

Freedom of Religion and Human Rights in Western Europe

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The European continent is multicultural, multilingual and multireligious. Religious diversity really exists within the borders of the Member States of the European Union. However, the variety of their national histories, which is a richness in itself, poses some problems. In many cases, a specific religion has been closely linked to the edification of modern Nation-States and pretends to enjoy or effectively enjoys some privileged status legally, politically and socially. Consequently, most European countries have a two-tiered or multi-tiered system in which religions have different statuses and in which citizens are not treated in the same way and even suffer from various forms of institutionalized inequalities and discrimination on the basis of their religious or philosophical beliefs.

The most obvious shift is indeniably between on the one hand religions which the State recognizes and therefore legitimizes with some sort of quality label and on the other hand second-rank religions which are not recognized, exclusively non historical minority religions, also called "sects" or "cults", which do not enjoy the State quality label. The criteria for establishing various categories of religions are often disputable and sometimes non-existent.

The categorization of religions leads to a categorization of State financing systems which are discriminatory: a number of religions are financed by the State, though unequally, while others are not. In the wide variety of financing systems in force in Western Europe, taxpayers may not be allowed to finance their own religion and may to various degrees have to finance religions - and sometimes also a secular humanist movement that they do not adhere to, that may be hostile to their own religion or whose doctrines they may be opposed to.

The categorization of religions also leads to a very heterogeneous sub-category which gathers together unpopular religious groups, called "cults" presented as "harmful or even dangerous". Mass homicides-suicides and crimes committed by a number of cults around the world in the nineties have triggered off an indiscriminate witch-hunt against hundreds of minority religions and against their adherents by anticult movements and the media all over Europe and by the parliaments of France, Belgium, Germany and Austria.

Deviations of the Parliamentary Reports on Cults

Since the publication of the French parliamentary report, *Human Rights Without Frontiers* has received an increasing number of complaints from French and Belgian individuals adhering to one of the blacklisted 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 not 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 that 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) came 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 no professional mistake or proselytism could be established. 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.

In February 1998, a letter circulated at the St Philibert primary school, complaining about the presence of a teacher who posed « various problems surely caused by Mrs. G's belonging to a movement officially listed as a sect (Jehovah's Witnesses) ». This letter was displayed on a locked notice board behind glass, located at the school entrance on the street. Some students' parents wanted to draw the attention of the authorities and parents to the fact that a Jehovah's Witness was teaching in the school. In its ruling, dated February 19, 1998, the county court of Lorient, after local and national press, as well as parents of students expressed their indignation over the difficulties posed by the presence of a Jehovah's Witness teacher, declared that « the revelations made through billposting were clearly inspired by a blatant desire to harm and to arouse discriminatory attitudes. » The billposting was therefore held to be prejudicial by the court.

Despite this ruling, so-called information campaigns are still 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 about Jehovah's Witnesses and other religious groups which are 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 to Fight against Cults and by the socialist and communist trade unions. Although the engineer had not committed any professional mistake nor had ever 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.

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.

The Sect-Hunt in Western Europe - Who is behind it and where is it heading?

A number of countries are fighting against "sects" while others have chosen to stay neutral. This split cannot be explained by the policy of some governments to separate religion and state. France and the Netherlands, to name only two countries, have radically different policies in this regard although there is such a separation. Also Sweden has taken a very liberal attitude although the Lutheran Church is closely linked to the state. In the light of events of previous years it would seem however that certain conditions favor the emergence of anti-sect state policies:

- a historical monopoly of one or two religions;
- society's increasing secularism in the wake of the progress of secular humanism and the regression of established religions;
- the presence of several relays for established religions and/or secular humanism in Parliament, governmental or social institutions and the media;
- a historical tradition of centralism, a reluctance to accept diversity whether cultural, linguistic, religious or ethnic;
- converging interests from different dominant belief systems despite their divergences or even their conflicting history;
- the existence of anti-sect movements.

Just one of these conditions can sometimes be enough to set off an anti-sect movement, but normally it takes a combination of several conditions along with their cumulated effects. Moreover, contagion is spreading internationally on the rails of converging interests from the various dominant belief systems in other states.

The anti-sect movement started in France where militant "laïcité" - one form of secular humanism - has been hostile to religion incarnated by the Catholic Church ever since the Revolution. In French-speaking Europe, francophone Belgium and the canton of Geneva have followed hot on the heels of France, thanks to the political, social and media relays of secular humanism. In Germany and Austria, the relays have been the established religions. Already in other countries, such as Hungary, signs are appearing that the state is also ready to enter the anti-sect war.

The anti-sect war carried on by certain countries attacks three main outward expressions, judged to be dangerous or harmful: doctrines, practices and teachings concerning health, and alternative teaching methods.

In its fight against non-conventional sect doctrines, the government can count on the support of the established churches along with secular humanism in all its forms. Natural allies against alternative or complementary therapies are the Medical Doctors' Association and professionals involved in the traditional psychology market, as the government will defend their interests. The public and denominational schools, both with a vision of man and society, will defend their own interests when it comes to alternative teaching methods. Accusations spread about sects are well known: mental destabilisation, bodily harm, sexual abuse, family breakups, indoctrination of children, threats to public order, fraud etc. The judiciary, the IRS and other administrations are implicated in the anti-sect fight, and new organisations specifically set up to fight sects have been added. To justify their existence, they have no choice but to stoke the fires further, causing the situation to race out of control.

In that huge clock with so many cogs, the anti-sect movements are just reflecting the surrounding ideology, owing their audience and power to the role which some want them to play. As for the real or supposed sect victims, they only became "interesting" when they could be used as tools against sects. Before the sect-hunt was launched by certain states, these two participants played only an insignificant role in Europe.

The perverse effects of the sect-hunt led by some European countries are clearly visible, even though the main instigators refuse to acknowledge them; rumour campaigns, denunciations, abusive police raids followed by massive separations of children from their parents (The Family), job or promotion loss, loss of custody or visiting rights in divorce cases, administrative and fiscal harassment, defacing of places of worship, assaults, bomb alerts ...

In a growing number of European countries, the anti-sect train along with its initiatives and measures gathers speed. In the wake of a return or evolution towards philosophical and religious conformity, it is feared that certain states would be tempted to go beyond a sect-hunt, taking back control of society with the aid of its change-opposing pillars.

Currently, anyone who is not "ideologically correct" in some areas has his freedom of thought and expression threatened. In the future, anyone who is not "ideologically correct" in any area may be exposed to public condemnation if deviations go on extending.

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.

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