

The Report, in Dutch, is 321 pages.

Included in it is a 5 page Epilogue and summary (pages 314- 318) which we are providing below for your information.

Epilogue and summary

In general, new religious movements are no real threat to mental public health, thus reads one of the conclusions to be drawn from this study. Does this imply that the motive for conducting a study has proved to be unfounded and that the study itself should be earmarked as a waste of time? We do not think so, although it cannot be denied that in the light of the results obtained, our efforts might have been better spent on another subject. In our opinion, the value of the study, however, is not to be measured against the tenor of the conclusions. All the more so in this case, where admittedly the supposed danger of new religious movements to the mental well-being constitutes the initial reason for, but in no way the starting-point of the study. We thought that we could only carry out our task if we remained unbiased and if we met with an equally critical eye the allegations made against the movements and the pleas in favour of these movements. Thus, from the start, our approach has deliberately reckoned with the possibility that the ultimate assessment of new religious movements might be less negative than the initiative to undertake the study may have led to believe.

However, we feel that the value of this study should not be overrated either. For one thing not all religious movements have been examined, not by a long shot, and our study was narrowed down to movements in the Netherlands, while, moreover, descriptions of the movements just cannot be more than instantaneous exposures, possibly soon to be overtaken by new developments.

We ourselves believe that the report's value is twofold. Firstly, the report presents a comprehensive picture of a number of leading new religious movements, constructed after frequent and intensive contacts with these movements and composed from the large quantities of information and documentation provided by members, former members and experts both from our own country and from abroad. Secondly, the report is a serious effort to place a link between the phenomenon "new religious movements" and the authorities' approach.

By explicitly placing this relation in the framework of the customary relations between the authorities and religion, we aimed at marking marginal conditions with which possible measures of the authorities concerning new religious movements ought to comply. Let us elucidate in these conclusions both main streams of the study, guided by a brief summary of the relevant paragraphs.

In order to make a choice of new religious movements to be examined, we first of all defined the purport of the concept "new religious movements" (par. 1.3) and secondly, we selected a number of representative movements on the basis of some general criteria (par. 1.4). In view of its negative impact we avoided using the word "cult". The alternative expression "new religious movements" is described as "a group of people which lately

manifests itself in the spiritual field and is characterised either by a (charismatic) leader or by specific religious conceptions, or else by a specific behaviour as a group, or by a combination of these aspects".

In this context, the word "religious" has been given a relatively wide interpretation, indicating an outlook on life which comprises the acceptance of a super-natural power to which one attributes a certain authority in one's own life. Our most important selection criterion was a division into three types of movements: eastern, evangelical and syncretistic (combined/mixed) whereas in choosing the movements, attention was also given to aspects like the open or closed nature of the movement, its claim on its followers, the size, continuity and reputation of the movement.

Eventually, not all selected movements have actually been described in this report. Some (par. 3.1) were not, because they had apparently ceased to exist in the Netherlands (Children of God), or because they were insignificant (Ananda Marga), others were not described because their activities appeared to be much interwoven with those of the existing Churches (most evangelical movements, with the exception of the "Jezuskinderen", described in (par. 3.9.2).

The descriptions of the movements which actually have been included in the report, the Divine Light Mission, the Bhagwan-movement, Hare Krishna, the Transcendental Meditation movement, the Scientology Church and the Unification Church (par. 3.2 - 3.8) show a variegated picture in which the characteristics they have in common are outstripped by their numerous differences. We have exerted ourselves to give an as full as possible account of every movement. The movements' international nature has been given its due by outlining the international development and structure, their philosophical characteristics are expressed in a description of their doctrine and creed and their national nature by way of an exposé of their progress in the Netherlands, their structure as an organisation, membership, activities and financial structure and administration.

During the drafting-phase of the report, all movements were given the opportunity to comment on the relevant description(s). In order to be able to make a distinction between an as objective as possible rendering of facts and a subjective assessment of the collected information, a comment on each movement was added to the description. These comments deal i.a. with the question as to what extent the movements' activities give rise to criticism.

Finally, we believed we could add an interesting dimension to our considerations of the eastern movements by inviting the main hindu organisation, Sanatan Dharm to give its views on these movements. This (positive) "hindu-view" is to be found in par. 3.6.

The relation authorities-religion, so chapter 2 of the report reveals, is dominated by two principles, i.e. the separation of Church and State and the freedom of religion. Both principles are not absolute in the sense that on the one hand there would be question of a strict separation of Church and State and on the other hand of an unlimited freedom to practice religion. It is a case of defining the exact meaning of these conceptions, at least if they are to provide marginal conditions to which possible policy-measures concerning certain religious movement are to be tested.

Separation of Church and State (par. 2.1) emphasizes the special nature of religious movements. In the *formal* sense it assumes the form of a strong legal status for religious movements. True, they are an integral part of society and they are not put above the law,

but as far as internal management and functioning are concerned, they are mainly their own master. Their establishments is not bound by rules, neither is their management, while moreover, they cannot be dissolved. The legislator called these movements "religious communities" (kerkgenootschappen) without giving a precise definition. This left room for uncertainty about the question as to which movements can have the status of "religious community". In our view (par. 2.3.2 and 4.3.1), the concept religious community should allow for a broad interpretation. If a movement possesses the characteristics which earmark it in reason as a religious movement (like the common religious beliefs of the members and the practising of these beliefs) then it ought to be allowed to act as a new religious community, no matter whether it is an established Church or a new religious movement.

In addition to the formal side of the separation of Church and State, there is the *material* side of the matter. Materially speaking, this principle entails a restriction to a minimum of the relations between authorities and religious movements. The question arises as to what we are to understand by "minimum". In our view (par. 2.1 and 2.3.3) it means that, if at all possible, those relations between the authorities and religious movements must be avoided which might manoeuvre those movements into a position of dependency towards the authorities. As far as the movements' activities in the socio-cultural field are concerned, there is no reason to deviate from the financial regime as is customary for other organisations and for private initiative. In this respect, financial relations between the State and religious movements are feasible (par. 4.2.4). Religious movements can also be granted rights, enabling them to function in accordance with their aims (e.g. in view of spiritual care), albeit that in principle such rights must be alike for all religious movements. Direct or indirect support of religious life, either in the form of granting rights or by way of financial aid, however, is in fact incompatible with the principle of a separation of Church and State. Notwithstanding its appeal, it constitutes a threat to the independence of religious movements and could easily lead to State-interference in religious matters. Where such rights still exist (like the right to ask information from the civil registry and the right to ask information about taxable income) they deserve reconsideration (par. 4.5).

Freedom of religion (par. 2.2) - the second principle in the relations State-religion - is one of the fundamental rights, aiming at safeguarding an atmosphere of spiritual freedom to the citizen. This basic right, of long anchored in national and international rules, comprehends not only the freedom to adopt personal religious convictions, but also the freedom to practice these beliefs. Freedom of religion is also applicable in the relations between the citizens themselves and includes the freedom of organisation in religious matters. Nevertheless, an appeal to this basic right cannot be a justification for any form of conduct. Manifesting a religion is limited by the general rule of law. Moreover, it can be restricted by special rules. When exercising its legislative task, the State must take into consideration the atmosphere of freedom which the fundamental rights aim to protect. If need be, the Court can correct, be it that until now the judiciary has left the State a wide margin in which to operate. It is, however, not impossible that the recent revision of the Constitution will compel the State to keep a stricter eye on the implications of this fundamental right.

In general, public policy shows respect for the freedom of religion. However, the exigencies of this basic right on policy increase simultaneously with the arrival of religious

currents which deviate from the traditional cultural pattern. An example of the tension created by this development is in our view apparent in our aliens policy (par. 4.3.4) in which the freedom of religion seems to be made subservient to too large an extent to the restrictive entrance policy's aim.

In numerous countries in which new religious movements manifest themselves, an appeal has come forward from among the population to the authorities to take measures to protect the citizens and to deal with the movements in question. Par. 4.1.2 describes in short the developments in the United States of America, Canada, the United Kingdom, France, the Federal Republic of Germany and the EEC; par. 4.2.3 describes the situation in the Netherlands.

The appeal for government measures emanates in particular from activities of groups which could be referred to by the collective noun of "anti-cult movement" (par. 4.1.1). In the opinion of this (heterogeneous) movement, new religious movements ("cults") are generally guilty of using indoctrination techniques, thus getting a hold on young people, turning them into willing instruments and often causing more or less serious psychic damage. This anti-cult ideology produces three effects: it damages the image of new religious movements, it makes excuses for (former) members of their engagement in these movements and it justifies attempts to make members terminate their membership. The anti-cult movement has been rather successful in influencing public opinion about new religious movements, but until now it has not succeeded in exerting significant influence on public policy.

The allegation that new religious movements use coercion when recruiting and then subject members to forms of conditioning has not been confirmed by our study (par. 4.2.1 and 4.2.2). As a rule, membership of a new religious movement is the outcome of a carefully weighed choice. This may be induced by considerations of a philosophical nature but also by personal circumstances. No proof has come up either that new religious movements would have a serious pathogenic impact on their members. Admittedly, former members not seldom do experience psychic problems, but these are (a) usually not of a serious nature, (b) not of a specific nature and (c) often on the one hand traceable to problems which existed prior to entry into the movement, on the other hand they are no more than adjustment difficulties, resulting from a lack of shelter and protection provided by the group and from the exigencies and conditions related to a return to the former environment. Therefore, in our view, there is no call for protective measures, e.g. regulation of recruitment. Indeed, it would be difficult to make such regulations compatible with the freedom of religion. Neither is there much demand for special information activities. Actions, aiming at enforced resignation of members (deprogramming) we deem unjustified and not to be tolerated. Special rehabilitation facilities are neither necessary nor desirable. Not necessary, because possible psychic troubles of former members are not of a specific nature and do not widely occur and undesirable because they mainly aim at preventing former members from returning to the movement and therefore contain an appraisal of new religious movements. So, from the public health angle the State has no duty to protect the citizens against particular supposed threats from new religious movements. The same applies to specific activities of movements in the field of (alternative) health care (par. 4.2.3).

In our opinion, the protection of (the few) minors in religious movements does not require more than the usual vigilance of the State either (par. 4.3.3). The position of young children of members of these movements does not prompt to consider measures to protect children whereas practice shows that the movements themselves require parental consent prior to older minors' entry. In as much as the entry of children gives rise to conflicts with parents, the movements should be aware of the possibilities for playing a mediating role.

Our findings do not give reason to plead for an extension of the legal possibility to dissolve legal persona, if they are considered prohibited because their aims or actions are against public order and morals. Until today, religious movements which enjoy the status of "religious community" cannot be dissolved. Apart from the fact that little could be expected of the dissolution of such a movement, our study has not revealed facts or considerations which call for a revocation of this exceptional position.

With regard to the fiscal regime to which new religious movements are subjected (par. 4.4) we point out that the Netherlands does not have special fiscal regulations for religious movements. In general, the Treasury pays sufficient attention to the activities of new religious movements, which in several cases led to tax assessments, e.g. purchase tax and company profit tax. There is, nevertheless, room for doubt as to whether the activities of the various movements are treated with sufficient equality. There is, however, no call for general measures in this respect.

The purpose of the commission to undertake this study was to allow an appraisal of the public policy to be conducted vis-à-vis new religious movements. We trust that our report meets that purpose. It will, moreover, be clear that the report contains a note to the effect that our policy on new religious movements is only one of the many aspects of the relationship between authorities and religion. Possible specific measures should be embedded to the greatest possible extent in a coherent overall view of the State on its relations with religion and religious movements. If the Government shares our views in this respect, this report may well provide constructive elements with which to give shape to such a policy.

Tweede Kamer, vergaderjaar 1983-1984, 16 635, nr. 4