including the creation of official-looking documents that they could introduce as authentic within the organization's communications channels. Armstrong also indicated that he was in touch with the Internal Revenue Service and the Federal Bureau of Investigation, in which crucial people were also eager to speak with the "loyalists" about alleged abuses of those in power. Scientology, in turn, published a heavily edited transcript (with many deletions and interpretations) of the video tape in its public relations newspaper, Freedom (Church of Scientology, 1985).

By 1986, Armstrong was part of a large lawsuit by former members against the organization. The lawyer for this suit, Michael Flynn, eventually brokered a deal with Scientology that gave each of his clients a substantial amount of money (in Armstrong's case, US \$800,000.00) after all of them, individually, signed settlement agreements with the organization. The meaning of that settlement agreement is at the heart of the current speech restrictions that Armstrong now contests.

The document that Armstrong signed (on December 6, 1986) was entitled, "Mutual Release of All Claims and Settlement Agreement." Armstrong agreed to dismiss the lawsuit that Flynn was litigating on his behalf. He also agreed, "no further claims arising out of his experience with, or actions by, the Releasees [i.e., various Scientology

organizations and people], from the beginning of time to and including the date hereof, which may now exist or which may exist in the future may ever be asserted by him or on his behalf, against the Releasees" (Mutual Agreement, 1986: 6). Both parties, agreed, moreover, "that in the event of any future litigation between Plaintiff [Armstrong] and any of the organizations, individuals, or entities either alleged in this lawsuit or activity similar in fact to the evidence that was developed during the course of this lawsuit, will not be used by either party against the other in any future litigation. In other words, the 'slate' is wiped clean concerning past actions by any party" (Mutual Agreement, 1986: 11). Indeed, this interpretation about mutual silence concerning the other party seems to be the interpretation given by an attorney, Lawrence E. Heller, who had been involved (on Scientology's behalf) in the settlement agreement negotiations:

[t]he universal settlement provided for non-disclosure of all facts underlying the litigation as well as non-disclosure of the terms of the settlements themselves. The non-disclosure obligations were a key part of the settlement agreements insisted upon by all parties involved.

4. The contractual non-disclosure provisions were the one issue which was not debated by any of the parties or attorneys involved. In the last two and one half (2-1/2) years the settlements have been carried out in good faith by all parties (Heller, 1989: 2 [Bates No. 2472]).

Armstrong, therefore, thought that his battle with Scientology was over, and that he and the adversary to which he once had devoted his life would forever remain silent about each another. He was completely mistaken, as, apparently, was Heller about both parties honouring the non-disclosure terms of the settlement agreement.

According to documents Armstrong filed in the California Court of Appeal, Scientology's statements against him continued less than a year after all parties signed an agreement that should have 'wiped the slate clean' concerning Armstrong's previous actions against the organization. Armstrong protested that Scientology attacked an account of his RPF experiences in a "dead agent" pack (i.e., a collection of character assassination materials) designed to discredit sources used by former-member-turned-critical-author, Bent Corydon. Also in 1987, Scientology

labelled Armstrong as "an admitted agent provocateur of the U.S. Federal Government...." Similar allegations (that seem to misrepresent Armstrong and presumably should have been covered by the non-disclosure agreement) also appeared in a 1991 Scientology court submission in a case involving the United States Internal Revenue Service (Armstrong, 1993: 12-16, Bates Numbers 3578-3581). Most importantly (Armstrong stated), Scientology also included "dead agent"/character assassination statements in its documentation to the Internal Revenue Service as it gathered information leading to its decision to grant the organization charitable status in 1993 (Armstrong, 1997: 110) .

While it is true that Armstrong violated the non-disclosure agreement, even Scientology indicates that he did so only beginning in 1990 (Superior Court of the State of California for the County of Marin, 1995a: 2), which is several years after the organization appears to have violated the agreement against him (and by doing so repeatedly, possibly invalidated it).

In one of the more remarkable (and successful) arguments that the Church of Scientology made to the court, it insisted that the "Mutual Release of All Claims and Settlement Agreement" did not legally prohibit Scientology from speaking about or against Armstrong: "[t]he Agreement, however, does not contain any such provision which imposes such an obligation on the Church...." According to this interpretation (as submitted by Scientology's attorneys), Armstrong was silenced; Scientology was not (Superior Court of the State of California for the County of Marin, 1995b: 7, Bates Number 9440). If true, then it is difficult to understand what the word, "mutual," means in the "Mutual Release . . . and Settlement Agreement" that both parties signed. Apparently it does not mean what the text clearly states: "In other words, the 'slate' is wiped clean concerning past actions by any party" (Mutual Agreement, 1986: 11) .

While the case raises serious questions, once again, about Scientology's alleged abuse of the legal system (see, for example, Horn, 1992; Stewart, 1980), it has particular significance for Europeans, since the Church of Scientology International alleges that several of Armstrong's breaches of the mutual agreement took place in Germany. According to a document that an attorney for Scientology filed in

December 1997, additional agreement violations occurred when Armstrong spoke to German media and government officials:

23. I am informed and believe that Armstrong flew to Berlin, Germany sometime in October, where he gave a speech on or about October 26, 1997. In that speech, Armstrong violated the Injunction numerous times by inter alia, making statements about L. Ron Hubbard and complaining that the Church is misusing the U.S. legal system and blaming the Church, the U.S. legal system, and even his own attorney for the fact that a contempt citation and arrest warrant has been issued against him (Wilson, 1997: 5).

Attorney Andrew H. Wilson continues by complaining that he "gave an interview to the Berliner Zeitung, and that in Hamburg "he appeared at an event sponsored by self-styled 'anti-cults' Renate Rennebach sic] and Ursula Caberta" (Wilson 1997: 6). (Rennebach is an SPD member of the German Parliament, and Caberta directs the Hamburg government's monitoring and information agency on Scientology).

About these government officials, Wilson offered:

Rennebach and Caberta have been engaged for the past several years in attempts to discredit the Church through various means and have lobbied various German government entities to essentially legalize discrimination against members of the Church of Scientology because of their Church membership. In fact, Germany has been censored for the past three years by the United Nations and the Helsinki Commission for just such discrimination. The United States Department of State has also found a pattern of human rights abuses by Germany against Church members (Wilson, 1997: 6).

Finally, Wilson complained about Armstrong's appearances on German television (Wilson, 1997: 6).

To Europeans, however, this entire affair against Armstrong looks exceedingly bad for Scientology, regardless of the eventual disposition of the California arrest warrants and court case. (Indeed, in late December 2000, the disposition of Scientology's legal action against Armstrong took a dramatic turn when a new judge on the case refused [at least until a full hearing] to grant Scientology's motion to hold him in contempt of court ([Klien, 2000])). The

statements that Scientology made about Armstrong soon after all parties signed a mutual agreement appear to be the type of character assassination that the group has a reputation for using against perceived enemies whose usually truthful statements paint the group in an unfavourable light. Observers of this case may see Armstrong's decision to begin speaking out again about Hubbard and Scientology as an attempt to defend his dignity in the face of serious misrepresentations about his character and actions. Indeed, to the Germans, the organization's retaliation against Armstrong for speaking in their country only gives credence to his claim that Scientology "is misusing the U.S. legal system" (Wilson, 1997: 5).

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#### 11) Conclusion: Scientology-An International Social Movement and its Opposition

Observing the complexities of the European human rights debate about Scientology, social scientists attempt to identify patterns of behaviour that both explain the actions of the participants at the same time that they advance the development and application of theory. Particularly fruitful is an analysis of Scientology as an international social movement that has developed a significant political ally-the United States government-in its efforts to acquire and disperse resources in Europe and elsewhere. As a transnational entity, Scientology is a global player attempting to gain strategic worldwide advantages for its marketing aspirations. Its major goal is to implement "its founder's ideas, moral values, and social structural vision throughout the international scene" (Kent, 1999a: 148). Indeed, Scientology fits the definition of a transnational social movement very closely, since it involves "sustained contentious interactions with opponents-national or non-national-by connected networks of challengers organized across national boundaries" (Tarrow, 1998: 184).

Most useful about a transnational social movement perspective on the Franco-German versus American Scientology debate is that it allow us to view Scientology's efforts to represent itself as a religion suffering human rights violations as an international lobbying strategy. Social scientists who study international social movements call this lobbying strategy

a "strategic frame," since it attempts to legitimate and motivate collective action by creating a shared understanding of issues-in this case within the widely accepted discourse of human rights (McCarthy, 1997: 244-245).

Indeed, the analysis of Scientology's creation and perpetuation of this "religious" human rights framing strategy provides new insight for social scientists. This insight has particular salience for researchers who are attempting to develop and refine theoretical constructs about how social movements occasionally align themselves with governments in attempts to advance their positions in resistive or hostile nations (see Keck and Sikkink, 1998: 12-13). Moreover, this analysis of Scientology's strategic framing has direct and immediate implications for the social policy debates about "sects" or "cults" that are raging between France, Germany, Belgium, and the United States, particularly regarding Scientology.

As a strategic matter, Scientology's success in so-called "core states"-i.e., states that have strong governments, vibrant national cultures, and great resources (see Wallerstein, 1974: 349)-- has the biggest payoff for the organization. These core states or countries--which include the United States, several of the larger and financially influential European countries, and probably Japan--possess the greatest wealth, have the most developed domestic and international commercial and political networks, and provide the most opportunities to acquire resources for an organization. Without question, the most powerful of these core countries is the United States, where Scientology has headquarters for several of its key organizations and operations.

Among many important aspects of the current debate between France and Germany versus the United States is that all three countries are, more-or-less, core states. Each government, therefore, is contributing considerable resources to this debate, and the potential benefits or demerits for Scientology are significant. The stakes are high because these core states have their own social, political, and economic spheres of influence and connections in the world system. Consequently, decisions that each country makes regarding Scientology will impact the degree of difficulty that the organization encounters when attempting to enter countries (such as ones in the

former Communist bloc) within those respective spheres and connections.

As we know from sociological analyses of social movement/countermovement operations within the borders of single nations, important aspects of a social movement's efforts to acquire resources also involve its simultaneous efforts to deny resource access to its opponents (Kent, 1990; Kriesberg, 1997: 15). Generally speaking, these efforts involve defining opponents as either intolerably criminal or intolerably deviant (Kent, 1990: 404-408). Consequently, social movements may portray their opponents as violating well-respected laws or performing undefendable crimes. As we already know, Scientology, in its globalized social movement campaign, uses these tactics (and more) against the official bodies and individuals who oppose them, accusing their opponents of intolerance, bigotry, and religious human rights violations. Scientology's representatives and spokespersons propagate these accusations while addressing some of the most influential and powerful organizations in Western Europe and the United States.

#### 11.1) International Social Movements and Domestic Organizations

Analysts of international social movements are aware that domestic governmental organizations dealing primarily or exclusively with issues inside of countries nevertheless can have impact on transnational debates (see Kriesberg, 1997: 16). Sometimes this impact can occur because these domestic organizations are interested in, or have jurisdiction over, issues that have global importance. Increasingly for many European nations, for example, governmental rulings on domestic issues must align themselves with the laws of larger, international bodies (like the European Parliament and the European Court of Human Rights).

In Germany, the activities of its domestic 'constitutional security police,' who monitor potential threats to the German constitution, became a target of Scientology's discrimination claims (Cowell, 1997: 6), and one constitutional police officer even created a minor international incident when he got caught conducting an investigation on Swiss soil (Sindelfinger Zeitung, 1999; Walsroder Zeitung, 1999). A domestic organization within

the French government blocked Scientology organizations from receiving money from foreign sources, and this effort resulted in a precedent-setting decision (that Scientology won) in the European Court of Justice (European Court of Justice, 2000). As I continue, therefore, to identify the transnational behaviour of the Scientology social movement, we must not neglect how its interactions with domestic governmental and non-governmental agencies impact its worldwide efforts.

By far the most important example of a domestic organization making a decision that had international implications for Scientology was the agreement that it entered into with America's Internal Revenue Service (IRS) in 1993. This agreement granted tax exempt charitable status to the Church of Scientology International and its affiliate organizations in the US. Whatever may have been the merits of Scientology's case, the organization's promise to call off 2,300 lawsuits against the federal department likely was a factor in the favourable decision that it received. The long legal history of battles between Scientology and the IRS sent a clear message that this organization was fully prepared to cost the federal government tens of millions of additional dollars in legal costs and staff time. It probably would not be accurate to say that Scientology's threat of litigation was the primary reason that the IRS turned its back on several tax court decisions (about the taxable nature of the organization [see United States Claims Court, 1992] and granted it charitable, tax exempt status, but certainly it was on the minds of IRS officials.

One of the numerous Scientology organizations to receive the tax exempt designation was the International Association of Scientologists, and the tax exempt money that flowed into it had international implications for the organization. In the language of social movements theory, the International Association of Scientologists served as a "foundation" for the Scientology social movement, collecting resources through membership donations and funnelling the money into various social movement projects (such as newspaper ads against Germany, funded in part by its British affiliate [see Kent, 1999a: 158 and n. 27]). Charitable status to this group and others was invaluable to the overall Scientology organization, and the IRS action of mailing notification of the decision to governments around the world (along with some organizationally provided

publications) may have been unprecedented. Deliberately or not, one of America's most formidable domestic governmental agencies had turned into an international Scientology booster. Assistance in understanding this 'boosterism' comes from traditional social movements theory.

Earlier social movement literature distinguished between 'adherents,' who were organizations or people who believed in the goals of a social movement, and 'constituents,' who were organizations or people (not necessarily adherents) who provided resources for it (McCarthy and Zald, 1977: 1221). More recent literature realizes that national political authorities can become constituents for international social movements by providing resources for their efforts (McCarthy, 1997: 253). Along these lines, one useful way to view the IRS decision is that it transformed the United States government from an opponent to a constituent, and the payoffs to Scientology resulting from this transformation were immediate. As a registered American-based charity, Scientology's treatment in other countries became an issue for the Department of State. Consequently, the first mention of Scientology's alleged discrimination in Germany came in the State Department's annual human rights report for 1993, which it issued on January 31, 1994—just four months after the IRS decision (United States Department of State, 1994: 12). Again in social movement language, Scientology now had an 'elite constituent' on its side—the United States government—which had become a core-state supporter with access to large amounts of resources amongst world players.

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#### 11.2) American Domestic Cultural Trends That Facilitated Scientology's Global Expansion Efforts

Scientology obtained its American charitable status at a period in American history that allowed it to benefit from several existing aspects of American culture (see Smith, Pagnucco, and Chatfield, 1997: 70). I already mentioned, for example, how Scientology probably was able to utilize the litigious nature of American society to its own advantage in the IRS negotiations, although critics would complain that, on this cultural dimension, Scientology has done much to create it (Blum, 1993; Horne, 1992). During the mid-to-late 1990s, for example, it also used litigation to destroy the Cult Awareness Network, then obtain all the

research files that it owned. By doing so Scientology silenced (and obtained the historically rich files of) an internationally-connected domestic critic that had been speaking out against it since 1974 (see Kent, 1999a: 152-153; Kent and Krebs, 1998b: 40-42; 1999: 23-24). American litigiousness, therefore, has served Scientology well, and it has proven to be an aggressively successful resource strategy.

In an age where information matters, and around issues (human rights and tolerance) where history helps inform the present, the achievement of obtaining all the files of one's enemy is a dramatic litigious reward. In essence, a social movement took over its major non-governmental domestic countermovement. With the original CAN's destruction, Scientology no longer had a high-profile non-governmental domestic critic with which to contend. When, therefore, Scientologists got into the corridors of American power with its cries of persecution and woe, no effective body existed to counteract their protests and their facts.

In addition to flourishing within America's litigious atmosphere, at least one other cultural trend has given the organization unique access to governmental elites and helped turn many of them into constituents. That trend involves the increasingly blurring lines between entertainment and politics-between Hollywood and Washington (Brownstein, 1990; Sherman, 1990). Connections between politicians and Hollywood celebrities go back for decades, and the relationship during the McCarthy era was tense. These relationships warmed again during the President John Kennedy's administration, since a brother-in-law, Peter Lawford, was an actor, and Kennedy himself developed 'personal' relationships with various stars (including Frank Sinatra and Marilyn Monroe). Relationships strained again during the Vietnam War (with several prominent celebrities becoming vocal American critics), but certainly the election of a former Hollywood leading man to the presidency in 1980 (Ronald Reagan) showed that any rift between actors and politicians had long since healed.

President Bill Clinton (elected in 1992) was the first baby-boomer to be elected the White House who had grown up on American popular television culture. He liked movies, and he liked movie stars. Many of them liked him too, and their mutual affection had enormous financial benefits in terms

of financial contributions and donations-first for the candidate and then the President. Indeed, all successful political aspirants, and many prominent politicians, have to make the pilgrimage to 'movie-Mecca' for one reason-money.

Some movie stars have fabulous wealth-more than even they ever can use. Consequently, they have the discretion to devote sizeable chunks of it to social and political causes (see Elving, 2000: 13), and by doing so receive some tax relief against their enormous incomes. All the while, American political campaigns have become enormously costly, and only the wealthy-or at least those who socialize with them-can run for most federal positions. 'Schmoozing' with celebrities, therefore, has become a standard aspect of American political life.

In addition to wealth, celebrities also have blocks of (what social movement analysts call) 'discretionary time'-time not tied down by obligations like regular jobs-which they can devote to campaigning or any number of social causes (if they so choose [see McCarthy and Zald, 1977: 1224]). In addition to both wealth and discretionary time, movie stars have a commodity that politicians desperately want-the focus of the camera lens. The very nature of what they do keeps celebrities in the limelight, and politicians, who are forever campaigning-want and need as much attention (or at least positive attention) as they can attract.

It turns out that, since the 1950s, Scientology had programs in place that targeted celebrities. Hubbard realized their key roles as opinion-makers, so he envisioned their potential benefits as spokespersons on behalf of his organization (see Kent, 1999a: 153). By the early 1990s, when both popular and political cultures were blurring divisions between entertainment and politics, the heirs to Hubbard were able to capitalize on the organization's celebrities as spokespersons before key governmental committees. Scientology's entertainment elites moved in some of the same social circles as the nation's political elites, in relationships that were, variously, symbiotic and parasitic. For the Scientology organization, however, these relationships were extremely valuable.

11.3) Crumbling Communism and Its Effects on Scientology's Globalization Aspirations in The United States and Europe

Scientology gained its American charitable donation at a time when the world was undergoing one of the pivotal transformations in recent human history—the collapse of Communism. Directly impacting on the lives of hundreds of millions of people, this recent transformation has dramatic implications on all aspects of these people's lives. Certainly it is having revolutionary implications for religion, and in the long scope of history it may prove to be an event as transformative as was the Reformation, the Enlightenment, and the rise of Communism (Wuthnow, 1980: 53-55). Regardless of the accuracy of Scientology's religious claims, the fall of Communism even impacted it, although very differently in various countries.

In the United States, Scientology benefited both from Communism's collapse and from the effort to bring it down. By the time Scientology received its tax exemption, evangelical Christians (and perhaps even some Mormons) were working with the State Department and other government agencies (see Gottlieb and Wiley, 1984: 88-90), hoping to see 'godless Communism' collapse so that new mission fields would open for their faith(s). It is likely that the origins of the Evangelicals' concern for "religious tolerance" came from the barriers (sometimes with murderous results) that Christians encountered when trying to proselytize in some countries (Shea, 1997). The model of tolerance, however, that the Evangelicals and the State Department advanced was an especially American one (see Sullivan, 1999), which assumed (if not demanded) laissez-faire attitudes by governments even as the religious groups themselves often resembled American business enterprises.

Following a tradition of "established civil religion," these Evangelicals, along with other State Department officials, believed "that the present American order is good and ought to be universal, and cover the whole of humanity, dominating the world for the sake of its own salvation" (Betsworth, 1980: 10; see Kent and Spickard, 1994: 374-382; Ribuffo, 1998). Perhaps they could afford to be tolerant, since Communism's collapse proved (if to them it ever needed proving) that their vision of godliness would win out over time. In any case, Scientology's charitable status gave secular sanctification to its religious claims, but opposition to these claims in France and Germany allowed it to join in the chorus with many Christian organizations that wailed about their foreign

oppression.

Europeans experienced the collapse of Communism in ways that were deeply personal. Americans watched Communism die, but Europeans suffered (still more) amidst its decline. As Communist political and social institutions withered, few new institutions were there to replace them, at least at first. These institutions, however, were coming, sometimes quickly, as both businesses and religions (not to mention organized crime) realized what opportunities existed. Indeed, what seems to have gotten Scientology identified as a business rather than a religion in Germany was that some German Scientologists engaged in questionable business practices during the early 1990s in fundraising efforts needed to fuel their organization's financial push into Bulgaria, Yugoslavia, and Greece, and especially Albania (Haag, 1992; WISE International, 1993).

Realizing the potentially lucrative markets that were opening, Scientology mobilized German members of its business community to fund business projects in these new geographical locations, through its economic division called World Institute of Scientology Enterprises (or simply, WISE). In order to meet these demands, some Scientologists got involved in flipping newly purchased apartments into condos, thereby allowing them to force the former apartment dwellers to buy what previously they had rented (and to do so at exorbitant prices [Whitney, 1994; see Kent, 1999b: 10]). Complaints to German politicians, however, led to the discovery of the Scientology connection to the widely criticized practice, and the group's image as an abusive business took hold. In essence, by Scientology trying to mobilize German financial resources for a push into newly opened countries by its financial arm, the organization permanently destroyed any hope that German government officials might accept its religious claims.

#### 11.4) Mobilizing the International Community

Having received its coveted charitable status in the US while encountering stiff opposition to efforts to receive comparable designations in countries like Germany and France, Scientologists enacted a mobilization strategy that took advantage of that American status. Put simply, it elicited help from its most celebrated elite constituent, the US government, for pressuring nationally operating governmental and non-governmental organizations-along with

international governmental and non-governmental organizations--into accepting Scientology's religious claims. At the same time, the American government pressured its European colleagues to interpret existing human rights regulations in a permissive, laissez-faire manner (as does the American government toward Scientology in its own land).

Through the example of the Internal Revenue Service, we already have seen how actions even by domestic governmental organizations can have significant international human rights consequences. So, too, can actions with or against domestic non-governmental organizations (such as original CAN) have transnational consequences. More direct and certain, however are the payoffs when a group lobbying on human rights issues wins over to its cause nationally operating governmental organizations dealing with human rights issues. These organizations will include courts, taxation commissions, agencies that review tax status, federal human rights agencies, etc. The problem for Scientology, of course, as it heightened its campaign for religious recognition in France and Germany is that both countries had confrontational histories with the organization that dated back into the 1970s. Governmental bodies that dealt with issues affecting human rights were extremely reluctant to grant Scientology the status that it demanded, and Germany's recent experience of Scientologists' bullying business behaviours in rental/condo markets during the early 1990s made such recognition all but impossible. French society, moreover, had been stunned by the Solar Temple murder/suicides, so it was very wary of a group that might have dangerous or fanatical tendencies.

As often happens, however, in human rights debates when parties inside countries cannot achieve the 'justice' to which they feel entitled (Keck and Sikkink, 1998: 12-13), European Scientology went to the government of another country--not surprisingly the US--to apply external pressure on France and Germany. Scientology has a policy (called the "Special Zone Plan") for members about bringing organizations in one's sphere of influence into alignment with Scientology (Hubbard, 1976: 489), and on an organizational level it certainly did that with the American government. The strategies that it used to bring about this alignment were multifold and, for the most part, effective. Older social movement literature identified instances where the American government formally and

informally assisted social movements inside the country (McCarthy and Zald, 1973: 13), and now we have a clear example of it facilitating the goals of an international social movement on a global scale.

As do many professional social movements (and, for that matter, transnational corporations [Barnet and Cavanagh, 1994: 345, 346]), Scientology hired professional lobbyists in the centre of American power--Washington, D.C. These lobbyists had professional and social contacts, and they also had knowledge about the operation of government departments in that complex city. Apparently the lobbyists targeted key committees and organizations that were nationally operating bodies and offices that dealt with international human rights issues. The bodies and offices about which we have extensive documentation are the House International Relations Committee, the Helsinki Commission, State Department spokespersons, and the President's National Security Advisor (Sandy Berger [Young, 1998: 138]). To the officials serving these institutions and roles, the lobbyists arranged meeting-opportunities for Scientology's entertainment elite, and these officials welcomed the stars. Even if they had wanted to find opposing voices, after the demise of the original CAN, such voices were difficult to locate and had no lobbying presence.

As these American governmental bodies translated Scientology's complaints into speeches, reports, and policies, they had a repertoire of strategies open to them in their attempts to get countries like France, Germany, and Belgium to comply. These strategies included informal diplomatic conversations, diplomatic pressure, and economic or political sanctions. Regarding France, Germany, and (it seems) Belgium, the tactic that American governmental officials used most often was shame-a common technique in what social scientists call "accountability tactics" (Keck and Sikkink, 1998: 24). Allegations that these governments were religious human rights abusers embarrassed the Europeans, and over time they compounded. After each American government report made such a claim, other agencies and the media picked up on it.

Scientology, in turn, would protest even louder, yet the irony about the growing outcry over abuse and intolerance is that Scientology manufactured--fabricated--some of the information that kept the allegations alive. By faking a

scenario of business discrimination because of a person's Scientology membership in Germany (Kruttschnitt, Nuebel, and Schweitzer, 2000), Scientology undertook a very risky resource mobilization strategy. The goal of this strategy was to create sympathy for its members and outrage against a target enemy by manufacturing victimization. In the short term it worked; but (as happens so often with manufactured events) the media eventually exposed it for what it was. Remarkably, the American government has not seemed to react to having been deceived.

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#### 11.5) Think-Tanks and Lobbyists

In addition to support from various American governmental bodies that dealt with human right issues, Scientology received additional support from various think-tank and international lobbying bodies. Think-tanks provide ideas and justify policies for social movements. Often they combine science and ideology to provide information that supports the social movement's position while discrediting enemies or opponents. They also provide locations (now including web sites) where social movements leave written records of the issues at stake, framed in the manner that those movements want others to adopt (see Alger, 1997: 263; McCarthy, 1997: 246). Frequently think-tanks have staff who serve as lobbyists for the social movement by presenting their findings to regulatory and policy-making bodies.

Often members of these think-tanks are social movement members (or adherents), but they need not be. They only need to be constituents-people who provide resources to a social movement-for them to play valuable legitimating roles. They can be constituents for any number of reasons, but most likely they are either 'conscience constituents' who agree with at least the broad dimensions of the social movement but who will not benefit from their achievement (McCarthy and Zald, 1977: 1222), or 'paid constituents' who provide their services for a fee but who will not otherwise benefit. While various types of constituent lobbyists may exist on any given issue, in the international human rights debate about Scientology the group that stands out mostly clearly as an example is CESNUR, possibly accompanied by Human Rights Without Frontiers.

It is easy to confuse constituent-support for member

endorsement, which may have happened when French intelligence networks told MILS that Karen Lord might be a Scientologist. While she was a constituent to Scientology's claims about European persecution, she likely maintained her own faith. Similarly, Massimo Introvigne presumably maintains his own faith even though he strives to legitimize Scientology's allegations about its members suffering religious human rights violations. Speculation about constituents' motives may provide useful knowledge (as occurs when researchers determine that they are adherents), but in a resource mobilization analysis it often matters less why constituents provide resources than that fact that they do it at all.

CESNUR is increasingly important on the international stage. Introvigne testifies in trials and hearings around the world, and the organization's conferences attract scholars and occasionally well-positioned human rights staff. Introvigne also serves on editorial boards for academic journals studying religion, so his influence is wide. Indeed, he aptly represents an observation that social movement theorists made, which was, ". . . professionals such as lawyers and scholars, whether or not they are affiliated with a movement organization, often play important roles in advancing goals of the movement or in focussing efforts of the movement on specific policy prescriptions" (Smith, Pagnucc, and Chatfield, 1997: 61). In the context, therefore, of the debate over Scientology in France and Germany, CESNUR is a think-tank and lobbying group, attempting to advance Scientology's legitimation goals by influencing European and American governmental policies toward it. It is not a neutral academic association, even less so because on its web page Introvigne intermingles ideological positions within solid research and information (see Martinez [compiler], 2000). On issues, however, that are key to the religious human rights debates-apostates, brainwashing, undue influence, compromised academic research, 'sect' membership and the potential for harm, critical information exchange on the Internet, etc.-he advocates doctrinaire positions that favour groups like Scientology.

#### 11.6) Appeals to International Governmental Bodies and International Governmental Organizations

Conceptually (in terms of resource potential), American governmental pressure comes at European governments

laterally, and it comes upward from national non-governmental organizations. Because of fledging attempts at dissolving European borders, however, some criticism conceivably may come from above. The European Union, the European Parliament, the Council of Europe, and the European Court of Human Rights have the power to pressure (and in some cases force) France, Germany, and Belgium to change their laws. In theory, too, critical comments from the United Nations would hold the weight of moral suasion and put tremendous pressure on those countries. It is unlikely, however, that Scientology has anywhere the same ease of access to officials in these international organizations that it does to key players in the American government, and on those grounds alone Scientology's protestations do not receive so ready an audience. In July 1987, it did successfully lobby twelve members of the Council of Europe's Parliamentary Assembly to introduce a motion about religious freedom, but the motion was combined with another one and quickly forgotten (Richardson, 1995: 55).

International bodies have been willing to examine some of Scientology's complaints, but they have not been deaf to the positions of Germany and France. Scientology has referred, successfully, one French issue to the European Court of Justice, and saw some of its complaints published in a report by the United Nations Commission on Human Rights in early 1994 (United Nations Commission on Human Rights, 1994). The UN Report, however, also summarized Germany's position, and in 1998 a special investigator called Scientology's charges of Nazi tactics by the government "'meaningless and puerile'" (quoted in New York Times, 1998). Moreover, the Council of Europe's Parliamentary Assembly recommended the establishment (or support of) governmentally-funded sect information centres, much like the ones that now run in Belgium, Austria, and France (Council of Europe, 1999). Taken together, these international governmental and judicial bodies are attempting to address issues in a less judgmental way than do many of the organizations affiliated with the American government. Scientology, however, will not be able to countenance the Council of Europe's position, so inevitably more European conflict over sect or 'cult' observatories lies ahead. Having destroyed America's largest domestic enemy--the original CAN, Scientology is bitterly opposed to any European watchdogs, especially ones that have state protection.

It is not clear, however, whether Scientology lobbying against these monitoring agencies on the level of European or global interstate governments will be effective. Already, for example, in late April 1999, representatives from countries within the fifteen-member European Federation of Centers for Research and Information on Sectarianism (F.E.C.R.I.S.) met in Paris and passed a resolution that they "are united in fighting the effects of adverse sectarian practices and to assist the victims of such practices" (European Federation of Centers for Research and Information on Sectarianism, 1999). Only time will tell whether these (often poorly funded) organizations coalesce into a formidable and authoritative European voice.

#### 11.7) Additional Countermovement Efforts

Unconvinced by Scientology's religious claims and its cries of persecution, French and German officials have responded in a number of ways. They have refused to grant tax concessions; they have written critical reports; and they have placed the group under varying degrees of scrutiny (including raids in France and Belgium, and monitoring by the government's constitutional police in Germany). Moreover, as the Parliamentary Assembly intended, at least some of the sect observatories exchange information on a regular basis. The German ambassador turns down invitations to appear before congressional hearings on the 'plight' of Scientology in his country (probably for unstated reasons of diplomatic protocol), but he sends written statements and/or letters. Growing frustration among these European officials about the inability of American counterparts to appreciate their critical position against the group has led to moments of real international tension.

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#### 11.8) Counter-Opposition and the Internet

Even more consequential than official position papers and media stories against Scientology is the opposition to it on the Internet. Indeed, the Internet is proving to be the Achilles' heel of Scientology. Because human rights battles almost always involve efforts to document and disseminate reliable information (Keck and Sikkink, 1998: 28), the dissemination potential of the Internet in these battles, including the one over Scientology, is staggering. Some

governments opposed to Scientology already are using it effectively. The government of Bavaria, for example, posts its official statements about Scientology in both English and German languages, and MILS posts many of its reports. But the most relentless opposition to Scientology comes through countless persons who are countermovement constituent-adherents against it (see Peckham, 1998).

Although different interpretations are possible about the Internet opposition to Scientology, one promising perspective is to examine it as if it were "a transnational advocacy network"-that is, an Internet-linked, information-sharing, "network of activists, distinguishable largely by the centrality of principled ideas or values in motivating [its] formation" (Keck and Sikkink, 1998: 1). No formal organization exists; no central coordination directs activities; and at most the network can generate sporadic collective action (such as occasional pickets of Scientology facilities). People in this network are volunteers, but some have invested hundreds of hours in efforts to disseminate information against Scientology and its claims about religious human rights abuses. The on-going information source on Scientology is the news group, <alt.religion.scientology>. In addition, people have developed dozens of web sites containing Scientology information. Web sites often specialize on particular aspects of Scientology, and they always link to others that have complementary information.

As well, many kinds of specialty services against Scientology are emerging, with web sites containing unique information collections perhaps being the most important. Germany's Tilman Hausherr, for example, has constructed a list of "frequently asked questions" about Scientology in Germany along with another on academics (whom he calls 'cult apologists') who (he believes) support Scientology and other controversial groups. Of enormous importance for English-speakers is an unofficial German-to-English translation service provided by Joe Cisar, which includes hundreds of media articles along with key governmental reports. Similarly, Roger Gonnet of France provides somewhat of a similar service for important French language information. Mark Bunker places on the Internet copies of important television videos along with tapes from various events, and Jeff Jacobsen digitizes key documents and reports. Rod Keller does a weekly news summary on <alt.religion.scientology>, and Kristi Wachter provides

daily historical information. Probably the most extensive collection of critical Scientology material appears in the "Operation Clambake" web site run by Norway's Andreas Heldal-Lund. In the language of social science, these people are "[n]onstate actors [who] gain influence by serving as alternate sources of information" (Keck and Sikkink, 1998: 19). Seen in total, the content and amount of material, most of it negative, about Scientology on the Internet poses a global threat to the organization's legitimation claims, and Scientology has been able to curtail only a small amount of this information from staying in cyberspace (see Peckham, 1998).

Earlier I suggested that CESNUR appears to be a conservative Catholic think-tank and lobbying group that concerns itself with the claims of alleged abuses that Scientology and other controversial groups bring forward. An important aspect of this apparent concern is its prominence on the World Wide Web. It attempts to be the web site to which people turn when they want information on a variety of global issues related to 'new religions' and their battles over religious freedom in Europe and elsewhere. The more information it has (and the CESNUR site is quite large), the more likely web search engines will pull it from the pack as an appropriate site to visit. Amidst its useful information, however, CESNUR includes material that departs from academics and enters polemics. It reproduces full texts of articles that reinforce its ideology, and downplays or neglects positions that challenge its orthodoxy. Nevertheless, CESNUR has become a formidable web presence, yet it still cannot compensate for the sheer volume of less favourable Scientology material that others have posted elsewhere.

What hinders the Internet from having a devastating impact on Scientology's claims to be a victim of religious discrimination is that the cyber-community, as an advocacy network, does not have access to the same powerful committees and politicians that Scientology does. Moreover, perhaps because Scientology's self-produced material about its persecution plight is so convincing, or perhaps political elites do not trust the accuracy of the Internet, persons in power seem not availing themselves of the wealth of free material that is only a few mouse-clicks away.

11.9) An Emerging Countermovement Organization: The Lisa McPherson Trust

Without an effective lobbying presence in Washington, Scientology's opponents may never get their information to the decision-makers who need it. The advent, however, of an organization specifically opposing Scientology only metres away from some of its Clearwater, Florida facilities is the Lisa McPherson Trust (established January 6, 2000). The organization's name follows a pattern often seen in human rights battles, where advocates of a particular position rally around "powerful symbolic events" (Keck and Sikkink, 1998: 22). McPherson's death is such an event, since it occurred after she had been in the 'care' of Scientologists in one of their facilities for seventeen days while she apparently suffered a psychotic breakdown. In critics' minds, her treatment and death have come to symbolize all that is wrong with Scientology, and therefore the counter-organization named itself in her memory. Founded by Robert Minton, who joined the battle against Scientology after learning on the Internet about Scientology's efforts to silence critics, he has spent millions of dollars of his own money in a concerted effort to curb what he and others believe are Scientology's human rights abuses.

It remains to be seen, however, what long-term impact the Lisa McPherson Trust has as a countermovement organization. Many innovative contributions to the Internet come from people associated with the organization, but its geographical location in Florida limit its ability to become the sustained lobbying force that the countermovement needs. Moreover, it lacks the kind of professional stature that CESNUR has, since it does not run academic conferences and its key players do not have extensive professional credentials. Nevertheless, it is networking with oppositional movements in France, Germany, and elsewhere. For its part, Scientology is sufficiently worried about it that it has tried to stifle its activities as well as the activities of Hamburg's Scientology sect-monitor, Ursula Caberta when she visited the Trust late in the Summer of 2000 (Hamburger Morgenpost, 2000).

All indications are that this battle over Scientology's claims of human rights violations against it will continue for a long time. French and German governments show no signs of capitulating to American pressure. Meanwhile, three long-time congressional defenders of Scientology's reputed plight in Europe--Matt Salmon, Donald Payne, and Benjamin Gilman--introduced another House resolution

(referred to the Committee on International Relations) which said that the United States House of Representatives "disapproves of the growing intolerance, discrimination, and violence directed against individuals and groups because of their religion or belief." It singled out Austria, Belgium, France, and Germany as countries where intolerance is flourishing, and named the Jehovah's Witnesses, Southern Baptists, Unificationists [i.e., Moonies], Mormons, Opus Dei, and Scientology (among others) as victimized groups. It then called on the President and the Ambassador at Large for International Religious Freedom to raise the issue of this (supposed) intolerance as often as possible. Finally, and perhaps most interestingly, the resolution called for "the inclusion of experts on religious liberty" to be included in "United States delegations to appropriate meetings of international organizations, including the OSCE" (House of Representatives, 2000). Not surprisingly, the Committee on International Relations unanimously passed the item (OTS, 2000). Meanwhile, one of Utah's Senators, Orrin Hatch (R.), spoke out against France and Germany, and indicated that the persecution that his faith-Mormonism-suffered, sensitized him to the Scientologists' situation in those two countries (Canterathe, 2000).

It remains apparent that Hatch and other key figures in the American government continue to misunderstand the very basic reasons why European countries like France and Germany (and probably Belgium and Austria) remain steadfast in their opposition to Scientology and other controversial ideologies. Scientology's successful IRS settlement and its destruction of its information-providing critic (the old Cult Awareness Network) have given the organization little opposition in its national lobbying efforts. Consequently, poorly informed officials cannot view the reactions to Scientology by French and German officials outside of a narrow, mythologized context of American religious freedom issues (Sullivan, 1999:2. They are unable to realize that international opposition to Scientology in Europe may not represent violations of religious human rights but instead may signify efforts to protect citizens from an organization whose alleged human rights violations against its own members appear to be systematic and routine.

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