

The Cult Issue in Western Europe and Religious Intolerance

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In recent years, Europe has been shaken up by a new phenomenon: fear of sects. This fear has been triggered off by the collective suicides, homicides and attacks perpetrated on the initiative of leaders of religious movements or movements claiming to be religious.

Western European states have been concerned about this phenomenon, and rightly so. The question was asked as to whether their policies on unconventional religions should be changed so as to prevent these tragedies taking place in their country. The responses have been varied.

Eleven out of the fifteen European Union member states considered that the “sects” did not harm the individual, the family, society or their democratic institutions to the point of having to create new institutions or organizations to combat their influence. In their view, just as in past years, problems posed by certain religious movements could be resolved by the existing legislative arsenal or where necessary, by resorting to normal legal methods. These countries have not as a result become a refuge for questionable religious movements or are not experiencing an increase in any crimes or harmful activities carried out by them.

However, four other countries decided to take a new course of action. Austria simply created an information and documentation center about sects, placing it under the authority of the Federal Ministry of the Environment, Youth and the Family. A brochure containing information about sects was also widely distributed. This prevention campaign warned principally against eleven guru-led movements of oriental origin, three psychological groups, two groups claiming to spring from new revelations, three religions of Christian origin and four other groups under the category “Various”.

Germany set up a parliamentary commission and published a report. Scientology was placed under surveillance but no legal action is currently being taken against the movement.

France set up a parliamentary inquiry commission which published a report containing a list of 172 dangerous and harmful sects. An observatory of sects was put into action, then later replaced by a more operational instrument: the Interministerial Mission to Fight Sects. A widespread climate of suspicion and fear had already been spawned by the media, leading to new acts of intolerance and religious discrimination unheard of before the setting-up of the anti-sect policy by the French authorities. The all-out war against sects by the Interministerial Mission reinforces this pervading phobia.

Belgium followed closely on France’s heels: creation of a parliamentary inquiry commission, publication of a report annexing a list of 189 movements suspected of being harmful sects, creation of an observatory of sects at the beginning of May along with an administrative co-ordination committee against sects, a sect prevention campaign led by the French community of Belgium on television and radio along with a

massive distribution of an information brochure. The depraved effects noted in France are now spilling over into Belgium.

In France and in the French-speaking part of Belgium, the authorities have chosen to reject any sort of dialogue with minority religions (unlike for example Sweden or Spain), favoring the confrontational method, more often than not with the support of anti-sect associations. Ever since the beginning of the phenomenon, no dialogue has been entered into and there is no sign of a change in course.

European Union **Policies of the 15 member states with regard to the sect issue**

Member States	Parliamentary Commission and Report on Sects	List of Sects	Observatory on Sects (or similar state agency)	Information or Prevention Campaign against Sects
Austria	No	No	No	Mass distribution of a brochure
Belgium	Yes	Yes	Yes	Mass distribution of a brochure by the French Community of Belgium
Denmark				
Finland				
France	Yes	Yes	Yes	Yes (in schoolbooks for civic classes in public schools)
Germany	Yes		Scientology and a charismatic group under surveillance	Distribution of a brochure by the Ministries of Religious Affairs of Mecklenburg-Vorpommern and Thüringen
Great Britain				
Greece				
Ireland				
Italy				
Luxemburg				
Netherlands				
Portugal				
Spain				
Sweden	Yes Conclusion: Legislative and penal arsenal is sufficient			

Latest Developments

Since the European Parliament rejected Mrs. Maria Bergers's report on cults in the European Union on July 13, 1998, no further initiative has been taken. At the Council of Europe, Mr. Nastase's report on cults is still pending. On April 29, 1999, it was withdrawn from the agenda. It is now put again on the agenda on June 21.

In Austria, no new developments are to be mentioned. The massive distribution of an information brochure warning against a number of sects goes on within the legal framework of the « Federal law about the setting up of a Bureau for documentation and information about cult questions » released on August 20, 1998.

In Germany, no new initiative has been taken by the new government formed by the SPD and the Greens but the « sect filter » barring the access of Scientologists to jobs in the public sector is still in force. There are now some signs that the authorities at the level of the *Länder* have no concrete illegal facts to produce against Scientology which has been put under surveillance since the publication of the Interim Report of the German Enquete Commission on Cults.

However, the war against sects goes on in France and in Belgium, mainly in the francophone part of the country, and threatens to extend to the francophone canton of Geneva in Switzerland.

France

The Interministerial Mission

The Interministerial Mission was set up in 1998 to replace the observatory which was thought not operational enough. The mission is made up of two parts: the guidance committee, 19 individuals “selected for their ability and experience”, and an operational group made up of members of the Ministries concerned. It is at the heart of this group that “information on the manoeuvres of sects is to be exchanged” and “actions to fight against sects are to be co-ordinated”. Now the activity of these two structures has come to a standstill.

The guidance committee only met twice and within the Interministerial Mission there is a general outcry criticizing the way it works. An imbalance seems to have set in between the ministerial agents put at the disposal of the president of the Mission, Alain Vivien, and the so-called experts of fight against sects within the two other structures who find themselves with not much to do. In addition, criticism of a more personal nature has been made, aimed at the way Alain Vivien carries out his job.

At the two recent OSCE conferences on religious freedom, held at Warsaw and Vienna in October 98 and March 99 respectively, the French policy of war on the so-called sects came under a lot of vivid criticism.

At Vienna, the French delegation was led by Mr Denis Barthélemy, secretary-general of the Mission. His reaction to the criticism leveled by the *International Helsinki Federation*, *Human Rights Without Frontiers* and others was animated and very aggressive. From the delegation’s point of view, all the criticism emanated either directly or indirectly from the Scientologists. Instead of systematically answering the points raised, perhaps something they would have found too difficult to do, the delegation tried to discredit anyone who challenged the French policy to fight sects. The news agency *Agence France-Presse* was the only media representative to relay these ridiculous accusations. On the other hand the French newspapers said nothing about the criticism raised during the two international OSCE conferences where over 50 official delegations and tens of non-governmental organizations were present. In this

regard, it could be said that the French public opinion is as misinformed about sects as the Serbian public opinion about the Kosovan war.

Along with these criticisms went proposals to open up talks. The Swiss delegation was in favor of dialogue between the authorities and religious organizations and the appointing of an ombudsman to deal with religious issues. *Human Rights Without Frontiers* also made suggestions in this direction but was greeted with a blunt refusal by the Interministerial Mission.

Unable to provide any acceptable arguments for the international community, the Interministerial Mission took a very defensive stance, twisting and manipulating the facts, even going to the point of making false statements.

On the 23rd April at the National Assembly in Paris, a European conference on sectarianism was held, and access was restricted to the movements and figures engaged in the fight against sects. Choosing to organize the conference in such a way reveals a real fear of having their ideas exposed, and of confronting in a public and upright way those who do not share their opinion, along with an inability to give any logical replies to their criticism.

Alain Vivien took advantage of that situation to further accuse the 172 sects listed by the parliamentary inquiry commission as being “associations with a totalitarian ideological structure, whose behaviour seriously encroaches on fundamental freedom and consequently, social equilibrium”. This is the definition of a sect that France wants to see imposed. During that conference, Mr Vivien’s oratory techniques mirrored the methods of the anti-sect milieu he is part of. His speech was littered with crowd-rousing techniques, errors, and occasions where he only gave half the facts, sometimes purposely twisting them, sometimes lying outright.

It is blatantly untrue to say that the French definition of a sect is part of Belgian law.

It is a lying accusation against the 172 “sects” to say that they do not want to become “worshipping” associations in line with the 1905 law, the only legal basis for tax advantages on manual donations. For several years now, it has been the French authorities themselves who have refused this standing to Jehovah’s Witnesses and other “worshipping” associations. How insidious, to suspect that the 172 “sects” are not “disposed to accept the transparency imposed by democratic institutions”. Jehovah’s Witnesses for example, are coming under close scrutiny by the tax authorities, even though they have never tried to thwart the work of any tax inspector.

It is an outright lie to say that in February 98 the Committee on Civil Liberties and Internal Affairs of the European parliament adopted a resolution limiting sectarian excesses carried on behind a mask of religion. That resolution was not approved by the plenary assembly of the Parliament and is therefore not an official document. What is more, the draft report on sects by Maria Berger was twice rejected and has since sunk into oblivion.

What a demagogic and manipulative approach to promote the draft report on sects by Mr Nastase, a report which was refused once by the parliamentary assembly of the

European Council in September 1998, and hastily taken off the agenda on the day of the vote on April 29, 1999, as it was sure to be refused a second time.

According to Mr Vivien, 160 cases against sects are currently pending in courts. Such a statement has two implications. On the one hand, this means nothing because he gives no indication of the reasons for the legal proceedings, nor any statistics about sentences. On the other hand, this means everything: in spite of the open war on sects led by France and the considerable human and financial resources expended for this policy, sects allegedly live increasingly outside the law. This would seem to be a complete failure of the French policy of confrontation, as the results are worse than in any other European country. But Mr Alain Vivien has already anticipated that objection: in his words, "France is perhaps among the member states that protect themselves the most against sects". However, we can wonder what the other member states of the European Union think about finding themselves quoted in such a self-satisfied and condescending judgement?

In the meantime, the Interministerial Mission continues its war on sects. As regards education first of all: 6,000 homeschooled students are suspected of being instructed by sects or with a sectarian slant, and steps to have them sent to school are being examined. To add to this, the fiscal harassment of Jehovah's Witnesses continues without letup. Following a new application of the general tax regulations, they are being asked for 60% of the manual donations they have received over the past years: a sum of 50 million dollars and their properties have been put under mortgage. This tax war is aimed at completely erasing the fourth largest religion in France from the religious scene. Up until a few months ago, only the Pentecostal evangelical church of Besançon and Mandarom shared their tragic situation. Now the 172 "sects" on the blacklist are also under scrutiny. They have been sent forms to fill out in which they must set out their financial, tax and property situation. These religious associations were registered under the 1901 law just like approximately 1,200,000 others. But now they are the only ones to have the State meddling in their internal affairs.

We can expect a worsening of the situation and the extension of the fiscal harassment to other associations linked with well-established religions. The October/December 1993 issue of "Administration" entitled "The State and Cults" makes the point that 95% of Muslim associations, 90% of Protestant and Jewish associations and nearly 100 diocesan Catholic associations, without counting the innumerable other Catholic associations such as the Friends of Monasteries or the organizers of the Worldwide Days of the Pope, should inevitably face tax investigation in the near future if the French State does not want to be accused of religious discrimination. Not only religious but all types of associations are under the threat of the tax administration: 1,200,000 cultural, charitable and sporting associations should be affected if the French State wants to apply its logic thoroughly and avoid any discrimination.

Therefore the future for France looks extremely grim, not only where religious freedom is concerned, but also for freedom of association and expression. And this is without speaking of the recent trends that in these last few years have been threatening other human rights.

Deviations

Since the publication of the French parliamentary report, *Human Rights Without Frontiers* has received an increasing number of complaints from individuals adhering to one of the 172 so-called cults: defamation, slander, anonymous threats, breach of reputation, loss of jobs or promotions, dismissals, loss of visitation rights or child custody in divorce settlements, bomb threats in rented rooms, denial of room renting for religious ceremonies, etc. A few more detailed stories will help you understand the MacCarthyist climate that has been generated by the anticult policy in France.

Personal Settlement of Scores

In 1996, a small association called « *L'arbre du milieu* » that was helping maltreated and sexually abused children was included in the list of 172 cults publicized by the French parliamentary commission on cults. The source of information was the Intelligence Service. The starting point of this whole affair was a vengeance of an influential patient who involved an anticult movement in his personal settlement of scores. In this case, the founder of « *L'arbre du milieu* », Bernard Lempert, a well-known psychologist, lost his reputation, his patients and his sources of financing. In October 1998, the court of Rennes declared him non-guilty of being the guru of a cult. Jacques Guyard acknowledged that the movement « *L'arbre du milieu* » should not have been put on the list of cults but there does not exist any procedure to remove it from the said list.

Adherence to a Cult and Professional Prohibitions

There is now a tendency to substantiate the idea that adherence to a cult is incompatible with an occupation in the public sector, particularly in schools.

The principal of a school in Chomerac (Ardèche) was under fire in October 1998 because he was a member of the Mandarom, a blacklisted cult. A rumor was sufficient for a number of parents to withdraw their children from his school and to draw the attention of anticult movements and of the Ministry of Education. There was an official enquiry but he could not be reproached with any professional mistake or proselytism. He was just perceived as a potential danger by Jean-Pierre Brard, communist mayor of Montreuil (Paris) and member of the Observator on cults.

Since then, rumors have been circulating that Jehovah's Witnesses who are teachers are potentially dangerous for schoolchildren and should be put under scrutiny.

Consequently, so-called campaigns of information are being carried out by the public authorities in schools. For example, fourth grade students in junior high schools are subject to anti-cult propaganda and atrocity tales included in an official manual of Civic Education.

Loss of Professional Promotion

At mid-December 1998, an engineer working in a nuclear plant of EDF, the national electricity society, was refused a key position and transferred to another non-nuclear department of EDF because of his adherence to the Church of Scientology. The decision was backed by anticult movements working for the Interministerial Mission of Fight against Cults and by the socialist and communist trade unions. Although the engineer had not committed any professional mistake or had never tried to disseminate his beliefs, he was suspected of being used by the Church of Scientology to infiltrate the nuclear plant. The engineer had been denounced by several anonymous letters just when he was about to be given the leadership of a dozen workers.

Witch Hunt and Police Raids against Homes of The Family

In 1993, homes of *The Family* was the target of raids by the French police in Lyon and Marseilles and the alleged grounds that the kids were routinely prostituted. « Over 200 officers brandishing axes and automatic weapons entered the homes at dawn on June 9, 1993. 50 adults and 90 children were taken into custody. They handcuffed parents and dragged them down staircases and across a gravel driveway in full view of their children. A 15-year-old girl was handcuffed for four hours clad only in her underwear. Over the next two days, *The Family* members were subjected to intense interrogation during which time the police chief bluntly informed them that he hoped to destroy the *Children of God*, to see to it that they lost their children, and to impirson them. Meanwhile, the young people were taken to dungeon-like detention centers, given little food, and grilled mercilessly though many did not understand French. In this case, the authorities were responding to charges leveled by the primary French anti-cult organization, the *Association for the Defense of the Family and Individual* (ADFI). For several years, ADFI had accused *The Family* of child abuse, prostitution, and various other unlawful activities. The authorities worked with ADFI, a government-supported agency, and the court appointed an ADFI-connected psychiatrist to interview the children. In spite of being isolated from their parents and the pressure placed upon them, the children denied that any abuse was occurring in their life. » (Gordon Melton, *Dai Bambini di Dio a The Family*, Leumann (Torino) : Elle Di Ci, 1997, p. 54).

In January 1999, six years after the raids, the Justice Court of Aix-en-Provence vindicated *The Family*. All defendants were found not guilty and acquitted.

Conclusions

All along the process meant to deal with problems caused by some cults, the French authorities have persistently rejected any form of dialogue with all the minority religions they have abusively called dangerous and harmful cults. They have generated a situation of total incommunicability which they have worsened by creating aggressive instruments of fight against so-called cults. This is leading to an increasing marginalization of France on this issue in the democratic space of Western Europe and no signs of willingness to change this policy are visible.

Belgium

French Community's Offensive against « Harmful » Sects A freephone helpline and 60,000 special brochures Minister-president and Minister of Education Onkelinx Wages War on Gurus

The French Community of Belgium (one of the federated entities of the Belgian State), led by socialist Minister-president and Minister of Education Laurette Onkelinx, has launched a campaign against « cults ». This consists of fliers, radio and TV spots warning people against cults and gurus and promoting a brochure on the subject of sects and directing people to anti-cult groups. This campaign is unanimously supported by the media; no political party or politician has voiced the slightest dissenting opinion. Accused in 1997 of drawing up an unfounded blacklist of so-called 189 cults, Mr. Moureaux (socialist), chairman of the Belgian parliamentary commission against harmful and dangerous cults, has always suspected his detractors of being « friends of cults » and answered with offended feelings it had not made a blacklist of dangerous cults (!) but a list of movements suspected of being harmful cults (!). However, the French Community openly says it is a list of « 189 active cults » and Mr. Moureaux has not reacted...

Here below, we present you the translation of an article published in the leading French-speaking newspaper « Le Soir » and some comments by « Human Rights Without Frontiers ».

Le Soir (6/3/99) - « Guru, you'd better watch out! » In fact, as the generic title of the French Community's campaign due to be launched from the 8th March indicates, the general public 'track-down' of harmful sects seems finally to be getting under way, almost two years after the publication of the parliamentary commission enquiry into the illegal activities carried on by sects. The main target of the defence action is the area of the population which sects -especially the Church of Scientology - mark out for their attentions.

A retrospective: April 28th, 1997; the exemplary 670 page report from the Moureaux commission on sects' illegal practices. However the report suffered from three deficiencies; first of all it was almost illegible and difficult to consult - on Friday minister Serge Moureaux announced that it will soon be published in book form; secondly, the perishable nature of the information it contained (therefore the necessity to set up, in fact from May 1st, an « observatory » which would update the information and distribute it to the public), and finally, although it distinguished semantically between all the different sects - which it lists - and « harmful » sects, it did not give a precise list of the latter. Even though the dangers are identified, the list is still unclear and teachers, those who work with and support young people and magistrates are left helpless.

But the commission recognised its limits and recommended setting up reference and consultation campaigns, along with related information. This has finally been accomplished - at least in the French Community - by the minister-president Laurette Onkelinx.

First development: the setting up of a freephone helpline, 0800-20 000. Even before the observatory of sects which will be able to give full up-to-date and precise information to the general public, this helpline will not only make available teaching materials to understand sects, but also respond to any caller's questions or concerns. If the service is unable to give a satisfactory answer, it will refer to one of the Belgian associations working in this area (the ADIF, ADCAM, CIGS as well as the VVPG of Antwerp).

Second development: the publication of 250,000 tracts and 60,000 brochures (*) incorporating not only the problems of defining sects, but also short chapters that detail the critical reflexes that the student, the young citizen, or just the ordinary person should cultivate if they intend to protect themselves against harmful sects, while of course not rejecting authentic spiritual steps.

Because it's succinct enough, let's leave the tract to one side, a tract that from tomorrow will appear in numerous public areas (post offices, cultural associations, etc). As for the brochure, its quality is exceptional and without a doubt schools will be fighting to get their hands on it, even just to use as a teaching aid. In its 40 pages, the French Community 'calls a spade a spade', calling into question various harmful sects - if not all of them, at least the main ones - without falling into the « sect of anti-sects » argument, and gives a point of contact and useful bibliography. Well balanced, well thought out and available on the Web. Clear and honest brochures like that are needed for many other aspects of society.

Finally, commercials on radio and TV (next week) as well as in cinemas (March/April) are on their way. Next step: the « observatory ». The socialists attack on May 1st.

Alain Lallemand

(*) The brochure can be found on Internet <http://www.cfwb0002.htm>

Some Comments

The aforementioned campaign needs to be understood within the Belgian context and merits being clarified for those who, outside Belgium, do not live the day to day complex realities of Belgian political life.

On the 13th June, Belgium will undergo European, parliamentary, community and provincial elections. Even now the political parties and their candidates are busy defining their positions, not only in relation to a new revision of the Constitution, which may well have an effect on the Belgian Community split, but also on other aspects of society. The question of sects seems to be one of the priorities of some political leaders of the French Community, but not of the Flemish Community.

The president of the parliamentary enquiry commission into sects, Mr. Moureaux (socialist, agnostic), which has no further legal existence, has announced, to general surprise, the publication in book form of the commission's report on sects. The journalist underlines the fact that the report is « exemplary » while the OSCE and numerous other international conferences denounce in plain terms the methodology used and the publication of a list of 189 so-called dangerous or harmful cults which government officials and even magistrates use and abuse, notably in divorce and child custody proceedings.

A few questions present themselves: At what power level was such a decision taken? What budget heading will be used for this? Will the list of 189 « movements suspected of being dangerous sects » appear? According to the Moureaux commission, this list was established « under the sole responsibility of the official services (the police force, criminal investigation department, state safety, security services and the public prosecutor) ». But Lieutenant General W. Derrider, the then Commander of police systematically replied in writing to all churches protesting their appearance in the list that « the president of the commission Moureaux had made it completely clear that if the list was to be published, it would be after an assessment by the commission and under its sole responsibility ».

If one believes it, the parliamentary report states that « the examination of these movements should be undertaken in greater detail and the register should be set down in permanence » (Volume II page 227). Whereas in fact, each time the targeted evangelical churches and organizations asked to be removed from that register, estimating that they should not have been filed by the Commission, they met with refusal from president Moureaux. Documents describing their function and doctrine were attached to each request. Over the last two years, there has been a political refusal to correct this list, whilst all the time, complaints stating discrimination on the basis of religious convictions have been flooding into the OSCE, as well as to various human rights organisations and the Belgian authorities.

The (federal) parliamentary commission and the (federal) observatory on sects recognise their limits. Outside those limits, other power levels could take up the baton. The first to react is the French community, dominated by the socialist party known to be anticlerical. After the June 13 elections, the French Community may be led by a coalition of the socialist and liberal parties the prominent figures of which are involved in the war against cults. If so, it will be the first time since WWII that a part of the Belgian territory will not be under the rule of the leading Catholic-minded parties.

It is already clear now that by its cultural affinity, the French-speaking part of Belgium will choose to follow the same path and methods as France, methods decried by international authorities: outright war, hunting down of sects, incitement to turn informer, media campaigns, mobilisation of teaching personnel (teaching materials) etc. Following the example of France, the French Community of Belgium is equally ready to partially mishandle, for starters, its anti-sect conflict.

Questions rise here as well. Outside the political staff of the office concerned, what academic authorities were consulted to give their opinions on the content of the material distributed within schools? Lallemand's article replies in a covert manner: the academic world denouncing the « sect of anti-sects » (he means Professor Anne Morelli of the Free University of Brussels and others) will not have the right to speak. Why does Belgium not take into account the Swedish parliamentary enquiry report which advocates dialogue with « sects » rather than siding with anti-sect associations? Why doesn't Belgium apply the same open-mindedness as Spain or Italy, two countries among others involved in dialogue with minority religions and philosophical movements?

We know how far off track the French practices have skidded. The Belgian electoral campaign will surely only accentuate the policies already begun. The position of the Flemish community, dominated by the Christian party CVP, will be a determining factor in the Belgian policies on cults.

Prevention Campaign Against Harmful Cults
Belgian court orders a halt to the distribution of the 60,000 copies
of the French Community's brochure « Guru, you'd better watch out ! »

On April 24, the Court of First Instance at Brussels ordered the French Community of Belgium to stop distributing 60,000 copies of its brochure *Guru, you'd better watch out !*. The temporary injunction was entered on a complaint filed several weeks earlier by the Anthroposophic Society and adds a new dimension to the ongoing debate over attempts by European governments to investigate and control religious groups considered to be "cultes".

The emergency ruling of the Court of First Instance was issued after the Anthroposophic Society filed a complaint accusing the French Community of distributing « a brochure containing incomplete and unverified information that could cause serious harm to the Society ». Under the terms of the injunction, distribution of the brochure cannot resume until the French Community makes the necessary corrections. Since there are about thirty movements whose names are listed as harmful cults in the brochure of the French Community, it can be expected that a number of them will now go to court.(i)

The French Community's brochure alleged that Anthroposophy is « an esoteric sect passing on secret teaching, magic powers ». Other allegations in the brochure were more serious and included a charge that a young child named little Annaëlle, died after having been given cancer treatments in the manner prescribed by the anthroposophical medicine.

The representatives of the Anthroposophic Society attribute their current problems to the publication of the Dutch version of journalist Alain Lallemand's book *Sects in Belgium and in Luxemburg*. In the book and in testimony before the Belgian parliamentary commission on cults, Lallemand depicted the Anthroposophic Society as a dangerous sect (ii).The Belgian Association of Anthroposophical Medical Doctors responded by seeking an injunction against the publication of the book.

The judge noted that the complaint was admissible but unfounded and the Antwerp court refused the injunction because freedom of press does not permit prior restraints on publication. The book was published without corrections (iii).

The parliamentary enquiry commission, relying on both direct and indirect testimony before two unidentified official bodies, also claims that the Anthroposophic Society is a cult (iv) and has listed it in the table of 189 movements suspected of being « harmful cults ». Because of that listing, the Society is also considered to be a harmful cult by the French Community.

Despite nine pages of rebuttal testimony by J. Borghs and L. Vandecasteele (v), the parliamentary commission appears to have given greater weight to the testimony of the Anthroposophic Society's critics, including an anonymous witness who testified in closed-door proceedings

Notes

(i) *The complaints of two of those listed, the OKC (Ogyen Kunzang Chöling) and the Humanist Party, were dismissed on April 24 by the same court that issued the injunction on behalf of the Anthroposophic Society*

(ii) Report of the Belgian Parliamentary Commission, Volume 1, pp 98-99

(iii) Report of the Belgian parliamentary commission, Volume 1, p 251. The report indicates that several people testified about this particular movement : Mr. Berliner, a medical doctor and representative of the Association of the Victims of Illegal Medical Practices ; Alain Lallemand, a journalist ; J. Borghs, a member of the Board of the Anthroposophic Society ; and Mr. L. Vandecasteele, M.D., also a member of the board of the Anthroposophic Society and a member of the Board of the Belgian Association of Anthroposophical Medical Doctors.

(iv) Report of the Belgian Parliamentary Commission, Volume 1, p 134

(v) Report of the Belgian Parliamentary Commission, Volume 1, pp 249-258

Anthroposophical Society Files a Complaint against the Advisory and Information Center on Harmful Sectarian Movements

The Anthroposophical Society in Belgium aims to promote the study of anthroposophy, a philosophy that apart from Steiner schools - looked upon by the population as being serious schools - also inspires the work of anthroposophical medical doctors and dynamic agricultural projects filed a complaint on May 18, 1999 with the Court of Arbitration.

According to Werner Govaerts, director of the Rudolf Steiner Academy, the creation of an *Advisory and Information Center on Harmful Sectarian Movements* violates basic constitutional principles because Belgians who do not profess an established religion or secular humanism but are members of other philosophical or religious movements are discriminated against.

Anthroposophy was severely criticized in the parliamentary report on sects. The reproaches in the sect report were based on a book of Alain Lallemand, who reported the case of a cancer patient who was allegedly treated by an anthroposophical medical doctor with doubtful methods and died afterwards. Although the representatives of the Anthroposophic Society corrected this false information, these facts were taken over without having been examined by the sect commission.

Recently, this error could also be read in the brochure *Gourou gare à toi !* (Guru, you'd better watch out !), edited by the French Community of Belgium. The Anthroposophic Society also filed a complaint against this brochure and won the case in an emergency court session. The medical doctor mentioned was not a member of the Anthroposophical Medical Doctors Association, had not been trained as an anthroposophical doctor and had not treated the child according to anthroposophical methods. According to the judge, the French Community should at least give correct information to the population, as objective as possible and as complete as possible.

In the sentence is also mentioned the fact that the French Community gives subsidies to a school that practises the Steiner pedagogy. According to the judge, this showed incoherent behavior of the French Community.

Before the Court of Arbitration, these elements can only be mentioned as an illustration. The petition is basically dealing with the principle of equality. And that has been violated according to the Anthroposophic Society. The *Advisory and Information Center* is directed towards all religious and philosophical groups. « says Govaerts. It should deal with « so-called dangerous groups », but this is a very vague concept that could be applicable to all groups. In this regard, two groups of Belgians are created : the ones professing an established religion or secular humanism and the others. Anyone who is a member of a philosophical movement can be « observed » because the *Center* has received the permission to collect personal data, an exception to the privacy law. The problem is that there are no conditions linked to the collection of those personal data. Nobody knows what sort of data can be collected and by whom or whether the person under surveillance will be heard and have access to his/her files. This creates some big uncertainty from a legal viewpoint. On top of that, the *Center* cooperates with a cell for the fight against sects under the authority of the ministry of Justice. That shows clearly what the tenor of the information center will be.

Professor Torfs, professor of canon law at the Catholic University of Leuven (KUL), is also worried about the role of the «*Advisory and Information Center* because it is oriented towards philosophical movements that allegedly cause damage to the individual or to society or that are allegedly harmful to human dignity. According to him, that is totally arbitrary because as a principle the collaborators of the observatory will decide for themselves what is harmful. So it is possible that they examine groups that work totally legally but that the *Center* considers as dangerous.

Such a policy endangers the freedom of religion. It is the manifestation of some typically Belgian scepticism towards everything that is unknown. Belgium seems to need conformism: everyone that doesn't think as the mainstream is suspicious and this creates an atmosphere of distrust. According to Werner Govaerts, this negative climate already has some consequences. « Now, already, there are judges who base their judgement in divorce cases on a list of sects that the parliament decided not to approve. An example of this is the fact that a father obtained the custody of the child because the mother was a member of a religious movement practising yoga and meditation. »

The Court of Arbitration has 18 months time to take a decision. The Anthroposophic Society hopes that the law will be annulled.

Source : De Morgen (18 May 1999). Translation and adaptation by Human Rights Without Frontiers

Conclusions

All European states have agreed to be bound by several international agreements, including the Charter of the United Nations, the (1950) European Convention on Human Rights, the (1966) International Covenant for Civil and Political Rights and several documents of the Organization for Security and Cooperation in Europe, including the important 1989 Vienna Concluding Document. In addition to these binding instruments, there are several other important documents that outline international standards, including the Universal Declaration of Human Rights, the (1981) UN Declaration on the Elimination of All Forms of Intolerance and

Discrimination Based on Religion or Belief and the (1993) Human Rights Committee General Comment on Article 18.

All major international human rights conventions as well as other international conventions to which France, Belgium, Germany and Austria are signatories, include a clause that prohibits discrimination on the basis of religion.

Article 14 of the European Convention, for example, provides that « The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, color, language, religion, political or other opinion, national or social origine, association with a national minority, property, birth or other status. »

The Article 1, section 3 of the Charter of the United Nations similarly provides that there should be no « distinction as to race, sex, language or religion. »

Language of this type is repeated in many other texts.

OSCE participating states, which include all European countries except Serbia, have pledged not only to prohibit discrimination but to « take effective measures to prevent and eliminate discrimination against individuals or communities on the grounds of religion or belief in the recognition, exercise and enjoyment of human rights and fundamental freedoms in all fields of civil, political, economic, social and cultural life, and to ensure the effective equality between believers and non-believers. » »(Vienna Concluding Document Art. 16.1).

OSCE participating states also have taken upon themselves the affirmative obligation of promoting tolerance. As the 1989 Vienna Concluding Document provides, all participating states shall « foster a climate of mutual tolerance and respect between believers of different communities as well as between believers and non-believers » Vienna Concluding Document Art. 16.2).

States of Western Europe must respect and implement the provisions of these international instruments which fully guarantee the freedom of religion and belief of their citizens.

Washington
8 June 1999