

## Appendix 6: Governments and the cult phenomenon

Since the Jonestown tragedy in 1978, which claimed the lives of 913 members of the Peoples Temple, a number of other tragic events have made headlines around the world. These events include the suicides, murders and arson related to the Order of the Solar Temple in 1994, 1995 and 1997; the confrontation between David Koresh's group and the U.S. authorities in 1993; the Aum Shinrikyo group's sarin gas attack and murders in Tokyo's subway in 1995; and the suicides of Heaven's Gate members in 1997. These dramatic events sparked various reactions from both the public and governments.

To understand a specific government's decision to intervene or not in dealing with "cults", here are some aspects that help us to understand a government's response concerning this phenomenon:

- Historical context (culture, political landscape, tragic cult-related events that have occurred in the country, etc.);
- The relationship between religion and government;
- Privileges granted to certain religious groups, if any;
- Presence or absence of a State religion;
- State financing of certain religious groups;
- The issue of cults in relation to the country's history;
- The government's usual method of intervention and public pressure.

Four aspects will be examined in order to help us understand the government responses presented in this appendix:

- Modern historical context;
- The State's position with regard to religious groups;
- Commissions on cults and parliamentary reports;
- The definition of "cult" under the law or in a parliamentary report.

### Modern historical context

A country's historical context can have a significant impact on the actions a government chooses to take with regard to the cult phenomenon. The following considerations help to shed light on a government's decision to act or not to act:

- During the course of its modern history, has the country come up against an anti-democratic or totalitarian group?
- Has the government been confronted by violence (group suicides or murders, terrorist attacks, etc.) perpetrated by alternative religious groups or cults?
- Have there been many confrontations between "cults" and the State?

For example, the murders, arson and “assisted suicides” carried out by members of the Order of the Solar Temple elicited different responses in Canada, Quebec, France and Switzerland.

- The French government set up a parliamentary commission.
- Switzerland’s federal government set up a commission of inquiry.
- The governments of Canada and Quebec did not set up a parliamentary commission.

### **The State’s position with regard to religious groups**

The State attitude to religion differs from country to country. In some countries, the roles of religion and the State are clearly defined, whereas in other countries the relationship between religion and the State is more ambiguous.

In many countries, mechanisms for recognizing religious groups are clearly set out. Groups that wish to obtain status as a religious organization must meet specific criteria. In most democratic countries, there is a clear separation between State and religion—in other words, they are secular states. In some countries, however, there is still a strong link between the State and the State religion.

#### **Secular state**

Several countries describe their relationship with religion and religious groups as secular. A secular state:<sup>263</sup>

- Adopts a neutral attitude toward religion, which means that it does not support any religion to the detriment of another;
- Tends to restrict religious groups’ implication within public social services or social institutions;
- Allows its citizens to practise or not the religion of their choice. Freedom of religion is the norm;
- May reserve in their constitution a special place for God;
- May have a specific process of recognition of religious and non religious groups.

<sup>263</sup>M. Juergensmeyer. *The New Cold War? Religious Nationalism Confronts the Secular State*. Berkeley: University of California Press, 1994.

S. Garnet, *Religion and Politics: Major Thinkers on the Relation of Church and State* (1990)

S. Rodney. 1999. “Secularization: RIP.” *Sociology of Religion* 60 (3): 249-273.

L. Voye. “Secularization in a Context of Advanced Modernity.” *Sociology of Religion* 60 (3):p. 275-288. 1999

R. Stark, R. Finke. “Beyond Church and Sect: Dynamics and Stability in Religious Economies.” In Ted G. Jelen (ed.), *Sacred Markets, Sacred Canopies: Essays on Religious Markets and Religious Pluralism* (Lanham: Rowman & Littlefield) 2002

These characteristics are not all present in each country. Each state has their own way to express their secular status.

### **Laic state**

Since the 1905 law, France describes itself as a laic country, which can also be understood as a synonym for a secular state. What that means in France is that there is a total separation between church and state. France sees religious beliefs as a personal and individual matter. Religious beliefs are ignored by governmental structures. Symbols of religiosity must stay private, and therefore, are not present in social institutions such as schools.<sup>264</sup>

### **Countries with a State religion**

A country with a state religion is a state where a religion is declared "dominant" by the Constitution. Argentina, Denmark and United Kingdom have a State religion.<sup>265</sup>

Legislating a specific method for differentiating religious groups from other groups may have an impact on the religion-State dynamic. The following table describes the position taken by each of the states examined in this appendix with regard to religion.

---

<sup>264</sup> M. Gauchet. *La religion dans la démocratie : parcours de la laïcité* Gallimard, "Le débat", 1998.

J. Baubérot. *Histoire de la laïcité en France*. PUF, "Que sais-je ?", 2003.

<sup>265</sup> F. Champion, *les rapport Église-État dans les pays européens de tradition protestante et de tradition catholique: essai d'analyse*. *Social Compass*, vol. 40, no. 4, 1993, p. 589-609.

**Table: The State's position with regard to religious groups**

North America			
Canada	Church and state relations	Religious groups and Government status	State funding of religious group activities
	<p>Canada is a secular country where religion does not have an official influence on government decisions.</p> <p>There is an obligation of neutrality between religion and government; however, the constitution protects religious rights but also recognises the supremacy of God. This element of the Canadian constitution is a symbol of its religious roots.<sup>266</sup></p>	<p>A religious group can incorporate as a non-profit Corporation which gives it access to certain privileges.</p> <p>The group can be given the status of a non-profit corporation if they include in their charter objectives which are of a charitable nature. This can include:</p> <ul style="list-style-type: none"> <li>• Relief of poverty;</li> <li>• Advancement of education;</li> <li>• Advancement of religion;</li> <li>• Certain other purposes that benefit the community.<sup>267</sup></li> </ul>	<p>The status of religious corporation gives certain privileges such as tax exemptions.<sup>268</sup></p>

<sup>266</sup> P. Bosset, "Laïcité" et pluralisme religieux : du bon et du mauvais usage de la perspective française dans le débat Québécois. Commission des droits de la personne et des droits de la jeunesse, 2004. <http://www.cdpcj.gc.ca/fr/publications/liste.asp?Sujet=51&noeud1=1&noeud2=6&cle=0>

P. Bosset, *Les symboles et rituels religieux dans les institutions publiques*, Commission des droits de la personne et des droits de la jeunesse, novembre 1999. <http://www.cdpcj.gc.ca/fr/publications/liste.asp?Sujet=51&noeud1=1&noeud2=6&cle=0>

<sup>267</sup> Canadian Commercial Corporation Act (R.S. 1985, c. C-14) <http://laws.justice.gc.ca/en/C-14/text.html>

<sup>268</sup> D. Lyon and M. Van Die, *Rethinking Church, State, and Modernity: Canada Between Europe and America* (2000);

D. Marquand, R. Nettler, *Religion and Democracy* (2000), op.cit.

J. Verrette, *Dictionnaire des groupes religieux aujourd'hui : religions, églises, sectes, nouveaux mouvements religieux, mouvements spiritualistes* (2002).

Cuba	Church and state relations	Religious groups and Government status	State founding of religious group activities
	<p>Cuba is a secular country.</p> <p>Cuba allows its citizens freedom of religion, but the government closely controls the activities of religious organisations. For example, The Cuban Government does not allow Churches to have an independent media. The government controls: the number of religious scholars trained; the visit of foreign clergy; and the establishment of social institutions (schools, hospitals and clinics, and nursing homes).<sup>269</sup></p>	<p>Churches and other religious groups can obtain an official status. Groups want to obtain this status to have freedom of practice. To acquire their status they must register with the provincial Registry of Associations within the Ministry of Justice.<sup>270</sup> Once they have the status they are allowed to :</p> <ul style="list-style-type: none"> <li>• Become a member of the Cuban Council of Churches (CCC),</li> <li>• Have permission to travel abroad and receive foreign visitors,</li> <li>• Receive religious literature through the CCC,</li> <li>• Have official places of worship.</li> </ul>	<p>The government does not found religious groups or activities.</p>

<sup>269</sup> Ibid.

<sup>270</sup> Twenty-two denominations are members of the Cuban Council of Churches such as Presbyterians, Episcopalians, Methodists and the Evangelical Lutheran Church. Another 31 denominations are officially recognized (but are not members of the CCC), including Jehovah's Witnesses and the small Jewish community. Even if groups haven't gained an official status, the government tolerates their presence, for example: The Baha'i Faith and The Church of Jesus Christ of Latter-day Saints (Mormons). List found at: <http://www.cubanet.org/ref/ais/12220301.htm>

Quebec (Canadian Province)	Church and state relations	Religious groups and Government status	State founding of religious group activities
		A group must obtain the legal status of religious corporation to have access to tax exemptions. <sup>271</sup> In article 2 the Law on Religious Corporations says that in order for a group to acquire this status it must be composed of at least three members. In addition, the goals of the corporation must be charitable, educational, religious or for the well being of others. <sup>272</sup>	Tax exemptions.
United States	Church and state relations	Religious groups and Government status	State founding of religious group activities
	First Amendment of the American constitution stipulates that: "Congress shall make no law regarding the establishment of religion, or prohibiting the free exercise thereof". <sup>273</sup>  Different judgments of the Supreme Court give the meaning of "non-establishment" as a sense of a wall of separation between church and state. Sometimes this free exercise clause is viewed as a non-preferential neutrality in regard to all religion. <sup>274</sup>	Research did not reveal any relevant information.	In 2001 the first Presidential action of Georges W. Bush was to create an Office of Community and Faith-Based Initiatives to facilitate funding of religious groups' social programs.  This Office's goal is to facilitate funding of faith based organisations in order to compete with secular agencies for public funds. <sup>275</sup>  Tax exemptions.

<sup>271</sup> L.R.Q., chapitre C-71, Loi sur les corporations religieuses, Éditeur officiel du Québec, [http://www2.publicationsduquebec.gouv.qc.ca/dynamicSearch/telecharge.php?type=2&file=C\\_71/C71.html](http://www2.publicationsduquebec.gouv.qc.ca/dynamicSearch/telecharge.php?type=2&file=C_71/C71.html)

<sup>272</sup> L.R.Q., chapitre C-71, Loi sur les corporations religieuses, op.cit.

<sup>273</sup> The United States Constitution, as site in M.O. Manion, Churches and States : The Politics of Accommodation, Journal of Church and State, vol. 44, 2002, p.317-343.

<sup>274</sup> M.O. Manion, Churches and States : The Politics of Accommodation, Journal of Church and State, vol. 44, 2002, p.317-343

Supreme Court Justice Hugo Black, Engel v. Vitale, 370 U. S. 421, 431 (1962).

<sup>275</sup> D.A. Davis, President Bush's Office of Faith-Based and Community Initiatives: Boon or Boonoggle? Journal of Church and State, vol 43, 2001, p.411-422

South America			
	Church and state relations	Religious groups and Government status	State founding of religious group activities
<b>Argentina</b>	<p>State religion: Roman Catholicism.</p> <p>The constitution recognizes the special status of this religion.</p> <p>Since 1994, the republic recognised that it is not necessary to be a member of the Roman Catholic Church to be President or Vice-president of the Republic.<sup>276</sup></p>	<p>The Secretary for Religious Affairs maintains that "non-catholic creeds have other status, not inferior, but different."<sup>277</sup></p>	<p>The Roman Catholic Church is sustained by the state and holds a dominant place in society.<sup>278</sup></p>
<b>Brazil</b>	<p>Brazil is a secular country.</p> <p>Brazil's constitution stipulates that it is written "... under the protection of God..."<sup>279</sup></p> <p>In its constitution Brazil describes the type of neutrality the State must have toward churches: it can't establish churches, it can't facilitate or complicate church activities, and it can't have alliances with church representatives.</p>	<p><b>Religious groups and Government status</b></p> <p>Research did not reveal any relevant information.</p>	<p><b>State founding of religious group activities</b></p> <p>Churches can obtain tax exemptions regardless of their faith. They can also have access to public funds when they provide social services to the population such as medical care or education. In this case the state maintains its neutrality by accepting and giving money to viable projects regardless of the faith of the group who solicits public funds.<sup>280</sup></p>

<sup>276</sup> A Brief Historical and Legal Description of Religious Liberty: <http://religiousfreedom.lib.virginia.edu/rhand/Brazil.html>

<sup>277</sup> Handbook on Religious Liberty Around the World <http://religiousfreedom.lib.virginia.edu/rhand/Argentina.html>

<sup>278</sup> Handbook on Religious Liberty Around the World <http://religiousfreedom.lib.virginia.edu/rhand/Argentina.html>

<sup>279</sup> Federal Republic of Brazil Constitution 1988. Available at: <http://webthes.senado.gov.br/web/const/const88.pdf>

<sup>280</sup> Ibid.

<b>Europe</b>			
<b>European Parliament</b>	<b>Church and state relations</b>	<b>Religious groups and Government status</b>	<b>State founding of religious group activities</b>
	<p>This Parliament recognised the diversity of beliefs.</p> <p>Article 10 of the European Parliament Charter protects freedom of thought, conscience and religion. Article 21 also protects against discrimination based on sex, race, skin colour, social and ethnic origins, religious or political beliefs.<sup>281</sup></p>	<p>Research did not reveal any relevant information.</p>	<p>Research did not reveal any relevant information.</p>

<sup>281</sup> Charte des Droits Fondamentaux de l'Union Européenne. [http://www.europarl.eu.int/charter/pdf/text\\_fr.pdf](http://www.europarl.eu.int/charter/pdf/text_fr.pdf)

Austria	Church and state relation	Religious groups and Government status	State founding of religious group activities
	<p>Church and State are separate.<sup>282</sup></p>	<p>The State recognizes 12 official religions on its territory.<sup>283</sup> To be recognized as a religion groups:</p> <ul style="list-style-type: none"> <li>• Must have at least 16,000 members ;</li> <li>• Teachings must be not be considered dangerous by the government ;</li> <li>• Can then obtain the statute of religion 10 years after they first apply. Religions who have applied after 1997 must wait 20 years before acquiring this statute under a new law.<sup>284</sup> This law identifies non-traditional religions as a second class of religions called "Confessional Communities,"</li> </ul> <p>To be recognized as a "Confessional Community": 300 members who are residents of Austria must apply with the Minister of Education. The group must provide a description of their religious beliefs and these beliefs must be different from other lawfully recognized religions. Their beliefs must respect public safety and order, the health and morals of the society and assure the protection of the rights and freedoms of others.</p>	<p>The twelve recognized religions enjoy benefits that unrecognized religions do not.</p> <p>Confessional Communities are not entitled to the full benefits and protections afforded by traditional religions</p>

<sup>282</sup> B. Schinkele. Church Autonomy in Austria. <http://www.uni-trier.de/~evr/konferenz/papers/schinkele.pdf>

<sup>283</sup> Austria's 12 official religions: Roman Catholic; Protestant (Lutheran and Calvin); Greek, Serbian, Romanian, Russian, and Bulgarian Orthodox; Jewish; Muslim; Old Catholic; and, more recently, Methodist and Mormon.

C.J. Miner, Losing my religion: Austria's new religion law in light of international and European standards of religious freedom, Brigham Young University Law Review, 2000. [http://www.findarticles.com/p/articles/mi\\_qa3736/is\\_199801/ai\\_n8766034/pg\\_1p\\_265](http://www.findarticles.com/p/articles/mi_qa3736/is_199801/ai_n8766034/pg_1p_265).

<sup>284</sup> C.J. Miner, op.cit.

Belgium	Church and state relations	Religious groups and Government status	State founding of religious group activities
	<p>Reciprocal independence marks the relationship between Church and state.</p> <p>Since 1993 their constitution states that the country is a secular State (paragraph 2 article 181).<sup>285</sup></p>	<p>The state currently recognises six religions.<sup>286</sup></p> <p>To be recognized as a religious community the group must acquire the right according to the law “le temporel des cultes” of March 4, 1870. To acquire this legal recognition a group must have thousands of members; they must be have a structure; have been established in the country for a long period; and be of certain social relevance.</p> <p>Other religious communities can be recognised as non-profit associations of common right. These groups can profit from the constitutional protection of the free exercise of worship.<sup>287</sup></p>	<p>To be recognise as a religious community gives access to public funds.</p> <p>The state pays the salaries and the pensions of religious ministers, as stated in the constitution of 1831.<sup>288</sup></p>

<sup>285</sup> Sénat, services des affaires Européennes. Le financement des communautés religieuses. 2001. <http://www.senat.fr/icc/c93/c93.html>

<sup>286</sup> F. Champion, op.cit.

They are Roman Catholicism, Protestants, Orthodox, Jewish, Anglican and Islam. Information available at: <http://www.diplomatie.be/en/belgium/belgiumdetaili.asp?TEXTID=1756>

<sup>287</sup> Sénat, services des affaires Européennes, op.cit.

<sup>288</sup> Sénat, services des affaires Européennes, op.cit.

S.J. van Bijsterveld, Church and state in Western Europe and the United States: Principles and perspectives, Brigham Young University Law Review, Janvier 2000.

Denmark	Church and state relations	Religious groups and Government status	State founding of religious group activities
<p>Denmark has a State religion: the Evangelical Lutheran Church. The statute of this religion is recognized in paragraph 4 of the Constitution.</p> <p>It also recognizes that this church must be supported by the State. The Minister for Ecclesiastical Affairs is the highest administrative authority.<sup>289</sup></p> <p>The Evangelical Lutheran Church clergy acts as registrar of births, deaths, and marriages.<sup>290</sup></p>	<p>Apart from the state religion there also exists the status of officially recognised "religious communities".<sup>291</sup></p> <p>This statute enables them to celebrate marriages that are legally recognized, to record births and deaths...</p>	<p>The ministers of the Evangelical Lutheran Church are recognized as state employees.<sup>293</sup> The government collects a special tax from citizens who have been baptized in the State religion and who did not fill a request to be exempted from it (varies between 0.39 % and 1.5 % of assessed income).</p> <p>Other religious communities: their status does not give them the right to be given public financing.</p>	<p><b>State founding of religious group activities</b></p> <p>Article 2 of the 1905 law states that the: "Republic does not recognize, does not pay, and does not subsidize any worship".<sup>295</sup></p>
France	Church and state relations	Religious groups and Government status	State founding of religious group activities
<p>Since 1905 France is a laic (secular) country. French identity includes the belief that the state protects its citizens from religious excesses.<sup>294</sup></p>	<p>Research did not reveal any relevant information.</p>		

<sup>289</sup> A.W. Geertz, M. Rothstein. Religious Minorities and New Religious Movements in Denmark. Nova Religio. April 2001, Vol. 4, No. 2, Pages 298-309  
<sup>290</sup> F. Champion, op.cit.

<sup>291</sup> These religions are the Roman Catholic Church, the Danish Baptist Church and the Pentecostal Seventh Day Adventists, the Catholic Apostolic Church, the Reformed Churches in Fredericia and Copenhagen, the Salvation Army, the Methodist Church, the Anglican Church and the Russian Orthodox Church in Copenhagen, Jehovah's Witnesses and the Church of Jesus Christ of the Latter-Day Saints (Mormons).

<sup>292</sup> Sénat, services des affaires Européennes, op.cit.

<sup>293</sup> Sénat, services des affaires Européennes, op.cit.

<sup>294</sup> F. Champion, op.cit.

<sup>295</sup> Loi du 9 décembre 1905 Loi concernant la séparation des Eglises et de l'Etat.

<b>Germany</b>	<b>Church and state relations</b>	<b>Religious groups and Government status</b>	<b>State founding of religious group activities</b>
	Church and State are separate since the Weimar Reich constitution of 1919. <sup>296</sup>	To obtain this status a group must meet certain criteria such as: the number of members, the group's longevity, etc. <sup>297</sup>	As stipulated in the Art. 137-6 of the Weimar Constitution, churches who have been recognized by the government can receive worship tax. These taxes are collected by the State from citizens who have been baptized by those religions and who did not fill a request to be exempted from it (varies between 8 and 9% of assessed income). <sup>298</sup>
<b>Italy</b>	<p><b>Church and state relations</b></p> <p>Church and State are separate.<sup>299</sup></p> <p>In 1984 the Italian Government and the Catholic Church signed an agreement decreeing that the Catholic Church is no longer the state religion.</p> <p>Bonds between the Catholic Church and the government are still strong. The government recognises the important historical role that the Church has played in Italy.</p>	<p><b>Religious groups and Government status</b></p> <p>The Italian system recognizes three categories of religions: the Catholic Church, which enjoys a privileged position, religions which sign an agreement with the State and which occupy an intermediate position, and other religions.<sup>300</sup></p> <p>Other religions that are not Catholic can obtain the status of "person moral sui generis". To obtain this status their principles should profess respect for law, order and moral values.</p>	<p><b>State founding of religious group activities</b></p> <p>The Catholic Church, as well as the six religious communities which have concluded agreements with the State, are given public funding. They receive a fraction of state received income tax. In addition, donations to the religions are tax deductible and they also profit from a rather advantageous tax system.<sup>301</sup> Other religious communities don't receive direct or indirect funding from the State. However, they benefit from the same advantageous tax system as the recognized religious communities.</p>

<sup>296</sup> C.R. Barker, Church and State: Lessons from Germany? The Political Quarterly. 2004

<sup>297</sup> Sénat, services des affaires Européennes, op.cit.

<sup>298</sup> Sénat, services des affaires Européennes, op.cit.

<sup>299</sup> F. Champion, op.cit.

<sup>300</sup> Sénat, services des affaires Européennes, op.cit.

<sup>301</sup> Sénat, services des affaires Européennes, op.cit.

Netherlands	Church and state relations	Religious groups and Government status	State founding of religious group activities
	<p>Church and State are separate since the Dutch Constitution of 1848.</p> <p>The government does not interfere with the internal affairs of religious or ideological organizations.<sup>302</sup></p>	<p>In accordance with Article 2, Book II of the civil code, religious communities constitute a "person moral sui generic". They are organized within the framework of private law and run their own affairs.<sup>303</sup></p>	<p>The traditional obligations of the State relating to the salaries and the pensions of religious ministers was abolished in 1983, when the Parliament voted a law to end the financial relations between the State and the Church.</p> <p>No form of government funding is permitted to religious communities. However, they can benefit from indirect funding such as: public donations which are tax deductible; religious structures are maintained by the State, the provinces and the communities; many social activities organized by the religious communities, are financed by the State or local communities.</p>

<sup>302</sup> Tobias Andreas Maria Witteveen, Overheid en nieuwe religieuze bewegingen Tweede Kamer, vergaderjaar, a report by the Dutch government published in Dutch, with a conclusion and summary in English (1983-1984): <http://www.math.mcgill.ca/triples/infocult/DutchReport.pdf>

Features: Dutch Horizons: Elements of Dutch Life: <http://www2.mw.nl/mw/en/features/dutchhorizons/elementsfordutchlife/religion.html>

<sup>303</sup> Sénat, services des affaires Européennes, op.cit.

Russia	Church and state relations	Religious groups and Government status	State founding of religious group activities
	<p>Up until the 1990's, the official doctrine of the state was "Atheism". The Communist Party tried to introduce Scientific Atheism to replace religious beliefs. They presented it as a philosophical worldview.<sup>304</sup> During the communist era many religious groups lost a large part of their membership.<sup>305</sup></p> <p>Since then Russia describes itself as a secular country.</p>	<p>In 1997 a new bill was voted on by the Duma (Parliament) of Russia which recognised the Russian Orthodox denomination as the pre-eminent religion. It also assigned second-class status to Buddhism, Islam, Judaism, and other Christian denominations.</p> <p>All other faiths or groups must exist for 15 years before acquiring the right to publish or distribute religious literature or invite speakers from outside the country or to preach in hospitals, senior citizens' homes, schools, orphanages, prisons, etc.<sup>306</sup></p>	<p>Research did not reveal any relevant information.</p>

<sup>304</sup> P. Froese, Forced secularisation in Soviet Russia: Why an Atheistic Monopoly Failed. Journal for Scientific Study of Religion, vol. 43, n.1, 2004, pp. 35-50

<sup>305</sup> The work of the Keston Institute," at: <http://www.keston.org/infoframe.htm>

<sup>306</sup> P. Froese, op.cit.

Spain	Church and state relations	Religious groups and Government status	State founding of religious group activities
	Church and State have been separate since 1978.	Article 16-3 of the constitution <sup>307</sup> denies the existence of any religion of State, but affirms necessary collaboration between the State and the various religious communities. This implies a particular place for the Catholic Church. An agreement passed between the state and the Catholic Church on September 4, 1979 gave it the right to act: in matters of legal and economic areas, teaching, and cultural questions.  Other Churches: groups can be recognized as churches if they respond to certain criteria, (religious goals, methods of organization etc...). Currently there are three agreements with the Protestant, Jewish and Islamic religions.	The State ensures its financial support of the Catholic Church from money collected through taxes and by also giving indirect subsidies such as tax exemptions. <sup>308</sup> Other Churches do not profit from any income tax, but they can benefit from the same indirect subsidies and the same tax exemptions as the Catholic Church.
Sweden	Church and state relations	Religious groups and Government status	State founding of religious group activities
	Since 1999 Sweden is a secular country. The Lutheran Church was formerly recognized as the State religion. <sup>309</sup> Since 1996, Swedish citizens do not automatically become members of the Lutheran Church at birth.	Research did not reveal any relevant information.	Research did not reveal any relevant information.

<sup>307</sup> Spain's Constitution : <http://www.oefre.unibe.ch/law/icj/sp00000...html>

<sup>308</sup> Sénat, services des affaires Européennes, op.cit.

P. Salarrullana, P. "Estado actual de las resoluciones aprobadas en el Congreso de los Diputados sobre las sectas destructivas" Ponencia del II Congreso Internacional AIS. Barcelona. 1994

V. Honrubia, J.M. "El Código Penal de 1995 y las organizaciones sectarias" Infosect, AIS, Noviembre 1997

<sup>309</sup> Annual Report on International Religious Freedom, op.cit

Switzerland	Church and state relations	Religious groups and Government status	State founding of religious group activities
	<p>Each canton (province – there are 26 cantons) has the authority to regulate the relationship between Church and State.<sup>310</sup></p> <p>Certain cantons recognize religious communities.</p> <p>Certain cantons have a strict separation between church and State such as Geneva and Neuchâtel.</p> <p>Other cantons have a form of union such as Vaud. This union is characterized by certain State services which are given by religious communities.<sup>311</sup></p>	<p>Each canton has its own criteria to recognize religious communities. There a few common criteria which are:</p> <ul style="list-style-type: none"> <li>• Longevity of the group. Cantons oblige the group to have existed for a certain period that can be as long as 20 to 30 years before giving them the status of religious community.</li> <li>• The group must respect the legal order.</li> <li>• The group must be composed of a certain number of members.</li> </ul>	<p>Each Canton has laws that legislates the use of public funds.<sup>312</sup></p>

<sup>310</sup> S. Cattacin, C.R. Famos, M. Duttwiler, H. Mahnig. (2003) État et religion en Suisse. Luites pour la reconnaissance, formes de la reconnaissance. Étude du forum suisse pour l'étude des migrations et de la population (FSM). <http://www.edi.admin.ch/ekr/dokumentation/shop/00019/00070/?lang=fr>

<sup>311</sup> Ibid.

<sup>312</sup> Ibid.

United Kingdom	Church and state relations	Religious groups and Government status	State founding of religious group activities
	The United Kingdom recognizes two Churches: the Church of England (Anglican) and the Church of Scotland (Presbyterian). <sup>313</sup> The dignitaries are named by the monarchy.	Other Churches are completely independent of the State; they are organized within the associative framework. <sup>314</sup>  Religious organizations must register as an enterprise if they wish to be recognized as such and benefit from tax exemptions. <sup>315</sup> Under the law, advancement of religion is a charitable purpose, provided this advancement is non-profit and for the public benefit, which includes being non-political. <sup>316</sup>	Non-profit, non-political charitable groups which advance religion for the public benefit qualify for privileges afforded by governments in the UK, including tax-exempt status.  Places of worship are exempt from local taxes even if the religious institution involved is not a religious charity. <sup>317</sup>

<sup>313</sup> P. Puaud. Le financement des religions en Allemagne, en Angleterre, en Belgique, au Danemark, aux Pays-Bas, en Espagne, au Portugal et en Italie. Bulletin de La Libre Pensée en Vendée - supplément au numéro 29 - février 2003. <http://www.laicite-republique.org/documents/loi1905/lp85.htm>

S.B. Mutch. Cults and Religious Privileges in England and Australia: Can the Wheat be Separated from the Chaff? Cults and Religious Privileges in England and Australia: Can the Wheat be Separated from the Chaff? Cultic Studies Review. Vol. 3, No. 2, 2004

P. Weller. Identity, Politics, and the Future (s) of religion in the U.K: The Case of The Religion Questions in the 2001 Decennial census. Journal of Contemporary Religion, vol. 19 no. 1, pp. 3-21, 2004

<sup>314</sup> F. Champion, op.cit.

<sup>315</sup> Annual Report on International Religious Freedom (2001), p. 397.

<sup>316</sup> Champion, op.cit.

<sup>317</sup> S.B. Mutch. Cults and Religious Privileges in England and Australia: Can the Wheat be Separated from the Chaff? , Vol. 3 no. 2 Cultic studies Review, 2004.

As Stark and Bainbridge,<sup>318</sup> and Wilson and Creswell<sup>319</sup> have noted religious groups have to fight in a society to have access to privileges. The more difficult that status and privileges are to acquire, the more religious groups can become engaged in conflicts with the state. In light of church and state relationships between the countries mentioned in this appendix, it can be concluded that a state's relationship with religious group is influenced by three characteristics: Status that a group can acquire, difficulties related to the process of acquisition of their status, and privileges associated with each of these status.

### Reports on cults

The following section presents an overview of the main conclusions presented in these reports as well as a summary table of the conclusions drawn by each of the parliamentary commissions or of the studies conducted by government institutions.

The States that have been analysed in the following demonstrate four reactions to cults:

- No official governmental reaction (Argentina; Brazil; Cuba; Russia);
- No parliamentary committee but governmental action (Austria)
- Parliamentary commissions that published a report which concluded that the country's laws are able to respond and protect citizen from cults. (Canada 1980, 1999; The United States (1990,1995,1999); Germany (1980, 1998); Denmark (1984); Netherlands (1984); Switzerland (1999).
- Parliamentary commissions that published a report which concluded that action must be taken by the state. (Belgium (1996); France, (1985, 1995); Spain (1989)).

In many of the countries examined in this appendix, the government has responded to the issue by setting up a commission of inquiry or by calling on social control agencies to study the potential risk of these groups in regards to the safety of its citizens and society as a whole. Looking into the countries where there has been a governmental reaction, is it possible to conclude that North or South American or European countries have their own way of responding to cults? Or is there a secular, laic or state religion approach in responding to cults?

At this point, it can be said, that except for the Hill report in Ontario (Canada), North American governments haven't established Parliamentary commissions to investigate the cult phenomenon. United States and Canada's reaction can be

<sup>318</sup> R. Stark and W.S. Bainbridge. *The future of religion: Secularization, revival and cult formation*. Berkeley: University of California Press. 1985

R. Stark, W. S. Bainbridge. *A Theory of Religion*. New York: David Lang. 1987

R. Stark, W. S. Bainbridge, and D.P. Doyle. *Cults of America: A Reconnaissance in Space and Time*. *Sociological Analysis* 40: 347-459. 1979

<sup>319</sup> B. Wilson and J. Cresswell. *New religious movements challenge and response*. NewYork: Routledge, p. 5-21, 1999

described as situational. This means that they study a specific question or event related to a cult or religious group instead of the cult phenomenon in general.

The European reaction can be described as global, meaning instead of looking at one tragedy or a unique situation; they tried to understand cult phenomena and to access the risk that cults represent for their society.

### **Common Conclusions Drawn by Parliamentary Commissions in European Countries**

#### *Information*

In most of the parliamentary reports examined, providing the public with access to information about cults, new religious movements or spiritual groups is the solution most widely recommended.

Reports by government commissions emphasize the need to educate the public about how these groups function, their recruitment methods as well as their philosophies. The objective of this solution is to provide the public with as much information as possible so that individuals can make informed choices about whether or not to become a member of a group.

In their reports, Switzerland, France, Belgium and Germany propose the creation of information centres open to the public. In addition to providing free access to information about cults, these centres would also carry out research on “cults” and “new religious movements”.

#### *Protection*

Switzerland, France, Belgium and Germany recognized that some individuals must be protected from the potential danger of certain “cults”:

- In Germany consumers should be made aware that treatment given by some therapists or practitioners of alternative medicine could cause psychological, physical or financial harm to their clients. Public awareness campaigns are, therefore, an effective tool to educate the population and to prevent victimization.
- In France the Gest and Guyard Commission recommended improving the supervision of minors who are members of such groups.
- In Belgium, France and Switzerland reports recommended that there be better protection of children whose parents are members of cults.

*Dangers related to being a member of a cult*

France, Belgium and Italy identified in their reports some of the dangers that members of cults can be exposed to:

- Indoctrination, persuasion and manipulation, in a way that members are influenced to respond to the leader;
- A full schedule of activities that can influence their thought process and their ability to make a rational choice;
- Financial exploitation;
- A rupture with his or her family.

*Legislation*

Following their commission reports, Switzerland, Germany and the Netherlands recognized that their respective laws are sufficient in order to protect members and punish deviant members. Consequently, they did not feel the need to adopt any special legislation with regard to cults.

The Gest and Guyard Commission recognized that France's existing laws, for the most part, are sufficient to punish cults that break laws. However, the Commission also recognized that by improving France's legal framework, French authorities would be better prepared to deal with the challenge of cults.

According to the Commission, it is important to further develop or amend some of the points set out in specific laws in order to enable a more effective response to abuses perpetrated by cults. On the basis of this observation, France's National Assembly adopted a bill designed to strengthen the State's ability to prevent and suppress the problems associated with cult-like groups. In 2001, France's Senate reviewed and accepted the proposed bill which became known as the About-Picard law.

This law allows for:

- The dissolution of a group;
- A group to be held responsible when a member has committed an infraction or a crime;
- Law enforcement agencies to act when they have proof that a person or a group uses a person's state of ignorance against them;
- Law enforcement agencies to intervene in a way to limit cultic group publicity.

Since the About-Picard law in France, Belgium and Spain have taken action and proposed similar bills.

**Table: Selected parliamentary commission reports and government interventions**

North America	
Canada	<p><b>Reports of government commissions on cults</b> The government did not create a parliamentary commission to examine cults or new religious movements.</p> <p><b>Reports and interventions by other government institutions</b> Some government institutions explored the issue of "cults" and domestic security.</p> <p>In 1993, the <b>Canadian Panel on Violence Against Women</b><sup>320</sup> interviewed women from across Canada to acquire knowledge on various forms of violence experienced by women. This report notes that some of the women interviewed in each province were members of cults. They describe that violence within a cult can take various forms: physical, psychological, spiritual and sexual. These forms of violence are inflicted on a frequent basis throughout group ceremonies and collective activities. These ceremonies and activities are described in this research as religious, magical or supernatural. This report also observed that in Canadian society victims of cults are often misunderstood, their abuse is questioned and seen as impossible.</p> <p>In their recommendations, this report states that institutionalised religious organisations must modify their practices to do away with discrimination against women. Religious groups and institutions must recognize equality between men and women and be reinforced by allowing women a better social position in religious organisations.</p> <p>The <b>Canadian Security Intelligence Service</b> published three reports in which cultic groups were mentioned. Here are some of the conclusions presented in each of these reports.</p> <p><b>Trends in terrorism:</b><sup>321</sup> After examining the question of religious extremist groups, the report concluded that international cooperation is a crucial element in the fight against terrorism. However, given the wide range of strategic attacks employed by terrorist groups, intelligence services must play a front-line role in preventing such events. Consequently, improved cooperation between various intelligence and security organizations is needed in order to learn and counter terrorist plans[0].</p>

<sup>320</sup> Changing the Landscape: Ending Violence-- Achieving Equality. Final Report of the Canadian Panel on Violence Against Women, Minister of Supply and Services, Cat. no. SW45-1/1993E, 1993.

<sup>321</sup> Canadian Security Intelligence Service, Trends in Terrorism (1999). <http://www.csis-sctis.gc.ca/en/publications/perspectives/200001.asp>

<p><b>Canada</b></p>	<p><b>Chemical, biological, radiological and nuclear terrorism:</b><sup>322</sup> Following the sarin gas attacks in Tokyo's subway, the Canadian Security Intelligence Service published a report on the likelihood of a similar attack in Canada. The report concluded that it is difficult to evaluate the potential risk of a biological attack and, therefore, the focus should not be on whether the threat is real but, rather, on how to prevent the next attack.</p> <p><b>Doomsday religious movements:</b><sup>323</sup> This report addressed the relationship between public security and doomsday religious movements (movements that predict and wait for the end of the world). They are described as more or less organized groups of individuals who share the same non-traditional spiritual belief systems. The report recommends that the Canadian government and the various law-enforcement organizations learn to recognize pre-incident indicators of future violent acting-out within doomsday groups. Some of the indicators listed in the report include:</p> <ul style="list-style-type: none"> <li>• Intensification of illegal activities;</li> <li>• Humiliating circumstances for the group;</li> <li>• Relocation to a rural area;</li> <li>• Increasingly violent rhetoric; struggle for leadership.</li> </ul>
<p><b>Ontario (Canadian province)</b></p>	<p><b>Reports of government commissions on cults</b></p> <p>In 1978, Ontario's Attorney General created a Parliamentary Commission to examine cults. Members of the Commission were asked to determine whether or not there was a need to introduce legislation with regard to these groups and to assess potential danger in terms of the physical and psychological well-being of their members. The Commission's work led to the publication of the Hill Report.<sup>324</sup></p> <p>In its conclusions, the report rejects: the idea that new religious groups may represent a danger to its members; that belonging to one of these groups leads to psychiatric problems among members and ex-members; and that the State must modify existing laws to protect the public from cults. Instead, the Commission recommended informing the public about new religious movements and cults.</p> <p><b>Reports and interventions by other government institutions</b></p> <p>Research did not provide any relevant information.</p>

<sup>322</sup> Canadian Security Intelligence Service, Chemical, Biological, Radiological and Nuclear Terrorism (1999). <http://www.csis-scrs.gc.ca/en/publications/perspectives/200002.asp>.

<sup>323</sup> Canadian Security Intelligence Service, Doomsday Religious Movements (1999). <http://www.csis-scrs.gc.ca/en/publications/perspectives/200003.asp>.

<sup>324</sup> D. Hill, Study of Mind Development Groups, Sects and Cults in Ontario: A Report to the Ontario Government (Toronto, 1980).

<b>Quebec (Canadian province)</b>	<p><b>Reports of government commissions on cults</b> The government has not set up a parliamentary commission to examine cults or new religious movements</p> <p><b>Reports and interventions by other government institutions</b> Quebec's council on the status of women (Conseil du statut de la femme) touched on the issue of women and cultic groups and reported on practices that violate human rights, such as physical and psychological violence and financial loss.<sup>325</sup></p>
<b>Cuba</b>	<p><b>Reports of government commissions on cults</b> No parliamentary commission</p> <p><b>Reports and interventions by other government institutions</b> Research did not provide any relevant information.</p>
<b>United States</b>	<p><b>Reports of government commissions on cults</b> The federal government did not set up a commission to examine the issue of cults or new religious movements.</p> <p><b>Reports and interventions by other government institutions</b> The government has published various reports following tragedies involving "cults" or "new religious movements". For instance, a report was published about the Jonestown tragedy<sup>326</sup> and the tragic events involving the Branch Davidians in Waco.<sup>327</sup></p>

<sup>325</sup> D. Guibault, Diversité culturelle et religieuse: recherche sur les enjeux pour les femmes (Gouvernement du Québec: Conseil du statut de la femme, 1997).

<sup>326</sup> C.J. Zablocki, The Assassination of Representative Leo J. Ryan and the Jonestown, Guyana Tragedy Report of a Staff Investigative Group to the Committee on Foreign Affairs, U.S. House of Representatives, May 15, 1979 96th Congress, 1st Session U.S. Government Printing Office: Washington, D.C., 1979

"Findings of GAO study on California placement and federal funding of foster children under guardianship of members of Peoples Temple religious group in Jonestown, Guyana" In Abuse and Neglect of Children in Institutions, 1979 Hearings before the Subcommittee on Child and Human Development U.S. Senate Committee on Labour and Human Resources, May 31, 1979. "Investigation Report on Peoples Temple," Department of Social Services, State of California, Sacramento, CA, November, 1979

"Report of Investigation of Peoples Temple," Office of the Attorney General, State of California, Sacramento, CA, April, 1980 "The Performance of the Department of State and the American Embassy in Georgetown, Guyana in the People's Temple Case" aka "The Crimmins Report" U.S. Department of State, Washington, D.C., May, 1979.

<sup>327</sup> A.A. Stone, To Deputy Attorney General Philip Heymann Report and Recommendations Concerning the Handling of Incidents Such As the Branch Davidian Standoff in Waco Texas, November 10, 1993. <http://www.pbs.org/wqph/pages/frontline/waco/stoneprt.html>

J.C. Danforth, Interim Report to the Deputy Attorney General Concerning the 1993 Confrontation at the Mount Carmel Complex, Waco, Texas (2000): <http://www.cultfaq.com/wacoreport.pdf>

<p><b>United States</b></p>	<p><b>Jonestown</b></p> <p>The Jonestown Staff Investigative Group to the Committee on Foreign Affairs report<sup>328</sup> had many goals. A brief summary of the goals and conclusions are:</p> <ul style="list-style-type: none"> <li>• After interviewing ex-members and members who survived, they concluded that Jones was a master of mind control. To gain trust, respect and submission of members he used a variety of tactics such as physical isolation and deprivation; he obliged members to wed strangers; he broke the bonds between parents and their children and spread rumours. He gained the respect of outsiders through the use of effective public relations. The report concluded that a principle strategy of Jim Jones, with members and people outside the group, was to divide and conquer.</li> <li>• At the beginnings of People's Temple the group could be described as a church but over time it became more a socio-political movement. Throughout its existence they used their church status to obtain tax exemption.</li> <li>• One question that the report had to answer: "Was there a conspiracy against Jim Jones perpetrated by the U.S. Government or some other organization?" Since the foundation of the group, Jones perceived that certain people were opposed to his views. Over time he became paranoid. Research showed that there wasn't any government plot to destroy People's Temple. However, Jones used the idea of a conspiracy as a means of generating fear within his group. This tactic was useful to gain a better control over the members. This tactic also helped to keep opponents on the defensive.</li> <li>• This report had to access if Representative Ryan had been adequately advised on the potential for danger, and if government agencies could have predicted the degree of violence employed by this group. Representative Ryan was advised on more than one occasion of the possibility of violence inherent in his trip to Jonestown. The report concluded on those questions: "Some members of Mr. Ryan's staff as well as the media group had gut feelings of the possibility of violence. They ranged from advising Mr. Ryan that Jones had a "capacity" for violence, to a general concern based on allegations of guns in Jonestown, and finally, to the thought that a bomb might be placed on the plane on which the entire party flew to Guyana. At the most extreme end of such intuitive hunches and feelings was Miss Jackie Speier's premonition of fear that led her to write her own will".<sup>329</sup></li> <li>• The report also had to establish if a conspiracy to kill Representative Ryan was planned by the group. Circumstantial evidence accumulated permitted the conclusion that Jones planned to eliminate Representative Ryan if he was a menace to Jonestown.</li> <li>• The report also concluded that lack of action on the part of the U.S. Department of State contributed to the chain of events at Jonestown and that Guyana government representatives facilitated Jim Jones activities.</li> </ul>
-----------------------------	---

<sup>328</sup> The Assassination of Representative Leo J. Ryan and the Jonestown, Guyana Tragedy Report of a Staff Investigative Group to the Committee on Foreign Affairs, U.S. House of Representatives, May 15, 1979 96th Congress, 1st Session U.S. Government Printing Office: Washington, D.C., 1979

<sup>329</sup> The Assassination of Representative Leo J. Ryan and the Jonestown, Guyana Tragedy Report of a Staff Investigative Group to the Committee on Foreign Affairs, op.cit.

<p><b>United States</b></p>	<p><b>Waco</b></p> <p><b>Reports on Waco , an overview :</b></p> <p>The first report published on the Waco events by representatives of the Deputy Attorney General and the F.B.I was an extended description of the chain of event and reaction of law enforcement agencies and Koresh's group.<sup>330</sup></p> <p>Alan Stone's report on the Branch Davidian's had as an objective to try and understand how law enforcement agencies must intervene when they have to deal with a group which has unconventional motivation and thought process.<sup>331</sup> In the report's conclusion :</p> <ul style="list-style-type: none"> <li>• F.B.I behavioural experts had understood the particularity of Koresh's group but decision-making agents at Waco did not listen to those experts. The report concludes that the agents in charge at Waco did not follow the advice of the FBI behavioural experts and "Tried to show him [Koresh] who was the boss."<sup>332</sup></li> <li>• FBI's tactics may have precipitated Koresh's and his believers' decision to commit mass suicide.</li> </ul> <p>This report recommended that the FBI:</p> <ul style="list-style-type: none"> <li>• "Needs to make better use of past experiences and existing behavioural science capacity.</li> <li>• Needs a clear policy on third party negotiators/intermediaries</li> <li>• And the Justice Department need a systematic policy for dealing with information overload in a crisis.</li> <li>• Needs a better knowledge base about the medical consequences of C.S. gas.</li> <li>• Needs a specific policy for dealing with unconventional groups."</li> </ul> <p>The <b>Heymann Report (Deputy Attorney General)</b><sup>333</sup> studied the Waco event to review law enforcement abilities to handle hostage/barricade incidents and recommend, if necessary, improvements. This report recognized that the Waco hostage situation was different from other hostage/barricade incidents. Koresh believers were armed and they didn't want to leave the compound. The situation was also complicated after ATF agents were killed in their first attempt to capture Koresh. Koresh didn't want to surrender because it meant losing everything he had established. Law enforcement agents didn't have much to offer Koresh. The report gives seven recommendations to improve future interventions in hostage/barricade incidents.</p>
-----------------------------	--

<sup>330</sup> R. Scruggs, V. Gonzalez, S. Zipperstein, H. Cousins, R. Lyon R. Beverly. Report to the Deputy Attorney General on the Events at Waco, Texas, February 28 to April 19, 1993. October 3, 1993. <http://www.usdoj.gov/05publications/waco/wacotocpq.htm#toc>

<p><b>United States</b></p>	<ul style="list-style-type: none"> <li>• In hostage/barricade situations, law enforcement agencies must be able to provide four tactical elements: 1) a Tactical team equipped to intervene; 2) an experienced negotiator must be accessible to negotiate a peaceful end to the conflict; 3) behavioural experts who can advise negotiators on suspect's behavioural patterns; and 4) a command structure that can put this intervention team together.</li> <li>• The F.B.I. must be able to perform the tactical side of such an intervention.</li> <li>• Double the number of F.B.I SWAT team members and increase the number of tactical specialists to help and promote research on the development of non-lethal technology.</li> <li>• Increase the number of negotiators that the F.B.I can provide.</li> <li>• If needed intervention teams must be able to consult with experts from the social sciences such as specialists in religion, sociology, psychiatry...</li> <li>• Need of a field manager who can lead and take decisions to coordinate such an elaborate team.</li> <li>• Other law enforcement agencies must participate in "First Response Training Programs" among other programs to be able to respond to hostage/barricade situations.</li> </ul> <p>The <b>Interim Report to the Deputy General</b><sup>334</sup> concluded that the U.S government and its representatives weren't responsible for the tragedy at Waco (April 19, 1993). The report recognized that agents: "did not cause the fire; did not direct gunfire at the Branch Davidian complex; and did not improperly employ the armed forces of the United States".<sup>335</sup> The report attributes the responsibility of this tragedy to the Branch Davidians and their leader, David Koresh.</p> <p><b>The final report of the Deputy Attorney General</b><sup>336</sup> arrives at the same conclusion. However, the Special Counsel concludes that FBI representatives and the Department of Justice officials did not recognize that they used pyrotechnic tear gas rounds during the siege at Waco. The report also concluded that some FBI and government representatives manifested behaviour that obstructed the investigation.</p>
-----------------------------	--

<sup>331</sup> A.A. Stone, Report and Recommendations Concerning the Handling of Incidents Such As the Branch Davidian Standoff in Waco Texas, To Deputy Attorney General Philip Heymann Submitted November 10, 1993, <http://www.pbs.org/wgbh/pages/frontline/waco/stonerpt.html#>

<sup>332</sup> Op cit. <http://www.pbs.org/wgbh/pages/frontline/waco/stonerpt.html#>

<sup>333</sup> P.B. Heymann, Deputy Attorney General. Lessons of Waco: Proposed changes in Federal Law Enforcement. October 8, 1993.

<sup>334</sup> J.C. Danforth of the Attorney General Special Counsel, Interim Report to the Deputy General Concerning the 1993 Confrontation at the Mt. Carmel Complex Waco Texas, no. 2256-99, July 2000, p.4

<sup>335</sup> J.C. Danforth, op.cit.

<sup>336</sup> J.C. Danforth, op.cit.

<p><b>United States</b></p>	<p><b>Project Megiddo</b></p> <p>As the year 2000 approached, the FBI published the Megiddo Report.<sup>337</sup> This report evaluates the potential of terrorist activity that could be committed by individual or extremist groups who have an apocalyptic world view and believe that the end of the world is near. This report mentions indicators that could help law enforcement agencies identify potential threats to domestic security. For example:</p> <ul style="list-style-type: none"> <li>• Militias and people who share a racist belief system such as Christian Identity or Odinism or groups who perceive the arrival of the new millennium as a time for action. Groups who are storing weapons and goods to defend themselves and survive in time of siege. Individuals or groups can take action on their own motivated by a specific group philosophy.</li> <li>• Cult related violence can also represent a threat with the arrival of the new millennium. The danger can come from biblically driven cults, but the commission of violent act is determined only by the leader's impulse. In this case law enforcement agencies must observe the leader and the power that he has over his members. They also must be aware of the cult's activities, sudden changes in daily activities can be a sign that the group is preparing for action.</li> <li>• In their analysis the leader and followers' perception matters in their decision to commit or not a crime. A group can wait for specific signs before taking action, such as industrial problems or natural catastrophes.</li> </ul> <p>According to this report, the date of the arrival of the "New World" varies from one group to the next and from one sacred text to another. It is therefore difficult to predict the exact moment when millennial groups will take action to usher in this "New World" and to predict their criminal activity. The report concluded that Law enforcement agencies must be aware that the arrival of the new millennium could increase the likelihood that extremist groups would use violence as a means to achieve their ends. Social control agencies may be ideal targets for these groups because they symbolize the government in power. Extremist religious groups may carry out violent acts against social control agencies in order to precipitate the end of the world. The report's conclusion is a reminder to law enforcement agencies to be particularly vigilant when dealing with the following:</p> <ul style="list-style-type: none"> <li>• Groups that foment plans against government institutions;</li> <li>• Glorification of the status of martyr in order to attain the group's objectives;</li> <li>• Escalating conflicts between groups and social control agencies during routine activities conducted by these control agencies.</li> </ul>
-----------------------------	--

<sup>337</sup> F.B.I. Project Megiddo. 1999. <http://permanent.access.gpo.gov/lps3578/www.fbi.gov/library/megiddo/megiddo.pdf>

<b>South America</b>	
<b>Argentina</b>	<p><b>Reports of government commissions on cults</b> No parliamentary commission</p> <p><b>Reports and interventions by other government institutions</b> Research did not provide any relevant information.</p>
<b>Brazil</b>	<p><b>Reports of government commissions on cults</b> No parliamentary commission</p> <p><b>Reports and interventions by other government institutions</b> Research did not provide any relevant information.</p>
<b>Europe</b>	
<b>European Parliament</b>	<p><b>Reports of government commissions on cults</b> The government has not set up a parliamentary commission to examine the issue of groups known as “cults” or “new religious movements” but has addressed the issue and made some recommendations. For example in :</p> <p><b>1984:</b> The European Parliament adopted a resolution that addressed problems associated with groups called cults. Four recommendations were made: facilitate exchanges of information on those groups between member states; start an international data pool on cults; draft a code of conduct; and that member states discuss and establish a code of conduct to approach cults.<sup>338</sup></p> <p><b>1992:</b><sup>339</sup> Among recommendations from The European Parliament to its member States was that they inform their citizens and educate children about religion, new religious movements and cults and that groups be able to obtain an official governmental status.</p> <p><b>1999:</b><sup>340</sup> Recommendation 1412. In relation to illegal activities by cults the Parliament recognizes that :</p> <ul style="list-style-type: none"> <li>• Member States must use available civil and criminal procedures to prosecute groups who are accused of illegal conduct;</li> <li>• In order to protect human dignity it is important to provide information on such groups.</li> </ul>

<sup>338</sup> D. Wilshire. Cults and the European Parliament: A practical Political Response to An International Problem. Cultic Studies Journal. Vol. 7, no. 1, pp 1-15. 1990.

<sup>339</sup> European Parliament. Recommendation 1178 (1992). Doc. 6535, February 5 1992

<http://assembly.coe.int/Mainf.asp?link=http://3A%2F%2Fassembly.coe.int%2FDocuments%2FAdoptedText%2F92%2FEREC1178.htm>

<sup>340</sup> European Parliament. Illegal activities of sects Recommendation 1412 (1999) Doc. 9220 21 September 2001  
<http://assembly.coe.int/Main.asp?link=http://3A%2F%2Fassembly.coe.int%2FDocuments%2FWorkingDocs%2FD0C01%2FEDOC920.htm>

	<p><b>2004:</b> <sup>341</sup> The European Parliament recommends to its member states to:</p> <ul style="list-style-type: none"> <li>• Make sure that their judicial and fiscal systems are adequate to prevent unlawful actions by cults;</li> <li>• Make sure that the process to acquire the status of religion isn't automatic and that groups who are condemned of criminal acts can't obtain this status;</li> <li>• To facilitate the exchange of information on cults between member states;</li> <li>• Use articles of the Treaty on European Union to control and combat criminal activities by cults;</li> <li>• Ensure that communities' funds aren't given to cults.</li> </ul> <p><b>Reports and interventions by other government institutions</b>                  Research did not reveal any relevant information.</p>
<p><b>Austria</b></p>	<p><b>Reports of government commissions on cults</b>                  The government has not set up a parliamentary commission to examine the issue of groups known as "cults" or "new religious movements".</p> <p><b>Reports and interventions by other government institutions</b>                  In a brochure distributed to the public, the Ministry of Family and Education stated that between 500 and 600 religious groups (cults) pose a potential danger to members and non-members within its territory.<sup>342</sup> Here is a list of the four types of organizations that this ministry recognizes as potentially problematic for its members:</p> <ul style="list-style-type: none"> <li>• Groups led by a guru;</li> <li>• Psychogroups;</li> <li>• New movements;</li> <li>• Groups with a Christian orientation.</li> </ul>

<sup>341</sup> European Parliament. Cults in Europe, Directorate-General for Research Working Paper People's Europe Series W-10, [http://www.europarl.eu.int/workingpapers/cito/w10/default\\_en.htm](http://www.europarl.eu.int/workingpapers/cito/w10/default_en.htm)

<sup>342</sup> Austrian Ministry of Family Affairs, Wissen schützt (knowledge protects) (1996) as cited in: (accessed on March 17, 2005) <http://www.religiousfreedom.com/Conference/DC/Brunner.htm>

<b>Belgium</b>	<p><b>Reports of government commissions on cults</b></p> <p>In 1996, a Ministerial Commission tabled a report before the Belgian Chamber of Representatives on the issue of “cults” in Belgium and their potential danger for Belgian citizens. The Commission’s objective was to recommend a strategy to stop, if it was the case, the illegal practices of cults and their potential danger to members (particularly minors) and to society as a whole.<sup>343</sup></p> <p>The Parliamentary Commission recommended that:</p> <ul style="list-style-type: none"> <li>• The government establishes a policy to deal with the potential danger of cults to society.</li> <li>• The creation of information centres on harmful cultic organizations. These centres would gather information on the various cult groups in order to provide information to the public on the nature of these movements’ activities.</li> </ul> <p><b>Reports and interventions by other government institutions</b></p> <p>Belgian’s Parliament created a centre called Centre d’Information et d’Avis sur les Organisations Sectaires Nuisibles (CIAOSN).<sup>344</sup></p>
<b>Denmark</b>	<p><b>Reports of government commissions on cults</b></p> <p>In 1984, the State set up a parliamentary commission to obtain information about cult activities and determine the relevance of government intervention into their activities. The Commission concluded that the groups examined were not a threat to security and public order.<sup>345</sup></p> <p><b>Reports and interventions by other government institutions</b></p> <p>Research did not reveal any relevant information.</p>

<sup>343</sup> Duquesne, Willems, 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, 1997. <http://www.lachambre.be/FLWB/pdf/49/0313/49K0313007.pdf> and <http://www.lachambre.be/FLWB/pdf/49/0313/49K0313008.pdf>

<sup>344</sup> This organisation can be find at : [http://www.agenda-respect.be/fr/ppublic/presentation/Centre\\_Sectes-nuisibles/Centre\\_Sectes-nuisibles.htm](http://www.agenda-respect.be/fr/ppublic/presentation/Centre_Sectes-nuisibles/Centre_Sectes-nuisibles.htm)

<sup>345</sup> U.S. Senate, Committee on Foreign Affairs, Annual Report on International Religious Freedom (2001): <http://www.state.gov/g/drl/rls/irf/2001/>.

<p><b>France</b></p>	<p><b>Reports of government commissions on cults</b></p> <p>In the 1980s, the French government examined the problem of religious cults and pseudo-religions.<sup>346</sup> After public hearings, the report by Alain Vivien was published. In its conclusion, he recommended:</p> <ul style="list-style-type: none"> <li>• Appointing a high-ranking official to examine, assess and coordinate the discussion around the issue of cults. In case of difficulties, this official must mobilize all of the government departments concerned.</li> <li>• Promoting seminars and training sessions, followed by debates, in schools of social work, parent associations, social movements, youth associations, etc.</li> <li>• Promoting research on cults: an ongoing and ever-evolving phenomenon.</li> <li>• Promoting secularism in order to encourage debate, public presentations and, if necessary, a comparative look at various religious and philosophical ideologies.</li> <li>• Providing better information to the public about the cult phenomenon by promoting unbiased coverage of cults in the media.</li> <li>• Creating a mediation body to help maintain the relationship between parents and their children or between spouses when one of them joins a cult.</li> <li>• Affirming the rights of the child. The Declaration of the Rights of the Child is designed to reaffirm the fact that parents do not have absolute ownership of their children, even if the child is directly dependent on the parents and even if education is a parental right and responsibility.</li> <li>• Ensuring that the State is more assertive in promoting adherence to the Declaration of the Rights of the Child.</li> <li>• Ensuring that children receive an education outside of the cult environment.</li> </ul> <p>Following the tragic events involving the Order of the Solar Temple, a Commission was created in 1995. The objective of the Gest and Guyard Commission<sup>347</sup> was to evaluate the scope of the cult phenomenon. Although difficult to fully grasp, this phenomenon appears to be growing, and there is a need to find ways of responding effectively to the danger posed by these groups. Based on an analysis of the information gathered, the Commission recognized 172 parent organizations that could be described as potentially dangerous cults, and 800 affiliated groups.</p>
----------------------	---

<sup>346</sup> Alain Vivien, Les sectes en France : expression de la liberté morale ou facteur de manipulation (Documentation française: 1985).  
<sup>347</sup> A. Gest, J. Guyard. Commission sur les sectes en France, 1995 : <http://www.assemblee-nationale.fr/rap-englr/2468.asp>

	<p>According to the Commission, these are some of the dangers cult members expose themselves to:</p> <ul style="list-style-type: none"> <li>• Persuasion;</li> <li>• Manipulation or any physical means to destabilize individuals and place them under the control of a leader;</li> <li>• Weakening of the individual by imposing extremely rigorous discipline;</li> <li>• Diminishing critical thinking by forcing members to pray or perform repetitive acts in order to obtain total obedience;</li> <li>• The use of techniques, from deep hypnosis to prescribing drugs, in order to—in the words of Colonel Morin—“psychologically rape” the follower;</li> <li>• Financial exploitation;</li> <li>• Forcing members to sever ties with their former lives.</li> </ul> <p>According to the report some cults have an anti-social rhetoric from the outset and some movements encourage practices that are illegal and amoral. When facing groups that are problematic for both the individual and society, the Commission recommends:</p> <ul style="list-style-type: none"> <li>• A highly pragmatic approach based primarily on strong preventive action, more effective application of the law and improving certain aspects of the existing legal framework;</li> <li>• Information be given to the public about these groups through campaigns, especially on public television stations;</li> <li>• Better application of existing laws and the creation of an interministerial monitoring agency under the Prime Minister, in collaboration with the administrative departments concerned, to study and monitor the cult phenomenon.</li> </ul> <p>In 2001, France adopted a law that came to be called The About-Picard Law. It reinforced the penal code. The law allows for :</p> <ul style="list-style-type: none"> <li>• The dissolution of a legally registered group;</li> <li>• Holding the group legally responsible for certain infractions ;</li> <li>• Limiting publicity by cultic movements;</li> <li>• Provisions relating to the fraudulent abuse of an individual's state of ignorance or weakness.</li> </ul> <p><b>Reports and interventions by other government institutions</b></p> <p>Creation of a cult monitoring agency (Observatoire des sectes) in 1996, which became in 1998 the Interministerial Mission to Combat Cults (Mission interministérielle de lutte contre les sectes) and, in 2002, was changed to the Interministerial Mission to Monitor and Combat Cultic Abuses (Mission interministérielle de vigilance et de lutte contre les dérives sectaires).</p>
--	---

<p><b>Germany</b></p>	<p><b>Reports of government commissions on cults</b></p> <p>In 1980, the Federal Department of Youth, Family and Health published a report on cults and youth.<sup>348</sup> The report concluded that Law enforcement agencies can and should intervene only if these groups infringe on the rights of a third party or cult follower.</p> <p>Nevertheless, the report specified the difficulty in gathering sufficient evidence to incriminate the individuals who are victimizing members of a cult or any other group. The report states how important it is for the government ministry to inform the population about the phenomenon of cults and religious movements.<sup>349</sup></p> <p>In 1998, the German Commission on cults and "psychogroups" published a report.<sup>350</sup> According to this Commission, the emergence of new religious movements and new ideologies is a normal phenomenon in any society where religion is not controlled by the State. In these societies, membership in a religious group is, therefore, an act of freedom of expression and individual choice.</p> <p>The Commission did, however, examine the role of government and society with regard to an individual's decision to join a religious movement.</p> <p>Does the State have the right to prevent or minimize the risks that a person is taking?</p> <p>According to the Commission, the government cannot decide which religious beliefs are beneficial or detrimental to an individual. The State cannot allow itself to defend a particular ideology as opposed to another. The State must, however, ensure that the laws that govern life in society are respected.</p> <p>From the Commission's perspective, every individual has the right to criticize and defend his or her convictions or those of others provided that his or her statements do not breach any laws.</p> <p>Following its study on cults and "psychogroups", the Commission concluded that there is no evidence that religious movements use techniques of social control or mind control different from those employed by other social groups accepted by German society. There is no information to conclude that new religious movements or ideological movements are a threat to members, society or government.</p>
-----------------------	---

<sup>348</sup> U.S. Senate, Committee on Foreign Relations, Annual Report on International Religious Freedom (2001) <http://www.state.gov/g/drl/rls/irfr/2001/> or Enquete Commission on "So-called Sects and Psychogroups," New Religious and Ideological Communities and Psychogroups in the Federal Republic of Germany (Bonn: 1998)

<sup>349</sup> U.S. Senate, Committee on Foreign Relations, Annual Report on International Religious Freedom (2001) <http://www.state.gov/g/drl/rls/irfr/2001/> or Enquete Commission on "So-called Sects and Psychogroups," New Religious and Ideological Communities and Psychogroups in the Federal Republic of Germany (Bonn: 1998);

<sup>350</sup> Final Report of the Enquete Commission on "So-called Sects and Psychogroups," New Religious and Ideological Communities and Psychogroups in the Federal Republic of Germany (Bonn: 1998). <http://www.math.mcgill.ca/triples/infocult/Zs0598.pdf>

<p><b>Germany</b></p>	<p><b>Reports and interventions by other government institutions</b></p> <p>The 1980 report by the federal department of youth, family and health led to.<sup>351</sup></p> <ul style="list-style-type: none"> <li>• Holding of a conference;</li> <li>• The distribution of brochures about youth in cults;</li> <li>• Research on the reasons why youth join cults as well as the damage caused by these groups.</li> </ul> <p><b>Reports of government commissions on cults</b></p> <p>The Commission on constitutional affairs published a report entitled <i>Cults and New Magical Movements in Italy</i>.</p> <p>The report describes the activities of these groups in Italy. From the perspective of social control agencies, the report identifies five potential risks that these groups represent for individuals and society:</p> <ul style="list-style-type: none"> <li>• Brainwashing and coercive persuasion;</li> <li>• Fraud;</li> <li>• The use of spirituality as a pretext to conceal illegal or immoral activities;</li> <li>• Preaching an irrational doctrine that can lead members to perform dangerous activities that jeopardize domestic security;</li> <li>• Subversive political plans and actions.<sup>352</sup></li> </ul> <p><b>Reports and interventions by other government institutions</b></p> <p>Research did not reveal any relevant information.</p>
<p><b>Netherlands</b></p>	<p><b>Reports of government commissions on cults</b></p> <p>A Dutch report from 1984 from a Parliamentary Commission on new religions examined the effect of special policies on these groups. The report comprised two sections: the first includes a description of several new religions and the second examines how State authorities deal with these groups.</p> <p>The Commission concluded that there is no evidence to prove allegations of the use of coercive persuasion techniques by members of new religions to convert new members. It seems that generally, members of these groups join new religions after a period of reflection. According to the Commission, it is not necessary to set up centres to help former members of these groups.<sup>353</sup></p>

<sup>351</sup> U.S. Senate, Committee on Foreign Relations, Annual Report on International Religious Freedom (2001): <http://www.state.gov/g/drl/iris/irf/2001/>

<sup>352</sup> M. Introvigne and CESNUR, Much Ado About Nothing? The "Italian Report on Cults" (1998): <http://www.cesnur.org/festi/Report.htm>

<sup>353</sup> Tobias Andreas Maria Witteveen, Overheid en nieuwe religieuze bewegingen Tweede Kamer, vergaderjaar, report by the Dutch government published in Dutch, with conclusion and summary in English (1983-1984): <http://www.math.mcgill.ca/triples/infocult/DutchReport.pdf>

<b>Netherlands</b>	<p><b>Reports and interventions by other government institutions</b>                  Research did not reveal any relevant information.</p>
<b>Russia</b>	<p><b>Reports of government commissions on cults</b>                  No parliamentary commission</p> <p><b>Reports and interventions by other government institutions</b>                  Research did not provide any relevant information.</p>
<b>Spain</b>	<p><b>Reports of government commissions on cults</b>                  A Spanish report published in 1989,<sup>354</sup> was intended to determine if legislation would enable an adequate response to cult groups. The Commission concluded that existing laws were sufficient to protect public order and members of cultic groups. The Commission recommended launching information and awareness campaigns about cults. In 1989, a law was adopted to allow police forces to investigate the activities of cultic groups.</p> <p>In 1999, the government passed a motion to take measures to protect against destructive cults. This law allows the suppression of these groups.<sup>355</sup> This motion was proposed by a Catalan Parliamentary Group, to promote a law very similar to the French About-Picard law. The main suggestions were: coordination of civil services, creation of a national observatory on cults, supporting associations specialized in cultic phenomena, developing some measures to prevent illegal activities, increasing technical formation to different professionals (police services, judges, lawyers, etc.).</p> <p><b>Reports and interventions by other government institutions</b>                  In 1999, parliament approved a resolution to strengthen protection measures against destructive cult activities.</p>

<sup>354</sup> U.S. Senate, Committee of Foreign Relations, Annual Report on International Religious Freedom : [http://www.state.gov/www/global/human\\_rights/1999\\_hrp\\_report/spain.html](http://www.state.gov/www/global/human_rights/1999_hrp_report/spain.html)  
<sup>355</sup> U.S. Senate, Committee of Foreign Relations, Annual Report on International Religious Freedom (2001): <http://www.state.gov/g/drl/rls/hrrpt/2000/eur/875.htm>

Sweden	<p><b>Reports of government commissions on cults</b></p> <p>The strategy adopted by the Government's report was to create a dialogue to promote mutual understanding and not to remain passive when suspicious or criminal activities are being committed in the name of religious freedom.<sup>356</sup></p> <p>In its report, the Commission recognized that members who have chosen to leave a new religious movement need assistance. Centres specializing solely on post-cult trauma are not necessary, professionals at regular crisis intervention centres should be trained to deal with the particular circumstances of former cult members. The Commission recognizes the urgent need for information. To meet this demand, it proposes the creation of KULT, the Swedish acronym for the centre for the study of beliefs.</p> <p>The Centre's mission is to promote further research into new religious movements so that scientifically valuable information can be transmitted. The Commission highlighted the issue of children in new religious groups. It firmly believes that children and adolescents living within closed groups should enjoy the same assistance, protection and rights as other children.</p> <p>The Commission recommends the adoption of guidelines to evaluate the situation of children in new religious movements. It proposes that teachers receive special training and information on new religious groups. The Commission recommends that the term "improper influence" be included in Sweden's criminal code in order to better protect members who may be victims of new religious movements.</p> <p><b>Reports and interventions by other government institutions</b></p> <p>Research did not reveal any relevant information.</p>
--------	---

<sup>356</sup> The Swedish government's report on new religious movements (1998): [http://www.cesnur.org/testi/swedish\\_fra.html](http://www.cesnur.org/testi/swedish_fra.html)

<p><b>Switzerland</b></p>	<p><b>Reports on government commissions on cults</b></p> <p>In the wake of the Solar Temple (O.T.S.) tragedy, Switzerland created a Commission of Inquiry which concluded that the State must:</p> <ul style="list-style-type: none"> <li>• Bolster security personnel specialized in cults;</li> <li>• Set up a collaborative structure with French police forces;</li> <li>• Better inform the public through courses on the history of religions;</li> <li>• Create a centre for the dissemination of information;</li> <li>• Provide support for support groups.</li> </ul> <p>In 1999, a report by the National Council was published.<sup>357</sup> This report emphasized the importance of respecting human rights. The Swiss government examined the need to create a policy on cults that takes into account the importance of indoctrination. The Federal Council stipulated that it is important to ensure the following:</p> <ul style="list-style-type: none"> <li>• Coordination of the various social actors involved;</li> <li>• Creation of a Swiss information and consultation service so that every citizen can make an informed choice;</li> <li>• Promotion of research and cooperation.</li> </ul> <p>The Commission was not of the opinion that the fight against the destructive effects of indoctrinating groups requires new legislation. However, there are some gaps in Switzerland's legislation regarding cults that must be bridged, particularly with respect to:</p> <ul style="list-style-type: none"> <li>• The protection of children;</li> <li>• Consumer protection through regulations on spiritual assistance for profit;</li> <li>• Health legislation.</li> </ul> <p>Following publication of this report, the Federal Council (2000) did not deem necessary to create a specific policy on cults. The Federal Council considers that a clear and coherent policy on cults and indoctrinating movements has been in effect in Switzerland for several years.</p> <p><b>Reports and interventions by other government institutions</b></p> <p>Research did not reveal any relevant information.</p>
<p><b>United Kingdom</b></p>	<p><b>Reports by government commissions on cults</b></p> <p>The government of the United Kingdom did not set up a parliamentary commission to examine cults or new religious movements.</p> <p><b>Reports and interventions by other government institutions</b></p> <p>Research did not reveal any relevant information.</p>

<sup>357</sup>The Swiss National Council's Report on Cults, Cults and Indoctrinating Movements in Switzerland (1999): [http://www.cesnur.org/testi/sette\\_f.htm](http://www.cesnur.org/testi/sette_f.htm).

### The definition of cult in legislation or parliamentary reports

The term cult is defined in only certain parliamentary reports or legislation and is indicated in the following table.

**Table: Terms used in various reports to describe the groups being examined**

North America	
<b>Canada</b>	<b>The definition of cult in legislation or parliamentary reports</b> Canada does not define the term cult in legislation or in a parliamentary report.
<b>Ontario (Canadian province)</b>	<b>The definition of cult in legislation or parliamentary reports</b> In the Hill report, the Commission discussed the terms used but did not recommend the use of a specific term.
<b>Quebec (Canadian province)</b>	<b>The definition of cult in legislation or parliamentary reports</b> Quebec does not define the term cult in legislation or in a parliamentary report.
<b>Cuba</b>	<b>The definition of cult in legislation or parliamentary reports</b> Research did not reveal any relevant information.
<b>United States</b>	<b>The definition of cult in legislation or parliamentary reports</b> The United States does not define the term cult in its legislation or in a parliamentary report
South America	
<b>Argentina</b>	<b>The definition of cult in legislation or parliamentary reports</b> Research did not reveal any relevant information.
<b>Brazil</b>	<b>The definition of cult in legislation or parliamentary reports</b> Research did not reveal any relevant information.
Europe	
<b>European Parliament</b>	<b>The definition of cult in legislation or parliamentary report</b> In Recommendation 1412 (1999) in a report on illegal activity of cults the assembly concluded that it is not useful to define the term cult or to decide if a group is or isn't a religion. <sup>358</sup>

<sup>358</sup> Council of Europe. Parliamentary Assembly. Illegal activities of sects. Recommendation 1412. (1999) <http://assembly.coe.int/Main.asp?link=http://assembly.coe.int/t%2FDocuments%2FAdoptedText%2Fta99%2FEREC1412.htm>

<b>Austria</b>	<p><b>The definition of cult in legislation or parliamentary reports</b></p> <p>The expressions “religious sect” and “cultic method” are used.<sup>359</sup> Research did not reveal any other sources in French or in English that defined those terms.</p>
<b>Belgium</b>	<p><b>The definition of cult in legislation or parliamentary reports</b></p> <p>In the Commission’s report, the term cult describes two types of groups:</p> <ul style="list-style-type: none"> <li>• Groups that split away from a religious majority;</li> <li>• Harmful cultic organizations, or a group that claims to have a psychological or spiritual vocation and carries out or organizes harmful illegal activities, harms individuals or society or impacts on human dignity.<sup>360</sup></li> </ul>
<b>Denmark</b>	<p><b>The definition of cult in legislation or parliamentary reports</b></p> <p>Denmark does not define the term cult in legislation or in a parliamentary report.</p>
<b>France</b>	<p><b>The definition of cult in legislation or parliamentary reports</b></p> <p>In the Gest and Guyard Commission report they provide indicators to classify a group as a cult:</p> <ul style="list-style-type: none"> <li>• Mental destabilization;</li> <li>• Exorbitant financial requirements;</li> <li>• Forcing members to sever ties with their former lives;</li> <li>• Physical harm;</li> <li>• Indoctrination of children;</li> <li>• Anti-social rhetoric; disturbance of public order and legal disputes;</li> <li>• Misappropriation of funds;</li> <li>• Infiltrating public bodies.</li> </ul> <p>In the About Picard Law (2001), the term sectarian movement is used but not defined.<sup>361</sup></p>

<sup>359</sup> U.S. Senate, Committee of Foreign Relations, Annual Report on International Religious Freedom (2001): <http://www.state.gov/g/drl/iris/irf/2001/>.

<sup>360</sup> Chambre des Représentants de Belgique. 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. (1995). <http://www.lachambre.be/FLWB/pdf/49/03/13/49K0313007.pdf>

<sup>361</sup> Assemblée Nationale. Commission sur les sectes en France. (1995) : <http://www.assemblee-nationale.fr/rap-eng/r2468.asp>

<b>Germany</b>	<p><b>The definition of cult in legislation or parliamentary reports</b></p> <p>In their report of 1998 the commission recommends limited use of the term "cult." Instead, they propose to distinguish between "conflict-prone" and "non-conflict prone" groups.<sup>362</sup></p> <p>For instance, they recommend the terms "psychogroup" and "pseudogroup" to describe psychological and pseudo-psychological services offered outside of professional health and psychological services.<sup>363</sup> This spectrum includes activities which are as diverse as psychological success courses for business managers, esoteric courses offering advice for coping with money problems, astral journeys, contact through a medium with extraterrestrial intelligent life, and the return to earlier lives.<sup>364</sup></p>
<b>Italy</b>	<p><b>The definition of cult in legislation or parliamentary reports</b></p> <p>In its 1998 report, Italy's Parliamentary Commission discussed the use of the term cult. It concluded that it is preferable to use the terms "new religious movement" and "new magical movement".<sup>365</sup> Research did not reveal how the government defined these terms.<sup>366</sup></p>
<b>Netherlands</b>	<p><b>The definition of cult in legislation or parliamentary reports</b></p> <p>In its 1983 Parliamentary Commission report, the term new religious movement is used. This expression describes a group or individuals with a spiritual mission. The members may form a group around a charismatic leader, a specific religious ideology or a particular lifestyle. In this context, the term religion takes on a broad meaning, such as the acceptance of the existence of a superhuman power over our daily lives. The report identifies three distinct movements: Eastern, Evangelical and Syncretic.<sup>367</sup></p>
<b>Russia</b>	<p><b>The definition of cult in legislation or parliamentary reports</b></p> <p>Research did not reveal any relevant information.</p>
<b>Spain</b>	<p><b>The definition of cult in legislation or parliamentary reports</b></p> <p>The expression "destructive cult" is used. These groups harm their members and, in some cases, the community around them.<sup>368</sup></p>

<sup>362</sup> Final Report of the Enquete Commission on "So-called Sects and Psychogroups," New Religious and Ideological Communities and Psychogroups in the Federal Republic of Germany (Bonn, 1998): <http://www.bundestag.de/ftp/9000500a.html>. P. 30

<sup>363</sup> Ibid.

<sup>364</sup> Ibid., p.31

<sup>365</sup> Annual Report on International Religious Freedom, op.cit.

<sup>366</sup> La Répression du phénomène sectaire en Italie. Juriscope - novembre 1998 : <http://www.juriscope.org/publications/etudes/pdf-sectaire/OKIT.pdf>

<sup>367</sup> Ibid.

<sup>368</sup> Annual Report on International Religious Freedom, op.cit.

<b>Sweden</b>	<p><b>The definition of cult in legislation or parliamentary reports</b>                  The term cult is avoided, in favour of "religion," "new religious movements" and "personal faith."<sup>369</sup> Research did not reveal how the government defined these terms</p>
<b>Switzerland</b>	<p><b>The definition of cult in legislation or parliamentary reports</b>                  The Parliamentary Commission recommends that the State avoid using the term cult. It recognizes that "cult" is used with the intention of exclusion and it has a negative connotation.<sup>370</sup></p>
<b>United Kingdom</b>	<p><b>The definition of cult in legislation or parliamentary reports</b>                  The United Kingdom does not define the term cult in legislation or in a parliamentary report.</p>

<sup>369</sup> Report by the Swedish government on new religious movements (1998): [http://www.cesnur.org/testi/swedish\\_fra.html](http://www.cesnur.org/testi/swedish_fra.html).

<sup>370</sup> Swiss Parliamentary Commission, report on cults and indoctrinating movements in Switzerland presented to the National Council (1999). <http://www.admin.ch/ch/fff/1999/9188.pdf>

## Conclusion

The countries looked at all claim to recognize and protect the rights and freedoms of their citizens such as, the freedom of religion. The protection of these rights and freedoms can appear in a country's constitution, in their Charter of Rights or in international agreements such as:

- Universal Declaration of Human Rights (1948);<sup>371</sup>
- International Covenant on Civil and Political Rights (1966);<sup>372</sup>
- Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (1981).<sup>373</sup>

In reality, each country regulates their relationship with religion and religious groups. To understand a country's reaction we have to go further than them being signatories to international declarations. We have to understand who grants religious status and which groups can have access to obtaining it. We also have to learn more about the privileges granted to groups who have acquired an official status. In addition, we need to understand what a government says and how it is translated into practice in its everyday dealings with religious groups.

---

<sup>371</sup>Universal Declaration of Human Rights: <http://www.unhchr.ch/udhr/index.htm>

<sup>372</sup> International Covenant on Civil and Political Rights: [http://www.unhchr.ch/html/menu3/b/a\\_ccpr.htm](http://www.unhchr.ch/html/menu3/b/a_ccpr.htm)

<sup>373</sup> Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief: [http://www.unhchr.ch/html/menu3/b/d\\_intole.htm](http://www.unhchr.ch/html/menu3/b/d_intole.htm)