Acts of the European Conference

Cults and the False Debate on Human Rights

20th Anniversary of FECRIS

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European Federation of Centres of Research and Information on Sectarianism
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www.aviso-asbl.be/

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[1] Centre d'Information et d'avis sur les organisations sectaires nuisibles www.ciaosn.be

[2] Chambre des Représentants de Belgique, 1996-1997 : Enquête Parlementaire visant à élaborer une politique en vue de lutter contre les pratiques illégales des sectes et le danger qu'elles représentent pour la société et pour les personnes, particulièrement les mineurs d'âge.

[3] Mission interministérielle de vigilance et de lutte contre les dérives sectaires www.miviludes.gouv.fr

[4] Centro Studi sugli Abusi Psicologici (Ce.S.A.P.) Bari, Italy – www.cesap.net

Speech of Laurette Onkelinx, Deputy Prime Minister and Minister of Social Affairs and Public Health, Belgium

Mr Chairman,
Dear André Frédéric,
Ladies and Gentlemen

My thanks to FECRIS for bringing us together to discuss a societal phenomenon unfortunately still very much in the news these days.

The society in which we live, with its economic crises, its crises of values, its violence, its obsessive individualism, its nagging uncertainties in the face of insecurity, is very destabilising for individuals.

Contemporary society can be disorienting and deceptive for some of us, seemingly unable to come up with answers to these apparently insoluble problems.

And this makes fertile ground for the worries and weaknesses that cultist movements build on.

Such movements, with their touch of irrationality, surrounded in mystery, occultism, practising strange rites, or conversely adopting a pseudo-scientific discourse, are keen to attract individuals demanding answers to the malaise or fears they feel.

Among such a target cohort, we find above all people weakened by illness and who maybe feel lost or without any perspective or hope.

Cultist movements, gurus, pseudo-healers, pseudo-therapists or pseudo-scientists – under whatever title they conceal their dangerous activities – manipulate and abuse the weaknesses of such easy prey, with sometimes dramatic consequences.

I've spent a long time fighting these harmful organisations.

Some eighteen years ago, at that time as Minister of Education, I initiated a number of awareness-raising campaigns against cultist movements, including the campaign "*Gourou, gare à toi*" (Guru, watch out). I also fought against "sectarian schools" whose aim it was to get children out of state schools and into private institutions, shutting them off from the outside world.

At a later date, as Minister of Justice, I pushed through amendments to the Criminal Code aimed at punishing people who abused the ignorance or weakness of others. My aim here was to facilitate the fight against cultist movements.

We also improved the way the Belgian Observatory for such matters – the CIAOSN/Centre d'Information et d'Avis sur les organisations sectaires nuisibles (*the Information and Advisory Centre on Harmful Sectarian Organisations*) – functioned.

Now, as Minister of Public Health, what I am seeing is that sectarian movements are developing strongly in this field.

This is unfortunately confirmed by the specialists in this matter, including the Belgian CIAOSN and the French MIVILUDES, which report that currently sectarian movements in the field of health make up nearly 25% of notifications received. This is the reason why I have put patient protection on the top of my list of priorities for this legislation.

We need to take action against the "*Dérapeutes*" as MIVILUDES calls them: people who, whether maliciously or irresponsibly, benefit from legal loopholes or patient weakness to cause considerable harm to already destabilised people.

In this sense, together with the Belgian Chamber of Representatives, we have introduced a legal framework for the exercise of psychotherapy, establishing strict requirements in terms of training and quality of care for gaining accreditation as a psychotherapist and the licence to practise psychotherapy.

Up to now, this sector was not regulated and, as a result of soaring demand for mental healthcare, proved to be fertile ground for sectarian movements.

Without the law, anybody could call himself a psychotherapist. A great danger!

Several manifestations of sectarian movements are, for example, very active in the fields of psychiatry and psychotherapy.

This legal framework is set to be adopted this week. It proposes the licensing of serious and trustworthy professionals and greater transparency for patients turning to them.

I have similarly initiated the enforcement of a 15 year-old law on non-conventional practices.

The goal here is to set the requirements needing to be met to practise the following disciplines: homeopathy, osteopathy, chiropractic care and acupuncture. Here again, we also need greater transparency and better patient protection.

My goal – and here I agree with the discussions of the Belgian College of Physicians at a symposium held recently on the topic – is not to uphold "official" medicine, thereby rejecting all other forms of practice. Alongside conventional medicine – which is by no means an exact science and which is in a constant state of development and self-questioning – there is room for complementary practices supporting a patient's well-being.

The law allows more action to be taken against practices which are supposedly alternatives to conventional medicine and whose practitioners are out to completely isolate their "patients" (i.e. "victims") from conventional care, with a view to excluding them from society and being better able to subject them.

These two issues, mental health and non-conventional practices, have been identified in the context of the work of FECRIS as the priority fields of action of sectarian movements.

Moreover, when my ministry or I find ourselves confronted with movements with sectarian tendencies, as was the case with "total biology", I systematically instruct the government departments within my competence to denounce the reprehensible machinations of health professionals or persons claiming to be such to the competent authorities: the public prosecutor, colleges or chambers, the police, the mayor, etc.

However, though these bodies in most cases show the utmost diligence, their lack of means of action regularly lead to an admission of helplessness.

In a number of cases, we have seen that court proceedings initiated against them have come to nothing - something that is not acceptable.

Ladies and gentlemen, there's still a lot to be done, and it's a fight requiring perseverance.

Cultist/sectarian currents are constantly developing and changing form. When one road is blocked, they just change their field of activity, though always with the same underlying intention – Approach-Seduction-Subjection – and, at the end of the day, the same harmful effect.

In my opinion, it is absolutely necessary to have a debate at national level on this, with the aim of getting the various competent bodies to work better with each other and to strengthen their means of action (public authorities, colleges and chambers, judicial bodies, scientific observatories, etc.).

One example of an initiative underlining this necessity was the symposium held last year by the SPF Public Health on the development of sectarian movements in the field of healthcare, which ended with an action plan which I hope I shall still be able to present during the present legislative period.

I am also of the opinion that we need better coordination at international level, where certain sectarian movements are one step ahead of us in terms of presence in international forums, and lobbying at this level.

In this vein, today's conference similarly underlines the need of taking action.

I look forward to proposals for new initiatives.

Thank you for all your work up to now. Rest assured, I am well aware how difficult it is to work against these dark forces threatening the health and dignity of too many of our fellow citizens.

Thank you for your attention.

Laurette Onkelinx

An attack on the equal opportunities of recovery

Laurent Chambaud
Director of the EHESP French School of Public Health (Rennes, France)

Analysing the impact of sectarian movements on health equality and the loss of recovery opportunities is no easy undertaking. I will not be putting forward an approach allowing us to categorise therapies between those which are *a priori* dangerous and those not. Such an approach has already been tried by MIVILUDES, by associations supporting victims of sectarian movements and by parliamentary enquiries. I will attempt instead to associate these sectarian attempts with new health paradigms, using this context to analyse the concept of "loss of opportunity". I will then move on to highlight the specific new aspects of health information. Winding up, I will focus on the particular challenges in the field of training health system managers in France.

Health: a concept in motion, practices in evolution

Over the past few decades, health has moved from the private field into the public spotlight. The media are constantly on the lookout for any controversy on health safety, a large number of magazines regularly come up with surveys classifying hospitals and clinics, highlighting the nutritional benefits of this or that molecule or foodstuff, or revealing the benefits of “natural” therapies or “alternative medicine”[5]
At the same time, over the last twenty years or so we have been seeing a major paradigm shift with regard to health, the result of a threefold development:

- First, the epidemiological transition, a technical term used to denote the radical change in the nature of health problems in numerous countries. Chronic conditions have replaced acute infectious diseases, leading to a radical change in public expectations vis-à-vis healthcare – and population ageing is greatly accentuating this trend.
- Secondly, the belief that the healthcare system could solve all of the planet's health problems peaked in the 1960's and 70's with the eradication of smallpox, declared

[5] For example, in the 30 May 2013 issue of Le Point: “these extraordinary forms of medicine: even the hospitals are taking them up.”

officially extinct in 1980. Yet, since then, the model has been disputed, allowing the emergence of a real discourse over public health that emphasises the determinants of good health and aims to tackle the societal causes of many health problems, as well as health inequality. However, it is likely that another way of disputing the bio-medical model has gained fertile ground in the development of alternatives to "official" medicine. We have seen a proliferation of all these currents offering a "holistic" vision of disease and health, highlighting the specific and individual character of each diagnosis and wanting to re-establish harmony between each individual and his environment. It is interesting to note that this vision is very close to a definition of health often quoted in public health, a definition coined by René Dubos: "a physical or mental state relatively free from discomfort and suffering and allowing the individual to function as efficiently and as long as possible in an environment where chance or choice have placed him"[6].

- Finally, the advance in patients' rights, a constant in all industrialised countries. On this point, the 2002 law has enabled France to catch up with the work done in many other countries. It is also interesting to note that one of the three pillars of the roadmap announced by the Ministry for the national health strategy refers to patients' rights and the need to provide the public with information. However, this dimension includes a paradoxical demand that each of us has: the desire to be able to benefit from highly specialised technologies, whatever the price and irrespective of their usefulness, while at the same time calling for a more human approach providing a comprehensive overview of one's state of health and rejecting the use of intensive medication.

In such an environment we need to study and interpret the growing impact of certain Cults or gurus in the health field. Similarly, in this context we also need to analyse the concept of loss of opportunity.

This concept of loss of opportunity plays an important role when wanting to tackle health inequalities. We can't just reduce this to the effects of sectarian movements. In France, the life expectancy of a worker is on average 6 years less than that of a manager[7]. Moreover, seeing people spurn healthcare is a major concern: more than 15% of the adult population spurned healthcare in the course of 2008[8].

However, as regards sectarian movements, a further factor emerges with regard to the loss of opportunity: a refusal to benefit from diagnostic or therapeutic practices, under the influence of mind control, leading to choices not guided by free will. This notion is evidently difficult to appreciate, though it is omnipresent in healthcare and support: from prevention to caring for a serious condition. Two examples can help us clarify the debate:

- In the field of prevention, vaccination has been questioned for several years now on the basis of information pointing either to collusion with pharmaceutical companies or to a form of global conspiracy [9]. Yet non-vaccination heightens the risk of infections preventable through adequate vaccination. In such a context, are we just talking about misleading information or are these associations the home of people with real control over their members?
- Examples related to cancer and lots of other chronic conditions are well documented and the subject of particular attention by MIVILUDES or other associations for victims of sectarian movements, as highlighted in the 2011-2012 MIVILUDES report

[6] Dubos R. (1985), *L'Homme interrompu*, Paris, Seuil.
[7] Insee Première Nö. 1372 - October 2011
[8] IRDES Spurning healthcare for financial reasons: an econometric approach. *Questions d'économie de la santé.* No 170. November 2011
[9] As claimed, for example, on the website *attention-aux-vaccins-meurtrier.info*

on the penetration of sects/cults among vulnerable elderly. In this context, how can we distinguish between the exploitation or even mistreatment regularly observed in such vulnerable people, and the specific aspect of sectarian movements?

Another point needing to be examined in detail in my opinion is the recourse to "parallel", "complementary" or "alternative" medicine or therapies. There are several documents looking in detail at such suspect or risky practices. In my mind, it is important to be careful in this field, as the risk of losing credibility through unilateral rejection becomes real, once the popularity of such practices appears in an increasingly large slice of the population. Three factors need to be considered in such an analysis:

- Firstly, the success of alternative therapies is the result of the major increase in chronic conditions, for which mainstream medicine in reality only has few solutions. Though regrettable, this is true.
- Secondly, the methods for assessing the benefits of any therapy are governed by scientific rules based on experimentation, reproducibility and the categorisation of diseases defined by mainstream medicine. It is thus easy for those upholding therapies often termed as holistic to circumvent these rules, stating that they are not applicable to processes taking "the person in his individual setting" into account, and thus eminently adjustable to individual situations.
- Last but not least, the reality of "medical power", ever present in our health services[10], means that a way will always be found to contest alternative practices, which often focus on their 'natural' character, on individual freedom and listening to the patient, something all too often missing in our healthcare system.

Recourse to increasingly varied alternative forms can thus not *per se* be interpreted as a risk coming solely from sectarian movements, as it goes hand in hand with the growing popularity of such forms, even if they are out of sync with or even in opposition to the recent achievements of evidence-based medicine. We thus need to come up with additional factors relating to the objectivity of the loss of opportunity through the explicit rejection of proven diagnostic or therapeutic practices and through a form of mind control leading to such rejection.

Health information: a powerful tool both for promoting sectarian/cultist movements and for controlling them

Health information practices are changing. We could even go so far as to say that they are being revolutionised. The emergence of the Internet is substantially altering people's relationship to health and disease. In such an environment, the ability of cults/sects to recruit potential victims via the Web is obvious, especially as, generally speaking, the information there is not verified and is often difficult to verify. The mass of new information no longer allows any prior control, even for websites committed to showing responsibility. Yet Internet is also a way of reaching young people, those who may be more easily attracted when they do not have the tools to control the sources of such information, or vulnerable people, particularly those looking for solutions to their medical conditions, addictions or disabilities that they have not found with their healthcare professionals.

This finding leads to two major questions:

- Do we have any real chance to control this ever-increasing mass of information?

[10] Medical power in line with the still topical model: the paternalistic clinical tradition. Cf. the article of Janine Barbot: "Soigner en situation de risque judiciaire. Refus de transfusion et responsabilité médicale" (*Providing care in a situation of legal risk. The refusal to have a blood transfusion and medical responsibililty*), Revue française de science politique, 2008/6, p. 985-1014

- What role do public authorities play?

In my view, it is illusionary to try and control a tool whose very purpose is to get away from all hegemonic will. Even if for commendable reasons, the volume, speed and extent of the information needing to be monitored prevents us from defining an effective policy. It is thus reasonable and probably more effective, as recommended by the Senate's enquiry commission, to extend the intervention powers of the national police's cyber-investigators.

As for the role of the public authorities, it needs to be a key role. At present it is insufficient. France sorely lacks a proactive policy for providing its citizens with information on all health matters. It took magazines publishing "charts" on hospitals and clinics for the health authorities to question the methods used to inform citizens with regard to the quality and safety of healthcare. And even then, only in a very timid way. It took successive crises questioning drugs or health products for pharmacovigilance data to be made public. It is of crucial importance to move away from this purely defensive attitude and to give priority to providing health information. The introduction of a public health information service, announced by the Ministry of Health and Social Affairs in the context of the national health strategy's roadmap, must be given top priority. In the context of such a service, it would be possible to counteract cultist/sectarian inroads into the health sector. We need collective success in making an authoritative and legitimate information website available to everyone in France[11]. This is a major challenge, but there's no getting round it.

The role of the public authorities however goes further. The issue of identifying cultist/sectarian movements and learning individual freedom of choice is related to our ability to enhance psycho-social skills from an early age. This means that schools have a major role to play. The opportunity to educate citizens while at school needs to be grasped. A further possibility is offered by the recent law on restructuring the school system, which stipulates for the first time, that "measures to promote pupils' health are a mission belonging to the national education system"[12]. Doctors and nurses belonging to the national education system are to develop these measures. It would be nice to know the content of these measures, integrating students' ability to withstand the approaches of sectarian movements.

The training of healthcare managers

The EHESP trains a substantial proportion of our healthcare managers, via vocational courses available within the public hospital system and State civil service. It thus needs to be able to integrate a module raising their awareness to the health consequences of cultist/sectarian movements, as these managers could well be faced with such problems in the exercise of their professional duties.

As regards hospital managers, their role will mainly be, in conjunction with the nursing teams, to identify patients who, as members of a cultist/sectarian group, refuse therapy or care, with negative consequences for their health or physical integrity.

As regards State civil servants with the responsibility of supporting Regional Health Agencies (health inspectors, social affairs inspectors, public health doctors and pharmacists, etc.), the aim of the training should be to provide them with the skills to advise authorities on measures to be taken or behaviour to be adopted. We have very close links to the control and inspection missions these institutions have to carry out. One operational proposal would be to include cultist/sectarian movements and their healthcare ramifications in the training modules covering controls and inspections.

[11] One interesting example is the Quebec government's health website: http://www.gouv.qc.ca/portail/quebec/pgs/commun/

[12] Article L.541-1 of the new Education Code, enshrined in Law 2013-595 of 8 July 2013 providing guidelines for the restructuring of the French school system

A further important measure would be to raise the awareness of all health and social services professionals to the reality of these cultist/sectarian movements and their consequences, especially in the health field. This is a role that universities and paramedical schools can play. It is also their social responsibility, a concept very much *en vogue* and which would assume a concrete form here.

Finally, in my opinion, in-depth work is needed in two major fields stated in the Senate report: the field of "alternative" medicine obviously, but also that of personal development and well-being. The latter refers to a very wide range of practices, but also very promising from a media and, probably, sales perspective - and the front door for cultist/sectarian groups.

We need to conduct research on such topics to better understand the influence of these new fields in the world of health, to analyse why they have such an impact on individuals, especially when they are destabilised, to attempt to understand how they can or cannot provide proof of their benefits and usefulness (not only from a health , but also from a psychological or social perspective), and thereby to better distinguish the warning signs that need to be monitored and reported to the public authorities. A partnership between MIVILUDES, HAS and the multidisciplinary research teams would be a very interesting and innovatory move in this respect.

Laurent Chambaud

Freedom of religion: who protects God ? Who protects humans ?

Luc Willems, President of CIAOSN, Rapporteur of the Parliamentary Committee of Enquiry on cults 1996/97[13], Belgium

Why is it that a victim of a harmful cultist organisation (and by extension, of religious organisations in general) finds it so difficult in practice to be protected? Why should infractions be treated differently when they occur within a religious movement?
Why is it that the fundamental rights recognised at international level for over sixty years and entrenched in national constitutions are less guaranteed when they concern religious movements?

Two explanations of why this question is dealt with differently:

- Communication plan: for public opinion, cults and religious movements have for many years learnt how to counter scientific research. In terms of communication, they have abused academic positions in order to legitimise their activities.

- Legally, freedom of religion has become a catch-all concept that protects religious organisations, but not the believers and followers.

– With regard to public opinion, cults and religious movements have for many years learnt how to manipulate scientific research. In terms of communication, they abused academic positions in order to legitimise their activities.

To introduce this view, simply mention the following quote: "Christianity is a cult that succeeded." A cult can become a respectable religious current. This theory implies that a cult is not negative per se, but can be the start of something beautiful.

[13] Chambre des Représentants de Belgique, 1996-1997 : Enquête Parlementaire visant à élaborer une politique en vue de lutter contre les pratiques illégales des sectes et le danger qu'elles représentent pour la société et pour les personnes, particulièrement les mineurs d'âge.

Many scientific disciplines have attempted to provide a definition of the word cult: linguists, historians, jurists, theologians, but also sociologists and especially sociologists of religion . They have all sought a definition that would allow the public to identify the cult phenomenon.

The Belgian parliamentary inquiry report of 1997 on cults found that there were significant differences in the way the academic world assessed cults. In the course of many auditions, the parliamentarians noted that experts were opposed with seemingly contradictory conclusions. This opposition had not only led to different interpretations of the meaning of a cult within society and the degree of the threat that it represented for society, but also encroached onto very personal ground into the settling of scores both verbally and in writing between a few key figures on both sides. In its report, the Commission identified two main groups:

- the theorists (sociologists and historians of religion) and
- the practitioners (social workers and members of anti-cult movements).

The theorists often conclude that cults are wrongly very negatively labelled and are also denied the right to be called *new religious movements*.

Practitioners, on the other hand, especially highlight the negative effects of belonging to a cult and mainly base themselves on the testimony of members, former members and on those of their relatives.

Mostly cultist groups extensively referred to the opinion of sociologists of religion. These groups believe that it is important to cite academics of well- known universities. A problem which was discussed during the parliamentary inquiry. These professors have conducted extensive work , but their conclusions were misused.

Sociologists of religion describe and interpret the appearance of groups. They can understand when groups are absorbed or when a school of thought disappears.

This too presents no problem: free associations have their place in an open and free society, as long as they respect the laws and rules in force and do not turn into criminal gangs. Cultist groups have however used academic research to justify all their activities and even further evade social control.

Based on numerous interviews with (former) victims, the parliamentary commission rejected the observations of sociologists of religion. The commission thought that the latter underestimated the dangerosity of cults because of the restrictive and unilateral approach they had adopted. They are limited in effect to analyse the doctrine of these movements and are not interested in the financial and other malpractices that can be committed by these movements.

Cultist organisations and their advocates make extensive use of the findings of these sociologists in the media to show the character and integrity of their organisations and criticise the intolerance of their opponents on the legal status of the adept within the cult.

Such information also creates confusion among judges and police services. That is why it is also helpful to always remember the recommendations relating to the information of justice and police services on the phenomenon of cults, so that prosecution policy can be firmly conducted.

The biennial report of CIAOSN 2011-2012 devotes a chapter to the techniques used by cults in order to gain legitimacy.[14]

- Legally , freedom of religion has become a catch-all concept that protects religious organisations, but not the believers and followers.

[14] http://www.ciaosn.be/rapport_bisannuel2011-2012.pdf (pg 13)

This second element is more important than the first.

We therefore seek an answer to the question of why the activities and practices of religious organisations are apparently not treated in the same way as those of other associations in the ambit of our rule of law. Specifically, the question is why it is so difficult to obtain a response to a summon before a judge from a cultist organisation and why the instructions are carried out with so much scrupulous reserve.

To understand this, we must examine in depth the misuse of the legal concept of "freedom of religion ". Freedom of religion has become a catch-all concept. Religious organisations use it to keep civil society and therefore the rule of law from scrutinising their activities.

Freedom of religion in itself is a protection of personal thought and faith.
Over the years , the interpretation of the notion has gone astray and has deviated from the original meaning . This has caused more harm than good.

The Right to freedom of thought and religion is guaranteed by Article 18 of the Universal Declaration of Human Rights:

> *"Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance."*

The article begins by any "person", not any association. Here is the starting point.

Freedom of religion has evolved to protect religious institutions and cultist organisations, instead of the individual believer.

During the parliamentary inquiry, questions were asked, for example on home teaching to children members of „The Family ". To explain this type of schooling, the people responsible invoked religious freedom and the separation between State and Church. This argument had discouraged the inspection services to do their job. The fact that the fundamental rights of children to a quality education had been violated was not addressed. Since 1998, France has tightened up its of legislation on the control of compulsory education and it is proving a success.

Should freedom of religion be maintained according to the interpretation currently given to it ?

The term **freedom of conscience** seems more appropriate. In this context, personal, individual choice is clearly what matters the most. Everyone is free to think his thoughts, everyone is free to believe or not to believe, and to believe in whatever he wants.

This right is so fundamental that it should enjoy maximum protection in our arsenal of legal rules. This goes in depth into the heart of fundamental freedoms. Is one freedom more important than another freedom? This is a theoretical discussion. That which should clearly be a priority is the absolute respect of individual human dignity. And this is also a priority when compared to the dignity of organisations.

What can be done about institutions that so extensively hide behind freedom of religion ? Should they lose this protection?

Freedom of association continues to apply nevertheless to movements and religious institutions.

Why should fundamental freedoms of religious movements need more guarantees than the fundamental freedoms of other private associations?

Each association of persons must operate within the rule of law in respect of the personal freedoms and the ideas of its members.

Why should a religious movements represent more than a sports club or a cultural group?

It could be argued that one does not wage war or sacrifice human beings for sport. If we admit that this argument may convince, there are always many other associations, trade unions, environmental agencies, organisations or human rights movements that deal with sensitive social issues and have also been threatened. They too have caused bloodshed.

The offenses are not prosecuted in the same way for religious organisations or cults as are other associations. Justice always seeks to find additional arguments clearly because a religion is party to the case.

In our Western society, we can be content with two freedoms:

• freedom of conscience;
• freedom of association .

In this context, religious movements have neither more nor fewer rights than any other association in our country.

Indeed, a believer is not someone who has more rights than another person, if that were the case, there would be **discrimination** vis-à-vis other citizens.

When defending the concept of freedom of religion, champions of the latter (in Belgium) have in mind recognized religions. Now and then, matters become complex when cultist organisations like the Church of Scientology also claim to be covered by this. Has any commercial organization the right to evade the rule of civil law by qualifying itself as religious ?

How can some religious organisations dare to assert that their internal legal system is parallel to civil law ? Many organisations have their own disciplinary rules. As far as I'm concerned, canon law cannot be considered different than the disciplinary law that is found in many organisations.

Recent pedophilia scandals within recognised religions have shown that this "church order" was actually used to stifle affairs.

Conclusion:

Religious movements should be considered like any other organisation. The misuse of freedom of religion disrupts the fundamental rights of individuals within our society.

We demand more transparency in politics, sports and media, why should it not be the case for religious organisations?

In this contribution, the question was raised as to how a basic misunderstanding in communication and fundamental rights resulted in crimes being difficult to prosecute. It is not the institution that should be protected first but the individual believer, the follower inside religious movements.

Who then protects the believer?

Certainly not the cults or religious organisations!

The authorities, and no one else, should assume this protection. Aid organisations, on the other hand, can do a great deal to diffuse information, prevention and assistance.

The recent history of our country has shown that even recognised ecclesiastical institutions fail to protect the rights of their followers. That a parallel legal system does not work as the protection of the institution prevails.

As an organisation, a religious movement should be treated like any other association, but that within a religious movement, an individual needs extra protection in matters where authority and trust are crucial.

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MIVILUDES

SECTS AND CULTS CONTRAVENING HUMAN RIGHTS AND THE RULE OF LAW

Serge BLISKO
President of MIVILUDES

I am very pleased to be with you today on the occasion of this 20th anniversary. I would like to thank FECRIS for asking me to come and discuss with you a topic at the centre of our joint concerns.

Far from being anecdotal, awareness of the risk of sectarian indoctrination and mind control constitutes a major challenge for our modern democracies.

As you know, cultism feeds on human aspirations. These days, each and every one of us finds himself bombarded by spiritual, therapeutic, professional and educational offerings, all aimed at personal development and self-realisation. Cultism thus finds a fertile feeding ground: alongside the large and easily identifiable groupings with their clear structures and hierarchies we knew about twenty years ago, we have now seen a diffuse set of micro-groups appear, nebulous groupings of people more or less linked together by certain methods, doctrines or practices, only meeting sporadically and sometimes not even knowing each other.

Though cultism has changed its face through supporting an ever-growing individualism, this evolution is being accelerated by new ICT technologies, and in particular the development of the Internet.

Looking at this phenomenon, I would use the term “fuzzy” as a label for such groups or sects: though they definitely exist, they are mobile, ever-changing, you can't put your finger on them. Members come and go, dependent on what they read into the doctrinal material,

and whether they are going to import it or spread it in an identical or different form. This transformation of cultism is making it less noticeable, less obvious, even though its influence is just as strong and the harm it causes to individuals and society as a whole is just as great.

This is why having the right perception of the phenomenon is of great importance for our democracies: the rise of individualism does not go hand in hand with a withdrawal of the State. Quite the opposite, the State must step up its monitoring in order to guarantee every individual optimal conditions for exercising his or her freedom.

As you may know, the term “sect” or “cult” is not defined in French law, and, as the successor to MILS, it is the task of Miviludes to clarify France's field of action.

In migrating from the term “cult” to “cultist movement”, France has reaffirmed the principle of secularism, though stressing its purpose: cultism is not something specific to certain religious minorities, as not only are the historically recognized major religions not exempt from it, but above all because it goes far beyond the sphere of religion. This we now know, and the organisations which you represent have been the first to observe it: cultist behaviour is to be found in all types of groups in ideological underpinnings as diverse as spirituality, philosophy, but also humanitarianism, personal development, medicine or pseudo-medicine, education, culture, vocational training, etc.

Deviance occurs when public law and order or human rights are infringed, and in most cases, in France as in the majority of European countries, the excesses committed in a cultic context are punishable by law. So why try to highlight cultic deviance, why not just carry on prosecuting such offences as fraud, failure to assist a person in danger, rape or child abuse? Because the government wanted to highlight “mind control” as a specific aspect, an aspect which, in the unanimous opinion of both French chambers in 2001, needed to be included in criminal legislation. The result was the new offence of “abuse of weakness through psychological subjection”. The renowned About-Picard Act allows the judiciary to take the cultic context into account when prosecuting this new offence alongside other common law offences or even to just punish it alone when no other offences are obvious. The Act clearly stipulates that it is a criminal offence to psychologically manipulate someone through encouraging him to commit acts harmful to himself.

The concept of cultic deviance that we have coined is an operative, pragmatic concept which draws its legitimacy from the reports collected and observations made by MIVILUDES: cultic deviance is defined as the use of pressure or of certain techniques, by an organised group or an individual, whatever its nature or business, with the aim of creating, maintaining or exploiting a person's state of psychological or physical subjection, depriving him of part of his free will, with damaging consequences for that person, those around him or society in general.

Regardless of the doctrinal underpinning of the group or movement behind such deviance: when certain criteria are met, the first being subjection, the State will take criminal action against it.

Let me now turn to the issue of political philosophy: on whose behalf does the State take situations initially based on an individual's free will into account? When deviant behaviour occurs, be it as a result of a person's free-will membership of a group, adherence to a doctrine or even to a therapeutic practice, how can the State intervene and how far can it go?

What I would like to show you here is that this major issue needs to be seen not in terms of restricting, but instead of defending certain freedoms. And though history of the French Republic helps explain the uniqueness of the French position in Europe, the fact remains that the principles leading France to take action in this field are not based on any specific circumstance or feature, but on values shared by the major democracies of Europe and America.

As a rule-of-law State, France has the duty to respect the principles and values enshrined in the Constitution, and in particular the rights and freedoms set forth therein. It there-

fore has an obligation not to interfere in the exercise of individual and collective freedoms. This of course applies particularly to freedom of thought and religious freedom. This obligation constitutes a fundamental duty of public authority, a duty of utmost importance.

Relations between private individuals constitute a further field highlighting the tension between authority and freedom, between weak and strong**.** As Marcel Waline put it, "public freedoms create private powers". Every individual has the power given to him by public freedom, but not all are able to make the most of it. For instance, the possibility to travel anywhere in France is a public freedom available to all French citizens, yet only those citizens physically, mentally and financially in a position to do so can actually exercise it. We thus find ourselves affirming the paradox that "public freedom lends itself to the abuse of that power by the strongest and to the seizing of freedom by the latter, to the detriment of the weakest"[15].

From this angle, it must be stressed that mind control establishes a very much individual power relationship, of an extreme nature and often hidden. The control does not necessarily extend to the individual in question being absorbed into a structure controlling him, but can occur within a simple relationship between individuals. Mind control affects the independence of will, the ability to think for oneself and consequently the free exercise of fundamental rights. It weakens people at a vulnerable moment in their lives, transforming them into captives.

Moreover, it is not surprising that phenomena of mind control and manipulation develop these days deep within the intimate sphere, there where freedom of choice and decision-making freedom are most protected: health (whether physical or mental), via courses in personal development or unconventional practices in the health field, as underlined by the Senate in a recent report[16].

In the face of cultic movements developing in the private sphere and threatening the weakest members of society, the State has a duty to protect these people, doing everything to help them be able to fully exercise their rights. It follows that the State, with its tradition of upholding freedoms, must more than ever take on the role of a State protecting fundamental rights. Such state protection of freedoms in private relationships is the concrete expression of the right of the weakest, as seen in all democratic countries, where the State plays a dominant role in protecting the handicapped, people with reduced capabilities on account of their age, and of course children. In this vein, we will need to keep close track of the feedback to Mr Rudy SALLES' report on the protection of minors against sectarian movements which will be discussed in the Parliamentary Assembly of the Council of Europe on 10 April.

We must therefore put an end to the misunderstanding that led to linking cultic deviance with the question of religion in order to reach agreement on a social conception of freedom where any situation of control or subjection is *per se* a serious violation of its very foundations and constitutes a breach of our democratic political order.

The principle of freedom of thought imposes a positive obligation on the State, as affirmed on several occasions by the European Court of Human Rights. And though the State has a duty to uphold freedom of thought, a State's neutrality towards the religious convictions of its citizens cannot be seen in terms of passive indifference: quite the opposite, a State must do everything to guarantee the conditions allowing everyone to exercise freedom of thought, while opposing those who use freedom of speech, freedom of religion and freedom of association to undermine the very foundations of these freedoms.

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[15] *ibidem*, p. 394.

[16] A. Milon et J. Mézard, *Dérives sectaires et dérives thérapeutiques : la santé en danger*, rapport de la Commission d'enquête sur l'influence des mouvements à caractère sectaire dans le domaine de la santé, Sénat, No. 480, 3 April 2013.

Abuse of human rights by cultist groups – When children, youngsters and parents become victims

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1. Cult victims also have human rights!

In my more than 20 years as director of the "Inter-ministerial Working Group on so-called sects and psycho-groups " , which the state of Baden -Württemberg had established in the early 90s, I was confronted with human rights violations caused by the activity of various cultic groups. In those years, hundreds of cases became known to me where people in rigid belief systems , pseudo-religions and religious cults, generally in Germany referred to as "so-called sects and psycho-groups ", were suffering mentally, were affected by most severe physical ailments, and were partially financially exploited in boundless ways.

In most cases, the victims are persons legally of age, full of hope and personal dedication, who having been completely deceived by the supposed attractive offers of so-called sects and psycho-groups, who can come into situations which may in the extreme case end in suicide. About this targeted form of dependence on so-called sects and psycho-groups, there is a wealth of scientific studies that I do not have to refer here. But victims are also in many cases family members, partners, parents and children; most of who are directly affected by all that, and by what the victim of the first category has to suffer. It is this group of victims that feels particularly vulnerable - and there is an obvious problem that needs to be recognized: these victims are actually defenceless in many ways!

As a representative of the State I have myself experienced that on this path only limited ways exist for the policy of courts and administrations to ensure an effective system of aid for these victims. This is particularly tragic when the victims are minors: toddlers - from babies through children and adolescents.

Based on this knowledge I have personally engaged myself in the work of the "Initiative of parents and concerned persons for self-help against new religious and ideological movements" (EBIS) because I see that in this case the rights and interests of victims in relation to the so-called sects and psycho-groups are represented. So-called sects and psycho-groups often have important financial resources. They can engage the most expensive lawyers and afford lobbying in business, politics and society without barriers.

2. "Political Correctness" – K.O. arguments against concerned persons?

The issue of human rights, tolerance and discrimination and the problem of minority rights are discussed in our Central European society more than ever in public under the specification of "political correctness".

What does this mean for victims whose lives are supposedly or really impaired by groups such as the so-called sects and psycho-groups? The situation may become worse for these victims especially if the relevant groups, i.e. the so-called sects and psycho-groups, sup-

ported by government decisions, but also by legally obtained positions, claim to act in the interest of “human rights” they are entitled to, and to be supporters or even protectors of fundamental rights.

The contradiction is obvious: it is politically correct to see and to support the interests of so-called "religious minorities", as many so-called sects and psycho-groups see themselves, and it seems to be popular to advocate public appeal for these minorities. But who protects the people and their interests that have become the target and the practice field of so-called sects and psycho-groups and have experienced exploitation and abuse by so-called sects and psycho-groups?

"Political Correctness" can mean that a supposedly politically correct behaviour fails to see or even simply negates the liberties of the people affected by so-called sects and psycho-groups. Are these affected people victims of public populist prejudices? Perhaps of such prejudices that correspond to the "political correctness" that people harmed by so-called sects and psycho-groups are to be blamed themselves for their mental, physical and partly desolate financial situation?

On the other hand: does not "political correctness" ultimately just provoke a situation through which one is unable to socially get rid of the spirits that one has publicly called? One example is a media report of 7 January 2014: "After the members of the U.S. state of Oklahoma had approved a monument with the (biblical) Ten Commandments, a true rush of other religious groups started. To the dismay of the deputies, Satanists now presented plans for a devil statue. The organization "Satanic Temple" located in New York presented on Facebook an outline of the planned monument: It shows a tall seated figure of Baphomet, a horned figure with a goat's head, fiery red eyes and wings about two meters high. The fictional character is revered by Satanists as a figure of the devil. To appease concerned parents, figures of two laughing children complete the ensemble.“...

3. Human rights as propaganda instruments

In Wikileaks you can find files of the U.S. Consulate General in Frankfurt / M., for example about a visit of an U.S. diplomat in my office in the Stuttgart Ministry. I still remember the various discussions that took place a few years ago. It was about human rights issues and the accusation by the American side, that in Germany the human rights of Scientology were violated. As part of these consultations, the consul responsible for such questions also told me about his family and his child. We agreed that a good education and pedagogical support for children and young people constitute a fundamental basis for their future. Shortly before this conversation with the American consul, Scientology again had launched a massive PR campaign in Stuttgart, where the Scientology learning aid offer "Applied Scholastics" (ApS) was propagated. There is no question that this offer can be considered as a "gateway" of Scientology into the education sector. As part of the Scientology ABLE program ("Association for Better Living and Education"), this too is connected to the media campaign "The Way to Happiness" ("Way to Happiness Foundation"). In this context, the Scientology campaign apparently can be seen as an independent assistant organisation, claiming to work "together for human rights", and in turn being connected to the Scientology-intended organisations "Youth for Human Rights", "United for Human Rights" or "International Foundation for Human Rights & Tolerance”. In the former reaction of my U.S. interlocutor I can still clearly remember his sudden downright wince when I asked how he would react if his son would bring Scientology promotional material home from school and would declare his intention to be take part in the Scientology youth actions. Even without obtaining an answer to my question, it was clear to me, as already documented in the annual reports of the "U.S. Department of State" about the situation of religious freedom in Germany , that Scientology and other "minority religions" are offensively supported by the diplomatic missions of the United States,

although this to my mind at least was inconsistent with the private view of my former American interlocutor, who significantly at the end of the conversation admitted to me that he would then pay an official visit to the Stuttgart Scientology branch ...

4. Cults as perpetrators: children and young people as a target groups and victims of human rights violations

It is one of the fundamental false estimates when the public impression exists that only few children and young people are affected as victims of so-called sects and psycho-groups. In fact, in reality we often have to deal with particularly dramatic manifestations of abuse of human rights by so-called sects and psycho-groups and their representatives, against the weakest members of society, namely against children and adolescents . The deriving often painful conflicts within families, between parents / partners and children and grandparents cause additional problems and pressures.

The removal of taboos of human rights violations against children and young people, caused by so-called sects and psycho-groups, has been increasingly made obvious recently by media reports. These events are partly extreme. However, one should remember that the number of unreported cases with young victims must be much higher than generally expressed because of the usually existing privacy, and also relevantly caused "shallow" hazardous situations, such as restrictive eating habits or prevention of intellectual development skills, can have an adverse effect on the progress of children and adolescents and their future possibilities.

For example, some incidents should be listed here that have been found in media coverage in Central Europe during recent months around the turn of 2013/2014:

- The killing of two 1 and 2 years old children and the serious injury of two others, 5 and 8 years old, in the U.S. state of Maryland in connection with an act of exorcism by their 28 years old mother.
- The suspicion of child abuse in the sect "Twelve Tribes" ("North - East Kingdom Community Church") in the Bavarian district of Donau-Ries .
- The investigation by the prosecutor's office Nuremberg-Fuerth for alleged denial of medical care of a child by members of the sect "New Group of World Servers".
- Abuse of children in the age group of 10 to 12 years and abuse of their mother by the 62 years old head of the sect "Re Maya" in Rome / Italy.
- Mass child abuse by leader Warren Jeffs in a polygamy sect camouflaged as a church ("FLDS") in the U.S. state of Texas.
- Some time ago, the child abuse, disguised as a "toddler meditation", by supporters of the group Thakar Singh in the Chiemgau region of Bavaria.

What it is like to be a child in Scientology becomes evident in the book "Beyond Belief: My Secret Life Inside Scientology and my Harrowing Escape" of 29 year old Jenna Miscavige Hill , the niece of Scientology leader David Miscavige, published 2013. There she describes child labour, interrogations, denunciation and intimidation by the organization’s own secret police "Special Affairs". The dispute around 50 million U.S. dollars over a media report in which the Scientology Star Tom Cruise is reportedly represented as "raven father," in 2013 ended out of court. Therefore, the flagship Scientologist can boast of having a "wonderful relationship" with his daughter.

It is undisputed: children and adolescents are often a target group in the context of the expansion strategy of so-called sects and psycho-groups. In Scientology, the organization takes advantage of the fact that education and training are key policy areas. With the slogan, "to give children a happy and fulfilling life", Scientology advertises on the Internet. To parents who let themselves be attracted by this, perhaps because they are insecure in education

issues , Scientology recommends the book "Child Dianetics " as a "fresh approach to raising children" to produce "the love and respect of a child." However, the featured "breakthroughs" of Scientology founder L. Ron Hubbard in the education of children should only be a first introduction to Scientology ideology. The organization fails to mention that behind the alleged desire to help, another goal is hidden: Scientology seeks a "new civilization", a social order functioning according to Scientology principles that in any case has little to do with the free democratic basic order in the Federal Republic of Germany.

Usually it is the personal responsibility of the adults when they want to change their lives radically and confide in closed groups in this context and there perceive themselves responsible appropriate psycho offers.

However, a quite different situation arises whenever children are endangered in their mental and spiritual well-being by religiously or ideologically motivated behaviours of the adults. This is evident in attacks on the mental, physical and sexual integrity of the child.
However, attention must paid to not so easily identifiable problems, caused by the influence of so-called sects and psycho-groups on the relation between parents and children, which may affect the future development of the child. Especially in connection with the occurrence of so-called sects and psycho-groups it is repeatedly reported that for example a typical repressive parenting style towards children, sometimes characterized by physical punishment , is maintained under the sign of "human right to religious freedom ."

If it is a fact that in our society everything is being done to counteract impairment of the positive development of the child, then freedom of thought, conscience and religion must also be considered with respect to the rights of the child - according to the UN Children's Rights Convention, Article 19.

5. The Guardian Office of the State securing the order of values

If for example in Scientology the anti-democratic orientation is already funded in the core of its concept of man, as the founder of Scientology dogmatically denies the right of self-determination to non-Scientologists who in this case are referred to as "aberrated" or "mass-produced Humanoids“, and thus denies them the supreme fundamental right of human dignity, it is clear how important is the claim of human rights for victims of so-called sects and psycho-groups. The terms human rights, tolerance and discrimination are too serious to be exploited by so-called sects and psycho-groups to silence victims of rigid, extremist-oriented belief systems, cult groups and so-called sects and psycho-groups. In fact, it cannot be refuted that the noble concepts of human rights, tolerance and discrimination, applied as a coarse schema, become instruments of abuse against cult victims. Thus, the terms human rights, tolerance and discrimination are to be considered as aporetic (doubt-prone) principles.

For people who have been harmed by so-called sects and psycho-groups , and especially for those who have been victims in childhood and adolescence , therefore a decision taken by the Federal Court of the Federal Republic of Germany in 1990 in a criminal judgment is of importance: "The State has the task of securing the external conditions for a mental and spiritual development of children and young people, corresponding to the image of man of the Basic Law, and keeping them away from such influences that guide this development in a direction non-compatible with the image of man of the Basic Law". The Federal Court then quoted the Federal Constitutional Court and continues: "This is a consequence of Article 1 of the Basic Law", this means of human dignity and the inviolability of human rights, and continues with regard to the protection of marriage and the family: "The state, in the exercise of its guard duties, also (has) the duty to act, within the framework of its possibilities, what in its opinion is necessary to keep children and young people away from influences of society, which contradict the values of the Basic Law. To achieve this goal, which is in constitutional range, it basically also can use penal means (...)."

Perhaps it is the greatest intellectual achievement of modernity that the democratic state takes over the office of guardian of the order of values and hence the protection of those who have to suffer the abuse of human rights by cults. Especially the concerned children, young people and parents may be grateful.

FROM TRUST TO CAPTIVITY

Testimonial of **Charles-Henri and Christine de VEDRINES**

Christine

Together with 9 other members of our family, my husband and I were the victims of a narcissistic pervert and manipulative con artist from 2000 to 2009, whilst for three of us this actually lasted from 1997 to 2009.

Thierry Tilly and his accomplice Jacques Gonzalez did their best to destroy 11 members of the same family covering three generations, from my at that time 87 year-old mother to my youngest daughter aged 15 years (aka *Les Reclus de Monflanquin*).

- **We are often asked how 11 people covering three generations could be manipulated over a period of 10 years**

Our family was an “ordinary”, close-knit one, with the usual dose of friction between its members though without any deep-going consequences. The family was socially well integrated and each one of us seemed to have found his or her place in life, whatever his or her level of education or personal history. We led a pleasant, peaceful life and got on well together. This family feeling seemed to be perceived in the same way by all its members. All of us subconsciously carried within us the family history, marked by the memory of the religious intimidation[17], the French Revolution and the two World Wars. Even so, this did not stop our generation from living in the 21st century, well integrated into the modern world.

My parents-in-law had made their will based on fairness and ensuring the family's continuance, with my husband, the youngest child of the family, inheriting the family home. On the surface, everyone agreed to the arrangement, but in reality this created a certain amount of more or less latent jealousy. The death of my father-in-law and then of my sister-in-law Anne (my husband's older sister) had a very destabilising effect on the family.

This was around the time that Thierry Tilly got to know my sister-in-law Ghislaine MARCHAND and her family through a Paris lawyer, Vincent DAVID.
This prominent lawyer with his offices on the Avenue Montaigne had taken over the "*Femme Secrétaire"* school on the Rue de Lille in Paris. His connection to the school had been as a student's parent, as had been the case with my sister-in-law, Ghislaine MARCHAND.

The testimonials of staff members and a number of the school's students clearly reveal how Thierry Tilly gradually made himself indispensable for the school's day-to-day functioning, ending up by becoming the school's manager. This was done through manipulating Ghislaine and her son François, who was on a work-linked training course at the school.

[17] Dragonnades" were a French government policy instituted by Louis XIV in 1681 to intimidate Huguenot families into either leaving France or re-converting to Catholicism. This involved the billeting of ill-disciplined dragoons in Protestant households with implied permission to abuse the inhabitants and destroy or steal their processions. The soldiers employed in this role were satirized as "missionary dragoons".

The Marchand marriage was on the rocks, Jean was unemployed and being helped by Tilly in the context of his business work, the children were struggling with their studies and Ghislaine, as she would tell the Court, was weighed down by overburdening responsibilities amid family disorder.

Seemingly heaven-sent, Tilly became Ghislaine's confidant, and thus he got to know every member of our family before even meeting them. The MARCHAND family was already captive of Tilly without us even knowing of his existence.

For three years, he was to run the school and rule over the family's day-to-day life. So when he first met us in 2000, he already knew everything about us and knew exactly how to approach us to be credible in our eyes. This credibility was to be boosted by Vincent DAVID's moral support. Furthermore, Tilly presented himself as a top French army officer who had now become an asset manager and defender of our moral values.

This was how he managed to get a "**foot in the door**", enabling him to get inside our family.

Of course, our family was not without its emotional flaws, and the circumstances were favourable for the potting of such perverse individuals as Tilly and Gonzalez.

- **Despite all this, how could a family, consisting of normal people, and not mentally ill, let itself be manipulated for such a long time without reacting?**

This is what we need to understand to be able to learn from this family drama.

It should be stressed at this juncture that taking control of an individual or group takes place gradually and in an insidious manner, beginning with the **seduction** phase which can be short or long dependjng on the individuals and the circumstances.

This is followed by **entrapment**, i.e. the phase in which the manipulator entraps his victim on the basis of the latter's detected strengths and weaknesses. This can happen very quickly. At this stage the trap is as good as closed.

The next stage is that of **paranoia** and the **cutting of external contacts**. The victim loses contact with reality, with emotions taking over from intelligence. The victim is now completely dependent, with the manipulator controlling everything. This leads to the **destruction** of the victim without his knowledge, with only an outside trigger or appropriate assistance able to save him.

Dr Daniel ZAGURY's report on our family is very illuminating at this point. On account of all the media attention, Dr ZAGURY had expected to meet a family of slightly degenerate ‘weirdos’ living in the nostalgic past. After having interviewed all family members, he was able to confirm that our family was not in any way ill, and that we were “just normal people and even displayed a large variety of different profiles.” Though each member is different, we had all lived through the same catastrophe.

This observation was important, as it helped understand that 85% of the population may, at some stage in their lives, be manipulated. People who have been manipulated are not ill, not mad, not borderline cases and not occultism fans.

We have not been subjected to any dark forces, we have simply responded to phenomena obeying the laws of the human psyche. These are the mechanisms used by cults, con-men and rogue therapists.

Even if disputed by certain people, the psychoanalytic approach seems to be the best way of understanding the mechanisms used by the manipulator. What he practices on his victims is **“transference abuse”**, a method transferring them back into their early childhood, when they are dependent on the love of their parents, rash, childish and irrational.

According to Dr Daniel ZAGURY, Tilly established a relationship characterised by childishness and irrationality with the members of our family, **well knowing** that he was the agent of powers outside their control. Being subject to him became a 'must'.

He was able to transpose us into a state of infantile regression, making us give up our free will. This was often just a matter of a few minutes for some of us, and especially my 86 year-old mother-in-law who had been unknowingly conditioned by her daughter Ghislaine for three years.

Under the influence of Tilly, we lost our sense of judgement and put our intelligence "to fallow". However unbelievable it might be, anything that this heaven-sent man said was taken for true. And each event helped back up this assumption and strengthen this conviction.

To understand how things were, it should be stated here that the same methods are to be seen both in psychoanalytical treatment and in "abuse of transference" cases, yet for **totally** different purposes: while the aim of psychoanalysis is to restore freedom and independence of thought, the goal of any abuse of transference is to enslave and exploit the victim.

85% of the population is vulnerable to this and is capable of such transference, while a mere 15% is able to resist this type of approach.

According to the experts, Tilly was "someone who used stealth to achieve his goals, but who had no psychiatric deficiencies". He was a hoaxer specialised in scams, a cold-hearted monster whose emotions were permanently under control and who was unable to feel the slightest empathy. A hyperthymesiac, he had a hypnotic stare and the ability to melt into a crowd like a phantom. He could be caring, attentive, though his speech differed depending on whom he was talking to.

Having identified a person's strengths and weaknesses, he would exploit these, inducing a feeling of inferiority with those he chose to manipulate. He took charge of the game by filling any space by saying something, a method that eventually made his explanations seem logical , as the presiding judge noted in court. Though often in the seduction phase, he was always looking for ways to destabilise whoever he was talking to in a permanent effort to gain control over that person.

Tilly used different methods to achieve this abuse of transference:

– the search for faults and weaknesses: Over a period of 3 years and exploiting information confided to him by my sister-in-law Ghislaine, he had all the time in the world to get to know each of us, with all our strengths and weaknesses, and to understand how the family 'ticked'. It would seem that he also came and observed us while we were at Bordeaux and Monflanquin. My son Amaury said "he used to speak to me with my own words".

My mother-in-law was glad of the help he said he wanted to provide to her children and grandchildren.

My husband had a telephone conversation with Tilly which was enough to convince him. In it Tilly reported things that only a well-informed person could know, thus making himself credible. Philippe was repositioned as the eldest child and taken into Tilly's confidence on account of his "military background", whilst Ghislaine was assigned a key role in the family's affairs. On the other hand, Guillaume and Diane were disqualified by Tilly as "borderline cases" right from the start. For Guillaume this strengthened his wish to find his place in the family, while Diane did everything to be perfect, even when this went against her nature. A duty to be loyal set in.

As for me, I didn't buy what Tilly had to say – but I wasn't heard. In fact I was to be demonised and vilified by certain members of the group. The paradox was that, in order not to be side-lined and separated from my family; I obeyed without being able to react. And this is the way he gradually took over the whole family.

- Functional paranoia: Tilly made the most of our weaknesses, inducing functional paranoia on taking over the family. All dangers disappeared, everything seemed to make sense. With just a small dose of truth, he could make any lie become credible.
He knew everything in advance, for example making us believe that he was 'in the know' on the 9/11 bombing, getting Guillaume to take a New York-Paris ticket on 12 September. Events served to enhance his credibility. As parents, we were just as frightened as relieved.

- Group paranoia: easily established via the family history and its collective unconscious. This involved inducing in each one of us the idea that it was a good idea to keep together and, as we were surrounded by enemies, to remain as a group for protection. Regular "closed door" operations were supposed to protect us against unwanted visits. We would spend several days holed up at home, with the result that a deleterious atmosphere set in, amplified by the closed doors and making us lose touch with time.

This group paranoia clearly explains why the younger generation did not revolt. The group had a very strong negative impact on us, and each time that one of us had doubts there was always someone else to reassure him and get him to toe the line. Tilly controlled the group remotely via the Internet and telephone, using Ghislaine as his local representative. The group was everything, an individual meant nothing.

-The conspiracy theory, welding the group together and isolating it. This allowed Tilly to assign a particular place to each of us, which we were not to leave for fear of endangering the rest of the group. At that time, the media campaign reinforced this feeling of a conspiracy: "who are we to make the 8 p.m. headlines by PPDA[18] on TF1 on Christmas Eve!"

Within the group, Tilly intentionally arranged conflicts and tensions to prevent any rebellion and to cut us from reality. The numerous lawsuits initiated by Tilly only served to fuel this paranoia.

- An answer to everything: he was never caught short: he had an answer to everything. In the rare cases when he did not the answer, he would knowingly say: "We'll speak about it tomorrow". If the question was repeated, he would say "I can't speak to you about it now, but I'll get back to you. Just trust me." In the long run, you got fed up and stopped asking questions, though also prompted by the fear of losing touch with the group. This systematic putting things off till tomorrow was a further factor helping us lose touch with time. When I started working in 2008, I didn't even know which year it was!

- Suppression of all direct ties: No member of the family could communicate with another member, even if the filial and emotional ties were close, without going through Tilly or Ghislaine. His one big strength was his 'hyper-presence' even when he was not there, via the Internet and the internal controls he had introduced. We were separated from our children, not knowing either their addresses or their telephone numbers. Our role as parents was stolen from us without our knowledge.

- The world according to Tilly: this was one where people lost trust in their own experience. They totally lost their freedom of thought, their critical minds and their free will. They saw the world via Tilly's affirmations, leading them to do stupid or even dangerous harmful things.

- Whether to break these ties or re-establish them: Tilly dictated the day-to-day life of each family member, ordering them to move somewhere else, to go to this or that place, to lock themselves in, to take on an extra job, to get divorced. Everything was done to break long-term ties to better subject family members to his will.

- Breaking each member's narcissism. "Your husband's deceiving you", "your son is not your son", "your mother assaulted you sexually" – everything seemed possible once one

[18] Patrick Poivre d'Arvor the top TV journalist news reader for many years on TF1

had lost one's freedom of thought and one's dignity, and everything the manipulator said seemed credible. Amaury used to say that “he got into our very sense of existence".

- Astrologist methods: all he needed to do was to come up with a sufficiently broad-based prediction for anybody to find himself mirrored by it. And then there were the emotional factors which took precedence over intelligence, with events seeming to back up Tilly's omniscience.

- **The “hot/cold” method**: everyone was entitled to his period of disgrace or silence, followed by a period of recognition. This was a good way of ascertaining an individual's level of subjection without actually reaching breaking point, as was the case with me, ultimately provoking my “penny to drop” in March 2009.

-The insinuation mechanism: this consisted of insinuating thoughts, affirmations which the subject ended up self-appropriating; or the creation of false memories as was the case with Amaury and Diane.

All these mechanisms were used together or individually to subject the group and its individual members, something that got the experts calling out “Bravo!”

The way Tilly had contrived everything, though we might have all gone through the same experience, we all suffered different things. We will limit ourselves here to three noteworthy events (among many others) which my husband is going to speak about as an illustration of the force of manipulation.

Charles-Henri

1/ Our son Amaury was kept imprisoned for more than nine months, while we thought he was attending a good school in England.

Under the pretext of maintaining an office belonging to a humanitarian foundation, Tilly ordered him not to go out, to wash himself at night with cold water in the shared toilets so as not to come into contact with the neighbours. He ate just one meal a day, and slept on the carpet in a cheap sleeping bag.

He was supposed to gain insights into himself, spending all day writing down his thoughts on how he could correct his faults. This was equivalent to what the Nazis did during the war, tantamount to sensory deprivation. Our son was to tell us that he almost went mad. As the doors were not locked, the police did not qualify this as imprisonment!!

However, the psychological keys to the door were more effective than real keys. Tilly had persuaded Amaury that if he went outside he would risk a bullet in his head as well as endangering the rest of the family.

It was only after he had made his statement to the investigating judge in 2010 that we learned of his ordeal.

2/ Finding oneself in court, in a foreign country with no adequate command of the language and against one's son is a painful, strange, unbearable and unreal situation.

At the bottom of my heart, I knew that my son had not done anything wrong and that I had no need of a court to resolve a possible problem. Despite all this, I did not put a stop to the charade organised by Tilly, taken in as I was by my own chronic paranoia and that of my family.

Guillaume, constantly afraid of reprisals by Tilly who had kicked him out, found himself defending himself alone in the face of a hostile family - a situation obviously very difficult for him to cope with.

3/ The final example is in many ways the climax of our story. Although we had been in England for 18 months, Tilly ordered me in January 2008 to come and join him. On meeting him,

I was very surprised to find that my sister and brother were both in Oxford. A solution had to be found to the problem of the VEDRINES estate. Although our parents had decided who was to inherit what a long time ago, nobody had done anything. Christine came up to stay with us on Tilly's instructions and we sat down to a 15-day meeting behind closed doors.

Locked up in the house, confined to a single room, we were not allowed to sleep. All that we got as food was tea and biscuits. Very quickly we lost our sense of time. Tilly was in the room next door where he had installed a bed. He came in every now and then to take stock, sometimes threatening us while at other times being more obliging. On some days he would get quite violent with Christine, saying that she was the one holding the solution. The closed-door meeting had its effect, and everyone ended up believing him without questioning the absurdity of the situation. Christine was made to stand up facing the wall to recall something. At the end she was not even allowed to go to the toilet. It's difficult to look back on this period where we were reduced to a sub-human level. At the end of this period of detention, Christine was exhausted, her legs were bruised and she had difficulty walking (the experts were not to take these clinical facts into account in their reports of the twin hip replacements needed by Christine at the end of her ordeal).

After having blackmailed us into selling Martel, the family home in Monflanquin, Tilly ended this 15-day imprisonment after consultations with Gonzalez. He then triumphantly announced that Martel had been saved.

Although we had been reduced to zombies, he, acting as our advisor, accompanied us - the children and myself - to a London notary to sign the mortgage loan saving Martel.

Christine was held hostage in Oxford by my sister and brother.

At the end of the day, he had us sign documents which were to be used by somewhat blind notaries to carry out sales transactions, the existence of which I would only learn of after exiting my 'captivity'.

- **To extract oneself from the claws of such a predator, there are two possibilities**:

- Either the penny drops at a precise moment and the victim re-establishes contact with the real world. However, this often happens quite late, after the damage has been done and leaving the victim in a state of helplessness and distress when left unsupported.

- Or exit counselling proceedings have to be initiated, as practised by Stephan HASSAN in the United States.

Christine had the courage and perspicacity to take up the first possibility, encouraged and aided by her employer, Robert POUGET de SAINT VICTOR. This played a crucial role in saving the whole family.

As for myself, I needed to resort to the second possibility, and I deem it important to describe what this involved and how it helped me.

Although Christine had spent three days trying - without success - to get me to open my eyes before departing, the exit counselling team set up by Maître PICOTIN took just thirty seconds to gently put me in touch with the reality of our situation. Reading the file on our liberation, I have been able to appreciate the considerable amount of work needed for such an operation to be a success.

Inquests, psychological testing of the victims with the help of friends and relatives, finding funding, studying the relevant laws and lots of other things all need to be done before such an operation can be started. These specialists respond to well-defined ethical rules respecting the freedom of individuals, and their aim is to get the victim to start looking at reality, without exercising any force. The idea is to **"find the right key for the right lock".** This allows psychological deprogramming - always violent and difficult to live through - to be avoided.

Thanks to the tenacity of Christine and Maître PICOTIN and his team, we were among the first victims in Europe to benefit from this method, despite all the difficulties associated with the different legislations within the European Union. Without the financial support from friends, Aquitaine politicians from all parties, and Edouard BRAYNE, French consul-general in London, there can be little doubt that these operations would not have been possible.

- **The Exit**

Exiting from this 'captivity' brought a sensation of liberty but also one of great helplessness. We were all very traumatised, and the pain was often even more than when we had been held in captivity. We were constantly gnawed by guilt, by incomprehension. Dependent on a victim's age, the range of problems differ a lot. The consequences of such a catastrophe are not the same when you are over 50 as they are when you are 20. For 10 years, personal development came to a standstill, a situation greatly affecting the youngest of the group.

Within just a short period of time, the backlash appeared, taking the form of total fatigue, and a number of us needed several months before being able to start work again. One gradually became aware that one had been brainwashed, as witnessed by the fact that an awful lot of effort was needed just to remember things that had happened before captivity.

Supported by empathetic exit counselling, you really have to work on yourself to regain your resilience. You have to accept the fact that you have lost your home, your furniture, your memories. And you have to get over that feeling of individual and family 'mental rape'.

A calm dialogue with friends, neighbours and relatives is needed, allowing them to understand what we have been through, and also for us to understand what they went through all those years.

Financially and psychologically ruined, we were very lucky to be taken in by our friends and a large section of the family.

Christine's return triggered a chain of solidarity, continuing well after the whole family had returned. The loan of an apartment by friends has enabled our family unit to reconstruct itself, the gift of a car has extended our field of freedom, and the financial support received over a period of many months has helped us get back to our day-to-day routine.

The presence of family and friends during the court proceedings was also a great help. The severity of his deeds could have brought Tilly in front of a criminal court. However, given the complexity of the case, we preferred to accept downgrading the case and having it judged in a correctional court.

In the first instance, Tilly was sentenced to 8 years in prison and Gonzalez to 5 years. Tilly appealed against his sentence and ended up being sentenced to 10 years. True to himself, he appealed to the Supreme Court - enjoying full legal aid!!

For the five of us, what still needs to be managed are the various lawsuits resulting from Tilly's destructive manoeuvres and which the criminal proceedings left unresolved.

Reconstruction is under way, though everyday life is not always easy. Work for some of us, studies for others, and reintegrating ourselves in family circles and circles of friends for all of us.

To protect future family generations against any false rumours, we felt the need to write a book describing what we went through. Its title is **"Nous n'étions pas armés"** and it is published by PLON.

- **Why did this "announced catastrophe" not come to an end sooner?**

As early as 2001 one of our friends and certain family members not made captive attempted to alert the Lot and Garonne judicial authorities, sending letters to the Public Prosecutor, a report to the UNADFI, a Research in the interest of families, and many other interventions to

the highest level of the State. More seriously, the interventions of Maître PICOTIN in his capacity as lawyer were not taken into account, all being rejected on account of the absence of a "crime of mental manipulation". Indeed, it took the About-Picard Act of 12 June 2001 just to introduce the crime of "abuse of weakness and ignorance". The difficulty here is that it is the victim himself who has to press charges, as Christine was to do in March 2009. This basically means that the victim first has to exit from his or her captivity. Moreover, families have no power at all when one of their members is being manipulated.

What needs to be done is to amend the About-Picard Act, perhaps introducing a provision enabling adults to be made wards of court, or allowing time to check whether informed consent has been given by people who suddenly withdraw from their surroundings, upturn their lives and **seemingly act against their own interests**.

Raising the awareness of and training police officers, lawyers and magistrates in the concepts of manipulation and mind control would seem indispensable.

Victims must stop being afraid to **press charges**.

A History of cult defenders and their allies protecting cult groups and the Neglect of Human Dignity to those who are truly victims

David Clark, FECRIS representative to the United Nations in New York

I would like to thank the organizers of this special 20th anniversary FECRIS conference for inviting me to speak and address you today on this conference theme and topic so many people need to adequately understand and assist those who have been hurt due to negligence and serious misunderstanding. Thank you for being here today and I appreciate your labor and interest in this topic that effects so many people impacted by cult organizations and their supporters who avoid damage and abuse caused by defending the indefensible.

My own journey in to the world of the cults began in 1972 when I was not seeking to join a cult but nonetheless became a member of one. Little did I know, what a life altering experience would bring me more than 40 years of direct cult exposure to my life from around the world. Even though I left my own cult in 1974 due to a suicide of a close friend who was group member that introduced us to this new organization. I encountered other new youth oriented cult groups through recruiting efforts to my friends and encounters on college campuses. Even though these sects had very different doctrines from each other the group characteristics had traits that were eerily similar to the cult I was a member of for approximately two years. I did not beat the bushes looking for trouble but I encountered patterns of behavior that drew my attention to a mental and psychological process that was harmful to the individual. The surrender of autonomy and critical thinking to the group's will was a matter of compliance and lack of conformity caused punitive penalties without perceived legitimate alternatives or options. These cult environments isolated members from the outside world whether it is physical or mental and set up the new recruit for the indoctrination process that ends up creating the us versus them adversarial relationship towards relationships of a life time.

It was my contact with friends and families that led me to other cults near where I lived in the northeast corridor of the United States of America. Other families in the area were looking for their loved ones in these new cults and I was known for debating some of those cult leaders and missing family members needed to be located and parents asked me if have I seen them.

One family in the Pennsylvania area was looking for their missing daughter and I was invited to attend United States Senator Robert Dole's gathering about the new cult phenomenon in the United States of America referred to as a "Day of Affirmation and Protest" February 18, 1976 at the United States Russell Senate building as a former cult member myself.

I shared my own testimony on February 17, 1976 of this two day gathering. Senator Dole responded to the 14,000 named petition to pursue an investigation into harmful cult groups. It was my first exposure to experts that were for and against cultic organizations from an interdisciplinary perspective including doctors, legal experts, mental health professionals and clergy. What really impressed me was the thematic similarity from families and former cult members from all over the country of the harm, deception, exploitation, authoritarian control and abuse these diverse groups share in common.

As I listened to the professional experts that testified about the harm caused by cults and I began realizing the true power of cult mind control could be expressed in such clear terms. The cults also testified with their representatives and professional supporters but the major difference I noticed was the selection process chosen by the cults and their witnesses did not reflect the daily reality common with most cult members I had direct observation with in the trenches of sect life. The cult groups' focus was on religious and civil liberties issues that our first Amendment of the United States Constitution is guaranteed to protect and we had no problem with that issue. Abuse and harm were the problem and we needed investigative tools and formal evidence that required responses where responsible authorities could assist hurting families who need help.

As time progressed I began developing relationships with cult afflicted families and former members where individual new organizations had grown out of the "Citizens Engaged in Reuniting Families" and Ad-Hoc Committee that met in Washington, DC in February of 1976. I was also introduced to Dr. Margaret Singer who addressed John Hopkins University in Baltimore, Maryland after the Senator Dole's gathering. Author Dr. Walter Martin, the world class scholar on cults in his world renowned classic book, "Kingdom of the Cults" was also a seminal experts on cults that mentored me about the cult brainwashing issue. He stated in his audio tape series about "The Way International" concerning brainwashing that you do not get rid of a term which is valid because someone misuses or abuses the term and he would not stop using the it. I also encountered the legal work of Law Professor, Richard Delgado and his California Law Review publication titled, "Religious Totalism: Gentle and Ungentle Persuasion Under the First Amendment" (1977) that became a repeated primary legal tool in court cases involving *coercive persuasion* arguments.

Many cults in court cases uniformly attacked this legal position and hired professional defenders along the lines of civil and religious liberty protections. They promoted academics in religious studies and sociology who had relationships with certain organizations in various cases. What I encountered over the decades of observation was that the cults had networked with these hired professionals that actually became top officials of very influential organizations in especially social science and religiously oriented associations. Under the banner of objective and impartial academic or even scientific studies we encounter professional advocacy relationships that have a vested interest and many are affiliated with ideological groups where conflict of interest could be seriously argued.

A number of these hired experts aggressively try to prohibit the submission of valid factual evidence that provides proof of damaging harm and abuse that injure the minds and lives of cult victims.

I also went to Washington, DC to attend the 1979 U.S. Senator Dole joint Congressional hearing on Jonestown after the Jim Jones cult tragedy. Cult members surrounded the Russell Senate building before sunrise to prevent former cult members and cult afflicted families from being in the hearing room. The cult members who did occupy the hearing room would create noisy outbursts during testimony given they opposed. The human rights of

American citizens who died needlessly in Jonestown whether by induced suicide or coercive murder had to be addressed by our government. The murdered California Congressmen Leo J. Ryan was on a fact finding mission in Guyana about the People's Temple due to over 1000 of his constituents seeking help for loved ones who they seriously worried about in this very dangerous organization. One of the new religious movement's leading expert stated that Jim Jones and the Peoples Temple was not a cult but a mainstream Christian Church.

As time moves on more and more "new religious movement" academics emerge on the scene and the issue of fundamental human rights worldwide become abused and neglected in the name of religious liberty and constitutional protections.

It was Dr. John Clark, Jr., MD., Assistant Professor of Psychiatry at the Harvard Medical School, before the state of Vermont Senate Committee and the Joint United States Congressional hearing on Jonestown that help lay the groundwork for "health hazards were extreme"[1] towards cult members endangering the welfare of it's citizens before legislative bodies. He testified that coercive persuasion and thought reform techniques practiced on uninformed subjects led to "disastrous health consequences". Human rights of cult members were of primary concern and review of applicable legal processes needed to be addressed. Dr. Clark testified, "The destructive cults are numerous and include very well known ones such as Hare Krishna, the Unification Church, the Scientologists, and the Divine Light Mission, all of whom use the same basic techniques." These organizations objected to the use of the word "cult" as being pejorative and derogatory and had professionals whether legal, academic or religious scholars who defended the idea that this was prejudicial terminology. Hare Krishna had distributed professional published literature entitled, "Don't Lump Us In" concerning the cult/sect label. The strange irony is when you read the terminology chosen by published "new religious movement" academics and even the new cults publications. They refer to former members as "apostates" that is normally used by the mainstream orthodox religious organizations. Another designation they applied towards first hand testimony of cult members was "atrocity tales" and other terminology to discredit valuable information that could expose hidden details cults protect from outside examination.

In the early 1980's I had the opportunity to testify before the White House Conference on Families in Washington, DC in front of Coretta Scott King, the wife of the late Dr. Martin Luther King about the destructive impact of cults on the American family. It was the same time period of Transcendental Meditiation, Hare Krishna, and Charles Manson were featured in the Washington Post our newspaper for the nation's capitol city about the Cult Controversy. I learned from Coretta Scott King about her interest in the TM due to the Federal Court Case against T.M. for deceitful fraud claiming it was simply a relaxation technique and it was not religious in nature. I informed Coretta about the federal court decided that T.M. was indeed religious and could not receive tax dollars. This event demonstrated to me where we have obtained legal accomplishments we should share this with appropriate authorities for their consideration. I have found consistently over the decades around the world that legal success cases can benefit future defense of human rights of cult victims and their families.

As we transition from the 1980s into the 1990's cult legal defenders and their academic "new religion movement" sympathizers focused heavily in the United States of America on the first amendment free exercise of religion clauses of the USA constitution. This approach provides general immunity from legal "tort liability" that is rooted in religious beliefs. Religious studies and sociology academic publications sympathetic to the "new religious movements" provide serious amount of attention to this legal and alleged objective scientific information. We in the counter cult community have responded to the other side of the legal argument where courts have legally stated, "while religious belief is absolutely protected, religiously motivated conduct is not". This has become the great divide concerning human rights when dealing with cults/sects and their defenders commonly called "cult apologists", a term they find objectionable. Let the factual record speak for itself and brainwashing expert

Harvard Professor Robert J. Lifton, author of "Thought Reform and the Psychology of Totalism" recommends restoring terms to their original meanings. We should not deny descriptive terminology especially when it is accurate.

We should consider some of the legal history concerning the human rights when addressing "coercive persuasion" "thought reform techniques" and "brainwashing" and the documented damaging, harmful and abusive effects including suicide and deaths in destructive cult organizations. The Manson Family, Patty Hearst and the SLA, Jonestown, Heaven's Gate, WACO, Aum Shin Rikyo, Solar Temple and other cults demonstrate the human rights of the cult members were truly violated resulting in the violent deaths of their members. The legal community has truly become a battlefield over the protection of these victims from very preventable harm but sad to say this battle is not always an honourable one.

Let us consider some of the legal and academic examples of this struggle and false debates. When trying to prove legal harm in court a number of cases have been lost due to the successful defence of the free exercise clauses of the first amendment must be protected. The false debate issues arise from inaccurate information gaining legal standing and legal cases expose some of these deficiencies. When reading cult publications and their academic and legal supporters you may think that deprogramming was always illegal. Law Professor Richard Delgado wrote, "some courts have permitted the creation of guardianships or allowed criminal actions against cults as appropriate methods of protecting children." Concerning this, "The Way International" deprogramming case, "conduct which is religiously motivated may be limited when there is a substantial public interest." This was applied to the recruiting methods of that organization providing a distinction between beliefs and process.

Another legal example was Alexander versus the Unification Church of America. Miss Helander was provided legal representation from the Unification Church and paying all legal expenses and would receive any judgment granted to Miss Helander. Along with other legal cases was part of a general policy to destroy so-called deprogrammers and others who had the courage to oppose the viewpoints of the Unification Church. The court held the fact that the suits against deprogrammers might be successful is irrelevant to their claim that the defendants [UC] are liable for abuse of process." Some other cults have used similar funding approaches. The Minnesota Supreme Court gave parents a license to forcefully restrain their offspring according to the Akron Law Review-Volume 15:1.

As the decades have progressed from the latter end of the twentieth century into the twenty-first century the courts, scientific and academic research have moved toward greater accountability for actions while protecting religious beliefs in the process. The research provided by the late Dr. Paul Martin, Ph.D, the Founder of Wellspring in Ohio, USA is a good example of this effort.

The "new religious movements" supporters have actively introduced information alleging persecution of minority beliefs and religion and fact checking the allegations can be a very daunting task. The false debate continues and is rooted in suspect information when you examine the real history behind it.

One of the main tools of this alleged persecution of minority groups are those whom supported brainwashing, coercive persuasion or mind control have a legitimate foundation to support it. Rutgers University Sociology professor Benjamin Zablocki, Ph.D. author of "The Blacklisting of a concept: The strange history of the brainwashing conjecture in the sociology of religion" [October, 1997] "To justify the charge of blacklisting requires that there be some degree of collusion within the established power structure of a discipline to defame, ridicule, or ignore the theory or marginalize its adherence. I want to show that this has happened…." And so the false debate continues especially when the human rights of cult victims are a serious consideration.

Irving Louis Horowitz early warning of the corruption of the scientific community of lavish funding of NRMs [New Religious Movements] is relevant to this issue. … With regard to finances, a major obstacle toward the sort of progress desired is the cloud of secrecy that surrounds the funding of research on NRMs. The sociology of religion can no longer avoid the unpleasant ethical question of how to deal with large sums of money being pumped into the field by the religious groups being studied…"

Academic scholar Stephen Kent, a Professor in the department of Sociology at the University of Alberta in Canada and was also granted a Ph.D. in religious study in 1984. He authored, "When Scholars Know Sin Alternative Religions and Their Academic Supporters". This critical evaluation exposes "Informational "Front" Groups", when the United States Federal Bureau of Investigation or FBI raid against Scientology offices and Washington, DC…confiscated documents from the Guardian's Office with one undated memo entitled "Secret PR [Public Relations] Front Groups" Leading the list was APRIL, Alliance for the Preservation of Religious Liberties" in 1977. Friends of Freedom followed APRIL created after my exit counseling intervention with a member of The Bible Speaks member who won a United States Supreme Court victory judgment of over 6 million dollars moving the organization into bankruptcy. Because the group used deceitful duplicity and caused diminished mental capacity harm was successfully argued in the legal outcome. Two other United States Supreme court victories by former cult members from two other cults where Dr. Margaret Singer was the expert witness concerning cult mind control damage and both cults were unsuccessful in excluding her testimony on religious or civil liberty objections.

The Maryland Task Force on Cults, a government body legally defeated cult organizations' lawsuit where religious liberty motions against the task force were argued unsuccessfully. Guidelines against deceitful recruitment, harm and abuse to university students prevailed.

Legal expert David Bardin Esq, LLP of Ardent FOX legal firm. CSJ published, "Psychological Coercion and Human Rights: Mind Control ("Brainwashing") Exists. -- Mind Control exist." Yet misguided academics like Professor Nancy T. Ammerman are still trying to pretend otherwise. In a report to the Department of Justice and the Treasury…Dr. Ammerman said that cult followers "need" and "seek" what Koresh [of WACO Texas] offers and that "cult brainwashing" is a "thoroughly discredited" concept.

United States Supreme Court Justice Brennan and Marshall described mind control aka (psychological coercion) in 1988 when they explained "as a factual matter" why the use of threat of physical or legal coercion" are not the only methods by which a condition of involuntary servitude could be created. False debates in court rooms only harm sect victims who need help not deceit.

In closing I would direct my attention to the United Nations and the work of FECRIS towards annual official published statements in six worldwide UN languages we produce defending human rights and dignity of cult victims in society since 2011 through 2014. Thank you for your indulgence and permitting me to represent you in New York.

Viva la FECRIS,
David Clark

On subsequent pages:
Luigi Corvaglia, Psychologist, Vice-President of the Bari NGO, CeSAP [19] - Italy

The free choice of enslavement

[19] Centro Studi sugli Abusi Psicologici (Ce.S.A.P.) Bari, Italy – www.cesap.net

Things are very easy to define if you have all the necessary elements to do it. You have to be a surrealist artist (or a French philosopher) to deny it with a logical joke (*No matter how much it LOOKS like a pipe, this is not a pipe. It is a painting*).

This trick requires two levels: that of meaning and that of the signifier

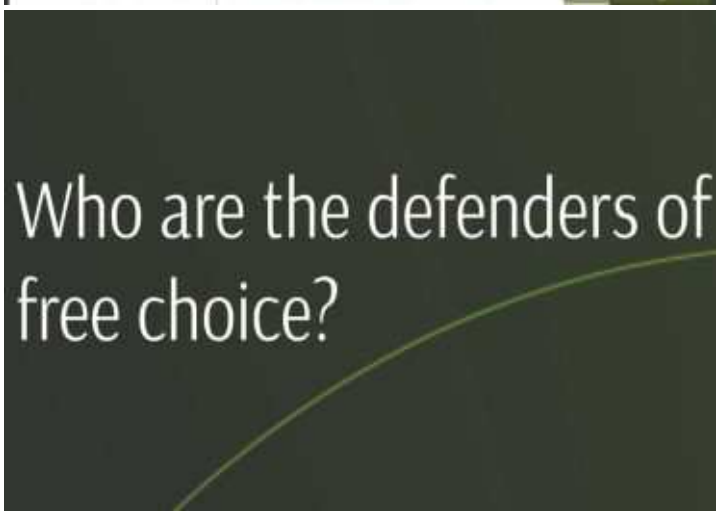
therefore

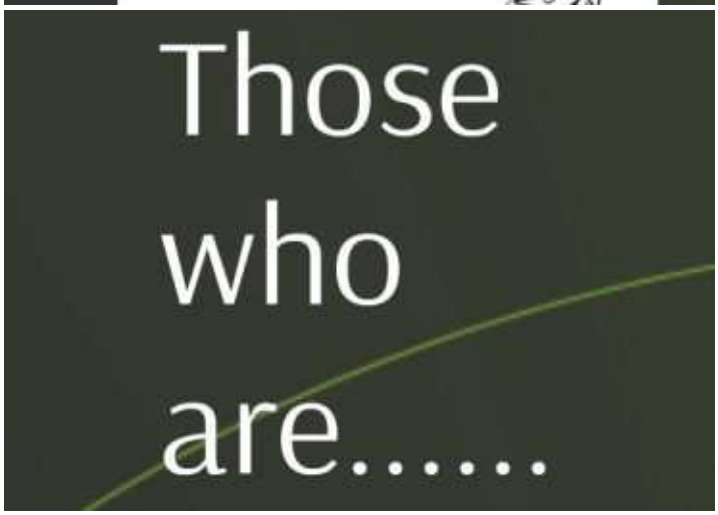
Therefore

those who oppose any form of worship or practice are enemies of freedom and intolerant

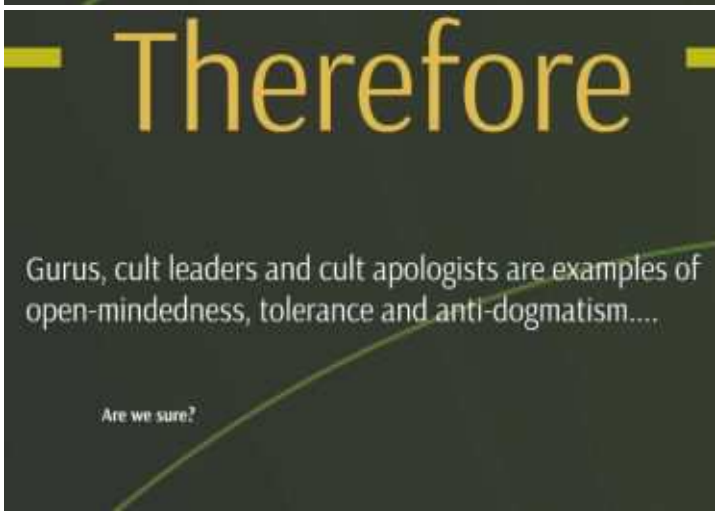

A Special Welcome
Editorial
Condoning brutalities
This flier was distributed by "a group of concerned citizens" at the front door of the building where the FREMS conference was held in 2015. We are described as "extremist bigots" and the fruits of our work are considered to be "intolerance, persecution, threats, ostracism, and denigration"

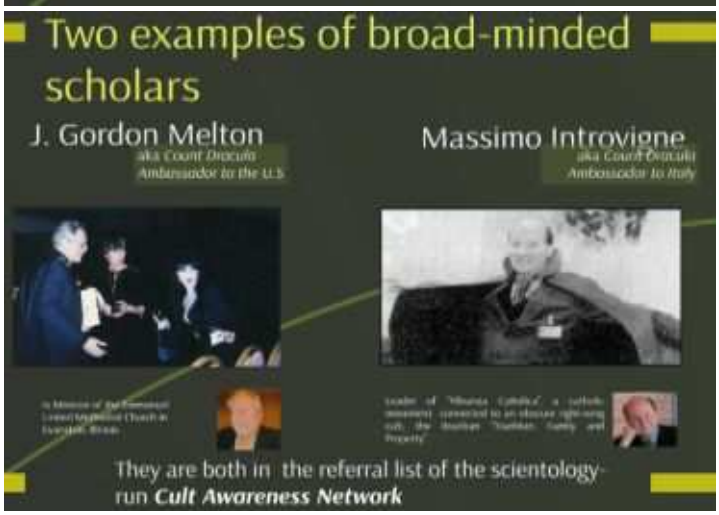

Because
It's a free choice


Who are the defenders of free choice?


Those who are.....


Open-minded
LIBERAL
democratic
progressive
unbigoted
undogmatic
cultured
permissive
Tolerant


Therefore
Gurus, cult leaders and cult apologists are examples of open-mindedness, tolerance and anti-dogmatism....
Are we sure?


Two examples of broad-minded scholars
J. Gordon Melton
aka Count Dracula
Ambassador to the U.S
Massimo Introvigne
aka Count Dracula
Ambassador to Italy
They are both in the referral list of the scientology-run Cult Awareness Network

Free to join?

Not so simple

Not so simple

An alcoholic generally refuses to be treated. This means that he has made a free choice, right?

If you offer a thirsty person a drink of wine, his drunkenness is a free choice, right?

A drunk person is happier than a sober one. This means that it is always better to be drunk, right? So, drinking is always a free choice, isn't it?

Ceci n'est pas Luigi

No. A free choice provides a complete knowledge of the costs and consequences of an action.

This action should take place in a state of absence of conditioning factors

One size does not fit all

Yes, this means that no choice is ***completely*** free. But it does not mean that it is impossible to define the choices that are strongly influenced by conditioning factors. The existence of warm water does not prevent one from recognizing boiling water.

Sometimes, even when so called free choice is evident, because it is based on a clear understanding of the costs, a modern and civilized society should ask itself some questions.

A case of free choice that encourages ethical questions: Christian Domestic Discipline

In America there is a new movement (**Christian Domestic Discipline**) whereby wives are encouraged to allow their husband to discipline them by spanking!

Those views agree that "the husband is the head of the household and with that position comes the right to enforce his authority". It's in the Bible!

In their words, "Domestic discipline is the practice between two consenting life partners in which the head of the household (Husband) takes the necessary measures to achieve a healthy relationship dynamic"

What do you call it when a husband beats his wife with a paddle for disobeying him?

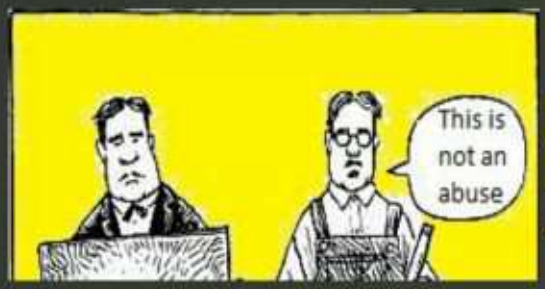
Some would say ***domestic abuse***.

Some people say he's doing **God's work**.

In America there is a new movement (***Christian Domestic Discipline***) whereby wives are encouraged to allow their husband to discipline them by spanking!

These wives agree that "the husband is the head of the household and with that position comes the right to enforce his authority". It's in the Bible!

In their words, "Domestic discipline is the practice between two consenting life partners in which the head of the household (HoH) takes the necessary measures to achieve a healthy relationship dynamic"



He denies the obvious

one level

Ceci n'est pas violence

He denies the obvious

one level

If you **respect** this life-style, are you.....

Open-minded ?

LIBERAL

democratic

progressive

unbigoted

undogmatic

cultured

permissive

Tolerant

I don't know Some say that the respect, in the guise of a "cultural relativism", of those traditions that all advanced societies consider barbaric may appear as a form of tolerance and democracy, but, in fact, it hides, a deep form of prejudice. It is known as "differential racism".

The assumption is that some cultures cannot integrate themselves into the modern open society because they are too closed and different. It 'a surrender.

why should it be any different when it comes to cults and closed groups?

This neo-racism presents itself as "the true anti-racism", exactly as the cult apologists present themselves as the true defenders of civil liberties.

So, we were talking about free choice...

Free to join?

Dracula Paradigm

According to tradition, the vampire will attack his victim only after he has been expressly invited into his or her home. The vampire mania which has now evolved (take a look at Melton and Introvigne for a good exemple of it) suggests that the vampire would impose a kind of fascination (mainly in a sexual form) on his victims. The victim of the vampire, in a way, succumbs to his flattery.

The seduction is a free choice of the victim

Does it mean that Dracula has the right to suck his blood?

Free to leave?

Shell game tricksters say: "The followers of a cult are free to leave whenever they want, then the anti-cult movement must be lying when it says that the cultists are prisoners"....

The absence of evident violence has never been a requisite useful to distinguish freedom from coercion

Etienne de la Boetie said it clearly: servitude is voluntary.

He wrote about the tyrant :

Where has he acquired enough eyes to spy upon you, if you do not provide them yourselves?
How can he have so many arms to beat you with, if he does not borrow them from you?

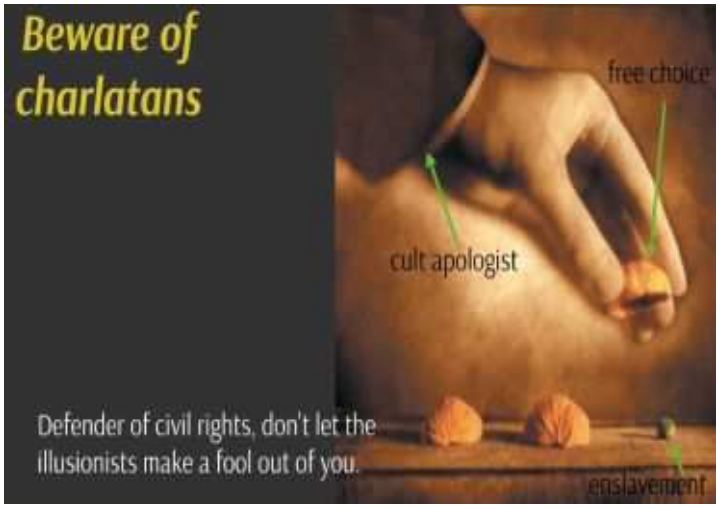
Let's ask again.....

Who are the defenders of free choice?

Who the

Open-minded ?

LIBERAL
democratic
progressive
unbigoted
undogmatic
cultured
permissive
Tolerant



Marcel Conradt, historian and author
Parliamentary assistant, European Parliament, Belgium

If I had to answer your question point blank about *"Sects: what do they mean for the European Union?"* - actually the title of my presentation -, I would be inclined to answer: *« Not much! »*

Not much, for the simple reason that this is a field in which the EU has absolutely no competence in application of the existing Treaties and, what is more, a field in which it tends to tread very carefully.

That said, I feel sure that's too short an answer.

My presentation, Mr Chairman, will not be very personal.

To maintain objectivity as much as possible, I will be restricting myself to going through a number of texts that have emerged from the European Parliament or the Council of Europe.

A number of these have remained in draft form and have not been put to the vote. Others have remained as opinions.

Whatever they are, reading them will show us that Europe is treading more than just carefully. You could even use the term 'hesitantly' - as if walking on eggs.

The articles, recitals and extracts from explanatory memoranda that I will reading out to you have been chosen completely arbitrarily. Nevertheless, in my mind they summarise the situation and the legal framework, if there is one.

We will see a large number of repetitions as well as noticing that there is a great tendency to use generalisations.

Let us start out by saying that each report, each draft text from the European Parliament or the Council of Europe has its own terminology when speaking about - in quotation marks - "sects".

Indeed nobody really seems to know how exactly to refer to "them".
Nobody really seems to be willing to venture out onto the ice.
Each uses his own terminology.

Sects ..... Sectarian movements ...
Sects and psychic groups ...
New religious movements ....
Psycho-groups

Movements emerged from a mother sect ....
Illegal sects
Groups of a religious, spiritual or esoteric nature ....

Europe has obviously not even managed to reach agreement on what to call them!

And the icing on the cake is that a number of these movements are recognised as a religion or church in certain EU countries ... while in others as a "sect". This hardly makes matters easier.

In fact, the European Union and the Council of Europe are, in a certain way, locked in by a basic human right:

that of believing or not believing,
i.e. freedom of religion or belief.

But also in their non-competence with regard to "conviction" and whether they recognise a "belief" as such or not.

* * *

January 2013

The European Court of Human Rights condemns France for not having recognised the religious nature of the three "religious movements" (involving the tax exemption of donations):

- The Religious Association of the Pyramid Temple (Mandarom)
- The Evangelical Missionary Church (Eric Salaûn), (Castellane, Alpes-de-Haute-Provence).
- The Association of the Knights of the Golden Lotus (Besançon).

Not having gained tax exemption of donations on account of the three organisations not being recognised as "religious", was, in the view of the ECtHR, a breach of their freedom of religion, enshrined in Article 9 of the European Convention of Human Rights.

The ECtHR based its ruling on a similar ruling of 2011 relating to the Jehovah Witnesses.

The tone is set, Mr Chairman: "freedom of religion"

The sacrosanct freedom of religion and belief!

➢ **Let us now take a look at the various European positions.**

In a response given by Commissioner Fratini in July 2005 to a parliamentary question, the position of the EU was summed up as follows:

"(…) there is no European policy on sectarian movements.
The problem of sects is a complex one and can relate to issues linked to Community / EU policies such as freedom of establishment, freedom of movement, public order, security and justice, as well as respect of fundamental human rights.

The Commission has no studies available on sectarian movements within the European Union. In application of the principle of subsidiarity, Community action in this field is not currently considered to be necessary."

Basically, Mr Chairman, I could stop here.

➢ **A few years earlier, during Belgium's EU Presidency in 2001, an MEP put the following question to the Council**:

One of the Member States, France, has a much criticised law on religion in which the term 'sect', as applied to smaller churches and religious groups, plays a key role.

(...) Are we not at risk of diminishing respect for the public's choice of life philosophy and religious faith, with greater intolerance as a result, if an increasing number of Member States adopt legislation which outlaws or actively oversees some forms of church and religious groups.»

On behalf of the Council, Ms Neyts Uyttebroeck replied:

" (…) the Council is not really qualified in any way to express an opinion on the question he has posed. I should, though, like to remind him of Declaration No 11 in the Final Document of Amsterdam, a declaration regarding the status of churches and non-confessional organisations.

- **This has now become TFEU Article 17, §§ 1 and 2, of the Treaty of Lisbon.**

- **Let us continue looking at the European texts.**

I would like to start by referring to the draft report of MEP Maria Berger on *"Sects in Europe"*, a report dating back to 1997 and to which I will be coming back to later on.

To understand the European Union's scope of intervention and field of action, recitals C and G make interesting reading.

Recital C.

whereas there is no legal definition of a 'cult' and, as in the resolution of 29 February 1996, the term does not carry any value judgement, and whereas the legal position with regard to State recognition of religious groups and cults varies greatly between the Member States,
and whereas the formation of a cult is one of the fundamental freedoms of religion, conscience, thought and assembly,

Recital G.

whereas State authorities can regard the existence of cults as problematic only when they threaten public order and/or the standard civil liberties, and whereas the representatives of national parliaments in most Member States regard the existence and activities of cults in their Member State as insignificant or unproblematic,

- **In 1984, the European Parliament (at that time only 6 countries) had already adopted a Resolution entitled**:

"Resolution of 22 May 1984 on a common approach by the Member States of the European Community towards various infringements of the law by the *new organizations operating under the protection afforded to religious bodies.»*

"New organizations", a term which would now be considered as politically correct. As if we didn't dare cite them ...

A title *per se* interesting as it refers to "infringements of the law" as repressive criteria. Yet surprising all the same, as if infringements of the law were not wrong ... whether committed by ordinary people or by a religious organization.

Are we going to have to define the infringements of the law which would be wrong when committed by religious organizations?

Certain infringements can be justified by religion, as laws can encroach on the freedom of religion (e.g. the ritual slaughtering of animals)

Recitals B and C of this 1984 resolution are well worth reading again, as they announce what will become Europe's main argumentation, its line of defence:

"*freedom of belief*"

Recital B

reaffirming the principle of the existence in the Member States of the European Community of complete freedom of opinion and religion, the Community has no right to judge the legitimacy of religious beliefs in general and religious activity in particular.

Recital C

In the conviction that, in this regard, it is not the validity of religious beliefs which is questioned, but the legal nature of the methods used to recruit new members and of the treatment of the latter.

Recital F

of this 1984 Resolution confirms what we said at the start ... the problem of terminology!

whereas, due to the fact that these organizations are referred to by different names in the Member States, it is very difficult to find a neutral concept understood the same way by everyone.

- **This said, let us stay with the European Parliament and look at the Resolution adopted in February 1996, one with a clearer title.**

"Resolution on cults in Europe",

a Resolution referred to in the draft Berger report in its Recital C:

whereas there is no legal definition of a 'cult' and, as in the resolution of 29 February 1996, the term does not carry any value judgement,

A very short resolution, made up of a few recitals and 9 articles.

Recital A … the "classic"

reaffirming its attachment to the basic principles of democracy and the rule of law, such as tolerance, and freedom of conscience, religion, thought, association and assembly,

Recital C: the finding

whereas the activities of groups of cults or cult-type associations are a phenomenon that is rapidly proliferating, and taking increasingly diverse forms, throughout the world,

Recital D: a certain form of positioning

whereas many religious and other sects are perfectly legitimate and are therefore entitled to have their organizations and activities protected under the guarantees of individual and religious freedom enshrined in the European Convention of Human Rights,

Recital G treading carefully

whereas, however, some cults operating through a cross-frontier network within the European Union are engaging in activities of an illicit or criminal nature and in violations of human rights (...)

- **As to the Articles of this 1996 Resolution, they are nothing but a banality ...**

Art. 1

Reaffirms the right to freedom of thought, conscience and religion and to freedom of association, subject to the limits imposed by the need to respect the freedom and privacy of the individual and to provide protection from practices such as torture, inhuman and degrading treatment, slavery, etc.;

Art. 2

Calls on the Member States to ensure that the legal and police authorities make effective use of existing legal provisions and instruments at national level and cooperate actively and more closely, particularly within Europol, to combat the attacks on the fundamental rights of individuals of which certain cults are culpable;

Arts 3 & 4

3. Calls on the Member States to ascertain whether their judicial, fiscal and penal provisions are adequate to prevent the activities of such cults from resulting in unlawful actions;

4. Calls on the governments of the Member States not to make the granting of religious status automatic and to consider, in the case of sects involved in undercover or criminal activity, withdrawing their status as religious communities, which confers tax advantages and certain legal protection;

As in the 1984 text, Article 6 speaks of possible “illegal activities of cults”, i.e. there are also cults and sects with legal activities ....

6. Calls on the Council to study, propose and adopt any measures (...) in order to control and combat the illegal activities of cults in the European Union;

As for Article 7, it naively ...

7. Instructs the Commission and the Member States to show the utmost vigilance to ensure that Community subsidies are not granted to illicit cult-type associations;

Out of the blue, without any explanation being given, we see the concept of *"illicit cult-type associations" appearing.* It would thus seem that there are legal and illegal cults and sects ...

It should however be noted that the term "cults" is not defined in this text, as is the case with all others.

This would imply that the definition of this word is no problem and that it would go without saying ...

But that is far from being the case. All the more so when we see that what is defined as a "cult" in one EU country may be officially recognised as a "religious movement" in another.

- **Let us now turn to the Council of Europe, another body looking into the problem.**

The Resolution of the European Parliament which we have just referred to, also referred to a Recommendation of the Council of Europe in its reasoning ...

A recommendation adopted in 1992 on *"sects and new religious movements"*
.... and a somewhat disputable amalgam.

Recommendation 1178.

Recommendation on sects and new religious movements

Its Article 5 sets the scene:

5. (The Council of Europe) considers that the freedom of conscience and religion guaranteed by Article 9 of the European Convention on Human Rights makes major legislation on sects undesirable, since such legislation might well interfere with this fundamental right and harm traditional religions

Does this mean that "traditional" religions are immune from the risk of illegal activities?
(cf. the fining of the Vatican Bank)

Article 6 continues in the same vein.

6. It considers, however, that educational as well as legislative and other measures should be taken in response to the problems raised by some of the activities of sects or new religious movements.

In its recommendations, this Resolution of the Council of Europe states somewhat naively:

i. the basic educational curriculum should include objective factual information concerning established religions and their major variants, concerning the principles of comparative religion and concerning ethics and personal and social rights ;

ii. supplementary information of a similar nature, and in particular on the nature and activities of sects and new religious movements, should also be widely circulated to the general public. Independent bodies should be set up to collect and circulate this information;

And, somewhat surprisingly:

iii. consideration should be given to introducing legislation, if it does not already exist, which grants corporate status to all sects and new religious movements which have been registered, together with all offshoots of the mother sect;

Again, we see a new concept cropping up, that of a *"mother sect"* ..... without any explanation at all. And we are supposed to understand what that means ... a mother sect!!!

Last but not least, recommendation 6 is more original:

vi. persons working for sects should be registered with social welfare bodies and guaranteed social welfare coverage, and such social welfare provision should also be available to those deciding to leave the sects.

- **It is also interesting to take a look at the European Parliament's 1998 Resolution on *"the respect of human rights in the Union".***

In its Article 31, it

Condemns any infringement of the right to freedom of religion, and calls for the exercise of minority religions without discrimination.

One can rightly ask what is mean by these "minority religions" ...
Though we can imagine what is meant, the door is wide open to interpretation.
Do they include "daughter" sects ... in relation to "mother" sects
or the new religious movements of which the Council of Europe speaks?

In its Article 32, the same Resolution ...

Calls on Member States to take measures, in respect of the principles of the rule of law, to combat infringements of human rights brought about by certain sects which should have been refused the status of a religious or cultural organization giving them certain tax advantages and a certain legal protection.

The term "certain sects" is more than just treading softly! What does it mean? What are these "certain sects"? Is it up to us to choose them?

At the end of the day, each country could come up with its own interpretation, choosing between ... good and bad sects?
Is this what is meant by the principle of subsidiarity?

We note that the Council of Europe calls for a measure (not to grant "cult" status leading to tax exemptions) which is to become precisely the "reason" why France has been condemned by the European Court of Human Rights ...

- **Staying with the European Parliament, the 2002 Report on the same topic of fundamental rights is similarly not very forthcoming.**

I will restrict myself to reading out its Article 35:

Warns the Member States once again against the dangers posed by the activities of sects which are a threat to the physical or mental integrity of individuals, and calls on the Member

States, by means of their normal criminal and civil law, to combat unlawful practices and abuses on the part of these sects;

A recommendation full of common sense .... deeming that normal law is sufficient to punish offences committed by anyone, whether a sect or not!!
Specific legislation is, it seems, unnecessary.

- **This 2002 Report is based on the 2001 report which finally went - maybe - a little bit further.**

A report authored by MEP Joke SWIEBEL (a Dutch Socialist)

In its Article 46, she says:

46. Calls on the Member States to guarantee religious pluralism, through equal treatment of all religions and to ensure that religious and secular views are respected and can be expressed on an equal footing;

"All religions"!
What exactly does "all" mean? What does this cover? But even so, it is good to see the term "secular" used.

In Article 47, Joke Swiebel goes on to:

Recommend that Member States fight the unlawful activities of so-called sects, which threaten the physical or mental integrity of individuals, and in so doing to uphold the principles of the rule of law and apply the normal procedures of criminal and civil law, in line with the views expressed by the Parliamentary Assembly of the Council of Europe.

Here again we see a new concept appearing .... that of *"so-called sects"!*
This would mean that there are also "genuine" sects ... and "so-called ones"
Are we talking about genuine ones, false ones, good or less good ones, worse ones? And what exactly is a "so-called sect"? Who is going to define what is a genuine sect and what a so-called sect?

A further somewhat surprising wording in this Article:
"recommends that Member States 'fight the unlawful activities' … "
Is that not what any State based on the rule of law does?

In Article 48, Swiebel highlights an important concept, that of being able to stop being a believer (or a non-believer):

Considers that the freedom no longer to adhere to a religion or ideology and to leave the community concerned should also be deemed a fundamental freedom and that this right should be actively safeguarded by governments where necessary;

As for Article 49, I find its last few words quite pleasing, even though these are now sometimes a bit overused in the name of freedom of religion.
Let me read them out to you:

Calls on the Member States to ensure that this freedom does not infringe the autonomy of women and the principle of equality between women and men and that it is exercised in accordance with the requirement of separation between Church and State;

- **Let us now go back to the Council of Europe and look at another report**

The one authored by the Romanian rapporteur, Nastase
A text dating back to 1999 (Doc. 8373), a very comprehensive text bearing the title:

"Illegal activities of sects".

We can obviously infer from the title that sects can also have legal activities.
A sect is therefore only "reprehensible" on account of its activities. This seems to me to be more logical.

Instead of speaking of "sects", Nastase prefers to use the term *"groups of a religious, esoteric or spiritual nature".*
In his summary of the draft recommendation, he provides an explanation thereof:

1. The Assembly recalls its Recommendation 1178 (1992) on sects and new religious movements, in which it considered that major legislation on sects was undesirable on the grounds that such legislation might well interfere with the freedom of conscience and religion guaranteed by Article 9 of the European Convention on Human Rights as well as harm traditional religions.

2. The Assembly reaffirms its commitment to freedom of conscience and religion. It recognises religious pluralism as a natural consequence of freedom of religion. It regards state neutrality and equal protection before the law as fundamental safeguards against any form of discrimination and therefore calls upon the state authorities to refrain from taking measures based on a value judgment concerning beliefs.

5. The Assembly has come to the conclusion that it is unnecessary to define what constitutes a sect or to decide whether it is a religion or not.

However, there is some concern about groups which are considered as sects, whatever religious, esoteric or spiritual description they adopt, and this needs to be taken into account.

In his explanatory memorandum, Nastase attempts to explain his linguistic and political choice of words as well as his use of the term *"groups of a religious, esoteric or spiritual nature"* as follows.

C. Definition

8. The first problem that arises when tackling the question of sects is that of definition, for there is no generally accepted definition of the term "sect". All the definitions that have been suggested have been criticised either because they were too wide and necessarily included movements which should have been left out or, on the contrary, because they were too restrictive and left out groups which should have been included.

9. The risks inherent in lumping all sects together derive principally from the generalised use of the term "sect" to define a multi-facetted phenomenon.

10. For nowadays the word "sect" has taken on an extremely pejorative connotation. In the eyes of the public, it stigmatises movements whose activities are dangerous either for their members or for society. The triple drama of the Order of the Solar Temple and the collective suicide of members of a Californian group also reinforced this view and gave rise to great anxiety or intolerance as reactions to the world of sects.

11. Today, this world contains dozens, perhaps even hundreds, of larger or smaller groups, with various beliefs and observances, which are not necessarily dangerous or prejudicial to freedom. It is true that among these groups are some which have committed criminal acts. Nevertheless, the existence of a few dangerous movements is not enough to condemn all the rest.

12. The first danger facing authorities wishing to reduce the risks associated with sects' activities is the temptation to lump harmless and dangerous groupings together. An approach which lumped all groups together, whether dangerous or not, would be manifestly either disproportionate in the context of freedom of belief, if it was too restrictive, or an open door to every abuse if it allowed dangerous groups to carry out their activities in an uncontrolled way on the same basis as innocuous groups.

13. The second pitfall which state authorities should avoid is making a distinction between sects and religions(2).. A perfect illustration of this potential risk, linked to the term "sect", is the attitude of certain groups who claim religious intolerance, or even racism, as soon as a state plans measures. These groups assert, expert reports at the ready, that they are not sects but, in fact, religions and that consequently the state has no right to act against them. Confronted with such allegations, if the state enters into the debate by trying to demonstrate that the group in question is not a religion, it fails in its duty to maintain neutrality and participates directly in a spiritual or religious controversy.

14. These two dangers can be avoided easily by state authorities, provided that they are prudent in their use of vocabulary and in their choice of action concerning the acts of such groups.

15. Of course, it is clear that it is very tempting for state authorities to use the term "sect", given that it is easily understood by everyone. However, state authorities would be well advised to forgo using this term since there is no legal definition of it(3) and it has an excessively pejorative connotation. In the public mind today, a sect is extremely evil or dangerous. There are three possible ways of avoiding use of the term "sect".

16. Firstly, definition as a sect could be eliminated by classifying all such groups as religions. Nevertheless, in our opinion, this approach would be misguided because it would be unduly restrictive, the world of sects being so diverse. A group based upon an esoteric doctrine is not necessarily a religion founded, in theory, on the relationship between individuals and a supreme being or force.

17. Secondly, the state could agree to adopt the course suggested by certain groups and distinguish between religions – by definition good – and sects – necessarily dangerous – or even between good and bad sects. Once again, we do not think such an approach is acceptable. Under Article 9 of the ECHR, states are prohibited from distinguishing between different beliefs and from creating a scale of beliefs, which is, in our view, unacceptable. Merely making such a distinction would constitute a disproportionate violation of the freedom guaranteed by Article 9 of the ECHR, because the very basis of this freedom is the absence of distinction between beliefs, which explains the state’s duty to maintain neutrality.

18. Moreover, such an approach is dangerous because in the event of a dispute, the debate would focus not on the activities of the groups concerned but on the nature of their beliefs. The first means of defence for some groups is to seek to demonstrate that their beliefs constitute a religion, so that they can then claim to be acting accordingly, even if that entails the commission of illegal acts. In these circumstances, if state authorities agree to enter into an ideological discussion they are obliged to determine the classification of the beliefs concerned and will find themselves in an inextricable situation. Either they have to accept that the belief concerned is not a religion and are accused of violating religious freedom and of persecuting the group concerned. Or alternatively, they consider that the beliefs of the group effectively constitute a religion, and the latter takes advantage of state recognition to justify

all its actions, even illegal ones. In both cases, the state authorities take part in a religious controversy and therefore fail in their duty to observe neutrality, under the terms of Article 9 of the ECHR. This kind of debate is therefore a trap in which some groups systematically try to ensnare the authorities and which the latter must be at pains to avoid.

19. In reality, the only means of avoiding this trap is to eschew any kind of classification of the beliefs concerned as non-religious beliefs or as religions. This brings us to the third and final possible course which in our view is the only acceptable one.

20. It allows us to avoid the pitfalls outlined above by adopting a more descriptive approach to the world of sects and by concentrating not on the classification of beliefs but on the acts committed in the name or under cover of these beliefs.

21. Hence we can refer to groups of a "religious, spiritual or esoteric" nature. Thus the various facets of beliefs are accommodated in a general formula which is not negative per se.

In his annexed documents, Nastase writes the following in his recitals C, D and E:

C. whereas the activities of groups of cults or cult-type associations are a phenomenon that is rapidly proliferating, and taking increasingly diverse forms, throughout the world,

D is particularly interesting ....

D. whereas many religious and other sects are perfectly legitimate and are therefore entitled to have their organizations and activities protected under the guarantees of individual and religious freedom enshrined in the European Convention of Human Rights,

And in E, Nastase goes on to state …

E. whereas, however, some cults operating through a cross-frontier network within the European Union are engaging in activities of an illicit or criminal nature and in violations of human rights, such as ... (...)

In Article 2 of his provisional conclusions, Nastase

2 Calls on the Member States to ensure that the legal and police authorities make effective use of existing legal provisions and instruments at national level and cooperate actively and more closely, particularly within Europol, to combat the attacks on the fundamental rights of individuals of which <u>certain cults</u>

And to give the following advice in Article 4

– Calls on the governments of the Member States not to make the granting of religious status automatic and to consider, in the case of sects involved in undercover or criminal activity, withdrawing their status as religious communities, which confers tax advantages and certain legal protection;

And so we find ourselves back with France, looking at why the country was condemned by the European Court of Human Rights in January 2013 ....

On the hand "one" advises, on the other hand "one" condemns ...

So let's look at Article 5:

– Calls on the Member States, in this regard, to step up the exchange of information between them so as to coordinate data on the <u>cult phenomenon</u>

OK, but which data and on whom?
We shouldn't forget that groups are recognised (and therefore protected) “religions” or “churches” in certain EU countries, and “sects” in others.

- Before winding up, I would like to come back to the European Parliament and the draft 1997 report of MEP Maria Berger (an Austrian Socialist) which I mentioned briefly by way of introduction.

A report which remained a draft. It just got stuck in the Parliament's 1998 labyrinth, a pre-European election year .

The fact that a report remains a draft is nothing exceptional, though in our case it is regrettable. All the more so as there has been no real parliamentary debate on this subject since, though it is also true that the subject has lost a bit of its topicality at both a European and global level. The 2004 EU Enlargement saw a massive arrival of “new religions”. And naturally of ... “sects”.

This Berger report, which I mentioned earlier, has a couple of recitals at the start which are very much worth mentioning.

Recital C:
whereas there is no legal definition of a 'cult' and, as in the resolution of 29 February 1996, the term does not carry any value judgement, and whereas the legal position with regard to State recognition of religious groups and cults varies greatly between the Member States, and whereas the formation of a cult is one of the fundamental freedoms of religion, conscience, thought and assembly,

And Recital G:

whereas State authorities can regard the existence of cults as problematic only when they threaten public order and/or the standard civil liberties, and whereas the representatives of national parliaments in most Member States regard the existence and activities of cults in their Member State as insignificant or unproblematic,

Apart from these two recitals, Recital E is also of great interest, and its last phrase is more than clear:

whereas, for the reasons given under C and D and because such groups can emerge and disappear quickly, Parliament should not undertake to draw up a list of cults,

Other recitals are equally interesting in this draft report:

D. whereas, therefore, any recommendation for action must concern only the problematic aspects and any risks connected with the activity of certain cults, if they affect a person's physical and mental integrity or the social and financial standing, and whereas such behaviour must be the subject of intervention within all other kinds of organization, whether religious or not,

K. whereas most Member States regard the present legal instruments as sufficient and the joint meeting unanimously rejected specific anti-cult legislation, but whereas the joint meeting also stressed that sufficient use was not made of the present legal instruments to combat criminal activities or breaches of tax or social security laws,

And L.

whereas the attraction of cults should be seen as the symptom of a profound social, moral and civic disquiet and in the light of a longing for a meaning and purpose in life, which for some people in today's scientific and technological society marked by individualism and the erosion of the traditional social fabric is no longer being satisfied by the traditional churches,

M. whereas the demands of today's work environment create a favourable climate for services offering help to overcome perceived individual failings or personality faults,

while N. is particularly interesting

whereas the potential dangers of many cults primarily affect individuals, including young people, possibly damaging their mental and physical integrity or their social and financial standing, and whereas at present and on the basis of the available information there is no reason to fear that the firmly-established democratic institutions based on the rule of law in all the Member States are in immediate danger,

And finally, recitals R. and U:

R. whereas detailed analysis and critical discussion of the teachings and philosophies of cults and the methods they use, as long as these are not illegal, presents a social and political challenge to which the recognized churches and religious communities, the political parties, consumer protection organizations and those supporting families and young people must respond and whereas if particular economic sectors and enterprises are affected, employers' and workers' organizations are also called upon to deal with this issue,

U. whereas, in view of the very different degrees to which this topic is regarded as a problem in the Member States and the present lack of a quantitative and qualitative basis for a common European policy, there are at present not sufficient grounds for setting up a special EU agency on the problem of cults.

As for the draft articles, I will just draw your attention to Article 4:

4. Calls on the Member States to apply penalties to members of cults only in relation to their individual illegal activities;

Individual ....
and what if these activities are collective?

In her explanatory memorandum in which Maria Berger provides a country-by-country overview of the situation (1997), there are a few phrases that are well worth quoting, but this would make the presentation too long.

So let's just remember this phrase ....

As it's time to wind up, let's end by looking at the text of the latest European Treaty - the “Lisbon Treaty” of December 2009 and Article 17 TFEU in particular.

Its first paragraph specifies the framework for European intervention, clarifying the situation.

In fact, one could almost say that it shuts the door on any criticism which might possibly be levelled against the Union.

A number of us would say that it's a bit of the "Pontius Pilate" ...

"The Union respects and does not prejudice the status under national law of churches and religious associations or communities in the Member States."

Paragraph 2 affirms the same thing with respect to philosophical and non-confessional organisations.

The Commission has its own definition of this paragraph, and it is very clear.

It is not actually within the European Commission's power to define – either on a national or European level – the relationship between the State and churches, religious communities and philosophical and non-confessional organisations.

The European Commission therefore accepts as partners in the Dialogue all organisations that are recognised by the Member States as churches, religious communities or communities of conviction.

Each organization officially representing a religious or philosophical tradition and with a European structure can become a member (of the dialogue with the European institutions ... sic Commission, Council and Parliament).

The organizations must receive the support of the whole religious or philosophical community to which they belong and be mandated by such.

Could this possibly point to the concept of "mother sects" mentioned earlier? Possibly .....

Put in a nutshell, this all means that the European Union has no competence whatsoever with regard to recognising religions, churches, beliefs, sects, new religious movements, non-beliefs, ... It just takes refuge behind the individual Member States, stating that recognition (or not) is a national competence.

The freedom of belief (or non-belief)

- **Before giving you the chance to ask questions, I would like to say a few words about a report adopted last year.**

We need to raise the alarm here, as the text contains a number of major risks.

- **And before ending, let me just say a few words on one of Parliament's latest deeds.**
- **A recently adopted report is a genuine time bomb.**

On Thursday, 12 June 2013 in plenary session in Strasbourg, one adopted ... "ONE" refers here to a certain right-wing majority ... the report of Laima Andrikiéne (a Lithuanian Socialist MEP) with the title *"EU Guidelines on the Promotion and Protection of Freedom of Religion or Belief"*.

d) As their successful implementation will depend on this, the Guidelines should offer clarity in the definitions used and the appropriate and full protection of the right to freedom of religion or belief, in accordance with international law, in its private and public expressions, as well as in its individual, collective and institutional dimensions, including the right to believe or not to believe, the right to change one's religion or belief, the freedom of expression, assembly and association , as well as the right of parents to educate their children according to their moral convictions – i.e. religious or non-religious; clear definitions and full protection are also required as regards the recognition of the legal personality of religious and belief-based institutions and respect for their

autonomy, the right to conscientious objection, the right to asylum, the right to observe days of rest and to celebrate holidays and ceremonies in accordance with the precepts of one's religion or belief, and the fundamental right to protection of one's property;

The collective dimension of freedom of religion or belief

h) It should be stressed in the Guidelines that an indispensable part of freedom of religion or belief is the right of each individual to manifest the freedom of religion or belief alone or in community with others; this includes:

– the freedom to worship or assemble in connection with a religion or belief, and to establish and maintain places and religious sites for these purposes;
– the freedom to establish and maintain appropriate religious, media, educational, health, social, charitable or humanitarian institutions;
- the freedom to solicit and receive voluntary financial and other contributions from individuals and institutions;
- the freedom to train, appoint, elect or designate by succession appropriate leaders called for by the requirements and standards of any religion or belief;
- the freedom to establish and maintain communications with individuals and communities in matters of religion and belief at the national and international levels; equally, it should be noted in the Guidelines that the right to exercise religion in community with others (in the context of which 'individual freedoms must always be respected) should not unnecessarily be limited to officially recognised places of worship, and that all undue limitations to the freedom of assembly should be condemned by the EU; the Guidelines should underline that States have a duty to remain neutral and impartial towards religious groups, including as regards symbolic or financial support;

Education

k) As recognised by internationally accepted standards, the parents or legal guardians of a child have the liberty to ensure that their children receive a religious and moral education in conformity with their own convictions, and the child shall not be compelled to receive teaching on religion or belief against the wishes of his or her parents or legal guardians, the best interests of the child being the guiding principle; the right of parents to educate their children according to their religious or non-religious convictions includes their right to deny any undue interference by state or non-state actors in their education opposed to their religious or non-religious convictions; the Guidelines should stress these aspects of the right to freedom of religion or belief, and should also guarantee secularisation in public education, and EU delegations should take appropriate action if this principle is violated;

This text constitutes a genuine threat, opening the door to all sorts of dangers, excesses, threats and sectarian abuse ... even though the term "sects" does not officially exist at EU level.

Thank you, Mr Chairman - I have already spoken too much.