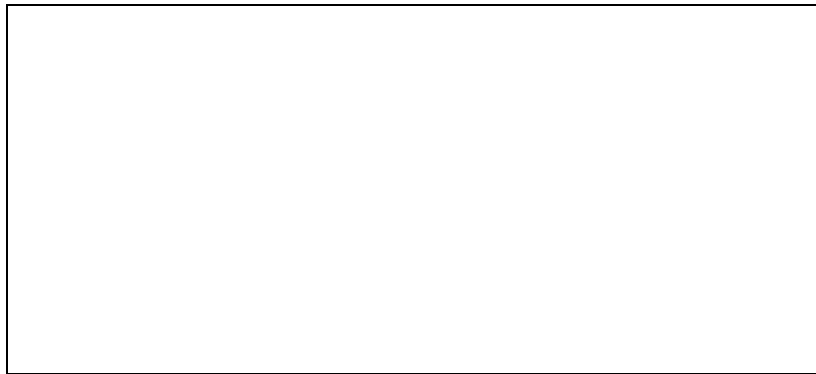




Report to the Prime Minister

2006



Interministerial Mission of Vigilance and Combat against Sectarian Aberrations - MIVILUDES -

**This document is a translation of the French version. Only the
original French version is legally binding.**

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FOREWORD BY THE CHAIRMAN

In 2006, the main event in the combat against sectarian aberrations was the creation of the third parliamentary investigatory commission which specifically considered the damage which was likely to be caused to the moral or physical health of minors exposed to this risk. If all victims of sectarian aberrations must be contacted by public authorities, there is no doubt that the weakest victims, such as minors, must be reassured that all action is taken to avoid this risk or to assist them, if prevention is ineffective.

The actual powers of the parliamentary investigatory commission enabled it to carry out an exhaustive analysis of the phenomenon, obtain difficult-to-access information and establish an evaluation which received substantial media attention, thus improving the information reaching the public. The proposals in the report by the parliamentary investigatory commission follow these lines and provide the Interministerial Mission of Vigilance and Combat against Sectarian Aberrations (MIVILUDES) with clear guidelines for action by public services in coming months.

MIVILUDES itself has continued its efforts to meet the expectations of all those waiting for the state to take a clear position in favour of victims. Its annual activity report is also a means of taking lessons from previous action, assessing changes in the phenomenon and considering the effectiveness of efforts made without room for complacency.

Since its creation, four years ago, MIVILUDES, the successor to the Interministerial Mission of Combat against Sects (MILS), has been able to specify its role and its position in the action of the government in terms of prevention and the combating of aberrations by an increasing number and range of organizations and individuals. The activities of the mission

are supported by an Orientation council including members of Parliament, academics, leaders of parent-teacher associations, representatives of families, victims and non-victims of the phenomenon, experts from legal, medical, and administrative fields and specialists in sectarian questions. The mission is determined to not lose view of its target in a secular Republic, prohibiting the wearing of any type of judgment on values concerning doctrines, theories or beliefs as such, and systematically denouncing all aberrations, abuse or infraction independently to the author or origin.

Criticism was inevitable from this point, and attempts to restrain or paralyse action were unavoidable. It was therefore necessary to explain why France intended to continue with its vigilance programme, particularly on the international scene where the main transnational movements are lobbying frenetically.

We needed to once again remind critics that the real victims are not those subject to the so-called "witch hunts", but the unfortunate individuals whose lives are often definitively destroyed in the spiral of sectarian commitment, via a trusting submission to individuals motivated by power and gains, or simply devoid of moral meaning or the slightest respect for fellow human beings.

It has become fashionable for these organizations or their leaders to act as victims and to deny any responsibility in the fortunes of their followers. If these individuals are obliged to recognise that a complainant exists, they do not hesitate to turn them into a scapegoat, an apostate who initially consented and who is now entirely responsible for the current situation.

In addition, applicants joining this type of movement, must initially eliminate the former human existing in him or her, who was necessarily a bad person, and reconstruct a new person, formatted by the group's beliefs, and therefore better. Any unsatisfactory element in the previous life of the new follower was his or her fault. The person was therefore guilty

when he or she arrived and will remain guilty unless the group's beliefs are satisfied during the period of belonging to the movement. The person will become even guiltier, of treason and earthly sins, if he or she leaves the group.

Neither is there room for indulgence or pity, or respect, brotherhood or generosity in such a system. The rule of thumb is not even the cynical "everyone for himself", the group applies the pure and simple negation of dignity, as inherent to each human being, which ensures that the master can predominate followers and,... god help anyone who steps out of line!

It is the duty of the Republic to ensure that the mutual tolerance shown by citizens and popular communities can be freely exercised and without consideration of origins, beliefs or differences between individuals. However, the Republic is also responsible to the nation for maintaining the social cement which assumes that no individual has the right to breach the fundamental rights of any woman, man and child.

In view of this responsibility, the protection of all citizens, from the youngest to the oldest, against sectarian aberrations, is a basic obligation for the state.

Jean-Michel Roulet
Prefect
MIVILUDES chairman

INTRODUCTION

The Interministerial Mission of Vigilance and Combat against Sectarian Aberrations must, according to the decree founding the mission, present an annual report to the Prime Minister.

MIVILUDES was created in December 2002 and has therefore presented four reports during the current Parliament.

The mission focused successively on sectarian aberrations and sectarian risks in the two first reports, in chronological order, with a clear definition of the scope for activities and with specification of the nature of risks and the means of apprehending the reality in strict compliance with law, intended for the attention of the Parliament which closely monitors its action and citizens, which expect the state to protect them against a danger which is considered as particularly intolerable.

Last year, in its third report, the Mission highlighted and presented examples of four major sectors which require increased vigilance and exhaustive notification of elected officials and the entire nation in view of the quality of the potential victims: approaches targeting minors, sectarian aberrations in the field of health in the wider sense of the term, the risk of penetration of economic systems and the infiltration of a leading sector in terms of image, i.e. humanitarian assistance.

The three main focal points selected over the three previous periods remain applicable today, and it would have been possible to develop these issues once again with an update in view of fully reminding all parties that the defence of individual freedoms and the dignity of the human being

against the action of gurus of all sorts is a long-term process and that we cannot drop our guard.

We finally decided to focus on new issues, which more clearly reflect changes in the sectarian environment, and the capacity of these organizations and their leaders to adapt on a daily basis.

A study has been dedicated to the means of gaining hold on victims and the consequences on the people concerned in order to identify sectarian risk and assess the extent of damage to the victims of doubtful movements or of badly understood theories.

Several members of the MIVILUDES' Orientation council desired that the crucial issue of collateral victims of sectarian membership be considered, i.e. the consequences of the follower's commitment for families, relations and friends. This aspect will be developed in human and legal terms.

The sector of professional training is currently expanding dramatically and requires substantial funding. Organizations or individuals looking to invest in something should not remain inactive. The dangers faced by employees, administrations and companies are described in this document and have been subject to new and fresh analysis.

An in-depth study on the risk of sectarian penetration in companies, initially scanned over in 2005, focusing on the consequences in terms of economic intelligence, is presented in this report together with a poignant example of the abuse of economic procedures.

Finally, the multiplication of service paralysis companies responsible for vigilance and combat against sectarian aberrations by a few movements in particular is considered in administrative and legal terms.

An overview of misinformation techniques used by these movements, their satellites or their members is also included in a chapter describing the approaches towards administrations and the media.

In the second section, MIVILUDES has selected studies and documents on issues which have lacked attention until now:

This led to research on the contrasting outcome of a method taken from North America, i.e. "Transactional analysis", in view of demonstrating that the use of certain practices by pseudo-practitioners, sometimes self-proclaimed, was likely to have dramatic consequences.

The problem of the emergence of shamanist practices requiring the use of hallucinogens such as ayahuasca or iboga, is presented as a risk which goes beyond a passing trend and the plethora of aberrations which accompany this practice are insisted on.

Until now, no comparison of public policies implemented for this issue, by the main European and North American states had been summarised. This summary now exists, in the form of a dedicated chapter focusing on applicable legal, regulatory and administrative provisions in more than a dozen countries and the perception of the three large transnational groups which, here and there, are considered as a problem in these countries.

MIVILUDES could clearly not copy all of the impressive set of works completed by the parliamentary investigatory commission on the damages likely to be caused to the moral or physical health of minors exposed to sectarian aberrations, however the mission refers readers to the report

submitted by the commission¹, and to the questions raised throughout the year by deputies or senators.

Finally, each administration on the Pilot executive committee of the Mission was able to submit its own annual activity report in order to provide complete information on their activities for readers.

MIVILUDES itself reports on its activities in the fields of action defined in its founding texts: distribution of information, training sessions, departmental cells of vigilance, international approaches, liaising with associations for the defence of families, meetings, at their request, with the leaders of movements wishing to contact the public authority, publication of a brochure on aberrations relating to Satanism, etc.

2006 can be looked back on as a year of work and effort, enabling victims and their families to be listened to, respected and supported when facing difficulties. Our activities for 2006 have also ensured that sectarian movements and their leaders have no doubt concerning the determination of the Republic to stand firm in its mission in favour of those requiring its solidarity and security.

¹ On 19 December 2006, the parliamentary investigatory commission submitted its report entitled "*l'Enfance volée : les mineurs victimes des sectes*" to the chairman of the national assembly (National assembly, n°3507).

1ST SECTION

**PROTECTION OF VICTIMS
ASSESSMENT OF THE RISKS AND ABERRATIONS**

1 - THE SECTARIAN HOLD OR "INDUCING OF A STATE OF SUBJECTION"

"Man is no good-natured individual, a heart dying for love, who is assumed to defend himself when attacked, but, on the contrary, an individual whose instincts integrate a fair portion of aggressiveness. Consequently, man does not see his fellow man as a mere auxiliary or possible sexual object, but also as a source of temptation. Man is indeed tempted to satisfy his need for aggression to the detriment of fellow man, to exploit his services without remuneration, to use a person sexually without consent, to take his assets, to humiliate him or inflict suffering, to martyr or kill him".

Sigmund Freud, *Civilisation and its Discontents*²

The "inducing of a state of subjection" defined by About-Picard's law of 12 June 2001, which enables the application of the article from the penal code on the abuse of weakness for victims of sectarian activity, sometimes appears difficult to apprehend for law practitioners.

This consideration of the difficulties of using the legal provision lead MIVILUDES to once again focus on the notion of hold. This term is more familiar to court experts, psychiatrists and psychologists, and sectarian specialists.

MIVILUDES therefore created working groups including: magistrates involved in sectarian cases (before and

² pg. 64-65.

after the About-Picard law), experts, psychiatrists and psychologists required to give their opinion for these cases, and lawyers.

This work was initiated in 2006 and should lead to the organization of a colloquium for magistrates and experts during 2007.

To begin with, it was important to report on the notion of hold.

HOLD AND HOW IT WORKS³

The terms "sectarian hold", or "inducing of a state of subjection" have gradually replaced the term "mental manipulation" in the vocabulary used by associations of victims and in legal and administrative terminology. The expression has been generalised as psychologists have made significant progress on the notion of perverse hold or moral harassment⁴.

Degrees of ambition in terms of what an individual aims to obtain from someone: occasional behaviour, sharing of an opinion, belief, desire, acceptance to commit, voluntary submission to rules, trust, beneficial passiveness. Sales staff, educators, politicians, lovers and believers attempt to obtain these results with varying levels of success. This aspect becomes more complicated when active participation, expensive and long-term services, entry in a transformation process, total availability or full reserve-free submission is aspired, without visible constraints. This absolutely requires, not merely initial consent, which will have little effect, but a chain of successive points of acquiescence, which the subject

³ A substantial section of this chapter is taken from the publication by A. Fournier and M. Monroy, *La dérive sectaire*, PUF, 1999

⁴ We could particularly refer to works by Kaës, Diet, Hirigoyen or Monroy.

will perceive as deliberate and conscious decisions⁵. In fact, the subject consents to one procedure, but is unaware of the nature of the actual transformation process to be applied, of the final result of this transformation and of the real aims of the "master".

Working on decisions

All of the important decisions taken by human beings, and a significant percentage of daily decisions are based on reasoning, pragmatism and affection. However, they are also part of a historical, contextual, contractual and ethical environment.

The historical environment relates to culture, family values, beliefs, attachments, and expectations and projects. Decisions will depend, to a large extent, on links, current relations, adaptation to the circumstances, and the language used to describe the world due to the contextual environment. The contractual environment will define all explicit or implicit commitments, the sectors towards which each individual is guided, and assigned tasks in society. The ethical environment for decisions will represent the universe of values in which the decisions must be taken. These four types of environment are precisely the targets of sectarian groups to gain a hold.

Sectarian groups almost systematically investigate the past of the individual in view of disqualifying this past. The future follower will be baited with the well known phrase: *"Let's forget the past"*, or, to quote Dante: *"Ye who enter here, abandon all your past beliefs"*. Work on the conception of the future follows similar lines. A negative tone of voice is used to state that *"If you continue like this, you are done for"* or a positive tone of voice declares that *"Everything can change if you really want it to"*. The sapping continues for other aspects

⁵ Boudon R., *Effets pervers et ordre social*, Paris, PUF, Quadrige, 1993.

of the family, emotive or social life of the future follower, with a recommendation to break with the past, or to take distance.

The links created with the new group are strengthened by requests for increasing participation. Occasional, possibly innocent-looking micro-commitments are multiplied in parallel⁶ concerning practical help, participation, donations, formalities, and daily lifestyle. These sporadic, apparently innocent, points of consent, will have an impact on more important decisions: we could mention the example of marriage. You will meet a handsome young man (or a beautiful young woman). You accept to go out for a drink. You accept a second outing to the cinema... and step by step, suddenly, one day you find yourself, slightly surprised saying "I do". The progression of steps is particularly difficult to stop as it is very gradual: you cannot stop seeing someone without a serious reason at the fourteenth evening out!

The same type of process is applied to the ethical bases for taking a decision. Prior ethical references are disqualified, demythologized, and are subject to critical analysis and gradually replaced, in a very structured manner, by the group values. Group values will be based on the same deep aspirations, but will be guided towards exclusivity.

An emotive and affective environment will be provided to simplify the process, carried along by the group's dynamism. The psycho-sociologist Éric Dépret⁷ put this well: *"Research has shown that, in fact, the more costly the rituals and the more severe the initiatives, the greater the attraction for the group. This continues in the line of the principle to commitment described by Machiavel when writing to the Prince: 'People will appreciate you more because of what they*

⁶ Beauvois J.L., Joule R.V., *Petit traité de manipulation à l'usage des honnêtes gens*, Grenoble, PUG, 1987.

Beauvois J.L., Joule R.V., *Soumission et idéologies. Psychosociologie de la rationalisation*. PUF, 1981.

⁷ Dépret E., "Sectes et influences psychosociales", in *Connexions Les sectes : emprise et manipulation*, n°73, January 2000, pg.137 and 138.

have done for you, than for what you have done for them'. The gradual behavioural commitment is hence a means of influence of alarming effectiveness: how can an individual not be convinced of the good nature of someone to whom he/she has given so much, and how to doubt something which has already cost so much? It often appears easier to adapt your beliefs than to question your behaviour, especially if the sacrifices requested have already made you take several steps towards the target (power, wisdom, health, redemption or nirvana) which, although not in sight cannot be much further... "

Seduction

However, this does not explain how a person who is normally entirely integrated and lucid, can be duped by this practice. The image of "Sects" reflected in the media after the tragedies in Waco, Vercors and others, has been so devalued in the public opinion that very few people would currently accept to join a group which used this term to refer to itself. These groups tend to use approaches such as: *"We are not what people think, come and see, make your own mind up"*.

"Sectarian organizations trigger a projective identification process with their victims. Followers believe that they have found their dream organization in the sect and are not aware that they have projected their own ideals on the group. To begin with, followers are convinced that the sect is fully contingent and will satisfy their ambitions (getting well, being happy, need for spirituality, etc.), they feel invested in the group and respected in a way they never have felt previously. The sect will subsequently embed and then "drown" the ambitions of the follower in the collective project created by the leader. The project will be greater and more seductive: purify the earth, total individual bliss, divine contact, achieving immortality, etc. J-M. Abgrall calls this

second phase 'the retaining seduction'⁸. In fact, the desire of the subject (his or her ambition) is completely denied to the benefit of the leader's ambition. The subject becomes a desired object'⁹.

In the context of the ideology, membership may correspond to a reaction to fatigue and the loss of credibility of social, political and religious regimes. The citizen reacts negatively to the flood of information received, passing from disappointment to revolt, without any means to analyse this data, let alone take action. This leads to a fascination - or, at the very least, curiosity - with what is presented as a radical alternative. This combines with the seduction inherent to the consistency of a reducing argument and the apparent harmony of these universal theories. Eugène Enriquez specifies the content of arguments put forward by the sectarian group: *"Message proclaiming the guilt of the everyday world and the need for redemption and the birth of a new society via the word of the master. In parallel, the group predicts death (individuals have an immortal soul and will be saved), establishes the mandatory nature of the dual relation between the master and his or her disciples (which excludes third parties, the only means of guaranteeing the absence of indistinction and a love-based or hypnotic fusion) and installs an imaginary world in which everything is possible and time does not exist. What better message could be transmitted to individuals running from the reign of critical, sceptical reasoning which destroys all forms of idolatry? These individuals treasure fond images of the father (Freud), comforted by the image of paradise being "at arm's reach", they feel "small" [and have] no confidence in their abilities, but entirely trust those of "big" people¹⁰, people who claim to be superior (as they have taken the risk of spreading the new word), they will necessarily be convinced by a message which*

⁸Abgrall J-M., *La mécanique des sectes*, Paris, Payot, 1996.

⁹Allanic C., "L'emprise sectaire ou le syndrome d'Ulysse" in [*Journal des psychologues*](#), n° 206, April 2003.

¹⁰Reich W., *Écoute, petit homme*,(1945) French translation, Payot, 1970.

gives them everything they require, while they have the impression that they have nothing and are worth nothing. However, these arguments might not be enough. The listener must be informed that they will be saved, they are among the elected individuals and therefore they are part of those who can spread the new word and become missionaries. They also need to taste the joys of paranoia, to spread the word, to feel invested with a special mission, to be able to initiate new members and be entrusted with chasing out evil. They are all paranoiacs! What joy! The good, the righteous on one side, the bad on the other. Everyone recovers their original innocence".

The dynamics proposed for the ideology are based on the gradual acquisition and learning of reserved knowledge, and the discovery of unknown realities via a new language. The fascination for the fusional "us"¹¹ is more common than approaches to contemporary individualism would have us believe. The elitist-by-definition sectarian group apparently satisfies two needs: to be immersed in a group with identification to the other members and to stand out from the crowd via the selection of the "best".

"The megalomaniac promises made to followers reflect their archaic experiences in the early childhood, still present in their minds in the form of unconscious mnestic traces: memories of the omnipotence of thought and the fusion with the mother. These promises are not presented directly in this format, but in a sublime manner. An attempt to increase intellectual capacities conceals the fantasy of omnipotence and attempting to merge with divine entities conceals the fantasy of merging with the mother. The golden age, once known by the subjects and now totally forgotten, appears to be at arm's reach. The individual can once again believe that the constraints of reality can be overcome, just like when their life started"¹².

¹¹ Maffesoli M., *Le temps des tribus*, Paris, Klincksieck, 1988.

¹² Allanic C., "L'emprise sectaire ou le syndrome d'Ulysse" in [Journal des psychologues](#) n° 206, April 2003.

The transformation of the personality

The future follower is proposed with acquisitions (performance, power, harmony, spiritual progress), progress and promotion, in a manner which appears highly attractive and potentially risk-free. Accepting the proposals is simplified as the master will refer the listener to their own motivation: *"If you want to be one of us, you must accept to participate or learn"* or: *"Only you know if you want to progress"*.

The actual procedure includes many elements: vulnerable points for the subject, group effects, use of emotional strings, neo-language, production of visible short-term effect, increased distance from external influences, orders, progression in learning about the doctrine, steps in promotion and ascension to missions with responsibility. This process is spread over a long period as immediate and total belief would not be likely to last if it was not followed up by in-depth multi-dimensional work.

With regards neo-language, Éric Dépret¹³ considers that: *"Language and thought are closely related, therefore redefining vocabulary (and associating the good, the true, the positive, and the "us" with the projects of the master and the evil, the false, the negative, and the "them" with all sources of opposition) will certainly assist in thought-control, in the same way as information and speech-control, as fully illustrated by Georges Orwell in his novel 1984"*.

One essential condition is the initial provocation of a certain psychological destabilisation, and a period of indecision, perplexity and insecurity in which past values will be reconsidered. If the person wishes to "play the game", he or she must accept to abandon certainties, prejudices,

¹³ Dépret E., "Sectes et influences psychosociales", in *Connexions, Les sectes : emprise et manipulation*, n°73, January 2000, pg.140.

interpretations and explanations, and be open and available to receive the arguments proposed. The person must become a novice, an apprentice, a pupil who must learn everything. Depending on the group, a context may be created, in which the applicant is no expert, caught out, questioned, has no existing references, occasionally made to feel guilty, deprived of the control of the situation, and systematically emotionally manipulated.

Techniques may affect the body and mind, the intellect and affectivity. The use of special postures¹⁴, the repetition of identical gestures¹⁵, an unusual position imposed in dialogue, a ritual and collective gesture, certain breathing exercises or bodily expressions are regularly used and lead to certain types of receptivity.

Several techniques are used to obtain varying degrees of changes in vigilance, similar to levels of hypnosis¹⁶. Psychotropic drugs may have been exceptionally employed, but it is clear that fasting, extreme fatigue, and certain exercises modify levels of vigilance. Reliving past traumas and reviving underlying feelings of guilt cause deep disorientation and a feeling of authenticity, the conviction of finally accessing the "real" person inside. The revelation of new concepts and a new logic are found in most groups maintaining a hold over their followers. The usual vocabulary is disqualified. The "voluntary" subject is asked to renounce to his or usual means of analysis and interpretation¹⁷. Group effects combine with individual exercises leading to a highly

¹⁴ Meditation, yoga-based positions, chanting with raised arms ...

¹⁵ "Touch the wall" action repeated an infinite number of times at certain scientology hearings.

¹⁶ Stengers I., *L'importance de l'hypnose*, Les empêcheurs de penser en rond, 1996. Chertok L., *L'hypnose. Théorie, pratique et technique*, Payot, new edition 1989.

¹⁷ In *La Dianétique*, L.R. Hubbard states that all the radically new concepts in his publication require careful learning, and not analysis. If a concept is not understood, the reader should come back to it *ad libitum*, until it is fully understood.

effective result. We are aware that it is very difficult to resist collective emotional movements. It is simple to imagine the intensity of the effect produced if an individual decides to participate fully and play the game, even if it is just "to see what it's like"¹⁸.

"The leader uses techniques based on narcissistic perversion. The follower is given to understand that he or she is indispensable for the success of the project. In fact, the success of the project depends solely on the follower, who is a unique being, an exceptional being, and part of an elite (as this person is now a member of the sect). The follower, now convinced by the narcissistic approach and the new responsibilities, will forget his or her initial ambitions, which suddenly appear very unimportant or far too egocentric, and, will feel thoroughly committed, believing that he or she is capable of achieving the impossible. (...) The psychological destabilisation will principally cause the regression of the new follower to an infant state, in all meanings of the term. This may lead to moments of acute regression; Sophie Beal¹⁹ gives a clinical illustration of this phenomenon in her thesis: "[The follower] lay on his wife, crying: You are my mum, I am your son, I want to become a child again"²⁰.

Reconstruction

Simply creating a condition of destabilisation, disorientation and vulnerability would not be enough if new references, acquisitions, a different project, i.e. a means of

¹⁸ Abgrall J. M., *La mécanique des sectes*, Payot, 1996.

¹⁹ Beal S., *Les sectes : Clinique et psychopathologie*, CES, Psychiatry, Paris VI, 1985-1986, pg. 107.

²⁰ Allanic C., « L'emprise sectaire ou le syndrome d'Ulysse » in [Journal des psychologues](#) n° 206, April 2003.

restructuring the personality on the basis of a defined model were not simultaneously combined. Each of the elements questioned must have a corollary in the process of restructuration.

The satisfaction of a successful experience combined with relaxation in a reassuring environment will replace the feeling of discomfort and strangeness caused by certain exercises, attitudes and physical conditions. The kind presence of the leader of the experience will counterbalance the perplexity and disorientation. The unshakable certainties of the leader replace doubt and questions. The reassurance of being accepted, of participating in a common project replaces a disqualified past, and guilt. The fusional warmth of the group will replace former relations. And finally the follower is reassured that *"This is true, you have tried it for yourself, you really felt it"*. This "truth" always includes a share of some incommunicable aspect: this aspect cannot be verified via vulgar means of logic, and is not refutable.

Young followers will pass through a period of happiness²¹. They will feel physically and psychologically better. This is confirmed by Denys Ribas: *"The period of regression will lead to significant levels of satisfaction. The dissolution of the individual and collective superego in the alienation of the leader, masochistic and incestuous benefits of being possessed by an idealised parent, the abolition of the taboo of incest and fairly frequent sexual liberation, appears, on a regressive tone, more like a sort of fusional auto-erotism than as an objectal relation. Disappearance of guilt. It may even be possible that followers who are aware of the brain washing techniques which may be used against them are subject to a certain tendency towards drug abuse, or a certain form of analgesic relief. Followers are tempted towards non-thought— According to Bion "Thinking is detrimental, for the*

²¹ A. Fournier and M. Monroy call this period the "sectarian honeymoon".

*non-being targeted by the death drive of individuals*²². Back to normal life, the former follower will become aware of this condition, the transgressions committed, and the lack of perception. The consequent shame will prevent the follower from prosecuting the sect or seeking psychotherapeutic assistance for a certain period. He or she will feel guilty for the denial and rejection of the outside world combined with the integration of the sect for a long period (forever?): *According to Emmanuel Diet "Sectarian groups are not simply looking to wildly demonise the presence and possible malfunctioning of existing values for the primary attachment group [the family], its very structural and functional existence depends on denial, which allows its followers to relate and identify themselves, creating internal bonding. Submission to the leader, commitment to the doctrine, and the mutual dependence of all parties on the compound archaic figure of the guru are all based on this denial. The paradoxal link between followers is constructed on the shared denial of violence, madness, perversity and the weakness of the master. In the imposed context of regression, this obliges the followers to submit and to avoid all thought in order to maintain the ideal image of the leader by means of force. Having thus projected all forms of both imaginary and actual perfection and goodness in their nature on the guru, followers are without defence against disqualification, as they are themselves devoid of all of their qualities*²³.

Reinforcement techniques

Hold can only last if it includes answers to the doubt and discouragement which may affect any "beneficiary" when the period of fascination starts to fade. This is when what the behavioural experts call "reinforcements" are used to boost the feeling of belonging and the hold.

²² Ribas D., "Un sectaire mortifère", in *Débats de psychanalyse, Sectes*, PUF, 1999, pg.140.

²³ Diet E. "La destructivité sectaire", in *Raison Présente*, n° 143, 2nd quarter 2002, pg. 119 and 120.

A support and surveillance structure is created in all groups. This structure is responsible for compensating for the failures and deviations of each subject. This mission is not the exclusive privilege of the hierarchy, it also involves the group members closest to the subject: encouragement, pressure, promises and testimonies will be used. If the process is well underway, loyalty to the group and the leader is one of the most powerful arguments: leaving would mean betraying the group and joining the mediocre herd of uninitiated beings or the enemies of the truth. Inadequate efforts to learn, lack of availability, obedience and the rejection of former values are used to explain languor, early signs of criticism, and the weight of constraints and ruptures. In serious cases, the follower is isolated and threatened with abandonment. Doubt is not interpreted as a sign of lucidity which would enable the criticism of the system on the basis of valid criteria, but as a setback in the progression down a "freely chosen" road.

Éric Dépret²⁴ emphasises that: *"While the rupture with previous social relations represents the main element of the sectarian hold, it is often justified via the demonisation of the outside world. (...) Threatened by external enemies, engaged in a holy war, a mortal combat between good and evil, sectarian arguments turn paranoiac. As mentioned by Deconchy²⁵, in orthodox social systems, characterised by the the strictness of the internal regulation system (or power system), rules are not merely accepted, but expected (the justification of these rules is part of the doctrine), and an enemy or an external threat is also required. The existence of an actual or imaginary threat is considered to accord legitimacy to orthodox operations, meticulous internal control, the identification of traitors, and the rejection of heretics. (...) The strictness of the internal control system is probably made*

²⁴ Dépret E., "Sectes et influences psychosociales", in *Connexions Les sectes : emprise et manipulation*, n°73, January 2000, pg.139.

²⁵ Deconchy J-P., *Orthodoxie religieuse et sciences humaines*, Mouton, 1980.

necessary by the rational fragility of beliefs (when it comes to believing or not believing, being a friend or foe, compromise and doubt are not possible). (...) [These groups] are characterised by a powerful internal control system (purity of beliefs, morality of behaviour), applying the principles of self-accusation and confession, denunciation and threats. These systems clearly contribute to ensuring obedience and conformism. (...) The master will hence accumulate all the elements required for power, be they non-coercive (expertise, legitimacy, references, information) or coercive (rewards and punishments)".

Whatever he or she does, the follower will effectively never reach the ideal condition, which is impossible to reach. The carrot will constantly retreat and will always depend on a regression or a demotion which must be compensated for by renewed effort under the critical eye of the leaders and the group. Each group has its own vocabulary for "deviations" which threaten the necessary cohesion.

Results

Certain parties have heavily insisted on the difficulty of defining a sect. However, witnesses, close friends and family or even occasional acquaintances rapidly identify the changes in a follower. Witnesses initially notice the affirmation of exclusive, peremptory certainties, the impossibility to contest these certainties, combined with a distant approach, a refusal to reconsider issues. The veneration of leaders and the group justifies a docile approach and unconditional submission and availability. The claim to hold the exclusive truth will lead to intolerance of varying degrees and the condemnation of any divergent analysis. All values claimed are subordinate to unconditional loyalty.

The follower has not simply acquired invasive convictions and occupations, but has transformed his or her understanding and interpretation of the world, as if a selective

filter had been installed. All information received will be processed and selected according to their orthodoxy on the basis of the group's doctrine.

*"For psychoanalysts, [sects] correspond to the execution and the implementation of procedures and processes which attack thought, individual desire, the creation of social links and the conditions of collective living. They aim at programmed alienation, and total submission to a new order"*²⁶.

HOW TO IDENTIFY THE HOLD?

The About-Picard law concerns both individuals committing the defined breaches and the groups. This makes the application of this law complex, particularly as it overlaps two types of experience and various types of expertise. However, the law defines that group life causes prejudice to individuals, that group injunctions may lead to the committing of breaches, and that these breaches would not necessarily have occurred in another context. Experts must deal with this complex situation if an individual is identified as vulnerable.

Court experts consulted by MIVILUDES highlighted the complexity of the means of gaining a hold. The history of the deep internal construction of the individual is important. Expertise concerning the responsibility of the author is simpler, however the difficulty is proving the hold on the victim. A hold is not in itself an infraction, unless it leads this person to execute an act or apply an abstention which causes prejudice to the individual. The guru would then necessarily be responsible, and the follower would be both the author and victim.

Does hold affect the deep internal psychological profile of the individual? What is the difference between hold and

²⁶ Diet È., Ibid, pg. 111.

irrational action? Do the individuals in question agree with the group's convictions? Have relations been alienated, i.e. delegated to a third party (individual or group)? What factors create a predisposition for hold?

As shown, the analysis of hold cannot be envisaged without extensive knowledge of the individual concerned, as the entire background of this person must be considered. What are the predispositions of the person? Was manipulation the unavoidable consequence of a favourable environment and an adroit manipulator? It must be stressed, even at this stage, that this type of logic can be pernicious for the person subjected, whose status as a victim depends on a type of pre-existent psychic aptitude.

Identifying the conditions for joining the group

"Clinical analysis has proved that followers are generally seduced by the group (or one single person) at a time of psychological fragility: death of a loved one, moving, separation, divorce, unemployment, crisis (adolescence, leaving home, starting work, mid-life crisis), etc. All of these situations involve a loss and the mourning of the object in question (a person, a situation, a job, etc.). The subject will be encouraged to withdraw libidinal investment from the lost object and turn to the ego as a form of protection from this objectal loss. A narcissistic regression will then occur, or a regression to the Ego. This narcissistic regression supervised by a sectarian group will systematically involve:

- *in objectal terms, a withdrawal from family, friends, employment, etc. (e.g. separation, distance, resignation),*
- *in Ego terms, overinvestment in the Ego demonstrated by new narcissistic claims such as: 'I want to be independent and live my life,' 'I have found myself,' '...I have discovered my mission in life', etc. »²⁷.*

²⁷ Allanic C., « L'emprise sectaire ou le syndrome d'Ulysse » in [Journal des psychologues](#), n° 206, April 2003.

Psychiatrists, experts designated by courts, are required to question the changes in the subject when joining the sect.

Do not simply accept the individual background of the subject

However, simply accepting an assessment on the basis of the individual background of the subject is inadequate. If the follower has symptoms which could be considered as psychotic, these apparently psychotic symptoms will cease: *"The psychic profile of followers partially operates on the basis of primary processes, therefore the symptoms can appear psychotic: automatic thinking, irrational ideas, hallucinations, etc. To give an example, the follower could say (a neurotic subject recently having left a sect): "it is time [the leader] was aware of the attacks on Mars and visited Mars to attempt to clarify the situation"*²⁸. However the presence of apparently psychotic symptoms will not necessarily lead the clinician to diagnose a psychotic condition. Indeed, the "psychotic" condition of followers is reversible and will disappear as they take a "psychic" distance from the sectarian experience"²⁹.

Emmanuel Diet³⁰ clearly demonstrates that the individual background of the subject is not enough: *"It would be an illusion to reduce the suffering or the psychic pathology of the follower and the subject to the mere idiosyncratic characteristics of his or her background and personal profile. The subject, just like any human being, will have sources of anguish and conflict, fantasies and affects based both on original and oedipal experiences. Irrational topics, anaphasis and separation in a singularly paranoid tone are often obvious*

²⁸ Beal S., *Les sectes : Clinique et psychopathologie*, CES, Psychiatrie, Paris VI, 1985-1986, pg. 116.

²⁹ Allanic C., « L'emprise sectaire ou le syndrome d'Ulysse » in [*Journal des psychologues*](#), n° 206, April 2003.

³⁰ Diet È., « Introduction à la psychanalyse des sectes », in *Connexions, Les sectes, emprise et manipulation*, n°73, January 2000, pg. 125-126 and 128.

to the attentive listener. The listener could be tempted to view these obvious phenomena as the symptoms of a borderline structure or initial psychosis, and consider the sectarian recruitment as the consequence of pathological elements existing in the subject.

In other words, the sect simply represented a pretext and the opportunity to apply existing processes, and could even be considered as satisfying a psychic purpose, with the subject acting as a container or reference. This role would thus, for example, avoid major psychotic collapse for the subject. In fact, clinical tests have proved that in most cases, followers were not initially suffering from an identified pathology independently to their state of suffering and destruction when leaving the group. (...) It appears radically necessary for the analysis of intrapsychic processes to account for the actual elements at work in sectarian experiences (...) and to understand the destructiveness as an after effect, reactivating narcissistic failures and injuries. (...) Attacks on relations, the image of the body, genealogy and family relations, narcissism and identity, desiring and desire, parental imagos, invested objects, values, language and common sense, rationality and the entire being, paradoxalities, denial and disqualification are all implemented by the sect and must be assessed together with their repercussions, after effects and their traumatic value in view of the background of the subject in terms of family relations, personal experience, internal fantasies and conflicts. It is only when considering countertransference that we can obtain the elements enabling the identification and designation of the perversity applied to the more or less consenting victim, while allowing the victim to recognise the experience as the desire of an other person and to establish his or her position as a victim of irrational and external influences".

"Voluntary servitude"³¹

Sectarian stories often reach the general public due to their totally transgressive side: collective killings/suicides, mistreatment or abandonment of children, criminal complicity, etc. Penal justice is applied for serious events. How can we make people understand that the guru is able to remove even the most deep-rooted of traditional taboos and the basic education of individuals, violating the conscience of victims before turning to physical violation or any other particularly shocking, or even unthinkable aggression?

"Sectarian suicide represents such a scandal for societies throughout the world (for which this act is a total disclaimer) that a "negation of reality" is experienced. Whenever a new collective suicide occurs, media sources assume that the guru must be on the run after having killed their followers. Media talk barely changes when the guru (despicable as he may be) is found among initial victims: Jim Jones, David Koresh, Marshall Applewhite, the guru of Heaven's Gate, the two leaders of the Order of the Solar Temple (OTS), Luc Jouret and Jo di Mambro, and most probably the Ugandan guru Joseph Kibwetere, whose corpse was recognised by a close relative. Mysterious actors are therefore mentioned (the Mafia, the secret services), or a war between leaders, "financial difficulties", etc. When a third suicide occurs (such as with the OTS), the media, rather than recognising self-destruction inspired by shared beliefs, goes quiet. The desperation of Amazonian or Mexican tribes is also denied when entire families hang or poison themselves rather than changing their lifestyle"³².

At the end of the day, what responsibility can be accepted by the follower in terms of this servitude which was

³¹ La Boétie E., *De la servitude volontaire*, new edition by Flammarion, 1993

³² Denis Duclos, *De la manipulation mentale à la secte globale*, in *Le Monde Diplomatique*, August 2000.

initially freely chosen, even if the "contract" the victim thought he or she was signing was clearly totally deviated by the guru and the sect?

A certain form of pleasure gained from transgression cannot be denied: *"Many transgressions are not only permitted within and outside of the sect, but demanded. The destruction of social and cultural taboos enables individuals to defy prohibition and the law and give free reign to the realisation of fantasies and all real or imaginary, sexual or destructive ambitions"*³³.

We could mention the "group illusions" defined by Didier Anzieu³⁴. Individuals within a group are systematically threatened by a loss of personal identity to the benefit of the collective identity. Michèle Bertrand³⁵ considers the following issue: *"Can the loss of identity lead to the sacrifice of the person's own creation in the case of a murder ordered by the founder? We need to identify how such a sacrificial scenario can be accepted and demanded of the others. Primary narcissism may include an element which pushes the individual to rupture, and hence an extreme form of death drive, but this only partially explains the situation"*.

Denys Ribat suggests one possible explanation: *"In view of the instinctive defusion relating to withdrawal, the death drive created can only be applied within the sect. (...) The final recourse of a human being faced with a mortiferous instinctive defusion is to use a process to export the defusion. I feel that this is what happens with narcissistic perversion. (...) the final recourse would involve the export of the defusion to a victim, not in view of sadistic satisfaction, but to feel the radical loss of hope until only death becomes desirable. (...) If*

³³ Diet É., « Pratiques sectaires et processus d'aliénation », in *Débats de psychanalyse, Sectes*, PUF, 1999, pg.62.

³⁴ Anzieu D., *Le groupe et l'inconscient*, Dunod, 1996, pg.68.

³⁵ Bertrand M., « La fascination sectaire », in *Débats de psychanalyse, Sectes*, PUF, 1999, pg.96-97.

these possibilities are even partially true, this would imply that the master of a sect heading towards suicide is very sick, and exporting his own instinctive defusion to his or her false sacrificed children and their own children, which is doubly unacceptable. This is not, in fact, an "altruistic" suicide such as that of a melancholic individual, this is an attempt to export the chaos and suicide threatening the guru. This attempt is initially successful but doomed to ultimately fail"³⁶.

According to Paul Denis, suicides can be better explained by the collapse of the psychic structure constructed within the group: "*Sects have fixed, irreconcilable, axiomatic, irreplaceable beliefs which are merged with the investment of the individual stating the beliefs, thus constructing psychic towers which can fall if their foundations are removed. If the sectarian belief is destroyed after having removed any other relation, the psychic tower will fall. The poem by Gustav Schwab, La chevauchée du Lac de Constance, provides a metaphor of the collapse which can follow the fading of an illusion, the loss of belief: one winter's day, a knight was trying to reach Lake Constance before nightfall. He galloped across an empty clearing and stopped at the first houses on the way to ask if the lake was close-by. A resident told him that he had just crossed the lake and by miracle had not fallen in despite the thin ice: "Your horse just walked on a knife's edge... ". "The knight stayed on his steed... All he could see was the black hole following him. His sprit fell to the bottom of the pit and into the darkness" and the man died. The collective suicides of certain sects or the individual suicides of subjects in sects could correspond to the sudden collapse of the sectarian belief"³⁷.*

³⁶ Ribas D., « Un sectaire mortifère », in *Débats de psychanalyse, Sectes*, PUF, 1999, pg.140, 144-145.

³⁷ Denis P., « Sectes, croyance et vérité », in *Débats de psychanalyse, Sectes*, PUF, 1999, pg.167.

This rapid analysis of sectarian hold could lead to several observations and several questions.

Once again, we can note that victims have objective reasons to complain: attracted by false promises – concerning their health or spirituality - they are recruited and lose control of their life. They understand what their family and close friends had rapid identified too late.

Major difficulty is also faced, not in understanding sectarian hold, but in expressing this hold in effective legal terms.

This leads to certain questions: what exact mission should a judge entrust to an expert psychiatrist or a mandated psychologist? Who can and must analyse the entire sectarian context (texts, video recordings, etc.)? If we want to create a body of "knowledgeable individuals", what criteria should be used to recruit these individuals? And finally, how can responsibility be shared between the individual committing the criminal act, under a sectarian hold, and those manipulating the former individual. The consideration of the "inducing of a state of subjection" is far from over.

2 - COLLATERAL VICTIMS OF SECTARIAN ABERRATIONS FAMILY AND FRIENDS

A young woman contacted MIVILUDES by e-mail to indicate the situation of one of her friends, who had been looking to change her lifestyle which she found provided little satisfaction, had found the opportunity to carry out a neo-shamanistic course with use of iboga in Normandy via the internet and proselytizing in her professional environment. Prior to the course, her two best friends attempted, without success, to prevent her from going. After the course, they noted modifications to the personality of their friend, who demanded a rupture in relations in the name of her freedom of lifestyle.

A grandmother saw her calm life filled with affection transformed when one of her two daughters (married, with four children) began psycho-spiritual sessions with a doctor from a pseudo-religious community and decided to cut all relations with her family because *"Mum, there are powerful unsaid elements between us, if I explained, you would collapse or you would refuse to believe it. You have to ask yourself questions and discover these elements"*. Since this day, she has almost no contact with her grandchildren and absolutely no contact with her daughter³⁸.

"All of these facts prove that they have taken away my right to be a father", were the words of a father separated from the mother of his children, herself a *Jehovah's witness*, and therefore with very taut relations with her daughter aged 12 and living with her mother.

³⁸ Letter from Mrs. X. dated 12 March 2003 and e-mail of 18 November 2006.

These are just a few examples from the plethora of the situations indicated to MIVILUDES in 2006, providing information on the pain of families faced with a loved one joining a sect. While it is natural to consider the follower as a victim of sectarian aberrations, the consequences for people close to the victim and particularly the family, which are almost always dramatic, must not be trivialised, neglected or ignored.

Families are disconnected, spouses may attempt suicide due to the sudden and irredeemable change in behaviour of the partner under the hold. We often hear the phrases "*I suddenly found myself facing a wall*" or "*I felt excluded from the family*", which systematically reflect immense suffering.

A sect transforms the follower into a direct victim and the follower's family and friends into indirect victims.

However, the effects are not only moral and emotive, tangible and financial repercussions must also be accounted for.

I – THE CONSEQUENCES OF A LOVED ONE JOINING A SECT

The person joining the group often acts this way in reaction to unsatisfied ambitions. This is the road to initiation: the itinerary is signposted at precise stages and levels which the follower must reach, if he or she is considered capable:

- infantilisation,
- renouncing to previous values,
- unconditional belief as proof of loyalty,
- certainty to be part of an undividable entity,
- belief in the unity and the long-standing nature of the group,

- important sacrifices and the acceptance of the authority of the master,
- elitist supremacy,

This hold leads to taking distance from the other members of the family which may be more critical towards the guru or the sect's doctrine.

The isolation of the follower is systematically applied when joining a sect as this simplifies the control of the psychic profile of the follower. The consequences for the family are therefore unavoidable.

A - The division of the "family" unit

Divorce is in itself a traumatic family event, particularly if the child is an element in the family dispute. *"The worst effects are observed when the parental conflict preceding the divorce is intense, and particularly when the children are included: They may be used as witnesses or hostages, as accomplices or confidants by either of the parents. They are involved in an extricable conflict of loyalty which will directly cause any pathological developments"*³⁹.

This situation is undeniably worsened if one parent is a sect member and the other not.

1 - The child of the follower

The child will adopt the beliefs of his/her parent(s) and the child is the most vulnerable of the loved ones of the follower(s) due to age and submission to the parent(s).

- The prejudice to the child can be analysed differently depending on the following criteria:

³⁹ Delfieu Jean-Marc, expert psychiatrist for the court of appeal in Nîmes, in *Experts*, n°67, June 2005.

- Concerning the parents:
 - *Both parents are followers of a sect*: if the child is born into a sect and has no other parental model or references, the sect will represent the "normal" for the child. This child may become a follower. However, if the parents become followers after the birth of the child, he or she will retain memories of the "real world".
 - *Only one of the parents is a follower*, the other has never joined the group.
 - *One parent is a follower, the other parent is a former follower*.

In both of these cases, conflict will arise in terms of parental authority to prevent the follower from involving the child in unshared beliefs. However, the situation with a former follower is slightly different as the person is often fragile due to the past in the group. In addition, there is a loss of "credibility": *"You initially agreed to the "religion" for the education of your child. You are now breaking this agreement ..."*.

- Concerning the family:
 - *Many of the child's family members* (uncles, aunts, grandparents, etc.) *are followers*: The child is entirely immersed in the sect. No action is possible. The authorities will not be informed by a member of the family.
 - *One side of the family is part of the sect*: The consequences for the child will now be different. The child will learn to lie, to keep silent, to adapt to each situation for each family. This comes back to the conflict of loyalties faced by the children of divorced parents, however, this situation is particular in that, for the child, it is founded on the opposition of magic and real, rational and irrational ... This particularity is only rarely identified in the social and psychological enquiries ordered by the judge.

➤ What therapy should the child receive?

- *If the child is totally immersed* (parents and family), no external therapist will be called on. The guru is the therapist, and applies the doctrine as the therapy.

- *If one of the two parents is a current follower*: Therapy will fail as the follower will contest the approach used by the authority, sometimes slyly, and the child will not be influenced. An absence of therapeutical cooperation will lead to the failure of any therapy given to these children.

- *Both parents are former followers of a sect*: it is possible to provide therapy for the child, but it is often started late due to the difficulties faced by the parents themselves in understanding their experience.

➤ Continued relations between the child and the outside world

- *The child's family are followers*. A third party may exceptionally ask the judge to maintain relations with the child. This may be the case for former partners, an uncle, a aunt-in-law, etc; who may claim the brutal rupture of an emotive relation with the child, and which is not in the interest of the latter. Continued or new emotive relations are considered as a "window on the outside world" in this case.

The child is the only person in the entourage of the follower who is subject to influences, but cannot react, independently to the extent of hold.

2 - The spouse or former spouse of the follower

During divorces, excluding sectarian complications, the parent with which the child lives may attempt to manipulate the child mentally, generating parental alienation. *"This creates a state of unreserved fusion between the child and one of the parents, the good person, who is loved and with whom*

*the child lives, and simultaneously, a state of unreserved hostile abandonment for the other parent, the bad person, who is hated and with whom the child no longer lives. A rupture arises between the good and the bad parent... With parental alienation, the parent implementing the disaffection consciously or unconsciously indoctrinates the child. This influence is clearly a form of abuse and will lead to serious psychic consequences for the child and the alienated parent*⁴⁰.

This alienation will have a particularly strong impact if the "bad parent" is demonized due to his or her lifestyle and if all approaches outside of the sect are stigmatised.

In case of divorce, the spouse (or former spouse), i.e. the person who shares, or has shared, the life of the follower, is often accused of using the sect membership to promote his or her interests. However, the spouse mentioning the sect membership of the other parent is obliged to provide tangible proof of the damaging impact of the beliefs and practices of the follower:

- on the marriage, for divorce proceedings,
- on the psychological or physical health of the children, for issues concerning parental authority.

Under all circumstances, sect membership in itself cannot be used as an argument, tangible elements must be identified such as behaviour which is particularly traumatic for the child and relates to conviction-based practices or a total rupture with marital links due to full investment in sectarian practices.

Spouses which use the sect membership of the other parent as an argument ***may also be former followers***. This is the case if one of the spouses ***has left*** the sect and was unable to bring the partner with him or her. This situation is complicated as the spouse, the former follower:

- will recurrently refer to the experience with the group,

⁴⁰ Ibid.

- will feel guilty for having betrayed the guru, for having been unable to ensure the departure of the spouse and children, and for having been abused by the movement.

This sense of guilt will continue long after leaving the sect and will often prevent the person from taking action. To give an example, the person will not request that the child lives with him or her from the initial separation, or will exclude the sectarian context from the legal proceedings due to a sense of shame and, sometimes, due to a fear of not being believed, or a fear of reprisal.

Although the person has left the sect, he or she may still fear spiritual punishment, proving that hold will not cease entirely when the follower leaves the movement.

In addition, the pressure exercised by the group must not be underestimated, particularly if legal proceedings are in process (false testimonies, negative propaganda, harassment, etc.).

➤ **The spouse has never been a follower**

Three situations may arise:

- The person met his or her spouse, who was already a follower

- either the follower had temporarily left the group, and met the person during this period, however the movement will do everything possible to recover its follower. This situation often occurs with *Jehovah's witnesses*, for whom "*the lost lambs will rejoin the herd*" after the start of the relationship.

- or the non-follower is unaware that the beliefs and practices of the other person were sectarian-based and discovers the connection via a newspaper article, a T.V. program, internet, a

victims' association, etc. The non-follower is concerned for the children, and better understands certain aspects of the behaviour of the follower. This revelation will be considered as deceitful and a betrayal.

- The spouse became a follower during the relationship

The non-follower can precisely identify the time the follower met the sect. He or she has seen the situation develop and was helpless against the hold taken on the partner. The suffering is clear: *"He (she) has completely changed, his (her) behaviour, way of talking and priorities are different. He (she) has cut relations with his (her) parents, friends, etc."*

The practices and beliefs of the follower will damage the harmony and accord in the couple. They may lead to a rupture in the relationship.

The non-follower is generally supported by his/her own family, and sometimes by the family of the new follower as the change in behaviour of the follower will be noticed by the entire entourage. This generally involves moral support and sometimes legal assistance (testimonies, observations, etc.) for the non-follower.

The follower will receive the unfailing support of the group (lawyer, testimonies, standard procedure, etc.)

- The spouse became a follower after the separation of the couple

The non-follower did not witness the meeting between the follower and the sect. The two adults were no longer living together. Therefore, the non-follower has no means of understanding the former spouse, and the change in behaviour will be commented on by the entourage, the children, etc.

He or she will rarely be supported by the family of the follower as relations will be taut due to the divorce (or separation).

The suffering of the former spouse will mainly be expressed in the form of concern for the children.

B - Isolation of family and friends

1 - The parent of an adult child and current follower

The parent of an adult child who is now a follower is the most helpless person in the entourage of the follower. The parent has no means of taking legal action as the child is an adult and only indirect prejudice is incurred.

The follower may have lost his or her freedom of choice, but mental alienation has not occurred. Therefore, the follower cannot automatically be protected by provisions applicable to invalid adults.

The Supreme Court of Appeals considers that *"joining a sect is not grounds for applying a guardianship"*⁴¹.

In addition, the attitude of the parent, particularly if he or she wishes to deprive the child of financial independence, could worsen relations with the young adult, and may lead to total rupture.

The parent will attempt to convince the child that he or she has been swindled, and will criticize the guru, and the group organization. The parent will attempt to make the young adult realise that he or she is a victim, however the new follower will take distance from the parent. The rejected parent

⁴¹ Supreme Court of Appeals, 2 October 2001.

will suffer greatly. The parent will feel guilty for the situation. He or she will attempt to identify a fault committed in the education given to the child. The parent will not be able to believe that the hold is stronger than the family relation.

2 - Family and friends of the follower

It is rare for **grandparents** to take action, as they will have great difficulty in starting proceedings against their child and will tend to protect the grandchildren. They generally turn to justice if all relations are cut. They may demand visiting rights and the right for the child to stay at their address, but their action must target the two parents, and therefore necessarily their own child.

The situation for the **brothers and sisters** of the follower is similar to that of the parents.

➤ What role should the entourage play?

Even if the recently-recruited follower is not aware of it, he or she is already a victim of a sect, but all the entourage can do is observe the inevitable damage caused by this commitment for the family.

For this reason, to begin with, it is important to identify the signs of having joined a sect and the presence of a hold in the behaviour of the new follower: the use of a different style of language, the group language, changes in eating habits, refusal of medical treatment, an exclusive commitment to the group combined with the rejection of family and friends, absolute and total submission to leaders, the loss of a sense of criticism, etc.

Despite the rejection of the follower, the entourage must listen to the follower, and not attempt to remove the person from the sect, particularly by force. Maintain contact with the follower and keep relations as friendly as possible,

emphasise how important the person is for family and friends by talking about shared memories (happy ones)⁴².

Family and friends must attempt to understand the doctrine followed by the person, the submission process and the operation of the group and to decode the vocabulary, with the assistance of associations or professionals.

They must, above all, be ready to welcome the follower should he or she decide to leave the group.

3 - Relations and friends

One of the criteria used to characterise the level of danger represented by a sect is the *rupture with the original environment*, therefore, MIVILUDES is regularly provided by indications from socio-professional sources, or from the family and friends of followers, whose behaviour suddenly and profoundly changed after a course or a meeting with a "guru".

We insist on the decisive role played by friends of recently-recruited followers without family or living at a distance from family roots. These friends can allow the person to realise what is happening, and should this not be possible, indicate the situation to associations or institutional bodies.

II – THE CONSEQUENCES OF SECT MEMBERSHIP ON ASSETS AND HERITAGE FOR THIRD PARTIES

One of the focal points of sects is money, as this allows them to establish the power of the movement, enrich the

⁴² MIVILUDES, *Guide de l'agent public face aux dérives sectaires*, Documentation française, 2004

leaders, and finally, sometimes, finance the national or international organization supporting the local group.

Two main sources exist for sect cash flow: donations and income from their activities. *"Sects receive public financing which, in some cases represents a third source of financing"*⁴³. This demonstrates the ability of sects to act under the cover of fronts or dummies, thus deviating the actual target of the funding provided.

To come back to the two initial sources of financing, followers directly participate in enriching the movement and will sometimes even dangerously compromise the family budget to avoid rejection by the group or to achieve the promises made by the group.

With regards the third source of financing, the entire society pays for an undeclared ambition which is not in the general interest.

A - Un appauvrissement important de la famille de l'adepte

Selon le rapport de la commission parlementaire « *Les sectes et l'argent* » de 1999, « *beaucoup de sectes ont acquis un véritable poids financier et l'argent qui circule dans la mouvance sectaire atteint un niveau que la commission d'enquête ne soupçonnait pas, (...) Malgré leurs différences d'inspiration, les sectes ont les mêmes sources de revenu et les mêmes manières de les utiliser. En d'autres termes, si toutes les sectes n'ont pas la même richesse, elles recourent à des méthodes comparables et montrent le même intérêt pour l'argent* »⁴⁴.

⁴³ Parliamentary report, *Les sectes et l'argent*, n°1687, 10 June 1999.

⁴⁴ Ibid.

1 - An exorbitant contribution

Donations represent the main mode of earning money for sects and the richest movements achieved this position via the contributions of their followers. The percentages and methods applied to collect contributions vary, however one constant remains, the followers and their families become poorer. According to the same report, *"national bodies of Jehovah's witnesses declared the collection of a total of 85.6 million Francs for the year 1997/1998, which must be added to the offerings of local associations which are estimated at 70 million Francs annually"*⁴⁵. Members of parliament have specified that this does not integrate donations accorded as loans or offerings in exchange for publications, which are otherwise provided free-of-charge by the sect. Certain sects define the amount of donations by followers on the basis of a percentage of their income, while other sects encourage donations and generosity.

Therefore, several of the criteria identified by the first parliamentary commission chaired by Alain Gest, whose report was submitted to the President of the National assembly on 20 December 1995, to determine sectarian risk, are satisfied:

- the exorbitant nature of financial demands,
- the possible misuse of traditional economic circuits,
- judicial disputes.

Making repeated and regular payments to the sect leads to a proportional drop in the standard of living for the follower's family, and may even endanger the family budget.

The District court in Lyons, in its judgement of 22 November 1996, and subsequently the 4th chamber of the Court of appeals of Lyons, on 28 July 1997, observed that *"Dianetics and Scientology use the same fraudulent procedures to recruit their future followers, promises of*

⁴⁵ Ibid.

employment and personality tests may occasionally be combined", and that the mental manipulation applied "aimed to simplify the plundering of the victims (...), via associations providing lessons, hearings, purification courses, etc. in exchange for increasing amounts of money, and in fact mainly targeting the appropriation of the fortune of followers". Jurisdiction reveals that one civil party had invested considerable amounts in *Scientology* and that one of the victims having committed suicide had envisaged taking out a loan to finance a purification course.

This clearly demonstrates that followers are prepared to dilapidate their resources and family savings and even take out loans to finance their membership of the sect. The most vulnerable members of society, such as job seekers, are tricked with false proposals of permanent employment contracts. The entire family is substantially affected whether they are followers or not, and particularly if they are not followers.

2 – Expensive training courses

In the field of health, the search for alternative healing methods, generally of a holistic nature, and the success of methods of personal development represent substantial financial stakes. Health has become a thriving market, particularly thanks to the increase in life expectancy and the ideals of youth and beauty portrayed by the media.

Sects operating in the field of health have diversified into professional training, source of extensive potential wealth.

Several situations may arise for followers:

- the person is tired of the current profession and is looking for a voluntary reconversion,
- the person has lost his or her job and investing layoff or severance pay and unemployment benefit into training could lead to a new profession, particularly as a "therapist in alternative practices".

- the person is without employment, and will invest his or her meagre resources, e.g. income support, in a last ditch hope for social re-insertion. The risk of training "*losapists*"⁴⁶ without training, without insurance and without qualifications in just a few weeks also exists. The follower is led to believe that he or she can reach a professional level which the background of the person would not allow for, with the obvious risk of collapse should the project fail.

Returning to reality is particularly difficult to accept as the training courses lead to unrecognised qualifications which will not be validated by public authorities. In addition, the training market is increasingly turning to modules of extended length, covering several years under all circumstances, with a strong incitation to acquire the different levels over three, four or five years.

The content of training often targets the global re-programming of the individual in order to create a new man, free of previous restrictions. The risk of hold is therefore substantial, and the financial investment is exorbitant. The collateral damage to private life will be both emotional and financial.

3 - In terms of credit

Certain followers are encouraged to acquire the different levels in order to advance within the movement, and therefore, they are required to invest substantial amounts in this progression, which is valued on an intangible basis.

This pressure may lead the follower to take out a loan, as in the case in Lyons, possibly causing over indebtedness to finance the different stages on the road to initiation.

⁴⁶ www.PsyVig.com

Certain movements even encourage their followers to swindle banking establishments: when joining the movement, the person has a profession which allows him or her to obtain loans from various credit establishments. The person subsequently ceases the professional activity to fully focus on the sect and becomes insolvent. This will incur prejudice from financial establishments. The same applies for student loans, particularly within a group.

B - The loss of financial status will be increased by the fragile situation of the target

The leaders of sects often give in to the easy options and target temporarily or long-term vulnerable individuals, people with family, professional or health problems. They target two particularly vulnerable groups: elderly people, people coming to the end of their lives, and minors.

The MIVILUDES activity report for 2005 focused extensively on minors, and the parliamentary investigatory commission for the influence of sects and the consequences of their practices on the physical and mental health of minors has recently published its conclusions on this issue.

Approaches targeting elderly individuals, especially those reaching the end of their lives, are particularly repugnant as they are aimed at people who no longer have the strength to defend themselves.

1 - Concerning care for elderly individuals

Several approaches are possible to take advantage of the specific weaknesses of elderly individuals.

➤ *Protection*

1% of the population is currently protected and 2 and a half million individuals are aged over 80. In 2040, 7 million

individuals will be aged over 80. At the congress of notaries held in 2006, the Ministry of Justice announced that protection and guardianship procedures were due to be reformed prior to the presidential elections in 2007. A constant increase in the population requiring protection has been noted as a result of the aging of the population. Legislation applicable to invalid adults, as expected to be modified, could remove the prodigality criteria for protection or a guardianship. According to victims' associations and their lawyers, families fear facing growing difficulties to implement effective protection and avoid the dilapidation of heritage and the increased fragility of the material situation of the elderly person. The same concern arises in terms of the possibility for the elderly person to select a judicial representative.

➤ *Successions*

Many reports concern elderly people whose children make increasing financial demands proportionally to their integration in the sect. In the same way, elderly parents with several children, one of whom is a follower of a sect, indicate their concern at seeing their heritage end up with the sect. It is intolerable for these individuals, after having "lost" a child, to realise that the fruit of their labour will go to the cause of their loss at their death.

➤ *Palliative solutions*

The specific risks represented by retirement homes with medical facilities must not be underestimated. The presence of voluntary help accompanying individuals at the end of their lives leaves the door open to the potential extortion of donations and the swindling of the natural heirs.

Healing movements may indeed infiltrate public and private hospitals or retirement homes in this way, meeting patients at the end of their lives and consequently priority targets.

The MILS report 2001 highlights sectarian aberrations concerning these particularly vulnerable individuals: "*When it comes to palliative care, the followers of the Hamer method, belonging to the Invitation to life (IVI) group, a movement*

founded by Yvonne Trubert, were reported in the oncology and neurology services with patients with brain damage (...).

While the civil code prevents a dying patient from making a donation to a doctor, a pharmacist, or health personnel, i.e. a carer, this does not apply to associations, which may receive donations"⁴⁷.

Apart from the possibility of obtaining the heritage by taking advantage of the weak condition of the patient, approaches to the friends and family of the sick or dying individual must not be underestimated, the emotion of mourning represents a potential weakness to be exploited for recruitment by sects, which are always looking for followers with financial resources.

2 - Government assistance to the most vulnerable members of the population

While sects accord priority to individuals with above-average financial resources, low-income earners and people receiving benefits such as disability allowances or income support can attract their attention as quantity can compensate for "quality".

There is no specific reference to sects in the texts concerning income support. However, the DSS/DIRMI circular n°93-05 dated 26 March 1993 concerning the determination of rights to income support explicitly refers to members of community organisations, stating that:

- the calculation of resources must integrate a set housing rate.
- in addition, the prefect must assess the amount of resources corresponding to other benefits provided for the person concerned, particularly in terms of meals.
- if it is noted that the individuals carry out partially remunerated or unremunerated activities in the sect, the prefect may, with the approval of the local insertion commission,

⁴⁷ MILS, report 2001

integrate remuneration, income or benefits which the person would normally be entitled to in view of these activities in the community.

This mention can only be effectively applied if the actual situation of the beneficiary is controlled.

However, for those leaving these communities, it is worth reiterating the importance of these mentions to ensure continued assistance in autonomy and social re-insertion.

With regards specific government allowances for disabled individuals, enhanced vigilance is required as it is highly probable that sects re-allocate all or part of the allowance for "services provided".

In 2001 *Jehovah's witnesses* launched a vast operation targeting deaf people with intensive learning of sign language and the creation of groups practicing sign language⁴⁸. They produced a version of their DVD "*What does God expect of us*". At Poitiers in April 2006, four young deaf children aged under 10 were approached by two adults using sign language. These adults gave them the DVD, in sign language without sub-titles or dubbing. "*If the parents do not use sign language, deaf children are easy prey*", declared the angry mother of one of these children⁴⁹.

Family and friends are collateral victims of sectarian aberrations and often feel helpless to provide real help for the new follower: contact with associations for the defence of victims can often break this isolation and helplessness as associations are there to listen and provide information. They also provide a place to speak out, where the victim can tell their story, no matter how unbelievable it may be (martians, transfer of energy, lemurs, etc.), and receive support and understanding.

⁴⁸ www.catholique95.com/actualités/présentation=sourds.

⁴⁹ *La Nouvelle République*, 22 April 2006, article by JM Gouin.

5 - PROFESSIONAL TRAINING AND THE SECTARIAN RISK

The rapid changes having occurred in western society over recent decades, particularly framed by a rise in unemployment, the retreat of traditional activities and the emergence of production sectors and innovative services, have positioned professional training at the heart of the solutions likely to solve the problem of matching a labour supply, which does not necessarily have the required skills, with the requirements of companies.

The right to training became a legal obligation with the law of 16 July 1971, subsequently confirmed by the law of 4 May 2004: *"Life-long training is a national obligation"*. Training is specifically intended to *"encourage the professional insertion and re-insertion of workers, ensure their continued employment, [in harmony with progress], encourage the development of their skills, ensure access to the different levels of professional qualification, and contribute to economic and cultural development and their social promotion"*.

The European Council in Lisbon, March 2000, insisted *"on the principle of life-long education and training as the key to the strategic objective of social cohesion, active citizenship, personal and professional development, adaptability and employability"* with the European Union. National and community policies are accompanied by the investment of substantial funds (European structural funds, including the European social fund).

From 1999, the parliamentary investigatory commission on "*Sects and money*"⁵⁰, led by Jacques Guyard and Jean-Pierre Brard, noted the interest paid to the texts concerning professional training by groups likely to apply sectarian aberrations or sanctioned for past events of this type. It particularly pointed to the existence of these risks and the possible misuse of the purpose, rules and assistance available for the development provisions for training and employment. The Commission issued warnings on "*... the influence acquired by certain sects in training networks and the disturbances caused by these groups in the functioning of several companies...*" and recommended a clear reaction by all actors concerned.

In view of the above, from 2000, the Ministry of Employment sent instructions on the need for the increased surveillance of practices with inherent sectarian risks or aberrations to decentralised services (regional and departmental divisions for labour, employment and professional training) . Risks which could arise from the ambiguity inherent to the notion of personal development were particularly focused. This increased vigilance, particularly by training inspection services, has currently improved the awareness of companies and employees in view of the development of organizations or networks which recruit new followers under the cover of providing training courses, a significant source of income, and allowing them to distribute dogma and methods. These new followers can subsequently infiltrate the company and/or become actors in sales networks which are increasingly selling secondary products (tests, publications, journeys, support material, help with installation, etc.).

The need for performance and well-being, the denial of the illness and anguish caused by these challenges for individuals has effectively led to a larger and wider range of concepts and methods on the training market, integrating the

⁵⁰ Parliamentary report, n°1687, 10 June 1999.

fields of health and psychology, as well as the education and communications sectors. In a certain number of cases, their misguided and exclusive application within the company, but also increasingly frequently on an individual basis, is less and less related to the assigned targets for the training course, and leads to practices generating sectarian aberrations.

1 - A positive context: the person, subject to full attention

In recent years, a growing number of services aiming at personal development and the development of individual behaviour, relationships, well-being, happiness and even *emotional intelligence* in view of giving life a meaning and adapting to a changing society have been noted.

These services increasingly invest the intimacy of individuals (determination of profiles, characterisation of potential) in view of improving individual and collective performances. These services therefore go beyond the scope of training programmes for simple professional competences (knowledge, know-how and presentation). The development of new therapies, the infatuation for alternative therapies and the attraction of "*coaching*" or "*team-building*" symbolise this often exclusive trend, negating more traditional practices. The vitality of this market is demonstrated by the emergence of new descriptions, new labels, new "professions" and by publicity vaunting the attractiveness of these new professional possibilities.

In terms of vigilance with regards training courses which may involve a risk of sectarian aberrations, the public authorities concerned (Government, local authorities), and all institutional actors (social partners, prescribers, financial backing and customers) must pay particular attention to a set of criteria for the level of danger.

2 – Misuse of traditional references in "therapeutic" training

The misuse of the objectives of professional training (professional insertion and re-insertion, continued employment in the same sector, development of competences and access to the different levels of professional training) may lead to illicit acts or practices, particularly in terms of the health code, or to criminal sanctions, especially if the risk of damaging the physical and psychic integrity of the person exists. This particularly applies in case of seductive processes (untrue or misleading publicity according to labour and consumption codes).

Become a bare hand healer

This offer relates to "*human biomagnetism*" and is presented as "*the prodigious vital system which drives mankind. Humans can use this system as therapy to improve the health of others*" or as a "*biological energetic science*". This profession claims the existence of a professional order, the *biomagnetisers*⁵¹ just like regulated professional sectors such as doctors, notaries, midwives, architects, etc.

Any individual (no pre-requisites apply) can become a "*Bare-hand healer*" and receive training leading to an "*internationally recognised*" qualification, and allowing the qualified individual to create a "*specialist cabinet*", guaranteeing "*a lucrative future for:*

- *Young people dreaming of a successful liberal career,*
- *Those wishing to make a new start with an independent profession,*
- *Medical practitioners, paramedical staff, nurses, osteopaths, physiotherapists, beauty therapists, etc. wishing to add to their competences,*
- *Retired individuals looking to occupy their time in a useful manner*

⁵¹ www.ordre-biomagnetiseurs.com

- *All those wishing to learn, without wishing to start a new career, to take care of family and friends".*

This type of healing offer is developed alongside of, and even mixed up with regulated professions (doctors, pharmacists, physiotherapists, etc.). This type of course exposes the actors to prosecution for the illegal practice of medicine and charlatan practices which may influence people in a negative manner.

3 - Excessive financial demands

This criteria is particularly important as the training course will be accompanied by the strong encouragement, presented almost as an obligation, to continue with subsequent courses and reach higher levels or to be introduced to related concepts or methods. This pressure may also apply to the use of other products such as the acquisition of teaching resources (publications, CD-ROMS, downloadable lessons, journeys, tests), the purchase of equipment (e.g.: *archetypical filters*) and the payment of subscriptions, franchises or contributions.

Professional reconversion

A doctor, acting as advisor to a headmaster, indicated the position of a teacher having difficulties with the pupils and who had subscribed to an individual professional training contract in view of professional reconversion to become a psychotherapist. More precisely, the contract had been concluded with an individual calling himself a therapist and coach.

Analysis of the contract revealed that the course proposed to the teacher concerned "*training in the healing of the past*" and conversion into a "*practitioner in the healing of the past*"⁵².

⁵² www.laguerisondupasse.com

The proposed course included one year of distance learning, followed by practical training and the obligatory supervision of 200 sessions of therapeutical accompaniment, i.e. a minimum of 400 hours. It was also recommended to carry out the sessions in past healing with practitioners having previously completed their training. Finally, the trainee was bound to accept supervision and participate in mandatory permanent training meetings. Should he not attend, he could be removed from the list of healing practitioners at any time.

In addition to the main fee for the proposed course, additional costs would be added during the course for the acquisition of support mediums (books, lessons, recordings, etc.).

Certain acquisitions were mandatory or highly recommended, such as:

- *Le mouvement, clef de l'apprentissage*, Brain Gym (educative kinesiology),
- *Le Cancer apprivoisé* by Léon Renard, *Genèse du cancer et médecine nouvelle*, *La quintessence* by Docteur Hamer,
- *Origine et prévention des maladies* by Salomon Selam,
- *Encyclopédie de décodage biologique* by Paul and Gail Dennison⁵³.

The programme enclosed with the contract presented the healing of the past as a "combination of powerful and innovative methods leading to the reharmonisation of the four physical, emotional, mental and spiritual planes", with two phases:

- work in the past via a powerful regression technique: return to emotional memories, from the time of conception until adult age, and possibly reaching previous lives if the patient is open to this experience, enabling the healing of past conscious or latent traumatism causing current physical or psychological disorders,

⁵³ Souffle d'Or publications.

- work in the present enabling the individual to be freed from psychological handicaps and finally make his or her life what they need rather than indefinitely repeating out-of-date scenarios.

"The cup emptied of poison thanks to work in the past, can be used for work in the present, i.e. be filled with pure water, free the person of incorrect beliefs and restructure his or her present life: leave or find a job, end an unhappy relation, adopt a new type of diet. The aim is to spring clean life to start anew and become a new person".

Various examples supported the emotional disputes accumulated by the individual, or ancestors:

- *I stammer to not betray the family secret,*
- *My asthma expresses the suffering of my forefathers gassed by the Nazis,*
- *My neck pain expresses the fact that my forefathers were decapitated by the Turkish.*

This professional reconversion project in the psychotherapeutic sector clearly involves a serious risk of manipulation of the trainee and sectarian aberration in terms of several criteria for levels of danger (rupture with the original environment, destabilisation, even including mental control, appropriation of resources, etc.). The long training course aims at *"reprogramming" the person, who is pre-prepared via the all-inclusive rejection of the past and the present, ancestors and entourage, all of which are the cause of the person's discomfort.*

The methodological foundations are taken from several sources, all of which are concerning due to their involvement in cases sanctioned by justice: Hamer method, false memories, *"rebirth"*, biological decoding...

4 – Health professionals: a priority target

Practitioners in Cellular re-information and analysis

This training course lasts a minimum of two years and concerns *Cellular re-information and analysis*⁵⁴, promoted by a doctor of medicine training in various energy methodologies. The training course proposed is divided into three levels known as "degrees". Each degree includes several modules. To give an example, the first degree includes six basic modules (energy staturology, focus, trigger areas, chakras, meridians, substances), one module on the "Symbolism of the Human Being", and two super modules concerning the theory and practice of Cellular analysis and re-information and the use of archetypical filters.

At the end of each degree, an exam must be passed to obtain a certificate which is indispensable to carry on to the next degree, which still concerns the theory and practice of *Cellular analysis and re-information*, until passing the final exam which is rewarded with an "in-house" diploma.

In accordance with the very indications of its promoter, this training course focuses on:

- *modelling to integrate and harmonise all approaches to the Human Being,*
- *complete investigation, to determine the root, primary origin, which initially disturbed the stability or caused the fragility of the land, causing weaknesses which allowed sickness to appear and to remain,*
- *a precise description of the cause of the loss of stability and the incidents involved,*
- *a rapid correction of the energy blockages demonstrating this cause and the incidents,*
- *an indication of the most appropriate therapeutic approach for the case in question,*

⁵⁴ www.arc-energie.com.fr

- *an indication of the action to be taken to remove these blockages definitively,*
- *exclusive patient self-care in close collaboration with the practitioner,*
- *the main tools at the service of what you already know how to do and wish to extend.*

This method is defined by its founder as "a multi-disciplinary technique destined for all health professions, concerning either medicine, psychotherapy, naturopathy or alternative medicines. This technique evolves gradually thanks to multiple contacts: physicists, biophysicists, and biologists are all involved, and the global quality is but improved. More than two hundred practitioners from all backgrounds have already received their qualification in Cellular analysis and re-information, mainly in France... This is a fantastic tool, in the context of personal development, based on the reading of the personal cellular memory and on the principle of vibratory resonance. This tool restores balance and allows the person to find his or her true role, together with harmony between the body, the mind and their environment".

This course is aimed at all types of therapists, such as naturopaths, and members of regulated professions such as nursing.

In application of the decision of the prefect of the region of Aquitaine, the company behind this training body was rejected as a training body, in virtue of volume IX of the Labour code. The Minister responsible for professional training confirmed this decision following recourse by the hierarchy of those concerned.

5 - Alternative birth accompaniment

Doula training

Ekopedia⁵⁵, a virtual encyclopaedia of alternative health techniques, provides the following definition of the "*Doula profession*"⁵⁶. Doula is a term of Greek origin and means "slave": "*a woman who accompanies, supports and informs the couple and the woman during birth. The Dola is available during the pregnancy, during birth and after the birth. The Doula is trained in all perinatal aspects and psychology and may have certain other fields of competences such as relaxation, hygiene, breast feeding...*".

This "new profession" was introduced in north America approximately twenty years ago. Its main objective can be compared with the traditional family accompaniment of former times, and which still exists in certain communities, such as those in Africa. This profession has recently been introduced in France and is generally developing with groups which are hostile to a medical environment for birthing. These groups are often inclined to support networks which oppose traditional medical techniques, including mandatory vaccinations, are more than willing to use alternative therapies and are attracted by the original educative methods for their children.

A handful of small associations working with North American organizations employ women working in the field of "*this new profession*" in view of developing this network in France. The initial training courses provided by these bodies are *in principle* wide ranging. A possible common programme is under consideration.

One training course is provided by a *rebirth* practitioner on the basis of an initial contact followed by nine sessions which symbolically correspond to the nine months of gestation. Each session is organized into the following phases:

- *Analysis of the birth scenario and related sicknesses,*
- *Connected breathing (approximately 45 minutes),*

⁵⁵ fr.ekopedia.org/Doula-14K

⁵⁶ www.doulas.info

- *Debriefing on links identified between the emotions felt and birthing conditions,*
- *Reprogramming via creative thinking exercises.*

"A rebirth cycle encourages the awareness of our deformed vision of life. And what if all of our limits and fears were actually mere negative thoughts relating to the circumstances of the pregnancy and the birth? Thanks to rebirth, we can recover the control of events in our life. We can then freely select pleasure, joy, love, prosperity..."

The complementary training courses proposed concern the learning of a wide-range of methods such as psychophany, haptonomy, hypnonatal techniques and massages.

In the absence of any supervision, this new position as birth companion, presented as assistance, raises a certain number of questions. This may concern vulnerable publics, for both doulas, possibly introduced to "psy" methodologies, and for future parents facing difficulties of all types. This training course is costly, particularly if it includes complementary courses, *and especially considering that the rates of these future professionals would be less than one hundred euros for one year's services.*

Their position may lead them to overlap with the competences of health professionals, particularly those of midwives, and expose these individuals to prosecution for the illegal practice of medicine. Their intervention could be dangerous for the mother and child in several ways.

Finally, according to official declarations, the number of doulas has increased from around thirty in 2005 to approximately one hundred and fifty in 2006, either working freelance or within associations. Some of these doulas will intervene in maternity wards.

6 – An alternative education for young prodigies

EMF Balancing Technique is a brand registered by *Energy Extension* in view of providing logistic support for the activities of Peggy Dubro, an international therapist of US nationality. This technique, subject to a public note on May 2004 by the CIAOSN (Belgian centre for information on dangerous sects) aims at a certain harmony for mankind: "*EMF harmonisation opens up the road to evolution. It cleans, strengthens and balances our internal electromagnetic structure enabling us to fully connect with, receive and harness universal energy. This harmonisation enables us to improve our health*".

This method and derived applications are introduced in France to therapists providing training courses in well-being, personal development, and leading to change in companies.

In terms of health, the dangerous nature of this technique has been indicated as its applications could replace traditional medical treatment.

An approved structure, *EMF Balancing*⁵⁷, located in Ile de France, mentions a workshop (*Integrated Energy Therapy*) as part of its training programmes (personal development, individual accompaniment, energy relaxology) for children aged 7 - 12. The aim of this half-day workshop, which costs 45 euros, is to "*allow them to test their perception of angelic energies, use a pendulum to measure energy, learn to connect with their personal angel, and release energy blockages, for themselves or to help others. The session is organized on the basis of the concepts used for adults*". The activities proposed focus on:

- *practical games on the question: what is energy?*
- *the making of a pendulum and its use in measuring energy,*
- *energy alignment and how to use it,*
- *angels, drawing your angel and how to connect to your angel,*

⁵⁷ www.evolutionfc.com

- *fun exercises to balance your own energy,*
- *the good feelings and bad feelings which each individual may experience,*
- *how to change a bad feeling into a good feeling,*
- *the angelic shower, a game to clean all the energy blockages in the body in one go,*
- *the "diploma" award ceremony.*

As the founder of *EMF Balancing* is a member of the *Kryeon International Seminar team*, it would appear that this fun training course is globally inspired by the concepts of the movement of the Kryeon angel and concerns the *indigo children* presented as divine children with connections with the other side and with a special aura.

This type of course is worrying for several reasons. Should a parent or both parents join this type of movement, the child will be subject to health risks in the sense that alternative therapies will replace traditional medicine. The child's education will be based of out-of-the-ordinary concepts which may lead to the marginalisation of the child. The indigo identification may relate to behavioral difficulties such as hyper-activity.

7 - Identifying the risks in training courses

The courses presented, while they do not provide an exhaustive vision of the wide-range of dubious courses existing on the training market, satisfy one, if not several, of the identification criteria for sectarian risks or aberrations⁵⁸, i.e.:

- mental destabilisation,
- the exorbitant nature of financial demands,
- rupture with the original environment,

⁵⁸ Parliamentary report n°2468 dated 22 December 1995, *Les Sectes en France*.

- damage to physical integrity,
- the recruitment of children,
- anti-social approaches,
- public disorder,
- the importance of judicial disputes,
- attempts to infiltrate organizations.

The period of training will exceptionally correspond to an identified hold. This may lead to the destabilisation of the trainee and rapidly lead to deeply rooted discomfort. This will generally occur during the seduction phase of the sectarian hold process. This is the time of the acquisition of new values, a new lifestyle, a new direction, particularly in terms of career, and new convictions and may, even at this stage, concern the entourage, or create a rupture between the trainee and the initial environment. Witness statements by and interviews with families concerning their relation, addressed to public services or associations defending victims, demonstrate their concern regarding methods and practices, and their strong doubts over the training bodies. They often observe worrying changes in behaviour during and after the training course.

The wide-scale use of psychological techniques, particularly in sanitary, social and educational fields, distracts attention from their use in professional training courses. If applied by bodies not listed in this sector by government services, they may arise in other sectors.

The general use of this type of technique and method may lead to reduced vigilance in the context of a training course or personal development programme due to familiarity. Under all circumstances, their application will encourage the hold of the instructor over the trainee, as long as the trainee is fragile due to his or her desire for help or a solution.

The prevention of swindling, the risk of charlatanism or even sectarian risk will necessarily require the tight assessment of the content of training courses provided by professional organizations or individuals, prior to purchase.

Professional public or private entities will establish specifications to define the selection criteria for training courses: the understanding of demand, the consistency of the principles of the course with those of the company, the accuracy, appropriateness and realism of the training course objectives, the consistency of the teaching methods, the existence and precision of assessment procedures, the precision of financial proposals (cost of teaching methods, instruction, hourly rate, etc.), the appropriateness of human, material and teaching resources, the legal nature of the organism in the case of regulated professions, the duration of the course, etc.

In an article entitled "*choisir une formation sans risque de manipulation*" (choosing your training course and avoiding the risk of manipulation), the *Journal du management*⁵⁹ suggested the following questionnaire on the basis of information collected from MIVILUDES and the UNADFI:

- *How long has the organism existed?*
- *What is its financial position?*
- *Does it hold labels or certification?*
- *What are its references?*
- *Who are the associates? Who are the instructors?*
- *What is the training programme?*
- *What teaching methods are used?*
- *Who will be the other participants?*
- *Where and when will the course take place?*
- *How is progress determined?*
- *What rewards can be expected?*

This critical approach must clearly apply to the organization of training sessions, but also their *subsequent* assessment.

⁵⁹ 2 November 2005

8 – Administrative and judicial sanctions

In addition to prefectoral decisions rejecting or cancelling the declarations presented by so-called training organisms based on non-conformity with the legal provisions governing permanent training, generally confirmed by administrative jurisprudence, judicial sanctions have also been applied. These particularly concerned infractions for non-compliance with advertising rules, accounting obligations, the non-submission of legal documents to beneficiaries, and financial demands ignoring the rules applicable to professional training contracts. In the context of cases concerning dismissals without real or serious grounds, other judgements have established the right for employees to receive precise information on the objectives of the training course on the basis of the training plan proposed at the initiative of the employer and accorded legitimacy to the right to refuse to participate in the absence of an appropriate response, if an identified risk of sectarian aberrations has been observed.

Conclusion

The training market is affected by the increase in courses from networks enabling beneficiaries to work within organizations or to adopt a freelance status, either as a main job or as a complement to professional activities, e.g. within the company, in order to spread the use of the key concepts or methods applied, often with the protection of the initial authors or founders.

These courses may be difficult to detect and appraise as they follow the current trend (variable geometry coaching) and aim to meet the multiple expectations of individuals in a global manner (employment, performance, family, health, well-being, a search for meaning, etc.), modify the usual references of the actors involved and the

application of their responsibilities in the compliant and optimal use of funding for the training course.

These courses focus on both professional and personal aspects of the individual and accord priority to solutions or promises transforming and/or developing the person, their performance and the improvement of results (professional and personnel), proving their global happiness.

They have an unlimited field of action in terms of physical and psychic health, including the healing of the pathologies of participants. They propose a solution to physical and moral suffering caused by difficulties or fragility, both in the working environment (job hunting, work fatigue, need for change, development, recognition or reconversion) and in the private lives of individuals (couple, family, meaning of life and values).

Finally, these courses are characterised by the promise of "rebirth" made to individuals for a "new born" society: new medicine, new education, new spiritualities, new social relations and even a new order.

In view of these new risks to individual rights and freedoms, but also in view of the vulnerability of companies and organizations, it is currently necessary to ensure the effectiveness of prevention policies and the combat against aberrations, particularly sectarian aberrations, by according priority to the reinforcement of the distribution of information to the public and to supervision via the adaptation and application of legislation (health, consumer, labour and training codes, etc.), but also via the implementation of legal protection clauses and clauses on ethical principles.

The current legal provisions and desirable modifications, and, additionally, the formalisation of good practices, should contribute to the reinforcement of the control of the scope and objectives of professional training.

4 - THE ECONOMIC APPROACH OF SECTARIAN MOVEMENTS

A - THE ANALYSIS OF THE ECONOMIC OPERATIONS OF SECTARIAN MOVEMENTS: A PARTIAL EXPLANATION OF SECTARIAN RISK

The analysis of the economic and financial operations of sectarian movements and networks is increasingly pertinent and necessary for the competent services responsible for collecting and analysing information, and inspection services.

Recent observations of developments have identified the voluntary, aggressive involvement of sects in many fields of economic law, as demonstrated in the following examples:

- Taking advantage of the modification to the law on the protection of personal data and the risk of the misuse of this modification by movements;
- Opposition of a paragraph of the agricultural law concerning the *prohibition of any commercial publicity or any recommendation regarding phytopharmaceutical products destined for the treatment of vegetables, if these products are not authorised for sale or distribution in view of testing*;
- Misuse of legislation and regulations concerning the protection of intellectual property.

Two main issues arise. The first concerns the grounds and intentions of those starting proceedings. The second concerns the real consequences of these strategies opposing a strictly national legal framework or based on the transposition of European provisions.

With regards the first issue, several levels of intentions must be distinguished:

- demonstrating that the economic logic of industrial groups, pharmaceutical laboratories and the leading distributors of products and services in particular, destroys freedoms and is part of a "unique economic thought" process;
- make this demonstration via external opposition (lobbying) or internal influence within the company (professional training services, management assistance, recruitment consultancy, physical and IT security) under the pretext of improving governance;
- creating recruitment networks to this end, in view of opposition extending beyond the sectarian movement and with a sustainable presence at the heart of economic decision-making circuits;
- developing relations between companies directed by or inspired by sects and basing their activities on the aforementioned priorities.

The second issue is the corollary to the first issue. The current trend involves the implementation of a genuine opposition strategy to the legal framework which founds, frames and encourages economic activities, and the institutional workings which support economic life.

Two types of actors implement this strategy: companies with relations with the movements and influential groups created by the companies, but with their own resources.

The following examples illustrate the reality of the distribution of roles in organising a fully-fledged support strategy for the development of sects. They are taken from opposition to laws protecting intellectual property and those protecting the use of personal data.

These examples are the product of two influential groups which actually support theories which encourage or are inspired by sects in the name of the defence of the freedom of thought and religious freedom, the *CICNS (Information and*

consultancy centre for new spiritualities) and the *CAPLC (Coordination of associations and individuals for the freedom of thought)*.

Some may find it strange to combine the defence of the freedom of conviction and the combat against legislation which aims to protect economic systems.

This is in fact the source of the problem, and the indication of the actual intentions of these movements. This also increasingly implies the risk of heightening the fragility of individuals *via* the professional practices developed by the members of movements in view of financial benefits for these movements and their expansion.

In recent months, the *CICNS* has been campaigning for the liberalisation of intellectual property rights. To quote the centre: *"Intellectual property is defended on the basis of patents, copyrights, and registered brands. Legislation even exists for this purpose concerning economic secrecy, publicity and unfair competition. Therefore, authors end up fighting for their rights with the support of lawyers, as if they were defending physical property"*.

Their central target is copyright, but the criticism also applies to other forms of protection such as, for example, in an article promoting *"fair use"*. This organism considers that copyright is no longer applicable to the information society.

The CICNS argues the following: The development of the persistent defence of these rights leads to a drop in creativity and a reduction in the distribution of information.

In view of this argument maintained by an influential group which supports movements which public authorities consider to have a risk of sectarian aberrations, it will be of no surprise to note the growing interest of companies for the work of *MIVILUDES*, and the integration of sectarian risks in the implementation of economic intelligence practices.

The real stakes are the conflict of interest between sects and movements with sectarian risks and the economic environment, with the threat of misinformation, possession of "strategic" data and psychological pressure on personnel looming in the background.

The CAPLC simply confirms this development and the existence of this conflict of interest. In an article published on its web site in September 2006, the group denounces the "*systematic need for authorisation to sell a product/service*" concerning the new decree in application of the agricultural law of January 2006. The incident may appear minor and innocent in itself, as it was the result of an inspection carried out jointly on 31 August 2006 in the department of Ain by the national division of enquiries concerning competition, consumption and the repression of fraud and by the regional service for the protection of vegetables for an entrepreneur-landscape artist producing and distributing a "natural" phytosanitary product known as "nettle liquid manure". This inspection is actually a pretext to denounce an assumed threat involving the creation of a targeted legal retortion tool against natural, bio and bio-dynamic sectors, against the environmental and health media, against researchers and associations of users of health services and, finally, against courses allowing gardeners and farmers to become more independent from the large phytosanitary producers. The opposition of the justified grounds for the administrative procedure is extended as follows: "*a similar approach is arising for products relating to human health and physical and/or mental therapeutical practices*"⁶⁰.

This offensive against intellectual property rights is no random act, even if the issues raised could appear derisory to begin with, and if, additionally, debating these issues could be considered as legitimate.

⁶⁰ CAPLC, September 2006, document under the title « *Breveter la vie* ».

This reveals a constantly paradoxal attitude towards sectarian movements with regards economic law.

Their claim to be recognised as "minority conviction groups" or "spiritual minorities" regularly requires these groups to define these concepts. The CAPLC is worth quoting once again: *"What exactly does the term minority conviction group mean? The term refers to movements, schools, or groups of individuals applying an original technique or referring to an original, different and often complementary education which generally implies a global vision of the human being and relations between human beings and with the universe. This vision may be therapeutic, philosophic, spiritual or all of the former combined"*⁶¹.

However, the very organisation of these "movements, schools and groups" naturally leads them to create a structure based on statutes allowing their promoters to develop a network of associations and companies in which legal relations are decisive. These relations are essentially established on the basis of copyrights, the submission of brand declarations and other instruments in the protection of intellectual property.

The use of these rights determines the nature of human and financial dependency. Their defence requires the creation of specialist services, internal information offices, regulation and coercion offices. Therefore, we can easily understand that the directors of the subsidiaries of one group, providing the funding of a sect, are generally themselves members of the movement and providing resources for the organisation both via their professional status, and personally.

Two examples of this situation illustrate the actual means of organization of movements if they reach transnational size.

⁶¹ CAPLC, « *L'apport des minorités de conviction à la société mondiale* », December 2005.

The first example is a reminder and concerns the IT services company, *Panda Software*. This company sells IT security software, particularly anti-virus software. In April 2001, an article in the *Express* revealed that an anti-virus sold by a Spanish company with subsidiaries in various countries, including France, had been acquired by an institutional customer for installation on 12% of its IT equipment. The magazine raised the question: beyond providing funding, would regular updating of the software allow the company to infiltrate confidential data bases?...

On 16 May 2001, a press release issued by the SEDT (European union against discrimination at work), "*created by company heads throughout Europe*"⁶², was distributed in Paris. This press release reported on the creation of this lobby dedicated to the defence of "scientology companies".

Hence, the first windscreen to protect the interests of companies directly related to sects was born. The first company covered and defended by this "Union" was indeed *Panda Software*. Their arguments were as follows: "*The media lynching of Panda Software, supported by certain governmental bodies is the first case handled by the SEDT. For information, Panda Software is specialised in the field of IT security. The group is established in more than 35 countries and is the 4th publisher of anti-virus software internationally, and leader in Europe. This is a symptom of the anti-religious climate reigning in France, a pernicious media campaign against the French subsidiary has caused several terminations of contracts and the loss of its distribution network. The consequences of this persistence are substantial for the company*". As mentioned, the object of the company was and is the publishing of anti-virus software and the provision of "*all related services: installation, application, technical support, repairs, etc*".

⁶² Declaration of creation.

On 11 July 2001, the Chairman of *Panda Software* in the United States, referred to as such, and the International Chairman of *Panda Software*, as a member of the *Scientology* group and the *World Institute of Scientology Enterprises (WISE)*, gave their testimony to the chamber of Representatives ("*Subcommittee on international operations and human rights*") in the context of the examination of the alleged acts of religious discrimination in Western Europe concerning the commercial distress of *Panda Software* in France.

In April 2002, the media relations division of the *Church of Scientology International* published a press release with the title: "*Report by the secretariat of US Foreign Trade on foreign commercial barriers criticises the French government for having refused to sign a contract with an IT company, owned by a scientologist*". Even at this time, the analysis of the network of subsidiaries had identified that several had similar relations, which tended to prove that the membership of one individual was not at cause and that the vigilance of the administration was based on other grounds.

On 31 March 2003, the report by the US Ministry of Foreign Affairs on human rights' practices mentioned: "*scientologists continue to report cases of discrimination against their companies. One international IT company, Panda Software has protested that media articles published in 2001 and critical declarations by governmental authorities continue to damage business due to relations between the company and the Church of Scientology*"⁶³.

The "*U.S. Annual Estimate Report on Foreign Trade Barriers*" for 2003 merely mentioned the following in the section concerning the "European Union", page 119: "*France: a US IT company claims that French administrations have refused to sign a contract with the company in question due to*

⁶³ U.S. department of State, *Country Reports on Human Rights Practices*, 2002, 31 mars 2003.

the director's membership of the Church of Scientology. The United States have raised the issue with the French authorities". The case is not mentioned in the same report for 2004.

The SEDT has been chaired by a member of *WISE* Belgium since its creation. The Chairman is director of an international *consulting* firm, with subsidiaries, as was the case for *Panda Software*. Several subsidiary directors are, as with *Panda Software*, members of the *Church of Scientology*.

In May 2006, the 5th European summit of *WISE* was held in Athens. The Chairman of SEDT participated as a speaker. Three of the issues raised during the four days of the seminar are worth mentioning for our continued analysis.

- Initially: "*How to take control of the international training industry with source*"⁶⁴, presented by the founder of the company currently directed by the Chairman of the SEDT;
- Secondly: "*Safepointing for LRH*"⁶⁵ *administration tech in any company*"⁶⁶, meaning: in which it exists;
- Thirdly: "*How to apply LRH admin and P.R. Tech at the top of a country: case analysis, "XXX"* [name of the European country]."⁶⁷

It is therefore clear that the rationalisation of the development of sectarian phenomena requires the implementation of intellectual property instruments, the structuring of dependency relations for users of these instruments (this is the main aim for *WISE*), and the organization of the promotion of these users, by acting on the restrictions applicable to use as determined in a "commercial" agreement, the requirements for the generation of a turnover which automatically determine the payment of duties relating

⁶⁴ "How to take control of the international training industry with source".

⁶⁵ LRH : Lafayette Ron Hubbard, fondateur de la *Scientologie*.

⁶⁶ "*Safepointing for LRH administration tech in any company*".

⁶⁷ "*How to apply LRH admin and PR. Tech at the top of a country : case analysis, [nom du pays]*".

to the use of "techs", and the payment of donations to the organization, by the directors of these companies, acting as natural persons.

These obligations are globally defined in a "Code of WISE members"⁶⁸. A few examples are given below:

- I promise to take responsibility to forward and promote the standard application of L. Ron Hubbard's administrative, ethics and justice technologies⁶⁹.

- I promise to take responsibility to protect the trademarks and copyrights of Dianetics, Scientology and WISE and their use in the business world⁷⁰.

- I promise to fulfill all financial obligations as agreed⁷¹.

- I promise to take responsibility to protect Scientology churches from distraction, disruption or misuse of their lines or personnel by commercial activities⁷².

Scientology is instructive from many points of view. It is an example of a development strategy based on the dynamics of a commercial network. This commercial network is fully integrated in the global approach of the international organization and its national subsidiaries. Companies play a driving role in the expansion of the organization and claim to target strategic objectives, decision-making/influential circuits and sources of power. The management of companies and institutions has become a professional target and a means of reaching these objectives. The international size of the network simplifies the continued inclusion of companies

⁶⁸ Code of WISE members.

⁶⁹ "I promise to take responsibility to forward and to promote the standard application of L. Ron Hubbard's administrative, ethics and justice technologies".

⁷⁰ "I promise to take responsibility to protect the trademarks and copyrights of Dianetics, Scientology and WISE and their use in the business world".

⁷¹ "I promise to fulfill all financial obligations as agreed".

⁷² "I promise to take responsibility to protect Scientology churches from distraction, disruption or misuse of their lines or personnel by commercial activities".

which may be paid specific attention in countries such as France and which are no longer officially listed as members of the network. The following example demonstrates the continued relation with *WISE* and, therefore, the continued obligations of the companies directed and managed by scientologists in France.

The changes in the operating modes used by companies with shared or complementary purposes, and all directed by *Scientology members*, involve several companies based in Paris and Geneva.

A French management firm, *Keypartners* and three Swiss consultancy firms, *Settlenext*, *CommonTrend* and *Lightech*, are associates and intervene on the IT project management market. They target customers from the banking sector.

Keypartners presents itself as a "*Knowledge Management consultancy firm*". Its field of intervention consists of consultancy, seminars, technological monitoring and project management. *Keypartners* targets leading customers in the banking sector and in the institutional sector of consular chambers.

Settlenext was created in January 2002 in Geneva and defines itself as a consultancy and project management firm in the IT and bank automation sectors. The company provides operational consultancy services for financial institutions.

CommonTrend, also based in Geneva, was created in October 2002 by the founder of *Settlenext*. Its head office is at the same address as *Settlenext* and the firm organizes seminars for management in the field of business and IT. It dedicates a considerable percentage of its activities to the analysis of the impact of anti-laundering legislation on IT systems.

Finally, *Lightech*, the longest-standing company (1987), plays a central role by developing *management*,

consulting, training, business brokerage and financing, acquisition and merging activities.

This network and its activities clearly demonstrate its intention to control both the human resources and the IT systems of its customers. Reading the rules defined in the code of *WISE* members simplifies the understanding of the disclosed and the undisclosed objectives and purposes of this group of companies specialised in the "supply of services" in the banking sector. *Keypartners* reflected one aspect of their purpose by mentioning "*the aggregate competences of Keypartners and Settenext enable us to provide top quality seminars for the banking sector*" on their site.

This example provides essential information for the understanding of the most innovative changes in the organization of sects:

- networking on the basis of a common legal dependency, be it visible (internet, service catalogues, etc.) or kept undercover. *Keypartners'* connection with *WISE* is no longer visible and this is now standard procedure in France for companies directed by scientologists and created in recent years,
- the benefit for these groups of reinforcing their structure by developing the means of protecting their products, methods and practices, and, by using the promotion and distribution of these products, methods and practices to establish and extend customer files and distributor portfolios,
- The use of questionnaires in the context of the services provided by the companies. The inspiration for these questionnaires is globally taken from standard questionnaires used by sects and are themselves declared as intellectual property.

One of the priorities for this systematic reality is clearly the protection of citizens against acts committed which breach legal provisions concerning the protection of natural persons in terms of the processing of personal data. Law 2004-801 of 6 August 2004 modifies law 78-17 of 6 January 1978 concerning IT, files and freedoms, also known as the

CNIL law⁷³. One of the essential changes in the law concerns the creation of a new function - the CNIL correspondent.

In December 2005, a hotel in Paris hosted a study day under the heading: "*Do we need to have a CNIL correspondent and how should this position be created?*". This study day had a price tag of EUR 1300 and was organized in partnership with a software firm created in March 2004. The director/founder and the methods manager of the firm are both known *Scientology* members, as proved by a quick web search. One of the missions of this company is to determine the objectives and content of the day and to create a panel of representative speakers. This panel of eight actors includes the company itself, plus representatives of large strategic industrial groups and a representative of the CNIL.

In view of the above developments concerning the internal commitments of company heads (code of *WISE members*), the apparent enhanced veiling of companies with relations with the *Church of Scientology* in France, and the repeated conflicts between *Scientology* and public authorities concerning the creation and management of IT files including personal data, it could be worthwhile reiterating certain items to confirm the sensitivity of this issue in terms of economic stakes.

In November 2004, several scientologists obtained the right to consult information collected on themselves by the Renseignements généraux (RG) following a lengthy court battle. A decree of 1991 strictly defines the scope of the activities of the RG. The RG is authorised to collect information on individuals which may endanger government security or disturb public security using violence. They may also investigate the past of individuals requesting access to protected information, and individuals with a significant political, economic, social or religious role. On the other hand,

⁷³ CNIL: Commission nationale informatique et libertés (National Commission of IT and freedoms).

any citizen has the right to know if his or her name is mentioned in a police record and, if applicable, consult the information therein.

Finally, it must be specified that, according to an order by the Conseil d'État, the administration must, if it refuses to provide information to the parties concerned, justify the risk inherent to "*state security, defence or public security*". We reiterate that the concept of defence integrates certain economic stakes.

In parallel to this administrative decision and, singularly, during the same period, on 28 September 2004 to be exact, the Higher Court of Appeals confirmed the sentence of the Court of Appeal in Paris for the ASESIF (*l'Association spirituelle de l'Eglise de Scientologie d'Ile de France - The spiritual association of the Church of Scientology in the region of Paris*) and its President for crimes committed concerning their IT file. This case concerned the CNIL, which had denounced the ASESIF to the public prosecutor's office for having retained the personal details of a person who had specifically requested to be removed from their files. This person had contacted the CNIL in 1997. The ASESIF *confirmed* that it had removed this person from its files, however, subsequently, in March 2000, the same person continued to receive mail from the same organization.

The aforementioned study day on 13 December 2005 targeted institutional practitioners and companies. The grounds put forward for this day were the creation, via law 2004-801, of the "profession" or more precisely of the function of "*correspondant for the protection of personal data (CPDCP)*". The application order for this law had not yet been published at this time, and was expected to specify the actual conditions of implementation.

The agenda for the day is worth considering in view of the order of events:

- development of an argument in favour of the creation of this function within a company or institution;
- presentation of exposés on the optimal hierarchical position for this function and the possibility of using the services of an external correspondent (this solution may, *in principle* be applied by SMI/SME with extensive outsourcing requirements);
- demonstration of the added value which could be produced by the creation of such a position or using services of this type, for the company or the institution as compared with the previous situation involving an essentially declaration-based procedure.

In view of the sensitivity of the issue, the position of the organisers, and their intention to rapidly confirm their position on this future market and in jurisprudence, it is worth keeping all of these aspects in mind.

The panel members contacted were informed of the context and able to take action. *Beyond this day*, companies are showing a growing interest in sectarian risk. They often recognise that they do not know how to apprehend this risk and fear an intrusion or the spreading of rumours. SMI-SME are considered as particularly vulnerable by informed observers.

It is clear that companies involved in sects with a certain economic influence have a double agenda for their development strategy in terms of economic institutions and circuits. Agenda n° 1 aims to include leading and if possible strategic names of reputed companies in their customer portfolio. This was the objective of the study day, in view of future use of these names to develop their customer portfolio in the SMI-SME sector.

End-September 2006, the Economic and social council published a report entitled "*Economic intelligence, financial risks and corporate strategies*". This report was based on the works of the finance section of this institution and particularly

disclosed that Economic intelligence was a beneficial instrument for the consideration of sectarian risk. The analysis of the need for defence systems included one paragraph on "*Protection against misinformation and sectarian aberrations*": "*Being able to decode and manage information procedures able to modify corporate image, behaviour and strategies has become essential. This risks (rumours, manipulation, media campaigns, petitions, etc.) must be identified. We must ensure we have the means to understand the influential strategies implemented by various public and private actors*". The paragraph later continued: "*The existence of sectarian aberrations must not be ignored either. Sects are now powerful international organizations which are looking to extend their influence and require substantial funding. The risk of infiltration of companies in strategic sectors must be taken seriously*".

For information, let us remember the crisis in 2004 for a large pharmaceutical group which had signed a contract with an organism in the framework of its professional training plan. Most of the directors and employees of the group were members of the *Elan Vital movement*. The organism applied a method known as *Success Insight*, based on the use of responses to a questionnaire filled out by the beneficiaries of training courses organized in order to establish their profile⁷⁴. Although this method cannot be accused as such, the use of the information collected could represent a problem, in the same way as the influence of actors on the hundreds of employees concerned.

The current situation in this field makes the detection of professional networks with a commercial and possibly a psychological dependency on companies with intellectual property rights for training, management and consultancy methods increasingly necessary.

⁷⁴ *Management review*, September 2004

Traditional sects have become more organized. In the future, influential groups could also aim to regulate relations between "traditional" and "new" actors in terms of the penetration of service markets.

The gradual disappearance of former membership references in order to escape the vigilance of public authorities combined with the creation of a plethora of new service providers makes the task of those responsible for vigilance in this field ever more complex. The report by the Economic and social council notes that "while certain sectors (agriculture, finance, health, public enterprises in strategic sectors) are more threatened than others, the risk must never be neglected. The defence and nuclear industries require particular vigilance for sects. A quick look at the panel listed by the software firm mentioned concerning the creation of the "CNIL correspondent" function confirms this. Consular chambers, management and business schools and economic institutions could also be priority targets in the future as they are vectors of influence and sects are not concealing their claims in terms of economic circuits.

4 - THE ECONOMIC APPROACH OF SECTARIAN MOVEMENTS

B - THE EXAMPLE OF "TRADITION, FAMILY, PROPERTY" A SPECIFIC ORGANIZATION FOR COLLECTING DONATIONS AND NON-IDENTIFIED PURPOSES

Public authorities and, in a hardly discrete manner, MIVILUDES, have been actively campaigned in recent months by an association generally known as "*Tradition, Family, Property*" (*TFP*).

This could be explained by the commitment of several administrative and legal actions to combat the French branch of this international organization, as an extension of the activities of the interministerial work group created in January 2005 by MIVILUDES, after internal in-depth analysis leading to the conclusion that sectarian risks were a real threat due to the highly characteristic operating modes of this movement.

The Interministerial mission must inform the Prime Minister of the content and aims of the activities of this structure.

The French society for the defence of tradition, family and property is the French branch of an international organization founded in 1960 by a Brazilian, Plinio Correa de Oliveira, from the Associação dos Fundadores da TFP (Brazil). It was founded in 1975 under the name Jeunes Français pour une civilisation chrétienne and took its current name in 1977.

The international organization *TFP* consists of national delegations with strong reciprocal relations, established in approximately twenty countries, as well as a large number of separate entities, internet servers and topical reviews corresponding to the *TFP* in each country in which the movement is established.

The French branch, which does not always recognise its links with the partner associations, does however indicate the following in its statutes (article 2): "*The association may promote the development of relations and mutual assistance via any legal means, with French, foreign or international associations with objective targets in the fields mentioned in this article. The European economic interest grouping "Européenne des Médias" is a printing and mailing company which prints and manages the distribution and transmission of the "Flash", "Avenir et Culture", and "Aperçu" newsletters of TFP, as well as "Droit de Naître". One other association, Lumières de l'Est, although playing a specific role in the overall strategy is worth mentioning for informative purposes.*

The associations *Avenir de la Culture*, *Européenne des Médias* and *Volontaires pour une civilisation chrétienne* and the European economic interest group (EEIG) are established at Chateauneuf-en-Thimerais (Eure) in a castle and exercise printing and mailing activities. *Droit de Naître* is mailed from the same address.

Mailing is the fundamental and central activity of the *TFP* group. Tens of thousands of individuals in France receive letters asking them to support various topical campaigns by making donations.

MIVILUDES has been regularly contacted with questions concerning the practices of this organization by individuals receiving persistent requests for donations by post and by telephone. Individuals in their files having been subjected to several campaigns and having given a positive

response to certain requests may even be visited. This is the "*fund-raising*" technique mentioned below.

MIVILUDES has also been contacted by several parliamentary deputies and by the Association of French Mayors, as elected representatives are frequently questioned on the exact nature of this organization and the risks involved for individuals in contact with the group.

Analysis of the general operating modes and the procedures used to collect donations and bequests provided information for a certain number of appraisal criteria for sectarian risk:

- Increased demands of individuals involved in topical campaigns,
- veiled structures, high hierarchisation and involvement of a few key individuals in overall management,
- uncertain employment conditions within the printing firm and in terms of physical mailing tasks,
- extensive reactivity towards public authorities in case of an inspection or legal proceedings,
- lack of transparency in terms of the destination of the funds collected,
- discrepancy between the announced object of campaigns and the actual destination of the amounts collected,
- frauding of the individuals contacted via mailing campaigns, and, possibly, directly.

The term "mailing" refers to a set of techniques used to send advertising by the post. The directors of *TFP - Avenir de la Culture – Droit de Naître* inherited this technique developed in the United States in the 1970s.

"TFP" divides their application of the mailing technique into several phases: prospecting, "*sending to the house file*", the provision of files to other associations in the network, requests for donations at homes. If we recreate all of these stages for a given address file, it is possible to establish a

global report for the operation demonstrating the level of resources generated by each mailing operation.

Mailing campaigns would therefore primarily appear to target the generation of profit (with the exception of those organized under the cover of the entity *Lumières de l'Est*, which are intended to support TFP activities in former communist countries in central Europe).

The destination of the amounts collected has only been partially identified: acquisition of furniture and the opening of credit lines in certain banking establishments, guaranteed by mortgages owned in France.

Over and beyond the economic and financial aspects of the operation of the network working with the *French FTP*, whose operating modes include little transparency, and a financial consolidation which goes unbeknown to the tens of thousands of listed donors, other appraisal criteria imply that the organization and the purposes of the FTP network correspond to a sect-type operation rather than a political or religious movement

Initial observations concern the number of legal proceedings launched since 1982 and the evident difficulty to determine the precise purpose of this network in the context of these proceedings. This network consists of a plethora of organisms, some of which aim at proselytizing, while others target the collection of funds via mailing and requests for donations relating to the gracious sending of a "*miraculous medal*". Other organisms intend to contest democratic regimes and personally put into question political leaders in countries governed on the basis of the principles of law.

This questioning is occasionally accompanied by a search for legitimacy with elected representatives, including parliamentary deputies.

Secondly, it is worth noting the existence of a barely concealed veiling of the operating modes of the network and therefore, of the actual ambitions of the international "movement", as proved by the redaction of a reference, as a footnote to the campaign letter, including a "financial participation coupon" and mentioning the law on IT and freedoms. This reference ends with a second referral which does not exist:

"Answers are optional and are intended for the attention of Tradition, Family, Property and all organisms approved by the former, unless written opposition is provided. The right to access and rectify data is subject to TFP. I accord Tradition, Family, Property sole liability for the use of my donation in this campaign or for the achievement of its statutory ambitions".

Thirdly, it is worth analysing the fund-raising technique, which is essentially based on requests for donations and bequests: division of fund-raising campaigns, extensive centralisation of operations' management, strong hierarchy applied to the management of *fund-raising teams*.

Mailing is the essential focus for the organization, and it is therefore appropriate to describe the principles and procedures applied. Four phases exist:

Phase one: prospecting, involving the targeting of the individuals the most likely to donate to a given cause and the selecting of the most appropriate file for this target public. A file may be created on the basis of several files already used by one or several network bodies.

The request for money will be persistent and repetitive in the message.

A few simple rules are applied in a strict manner:
- never complete a campaign before reaching a reasonable level of profitability

- select the most appropriate file and take advantage of previous campaigns
- target individuals having previously made a donation to *TFP*, individuals having made a donation to a similar body, subscribers to publications of similar trends, and general donors.

Phase two: "*sending to the house file*". This expression refers to all individuals having previously made a financial contribution to the body owning the file.

The following example demonstrates the profitability of this procedure. Based on a panel of 1000 individuals whose addresses have been obtained using the prospecting techniques described previously, the association sends a carefully prepared request for funding to these individuals, all of whom have previously sent financial contributions. The cost to profit ratio is high. An estimation of the profitability of this technique is enough to demonstrate to what extent a mailing campaign could turn into an increasingly commercial activity. This risk is increased by the fact that the style of action proposed by the messages such as *Avenir de la Culture* or *Droit de Naître* does not lead to the financing of a group project.

In other words, while charities are obliged to spend a high percentage of the net profits generated by a mailing operation in the actual execution of the hands-on project (sending humanitarian assistance to a country in difficulty, medical research, etc.), with mailing campaigns such as those organised by *Avenir de la Culture* or *Droit de Naître*, the aim of the operation goes no further than the mailing in itself (to give an example, a petition against a television chain will not involve additional spending as the set target is achieved simply by receiving the signatures included in the same envelopes as the donations). This type of mailing can be executed up to eight times annually, with the same potential profit levels for each campaign.

The third phase concerns the use of addresses by other network members. The production of excess resources does not stop at the initial mailing campaign. The 1000 addresses can be used on other occasions to gain new benefits by creating other associations. The amounts collected transit to a common fund via a well-oiled system. New requests for funding will be sent to the same individuals, with a message targeting a similar cause as that used in the first message, on behalf of each of the network members, enabling the group to launch a series of new operations each generating new profits. Given that the potential interest of the target public for similar causes will be less direct, results will not be as high as for a mailing campaign especially designed for the "*house file*", but will remain sufficiently high and worthwhile in financial terms. This type of mailing campaign can only be repeated three times annually, as the motivation for the message transmitted is not as high as for the mailing campaigns specifically prepared for the "*house file*".

Finally, the fourth phase includes requests for monthly donations via home visits. Using the data obtained in the previous phases and thanks to the application of a set of fairly complex selection criteria, it is possible to draft a list of candidate "*monthly donors*" for each association. The contact will be adapted to each candidate. *Fund raisers* will visit the address at a time arranged previously by telephone. The schedule will be optimised both in terms of times and route, using an advanced IT program. Each representative will visit four addresses per date on average. The commitment of the monthly donor will be confirmed via the signing of an automatic standing order for the bank account. The results of this automatic standing order operation are estimated at approximately 10% of the initial file.

Following analysis, multiple meetings by the work group, and discussion between MIVILUDES and various administrations, action was launched. In 2005, MIVILUDES questioned the Ministry of Economy, Finance and Industry concerning the mentions displayed on mailing letters, implying

that donors would be able to use a tax receipt issued by *TFP* to obtain a tax rebate applicable to their donation. MIVILUDES informed the Ministry of the ambiguity of the actual purposes of the associations in question and the mention "*I accord TFP sole liability for the use of my donation in this campaign or for the achievement of its statutory ambitions*".

On 14 April of this year, the Ministry provided the following response: "*To benefit from a tax rebate, donations and payments must be made to works or organisms of general interest and of a philanthropic, educative, scientific, social, humanitarian, sports, family-based, or cultural nature or assist in the protection of artistic heritage, the defence of the natural environment or the distribution of French culture, language and scientific knowledge. (...) The "general interest" condition implies that the activities of the work or organism are non-profit making, that management is devoid of personal interest and that the operations do not benefit a limited number of individuals. (...) In addition, the donation must be entirely reward-free with no direct or indirect consideration to the benefit of the author*". The Ministry continued, indicating that "*in terms of the former, the appraisal of the activities of the organism is decisive*" and that "*in this specific case, the activity of the association which corresponds to the distribution of a medal does not satisfy any of the criteria defined in law*".

Consequently, the payments made to the association *Tradition, Family, Property* cannot lead to a tax rebate as defined in article 200 of the General tax code (CGI).

In fact, the activities of *TFP* with regards the government appear to indicate that the current proceedings, which will imply hearings for the director(s) of this association, could destabilise the overall structure.

We could also refer to the parliamentary questions of Claude Darciaux, deputy for the Côte d'Or, and Jean-Claude

Lefort, deputy for Val-de-Marne, and the answers provided by the Ministry of Economy, Finance and Industry⁷⁵.

The experience acquired in the handling of this case clearly highlights the interest of multi-disciplinary work and the worthwhile nature of coordinating government resources to combat movements with veiled operations and uncertain purposes.

⁷⁵ See Appendix n°2 : Parliamentary activity/Written questions: Fiscalité.

5 - INFLUENCE STRATEGIES IMPLEMENTED BY SECTARIAN MOVEMENTS IN 2006

The conditions for the influence of sectarian movements require the implementation of a strategy aiming to use all available resources to distribute their doctrine and messages far and wide, and to weaken their opponents.

To this end, they use "legal weapons" to prevent action by administrations, associations for the defence of victims or the media combating their movements, and hence demonstrating to what extent the clever use of law can deviate its intentions.

In parallel, in a more subtle manner, certain associations carefully use media resources to discretely broadcast their ideas, and potentially recruit. Three recent events mentioned in this report illustrate this approach.

Finally, these associations are able to use the full impact of the lobbying artillery, with recurrent strategies and arguments aiming to discredit their opponents, e.g. the parliamentary deputies which sat on the investigatory commission in the second half of 2006, concerning the influence of sectarian movements and the consequences of their practices on the physical and mental health of minors.

Defamation, slander, we will come through ...

LEGAL ASPECTS

Previous reports focused on the fact that government action towards sectarian movements was only possible within a strictly legal framework and with full transparency.

This is a basic principle for a democracy, however this approach becomes even more essential if the public authority needs to indicate behavior which breaches human rights or the dignity of individuals.

The ends cannot justify the means. These freedoms, these hard-won or recovered guarantees accorded to citizens, must not simply be protected, in the last twenty or so years several legal and regulatory texts have enhanced the obligation for transparency by public bodies to satisfy the ever increasing expectations of citizens.

These positive measures do however imply a counterweight which must be accepted, they leave the door open to all sorts of maneuvers by organizations or individuals aware of the potential interest of the use of "legal weapons" in their combat against government authority. To take this to the extreme, winning is of no importance, the main thing is to act as a victim of unbridled repression, block action by services and gain time.

A - the applications submitted in view of access to administrative documents (CADA)

One of the lines for government reform involved the enhancement of the transparency of procedures and the execution of administrative acts. The main principle is that the administration has no secrets from citizens, as the latter are fully entitled to receive information on the activities of the administration, independently to nationality and without need to justify the grounds for taking action.

Positive law defines the principle of communicability

All, files, reports, studies, minutes, statistics, directives, instructions, circulars, memos and responses by Ministries, correspondence, opinions, forecasts and decisions drafted or held by the government, local or regional authorities, or by other public legal persons or private legal persons responsible for managing a public service may be communicated, via any medium.

Acts excluded from this communication obligation

The following may not be communicated in view of our mission:

- preparatory documents for an administrative decision while in process,
- documents subject to public distribution,
- non-administrative documents such as requests for information or requests for motivation,
- documents if requests are abusive, particularly in terms of quantity, or if they are of a repeated or systematic nature,
- documents whose disclosure would represent a potential danger for government security, public security or the security of individuals,
- documents whose disclosure would represent a potential danger for the application of jurisdiction procedures in process, or preliminary operations for jurisdiction proceedings unless authorised by the competent authority.

Administrative documents satisfying the following criteria may only be communicated to the person concerned

- the communication of the document would breach secrecy clauses concerning private lives, and information on personnel,
- documents appraising or judging a named natural person or if the person is easily identifiable,
- documents mentioning the behavior of a person if the disclosure of this behavior could imply prejudice to the individual.

However, a real problem arises when these laws protecting the rights of citizens are used abusively by associations or individuals with connections to sects.

Grounds for these requests

It must be understood that the aim of these requests is not the defence of an individual right, but the destabilisation of the administrations and associations whose aim is to combat sectarian aberrations. The actual aim of these requests is to slow down the action launched by the government and to impress those who wish to prevent or denounce breaches of freedoms.

The multiplication of requests aims to allow sects to identify which documents administrations hold concerning their activities, and to access administrative documents relating to associations defending families against sectarian aberrations and their relations with government services (allocated subsidies, letters exchanged, etc.).

This allows the sects, (in fact, almost exclusively *Scientology*), their branches and followers, to identify the objectives and resources invested by administrative authorities in fighting sectarian aberrations.

The transparency required of government services by texts represents a risk for the very application of vigilance and the combat against sectarian aberrations. The consequent risk seriously endangers government security and that of individuals.

It is not simple for an administration to identify if other government services have received the same request, which could imply the presence of an "abusive request". In addition, this can materially destabilise the organisation of administrative services due to the extent of the research, which must be carried out, often by different Ministries, for the same

request. In the context of the implementation of the LOLF (*The organic law on the finance law*), an objective study into the cost to interest ratio could be useful.

The application difficulties concerning requests made by associations or individuals relating to sects

➤ *The analysis of the requests addressed to administrations in 2006*

The assessment of the forty requests addressed to the different Ministries via the CADA (including nine to MIVILUDES) demonstrated that, the same natural persons or associations, often with relations to the *Church of Scientology*, regularly used these texts to attempt to obtain documents on letters exchanged between Ministries, or between associations defending families and administrations, or between these associations and MIVILUDES.

In this context, multiple requests to MIVILUDES or various Ministries were noted, received from various branches of *Scientology* such as "*Éthique et liberté*", "*Non à la drogue, oui à la vie*", "*le Comité français des scientologues contre la discrimination*" or from followers identified via their web sites vaunting the bliss of being a scientologist.

In the past year, requests mainly concerned budgetary issues: the MIVILUDES budget, subsidies paid to associations defending families, foreign travel costs incurred by MIVILUDES, and letters exchanged between associations defending families (mainly UNADFI and CCMM) and Ministries or MIVILUDES.

➤ *The specific case of psychiatric hospitals*

This essentially concerns one branch of *Scientology*, *the Commission des citoyens pour les droits de l'homme*, which requests records for visits to individuals in psychiatric

confinement, the rules of procedure for specialised hospitals (CHS), applications for prefectural authorisations, and the budgets and financial accounts of these establishments.

The double danger inherent to this precise field is the communication of the identities of CHS personnel, who would thus become a vulnerable group, and those of the individuals in the care of these hospitals, which are, due to their initial fragility, ideal targets for sects. This also applies complete disregard for medical secrecy.

The perverse effects on government action

In collective terms

The main risk is the communication of the line of action taken by government services to sectarian associations, thus providing them with "made-to-measure" arguments to be used in responding to media approaches or in court. The most serious consequence is to leave action by administrations as devoid of sense and ineffective, and this is no random effect.

To give an example, the *CAPLC (Coordination des associations et particuliers pour la liberté de conscience)* created blogs on the criticism of UNADFI and MIVILUDES, including all the information, particularly budgetary information, obtained via access to administrative documents.

In individual terms

This involves the stigmatisation of sects within communication's bodies in order to intimidate individuals whose names appear on the administrative documents communicated.

This "wearing down war" is particularly hard for sect victims and their families to manage, as well as for the

associations supporting them, as they often have to undertake expensive legal proceedings.

B - Legal action against associations for the defence of victims

In the early 1990s, *Scientology* organised the launch of approximately forty cases of legal proceedings against the C.A.N., (Cult Awareness Network), an information centre on sects based in Chicago. In 1995, the C.A.N. was found guilty in the context of a complaint by Jason Scott, advised by the *Church of Scientology*, and sentenced to pay significant damages. The C.A.N. declared bankruptcy. *Scientology* subsequently took control of the network and obtained all of its document library, members files and the telephone line⁷⁶. In 1997, the Supreme court of Illinois declared that the judgement was the result of a conspiracy⁷⁷.

This dramatic conclusion could almost certainly not, at least not at the current time, happen in France, but this does not mean that the ability of legal action to harm must be underestimated. This action may be launched by sects against associations for the defence of families or one of their members having published a written document and generally operates on the basis of defamation.

➤ *Action against associations for the defence of victims by sects*

Mr. Bécourt, speaker for the CAPLC (*Coordination des associations et particuliers pour la liberté de conscience*), and Mr. Raoust and Mr. Dubreuil, *summoned* the ADFI North and the UNADFI in view of the dissolution of the two associations which they consider to work in favour of illicit purposes and activities. On 13 December 2005, the District

⁷⁶ Kent Stéphan, sociology department of the University of Alberta (Canada).

⁷⁷ *Bulles* n°91, p.6, 3^{ème} trimestre 2006.

court in Paris declared that it could not seriously be maintained that these associations had purposes which breached the laws of France, declared the procedure without grounds, and, in view of the mala fide of the applicants, assigned damages to the ADFI in Nord-Pas-de-Calais and the UNADFI.

This decision must be considered in the light of the order of 22 November 2005 by the Ministry of the Interior recognising the UNADFI as an association of public interest.

In the same way, on 26 October 2006 the District court of Évreux discharged Catherine Picard, President of the UNADFI, who was in the process of prosecution for defamation by *Jehovah's witnesses*. According to her lawyer, Ms Bosselut, "*the proceedings launched by the Jehovah's witnesses, were, in fact, part of a global and systematic guerrilla war maintained against associations assisting sect victims such as the UNADFI*"⁷⁸.

Local ADFI have also been targeted. This was the case for the President of ADFI Savoie-Isère who was summoned for defamation by the *Fraternité Blanche Universelle*.

In the same way, Didier Pachoud was summoned for defamation on two occasions, in his official capacity as President of the GEMPPI⁷⁹, in November and December 2006. This was also the case for Mathieu Cossu and Roger Gonnet who lead web sites of tried and tested effectiveness and who have been subject to multiple procedures and the consequent costs.

The CAPLC (*Coordination des associations et particuliers pour la liberté de conscience*) also summoned the President of the Centre for documentation, education and

⁷⁸ AFP – HH52, 26 October 2006.

⁷⁹ Groupe d'étude des mouvements de pensée en vue de la prévention de l'individu (Study group for thought movements in view of the prevention of the individual).

action against mental manipulation (CCMM - Centre Roger Ikor) for defamation concerning mentions on the CCMM web site.

➤ *Legal action attempted by individuals against entities combating sectarian aberrations*

Claude Vorilhon, President of the association *Religion Raélienne Internationale*, summoned, in one particular case, Xavier Martin-Dupont for defamation in view of the distribution of the *Spécial secte* program broadcast on the television channel M6 on 10 April 2005 on his web site www.zelohim.org.

On 8 November 2006, the 11th chamber of the Court of appeals in Paris confirmed the judgment of 14 March 2005 which declared the action by Claude Vorilhon as not receivable as barred.

Catherine Picard and Anne Fournier, the authors of *Sectes, démocratie et mondialisation* published in 2002 by Presses universitaires de France, were summoned for defamation by the association *Ordre de la rose croix AMORC*. An initial decision by the Correctional tribunal in Paris on 7 April 2004, rejected all of the complaints of the *Ordre de la rose croix AMORC*. An order by the Court of appeals of 22 March 2006 confirmed this judgement on the following grounds: "*the publication of the defendants was based on a parliamentary report published in June 1999 under the title Les sectes et l'argent.... This parliamentary report, the third to date, mentions the association AMORC as a sect and indicates the reasons for its inclusion on the list of new organisations considered as such (pg.20), considering this entity as an important sect due to its financial resources, (pg.164). The report notes the similarity between its structures and those of other sects (pg.28 and 29), mentions its name on several occasions and indicates that the association has been subject to multiple fiscal corrections. The defendants have studied*

sectarian phenomena for many years (...) and have produced many articles on the operations of the association, disclosing the veiled functioning of the organization and the elitist nature of its doctrines (...). In view of the results of investigation, of their work, which is the result of extensive cross-checking, and considering that their publication was intended to inform the public of the works of a parliamentary investigatory commission, which too often remain the privilege of a restricted few, the authors have demonstrated sufficient care in their means of expression and have not exceeded the acceptable limits of the freedom of expression guaranteed in article 10 of the European Court of human rights". This decision has been appealed.

Whether these cases are accepted or not, they are positive for sects. For the individuals and associations targeted, this legal action involves the cost of lawyers and, therefore, the use of financial resources, not for providing information or combating the aberrations of sects, but for defending their entities against attacks, generally of no legal substance.

The same analysis is also valid for the time and energy invested in legal defence, which could be spent on defending the victims of sectarian aberrations and combating sects.

Finally, these movements transform justice into an instrument and use certain cases to play the role of victims and create a spotlight and media boost.

C – Using the right to reply in the media

Sectarian practices are based on the permanent adaptation of the reality to the priorities of the guru or the organisation. Disguising facts is second nature for sects. Relations with the media, whose very mission (public information) and code of conduct (objective and two-sided

information) imply a constant attempt to identify the truth, can only be complex, or even involve conflict.

These movements have the unhelpful reputation of permanently denying even obvious facts, and have a natural tendency to brandish legal proceedings or threats of legal proceedings the second a journalist turns their attention to them.

In order to report on the aggressive and proceedings-base attitude of sects when it comes to the media, MIVILUDES questioned the legal services of a few national media sources (written press or audiovisual media). Not all of the legal services answered, however the responses obtained concerning the nature and number of legal proceedings launched against journalists by sects or their leaders in recent years reveals certain trends on this matter.

- In the last ten years, during which sects have become a source of media attention, since the publication of the first parliamentary report, the number of defamation cases and requests for summary proceedings, solely for the audiovisual sector, appears to have dropped. This is certainly initially due to the fact that the movements are more concerned by their image than in the past, and are careful to not appear as "trouble-makers", adopting a less aggressive, and therefore less proceedings-based attitude. Secondly, the media has become more prudent, hardier than years ago, certainly having learnt lessons from previous attacks, leading to careful vigilance by legal service managers who anticipate the risks of proceedings to a maximum via the minute analysis of articles or documentaries prior to publication or broadcasting, suggesting modifications if required.

- In parallel, the same movements have tested another means of attack, less costly for them and just as effective, if not more effective, in terms of communication. They increasingly and systematically use their right to reply. "*The right to reply of [name of the movement] enables the group to use us as a*

tribune, despite our position...", noted one journalist from a leading weekly magazine, commenting on a text published by the movement he had criticised in a "sect special" dossier. Some movements use this right effectively as a genuine tribune to generally present their philosophy or doctrine, the content going beyond the strict legal context of the right to reply to the incriminating article or comment. Occasionally, certain publications which do not necessarily have the funding required to face the risk of proceedings, particularly specialist media sources, censor their own articles. In this case, either they avoid mentioning the movements, or they completely abandon approaching an issue from an angle which they know may be disputed. Journalists often contact the MIVILUDES media service for the right expression or references to avoid any unpleasant consequences.

- However, several legal service managers refuse to concede to threats and systematically reject requests for the right to reply, deliberately risking court proceedings. This attitude is guided by the will to defend the right to information, which is the last of the concerns of movements with totalising doctrines, and by an appraisal of the risk of proceedings which are not always a certainty as many requests submitted to courts do not satisfy the legal conditions required for validation.

Media sources do not therefore face an easy task in fulfilling their mission to inform the public. If they do not mention the phenomenon, they will not be fulfilling their mission to inform the public, while they have no intention to conceal the attempts to withhold the freedoms that they, on the contrary, aim to disclose to the public. If they do their job, and if the content is less clear than they would like, or if it leads to the assignment of a tribune or the right to reply, they will be transformed into an instrument and participate in proselytizing the group in question, against their will. Finally, they could declare war and run the risks of prosecution and sentencing, which are not compatible with the current precarious economic conditions generally faced by the media.

Sects are aware of all this. They use their situation abusively, as their values are not those of a free press in a democratic country.

MEDIA ISSUES

The spectacular announcement of the birth of a cloned baby⁸⁰ by the *Raéliens* on Christmas eve of Noel 2002, the purchase of an entire page in *France Soir* in 2000⁸¹ to request the dissolution of the MILS, persistent presence in front of *CNN* cameras and other television channels from throughout the world, a handful of "yellow jackets", voluntary *Scientology* Ministers, on sites ravaged by the tsunami in 2005⁸², are just a few of the many examples, not forgetting those mentioned in the following developments, of the ability of sects and their supporters to use the media to their benefit, as an instrument, despite their general hostility .

They once again provided proof of this on three occasions in 2006: on the television *via* advertising and in the written press, via reader letters or small ads. On closer inspection, all three operations were actually executed by one association or isolated individuals working to serve one single movement: *the Church of Scientology*. Once again, this organization, which has unlimited resources as compared with those of its competition or allies, demonstrates its expertise, playing on sources of ambiguity in order to dupe uninformed members of the public. The fact that this persistent tactic, denounced on multiple occasions over the years, sometimes turns against the group is unimportant, the aim is achieved by making the presence of the group in society familiar.

The Church of Scientology invites itself to be on television

⁸⁰ The birth has not been proved since this date.

⁸¹ « Lettre ouverte au président de la République », at the initiative of the *Omnium des Libertés* in *France Soir*, 20 April 2000. This distribution of this advert was finally suspended, following the unanimous disapproval of the editing staff.

⁸² MIVILUDES, 2005 report in « *Humanitaire et dérives sectaires* », Documentation française, pp. 71-80.

Focus on good causes to gain in respectability⁸³ often while swindling partners and potential targets, until they realise what is going on. This is the tactic used in the following event which once again involves *Scientology*, a regular user of this strategy.

On 18 April 2006, the audiovisual council, the CSA (Conseil supérieur de l'audiovisuel)⁸⁴ published a warning to the media on its web site "concerning messages received from the *Church of Scientology*". This decision was made further to a letter received by MIVILUDES on 22 February, informing it of the broadcasting of a clip produced by *Scientology* on a local television channel, *Association internationale des jeunes pour les droits de l'homme*. The title alone was likely to mislead the most distrusting of beneficiaries for the messages.

The channel in question had received a DVD by the post, presenting three clips showing children and focusing on the issues mentioned in the universal declaration of human rights, racial discrimination, the freedom of thought and expression. This transmission had been accompanied by a letter in which the French representative of the *Association internationale des jeunes pour les droits de l'homme* explained the connection between this initiative and future celebrations - the Children's day organised by the UNICEF and the International day of human rights. The letter proposed the distribution of these messages free-of-charge. The content appeared honourable, technically flawless, and serving a good cause. After having viewed the DVD, the channel decided to broadcast the clips, as it was unaware of the link between the association in question and *Scientology*. The director of the channel later confessed to the local press that "*this was a beginner's error, as soon as we identified the source, we warned the other channels in France*"⁸⁵. Several dozen DVDs

⁸³ MIVILUDES, 2005 report in « *Humanitaire et dérives sectaires* », Documentation française, pg. 71-80.

⁸⁴ www.csa.fr/actualite/decisions

⁸⁵ « La lettre à Lulu », April 2006.

had been sent out, although the exact number and the beneficiaries are unknown. According to cross-checked information, at least two channels were caught out.

Following the warning by their colleagues and after having contacted the CSA and MIVILUDES, journalists working with the large national television channels focused on the issue. One journalist obtained the letter and DVD sent to a colleague, and observed, with proof, the absence of any mention of *Scientology* on these documents. He thus framed the outright lie pronounced by a French *Scientology* leader, ignoring the reporter's ability to easily check this statement. The scientologist strongly claimed, in front of the video cameras, that the reference to *Scientology* clearly appeared on the documents, and showed documents which ostensibly resembled those transmitted to the channels, and bore the sect's name, but which were evidently not identical to those received by the local channels, otherwise, they would not have missed the trap.

In parallel, a press release by the organisation denounced MIVILUDES's contact with the CSA as an obstruction to "*the freedom of expression of minority religious and spiritual groups in France*"⁸⁶, transforming the debate into a religious freedom issue, as it often does, with no connection to the current case.

The *Association internationale des jeunes pour les droits de l'Homme* was founded in 2001 "*in coordination with the human rights department of the International Church of Scientology*". The association advertised its presence in France in 2005 by creating two youth clubs in the 17th and 12th districts of Paris and launching a petition to the President of the Republic in favour of the application of the Universal Declaration of human rights in France, and its inclusion in school programmes.

⁸⁶ Press release of 21 April 2006.

The French Human rights league reacted to this campaign with a press release dated 7 July 2006 reiterating that "*the freedom of expression which (prevails) in this country implies that even the Church of Scientology can use the issue of human rights to approach young people*", but that they intended to "*simply highlight that referring to human rights was not adequate to actually defend them*".

To conclude, it must be noted that this incursion into the audiovisual sector was not a first-time event for *Scientology*. Serge Faubert comments on initial attempts in his book with the title "*Une secte contre la République*"⁸⁷.

In 1987, a *RTL* advert for Ron Hubbard's book "*La Dianétique*" incited listeners to contact the BVP (Advertising surveillance office), which issued the following in its bulletin of June 1987: "(...) *Most of these messages do not aim to recruit followers, but rather propose products such as books, reviews, etc., sold at the instigation of the sect itself. There are almost never any problems in terms of the conformity of context with legal or deontological provisions (...) Under these circumstances, it is extremely difficult to find a reason to prevent the broadcasting of these advertisements... However, the BVP has a duty to inform members that these messages are issued by sects, should they not have realised for themselves, and to reiterate that they can refuse these messages if they consider them inappropriate for their audience*"⁸⁸. The following year, *Radio Nostalgie* started the broadcasting of a series of radio announcements entitled "*La vie extraordinaire de Ron Hubbard*", with a prize-winning game on *Dianetics*, before suspending the programme due to the protests by many listeners.

⁸⁷ Ed. Calmann-Lévy, 1993.

⁸⁸ Serge Faubert adds useful information on the *Church of Scientology's* the slight inclination towards infiltration: "*In 1989 and 1990, the Scientology publisher, New Era, was a BVP member, as an advertising body. The overly-scientologist tone of its arguments lead to its subsequent eviction*".

The Church of Scientology sends reader letters

In May 2004, the weekly magazine "*La Vie*" disclosed a regular practice of the movement under the title « *La Scientologie... à la lettre* », i.e. the use of the "readers' letters" sections of leading weekly or daily newspapers to insidiously distribute their ideas. The magazine had received an internal e-mail addressed by the manager of the CFSD (*Comité français des scientologues contre la discrimination*) to certain of its members by error. This communication lamented the drop in the number of publications in the media and drafted a "hit parade" of good and bad pupils in terms of the number of letters published, and boasted his personal position as the best pupil in the same go. The communication reiterated the importance of these letters which transmitted scientologist "lines".

In parallel, in an internal publication of the *Association spirituelle de la Scientologie d'Ile-de-France*, this same leader announced that in 2003, out of the 6783 letters sent to the media, sixty three had been published "in newspapers of all political trends ranging from *l'Humanité* to *Figaro*". Later on, the leader mentions that this number had been "*multiplied by 4.5*" as compared with the previous year and that "*2004 was expected to be even more successful*".

MIVILUDES aimed to verify if this practice had continued to be successful or if, on the contrary, the media revelations of 2004 had put a stop to the submissions. To this end, MIVILUDES carefully analysed the "readers' letter's" sections of the leading weekly and daily newspapers between October 2005 and mid-November 2006.

Our conclusion was rapid, as was the case in 2003, the "scientologist line" continues to successfully immerge itself in the "readers' letter" sections.

Sixty three letters were published in 2003. Around sixty were identified in the national press in 2006. This figure is probably much lower than the actual figure as the MIVILUDES enquiry was more of a rapid study than an exhaustive analysis. Despite the care taken in vigilance, it cannot be claimed to be flawless as it only focused on a few newspapers and the regional press was not even taken into consideration, and it is clear that some regional publications also receive scientologist drafts. It must be highlighted that this result is particularly impressive in view of the low number of lines generally assigned to the "readers' letters" sections in the daily newspapers considered. *Scientology* has therefore won a significant victory and succeeded in presenting a totally deformed "pseudo public opinion".

The number of published letters has not therefore dropped and the CFSD manager can be satisfied. However, has he renounced to the position of "best pupil"? Since the time at which the media had mentioned his name as leader in this field, his name has not appeared among the dozen or so signatories concerned, however the use of a pseudo is not the exclusive privilege of academics...

The characteristics of the letters, in terms of their content and the selected publications, as identified by *La Vie* have not changed:

1 - Their signatories never mention *Scientology*: out of the sixty or more letters identified, one single stands out by mentioning the benefits of "*Criminon*", a scientologist programme for the re-education of prisoners. To give a point of comparison, just consider the eulogy included in a long letter by a French person living in Denmark (the European *Scientology* "nerve centre"), published in *France Soir*, on 19 August 2002. This letter vaunted the success of the drug detoxication method recommended by Ron Hubbard, founder of the *Church of Scientology*. There is no guarantee that such a high number of letters would have been published if their

authors had openly displayed their scientology member card in every letter.

2 - They focus on the movement's priority issues, which can be listed under the following themes (in decreasing order of frequency):

- . the condemnation of psychiatrists and psychologists,
- . the dangers of psychotropic drugs and other types of drugs,
- . the re-education of prisoners, and prison conditions,
- . human rights (freedom of religion, freedom of the press, justiciable rights, etc.),
- . miscellaneous issues: secularity, access to administrative documents, criticism of politicians, etc.

3 - While approximately half of the letters cover the first two themes, the content is applied to current news: global reading methods, the provisions of the draft law on delinquency aiming to detect future delinquents at a young age, the legalisation of cannabis, the law of 1905, the non-reimbursement of certain drugs, the prescription of "ritaline" to hyperactive children, the mental health plan, the Outreau case, etc. All of these issues are mentioned and used as a pretext to rebound and reiterate the "scientologist" line without ever actually mentioning its name.

4 - It must be noted that one letter directly attacks an elected representative who was extensively involved in the works of the recent Parliamentary investigatory Commission. The tone of the letter reiterates what the observers of scientologist practices call "*black propaganda*", a method aiming to destabilise the "adversary" by distributing defamatory information.

5 - Three main publications are concerned: a weekly "news magazine" (28 letters published), a national daily (14 letters published) and its weekly supplement (12 letters published).

What benefits can the *Church of Scientology* gain from these "anonymous" appearances in the "readers' letters"

sections? The use of the phenomenon as an instrument is probably a bonus in terms of internal communication for the entire organization: it could be claimed that the scientologist line has a foot in the door of the main French written press.

This is also the proof of one element that a French *Scientology leader was happy to explain*, i.e. that the movement is slowly but surely becoming part of a less hostile environment. The discrete but regular appearance of the scientology line in the media is one means, among others, of making its image a generally familiar feature.

The dangers denounced in the letters are noble causes, and no individual could argue the honorable nature of their intent: combating drugs, children's health, living conditions in prisons, etc. However, these are but a pretext for the optimum long-term presentation of the arguable solutions and the lucrative methods used by *Scientologie*.

It is part of the responsibility of MIVILUDES, in view of its mission of prevention and inciting vigilance, to provide information on the actual motivations of an organization whose combats turn nobles causes into instruments to serve one single cause, scientology. The interest shown by the *Church of Scientology* in "readers' letters" is one demonstration of this approach, as it abuses the vigilance of the media, which would generally refuse to support such organizations, and misleads readers who are unaware of the actual origin and motivation of the letters.

The Church of Scientology uses the "small ads"

"You like helping others. Join our team, training provided", is the content of an announcement, followed by a first name and a telephone number, published on 12 January 2006 in the free press *"Paru Vendu"*. The same text appears on the paper's web site with mention of a permanent employment contract. Altruism required, training provided and

employment guaranteed: three good reasons for a job seeker to apply for the position, despite the fact that the identity of the employer is not mentioned.

It was however easy to establish that the telephone number belonged to the *Association spirituelle de l'Église de Scientologie d'Ile-de-France* and that the actual position involved the distribution of brochures for the organization in Paris and the suburbs, without remuneration.

The association also found means of attracting job seekers, a particularly vulnerable category, to its premises, to attempt to convince them to join their team of voluntary personnel charged with proselytizing action or administrative tasks.

This is not the first attempt of this type by Scientology. The group has used the same misleading procedure in the past. The judgment statement issued by the Court of appeals of Lyons on 28 July 1987 confirms this in terms which require no further comments. They apply almost word for word to the aforementioned case: « (...) given that the redaction of certain announcements described in the following terms: 'looking to help others to feel better about themselves? Become a Dianetics listener – training possible. Tel...', could mislead readers and imply the existence of an employment vacancy, particularly as the message in question appeared in the 'Job vacancies – miscellaneous' section of the small ad press; given that the other announcements were also undeniably misleading (...) as they appeared as true employment vacancies, while they actually only attempted to attract potential future followers to the Dianetics' centre; given that the evaluation of the complaints has proved that several individuals, under a false impression due to these false job advertisements, went to the Dianetics' centre. A training course and books were then required, at a cost, prior to any type of recruitment (...)'».

MIVILUDES was informed of these activities and indicated the aberration to the Chancellery and the Minister of Labour and Employment.

PARLIAMENTARY ISSUES

Permanent pro-sect lobbying: the example taken from the context of the works of the Parliamentary investigatory Commission

As predictable, the creation and the activities of a new Parliamentary investigatory Commission in June 2006 led to the mobilisation of the pro-sect lobby. This was the occasion for MIVILUDES to report on some of the characteristics of this activism. To this end, the analysis of the agitation caused by the activities of deputies concerning the "*influence of sectarian aberrations on the physical and mental health of minors*" is full of interesting information.

We focused on documents issued by or relating to organizations actively criticising this parliamentary initiative: the *Coordination des associations et particuliers pour la liberté de conscience (CAPLC)*, the *Centre d'information et de conseil des nouvelles spiritualités (CICNS)*, *Scientology*, the *Jehovah's witnesses* and *Raéliens*.

Sectarian movements systematically question the legitimacy of the initiatives - independently to their origin, be it governmental, parliamentary or associative - intended to denounce their extremes or combat their aberrations. Their strategy is not particularly original. The characteristics of their criticism, and the methodology used (1), or the profile of "order providing" lobbyists (2), have not really changed over the years.

1 - Critical arguments and methodology

a - The breach of religious freedom

If they sense the risk of questioning, and if they are actually attacked, sectarian movements tend to turn the debate towards breaches of the freedom of conscience to better present themselves as new religious movements, or as spiritual minorities, or minority groups in terms of beliefs or conviction, and victims of discrimination. They then shamelessly flaunt the worst kinds of amalgams: "(...) *Have the dice been thrown even before the Commission's work starts? We are heading towards the adoption of a new and repressive law restricting the freedom of conscience just a bit more in France, and which other countries, just like Iran or China after the voting of the famous About-Picard law, can proudly brandish to justify the repression of their religious minorities (...)*"⁸⁹. "(...) *Once again a handful of parliamentary deputies are attempting to focus the attention on minority conviction groups or religious or spiritual minorities. The results never vary, just like the previous commissions: a questioning of religious beliefs targeting not only minority conviction groups, but any deep-rooted and sincere commitment to a religious or spiritual order (...)*"⁹⁰. After having listed the previous parliamentary works on sects, the CICNS stated the following in a letter to the Chairman of the Law Commission of the National Assembly: "(...) *This chronology demonstrates the decisive role of the Parliament in the implementation of a discrimination policy in our secular Republic. (...)*"⁹¹. At the initial creation of the Commission, *Scientology* denounced the "persistent combat (...) against

⁸⁹ CAPLC in « *Les anomalies d'une commission d'enquête parlementaire* », September 2006 (document specifically distributed to parliamentary deputies and prefects and made available to the participants at the annual conference of the OSCE human rights Bureau in Warsaw in October 2006, in English).

⁹⁰ CAPLC, press release dated 28 June 2006.

⁹¹ Letter dated 19 June 2006, addressed to Philippe Houillon, published on the *CICNS web site*.

'new religions'⁹² and, later, the CAPLC requested that this "witch hunt" be ended"⁹³.

b - The denial of sectarianism

According to the pro-sect lobby, all activities concerning sectarianism, excluding those by certain, often famous, sociologists, are based on rumours and approximations.

Scientology was offended by the "wasting of tax payers' money" and requested that these "fake investigatory commissions which have no evidence and work exclusively on the basis of rumours"⁹⁴ cease their activities. Other letters mentioned the "fresh air phenomenon" or a "collective phobia".... The CICNS denounced a policy attempting to convince "the public opinion of the existence of a social plague which must be treated as a priority (...). After twenty years of combat, no sociological or legal proof exists of significant delinquency by spiritual minorities. We have met with certain renown sociologists and jurists, who quite frankly stated that a sectarian problem, as apprehended in France, does not exist". Lobbyists also contest the figures put forward by parliamentary deputies, associations and MIVILUDES concerning minors in danger. To minimise the phenomenon by explaining that the actual problems are elsewhere, thus attempting to distract attention, they add that "Other highly concerning situations exist for young people which would more than justify the creation of a parliamentary investigatory commission"⁹⁵.

c - Discrediting those combating sectarianism

⁹² AFP, 18 July 2006.

⁹³ Letters to prefects, October 2006

⁹⁴ AFP, 18 July 2006.

⁹⁵ CAPLC, press release of 28 June 2006.

Pro-sect arguments have another central theme: the systematic questioning of the credibility of the individuals or organisms claiming sectarian aberrations. In this case, they will attempt to discredit the parliamentary deputies themselves (a small minority, and the targets are always the same) and the individuals testifying to the investigatory commission. The "unpopularisation" of the "enemy" was one of the primary recommendations made by a famous guru of a large international sect to his followers.

The validity of works is contested on the grounds that, according to lobbyists, they are the product of a minority of elected "activists" and are based either on the testimonies of individuals of no relation to the organizations, mentioning elements they cannot be sure of, or of indications by apostates thus considered as partial renegades and unreliable.

Scientology thus stigmatises "*a handful of activist parliamentary deputies*"⁹⁶ and the criticism is repeated by the *CICNS* and the *CAPLC*. The latter consider the fact that this investigatory commission was noted "rapidly" as abnormal.

Jehovah's witnesses complain that they are the "*obsessive target*" of a parliamentary investigatory commission on sects which they accuse of 'unconscionable aberrations' and have been obliged to make legitimate protests and re-establish the facts"⁹⁷.

With regards the apostates, these former followers are often qualified as "pseudo victims", and are regularly verbally thrashed, particularly by the *Church of Scientology*⁹⁸ whose criticism was transmitted by the *CICNS* as follows: "A small

⁹⁶ AFP, 18 July 2006.

⁹⁷ AFP, 28 November 2006.

⁹⁸ Cf. « La fiabilité du témoignage d'un apostat à propos des nouveaux mouvements religieux », study by Professor Lonnie D. Kliever, published by *Scientology* (Freedom Publishing) and « Apostates and religious organizations : why their statements should not be taken at face value » by Bryan Ryan Wilson: documents transmitted to MIVILUDES by *Scientology lawyers*.

number of apostates are omnipresent in this type of debate and have acquired a reputation on the basis of the random denunciations of their former beliefs"⁹⁹.

d - The denunciation of the rejection of two-sided debating and the call for the university backing of sociologists, jurists, philosophers and religious historians.

This constant element in criticism by the sectarian lobby is naturally on the agenda. *"Sociologists and experts have been excluded from two-sided debating. (...) It is indispensable to ensure the participatory conditions of all parties – academic, legal and associative – prior to launching such a project (the investigatory commission)"*¹⁰⁰. *"Academics (sociologists, ethnologists, historians) and all minority spiritual movements have demanded two-sided parliamentary debate for many years, however our politicians, elected via universal suffrage are proud of the total absence of two-sidedness and the obligatory unanimous nature of debates"*¹⁰¹. Quotations by sociologists, sometimes carefully cut in the right places, are also regularly used to deny a sectarian problem (cf. *supra*: b).

e - Distracting attention to other issues

The true problems are clearly elsewhere as lobbyists permanently deny sectarian aberrations. The idea is to systematically distract the attention and better invest the effort, if possible in a cause and a combat which represent the "corporate assets" of several sectarian organizations¹⁰².

With regards the health of minors, to give an example, "Other highly concerning situations exist for young people

⁹⁹ *CICNS*, press release dated 3 November 2006.

¹⁰⁰ Letter dated 19 June 2006 from the *CICNS* to Philippe Houillon.

¹⁰¹ *CICNS*, press release dated 4 July 2006.

¹⁰² cf *supra*, "The Church of Scientology sends reader letters" and "The Church of Scientology invites itself to be on television".

which would more than justify the creation of a parliamentary investigatory commission"¹⁰³. The consumption of drugs and the suicide of depressed minors taking sleeping pills appear along side of child pornography and violence in schools, which are the preferred subjects for *Scientology*.

In recent years, *Jehovah's witnesses have not included their claims with those of other sect movements*¹⁰⁴. This group is however aware of its presence on the list of the main groups whose aberrations are focused on by the works of the investigatory commission. Rather than applying some means of defence for the accused aberrations, they were able to take advantage of a positive event, reported on in the media, transferring the debate to another field. They were thus able to focus on their honourable nature and legitimacy as inherent to their cultural status, which is often assigned locally to their associations by prefects. In parallel, discrimination against this group was actively denounced, and the supposed authors designated, particularly the members of the Parliamentary investigatory Commission and the associations for the defence of victims contesting the cultural status of Jehovah associations on the basis of the aberrations observed and considered by these observers as representing a danger for public order¹⁰⁵.

f – The highlighting of international backing

The criticism of France in the annual report by the US State Department on religious freedom in the world is now automatic input. The Parliamentary investigatory Commission is mentioned in the report of 15 September 2006¹⁰⁶. We bet that these conclusions will be subject to criticism in the next

¹⁰³ CAPLC, in « *Les anomalies d'une commission d'enquête parlementaire* », September 2006.

¹⁰⁴ En 1992, les *Témoins de Jéhovah* adhéraient cependant à la *FIREPHIM* (*Fédération internationale des religions et des philosophies minoritaires*), créée à l'initiative de la *Scientologie*, de *Moon* et de *Raël*.

¹⁰⁵ *Le Monde*, 20 and 27 October 2005.

¹⁰⁶ <http://www.state.gov/g/drl/rls/irf/2006/71380.htm>.

edition and will be put to good use by the previously mentioned lobbyists. In the meantime, the report by Mrs. Jahangir, special reporter on the freedom of religion or conviction on the UN human rights' Commission, is referred to when explaining that France is severely criticised for "*the policies applied and the action taken by French authorities [which] have led to situations in which the right to religious freedom or freedom of conscience of the members of these groups has been unduly restricted*"¹⁰⁷, implying that the same will occur after the publication of the report by the investigatory Commission.

In addition, NGOs of ambiguous designation are often referred to. In its cover letter for the brochure "*Les anomalies d'une commission d'enquête parlementaire*" (The abnormal nature of a parliamentary investigatory commission) addressed to prefects, the CAPLC decided it was appropriate to specify that its association had been created "*Under the guidance of Irving Sarnoff, former President and current Executive Vice-President of the NGO 'Friends of the United Nations'*". The web site of this organization describes the group as "*associated with the United Nations Department of Public Information*"¹⁰⁸ and displays a logo which unashamedly copies the visual support of the UN. The former President of this group is particularly known in France for having participated, along side of *Scientology*, in virulent attacks against French policy towards sectarian aberrations, particularly by signing a manifesto calling for the dissolution of the Interministerial Mission of combat against sects (MILS)¹⁰⁹.

¹⁰⁷ CAPLC, communiqué du 28 juin 2006.

¹⁰⁸ Not to be mixed up with the official NGO status accorded by the UN. This status only allows the group to access the premises and receive information, but does not authorise the group to participate at conferences.

¹⁰⁹ Signatory of open letters to Jacques Chirac and Lionel Jospin (*France Soir*, 20 April 2000; *Herald Tribune*, 14 June 2000); Chairman of an "Investigatory commission" launched by pro-sect lobbies, a "pseudo-tribunal" for the collection of grievances from "anti-sect" victims; rewarded by *Scientology* for its action in favour of human rights, ardent supporter of the scientologist group 'Youth for human rights international', etc.

2 – Lobbying actors: change in continuity

A regular customer appears on the front line, the *CAPLC*, with a new arrival, the *CICNS*¹¹⁰. In addition to the similarities in their criticism of the Parliamentary investigatory Commission, they have other points in common:

- their action is based on defending the freedom of conscience, in favour of respect for the rights of religious or spiritual minorities, or minority conviction groups, depending on the context -, and they deny the existence of victims or rather, from their point of view, they explain that the victims are not who we think they are,
- they are specialists in self-proclaimed "investigatory commissions": the *CAPLC* was created in 2000 "spontaneously following the investigatory commission on the breaching of human rights with regards therapeutical, spiritual and religious minorities meeting in Paris on 3 March 2000 (...)"¹¹¹. As for the more recently created *CICNS*¹¹², the group took the initiative of launching the "citizens' investigatory commission on spiritual freedom in France" on a web site.

Since 2000, the *CAPLC* has been fully involved in the combat against the *MILS* and then *MIVILUDES*, against parliamentary deputies and the associations for the defence of victims, and immediately reacts to the initiatives of all of the former, e.g. concerning the About-Picard law, the publication of reports or declarations to the media.

Raël, as has always been the case, jumps on to passing trains. In past times this involved *FIREPHIM*, or the *Omnium*

¹¹⁰ Cf. *supra*.

¹¹¹ Cf courriers adressés aux préfets en octobre 2006 au sujet de la Commission d'enquête parlementaire.

¹¹² The *CICNS*, created in June 2004, is in fact the new name of the *CAPLC* *Sud-Ouest* as declared in March 2003 at the prefecture of Tarn-et-Garonne.

des Libertés, and it currently concerns the *CAPLC*, any train will do, as long as the group is federating. In the past *Raéliens* often worked with some of these initiatives, however, on this occasion they managed a "lighting reaction". Four of their members went to the National Assembly to distribute the *CAPLC's brochure*¹¹³ to the deputies of the Investigatory Commission, present at the time, and to journalists. They issued the following comment on their operation: "*According to a scientologist friend who saw the debates slightly after the event, the brochures were actually distributed during the session (...). This was a successful mission*"¹¹⁴. It must however be noted that the *Raéliens* have, on other occasions, been known to be more active and more innovative, for example, during the parliamentary debates concerning the About-Picard law, when their followers attacked the politicians using a good-lobbyist's vade-mecum, customized on the basis of the political tendencies of the beneficiaries.

Jehovah's witnesses continue to be more discrete, working alone back stage, but supported by leading jurists and academics.

As for *Scientology*, the long-standing front-liner when it came to denouncing French policies against sectarianism, the combatant with the sometimes arguable and argued methods, appears to have taken a step back. Has the group really ended its all-out aggressive approach, so long applied via its publication "*Ethique et Liberté*" or via its war-declaring manifestos and press releases, just like during the period the About-Picard law was under discussion?

It would appear that the group simply released one single press release, transmitted by the *AFP*. Nevertheless, the group was one of the first movements to rise to the bait as of

¹¹³ *CAPLC*, « Les anomalies d'une commission d'enquête parlementaire », September 2006.

¹¹⁴ <http://www.raelianews.org/request.php?165>

31 March 2006, at the colloquium organised at Saint-Priest in the department of the Rhône by the National Assembly study group on sects. On this date, while the parliamentary deputies confirmed their determination to create an investigatory commission on sects and child health, the scientologists present in the public interpellated the speaker by claiming that very few children were actually concerned by this issue. This argument was rapidly seconded by the *CAPLC*.

Now that the *Church of Scientology* is "*a familiar feature*", it has most certainly decided to allow other groups such as the *CAPLC* and the *CICNS* to fulfil the unrewarding role of "trouble-maker". The group prefers "politically correct" tasks and focuses its efforts on causes likely to be more profitable in terms of image (fighting drugs, human rights, humanitarian issues...) via associations which are more or less officially displayed as relating to its activities, such as the *Citizen's Commission for human rights (CCDH)*, "*Non à la drogue, oui à la vie*", the "*Association internationale des jeunes pour les droits de l'Homme*", "*Les ministres volontaires*" and "*Criminon*". The weekly magazine *Marianne* described a new campaign launched by the *Church of Scientology* under the title "*La Scientologie fait sa promo*"¹¹⁵, involving the distribution of one million copies of the first of a series of three tracts proclaiming the glory of the group. The journalist noted that the launch date for this operation coincided with that of the start of works by the Parliamentary investigatory Commission, and concluded as follows: "*Do they (Scientology) have something to hide?*"

Scientology is certainly not on the front line, but careful analysis of the arguments raised and the methods used in initial attacks by the *CAPLC* and the *CICNS* against the Parliamentary investigatory Commission implies that the groups generally obtain their inspiration from *Scientology* and possibly a bit more...

¹¹⁵ *Marianne*, 29 juillet 2004.

2ND SECTION

ANALYSES AND STUDIES

1 - SECTARIAN RISK IN THE PSYCHOTHERAPEUTIC FIELD

*"Never a word for the victims, for their families,
no evaluation of the theory".*

Patricia Crossman

*"...Thankfully, we can learn from our errors of
the past. However, some of our practices, even
those based on uncertain theories, can still be
useful...".*

Jim Allen¹¹⁶

The practice of Transactional analysis, founded more than forty years ago in the United States, has also developed in Europe and France, and is currently a clear success in this country. While serious aberrations identified in the United States attracted severe criticism of the doctrine in the US, and several practitioners had their licences revoked, France does not appear to be aware of the risks inherent to this method if incorrectly applied or implemented by individuals without adequate training, for patients/clients. In addition, it has been noted that some practitioners organise their services on the basis of a programme or course likely to lead to fully-fledged sectarian aberrations.

While this study does not intend to give an opinion on the philosophical concept behind the doctrine or on the content of the induced methods, MIVILUDES does however consider that it is essential to warn the public, once again, of the dangers that the inadequate practice of Transactional

¹¹⁶ Crossman P., *Keeping Transactional Analysis an Open system*, in « The Script », Vol 35, n°5 July 2005, page 5, and answer by Jim Allen, Chairman of the ITAA.

analysis¹¹⁷ is likely to cause, which, unfortunately, are confirmed by the testimonies of victims¹¹⁸. The stories told by these individuals demonstrate the aberrations committed in application of a doctrine and using practices which can be qualified as sectarian aberrations.

Victims and their families do not generally criticise the method, or even the aberrations caused by the incorrect application of the practice, however they do not accept either the stubborn refusal to accept the reality of the risk as such, or the denial of the existence of these aberrations when identified, and they deplore the total absence of understanding and compassion to the individuals having suffered from experimentation carried out without prudence or control.

1 - What is Transactional analysis?

According to Éric Berne, the founder, the human personality consists of three states of ego: the parent you had, the child you once were, and the adult you were. The parent and the child are emotionally fixed throughout time, the adult is rational and emotion-less. If the three states of ego come into conflict, a communications' malfunction will arise. The three states must be harmonised using "transactions", or crossed transactions, which then form the basis of the "games" which humans play with each other. These games are set by our parents using negative injunctions, which are incorporated in our parent ego. Exorcise the negative injunctions, learn Transactional analysis, and everything will be "OK". These negative injunctions can apparently explain most human problems, ranging from alcoholism to sexual difficulties.

¹¹⁷ Ce texte a été élaboré principalement à l'aide des articles récents de P. Crossman, théoricienne de l'Analyse Transactionnelle, du livre de Michel Tougne, *Ni prince, ni crapaud : l'Analyse Transactionnelle, savoir ou mystification ?*, Publications CFP, 1996, des articles du Dr P. Nicot et de M. Maurer, psychologue.

¹¹⁸ See document 1, testimonies.

The different ego conditions are in fact highly complex. Each ego condition has its own ego state games. In addition, the parent ego state is divided into two sections "the nurturing [good] parent" and the "criticising [bad] parent". The child ego conditions are also divided into two sections "the free [good] child" and the "adapted [bad or damaged] child".

This hence creates a multitude of sub-personalities, all of which participate in the same energy system. The energy will remain constant at all times. The energy is intended to be harmoniously distributed between the ego states, however, generally, one ego state monopolises the energy.

Human unhappiness and mental illness are the result of the interiorisation of negative parental injunctions, so why not ablate the "parent"? This can be carried out by deflating the parent ego state and transferring its energy to the more satisfactory child ego, which is subsequently "reparented"¹¹⁹. According to the theory of Transactional analysis, the major pathogenic problem concerns the so-called "witch mother", with the assistance of the "ogre father", representing the interiorised father and mother. Obviously, both individuals hate their offspring. *"The witch mother may be described as the devil. She is identical to the original concept of ID. This is the impulsion of an ID experienced as an internal voice, the voice of the current parent, and more precisely, the devil in the parent, the bad child, implanted in the child, activated and brought to life as with an electrode"*¹²⁰. In fact, Léonard Campos, a colleague of Éric Berne, stated that *"the therapist neutralises the negative parental injunctions of the child from*

¹¹⁹ Herbert C. Modlin, an experienced psychiatrist working at the renown Menninger Clinic in Topeka, declared the following with regards "reparenting": *"The idea that someone can remake and replace the defective [parental education] of the previous twenty or thirty years has strictly no credibility"*, as quoted by Tom Jackman, *Kansas City Star*, 8 October 1988.

¹²⁰ Berne É., *What Do You Say After You Say Hello?* 1972, pg. 135. Published by Claude Steiner, this book is a posthumous compilation of articles by Éric Berne.

the parent, just like a witch doctor from primal or medieval times, exorcising so-called diabolic spirits. Once the witch message has been released, the patient is free to use their Adult power in the future to increase their own independence"¹²¹. Patricia Crossman declared the following in an article which received the Berne award: "*So many people are unhappy, self-destructive or mentally ill because they are conditioned, and they cannot change this unless a trained Transactional analyst is able to remove the magic formula and control the witch mother*"¹²².

2 - The theory specialists

The founder, Éric Berne

Éric Berne, the founder, was born in Canada in 1910. He worked as a psychiatrist for the army during the second World War, and later spent years as a civilian analyst. After having his licence revoked by the American Association of Psychoanalysis, he decided to found his own system, which he then described as "*A Ford T model, an easier-to-handle and cheaper model for understanding human behaviour*"¹²³. In 1961, he published "*Transactional Analysis in Psychotherapy*". A few individuals were then attracted by the simplicity and the innovativeness of the familiar language, which stood out from the usual jargon. He gathered a small group of believers, including a few Europeans, and, in 1964, he created the *ITAA (International Transactional Analysis Association)*. In 1966, he published his book under the title "*Games People Play: The Psychology of Human Relationships*", which laid the actual foundations of Transactional analysis. This publication rapidly became a best-

¹²¹ Campos L., *The Transactional Analysis of Witch Messages*, Transactional Analysis Bulletin, 1976, pg. 108-112.

¹²² P. Crossman, *Permission and Protection*, TA Bulletin, 1966. The award received in 1976 was returned by Mrs Crossman in 1979, after she "*belatedly realised that Transactional analysis was a house built on sand*".

¹²³ Jorgenson E. and H., Berne É.: *Master Gamesman*, Grove Press, 1984.

seller and the success of the book guaranteed the reputation of Berne.

The *ITAA* extended, and created "training/therapy groups", killing two birds with one stone, as advanced members of the *ITAA* (clinical practitioners and/or training practitioners), were able to practice as clinicians and also create their own teaching institute while continuing with their own therapy. While working on their own problems, patients/clients constructed their own future careers. Berne lost the control of his movement and died of a heart attack at the age of 60, in July 1970.

After his death, the language of Transactional analysis was concentrated into a short list of terms and ready-to-use phrases¹²⁴. The simple position of being OK - indicating happiness and good relations with others – was expressed by saying "*I am OK and you are OK*", while "*not being OK*" literally became "*Not OK*" and represented an unacceptable condition.

The practitioner, Jacqui Schiff

Jacqui Schiff was one of the pioneers of the Berne method and deserves a special mention as the first to confirm that "all bad came from the witch". Jacqui Schiff, a psychiatric social worker and disciple of Berne, presented herself as a "miracle worker", healing schizophrenic sufferers using Transactional analysis and regression techniques and then "reparenting" techniques. This was a miracle economic solution in the US at a time when public hospitals were in a period of permanent financial crisis.

She considered that schizophrenia was the product of the "witch mother" and that the child ego states of the mother were integrated into the parent ego state of the patient. The

¹²⁴ Ellis J., *TA TALK: Terms and References in Transactional Analysis*, 1975.

solution was to regress the person to baby state. However, this "witch mother" could also be sleeping and appear in a flood of cold-blooded anger: regression would then need to be very carefully applied. Shortly after the death of Berne, Jacqui Schiff published a book with the title "*All my children*". This book claims to be the reparenting "bible".

In 1974, the *ITAA* accorded Jacqui and Aaron Schiff the highest of its awards, *The Eric Berne Scientific Memorial Award*. The *ITAA* was looking to create a new generation of theory specialists. J. Schiff published a second book in 1975, *The Cathexis Reader: Transactional Analysis in the Treatment of Psychosis*. This coercive control philosophy and treatment technique defined by J. Schiff became the reference book for all *ITAA* members attempting to move up in the organisation, either as a practitioner, or as an coach, and who were required to previously follow the "therapy/training" of J. Schiff, which included partial regression and "reparenting". This guaranteed loyalty and obedience by supporters who wished to use her methods for their patients. This also allowed them to base their career on the teachings of J. Schiff.

And yet, Jacqui Schiff was already the subject of disputes in the United States, following the death of John Hartwell in 1972¹²⁵ her reparenting methods were seriously questioned.

In 1978, the executive board of the *ITAA* started an enquiry into the activities of Jacqui Schiff¹²⁶. Although the investigations of the *ITAA* revealed multiple testimonies of atrocious ill-treatment, and despite the fact that most of the investigators on the committee had decided to condemn Jacqui Schiff, the latter threatened legal action. She was summoned to produce a complete manual of her "reparenting" techniques to

¹²⁵ See document 4: The death of John Hartwell

¹²⁶ Marlin T., *A Most Dangerous Method*, Chicago Reader, August 11, 2000.

obtain the approval of her peers. Her refusal to comply led to her automatic eviction from the *ITAA*.

In the early 1980s, she arrived in Bangalore in India, where she founded the School for Spiritual strengths. However, rumours spread concerning the death of a 6-year-old child, and in 1985, J. Schiff turned up in England, where she created a residential Cathexis clinic in Birmingham. She continued to attend the annual "*Éric Berne seminars*", where, in 1981, she justified the use of violence. In 1995, she attended a conference of the *ITAA* in San Francisco. More than one hundred individuals actively rendered homage to her. She died in 2002.

Her school continues its activities. The theories of J. Schiff were not abandoned even after her exclusion. The term "reparenting" was replaced by "Corrective parenting". The doctoral dissertation of Susan Smith, a clinical practitioner member of the *ITAA*, based on the observation of 267 therapists recognised for their "regressive" practices, revealed that "*22% spanked patients in a state of regression, 82% punished their clients by sending them to the corner, and 7% breast fed their clients*"¹²⁷.

Historical heirs

In 1972, the chairman of the *ITAA* wrote an article for a psychiatric review, in which he excessively praised Werner Erhart, the creator of *E.S.T.*, later the *Forum*, and *Landmark Education*¹²⁸. Both Transactional analysis and the successive groups created by W. Erhart apply the "racket" theory, concerning substitute feelings which override here-and-now

¹²⁷ Smith S., *Regressive Work: Definition, Description and Clinical Application*, Doctoral Dissertation, Sierra University, 1987. Information reprise in Singer M.T. and Lalich J., *Crazy Therapies: What Are They? Do They Work?*, 1996.

¹²⁸ According to the official biography, one of the trainers of Wernard Erhardt was Leonard Orr, one of the founders of *Rebirth*.
<http://www.polachurchill.com/biographychaptertwo.html>

feelings: "I'm afraid, but I must not show it, so I will become angry". The concept of "embedded negative injunctions" which are inherent to Transactional analysis also come up in the methods of *Landmark Education*, and in certain *Scientology texts*¹²⁹.

In 1994, Alan Jacobs, partially trained by J. Schiff, obtained the authorisation to publish an article in the *ITAA's review*, the *Transactional Analysis Journal*. His widely criticised article analysed the methods and theories of J. Schiff using the eight criteria established by R. J. Lifton, used in the United States to assess ideological totalitarianism and sectarian hold. Jacobs concluded that "*Jacqui Schiff's reparenting theory, and particularly the concepts of passiveness and confrontation, were examples which demonstrated how non-validated theories could become ideologies to back-up totalitarianism, especially on the basis of thought reform, the misuse of principles and the abuse of power*"¹³⁰.

Other aberrations based on reparenting appeared in the United States. These aberrations concerned *Attachment Therapy* and *rebirth*, and led to the prohibition of these methods after the death of a child, Candace¹³¹.

In 1999, the *ITAA* addressed the entire reparenting problem with a full edition of its "Journal", with articles on a couple of happily reparented children, and a few suggestions on the risk of the appearance of sadism during a counter-transfer situation¹³².

¹²⁹ *Scientology engrams*.

¹³⁰ Jacobs A., "*Theory as Ideology: Reparenting and Thought Reform*", *Transactional Analysis Journal*, 24(1), January, 1994, pg. 39-56.

¹³¹ See appendix: *Attachment Thrapy, Rebirth* and the death of Candace Newmaker.

¹³² *Transactional Analysis Journal*, 29(2), April 1999.

3 - Transactional analysis in France today.

While Transactional analysis is currently the subject of varying opinions in the United States, the method has not been abandoned as such and the disciples of Berne are now spreading the practice in Europe (EATA, *European Association of Transactional Analysis*) and in France, where the IFAT (Institut français d'Analyse Transactionnelle) certifies clinical practitioners and coaches.

It is clear that the method in itself must not be criticised and immediately condemned. However, the past and present use of this method require more attentive and tighter supervision, in view of past dramas, and to make it clear that all abuse will be criticised and those responsible discredited by the community itself. This would ensure that witch apprentices could no longer use the structures of Transactional analysis to justify their aberrations.

The families of victims unanimously deplore the fact US condemnations have been ignored, or denied, and that, to give an example, the book by Margaret Singer and Janja Lalich, "*Crazy Therapies*", has not been advertised as warranted.

MIVILUDES is required to fulfil its role in terms of vigilance and warn practitioners, supervisory structures, and patients tempted by this method of the potential risks involved in dangerous practices for all actors concerned. The power games involved in this method can only be used with due prudence and control.

This concern is clearly expressed in two articles by Patricia Crossman, published in *The Script*, May-June 2002, and subsequently in the edition of August 2002. She explains why permission and protection are dangerous, via the impossible management of the transfer and the counter-transfer, opening up the door to means of gaining hold. These arguments were repeated in *Actualités en Analyse*

*Transactionnelle*¹³³: "I thought that it was public knowledge that I had returned the É. Berne award which I received for this article (*Permission and Protection*) in 1979, because this method has no scientific basis, and, as such, could be potentially dangerous. (...) The essential point is that, in this article, I do not warn against the potential risks involved in the intervention described, which can be serious, and which represent an entire minefield in terms of transfer and counter-transfer. Any court would call this "serious negligence". I am aware that this could cause several problems with the three P (*Permission, Protection, Power*), but maybe it is time for a complete overhaul!".

Such a "*mea culpa*" speech gives food for thought.

Training of transactional analysts

The Transactional analysis professional training model is a bit special: the candidate takes responsibility for his or her own route, selects a field of specialisation (psychotherapy, education, social work, management) and selects his or her own approved coach/supervisor (in the appropriate field of specialisation). A contract is established with the latter. In parallel to this training course, the candidate must attend conferences and seminars. The certification body then organises written and oral exams. The candidate is asked to start a therapy or personal development process in Transactional analysis. Three to six years of states are generally required to become a certified Transactional analyst. However, it has been noted that several therapist or coach sites mention "certification in process", implying that individuals do not wait to receive their certification before practicing Transactional analysis¹³⁴.

¹³³ n°104, vol 26, n°181, October 2002.

¹³⁴ **According to the journalist Tom Jackman, the I.T.A.A has published an article explaining how to start practice without an official licence, *Kansas City Star*, 8 October 1988.**

This observation is a source of concern, as if we combine the often fragmented and minimal training courses with theories which are arguable both in terms of ethics and science, this creates situations which can open the door to all sorts of individual technical or sectarian aberrations.

Since the National Assembly voted a law aiming to regulate the profession of psychotherapists in 2006 (Accoyer amendment), prudence would appear to be the key word, and the level of requirements displayed on Transactional analysis sites is now specified (three years of psycho-pathology, for a Rhone-Alpes site). However, "existing practitioners" and other "practitioners in the process of certification" do not have this background, and are attempting to climb on the "non-retrospective clause" bandwagon, depriving their clients/patients of the guarantees that the law attempts to establish.

Transactional analysis as a factor in training and coaching

French coaching is impregnated by the culture of Transactional analysts. Its founder has himself trained more than 1000 coaches in France¹³⁵, and was taught by Shea Schiff and Georges Kohlrieser. Certain professional Transactional analysts teach the theories of Jacqui Schiff¹³⁶. This fact cannot be faced with indifference and coaches must be very carefully selected and solid references should be checked.

Conclusion

Transactional analysis is partially based on a "games" technique, which, by definition, targets the fragility of the

¹³⁵ Gori R. and Le Coz P., *L'empire des coachs*, Paris, Albin Michel, 2006.

¹³⁶ <http://www.academie-coaching.fr/pdf/programme.pdf>

patient and leads the person into a danger-ridden triangle: Prosector, Rescuer, Victim¹³⁷ from which they cannot escape.

If these techniques are badly understood, or when they are applied by incorrectly trained individuals, or with a lack of prudence or scruples, things can go wrong, and unfortunately the very many reports received from throughout the country testify particularly serious malfunctioning: large group confessions in which participants are referred to hypothetical personal problems and end up by cracking down, leading to regression, guilt, unbridled interpretation, and the destruction of defences. When a problem arises, somebody must be responsible, and this person can only be the patient. Disputing and discussion are not accepted and the threat of exclusion, synonym of failure, or even unemployment, will lead the patient to accept a mandatory "personal development" training seminar which will add to the precariousness of the problems previously faced. The following comments by a participant give food for thought:

*" ... The session was very intense. We were both tired out, and floating in a kind of peaceful dream, a calm silence which we shared as a moment in time looking out over an ocean. After this session, Patrick started seriously looking for a job. This was in October. End December, he received two job proposals from sales divisions in recognised companies, the salaries were right for his age and skill-level, and he would have directed teams. I went out to Martinique to celebrate new year in 2000, and Patrick hung himself."*¹³⁸

And yet, theory specialists thought they had removed the risk of suicide by using suicide prevention contracts.

¹³⁷ In *Concepts Fondamentaux de L'Analyse Transactionnelle*, 2000, drafted by the working group on the fundamental concepts of Transactional analysis on the development committee of the ITAA, chaired by Claude Steiner.

¹³⁸ Blanc-Sahnoun P., *L'art de coacher - Méthode, cas pratiques et outils*, Interéditions, 2006. *Première partie, chapitre 1 : Comment se déroule un coaching ? Récit d'une mission extrême*. Extraits.

These contracts have entered general use, to the point where they are considered by therapists as a magic remedy, which reassures the patient and the therapist, a bit like a talisman, that suicide is not an answer.... "*A dangerous myth!*", concludes Doctor Marcia Goin¹³⁹, chairman of the renown American Psychiatrists Association (APA), when publishing the recommendation on the treatment of patients with suicidal behaviour in 2003.

These aberrations with strong sectarian tendencies have no scientific validation, are seriously contested by reputed academics, and have been condemned in the US by doctors and courts. They cannot be treated with indifference by those responsible for informing and warning the public against the dangers inherent to practices whose results are generally dramatic for the individuals and their families.

¹³⁹ <http://pn.psychiatryonline.org/cgi/content/full/38/14/3>

Document 1 : A few witness statements by French victims of the aberrations of certain "therapists"

Several testimonies refer to the obligation for patients to accept particularly restrictive rules, reflecting a will to dominate (presented as protection) and control the individual, with non-compliance with any of the rules leading to the exclusion of the participant/client/patient. The basic rule concerns the secrecy of what happens in the context of the therapy. A second rule orders each patient to request the authorisation of the "therapist/coach" before consulting a doctor or taking drugs. Other rules concern the participant's commitment to sign "non-suicide" and "non-homicide" contracts and occasionally even "non-sickness" contracts. These contracts also have a corollary known as the "closing of dramatic outcomes" and the patient will chant the following phrase much like a kind of prayer: *"Whatever happens, I will not kill myself, either intentionally or accidentally, at any time"*.

Several testimonies indicate that the everyday life of clients/patients is also under surveillance. Participants are therefore obliged to narrate any significant event occurring in their life between each session, at a sort of mandatory public confession. After this confession, the patient is "confronted" by "therapists/coaches" and the members of the group, to analyse his or her life on the basis of the Transactional analysis criteria. The acquired existence of the patient is gradually questioned: beliefs, values, parental education, relations with family and friends, and sometimes employment. The "therapist/coach" will then assign "permission", or instructions on how to live in accordance with the standards of Transactional analysis, formulated as the "possibility to change your life and use the support of the other participants of the therapy group to achieve this". This permission can take the shape of transgression. With therapy groups, participants are sometimes accommodated by the "coach/therapist", who may organize party sessions at his or

her home, creating a sort of serious confusion of contexts (care and life).

These testimonies also mention the destruction of couples and families, as the partner, or parents, are subtly presented as obstacles to free-life. This leads to divorces, double lives, and family separations with the victims generally later assigning the reason for the troubles to a unilateral and authoritarian "decision" taken by the "therapist/coach".

Another example concerns individuals participating in sex therapy training, who are obliged to attend sessions without clothing, occasionally with mandatory coupling between participants. The complaint submitted to the IFAT (Institut Français d'Analyse Transactionnelle), was rejected in favour of the "coaches". Several years of legal proceedings followed, during which one of the complainants was accused of defamation. The European ethics committee even stated that naked exercises with actual coupling represented a good application of Transactional analysis, while this type of acting out is prohibited in all other therapies.

The "therapist/coach" decides when the therapy is complete. The desire to cease the therapy must be announced three to nine sessions prior to the "selected" date. If a patient attempts to leave the Transactional analysis sessions organized by individuals without any real qualification, he or she will be repeatedly contacted, and subject to full-scale harassment, inviting the person to undertake complementary therapy/training. This will continue for many years. The person will be proposed to become a Transactional analysis therapist or coach.

Participants are frequently contacted to undertake Transactional analysis training. The first course is known as "101". This procedure mixes the different missions up, as the client switches from the role of a person receiving therapy to a trainee and then becomes a transactional analyst, certified practitioner and finally, if the person has the abilities, coach.

Financial demands are high are generally represent 10% of income. Therapy groups are held on evenings or weekends. They take up 20-25% of free time.

Document 2 : A selection of definitions taken from the IFAT web site

- *"TA stands out due to its eminently explicit nature: transparency is a constant characteristic in the transmission of concepts to the patient, such as in the attitude of the therapist, who is considered more as a person than as a projection screen. TA integrates methods used in other approaches such as Psychoanalysis, Focussed analysis, Gestalt-therapy, Bio-energetic analysis, etc."*

- *"The "Cathexis Institute" reparenting school focuses on the treatment and repair of the parent ego state, on all toxic or inadequate components thereof, and on all missing elements (these working techniques were established in view of treating young patients with schizophrenia). With this school, the child ego state is home to suffering and the parent ego state is the source of the problem".*

Fields of application or specialities

- *"Psychotherapy: concerns the development of individuals, the treatment of malfunctioning using individual or group psychotherapy,*

- *Organization: concerns the dynamics of individuals and groups within organizations (managers, consultants, personnel managers and subordinates, etc.),*

- *Education: concerns individuals involved in education and training (teachers, education counsellors, parents, educators, and their subjects, etc.),*

- *Consultancy: concern individuals involved in accompaniment".*

Document 3 : One example of a contract with a therapist/coach

"I work via individual interviews arranged by appointment and lasting 45 minutes or via contual groups. Group therapy combines with the individual approach. The protective environment of a therapeutic contract established individually with each participant enables people to apply change and accept the support of the other participants.

Rules: Each participant commits to complying with the following rules which are intended to protect participants. Non-compliance with a rule can lead to exclusion from the group, which does not imply their exclusion from therapy:

- Responsibility: each participant is responsible for their acts and the consequences,
- No to drugs: inform me of any use of psychotropic or sedating drugs,
- No to physical violence against yourself or others,
- Confidentiality,
- Recovery of the elements occurring outside of sessions,
- Presence at sessions, punctuality,
- No sudden leaving of sessions: leaving notice must be given at least three sessions in advance,
- Payment: at the beginning of the month. All sessions must be paid for, whether the participant attends or not,
- Price: individual interviews: EUR 60. Group sessions, per month, income-based: EUR 120 for monthly incomes of less than < EUR 1 200; EUR 160 for monthly incomes of between EUR 1 200 and EUR 2 000; EUR 300 for incomes in excess of > EUR 2 000

Week: 3/month, i.e. Monday 17.30-21.00 and Tuesday 08.45-12.15

Weekend: 1/month, Saturday 9.00-18.00, Sunday 9.00-13.00.

Teaching groups

These groups concern professionals in the sector (therapists, doctors, health workers, teachers, educators, social workers, coaches) wishing to extend their practices by integrating TA. The knowledge of basic TA concepts is indispensable (101 course level). The training provided is part of the EATA (*European Association of Transactional Analysis*) program, leads to the awarding of time credits, and prepares candidates for the European TA certification exam. The acquisition of the other training courses required to exercise these professions is the responsibility of the candidate. Throughout the training process, links are established between TA and other psychological approaches. Techniques used: teaching, supervision of practice, case studies, exposés by participants, practice papers, presentation of recordings of practices (cassettes), etc.

Dates: 10 annual sessions, Saturdays from 9.00 to 17.00,
Timetables: 9.00-17.00,
Price: EUR 120 per session for individual payment, EUR 240 for continual training (possibility to sign a training agreement). Sessions reserved and unattended will be due. The teaching programme is annual and participants commit to following the programme until June of the following year.

The supervision of individuals in group sessions¹⁴⁰ is possible on the basis of the enclosed schedule".

Document 4 : The practices of Jacqui Schiff

A - The death of John Hartwell

John Hartwell was aged 16 and suffered from paranoid schizophrenia. He died in 1972 subsequent to ill-treatment comparable to torture during a therapy session organized by Jacqui Schiff. The parents of John placed the boy in an alternative programme rather than applying hospitalisation and

¹⁴⁰ Text underlined by MIVILUDES.

drugs, however John did not agree, and his condition got worse. He could not, or refused to, regress and accept the baby's bottle of milk. The solution that Schiff considered to be the right approach for schizophrenic patients. He was attached to his bed with handcuffs, however Carl, another patient took the handcuffs off and a fight began. John was then taken to the bathing room by Aaron Schiff, a "reparented" patient who Jacqui Schiff had legally adopted. John was tied up, and held in a bath of boiling water for a 30-minute period. He died at the hospital three days later, with more than 70% of his body covered with second and third degree burns¹⁴¹.

Jacqui Schiff confirmed that there had been some difficulty in setting the water temperature. Aaron, her adopted son, who had become a therapist in the establishment, pleaded guilty in order to obtain a reduced sentence for manslaughter. This sentence was later reduced to the secondary crime of child abuse. The licence of Jacqui Schiff was however revoked and she was therefore obliged to close the *Cathexis establishment*. However, she continued with her experiments, reparenting patients in "therapeutical homes" and moving the *Cathexis Institute* to Oakland, in California.

B - The Mitch Rouzie case

Mitch Rouzie was a patient of J. Schiff and told his story: *"As a patient of the Cathexis Institute, I was subject to twenty-four hour conflict sessions during a period of several months. The hypothetical objective was to change my passive behaviour into active behaviour (passivity - failure to solve the problem - was considered as a capital sin and a trait of tired individuals, and was interpreted as resistance to be overcome). Passive behaviour was responded to by daily insults and punishments such as "staying in the corner" for long periods. Other punishments existed such as spanking (...) with crops, whips or paddles. I hurt, my senses had been*

¹⁴¹ Meacham A., *Selling Serenity: Life Among the Recovery Stars*, 1999, pp. 331-353.

*numbed and I was determined to accept all the acts J. Schiff expected me to*¹⁴².

C – The adopted son of J. Schiff

If the following facts had not been reported in a publication signed by Jacqui Schiff herself, MIVILUDES would not have mentioned them in this chapter, however, in her book¹⁴³ she describes how she "cured" the fears of castration of Dennis, rebaptised Aaron after his adoption: *"Aaron was naked and firmly attached to the restraint chair: I approached him with a large hunting knife. I was certain that he was convinced that I was going to castrate him. Perhaps he actually wanted to be castrated? Then I placed the knife against his naked genitals. Aaron became pale.*
- I asked him "What shall I do?". Should I start cutting, and then you will lose your manhood?
- No, no, please! he pleaded. I want to continue to be a man!
- I don't believe you, I said.
I slightly pressed the knife into his skin, and he lost control of himself. He started to fight and scream. After I had untied him, safe and sound with the knife put away, Aaron came and trembled in my arms".

It would appear that this book continues to be considered as reference reading, and not as an example of approaches to avoid!¹⁴⁴.

Document 5 : Attachment Therapy, Rebirth

The death of Candace Newmaker

¹⁴² Rouzie M., *Letter to the Editor*, Transactional Analysis Journal, April 1999, pg. 158-160.

¹⁴³ Schiff, J., *All My Children*, 1970, pg. 189-196.

¹⁴⁴ Guicquéro A-M. and Saint-Pierre C.de, *Origine et historique de l'Analyse Transactionnelle. Annuaire des psychothérapeutes*. Editions du Réel, 2004. Pages 32 - 36. This text is copied on the IFAT site.

Attachment Therapy proposes the "treatment" of adopted or foster children with discipline problems. These children are diagnosed as suffering from *Reactive attachment disorder* (RAD), or the impossibility to become attached to the new parents, due to a former traumatism. According to this theory, the only means of healing this order is to "reparent" the child, and therefore obtain the desired attachment and total obedience from the child. "Reparentage" methods include visual contact at order, physical restraint, bodily punishment, the establishment of terror-based relations and induced regression.

Attachment Therapy hit the headlines of US newspapers in 2000 when Candace Newmaker¹⁴⁵, a 10-year old girl, died. In Colorado, Candace suffocated after a brutal 70-minute psychodrama or rebirthing session. This session was video recorded and was intended to make the girl show more affection for her adoptive mother.

Candace Tiara Elmore was born in North Carolina. She was taken from her family by social services with two of her brothers and sisters due to the poverty and lack of structure in the family, but with no apparent lack of affection. She was adopted by Jeane Newmaker, a single paediatric nurse. She was described by her teachers and classmates as an affectionate, sensitive and serious girl, however Candace could not, or would not, feel any kind of attachment for her adoptive mother, who wanted more from Candace than the girl could give, as she already had her own life story. Jeane declared that Candace had a serious behavioural problem at home, despite the fact that all appeared well at school, and at no time did anyone consider that the adoptive mother should perhaps revise the unrealistic nature of her own expectations.

¹⁴⁵ Mercer J., Sarnier L., and Rosa L., *Attachment Therapy on Trial. The Torture and death of Candace Newmaker.*
<http://www.childrenintherapy.org/>

After having taken the child to see various doctors over a four year period, Jeane heard about the RAD diagnosis and met Bill Globe, who sent Candace to the most famous of *Attachment Therapy therapists*, Connel Watkins, for intensive therapy (7 000 dollars, two weeks in Evergreen, Colorado).

The "intensive" method was a well rehearsed procedure and the entire session was video recorded. On the morning of the "rebirth" psychodrama, Candace was placed in a foetal position, firmly wrapped up to the head in a flannel sheet held in place with a slack knot, and symbolising a mother's womb. Four large cushions and nine pillows were placed around her while two "therapists" and two assistants straddled her, i.e. approximately 300kg sitting on a child weighing 31kg. Candace was supposed to attempt to get out of the sheets, head first. She was unable to escape, and a large rip near to her feet proves her frenetic fight to get free. Her cries for help as she suffocated were considered as a fit of anger and part of the "therapy". Her adoptive mother was kneeling down just a few steps away from Candace, and spoke to her about her "rebirth" After 40 minutes, Jeane asked Candace, "*Honey, do you really want to be reborn?*". Candace replied weakly, but firmly "*No*". That was her final word. Candace died shortly afterwards. Jeane, perceiving the final response of the child as a rejection, left the room crying, while the two leading therapists straddled the agonising child, laughing and making fun of Candace. The therapists were so indoctrinated by their collective psychodrama that they were unable to recognise clear signs of distress.

Following the court case, one year later, the two leading therapists, Connell Watkins and Julie Ponder, were both condemned to sixteen years of prison, for ill-treatment having caused the death of a child. They expressed no remorse during the case, as was also the case of the assistants who stated that they had simply obeyed orders.

In 2001, "Candace's law" was voted in Colorado. This law prohibits the use of *rebirthing* as therapeutic treatment. A

similar law applies in North Carolina. In 2002, the American Professional Society on the Abuse of Children criticised Attachment Therapy as an abusive practice with no scientific basis.

2 - SECTARIAN RISK RELATING TO THE USE OF CERTAIN CLASSIFIED OR NON-STUPEFACIENT PRODUCTS

In its report in 2005, MIVILUDES reported on the activities of departmental cells of vigilance, focusing on the significant development of the *New Age movement*, with the presence of around twenty groups applying practices in healing and personal development which are often based on shamanism, and other types of "cures".

It indicated that extreme vigilance was required with regards a certain number of movements, and more particularly those who strongly opposed traditional medicine. It was also specified that, despite the low number of legal cases, many victim coordination groups were being created to respond to existing expectations.

The departmental cells highlight the renewed popularity and significant infatuation for neo-shamanism in France, and in the occident. To this end, we could refer to studies by Catherine Laflamme, the sociologist from Quebec, which demonstrate that "*shamanism is a group of exotic and therapeutic methods aiming to achieve contact with a parallel universe*"¹⁴⁶.

This phenomenon has grown to a non-negligible size: many courses are proposed under the general theme of "well-being", and are attracting increasing numbers of individuals from all social backgrounds and of all ages, despite the exorbitant prices.

¹⁴⁶ Laflamme Catherine, « *Les stratégies sociales des groupes néo-chamanistes occidentaux* », in *Revue religio-logique*, 2000.

This movement has undeniably grown very rapidly over the past year. The initial transposition/adaptation of south-american shamanism, and subsequently of African shamanism, has spread in France. All sorts of courses and detoxication cures (alcohol, tobacco, drugs, etc.) are proposed, generally without any form of medical, scientific or psychological control.

Neo-shamanism was described by Michel Perrin, ethnologist and research director for the CNRS as "*supposed to enable individuals to become their own shaman, and he develops this approach as a sincere but pathetic search for made-to-measure spirituality*"¹⁴⁷. This search can be accompanied by the taking of ayahuasca (a drink produced by brewing two plants from the Amazon: one leafy plant and one climbing plant). The psycho-active effects of ayahuasca are traditionally used by shamans in the Amazon in initiation or religious rites.

Courses of this type have been organized in France, and trips to South America, particularly Peru, have also been proposed to the public.

Ayahuasca was classified in table B of stupeficients in the Health Minister's order of 20 April 2005, and its use is now therefore prohibited in France. These courses have been systematically transferred to South America.

Other "initiation" courses are based on the *Bwiti religion*, founded in Gabon. Bwiti practices allow initiated individuals to attain the kingdom of the dead and be reborn as new men. In schematic terms, the aim is to recover the possession of yourself, and therefore to attempt total control over your life...

¹⁴⁷ Perrin Michel, *Le Chamanisme*, coll. "Que sais-je ?", Presses universitaires de France, 1995.

To begin with, the *Bwiti* ritual represented tribal initiation and the transition to adult status. African Shamans used a root called iboga for this initiation ritual.

This hallucinogenic plant which grows in Gabon is attracting the growing interest of American and Japanese scientists. Iboga is a small wild latex bush which can reach heights of approximately 1.50m. Only the root of this bush is used by the Shamans. To begin with, this plant was considered as an aphrodisiac, but also as a stimulant or an excitant. Some tribes also call this bush "*the sacred bush*", and it is used in many rituals.

Dr Louma, an African doctor and chairman of an association for the assistance of drug addicts also claims that¹⁴⁸ this plant encourages the agility and endurance of individuals, and that hunters in Africa use the drug for this reason.

Many testimonies state that the iboga root is extremely efficient in the detoxication process for addicts of so-called "hard" drugs, and that, on a long-term basis, this plant could replace methadone, however no scientific experiments have as yet validated this somewhat peremptory theory.

It is important to indicate that this root has recently been classified as national heriage in Gabon, and that its sale and use are prohibited in the United States, Switzerland and Belgium.

Iboga has been prohibited in the United States since 1966. It is listed in category I of the "*controled substance Act*", which means that the US government has established the validity of the following three criteria:

- risk of abuse: (A) *The drug or other substance has a high potential for abuse,*

¹⁴⁸ www.sciencepresse.qc.ca

- no medically recognised application: (B) *The drug or other substance has no currently accepted medical use in treatment in the United States,*
- sanitary risk in case of medical use: (C) *There is a lack of accepted safety for use of the drug or other substance under medical supervision.*

In addition, the "*National Institute on drug abuse*" abandoned a research project on the medical benefits of ibogaine in 1995 (active ingredient in the iboga root), particularly in view of treating heroin addiction.

Many individuals have been attracted by the assumed virtues of iboga and the rituals involved in use, mainly *via* the internet. These unknown and esoteric rituals and ceremonies can act as a real curiosity magnet and source of attraction. Participation can overcome shyness and prejudice and may seem an interesting challenge for many.

Initiation to the *Bwiti* religion requires the absorption of high doses of iboga. This supposedly allows the individual to travel on a journey to the centre of himself or herself and review their entire life in just a few hours, thus observing errors made and their origins. With actual African rituals, a witch doctor who masters the traditional application of the drug thanks to the transmission of knowledge down through the generations, and who possesses the plants which can act as antidotes, will organize the ceremony and "initiate" the person following ancestral habits. This would unfortunately not appear to be the case in the courses proposed in France, where the term "witch doctors" can be more literally applied.

The transposition of these African rituals in Europe and France is due to the current infatuation shared by all *New Age movements*. This illustrates a certain attraction to the unknown, or strange items today, or more exactly, the current interest shown for any aspect which removes the down-to-earth elements or cartesianism: individuals are seeking to push back

their limits, including those of hope, the hope of healing or of a better life.

Until now, few sects had used these products to confirm a doctrine or a philosophy. The methods used to gain a hold on individuals were generally based on sleep deprivation, fasting, the repetition of gestures or psalmody. All of these techniques aim to weaken the subject and place him or her in a childlike position, in order to simplify the wiping-out of the personality, and therefore all sense of criticism and reason.

If substances such as iboga are absorbed in a closed environment, with no control by competent medical authorities, without the slightest official opinion on the potential dangers inherent to this product, government services have a duty to study this phenomenon closely and to inform the population of any risks involved in these practices. With regards the specific French and European adaptations of the *Bwiti* initiation ritual, this raises questions to which no satisfactory answers have as yet been found.

MIVILUDES addressed a letter to the Ministry of health and solidarities questioning this issue¹⁴⁹, and more specifically, raising the issue of the supervision of the consumption of iboga. The Ministry of health responded in a letter dated 17 August 2006, indicating that iboga represented a hallucinogen at high doses, and a psycho-stimulant at low doses. It added that the therapeutic benefits of ibogaine in reducing withdrawal symptoms in hard drug addicts had been considered as early as 1988 and that clinical testing in the field of treating addiction was currently underway in the United States and Israel.

The Minister of Health specified that, while iboga was sold in France between 1939 and 1966 under the name of "*Tablettes de Lamborine*", and used in cases of depression and

¹⁴⁹ Letter of 8 February 2006.

asthenia, at the current time no drug containing this substance is sold in this country.

As iboga and ibogaine are not currently classified on the list of poisonous substances or on the list of psychotropic or stupefacient substances, they are not subject to any specific prohibition.

However, in 2005, following the death of a man having consumed iboga at a shamanic course, the AFSSAPS (Agence française de sécurité sanitaire des produits de santé) launched an enquiry on this plant.

The classification of iboga on the list of stupefacients could be proposed. The order of 20 April 2005, classifying *ayahuasca* as a stupefacient, was the subject of an appeal to the Conseil d'Etat on the grounds of "excess power" by several groups and individuals organizing courses based on the absorption of this substance, and also in shamanic contexts. The AFSSAPS wishes to wait until the Conseil d'État has ruled on the appeal before submitting the proposal for the classification of iboga to the CNSP (Commission nationale des stupéfiants et des psychotropes).

The Ministry of Health also indicated that a national enquiry on hallucinogenic plants and sectarian aberrations would be scheduled shortly.

The number of questions and testimonies¹⁵⁰ received by MIVILUDES demonstrates that the public associates the taking of this type of substance with a different sort of addiction to that relating to the absorption of the produit, our fellow citizens appear to associate this addiction with a sort of group hold, or a hold on the person by another individual, all based on meetings and rituals relating to the consumption of a rare product.

¹⁵⁰ See Appendix 1.

This was the case with ayahuasca prior to its classification, and then with iboga, which appears to have replaced the former in the context of shamanism initiation courses.

We could also legitimately consider the economic aspects of these courses, carried out without any real medical control. Families and friends are astounded by the exorbitant cost of these courses which are often very short and do not generally exceed one week. Participation costs vary between EUR 400 and EUR 900 per week.

The plethora of announcements on the web target a wide public and do not only concern drug addicts. Advertisements claim that *"Bwiti will help you in your personal development and to overcome your drug or alcohol addiction"*¹⁵¹. This mixing of backgrounds is a source of concern for both specialists and the general public.

Humping vulnerable publics (drug addicts, alcoholics) and individuals together with other types of personal problems would not appear propitious for the individual pathologies of each person. On the contrary, this could lead to trauma if these individuals with such varying troubles lack professional and competent supervision.

On 18 July 2006, in a centre in the region of Ardèche in France, a 26-year old male drug addict died in circumstances yet to be determined (an enquiry is underway). One this is certain, he had taken iboga. This dramatic case confirms the need for the supervision and surveillance of this type of shamanic, detoxication or initiation course, as they may lead to other similar circumstances.

In parallel to this type of case, other extreme consequences can arise for iboga users if they are not

¹⁵¹ www.iboga.org

monitored by fully trained specialists. Many testimonies mention that the type of "journey" caused by taking iboga can be particularly frightening and give the *"impression of being hit on the head with a hammer, or having needles in your tongue, etc"*. Enough experience has not yet been gathered to determine the exact potential psychological consequences for fragile individuals after the consumption of this substance.

A famous writer tried iboga in a fully supervised context as an initiation to *Bwiti*, in Gabon, and found the *"experience life-changing and full of anguish. This is an incredibly violent substance, whatever the outcome may be in terms of detoxication for hard drugs, this approach absolutely requires close medical and psychological surveillance, as close as would be warranted by taking methadone for example"*.

The writer specified that it was obvious that it was extremely simple to make a person having ingested this root do whatever someone desired.

To conclude, and further to the various testimonies received by MIVILUDES, new approaches by certain movements based on the effects of certain substances must be carefully monitored. Initial approaches aim at improving well-being and all sorts of types of addition, and later use ensures the loyalty of the "trainees" to the communities. Followers could then themselves initiate others, or at the very least, actively participate in proselytising this type of course.

Testimonies received from families focus on the modification in behaviour of loved ones following this type of course: rupture with the family environment, stopping of initial projects, abandon of employment in certain cases, and requests for money from families to participate in other courses, etc. All of these criteria are among those generally used to qualify sectarian aberrations.

The national military police, and civilian police services have been required to handle cases such as these during 2005-

2006 in the context of various enquiries ranging from simple disturbances to public order (brawling) to deaths.

3 - SECTARIAN RISK: LEGAL AND ADMINISTRATIVE PROVISIONS IN EUROPE AND NORTH AMERICA

To date few comparative studies have been carried out on the circumstances in which governments in other countries have had to deal with the problem of sectarian aberrations, or the manner in which this phenomenon, which generally ignores geopolitical borders, is tackled in countries with their own history, traditions, and legislation, which differ from those in France. For this reason, MIVILUDES felt it was worthwhile to question our diplomatic entities in a certain number of ally and partner countries in order to start an enquiry which will hopefully lead to improved mutual understanding and reinforced protection for our citizens.

With the exception of Belgium, which has created appropriate legislation and has a standing body for reflection and information, none of the countries studied has a structure similar to MIVILUDES. While the situation of France has one specificity and its own particularities, particularly relating to its conception of secularity, the guidelines for French policy in terms of the assessment of risk, the implementation of sanctions against aberrations in application of common law, and the treatment of victims, generally exist in other countries, often in a more executive form, but not necessarily less strict as such.

Some countries, such as Austria, Spain, the Czech Republic and Italy have a legal and administrative framework allowing for a certain level of vigilance and the relative prevention of any sectarian aberrations. Other countries, such as Germany, the United Kingdom, Greece or Poland do not have a specific vigilance provision, but do maintain a certain level of prevention against sectarian aberrations, while victims

generally receive help from private initiatives. With regards Canada, its liberal attitude to the issue of sectarian movements has now been somewhat reduced in certain fields, particularly since 11 September 2001, leading to the surveillance of certain sects which are on an unofficial blacklist. Finally, the United States, Sweden and Denmark have an almost total liberal attitude to sects, which sometimes contrasts with public preferences, according to certain media bodies and authors.

This study considers the applicable legal and regulatory framework in these countries on the basis of five categories which correspond to the above particularities. It subsequently explains how three large transnational movements which are generally known to the public and have been paid specific attention in France due to regular events and reportings which have attracted the attention of public authorities and associations for the defence of victims and their families, are treated and perceived. These three movements are the *Church of Scientology*, the *Jehovah's witnesses* and the *Family Federation for World Peace and Unification (Unification church)*, more generally known as the *Moonies*.

I - The legal and administrative framework

A – Belgium

Belgium is the country with the most similar approach to France, however its pragmatic approach to sects remains unique.

The country created the Center for information and counsel on harmful sectarian organizations (CIAOSN) in Brussels in 1999. This center has assessed 598 groups and concluded that the sectarian landscape is constantly changing. Certain groups created in the context of North American Protestantism, standing hand in hand with large multinational organizations represent a significant source of concern, while the recrudescence of micro groups or individuals acting in the

fields of health and personal development and professional training is considered as worrying. Early April 2006, an editorial for the economic magazine *Trends* also pointed out the activities of sects in companies via training courses and called on all parties to be vigilant and take responsibility for their acts.

The Chamber of Representatives was also submitted with two texts in April aiming to condemn the abuse of vulnerabilities. One text is a draft law submitted by the Ministry of Justice, and the other is a bill submitted by the parliamentary investigatory commission on "sects" subsequent to its conclusions which referred to a certain number of inadequacies in the organization of the justice system, particularly the absence of specialised sections in public prosecutor's offices which are directly responsible for sect-related crimes. The working group also lamented the lack of material and human resources and certain inadequacies in terms of coordination between services. The group proposed distributing more information to the various authorities and the organization of more training sessions, together with improved coordination and the elaboration of an action plan for Justice, encouraged to play a driving role, as well as the Police and Security.

In international terms, the Belgian parliamentary investigatory Commission encouraged Interpol to be more active in this field and recommended EU-scale research by the European institutions. Finally, the commission supported the recommendation of the Council of Europe concerning the creation of a European observatory for sects.

B – Austria, Spain, the Czech Republic and Italy

This group will cover countries which have a legal and administrative framework allowing for a certain level of vigilance and the relative prevention of any sectarian aberrations.

Austria has implemented an official recognition system for religions at several levels and a federal office for sectarian issues responsible for gathering information on these groups and assisting victims. According to Austrian law, three statuses exist for religious groups:

- The first status concerns "legally-recognised religious societies" (Gesetzlich anerkannte Religionsgesellschaft), which are legal persons according to public law and are entitled to a certain number of benefits, particularly including tax benefits. Prerequisites require twenty years of existence, minimum national personnel of 2000 individuals, use of resources for exclusively religious purposes, a positive attitude towards society and the government, and peaceful relations with other religious groups. Thirteen groups currently hold this status.
- The second group concerns "confessional communities" (Bekennnisgemeinschaft) and is a sort of private law status which enables the group to obtain the legal recognition mentioned above after a ten-year period, subject to satisfying the other conditions. This status is refused to groups which are guilty of "action hampering the psychological development of adolescents, harming physical integrity, or using psychotherapy methods in order to spread their faith". Ten communities currently hold this status.
- Finally, the third status concerns "ordinary associations" (Verein).

In 1998, Austria created a "Federal office for sect-related issues" (Bundesstelle für Sektenfragen), which is charged with two missions. Firstly, the office collects in available information on sects, and secondly, the office assists and advises individuals facing difficulties due to their participation, or that of a loved one, in one of these movements. This office is part of the Federal Ministry of social affairs, generations and consumer protection.

In *Spain*, where the catholic church held the status of "official religion" thirty years ago and still has influential

networks (*Opus Dei*, *Legionaries of Christ*, various congregations), the question of religious freedom is a recent one. The legal framework for religious issues has not changed in the last twenty five years and is mainly based on two texts: the organic law of 5 July 1980 on religious freedom and the royal decree of 9 January 1981 on the organization and functioning of the register of religious entities.

The Ministry of Justice, in charge of religions, is responsible for the filling out of this register. The Spanish government has also concluded specific agreements with the catholic church (Treaty with the Holy See in 1979) and the protestant, Jewish and Muslim religions (1992). The government recognised the last three religions and accorded them "root religion" status. This status requires the satisfaction of four conditions and entitles the religion to tax exemptions and certain public subsidies: a transcendental concept of dogma, a historical presence in the country, a permanent presence and a significant number of followers. The *Mormons* received the status of "root religion" in 2003, but have not yet concluded any agreement with the Spanish government.

In terms of the combat against sects, no specific legislation is envisaged, however current legal proceedings against the *Church of Scientology* could contribute to boosting the debate on sects should the latter be sentenced.

In the *Czech Republic*, the Ministry of Culture is responsible for registering Churches and religious communities. This issue is governed by the law 3/2002 on "the freedom of belief and the status of religious communities". This law allowed for the liberalisation of attaining legal status for small churches or small communities. Article 5 of the law does however specify the conditions restricting the activity of the communities and churches. The aim is to limit the registration of organizations deemed as "dangerous", i.e. those attempting to manipulate vulnerable publics, and particularly minors.

In *Italy*, the activity of sects and their development have been monitored for around ten years. However, action by governmental services is hindered by legal action taken by certain movements on the grounds of defamation. The rise in criminality relating to satanic groups has however obliged the security forces to monitor their activities. Associations - mainly those working with the catholic church - have also developed studies and taken action on this issue.

The official response to sectarian aberrations involved an in-depth study of sects in 1998 under the title "*Satanic sects and religious movements*". This study listed around twenty sects and several thousand followers and was carried out by the DCP (Central Division of the prevention police). The study was published in 2001 and was immediately subject to action by the movements mentioned therein, leading to the public authorities taking a step back. At the current time, the information gathered on sects by the authorities is not communicated in any way. With regards satanic groups, police services have threatened to launch legal enquiries on the basis of penal infractions of common law. Finally, the postal police pay particular attention to Satanist sites in the context of the surveillance of internet and specifically child pornography. In terms of the parliamentary commitment to the combat against sectarian aberrations, a few initiatives have been launched in the field of standards in order to compensate for the legal loop-hole created by the decision of the Constitutional Court on 9 April 1981. This decision censors article 603 of the penal code stating that the event of "subjecting an individual to your own power, in view of obtaining the total submission of the person" represents a "*plagio*" i.e. subjection, which is penally sanctioned. This decision was taken on the grounds that the definition was "too vague", and hence left judges with excessive room for manoeuvre and consequently conflicted with the fundamental principles of the rights of the defendant.

The deletion of this article introduced a legal loop-hole in the penal code in 1930, and no provision currently guarantees the protection of the "moral freedom" of

individuals against any form of psychological pressure by others. The debate on the possibility of re-introducing such a provision into Italian law led to several proposals, including the proposal submitted in 1998, on the occasion of the presentation of the report by the Home office on "*Religious sects and the new magic movements in Italy*" aiming to introduce a "crime of aggression against psychological freedoms" in positive law. This proposal was not followed up on.

The Forza Italia senator, Mrs. Casellati, submitted a bill on 9 June 2006 intending to introduce the crime of mental manipulation into Italian penal law, specifically to fill the loop-hole created by the decision of the Constitutional court in April 1981. The proposal would integrate the following text into the Italian penal code: Article 613 bis – Mental manipulation: "Any party that induces another individual into a state of subjection, such that the individual loses the ability to judge and the ability to refuse the demands of others, via violence, threats, chemical substances, surgery or personality control techniques, in order to oblige this individual to commit acts or make omissions which would cause serious prejudice, may be subject to a four to eight-year prison sentence. If the act is committed in the context of a group which promotes activities aiming to or resulting in the creation of the psychological or physical dependence of the participants, or to benefit from this condition, the sentences defined in the above paragraph will be increased by one third".

With regards non-governmental initiatives, associations combating sectarian aberrations are attempting to assist the victims of these aberrations and their families. Several initiatives work closely with the catholic church, such as the Committee for the families of sect victims/ Rimini (FAVIS/Rimini) which assists victims in drafting complaints and whose motto is "Stop mental manipulation". The Group for Research and Information on Sects (GRIS) studies sects and particularly focuses on *Jehovah's witnesses* ("*Watchtower*" association), and *Comunità Papa Giovanni XXIII*, a private

international association, combats sectarian aberrations, among other aims, and collaborates with the services of the Home office.

Other bodies take a secular stance, such as the Association for Research and Information on Sects (ARIS/Veneto) which was created in order to combat aberrations by sects in Italy.

On the other hand, the Study Centre for new religions (CESNUR), directed by Massimo Introvigne, an Italian historian and sociologist, considers sects as new religious movements and organizes fully-fledged national and international campaigns against associations or governmental bodies defending the victims of these movements.

C – Germany, the United Kingdom, Greece, Poland and Cyprus

This group of countries does not have a specific vigilance provision, but does maintain a certain level of prevention against sectarian aberrations, while victims of these events generally receive help from private initiatives.

Germany does not monitor sects as such, but does monitor movements suspected of harm to children. There is no equivalent of MIVILUDES in Germany, the Domestic security section of the Federal ministry of the interior and the office for the protection of the constitution can be entrusted with monitoring certain sectarian movements on a very secondary basis. German tradition takes a liberal approach to religion and avoids mentioning "sects" as such, preferring the concept of "religious communities".

While in principle all religions are equal, the government accords certain religions the legal status of "public law authority" (Körperschaft des Öffentlichen Rechts) and they are entitled to a certain number of benefits. The

Fundamental Law does not guarantee equal support for all religions: only certain so-called "established" religions can claim the status of "public law authority" on the basis of significant numbers of followers, the correct structuring of finances, and also on the grounds of history and tradition.

In 2006, only Protestants, Catholics and Jews could claim this status. Since February, the *Jehovah's witnesses* have also been added to the list. Only churches with this status are authorised to receive mandatory contributions from their followers (Kirchensteuer), which the government collects in via income tax. Among other rights, they may give classes in religious education in public schools and communicate on public radio and TV stations.

In the *United Kingdom*, an independent public body, the "Charity Commission", works with the Home Office and accords the status of "Religious Charities" to organizations meeting the applicable criteria. An independent association, the "Information network focus on religious movements" (INFORM), monitors the "New religious movements" established in the country. INFORM is financed by funds which mainly come from the Home Office, with smaller contributions by the London police service (MET) and the Church of England. The network also manages a data base including over 3300 "*New religious movements*" (NMRS) or "Minority religions". In its report for 2005, the network indicated that four groups were the subject of a particularly high number of requests: "*The Church of Scientology*", the "*School of economic sciences*", the "*Jehovah's witnesses*" and the "*Family federation for world peace and unification*" (*Moon*).

INFORM explains this interest in these "usual suspects" by their "reputation, visibility and behaviour" or a combination of these factors, and due to specific events.

The commissioners of the "Charity Commission" apply general principles dating back to the early 19th century when

deciding whether to assign the status of a "Religion" to applicant associations, according to the provisions of the "Charitable Law" applicable in England and Wales.

As a general rule, British law is neutral when it comes to the religious character of "Charities", and courts cannot decide on the justification behind religious beliefs.

To receive the status of a "Religious Charity", minority religious movements must satisfy the following general criteria defined by the "Charity Commissioners": do disciples believe in a supreme being? Do they prey to a supreme being? Does the organization promote religion? Does it work in the public's interest?

The "Religious Charity" status has many advantages, including, in particular: exemption from income tax, company tax, capital tax, stamp duty and inheritance taxes, payment of a maximum of 20% of the standard rent for the premises occupied and used for "charitable" purposes, authorisation to raise funds via public donations or to request trusts and local government grants more easily than non-recognised organizations. Finally, the recognition of their status brings the trust of the public.

In *Greece*, the status of religious minorities is still globally governed by decrees dating back to Metaxas. The 1st article of law n°1363 of 1938 and the royal decree of 20 May 1939 state that prior authorisation is required for the construction of a temple or place of worship, or the use of an existing building for this purpose.

The Constitution recognised the dominant position of the orthodox christian religion, and legislation also provided that proselytising represented a crime (article 13 of the Constitution and article 4 of law n°1672 of 1939), which implies that legal provisions have long been considered as a means of protection accorded to the orthodox religion, especially to the detriment of the *Jehovah's witnesses* and their

practices. The constitutional principle of the freedom of conscience (Constitution of 1975, article 13) currently not only applies to "acceptable religions", but also to "known religions", providing the practices and rituals of the religion do not threaten public order or morality.

In this context, the provisions included in the texts not abrogated from 1938 and 1939 apparently only act to repress groups which resemble a "sectarian movement", however, in Greece, this notion has no legal or judicial definition. The Ministry of national education and religions recognises the status of "known religion" and, in theory, issues the authorisation for the creation of places of worship to any legal person so requesting. Finally, the "Heresy office" of the Saint-Synod of Greek bishops observes and lists cultural associations.

In *Poland*, while public authorities have highlighted the destructive role of the groups with sectarian aberrations having appeared since the end of the communist regime, and which are having varying degrees of success, in two official reports, one produced in 1995 by the national security office and the other presented in May 2000 by the Ministry of domestic affairs and administration, the prevention of these phenomena and the assistance of victims remains a strictly private matter.

The status on the freedom of conscience and belief was adopted by the Parliament on 17 May 1989 and guarantees religious freedom and equality between the different religions. It also defines the legal status of religious movements in Poland.

The existence of religious movements is formalised via their registration with the Ministry of domestic affairs and administration. Since 1998, to acquire legal recognition, each religious movement must have a minimum of 100 members and pass a status test to determine if the doctrine of the movement is legal. This approach guarantees religious movements their autonomy from the government and freedom

to run their activities. They also benefit from fiscal benefits, such as the exoneration of a percentage of their taxes and the suppression of custom's duties. To date, 162 religious movements are legally registered. The government does not however accord these movements the same support as the fifteen churches recognised as such, which have derogatory status according to them certain additional privileges. The Roman Catholic Church has signed a Treaty. The other churches are each defined in specific laws.

Sectarian phenomena are, however, ignored by Polish legislation which does not specifically mention sectarian movements. Consequently, no body responsible for combating the aberrations of certain movements exists. The police service does not have a specialised team, although the national security office listed certain "manipulating and underhanded organizations" in its aforementioned report in 1995. This list included several movements which had declared themselves "religious simply to benefit from the privileges accorded to groups with this status". In addition, the Ministry of domestic affairs and administration reported on the situation with regards to these phenomena in Poland in its report in 2000. It reiterated the many infractions carried out since the early 1990s in the context of sect-type rituals or activities: murders, child kidnapping, profanations of cemeteries, stupefiant trading, disappearance of individuals, sometimes minors, suicides.

This document was the product of the work of an interministerial committee and includes the classification criteria for sectarian movements established by the French Parliamentary deputies in 1995.

Private actors observe religious movements and sects and assist their victims. The most known group, the "Sect defence committee for Greater Poland" is directed by Ryszard Nowak and "monitors". The committee also carries out "lobbying" action with public authorities to ensure that elected representatives and authorities are aware of the need to

adopt a law against sectarian aberrations. In addition, the catholic church, via the Dominican Friars, has six centres spread throughout the country with their own emergency number. These centres organize prevention campaigns in constituencies and schools, which are relayed by the media, and they provide assistance for the victims of sectarian activities, with the help of psychologists, in view of re-insertion. The above report by the Ministry of domestic affairs and administration recommends close cooperation with the governments of other states with appropriate structures such as France, Belgium and Austria. However, at the current time, these recommendations have not been acted on and the issue of sects remains globally untouched.

In *Cyprus*, sectarian movements have difficulty in establishing activities due to the attachment of Cypriotes to the orthodox religion. Their role is very marginal, which partially explains why no legislation concerns sects and why no public body exists to monitor sects on the island.

The orthodox Saint-Synod considers that the sectarian problem is not simply religious, but also political and social, and has created a Vigilance committee, in the absence of any public surveillance body for sects, other than the very general control applied by the Ministry of public order. The established church considers that it is its duty to "monitor" these groups. The committee therefore aims to inform the population of the dangers inherent to sects to ensure that orthodox followers are not influenced by these groups. The church laments the absence of legislation or a specific organization to combat sectarian phenomena. Five years ago, the church financed radio and TV programs aiming to inform listeners and viewers of the dangers inherent to sectarian movements.

D - Canada

This country is less liberal than the countries mentioned in the next group and does not have a defined legal or administrative structure for monitoring or combating

sectarian aberrations, however, recent events have led to a farming out of this attitude. Canadian police services now monitor certain sects on an unofficial black list.

In Canada, sects are not a subject for debate. Most of them are considered as "churches" and their activities are not specifically monitored by authorities due to a wide conception of the principle of the freedom of religion. Authorities are extremely careful: the royal military police service has no record for the three movements studied in the second section of this study. In recent years, the media has only focused on the question on very rare occasions.

The Canadian "liberalism" on sectarian issues (based on the Canadian Charter of rights and freedoms of 1978, the law on the rights of individuals in 1977 defining 11 grounds for "illicit distinction", including religion), means that very few complaints are made concerning sectarian activities. This situation has however been slightly modified in certain fields and the actual Canadian position is not as different as it may appear from that of France or Belgium.

Since the attacks of 11 September 2001, Canadian police services monitor certain movements on an unofficial black list.

An *ad hoc* "multi-sectorial accord" system also exists, which is the equivalent to our interministerial committee. This system aims to protect child victims of the different types of abuse. Just like the French situation, the police services specifically monitor activities on the basis of several criteria, including sexual abuse, the disturbance of social order and mental manipulation.

Canadian fiscal legislation does not include any reference to sects, these groups are subject to the same tax regime as any organised economic activity, religious or otherwise.

While no official bodies combating sectarian aberrations exist, a "Documentation office for sects and religions" does however exist. This office is a private body which studies sectarian issues.

In the province of *Québec*, religions are governed by the law on religious corporations. This law accords any private corporation aiming to organize, administer and maintain a Church, Congregation or "Charity" the right to create a religious corporation and obtain "patent letters" from the "business registrar". This text accords religious corporations all the rights of a legal person: ownership, the acquisition of goods, the investment of funds, etc. It also provides that the administrator of a religious corporation is the person acting as the head of the congregation. A "Charity" is an organism connected to a church or a congregation and whose purpose is charity, teaching, education, religion or well-being.

It must be noted that the *Raëlien movement* obtained the status of "Religious corporation" in 1994 which, according to law in Quebec, implies tax benefits (exemption to land tax, exemption to income tax on donations due to the "communitarian nature" of their activities).

E - The United States, Sweden, Denmark

These three countries in this group do not have any specific vigilance system as such, and have an almost total liberal attitude to sects, which sometimes contrasts with current public preferences, according to certain media bodies and authors.

In the *United States*, there is no "official recognition" of spiritual or religious movements in the strict sense of the term. The first amendment of the US Constitution mentions that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof". In virtue of the principle of separation between the church and the state,

there is no official recognition of a religion in the United States. The only governmental action which is similar to recognition is the according of a tax exemption. This exemption applies to federal taxation and is mentioned in the Tax code, section 501 C.3, concerning religious, charity, educational, scientific, literary or sports organizations. The three "new religious movements" studied in this report benefit from this exemption and their influence is appraised by the *Hartford institute for religious research* in terms of their respective importance.

In *Sweden*, the prerequisites for the recognition and registration of a "religious community" are purely formal and do not lead to any sort of enquiry by the Agency responsible for recording religious communities. This organism represents a group within the Chamber (Kammerkollegiet) and is competent for legal, administrative and financial issues. The law on religions of 1998 defines "registered religious communities" as communities with religious activities, including the holding of an office. A group simply needs to draft a charter stating the purposes of the movement and the decision-making mechanisms applied. No requirements exist for these mechanisms. The names and addresses of leading members of the movement must be given.

Registration allows the group to use government services (tax offices) to collect in contributions from members, as is the case in Germany. This right is however reserved to communities which "contribute to maintain and reinforce the fundamental values of society and provide guarantees of stability and an active internal life".

It must be noted that neither the *Jehovah's witnesses*, nor the *Church of Scientology* may use this service, which requires full transparency in terms of the amounts of funds collected and the number of members. This is hardly compatible with the culture of these groupes. Registration also provides the possibility to obtain the right to organize marriages recognised by the state (cf law 1987/230 and

1993/305) in the same way as marriages organized by a civil servant. In practice, this right is only accorded to the individuals specifically designated by the religious community and approved by the state.

Denmark is considered by observers as the country with the legislation which is the most biased in favour of the development of sects, due to the strict application of the principle of the freedom of thought. No official body is responsible for monitoring the activity of movements or groups with potential for sectarian aberrations. Justice or, possibly, social services, are the only structures able to intervene if penal law is breached, however, their action is systematically *a posteriori* as no preventive system exists. The sectarian context cannot be accounted for in the judicial system as no legal text exists providing for this element. Only a few media campaigns have mentioned such issues concerning precise cases treated as "miscellaneous news". One association with transparent christian roots, "*Dialogcenteret*", monitors the activities of religious movements in Denmark.

II - Presence of and the provisions applicable to three transnational movements

A - Church of Scientology

According to its President, in Belgium, the *Church of Scientology* (ESB) has approximately 300 members, including personnel, i.e. 300 pupils following courses or hearings at least once per fortnight. While the group has no official recognition, it is however very present in Belgium *via* several legal persons, with either a purely national purpose, or with European targets due to the specific situation of Brussels.

The European office of public relations and human rights (BRDH) was opened in 2003, at the heart of the European district in Brussels (91 rue de la Loi). This office is a

branch of the "Church of Scientology International", a legal person under US law. In 2004, the BRDH carried out an intense lobbying campaign targeting federal parliamentary deputies, and the directors of many NGOs with their head offices in Brussels.

In 2004, a "*Dianetic's center*" was opened in Westhoek with west Flanders, and in January 2006, a "Scientology and Dianetics life improvement center" was opened at the Grand'Place in Brussels.

Finally, the "*Narconon info center*"¹⁵² is active in Brussels. Candidates for detoxication are then directed to the Netherlands.

The *Church of Scientology* and several of their members are currently subject to legal proceedings for fraud, the illegal exercise of healing professions and pharmaceutical practices, for breaching the law protecting the private lives of individuals and for criminal organization.

Public opinion in Belgium considers *Scientology* as the prototype dangerous sect organization. However, the impact of lobbying by the BRDH on personnel in international institutions is harder to assess.

In *Austria*, the *Church of Scientology* has ordinary association status, and has offices in Vienna, Kärnten and Steiermark. The group claims 3000 – 6000 members. According to former followers, the group only actually has 300 - 500 active members.

The movement develops a communications and influence-based strategy by highlighting the assistance provided for victims in the event of natural catastrophes or major humanitarian issues. It hence attempts to convince a

¹⁵² Non-profit making association.

rather distrusting public of its social role. It also attempts to present itself as an open and friendly group. Five years ago, the group organized an exposition in Vienna on its options and action. Poster campaigns promoted its commitment to human rights and its combat against war and nuclear power.

Scientology submitted a request for the status of "confessional community" which it finally withdrew. It does not therefore have the benefits of official status. *Scientology* is one of the groups for which the Federal office for sect-related issues has received the most requests for assistance by individuals facing difficulties due to their membership or that of a loved one to this movement. In 2003, the office received 150 requests for this group, the most for any group. Certain former followers had attempted to take legal action against *Scientology* due to the amounts contributed to the sect. These cases were never sentenced as *Scientology* preferred to conclude an out-of-court arrangement with the victims.

Finally, it must be noted that the issue of the status of the *Church of Scientology*, its legal adventures, and the vigilance of official authorities, occasionally lead to action by the United States' embassy, particularly with regards the Federal office for sect-related issues, to support this organization which considers itself a victim of discrimination.

In *Spain*, the *Church of Scientology*, is an association and registered with the home office as "*Dianetica*". Its mention on the register of religious entities was rejected by the Ministry of Justice. The group attempted proceedings against this decision. In parallel, pressure is maintained on Spanish authorities in the form of multiple approaches, specifically by the actor Tom Cruise, US senators and representatives visiting Madrid or by the US embassy itself.

The group is mainly operational in Madrid and Barcelona and owns an entire building in the capital, opposite the Congress of Deputies. It also has a few small communities

in the rest of the country, particularly in Andalucia, but only has a low total number of followers, a few hundred at the most.

Public opinion of the *Church of Scientology* in Spain is globally negative: the group is perceived as dangerous for individuals. Several legal proceedings are underway due to complaints by individuals and associations.

In the *Czech Republic*, the *Church of Scientology* is not recorded as a religion, but it wishes to obtain the status of religious community. At the current time, the group has the status of a simple association, known as the "*Dianetic's center*" in Prague. The number of active members is estimated as several dozen, all working at the aforementioned center, while several hundred individuals have visited the Center and participate in the running of companies controlled by *Scientology*. It is however difficult to establish if the individuals working in these companies are all followers or simply employees with managers applying the doctrine of the organization.

The movement sends missionaries to the main towns in the Czech Republic (Plzen, Ostrava and Brno) for active proselytising. While public opinion is informed of the activities of the *Church of Scientology* by the media, which is globally fairly critical and hostile, the true nature of this organization is perceived in a fairly vague manner by the general public.

The *Church of Scientology* established itself in *Italy* in 1978. The group claims 20 000 followers, however the home office estimates their personnel at 7000, throughout Italy. The head office, the largest, is located in Milan, and permanently employes 250 individuals.

This movement is not positively perceived by the public, particularly since a parliamentary deputy interpellated the government in 2002 concerning an unsavoury complot theory throwing together an association studying paranormal phenomena and the Italian secret services, "denounced" on a web site of suspect origin (Tellital), and involving a former follower of the organization.

The *Church of Scientology* has been present in Germany since 1970, in Munich. Legal action has been taken on several occasions to determine if the group should be recognised as a religious community or as a profit-making association. On 22 May 1995, the Federal labour court decided that "*The Church of Scientology was not a religious or spiritual community as defined in article 4 of the Fundamental law, as the religious and spiritual doctrines of the movement served as a pretext for economic targets*".

Generally speaking, when the *Church of Scientology* is prosecuted, it is on the grounds of financial fraud and not due to the risks inherent to its ideology. The observation of the standing conference of the home office of the Länder, meeting on 5 and 6 June 1997, according to which the *Church of Scientology* was attempting to sap the liberal democratic system, still applies: and the organization is still subject to an "entrance prohibition" (Einreiseverbot). On 6 June 1997, the group was placed under the surveillance of the Office for the Protection of the Constitution (Verfassungsschutz), at central government and federal level, except in the Länder of Berlin and Schleswig-Holstein. *Scientology* appealed against the decisions of justice and the three orders issued. In October 2002, two of the orders were repealed and in January 2003, the last order was repealed, apparently creating a breach in the position of the local and federal German authorities which, until now, appeared as the anti-*Scientology* fortress in Europe.

However, this is not entirely the case, as shown by future events. In fact, the German position has not essentially

changed, and *Scientology lawyers* who deny the anti-democratic and anti-constitutional nature of the organization, failed, on 12 November 2004, in the administrative court in Köln, which considered the action taken against the sects as justified as it considered that the movement restricted the fundamental and essential rights of human beings. As early as 2002 and 2003, the Federal labour court and the administrative court in Baden-Wurttemberg respectively made decisions against the sect.

While the Federal home office estimated the number of followers of this movement in Germany in 2003 at 5000, possibly 6000 individuals, it is generally agreed that only 1000 - 3000 members are active scientologists. Germany has two "Celebrity centers" and eleven missions.

The influence of the movement in political circuits is entirely negligible. However, its possible penetration of influential circuits is feared to the extent that the CDU party¹⁵³ decided that scientologists were excluded from party membership at its Congress in Desden in 1991. The FDP¹⁵⁴ decided to apply the same rule in 1992, followed by the SPD¹⁵⁵. The influence of *Scientology* in economic circuits is occasionally noticed. Globally, the organization attempts to ensure its portrayal as a religious community, or a fully-fledged church, and is hence considered as extremely aggressive by public opinion which has not forgotten the attacks by the group against the media, politicians and ecclesiastic officials in its early days

In the *United Kingdom*, the *Church of Scientology* is not recognised as a "religious charity". Its head office is located at Saint Hill Manor, East Grinstead, former international headquarters for the organization. Precise

¹⁵³ CDU: Christlich Demokratische Union Deutschlands.

¹⁵⁴ Frei Demokratische partei;.

¹⁵⁵ SPD: Sozialdemokratische Partei Deutschlands;

personnel figures are not known, but it would appear that 450 standing members exist within the Sea Org. These individuals have devoted their lives to the movement. The British public has a negative view of *Scientology*, and qualifies the group as "unusual" and "strange". Some sources consider the group as "potentially dangerous for individuals".

Finally, part of the movement spun off in 2003. The spin-off group consisted of *Scientology* "purists", faithful to the ideas of the founder, Ron Hubbard. They created their own movement, "Ron's Org", in the Netherlands in 2003, with other sites in Switzerland.

Until 1996, the *Church of Scientology* was represented in *Greece* by the KEFE ("Greek Center for applied philosophy"). This association created under civil law was subject to a judicial enquiry at the time on the basis of breaches of the protection of personal data and action disturbing public order and morality, and was dissolved. The following year, the 24 members founded a non-profit making association under civil law, the "Greek institute of intellectualism and *Scientology*". In 1999, this became the "Greek Church of *Scientology*". This association was used by *Scientology* to apply for the authorisation to create places of workshop and the status of "known religion" in 2000. This application was rejected by the Ministry of national education and religions which considered that *Scientology* was not a religion. The group currently manages the "New culture" library in Athens and has approximately 500 followers according to the "Heresy office".

The *Church of Scientology* is the organization with the least influence from the three considered in *Poland* due to its recent appearance which dates back to early 2006. The group's entry on the register of religious movements was rejected due to a formal default with the application.

Scientologists demonstrated their presence for the first time in Poland in early May by installing three tents housing an exhibition on their "humanitarian" activities in the centre of Warsaw. They had not received authorisation from the Mayor to install the tents and the *Scientology* followers were ordered to pack up by police. This process partially revealed *Scientology's* strategy for penetrating Poland. The arguments put forward on this date were relatively distant from the teachings of L. Ron Hubbard. The exhibition focused on the charity work of the organization, which, secondarily, could organize personal development classes.

There are very few followers of the *Church of Scientology* in *Cyprus*, where the organization is not "registered".

The *Church of Scientologie* is not recognised as a Church in *Canada*, but as a "commercial organization" as its main activity is the sale of relaxation methods. It is known for its multiple judicial disputes. The Church was raided and subject to police enquiries in the 1980s, which limited its activities in Ontario and lead to the payment of damages reaching a total of 6 million dollars.

Its initial site in Toronto dates back to 1967 however, after having opened a dozen centres up to the late 1980s, only three remained ten years later. Its financial situation became precarious in the mid-1990s, specifically after it was sentenced to pay 1.6 million dollars for defamation by the Appeals court in Ontario, in July 1995, in the context of the "Hill vs *Church of Scientology*" case, the highest damages sentence ever applied in Canada at the time. The group only survived thanks to the assistance of *Scientology* international. The organization was however able to turn legal workings to its advantage, and in 2001, it succeeded in imprisoning one of its most known critics, the US internaut Keith Hanson, for few days. Keith Hanson had emitted to declare that he was subject to penal

prosecution in the United States, specifically due to his anti-*Scientology* activities, when he entered Canada.

In *Quebec*, the *Church of Scientology* has the status of a non-profit making organism. It also receives the tax benefits accorded to this type of organism. The group has few representatives in this province, where its influence appears minimal. Approximately 300 followers and three churches were present in 2001, no data has been collected since this date.

In the *United States*, where the *Church of Scientology* is considered as the "most litigation-active of the new religions", the group has been or is still involved in legal battles against many local governments and its critics. The Hartford Institute notes that this movement has overcome many legal obstacles in recent years, and that the legal action taken has represented important cases in the field of freedom of religion.

Accorded to the US Census Bureau, the *Church of Scientology* recorded an increase in the number of adults who identified with this movement, climbing from 45 000 in 1990 to 77 600 in 2004, however if double memberships are counted, the number of *Scientology* followers could be higher (www.adherents.com).

In *Sweden*, the *Church of Scientology* benefits from the status of "registered religious community" and has the right to organize valid civil marriages. No public debate exists concerning the dangerous nature of this movement, and a parliamentary report from 1998 estimated that the group had three centres, 1 000 active members and 10 000 sympathizers, although this latter notion does not appear to have any real meaning.

The head office of the *Church of Scientology* for Europe, Africa and the Middle East (one training Center and buildings) is installed in *Denmark*, in Copenhagen, which is not surprising considering the extremely liberal legislation existing in this country. The rumour claiming that this head office could shortly move from Copenhagen to Brussels is barely credible.

The *Church of Scientology* failed in its attempt to obtain the status of religious congregation according to Danish law, and preferred to withdraw its application before the official announcement of the conclusions of the "Denomination commission" of the Ministry of religions, due to clear hostility in public opinion occasionally expressed in the media. Public concern focused both on the scope of the means used and the media fallout of the death of two French followers in Denmark in 2002 and 2003. Several cases have been examined by the Danish justice system concerning complaints for defamation or fraud. Finally, in recent times, isolated initiatives by teachers attempting to allow their pupils to approach this movement in the context of religious education in schools were widely criticised.

B - Jehovah's witnesses

The *Jehovah's witness* movement was officially founded in 1884 by the presbyterian Charles Taze Russell in the *United States*. Ironically, most of the group's activities are organized outside of the 48 mainland US states. The movement has five million members internationally.

In Belgium, Jehovah's witnesses have "non-profit making association" status. Their national office is located in Kraainem, in the region of Brussels, under the name "Christian congregation of *Jehovah's witnesses*". With the exception of

the modifications to the statutes as required by the law of 2002 concerning non-profit making associations, which *Jehovah's witnesses* associations appear to comply with, the structures have not changed. In their international report for 2003, they announced the presence of 25 048 "proclaimers" in Belgium. In 2006, this number was approximately 23 000.

People who have only come into contact with *Jehovah's witnesses* via their door to door visits or phone calls generally have a neutral opinion of the group. On the other hand, the testimonies of former followers or those close to group members narrating their painful experience, and specifically serious relational difficulties with family and friends, weigh negatively on opinions when mentioned in the media.

In *Austria*, this movement is attempting to gain official recognition. In 1998, the group obtained the status of "confessional community" with its 20 000 members. The group is now requesting the status of "legally-recognised religious society" and could obtain this status in 2008. Its behaviour has until now given no grounds on which to refuse this status. It has indeed developed an integration strategy.

When it comes to the issue of blood transfusions for minors, the Austrian authorities and *Jehovah's witnesses* have reached a *modus vivendi*, thanks to a system of authorisation and frequent contact between care services and organizations, in order to alleviate conflict. One recent case has however highlighted the limits of these provisions, a young man aged 18 died in hospital after having refused a transfusion.

Communication from *Jehovah's witnesses* focuses on two messages: their exemplary integrity and their ability to integrate the Austrian society by opting for a civil service rather than the military service and by voting. They influence academic circuits (doctors and jurists). *They are however* one of the groups for which the Federal office for sect-related

issues has received the most requests for assistance by individuals facing difficulties due to their membership or that of a loved one to this movement. In 2003, the office received 102 requests for this group, in third place on the podium. Public opinion has little information on *Jehovah's witnesses*, which are above all considered as very conservative.

The major point of conflict between this movement and public authorities resides in the differences between the status of "legally-recognised religious society" and the status of "confessional community" which does not imply the tax benefits inherent to legal recognition. For this reason, *Jehovah's witnesses*, ever careful with their cash and happy to launch legal action, have started proceedings with the Constitutional court against the law of 1998 creating the status of "confessional community" and claim discrimination. The group turned to the European court of human rights following the rejection of their action.

In *Spain*, *Jehovah's witnesses* have been mentioned on the register of religious entities since the 1980s. While they are relatively well accepted, their resources remain limited and their influence is not extensive. Public opinion views *Jehovah's witnesses* as a foreign group, not integrated in Spanish society, but not representing a danger. Several dozen thousand members exist throughout the country. They are currently requesting the status of "root religion", particularly by highlighting their presence in Spain since the first half of the 20th century and the persecution faced under General Franco's regime. The Spanish government has not yet responded to this application and the legal framework has not changed in the last 25 years.

In the *Czech Republic*, this movement has been registered as a church since 1 September 1993. The authorities estimate membership at several thousand. The distribution of newspapers in the streets had led to negative public reactions,

due to the traditionally low interest of the Czech population for religious issues.

Jehovah's witnesses have been present in Italy since 1930. This movement claimed 235 000 followers in 2006, distributed into 3 070 congregations. The "Christian congregation of Jehovah's witnesses" is recognised by the Italian government as a religious denomination. The group is a legal person with judicial powers (decree n° 783 of 31 October 1986). Finally, an "Accord" (official recognition) has been signed as defined in article 8 of the Constitution, between the Italian Republic and the Congregation of Jehovah's witnesses. This text of 1999 was approved by the Council of Ministers on 21 January 2000, however the absence of an application order means that this convention is currently ineffective.

In *Germany*, this organization is designated by the term "Wachtturmgesellschaft" (Watchtower society) or more specifically "Wachtturm, Bibel und Traktatgesellschaft", which could be translated as "the Watchtower, Bible and Treaty". It was recognised as a "public law authority" in February 2006. In legal terms, the group is therefore on an equal footing with the Catholic, protestant and Jewish churches. In real terms, this means that it can levy its own duties via church tax (Kirchensteuer) and that the movement can teach its principles in schools during religious education classes.

Jehovah's witnesses claimed 167 500 followers in 1999 and is the largest of the three groups studied in Germany. In 1999 the movement had 2114 congregations established in the districts (Bezirke) and grouped into approximately fifteen assemblies ("Versammlungen"). The head office of the national association is located in Seltz-sur-Taunus. Finally, since 1992, the German Jehovah's witnesses have been training missionaries on a "full-time" basis in view of swarming Eastern Europe.

In the *United Kingdom*, the *Jehovah's witnesses* group is recognised as a "Religious Charity" in England and Wales. To this end, the group is entitled to all the benefits and assistance inherent to this recognition, and the public's trust to a certain extent.

The group has approximately 1480 congregations with 128 000 followers, according to the figures provided by INFORM, which only concern members who actually participate in the activities of the movement. This organization, according to INFORM, is generally known for its "door to door" policy, and continues its conversion strategy, but is not particularly successful in recruitment.

In *Greece*, although the *Jehovah's witnesses* acquired the status of "known religion" in 1997, they are facing difficulties, both with the local authorities and with the population at large, due to the construction of places of worship and to their rituals. 98% of the national population is of orthodox religion.

By assigning the status of "known religion" to the legal person "*Greek Christian Jehovah's witnesses*", the government also authorised the group to create places of worship. The head office of the movement is located in Athens. In the same year, the law 2510/97 specified the status of conscientious objectors and the substitute civil service, and in 2001, the Constitution was amended with the addition of a provision on conscientious objectors. The *Association of Greek Christian Jehovah's witnesses* has between 22 000 and 25 000 followers and 338 places of worship, depending on the source of data. The association provides for the needs of around one hundred members of the religious order of the Bethelites.

Jehovah's witnesses have been present in Poland since 1905 and are active. The movement expanded significantly in the 1930s before being persecuted initially by the Nazis and subsequently by the communist regime. Following the political transition of 1989 and the adoption of the liberal law on religious movements, the disciples of Charles Taze Russell obtained the legal status of "religious movement" on 31 January 1990, which implies a certain number of benefits. In 2005, the group federated 128 500 followers with 900 Kingdom halls, taking up third rank behind the catholic church (34 million believers) and the orthodox church (510 000 believers).

Due to the high number of followers and its relative good relations with the local catholic church, this movement is generally met with indifference and is not considered as a sect by public opinion, even if the population has become slightly distrustful in the last ten or so years, leading to a drop in the number of conversions.

In *Cyprus, approximately 2000 Jehovah's witnesses* have been established on a long-standing basis. They are registered as an association and are exempt from active military service, however in view of the increasing number of claims in application of this exemption, the authorities are attempting to restrict the number of individuals exempted. Marriages organized by the *Jehovah's witnesses* are legally recognised. In Cyprus, religious or civil marriages are possible. By recognising the legal validity of marriages organized by the *Jehovah's witnesses* the government implicitly accords the movement "religious group" status.

Although proselytising is authorised in Cyprus, the activities of the *Jehovah's witnesses* are monitored by the orthodox church and occasionally even by the police. The position of the orthodox church concerning the movement is radical. They are viewed as "heretics" due to certain aspects of their doctrine. For this reason, the orthodox qualifies the

movement as a "sect". The other reason for the distrust of the established church is due to the financial motivations of the group. The orthodox church is convinced that the movement is not so much guided by the "Revelation", but above all by economic purposes.

According to the "Documentation office for sects and religions", 110 800 *Jehovah's witnesses* were present in *Canada* in 2001, including 26 000 in *Quebec*, however the numbers have apparently dropped. This organization is considered as a church and does not appear to have any particular conflict with authorities.

In the *United States*, according to the statistics of the United States Census Bureau, a community of 1 878 000 *Jehovah's witnesses* is present in the country, mainly from the working classes, with 11 876 places of worship in 2004. This data reflects an increase in activity as member figures had dropped from 1 381 000 in 1990 to 1 331 000 in 2001, showing serious decline.

In *Sweden*, this movement obtained the status of "registered religious community" in 2000 and has the right to organize valid civil marriages. According to a parliamentary report dating back to 1998, the group is estimated to have 360 communities, 25 000 active members and up to 40 000 participants at celebrations.

In *Denmark*, *Jehovah's witnesses* and the "Watch Tower" organization, the proselytising body, have the official status of "religious congregation" and 21 000 members exist according to an estimate by the "Dialogcentert".

C - The Family Federation for World Peace and Unification or "Moon/Moonies"

In *Belgium*, the *Unification church*, known as *Moon* or *Moonies*, created a "non-profit making association" in 1974, which was subsequently dissolved in 1996. A new group was created in 1997 under the name of the *Holy Spirit Association for the unification of the Christianity*, rapidly renamed the *Family federation for world peace and unification*.

The only existing official figures date back to 1982: 18 members then existed in Belgium. Around sixty members have apparently since joined the association.

In *Austria* the group is estimated to have only 300 members, however *Moon* is at the heart of a nebula of organizations despite low-profile recruitment. *Moon* is related to the *Interreligious and International Federation for World Peace* (IIFWP), which has NGO status with the UN, and runs a set of associations identified under the general title *Movement for World Peace*. These small-scale groups whose members are often the same individuals, have ordinary association status.

The *Moon* movement keeps its activities discrete. Few requests for assistance by victims have been received by the Federal office for sect-related issues. The problems come from the lifestyle required of followers: substantial work for the group, distance from the family, very primitive life. The movement, which considers itself victim to discrimination by the Austrian authorities, is supported by the United States embassy, as is the case for *Scientology*. The US embassy has approached the Austrian authorities and the OSCE.

In *Spain*, the *Unification church* is little present and has very few followers. The group only officially has one office in

the suburbs of Madrid. Public opinion has a highly negative view of the movement. However, the movement is mentioned on the register of religious entities, as the Constitutional court considered that the Ministry of Justice was obliged to mention any entity requesting this act on the register, unless it could be proved that the movement was not of a religious nature, in an order issued in favour of *Moon* in 2001. The grounds of public order highlighted by the Ministry of Justice to justify the rejection of the registration was not accepted, as *Moon* has no criminal record in Spain.

In the *Czech Republic*, the *Moon* movement is not registered as a church as defined by Czech law. The group develops its activities via several associations: the "*Family Association for World Peace*" registered on 3 October 1993, the "*Women's Association for World Peace*", the "*Professor's Academy for World Peace*", and the "*Student's association*" (CARP). It is difficult to estimate the total number of followers, however authorities consider the figure to be at around a few dozen individuals.

The "Moon" organization has operated in *Italy* since 1965 as the "*Spiritual Association for the unification of the Christian world*" (ASUMC). In 1987, ASUMC claimed 600 Italian followers, half of which were employed as foreign missionaries. The association gradually expanded in the years following its creation, but growth slowed following a scandal which had a negative impact on Italian public opinion. This incident involved the marriage organized by Reverend MOON on 27 May 2001 between a Zambian catholic bishop and a Korean woman living in Italy.

This group appeared in *Germany in the mid-1960s*, and is known as a religious community, however its presence is minimal and the actual number of followers is estimated at 100 - 200, a far cry from the 700 followers claimed by the

movement. Until now, Germany has always refused to cede to the insistent requests of Reverend *Moon*, currently prohibited from entering the Schengen area, to visit the country.

Although the movement is currently less aggressive than it has been in the past, "*Moon*" remains highly criticized due to its recruitment methods. Since the early 1970s the media has informed the public of the hazardous activities of the group, particularly the recruitment of youngsters who were encouraged to abandon their training or studies, or even their profession. Initiatives by parents affected by this plague multiplied, providing assistance, advice and information for the general public against the action of "*Moon*".

The *Family federation for world peace and unification* (FFWPU), as the Unification church is known in the *United Kingdom, or Moon*, is recognised as a "Religious Charity" in England and Wales and is therefore entitled to the benefits and assistance inherent to this recognition.

It is difficult to assess the financial resources of the group as assets are held in the names of individuals or multiple companies. The movement has a dozen meeting places. According to INFORM, the movement is having difficulty in keeping second and third generation children in its ranks. Therefore sect membership is aging and the organization is likely to split up at the death of the Founder, Reverend MOON, according to INFORM.

In *Greece*, the civil law association under the name "*Greek women's organisation for World Peace*", represents *Moon* and has, until now, not made any request for authorisation or recognition with the Ministry of national education and religions.

In addition, the group only has a few members, globally foreigners, and its activities essentially aim to

simplify action by the "International religious foundation" (IRF).

In *Poland*, *Moon* is considered as a "sectarian" movement by most Polish and is very little present.

The same applies in *Cyprus*, where few *Moon* followers are present and where the movement is not "registered" despite the fact that this country could represent a base camp for the entire Middle East.

The "*Moon*" group is very discretely present in *Canada* despite the existence of approximately 70 000 Koreans, who do not share the doctrine of the organization. In *Quebec*, the movement has the status of a non-profit making organism, but only has around one hundred followers and one single place of worship in Montréal. Its influence is almost inexistent.

In the *United States*, the *Moon* organization is considered as a "new religious movement" and has developed a high-profile via public events such as candle sessions, book sales, etc.

Its founder, Sun Myung *Moon*, was sentenced by a US federal court in 1982 for tax evasion, which damaged public opinion, and the group has had difficulty in keeping and renewing its followers in recent years. The average age of followers is gradually increasing.

In *Sweden*, where the *Moon* movement does not have "registered religious community" status as in Denmark, the number of followers is negligible and their activities cannot be assessed.

CONCLUSION

The above observations lead to the conclusion that, globally, transnational sects are a source of concern for authorities responsible for protecting the most vulnerable sections of their populations. The unavoidable obligation to ensure prevention, or even repression, is often reigned in by the fear of criticism from national or international opinion due to the sensitive nature of restrictions to the freedom of expression and the freedom of religious practice. Authorities often decide to avoid passing laws in the name of freedom of religion, however, in the absence of consideration of the new component in the abuse of weakness as a consequence of the development of sects, private initiatives combating sectarian aberrations and receiving the support of public opinion, aware of the difficulties of victims, have emerged.

In view of the threat represented by certain groups and weighing on more vulnerable publics, governments having chosen to avoid passing laws on this issue, on historical grounds or due to fundamental laws, attempt to protect either human beings from the consequences of sectarian aberrations, or the state and public person from infiltrations by certain movements, by amending their penal code. The need for improved coordination between states with the same values in terms of the protection of human rights and the dignity of the individual is currently increasingly evident.

In the absence of legislative weapons to combat the fraudulent abuse of weakness and the exploitation of fragile individuals, action representing penal crimes are more complex to qualify in judicial terms, and government protection and prevention for victims of mental hold by sects can be undermined.

At the current time, all of the democratic countries in Europe and North America note the difficulty in ensuring fair

practices in the free exercise of individual freedoms, in compliance with the essential right of each individual to safety. When a scandal occurs, such as those in Guyana, Waco or the *Order of the Solar Temple*, the entire population becomes aware of sectarian risks, however thousands of isolated victims and long-suffering families due to the actual sordid reality of sectarian hold expect improved protection and greater effectiveness via more coordinated action by public authorities and international bodies.

3RD SECTION

ADMINISTRATIVE ACTIVITIES

A – Miviludes

B – Ministries

A – MIVILUDES

1 - EDUCATIONAL AND INFORMATIVE ACTIVITIES

Training

In 2006, MIVILUDES participated at 70 training sessions or days involving more than 2000 individuals. Some of these events were organized by the mission. The aim was to inform the public at these sessions on changes in sectarian activity and ensure their awareness of the nature and consequences of sectarian aberrations.

According to the founding decree of 28 November 2002, MIVILUDES is responsible for "*contributing to informing and training civil servants in the combat against sectarian aberrations, informing the public of the risks, and, if applicable, the dangers, inherent to sectarian aberrations, and simplifying the implementation of assistance for the victims of these aberrations*"¹⁵⁶.

This year, MIVILUDES has been contacted by civil servant training colleges within the Ministry of Justice, the Ministry of National education, the Ministry of Youth, Sports and Associative life, the Ministry of the Interior and the Ministry of Defence. The mission has also contributed to the content of certain continuing training programmes for certain public sectors.

¹⁵⁶ article 1, sub-paragraph 4 and 5.

Local services and regional authorities also request training courses. They observe that personnel is little informed or little prepared to face the sectarian aspects of dossiers. Following regular exchange within one of the departmental cells of vigilance, representatives from the Justice and National education sectors participating in the cell created a common training session for civil servants working for Appeal courts and the administrative services of the National education, led by the members of the mission and organized over three periods of the year. In the same way, at the request of three regional prefectures, this year MIVILUDES created a one-day module providing answers to the questions of civil servants specifically responsible for departmental vigilance in their fields of competences and within their geographical scope. The aim is to federate the network of actors for the reprehensible behaviour of sects and to update their psycho-sociological and legal knowledge of sectarian phenomena. The law of 12 June 2001, concerning the fraudulent abuse of the state of ignorance or weakness, is still recent and it is indispensable to explain this law to all services in charge of legal prosecution.

In 2006, demand was not restricted to the public professional sector. Companies, bank establishments, professional orders such as doctors, and associations attempted to inform managers in their fields. For the first time, social partners of the Fongecif (management fund for individual training) requested training on sects, as they had become aware of the risks to which certain candidates requesting to undertake specific complementary professional training were exposed. Managers are becoming aware of the fact that the professional training sector is a source of attraction for many micro-structures who are emerging without any form of regulation. Some of these structures could lead to serious aberrations.

The wide range of competences of the standing members made available to the mission by the seven Ministries the most concerned by sectarian issues is a specific

asset when it comes to facing the different elements involved in the prevention and combating of sectarian aberrations. Sectarian aberrations, in their multiple formats, may affect any social or professional category, independently to generation, level of education, sector of activity, or the financial resources of the targets. These individuals may subsequently become possible sect victims. It is therefore necessary to combine the profiles of coaches in view of the wide range of focal points of organizations.

In 2006, the emergence of a very clear and new interest in issues relating to the protection of national economic heritage and economic intelligence was noted. The advisor provided by the Ministry of Economy and Finance was able to announce new expertise and analysis to a hearing consisting of directors from the industrial and financial sectors. The close collaboration existing between the standing members of the Mission and several ministerial partners of the Executive operational control committee was further reinforced this year and allowed for the completion of this essential mission.

Training in sectarian risks is necessary once the benefits of a prevention policy have been clearly assessed. For 2007, MIVILUDES plans to meet the expectations of the different publics requesting its intervention and once again multiply the efforts invested in past months. The more individuals aware of sectarian risk and trained to detect these aberrations, the easier it will be to take action upstream, prevent the risk of victimisation and assist the individuals already involved in sectarian movements.

Information

2006 was the second full year of existence of the mission's web site. The site has become an indispensable means of communication and prevention in the field. By regularly publishing official information, the mission reflects the constant concern of the government for this issue. This source of documentation is regularly mentioned by the media

and is now referenced on web sites dedicated to studying the sectarian phenomena. The site is also starting to be mentioned on official sites, even if there is still room for progress in terms of information addressed to personnel and users.

In March 2006, the webmaster was promoted from a temporary contract to a full-time contract with the Mission.

Consultation of the site by internautes

According to the audience analysis tool Xiti, 63 611 individuals had consulted the site at 12 December 2006. If we compare this with the figures for the same period of 2005, visits have increased by 47.2%.

Visitors initially focused on the new items on-line:

- The guide: *"Le satanisme, un risque de dérive sectaire"*¹⁵⁷. (approximately 10 000 downloads since it was placed on the site on 17 October 2006)
- The MIVILUDES 2005
- The texts nominating the Executive operational control committee and the Orientation council of the mission.
- Documents previously placed on the site, the reports of the mission and the documents from the seminar on "Sects and Secularity" continue to represent the main grounds for visits.

A total of 264 477 pages were consulted representing an increase of 45.4% as compared with the same period for 2005, according to Xiti.

Projects

For 2007, efforts will focus on four projects, which are already well underway, but still require developments.

➤ *The renovation of the site model*

¹⁵⁷ Documentation française, October 2006.

The site is currently a bit stark and is under renovation. The aim is to allow for more intuitive browsing and to satisfy the new readability standards for the hard of sight. The Governmental information service (SIG) will propose a new model to the Mission for launch early 2007.

➤ *The prevention of sectarian risks*

On the occasion of the launch of the new site model, the "Aid to individuals" and "Public services" sections will be modified, completed and classified per topic to improve information available to internauts. Several guides adapted per administration, currently in the process of redaction, may hence be made available for professionals and users.

➤ *The Youth section*

Providing information for young people on sectarian phenomena and the risks induced remains a priority issue for MIVILUDES, which has added the brochure on "*Le Satanisme, un risque de dérive sectaire*" to its web site¹⁵⁸. Other information for this group is also available via the different articles proposed. No specific youth section is however currently available.

The creation of a specific information section is therefore planned for with data on risks which may be faced by minors per sector of activity. This action will meet the recommendations and preferences issued by the Parliamentary investigatory commission on "Sects and the health of minors".

➤ *The need to improve the visibility of the MIVILUDES site*

- It is particularly important to be present in search engine results, which represent the main source of access to the site.

¹⁵⁸ MIVILUDES, Documentation française, October 2006.

- With the various Ministry sites.

For both personnel and users, and in terms of the prevention of risks of sectarian aberrations, the different public web sites for the Ministries do not currently adequately relay information on sectarian problems in society. This new media must be better integrated by communication's managers. Recommendations were made concerning this aspect at several of the meetings of the Executive operational control committee. During 2007, MIVILUDES will attempt to contact the ministerial communications' services to ensure that updates are systematic and virtually in real time.

2 - CELLS OF VIGILANCE A YEAR OF TRANSITION

As was the case in previous years, territorial activities in terms of vigilance and the detection of the new sectarian realities have been both effective and instructive when it came to launching local anti-sect action and improving the national assessment of the phenomenon.

The circular issued by the Prime Minister concerning the combat against sectarian aberrations of 27 May 2005¹⁵⁹ specified the practical procedures applicable to the operation of the system for vigilance and combating sectarian aberrations created in 1999, and insisted on consistency, both for central administrations and departments.

1 - The existence of an interministerial mission working with the Prime Minister enables consistent government action via the coordination of the activities of services...

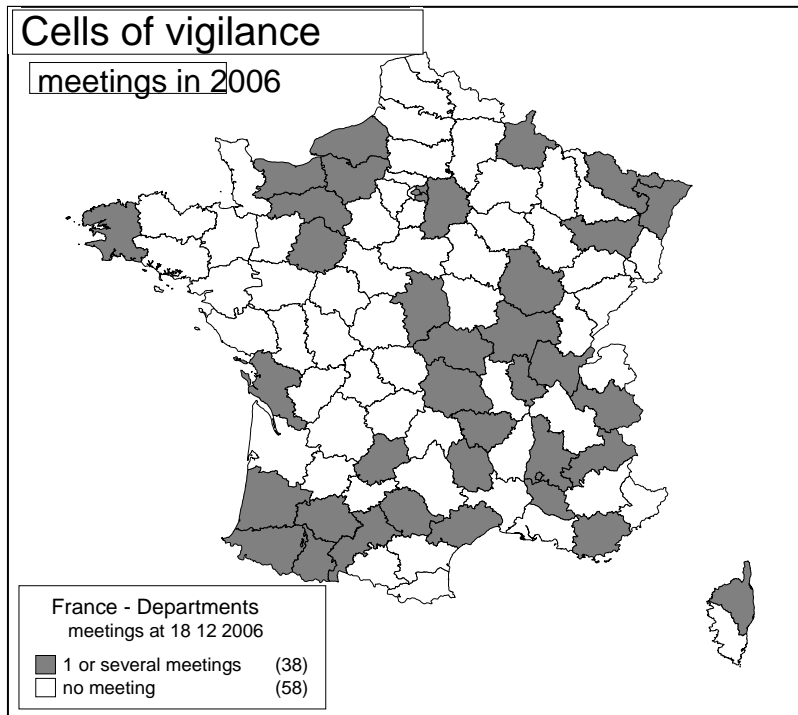
2 - This same consistency was targeted at local level with the creation of "departmental cells of vigilance" under the supervision of prefects, via a circular issued by the Ministry of the Interior . The missions of these cells will be transferred by decree by the Council of State, in the context of the simplification of local commissions, to a new "departmental council for the prevention of delinquency, assistance for victims and the combat against drugs, sectarian aberrations and domestic violence". Prefects will create a working group within each council responsible for specifically handling all issues concerning the combat against sectarian aberrations.

¹⁵⁹ *Journal officiel*, 1 June 2005.

The announcement of the change in system in the context of the reform led each prefecture to adopt a position accounting for both the stated requirement to reduce administrative commissions and simplify their composition, and the analysis of the structural, quantitative and qualitative developments of sectarian risk at departmental level.

This restructuring concerns the decree of 7 June 2006 specifically affecting law n°2001-504 of 12 June 2001 reinforcing the prevention and the repression of sectarian movements breaching human rights and fundamental freedoms, and order n°2004-637 of 1 July 2004 concerning the simplification of the composition of administrative commissions and their reduction in quantity, ratified and modified by law n°2004-1343 of 9 December 2004 in legal simplification, and modified by order n°2005-727 of 30 June 2005.

This legal context has rendered the patient and methodical task of the services coordinated by the prefects more random, ensuring optimal vigilance and the combat against sectarian aberrations.



This allows for the appraisal of the degree of commitment of the prefectures and services as described on the map showing the meetings of departmental cells of vigilance, topic-based working groups or departmental prevention councils, as compared with the map for 2005 which only mentions cells of vigilance, as the other bodies did not exist at the time.

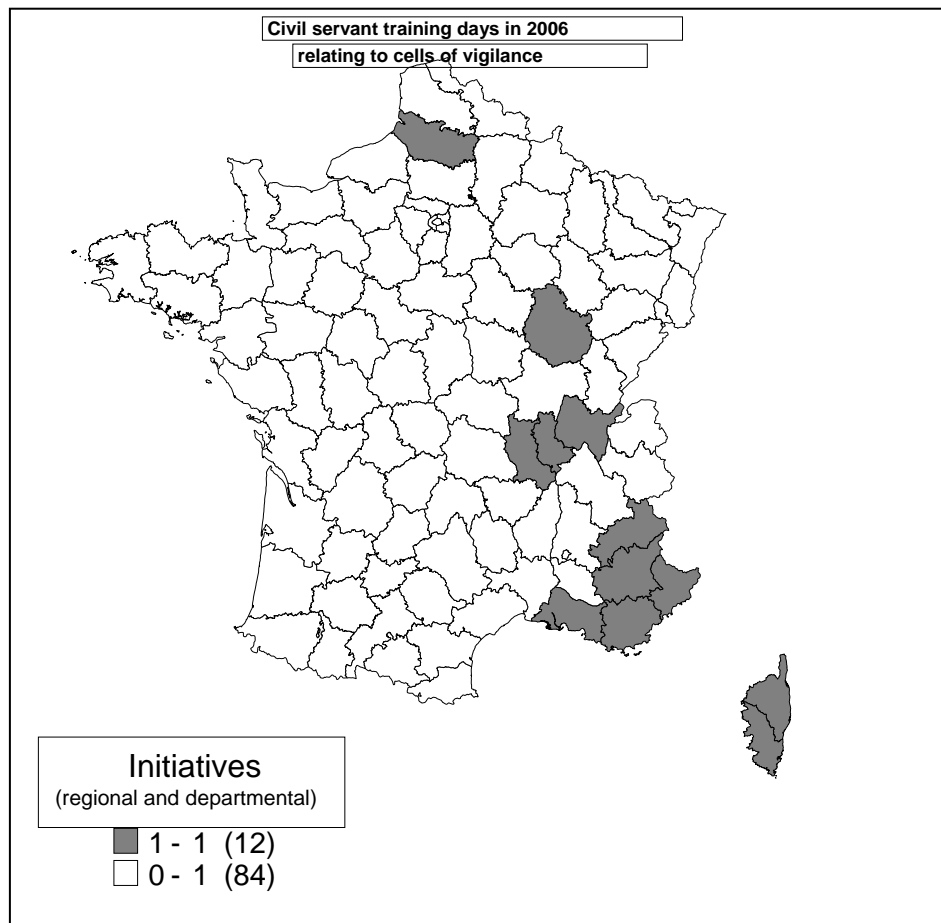
The following table, whose content is similar to that of 2005, specifies the organization and operation of departmental meetings, the resources invested to improve the ability to detect new phenomena, including those provided by other departments or countries, and the control and investigatory systems implemented. It also mentions the initiatives taken at regional or departmental level in terms of the awareness and training of civil servants and similar.

Level of activity in 2006

Description of the activity		Quantity
Meetings	Departmental cells of vigilance	33
	Prevention councils	2
	Topic-based working groups	6
GÉOGRAPHICAL DISTRIBUTION	Departments with topic-based or tracking working groups	3
	Regions with one department having created a cell of vigilance	4
	Regions with more than one department having created a cell of vigilance	11
Departmental and regional initiatives	Creation of inter-administration operational poles	2
	Training days	3

A training map shows the regional and departmental impact of training courses organized with the support of the Interministerial mission during the year and particularly in the

final quarter. These initiatives concern both the administrations involved in the works of departmental cells or councils and the personnel of public hospitals.



ability of departments, which, in previous years, have implemented a fully-fledged vigilance policy, to reinforce and hone their means of intervention each year. The need for training had already been clearly realised in certain regions as information on new movements and networks was presented to the members of the cells of vigilance, requiring transversal analysis. In the same way, in one region, the departmental cell of vigilance has its office in the region's prefecture and has planned to target sectarian risks in the field of professional training, coaching and management. End October, an inter-

administrative topic-based meeting on this issue involved the competent regional council and the departmental chamber of trade.

Multi-disciplinarity was identified as a requirement, and the regional prefect concerned declared that the study day focusing on changes in sectarian risk was likely to encourage the improved involvement of services.

In addition, the risks inherent to certain professions (health, economic circuits) represented by bodies with a public service mission, led the aforementioned prefects of the region to envisage an awareness programme designed for the specific context. Trials carried out following the definition of requirements by a plenary session of the cells of vigilance led to the following conclusions:

- To begin with, in areas in which the services are active, civil servants feel and express their need for training in the means of detecting new phenomena, in the assessment methods for the specific risks inherent to each type of organization identified, and on the mode of operation of these movements.
- Subsequently, it is clear that the rapid changes applied by the movements and the evolving nature of sectarian risks makes constant vigilance indispensable, as well as the creation of a body within the prefecture, e.g. an "office", or "tracking cell", or "topic-based working group".
- Finally, the need for a transversal and multi-disciplinary approach to sectarian issues requires constant coordination between services and the ability to organize their own missions in the field of sectarian aberration. To this end, the joint initiative between the general public prosecutor of a court of appeal and the services of the administration of National education in this field should be mentioned. This initiative led to the establishment of a three-phase training course on sectarian risks concluding with a one-day training programme at end November.

To conclude this report for 2006, it must be highlighted that MIVILUDES views all the initiatives by the various parties, independently to quantity, origin and scope, as worthwhile experiences. The change in system decided on during the year simply reinforces the need for coordination and the circulation of information. The list of training courses organized by MIVILUDES and presented clearly demonstrates this.

B -ADMINISTRATIVE ACTIVITY/MINISTRIES

Justice

Foreign Affairs

Home office and planning

Defence

Economy, finance and industry

National education, higher education and research

Youth, sports and associative life

Employment, work and social cohesion

Solidarity, health and the family

1 - MINISTRY OF JUSTICE

DIVISION OF CRIMINAL AFFAIRS AND PARDONS DIVISION OF CIVIL AFFAIRS AND CHANCELLERY

Handling of files

In 2006, the activities of the sect mission expanded exponentially as compared with previous years in terms of the opening of new topic-based files and public action projects.

To give an example, the files opened in 2004 and 2005 represented 55% of the files opened between 1 January 2004 and 1 October 2006, and 45% of the new files registered during the first 9 months for 2006.

A close partnership between MIVILUDES and the Ministry of Justice and the ministerial departments was established in October 2005 to improve the approach to sectarian aberrations, particularly in pseudo-medical fields, for professional training and for the supervision of minors in sects.

Training

The sect mission has provided training on sects on several occasions for administrations and associations.

For the ninth consecutive year, the national school for magistrates organized a one-week session, led by the sect mission manager, aimed at French and foreign magistrates and civil servants working in administrations concerned by this phenomenon.

A fair percentage of participants stated that they were unaware of the identity of the magistrate in charge of sects for their court at this session. Despite the tasks entrusted, it is indispensable for the latter to provide all information required by their colleagues in a field which is generally veiled and changing.

The sect intranet for the Division of criminal affairs and pardons must also provide assistance for magistrates confronted with this phenomenon.

Access commission for administrative documents (CADA)

It must be noted that, as was the case in previous years, one movement has requested the communication of documents drafted for the "sect" session using various names.

The observations made for 2005 are still valid.

Jurisdiction

Penal

- Graal world

One decision is worth mentioning when it comes to the combat against attacks on individuals or goods by sects: the "*Graal world*" case.

In June 1996, the Marsaleix couple denounced the procurer of the Republic of Lille for the following:

Mrs. Évelyne Marsaleix, born on 30 September 1965, residing in Paris, attended the Gustave Roussy de Villejuif institute as of July 1994 for treatment of a breast tumour. On 27 February 1995, the tumour was diagnosed as a rapidly-evolving condition and the patient was suggested an ablation

followed by chemotherapy and radiotherapy. The operation was decided for 6 March 1995.

After receiving advice from Catherine Ohl, Évelyne Marsaleix contacted Doctor Gueniot and Doctor Saint-Omer who had apparently obtained results with cancer disorders.

Dr. Saint-Omer explained that cancer could be treated other than using traditional methods, which would inevitably fail, by taking homeopathic treatment in view of reinforcing the body's immunity defences.

Until June 1995, Évelyne Marsaleix consulted Dr. Saint-Omer approximately once every three weeks. The doctor particularly explained that he applied the doctrines of Dr Gueniot and Abd-Ru-Shin, according to which, if a patient suffered from a disorder, it was because the person had committed a fault in a previous life and that this disorder was required to allow the person to advance to a future life. Death was therefore of no importance in the current life. Dr. Saint-Omer added that radiotherapy and chemotherapy were the worst of treatments as they made "holes in the astral body".

In June 1995, the tumour had grown, and Dr. Saint-Omer was "officially notified" by the mother of Évelyne Marsaleix that he had to act rapidly. She also sent her daughter to Dr. Coscas, cancerologist at Boulogne Billancourt. On 14 June 1995, the reticent patient received initial chemotherapy. Évelyne Marsaleix then noted blood in her stools and telephoned Dr. Saint-Omer, who explained that she should not worry as she was expulsing the tumour via "Chinese-type elimination".

Évelyne Marsaleix was therefore convinced that she was healing, especially as the tumour had considerably shrunk. The patient felt that this healing was due to the treatment by Dr. Saint-Omer and not due to the chemotherapy. Évelyne Marsaleix stopped the chemotherapy.

In September 1995, the tumour had once again grown in volume and Évelyne Marsaleix started fasting at the advice of the doctor. According to Dr. Saint-Omer, she was going to heal, and her breast would crack open allowing the tumour to naturally flow out. This phenomenon was known as "abcedation".

At no time did Dr. Saint-Omer, who monitored the patient during her fasting, tell her to end the fasting and start the chemotherapy again, despite her visibly worsening state.

Dr. Gueniot had been consulted at the start of her treatment and had used the same arguments, encouraging Évelyne Marsaleix to continue with the treatment prescribed by her colleague, with whom she was in regular contact.

The condition of Évelyne Marsaleix worsened, she had now lost fourteen kilos despite living with the Ohl couple. When out one day, she was informed that she was in the hands of a sect and fled.

She had her breast operated and accepted chemotherapy. Évelyne Marsaleix died on 30 January 1997.

Doctor Gueniot and Doctor Saint-Omer were prosecuted for non-assistance to a person in danger and for manslaughter. On 7 September 2006 they were discharged for the manslaughter charge, but sentenced to a two-year suspended prison term for non-assistance to a person in danger and definitively barred from practicing medicine. The Ohl couple were prosecuted for non-assistance to a person in danger, and were respectively sentenced to six-month suspended prison terms. The couple were accused, as the hosts of the victim, of not having ending the hydric diet applied by the person suffering from a cancer by some form of action or personal involvement.

This decision is not final and has been appealed.

- The "Joie et Loisirs" association

Another fact could be indicated. Six members of an association suspected of sectarian aberrations, *Joie et Loisirs*, have been sentenced to prison sentences, generally suspended terms, for the deprivation of care and food for minors, by an appeal court. These facts came to light due to the death of a young boy at the emergency services in Avallon (Yonne) in August 1999. The child had been brought in by three women belonging to the association whose apparent object is the sharing of leisure activities. The association was directed by Mrs. C., one of the condemned parties, who forced members to follow an extremely strict diet.

According to the order of 17 March by the 20th chamber of the court of appeal of Paris, this diet included fruit, cheese, dairy products and water. According to experts, this type of diet is "disastrous for the growth, mental development and health of children". In addition to Mrs. C., five other individuals, three mothers and two single women who took care of the children in the community, were prosecuted in this case.

When the incident was discovered, the children were suffering from anaemia, slow growth, vitamin or iron deficiencies and even early rickets, depending on each case.

The main condemned party, Mrs. C., considered herself as the "second mum" of the members of the community and denies any sectarian trends in the association. She was sentenced to a five year prison term by the court, with four suspended years. The other condemned parties were sentenced to 12 - 18 month suspended prison terms.

Civil

During 2006, the Division of civil affairs and chancellery (legal office for individuals and family) was not notified of any decision concerning family litigation by jurisdictions or individuals.

In 2005, the attention of the division was retained by the following decisions in terms of the exercise of parental authority, as they reveal that jurisdictions only sentence on a case by case basis, assessing the child's best interest according to the individual circumstances of each case, and not on the basis of general considerations in view of the supposed negative influence for the child of any specific movement.

On 25 October 2005, the court of appeal of Aix-en-Provence issued an order rejecting the request of the father to prohibit the mother from taking the children to the places of worship used by *Jehovah's witnesses* (the mother is a *Jehovah's witness*), their participation in the practices of the group and contact with other followers, on the grounds that he had not provided proof that "*the beliefs of the mother or the participation, which appears limited, of the children in these practices, cause prejudice to the development, the psychological or physical health, and the social integration of the children*". On this occasion, the court of appeal also noted that "*the relation of both children with the two parents is a loving, quality relation, both children appear equally happy in the father's or in the mother's home, the children like the new partner of their father, and the two parents live close to each other. In addition, one of the children has been alternating residency for more than one year. As it is in the best interest of the children to remain together, it would be appropriate for the second child to alternate residency, in application of article 373-2-9 of the civil code on the basis of the same formalities as those planned for the first child. Should no better agreement be found by the parents and as both children apply alternate residency, during school holidays of more than five days each parent will accept the children for half of these periods. On even years the father will select the first or second*

half of the period, and on odd years the mother will make this decision".

The court of appeal of Grenoble made the same decision for a similar case according to an order issued on 25 May 2005: *"in virtue of the principle of religious freedom, the father and daughter may not be prohibited from visiting the Jehovah's witness community. However, the father must ensure that his daughter maintains an open mind and adequate participation in the usual social life of a child of her age, to ensure that, in the future, she will be able to make an independent decision as to her personal decisions without any excessive force from her father or the community".*

An order by the court of appeal in Paris, dated 30 March 2005 should also be mentioned. This order suspends the visiting and housing rights for a father belonging to the *Celestial church of Christ*, on serious grounds, after having identified the following: *"due to the membership of the father and his position as an influential member within the Celestial church of Christ, with which he has not taken any distance and towards which he has not changed attitude despite the commitments made before the mediating judge, exclusive parental authority has been accorded to the mother. If parental authority is entrusted to one single parent, visiting and housing rights can only be refused to the other parent if serious grounds exist. The total lack of interest shown by the father for the children since the supervisor advisor has organized visiting rights in a neutral location, and that the father has never applied, represents serious grounds which justify the suspension of visiting and housing rights for the father, who cannot prove his address and whose living conditions are totally unknown. The mother cannot be obliged to regularly drive the children to the premises of an association for a hypothetical meeting with their father, which would only deeply disappoint the children if the father does not appear".*

In terms of divorce, two decisions are worth mentioning. In both cases it appears that the appraisal of the respective faults of the two spouses is not based on general criteria such as the membership of a sect, but on the down-to-earth assessment of the family context.

In an order dated 20 January 2005, the court of appeal of Papeete, judged that *"the simple fact of belonging to the Jehovah's witness community was not enough to justify divorce for fault in the absence of proved negative effects on the family life. The husband's request for a divorce must therefore be rejected as he does not claim that his wife's membership of the sect has a hazardous influence on the life of the couple or on the education of the children. Extracts from newspapers indicating the dangers of the sect have a general scope and are of no interest in this case"*.

On the contrary, in an order dated 6 October 2005, the court of appeal of Agen, considered that *"divorce should be pronounced exclusively against the wife. Her membership of the Jehovah's witness community has caused behaviour breaching her marital duties and obligations. Various statements confirm that the mother was unable to resist the hold of the sect and obliged her son to attend the meetings with her, and prohibited any contact with the rest of society. In the same way, she abandoned her husband and prevented his application of visiting rights. On the other hand, the wife has not provided proof that her husband married her to obtain French nationality. This hypothesis is belied by the duration of the marriage and the father's attachment to his son. Nor has she provided proof of violence against her"*.

Analysis of the sect mission

The activities of the sect mission continued in 2006 with the monitoring of pseudo-healing movements and certain professional training organisms basing their programmes on

the personal development of participants without any acquisition of recognised professional competences or qualifications or targeting (psycho) therapeutic, philosophic or spiritual objectives.

The action proposed in this context is not likely to be considered as covered by the legal definition of professional training.

In the same way, the monitoring of minors in sects remains a priority for the sect mission. The difficulties targeted in the first Parliamentary investigatory commission on sects in 1995 are still valid: identification and travel of children, absence of medical supervision for certain minors and, above all, the absence of socialisation. The current Parliamentary investigatory commission on sects and minors must submit its report for end-2006. There is no doubt that the conclusions of this enquiry will indicate means of improving the situation in this field.

In addition, as observed by MIVILUDES, small groups have been detected in action attempting to breach individual freedoms. This emergence requires the increased vigilance of public authorities, particularly within "departmental cells of vigilance" in which public prosecutor magistrates participate. To this end, it would be appropriate to involve not only magistrates responsible for sect-related issues in courts of appeal, at these meetings, but also the magistrates responsible for the protection of children, who are confronted with sectarian phenomena.

In addition, meetings must be re-activated by sect magistrates for each court of appeal, by requesting the assistance of the Division of criminal affairs and pardons (DACG) mission assistant or that of MIVILUDES if necessary.

Despite the consideration of sectarian phenomena by public authorities, it must be noted that judicial authorities are

still reticent to consider the mental hold acting on sect followers. In view of the penal proceedings underway on the basis of article 223-15-2 of the penal code, it is appropriate for expertise to be ordered to establish this condition in the context of judicial information.

Finally, the exchange of information with local services and associations for the defence of sect victims, as defined in the circular dated 1 February 1998, must continue, particularly with regards children and adolescents recruited by sects, to ensure they receive the protection they deserve.

THE DEPARTMENT OF LEGAL PROTECTION FOR MINORS

An internal partnership for the Ministry

In 2006 the Department of Legal Protection for minors (DPJJ) ¹⁶⁰continued its joint partnership with the mission on sects of the Department of Criminal Affairs and Pardons. In this framework, it has been regularly tracking certain dossiers involving educational assistance for minors who are being followed by juvenile court judges, and for whom there is a direct link to a sectarian problem. A dozen active dossiers, concerning around sixty minors, were tracked in 2006.

Each dossier was updated, including the updating of the records of each minor involved, and more general consideration of approaches likely to be pursued in 2007. This included the assignment of a PJJ correspondent for sects in each of the regional departments for the legal protection of minors, to work with the correspondent of the appeals courts, which will apparently continue to be a priority. The DPJJ had

¹⁶⁰ Formerly the K2 office.

identified a clear reduction in reports of minors with sectarian difficulties for the year.

Training

A few youth judicial protection officers participated at the "sect" training session for 2006, held at the National School for Magistrates in Paris.

It would appear that the improved distribution of information on this training session requires consideration within the DPJJ. The low number of participants can be explained by the lack of knowledge, or the late knowledge, of this training session.

2 - MINISTRY OF FOREIGN AFFAIRS

The Department provides a standing diplomatic advisor for MIVILUDES. The advisor for religious affairs (CAR) represents the Department within the Executive operational control committee (CEPO) of MIVILUDES, with the security sub-director (ASD/SEC). In addition, the CAR can be required to present draft answers to parliamentary questions¹⁶¹.

I - Organization of missions abroad for the members of MIVILUDES

In view of its responsibilities in terms of the tracking of the evolution of risks and the prevention of sectarian aberrations, MIVILUDES is required to consider the international scope of these issues due to the "transnational" nature of sects. It must also inform the partners of France of its activities in terms of vigilance and the combat against sectarian aberrations and explain French legislation in this field together with the context of its mission, in collaboration with the Department.

In this context, MIVILUDES carried out the following missions in 2006:

¹⁶¹ With regards the reaction of the government towards the publication of the report by the US State department on the freedom of religion in the world, on 8 February 2006, this report, which mentioned its concern of the possible restriction of this freedom in France, was the subject of a question by the deputy from La Marne, Francis Falala, from the Ministry of Foreign affairs.

FECRIS colloquium in Brussels on 25 March 2006

The European Federation of centres of research and information on sectarianism (FECRIS), a non-governmental organization with observer status within the Council of Europe, invited MIVILUDES to participate in the colloquium organized on the "Internationalisation of sects: a danger for human rights in Europe?" bringing together associations for the defence of families and the individual and victims of sectarian aberrations.

At the colloquium, the delegation organized by the secretary general was able to meet European associations such as the *Associazione per la Ricerca e l'Informazione sulle Sette*, the *Family Action Information and Resource*, the *Association suisse pour la Défense de la Famille et de l'Individu* along sides of organizations such as the *Centre belge d'information et d'avis sur les organisations sectaires nuisibles* and the *Center for religious movements studies* from Belarus and *Info Secte* (Canada). In parallel, the Belgian working group responsible for monitoring the recommendations of the Belgian parliamentary commission on "Sects" presented its report to the House of representatives, and specifically proposed a modification to law to allow for intervention by authorities before aberrations could lead to regrettable consequences.

Visit to the Council of Europe by the President of MIVILUDES, 13 April 2006

The President of MIVILUDES, Jean-Michel Roulet, and its secretary general, Catherine Katz, visited the Council of Europe, in Strasbourg, to meet with high-ranking members of the Council to present MIVILUDES and its activities and specify the French position in terms of the combat against sectarian aberrations.

President Roulet was able to explain the exclusive focus on aberrations by sects to his contacts. He reiterated the main principles behind secularity in France and highlighted the protective and preventive action required by the government towards the victims of mental hold by sects.

Colloquium in Bratislava organized by the Institute responsible for relations between the government and churches in Slovakia, 24 - 26 May 2006

At this colloquium, the Institute responsible for relations between the government and churches in Slovakia invited MIVILUDES to present its activities at a public conference followed by a debate on the premises of the Ministry of culture in Bratislava.

II - Enquiries into legal and regulatory systems in certain countries with regards movements whose activities could lead to sectarian aberrations

At the request of MIVILUDES, our embassies in Berlin, London, Madrid, Rome, Stockholm, Warsaw, Washington, Ottawa (and the general consulate in Quebec) were contacted in May and June of 2006 in order to provide items of information on current legislation in their country of establishment, and on the activities and financial and human resources of the *Jehovah's witnesses*, *Scientology* and the *Moon movement*, and on any legal provisions applicable to these movements. The results of these enquiries were transmitted to MIVILUDES, which integrated the data into its own observations in the second section of this report.

III - Explanation and defence of the French policy towards international bodies.

The French policy against sectarian aberrations is occasionally questioned abroad, particularly in Anglo-Saxon and Scandinavian countries where the very notion of "sect" does not have the same meaning as in France.

In view of these questions, the special reporter on the freedom of religion or conviction on the human right's council of the United Nations announced that he would continue to "*closely monitor*" the activities of MIVILUDES with regards possible breaches of the right to the freedom of conscience and religion, in his report published on 8 March 2006.

Within the bodies concerned, the Department explains that the activities of MIVILUDES fully comply with the international conventions ratified by France in this field, particularly the United Nations treaty for civil and political freedoms from 1966 and the European convention for the protection of human rights and fundamental freedoms from 1950. The Department highlights that the policy applied in France does not aim to restrict the freedom of religion and conscience, but to prevent the risk of sectarian aberrations and inform the public of these risks. To support this statement, the Department insists on three points with partners:

- that no specific movements are monitored, but types of blameworthy behaviour,
- that criminal activities will be prosecuted by common law courts,
- that MIVILUDES exists because the victims of sectarian aberrations expect support and assistance from public authorities.

At the annual assessment conference for the works of the Office for Democratic Institutions and Human Rights (ODIHR) of the OSCE in Warsaw on 2 - 13 October, the French delegation was able to once again specify the means of action taken by public authorities in terms of combating sectarian aberrations. The President and secretary general of MIVILUDES, members of the French delegation, met with the OSCE leaders in this sector and representatives of

NGOs and groups on the sidelines of the conference, and provided the information they required concerning the assignment and operation of MIVILUDES.

IV - Consultations for the designation of experts.

The advisor for religious affairs, in collaboration with the President of MIVILUDES, proposed a new French expert for the ODIHR "group on the freedom of religion and beliefs" within the the OSCE.

3 - MINISTRY OF THE INTERIOR AND PLANNING

Main observations

The trends observed in 2006 by general information services continue in the lines of the observations made in the past two years.

Healing deviations

Healing deviations still occupy a dominant role and can be the result of vast organizations or Christian groups - even syncretic groups - which encourage the use of prayer to heal, or the result of movements or networks working on the basis of dangerous alternative therapeutic practices.

This year, the frequent use of hallucinogenic substances and the traditional consumption rituals (ayahuasca, santo daime, iboga and bitwi), is new and has had dramatic consequences in the field of the latest "new age" aberrations. Ritual practices based on the iboga plant caused the death of a young drug addict participating at a detoxication course organised by this movement on 18 July 2006 and the hospitalisation of another participant at one of these courses in Gard in September. This participant is suffering from hallucinations and significant mental disturbance.

We could also mention the sentencing of two homeopathic doctors, members of the Grael movement, on 7 September in Lille, to a two-year suspended prison sentence for non-assistance to a person in danger, following the death of a patient in 1997.

The Satanist nebula

The number of Satanist profanations remains high, even if the figures vary little: 24 profanations in cemeteries and churches during the first nine months, i.e. an extrapolated total of 30 for the year, as compared with 32 for 2005 and 29 for 2004.. No crime or suicide has been reported since early 2006 due to this "culture".

Urban and peri-urban environments

One new element appears clear in today's world: urban and peri-urban environments, with their globally young and socially marginalised population, are increasingly targeted by certain organisations.

The Church of Scientology is multiplying this type of initiative. Along side of long-standing scientologist satellites (e.g. the association "*Non à la drogue, oui à la vie*"), new relays with varying degrees of structure are operating in disadvantaged districts and sensitive areas, e.g. "*Ministres volontaires*" or "*Jeunes pour les droits de l'Homme*".

Jehovah's witnesses

It must be noted that the services of the Ministry are also monitoring the practices of *Jehovah's witnesses*, independently to legal issues.

Territorial organisation

The coordination of action by government services and the monitoring of sectarian aberrations at departmental level was until now executed within "departmental cells of vigilance" organized by prefects, according to the instruction of the Minister of the Interior dated 20 December 1999. In the context of government reform, decree n° 2006-665 of 7 June 2006 concerning the reduction in quantity and the

simplification of the composition of various administrative commissions, has transferred the assignment of these cells to a pivot commission known as the "departmental council for the prevention of delinquency, assistance for victims and the combat against drugs, sectarian aberrations and domestic violence". Local structures combating sectarian aberrations are now the subject of a regulation and not a simple circular. These commissions will be chaired by the prefect and include representatives of government services, particularly the police and national military police, and magistrates, but also representatives of local and regional authorities and associations. The organization and the operation of these commissions and their specialised training courses will be defined by order of the prefects. The government representative will consequently organize small working groups which will only include the members of the pivot commission concerned by these questions, in order to ensure the confidentiality required for exchange on these sensitive issues and promote effective work on the sectarian phenomenon.

Finally, information and training activities ensured by the Central division of general information (DCRG) and aimed at police services and the other administrations concerned, continued in 2006. In addition to the regular training cycles reserved for police officers transferred to the general information service, information will be systematically available at the school of police officers.

The communication of administrative documents

The Ministry of the Interior and planning observed that the *Church of Scientology* continues its systematic requests for the communication of administrative documents, particularly those concerning the monitoring of sects and training on sectarian phenomena by the general information service.

In view of these requests, the Ministry of the Interior attempts to reconcile the right of any person to receive these documents, as guaranteed by the provisions of the law of 17 July 1978, and the interest of protecting public security. To this end, it must be noted that the Council of State, in its decision of 3 July 2006, conceded to a request made by the *Jehovah's witnesses* to obtain the communication of documents produced by the DCRG for the parliamentary investigatory commission of the National assembly on finance and sects in 1999. The Council of State considered that these documents were not "parliamentary documents" and that, in view of their content, their communication did not represent a potential risk to public security.

4 - MINISTRY OF DEFENCE

As was the case for the other managers of the administrations involved in the combat against sectarian aberrations, the managing director of the national military police service spoke to the parliamentary investigatory commission on "Sects and minors" on 4 October 2006.

During this hearing, the managing director of the national military police service explained the main lines for the action of his administration with regards sectarian aberrations to the members of the commission.

The contribution of the national military police service to the drafting of the MIVILUDES report for 2006 was based on this hearing. The purpose was to describe the action of the national military police service in the combat against sectarian aberrations during 2006, with information on the following points:

- The system applied by the national military police service when handling sectarian phenomena,
- Sectarian phenomena and minors: vision and action by the national military police service,
- Proposals for increased effectiveness.

I – The system applied by the national military police service when handling sectarian phenomena

From initial studies, sectarian phenomena were revealed to be generally diluted, both geographically and thematically: geographical dilution - no region and no department are entirely devoid of sectarian sites, and thematic

dilution - the ideologies underlying each sectarian movement vary widely.

In view of its multi-faceted opponent, the national military police service decided to adapt its internal structures in order to obtain detailed knowledge of sectarian phenomena at local level, and to create an adapted structure at central level.

Collecting information on sects is therefore carried out by all local units of the departmental military police service (brigade communities, autonomous brigades, surveillance and intervention groups), departmental brigades for judicial information and investigations (BDRIJ), but also by research units (research brigades and research sections).

The "information" cells of military police groups are responsible for collecting, analysing and applying information at departmental level.

In addition, this departmental structure transmits information to a central body which combines all information concerning sectarian aberrations.

Since 2006, this central unit of the national military police, known as the STRJD (Technical service for judicial research and documentation), is responsible for monitoring sectarian aberrations at national level, both in administrative and judicial terms. To this end, a superior officer from this unit was designated as "national sect referral officer for the military police" on 1 July 2006. This officer is backed up by a team of three military assistants specialised in this phenomenon, the "national sect referral officer for the military police" will coordinate and use all information transmitted to monitor changes in activity relating to the sectarian environment.

The STRJD and its team is a central unit for collecting information from local units and has become the main contact for the correspondents of other government services concerned

by sectarian aberrations. In order to monitor the phenomena and complete their knowledge, personnel are encouraged to monitor and participate in continuing training. They recently participated at the seminar organized in Paris by the National school of Magistrates on the issue of sectarian aberrations.

In a more general manner, the national military police is naturally ready to participate in the training sessions envisaged by MIVILUDES for future application at regional level for local referral agents.

A total of almost four hundred and fifty members of military personnel (including one hundred officers), trained or specialised in the management of administrative information and public order, are involved in the handling of information concerning sects.

If information is assumed to be or established as judicial, specialised personnel from the BDRIJ, the PJ sections in the regions and the STRJD, will take over. If required, judicial action by these members of personnel, who are fully informed of the sectarian problem, is relayed when a judicial enquiry is opened by the 23 700 judicial police officers (OPJ) of the military police. Specifically concerning minors, these OPJ may also be backed up by the specialised personnel of the forty one brigades for the prevention of juvenile delinquency (BPDJ) of the national military police service.

Since 2003, several events relating to the profanation of cemeteries, Satanic inscriptions, and damage have been recorded in the five departments of the region of Brittany. These are generally isolated acts committed by young minors or adults fascinated by Satanism and death. These individuals are cut off, at a distance from an educational or professional environment, and suffer from a lack of references.

One judicial case is particularly worth mentioning due to its spectacular impact, and due to its direct relation to sectarian aberrations and Satanism. Early 2006, a cemetery, a

calvary and chapels in the west of France were subject to degradation in the form of graffiti and substantial damage from fire. Identical transcriptions were found: the figure 666 and an inversed cross on the walls, a pentagram surrounded by a 40cm circle, burnt statues and a burnt piece of fabric. One chapel was entirely destroyed by a fire of criminal origin. Six statues from the chapel were found buried upside down on the tombs in the nearby cemetery.

In view of the recrudescence of satanic phenomena, a working group was implemented by the regional military police in Brittany. The authors, satanic believers, were rapidly interpellated thanks to the investment of substantial human and material resources and extensive knowledge of the phenomena.

This case was advertised in the national media. An examining magistrate was contacted to determine if the authors were responsible for other events.

Since 1 January 2006, 127 infractions have been committed in cemeteries in the fields of competence of the national military police service (102 incidents of degradation – 17 inscriptions – 7 strippings and 1 profanation).

MIVILUDES is currently studying the impact of the use of certain non-stupefacient and stupefacient products¹⁶². In the summer of 2006, in the region of Ardèche in France, a seminar was organized at the initiative of a cultural association whose apparent mission is to promote the properties of iboga, at the "*Meyaya*" centre located in La Voulte-sur-Rhône in Ardèche. Iboga is a hallucinogenic plant whose effects can be very dangerous for the health if medical supervision is not ensured during consumption (risk of convulsions, paralysis or death).

¹⁶² See the 2nd section of this report.

On 18 July 2006, a drug addict undertaking a voluntary drug detoxication course using plants from Gabon (iboga) was found unconscious, after having fainted. Despite attempts by the emergency services, he remained in this state. A judicial enquiry was carried out to identify the cause of the death. This case was advertised in the media. The death may or may not have been caused directly by the consumption of iboga, but the question of the illegal exercise of medicine arises under all circumstances.

II – Sectarian phenomena and minors

Current observations

Sectarian influence hits individuals at the roots of their intimacy and contaminates their family environment. It is therefore unavoidable that children will be affected by this phenomenon.

Associations combatting sectarian aberrations indicated that almost 20 000 minors are apparently under the influence of sects. However, the absence of any pertinent standard or criteria setting a precise scope for situations which can be reasonably described as "involving minors in these movements" requires the careful consideration of these figures.

Under all circumstances, even if they can only fatally represent the visible section of the sectarian iceberg, the judicial cases handled by the military police do not appear to represent the reality described.

Since 2004, thirty seven cases requiring judicial action have been notified to the military police. This figure is modest despite the fact that one case may concern several reports.

However, although the estimation put forward by the associations must be taken with a pinch of salt, the military

police does not underestimate the phenomena. A certain number of judicial cases handled by the military police have demonstrated the reality of the psychological and physical risks faced by certain minors trapped in sects, often with the consent of at least one parent. They are, just like adults, subject to the risks of recruitment, however these risks are particularly raw due to their age, and these minors are also generally subject to sexual abuse. Recruitment and sexual abuse are two of the main lines focused on by the national military police service in terms of repression.

Intervention

The national military police is well established in the area in which it is responsible for the public security mission, and is very naturally at least informed of, and, when necessary, involved in detecting cases affecting minors. This early detection allows the service to use judicial resources as early as possible after the reporting of the incident.

The detection of aberrations which could involve minors as victims is the result of the information mission executed by the military police units. No text accords any specific inspection powers in this field. As the regular contact for other government services, local military police managers are ideally placed to exchange information concerning sects, or the feelings that these movements can cause for the population.

As is the case for any field actor, the national military police service participates in the process, which allows for the combination and comparison of all elements required to trigger an inspection – executed by the most appropriate service – or the launch of an enquiry.

This action is combined with the use of reports from other sources such as professionals in the health sector, who are ideally positioned in this field.

If assumptions or signs of sexual abuse to minors exist in a judicial case, this case will naturally be handled with extreme care. Independently to medical and legal examinations, investigators will ensure that optimum guarantees are obtained to allow the children to speak freely, specifically with the assistance of health professionals.

III– Proposals for increased effectiveness.

To improve the circulation of information

The exchange of information between all actors concerned by the combat against sectarian aberrations is essential. To this end, the improved circulation of information between the different services could be encouraged. One of the difficulties lies in the multiple types, complexity and the often small size of sects. Many individual structures are currently emerging. They now affect all fields: educational support, humanitarian issues, health, etc. However, without holding reliable information and data, it is impossible to consider apprehending these movements in view of their multiple formats. To give an example, in 2006, only forty six reports concerning movements or associations likely to have sect-like behaviour were listed by the military police units. The success of action globally depends on the effective circulation of information between all actors.

On this point, the national military police service is prepared to take any action which would enhance and reinforce exchange between the many public and private actors concerned by the combat against sectarian aberrations.

To this end, it would undoubtedly be beneficial to formally create a pole for the exchange of information on sects, in the form of an open and free inter-service structure. The action of such a pole would however be necessarily limited in the absence of a resource for the saving of

information in view of comparisons. With constant law, such a file is not however possible.

With regards the judicial aspects of its activities, the military police can clearly not take action unless reliable information has been collected, enabling complete investigation within the judicial enquiry. Other than enquiries launched subsequent to the reports mentioned above, judicial investigations generally occur in the context of complaints submitted due to the non-representation of children, but also by former followers, indicating sexual aggression.

With regards adults, the most frequent infractions concern sexual aggression, the fraudulent abuse of ignorance and weakness, fraud, the illegal practice of medicine, etc. Units do also launch enquiries on the basis of information received and at their own initiative. Under all circumstances, no concealed action is executed by investigators which act in a fully transparent manner, after having received information from magistrates and in the context of the powers accorded on the basis of the Code of penal procedure.

In technical terms, when it come to enquiries concerning the activities of sects - *a fortiori* involving minors - they systematically attempt to demonstrate the components indicating sectarian aberration.

Investigators particularly ensure that they transmit dossiers to jurisdictions enabling them to decide on their intimate conviction in full knowledge of the context leading to the possible amplification of the scope of the infractions concerned.

Documents revealing the ideologies applied or the doctrines taught, the proselytising techniques employed and the linguistic components used by followers are, to give a few examples, highly useful items of information, in the same way as the description of the deviations observed and the internal hierarchy of the movement.

To this end, and to go beyond the scope of minors, the efforts for many years by the military police in order to improve the conditions for taking in victims are likely to encourage, and even cause, complaints by fragile individuals who often became followers of sect movements.

Under all circumstances, the system applied by the military police demonstrates a level of effectiveness which could most certainly be improved, but which is already a source of encouragement as the cases mentioned above and processed by the military police have led to in-depth judicial investigations. For the first time, a guru was definitively sentenced in 2005 in application of the About-Picard law of 12 June 2001, for "the fraudulent abuse of the ignorance and weakness of several individuals subject to a state of physical and psychological submission".

Aiming to improve the knowledge of sectarian phenomena by government agents

The training of personnel must be improved to optimise the apprehension of judicial enquiries specific to the sectarian environment.

To give an example, it is difficult to establish if the victim of a suicide was subject to a direct hold by a sect, or if this movement was potentially involved in the act.

Former followers are systematically defensive at hearings. Consequently, it is difficult to identify the real content of their testimonies. The manner of asking questions is therefore important. The investigator must be as neutral and objective as possible in order to avoid any passionate debate. The "language" of the sect must be used as far as possible and knowledge of the retranscription is essential (a translation grid must be provided in appendix if necessary).

Therefore, it would be helpful to consider the creation of a specialist operational service.

To improve the apprehension of the surveillance of Internet

The surveillance of sectarian activities via the Internet must be improved. Indeed, the emergence of new technologies in the distribution of information requires the increased surveillance of this recent, but widely-used, vector of communication in France, particularly by young people.

Excluding the case of reports, no systematic monitoring system currently exists in this field. Punctual and rapid scanning of internet has revealed that very few sectarian sites exist and proselytising activities would appear low-profile in this field. Systematic surveillance would not be technically complicated, but would involve resources.

Emerging discussion forums, video games, literature and all specialised supports must also be closely monitored as minors are always happy to lap these up.

Conclusion

The national military police service combats sectarian aberrations along side of other government services, in the traditional framework of its missions. To this end, they base their activities on regional units and the professional approach of their units, and collect in information concerning sects, in close collaboration with the resources developed by MIVILUDES.

However, a substantial percentage of the success of the combat against sectarian aberrations is based on the information collected in by the services and by MIVILUDES. In parallel, training courses must be continued and developed

to target the creation of a structure able to handle complex cases.

5 - THE MINISTRY OF ECONOMY, FINANCES, AND INDUSTRY

THE GENERAL TAX SERVICE

The general tax service (DGI) carried out 43 inspections for the period 2000 - 2005, concerning entities likely to be subject to the risk of sectarian aberrations, although the observation of this property is not part of the mission of the DGI and was not formally established.

These inspections were carried out according to standard conditions and were not specifically scheduled. They led to the recall of 3 million euros in taxation, on the basis of a wide range of often contested technical grounds (e.g.: the subjection of associations to commercial taxes, the taxation of professional income not declared by natural persons, the taxation of free transfer duties applicable to manual donations made to certain associations, the application of VAT to companies which claim that their activities in the field of professional training are exempt from VAT).

In addition, in response to a written question by Jean-Claude Lefort, deputy of Val de Marne, concerning the tax regime of donations made to the association *Tradition, Family, Property*, the Ministry of Economy, Finance and Industry was able to specify that payments made to the aforementioned organism did not satisfy any of the conditions defined in articles 200 and 238 bis of the General tax code (CGI). This association, whose purpose does not correspond to any of those listed on an exhaustive basis in the law, does not work in the general interest of the public and donations receive a direct consideration. Subsequently, the issuing of certificates allowing individuals making donations in good faith to benefit

from a tax rebate exposes the organism to the application of the penalties defined in article 1740 A of the CGI (a fine equal to 25% of the amounts unduly indicated on receipts).

As a general rule, the tax rebate accorded for donations to associations, independently to its nature or purpose, is likely to be inspected by the services of the DGI.

Finally, the research services of the DGI permanently monitor cases relating to taxation, particularly those concerning sects, in view of scheduled inspections.

6 - MINISTRY OF NATIONAL EDUCATION, HIGHER EDUCATION AND RESEARCH

As compared with previous years, the school year 2005-2006 was particularly calm for the Cell for the prevention of Sectarian phenomena (CPPS).

The CPPS was only rarely contacted: three cases of children considered to be in danger were reported, either because the parents belonged to a sect and were considering moving the children to schools abroad, or because one of the children was considered as an *indigo child*. In the latter case, the competent inspector for the academy has reported the situation to a public prosecutor, while the other cases were solved via dialogue between the parents and national education representatives. The two latter cases highlight the importance of vigilance by all Ministry personnel: one of the two cases was reported by a social assistant, whose intervention led to a satisfactory solution.

The CPPS will also pay attention to the situation of private schools not bound by government contracts, particularly if the conditions of creation or operation of the school imply risks of sectarian aberration. These schools will be inspected by regional inspectorates.

These regional inspectorates continue to be active in several fields, particularly the control of home education, however it must not be supposed that parents educating their children at home or private schools without a government contract are related to sectarian activities. In this context, they inspected the actual home education provided (1119 children assessed out of 2813). These inspections revealed a generally

satisfactory situation, as the high number of inspections led to a low number of orders to attend school in a public establishment or a private establishment with a government contract: 23, in view of two successive assessments revealing a very inadequate level of acquisition of knowledge.

In addition, 80 inspections of private schools without government contracts were carried out. 11 official warnings were addressed to these establishments in view of the lack of compliance of the education provided with legal requirements (inadequate level of knowledge, inconsistent annual progression). These official warnings will be followed up with a repeat inspection. If the same observations are made on this occasion, the academy inspector will inform the public prosecutor.

In view of the heavy workload faced by the personnel of regional inspectorates, the extensive scope of their action can be considered as more than satisfactory.

CPPS managers also organised their traditional annual training and information seminar aimed at their academic correspondents in order to attract their attention to the new forms of sectarian activity and the legal environment for the inspections. MIVILUDES managers were able to speak at this seminar as well as the director of legal affairs for the Ministry.

The two managers of the CPPS attempt, as far as possible in view of their workload, to participate at the various seminars organized on sectarian aberrations for academies, specifically aimed at inspectorate personnel and heads of educational establishments.

7 - MINISTRY OF YOUTH, SPORTS AND ASSOCIATIVE LIFE

1 - Operations of the Ministerial cell of vigilance

The cell of vigilance of the Ministry of Youth, Sports and Associative life (MJSVA) continued its monitoring and informative activities in 2006.

It then organized three hearings of important individuals specialised in sectarian aberrations, in January, February, and April 2006. In September, it listened to the words of the head of the office of holidays and leisure for minors, from the division of youth and popular education.

The cell provided documentation and specifically distributed the book "*Dans la secte*" by Pierre Henri and Louis Alloing¹⁶³ to local and regional services at end 2006.

The cell is structured in constant liaison with the members of the network of correspondents in local services, providing any information required to simplify their action against sectarian aberrations, particular with youth initiatives. One of its representatives attended a study day on sects and childhood on 30 March 2006.

In October 2006, an informative campaign was executed, targeting all regional directors of youth and sport.

Finally, the cell acted as a permanent interface with MIVILUDES and the associations, UNADFI and CCMM, in view of all types of judicial and documentary research.

¹⁶³ Editions La boîte à bulles - Contrecoeur

2- Action by services

Sport

When it comes to vigilance, the sports division continued its information campaign for personnel:

- by providing daily advice and support for local services, on the risks likely to be faced by sports men and women during their careers,
- by providing continuing professional training for national technical directors, on the various possible forms of abuse.

This division monitors current trends (kinesiology, etc.) or pseudo "new" disciplines, in close collaboration with the local services. Certain sectors involving physical or sports sectors are particularly vulnerable, particularly activities which refer to philosophical theories (or pseudo-philosophical), so-called "scientific" studies or re-found ancestral practices (fitness, physical preparation, coaching, etc.)

These systems, combined with psycho-linguistic conditioning, aim to seduce the consenting individual in view of better manipulation. These mental manipulation techniques include the deprivation of food/vitamins, sensory isolation, sensory saturation (the ability of sound and music to create conditioned reflexes is known) or rituals reminding the person of their group membership, etc.

These services attempt to ensure the development of a sense of criticism and the distribution of information to vulnerable sectors to prevent the dangerous effects which these processes have on the health of those affected.

Action

The company *Herbalife*, specialised in network-based sales in the field of health, was subject to an enquiry by services, in view of the target public, with close relations to the sports environment. This enquiry, executed in collaboration with MIVILUDES, demonstrated that this company applies a pyramid sales technique with hard-hitting commercial communication, but that, although its practices have certain properties which are similar to those used by sects (secrecy, suspicion of the illegal practice of medicine), they cannot be considered as a sect in view of information currently held. This company continues to be monitored by services.

In addition, the instructor of a *Shaolin* martial arts school in Toulouse was subject to an enquiry following letters from parents. The enquiry is underway.

Youth and popular education

When it comes to vigilance, the division of youth and popular education (DJEP) monitors sectarian aberrations in holiday camps and leisure centres. The reports received from local services (regional and departmental divisions), and from operators, have been analysed.

The DJEP has provided information for local services and individuals concerning associations subject to suspicion.

Action

The company *Calvin Thomas*, specialised in the organization of linguistic stays abroad, was subject to an enquiry by services, due to its placing of children in families with Mormon beliefs. This company is not approved as a youth and popular education unit, is not registered with the tourist office, and is currently being investigated.

In addition, the association *Outil Théâtre*, which organizes acting training courses in south-west France, was subject to an enquiry due to the involvement of its directors in a Buddhism-related movement after psychological consequences were observed in adolescents after the courses. This association is not approved as a youth and popular education unit. The approval procedure for European voluntary service, underway, has been temporarily suspended. This association has relations with another association, *Champ Commun*, which is also subject to a local enquiry.

Finally, an association, *OI Vacances*, is subject to an enquiry by services in south-east France.

Employment and training

The reform of diplomas and training in the field of youth, popular education and sport will require the application of professional and certification requirements. Specifically with regards level 4, the first reform level for all specialities of the professional diploma, the physical and moral integrity of individuals will be a focal aspect.

With regards BAFA and BAFD¹⁶⁴ diplomas, the reform of regulatory provisions is nearing completion. They target the confirmation of the competences required to ensure the physical and moral integrity of minors. The partnership and communications provisions will particularly be developed for directors, with an explicit mention of communication on educational intentions and the regular transmission of information to families.

In addition, an instruction from 2006 reiterates the requirement for services to comply with the nine criteria for

¹⁶⁴ BAFA/BAFD: Diploma in entertainment and supervision (or director's diploma) for holiday and leisure centres

the authorisation of a new training body, which could allow for the identification of any sectarian anomalies.

Judicial expertise: the transmission of administrative documents

During 2006, the usual "associations" relating to the *Church of Scientology*, continued to "harass" the Ministry, by using the provisions of the law n°78-753 of 17 July 1978 (modified by order n°2005-650 of 6 June 2005) which define and organize the freedom of access to administrative documents and the re-use of public information.

The following three organisms requested the transmission of documents mainly, but not exclusively, concerning associations whose aim is to assist the victims of sectarian aberrations, the UNADFI and the CCMM, from the Ministry. The documents requested globally concern the approval and the administration of associations assisting victims, and the assistance provided to these associations by the Ministry.

"Ethique et liberté" requested the communication of four dossiers, and *"Non à la drogue, oui à la vie"* requested the communication of one dossier.

The *"Comité français des scientologues contre la discrimination"* requested the transmission of one dossier.

3 - Training of Ministry personnel

The training courses and information provided by the Ministry for its personnel take many forms:

As is the case each year, the National Ministerial training plan for 2006 provided for training courses for

personnel. Around a dozen members of personnel followed the course in December 2006.

In addition, in the context of continuing training, and as is the case each year, fifteen MJSVA agents participated at the course organized by the National school of magistrates in October 2006.

The trainee inspectors for youth and sport were made aware of the different aspects of this issue in their initial training course on public policies in the sector of youth, sport and associative life.

Awareness initiatives were multiplied with regional directors for youth and sports in October 2006 and with regional correspondents for sectarian aberrations in December 2006. All issues concerning sectarian aberrations and available resources were discussed with the latter group.

Finally, regional training counsellors have been systematically and regularly informed of the risks inherent to this sector of activity, and made aware of the need for constant and adequate vigilance in view of their function.

4 – Focus on holidays

The protection of minors is a priority issue within the policies of the Ministry.

New regulations

The recent reinforcement of regulations (order n° 2005-1092 of 1 September 2005 and decree n° 2006-923 of 26 July 2006) enables services to improve their knowledge both of the organizers of collective accommodation for minors and the stays themselves, via a mandatory declaration from the first night (instead of the 6th night as was previously the case).

In this way, the services of the Ministry will be able to better identify the organizers or stays likely to represent occasions for sectarian aberrations, and carry out on-site inspections.

In the same way, the now mandatory declaration of sports stays will allow for the consideration of educational and teaching programs, particularly for certain new practices which may require increased vigilance.

As a general rule, the services of the Ministry are particularly vigilant with regards holidays proposed by any new organizer, and especially by small associations, which often have close relations with communities and are likely to implement educational practices which do not comply with regulations in their programs for minors.

"Youth and popular education" approval

The Ministry publishes the list of associations with "youth and popular education" approval, often known as "youth and sports" approval, although this reference is incorrect. This approval is often displayed by the organizers of holidays on their documents and is sometimes a source of ambiguity – particularly with regards parents - concerning the content or the resources supposedly provided for government services.

"Youth and popular education" approval, which was created in 1943 and revised in 2001, is simply intended to recognise that the associations operate in a specific field of action, i.e. popular education, and confirm that the statutes and practices of the association satisfy the principles of democratic operation, among other elements. This approval does not concern the quality of the initiatives proposed by these associations in any way.

This approval is clearly not assigned to movements whose operations are in conflict with transparency

requirements. The Ministry pays particular attention to any fraudulent use of this approval by new associations or due to the change in nature of associations already holding approval. No case of this type was identified in 2006.

Stays abroad

The mandatory declaration applies to all French organizers, independently to the location of the stays, be they in France or abroad.

Organizers must strictly apply the minimum supervision requirements and operating conditions applicable to directors and entertainment personnel. These conditions also apply to stays abroad, however on-site inspections are hence difficult.

The Minister transfers this responsibility to French embassies abroad, and organizers generally declare to these embassies.

**8 - MINISTRY OF EMPLOYMENT
SOCIAL COHESION
AND HOUSING
AND
THE MINISTRY OF HEALTH
AND SOLIDARITY**

INTRODUCTION

The circular by the General division of social action (DGAS) n° 2000/501 of 3 October 2000 concerning sectarian aberrations, determined administrative action for aberrations. It defined a cross-sector structure for the fields covered by the Ministry of Health and Solidarity and the Ministry of Employment, Social Cohesion and Housing. The circular specifically designated correspondents in charge of sectarian aberrations within both the regional divisions of these Ministries and in the main divisions of the central administrations concerned. This structure is headed by a mission assistant, designated in a ministerial note, and supervised by the general director of social action, and has the particular task of coordinating the prevention and handling of sectarian aberrations. This particular task executed for the structure of the Ministry of Health and Solidarity and the Ministry of Employment, Social cohesion and Housing is unique within the administration. This structure allows situations which involve more than one division or Ministry to be handled. This consistency is especially needed for issues relating to health, such as those faced by the general division of health (DGS), the division of hospitalization and organization of health care (DHOS) and the general division of employment and professional training (DGEFP).

Durin 2006, in the context mentioned in the introduction, and in close collaboration with MIVILUDES, the Ministry of Health and Solidarity and the Ministry of Employment, Social cohesion and Housing drafted a new circular on the handling of sectarian aberrations.

I - THE DGAS CIRCULAR OF 1 JUNE 2006

The circular n° DGAS/2A/2026/241 of 1 June 2006 on sectarian aberrations reiterates the rules applicable to civil servants within the service and, the rules applicable to action by the administration in the execution of its public missions.

It must be noted, in particular, that the slightest breach of the neutrality obligation will be subject to an official warning. Repeated breaches of this obligation, in addition to the possible application of severe disciplinary sanctions, can also be used as a basis for a change in assignment, ensuring that the civil servant does not come into contact with the public, in view of the interests of the service and to protect neutrality. However, in view of the above, it is important to insist on the fact that, in the Delle Marteaux decision, the Council of State clearly indicated that the prohibition of religious signs applies equally to civil servants in contact with the public and those with no contact with users. In addition, the administration must remind its personnel – especially those which are not subject to a code of ethics - of their obligations in terms of secrecy and the related sanctions. The administration must also provide its personnel with information on the gravity of the removal or destruction of public documents and the applicable sanctions.

In addition, the government owes its citizens a guarantee of safety, as mentioned in article 2 of the Declaration of human rights and citizens, as a natural and inherent right for mankind. This role assigned to the public authority is one of its oldest powers and cannot be delegated. *The government cannot remain indifferent in view of sectarian*

aberrations and has a duty to intervene to prevent these aberrations.

II - OBJECTIVES OF THE MINISTRY OF HEALTH AND SOLIDARITY AGAINST SECTARIAN ABERRATIONS IN 2006

In 2006, the Ministry of Health and Solidarity prepared a project combating sectarian aberrations in the sanitary and medical-social fields, the extent of which is highlighted in the MIVILUDES report for 2006.

To begin with, the central administration of the Ministry of Health and Solidarity must improve its monitoring structure in this field. Instructions have been provided to services in view of the mobilisation of resources to extend the search for publications and events of all types (written and audiovisual media, internet, fairs, etc.) likely to encourage such aberrations. This mission for the collection of information is extensive and could lead to reports to MIVILUDES or the public prosecutor, if required.

In addition, services were asked to create a unit for the analysis of non-conventional practices in the medical and paramedical fields. This mission will be executed in collaboration with specialised companies and sources of expertise working with the Ministry of Health and Solidarity.

Instructions have been transmitted to services to ensure that training courses provided for the personnel of health institutions and financed by the national health service are carefully analysed in terms of the risk of penetration by sects and that legal and scientific resources are improved or created to simplify the identification of these training courses by professional actors, and ensure their exclusion from the field of continuing professional training courses for hospital personnel.

In a more general manner, and in the same line of thought, government financing, or funding by the national insurance system, will be carefully analysed prior to allocation to fields likely to lead to sectarian aberrations or manipulation, e.g. the various solutions proposed to patients with cancer or Alzheimer's disease, or treatment methods for groups processed by medical-social structures.

Also in view of improving vigilance, the national orientation directive for 2007, issued by the Ministry of Health and Solidarity, which indicates the priority issues for inspection for the coming year for local services, will place the combat against sectarian aberrations on the list of priority action.

The *Guide for the protection of children*, which will be distributed early 2007 to professionals in this sector, will include a chapter on sectarian aberrations and the applicable precautions in this field.

Finally, services must very rapidly start to collaborate with psychiatrists and the associations concerned for the accompaniment of former sect followers.

Resources already exist for the implementation of this type of action, both within the central administration and in local services, and each division of the central administration and each local service have their own specialised correspondent. The series of actions implemented does however require an extension of the positive synergies existing in this field with the various Ministries concerned and MIVILUDES in order to achieve full effectiveness. To this end, the orientations presented by the Ministry of Health and Solidarity to MIVILUDES were welcomed.

III - REPORT ON FOUR DIVISIONS

1 - General delegation on employment and professional training (DGEFP)

Economical and financial interests

Lifelong professional training is a national obligation which concerns all employers (training plan, professional approaches, law and individual training leave). This sector generates financial flows of almost 23 thousand million euros.

The training market is a free market open to any legal person, independently of status. However, training service providers are subject to obligations in terms of declarations, financial aspects and learning programs, contracts (contracts and agreements), the distribution of information, the representation of trainees, and advertising. They are also subject to specific accounting obligations. Non-compliance with these obligations can lead to penal sanctions. These service providers are also subject to the administrative and financial control of the competent government authority. They may also be exempt from VAT.

In recent years, the rise in power of certain groups and networks showing a growing interest in professional training has been observed. They intend to take advantage of some type of recognition or a government label (but not government approval). Continuing training allows these groups and networks to come into direct contact with companies (employees), with job seekers, and also with individuals (sometimes fragile and badly informed) paying for their own training. Multiple order providers and sources of funding exist (the government, local authorities, ASSEDIC, ANPE, social partners, etc.).

A global service offer

The range of existing services never ceases to grow and diversify, and now includes care, spirituality, personal development and/or well-being courses, new or alternative therapies using various learning resources (tests, conferences, seminars, journeys, intensive courses, improved performance, change, coaching, consultancy and multimedia support).

Participants are encouraged to multiply the number of courses followed in order to reach higher "grades", and the astounding nature of certain certificates, qualifications and diplomas, generally not recognised by administrative or professional entities, can be accompanied by misleading and untruthful advertising. Finally, the content of certain aspects is syncretic and characterised by the absence or inadequate nature of any recognised scientific validation. Emotional aspects are played on above all, and any sense of criticism is given a low-profile.

Increased risks for individuals, etc.

These services imply a substantial risk for the development of charlatanism and fraud. This risk is increased by the potential significant costs involved. The risk of aberration can lead to serious prejudice for the beneficiaries, companies or individuals, of action implemented. These services often have very little relation to the purposes assigned to the professional training course (professional insertion or re-insertion, adaptation to a new position, continued employment or career development, new skills, etc.).

The services proposed do not satisfy the properties of the training course, they are imprecise or ambiguous, programs are difficult to understand (obscure or esoteric content, abstruse references), supervisory resources are negligible. Events are often open to all publics, without any

real pre-requirements, and do not lead to any real assessment, and sanctions can be misleading for beneficiaries.

....and companies

Certain well organized groups or networks manipulate the field of continuous training to encourage the emergence of new sources of proselytising, which are integrated into structured and binding systems (intellectual property, pyramid sales techniques, legal dependence, etc.). The relations established between the founder, initial distributors and their epigones are more than unbalanced. The danger will increase if these individuals are subject to excessive long-term financial constraints or requirements or if incited to distribute the leading product within companies. In view of these realities, economic intelligence practices can be used to prevent sectarian risk.

Support, awareness campaigns and training

In 2006, this type of initiative included:

- technical and legal support for services,
- the initial training of student labour inspectors,
- an awareness campaign proposed jointly by an approved training fund collector (OPCA) and an association for the defence of individuals and families (ADFI). This initiative was also open to other actors (joint organisms, union organizations, regional councils and general councils, prefectures),
- an intervention at the training sessions organized by the National school of magistrates (ENM),
- an initial intervention in the context of the training program (2006-2007) established by the National association for the permanent training of hospital personnel (ANFH).

These initiatives were the occasion to carry out a multi-disciplinary assessment. It would be worth enhancing and extending this assessment, and opening it to other fields of competence (consumption rights, etc.). Coordinated action by

public authorities and other actors concerned by this issue in the future depends on the sharing of competences, in all fields subject to a significant risk of sectarian aberration.

2 - General division of social action (DGAS)

The DGAS is particularly assigned with the mission of the protection of children. To this end, and in collaboration with the DGS, the DHOS and the DGEFP, the DGAS has extensively contributed to the works of the investigatory commission concerning the influence of sects and the consequences of their practices on the physical and mental health of minors.

With regards the very issue of dangers for minors, the Ministry of Health and Solidarity considers that it is increasingly evident that the greatest damage to the situation of these children relates to the closed nature of the group, the "closed circuit" system. This closed circuit restricts the social integration of the child, including if he or she attends a public school, hindering the capacity for development. This closed nature is also propitious for pathological behaviour. These systems are likely to lead to mistreatment and/or sexual aggression on minors by followers. In view of the above *no sect can be considered as of little danger for a child*. It must also be noted that, within these groups, various "rules" are applied for children, accompanied by the permanent control of their lives, including their intimacy. These rules will systematically damage their personal inner harmony, their educational development and their social insertion. From this point of view, *sects lead to "attacks" on the children's capacity for development and autonomy*. Thinking hence becomes difficult. Thinking will become dangerous, in addition to requiring unavailable time. This also applies to feelings. The very act of desire, or even being sufficiently alive to desire, appears difficult, or even impossible in these conditions.

In 2006, the DGAS received requests for the transmission of documents, specifically from the *Church of Scientology*, but also from the *French Jehovah's witness movement*. A brochure with the title "Les anomalies d'une Commission d'enquête parlementaire" (The abnormal nature of a parliamentary investigatory commission), published by the CAPLC¹⁶⁵, must also be mentioned in relation to the request for the transmission of administrative documents and the organization of the parliamentary investigatory commission. This brochure based its criticism of the activities of the investigatory commission on the enquiry carried out in 1998 by the DAS (now the DGAS), at the request of the Interministerial Observatory of Sects. This enquiry aimed to identify the situation of minors living in "closed communities". The outcome was a letter addressed to 32 Presidents of general councils. Documents relating to this enquiry were requested in the context of the transmission of administrative documents. The document of the CAPLC is precisely based on the documents transmitted. The brochure concluded by indicating that, in its opinion, children living in sectarian environments were not subject to any specific difficulties. In actual fact, the interpretation of the responses provided by general councils to the questions put forward by the Interministerial Observatory demonstrated the difficulty of social assistance services for children in accounting for sectarian involvement in missions for the protection of children. This final conclusion led the Ministry to organize a "technical day" aimed at professional actors responsible for the protection of children.

Finally, the mission assistant for the DGAS, in charge of the coordination of the prevention and handling of sectarian aberrations for the Ministry of Health and Solidarity and for the Ministry of Employment, Social Cohesion and Housing, co-directed the training session organized by the National

¹⁶⁵ Coordination of associations and individuals for the freedom of conscience.

school of magistrates (October 2006), as is the case each year. All issues concerning the protection of children, sectarian aberrations in the field of care, and the problems identified in the field of professional training, all of which are covered by the scope of the Ministry of Health and Solidarity and the Ministry of Employment, Social cohesion and Housing, were therefore approached.

3 - General division of Health (DGS)

The practices of sects in fields covered by the Ministry of Health and Solidarity are concerning. Their initiatives particularly target vulnerable individuals with difficulties, who are often unable to challenge the messages and communications' strategies implemented. These movements often focus on the children of their followers, and bring them into situations which are potentially or actually dangerous for the mental and physical health of the children.

As highlighted in past reports by MILS and subsequently MIVILUDES, sects have integrated the field of health and the medical-social sector in mass, particularly via global treatment packages for individuals with a so-called "holistic" approach.

In a more general manner, services advertising the therapeutic application of non-conventional practices have considerably developed. These services are provided by individuals or micro-structures and their theories, modes of intervention and language can often resemble those applied by sects.

This situation can also be represented by the emergence of training courses of all types, in this field, often at a very high cost, of short duration and presented as leading to a qualification by the promoters.

These similarities with sectarian movements do not imply that all training practices and services can be considered as sectarian aberrations or as leading to these aberrations. However, their founding beliefs and modes of organization and distribution are suitable for sects which acquire some of these structures, or invent similar bodies.

The specific field of action of the DGS

In the field of health, the combat against sectarian aberrations is included in initiatives countering any practices with therapeutic claims if:

- these practices are exercised in a manner which does not comply with applicable regulations,
- due to untruthful allegations or statements without justification, or due to known incompetence, the initiatives incur a risk of a loss of opportunity for the patient, or a risk of loss of opportunity, i.e. danger, in view of the latest scientific knowledge, and the effects obtained by tested and accessible care.

The notion of sectarian aberrations therefore covers the concept of therapeutic aberration for the DGS. This notion is not exclusive to the sectarian environment and is applied to the practices of many movements qualifying themselves or qualified as "healers".

The combat against therapeutic aberrations, concerning practices which are potentially or actually dangerous for the health of individuals, exercised in sectarian or other environments, is based on precise legal criteria such as those incriminating charlatanism or the illegal practice of a health profession.

The DGS especially ensures that initiatives combating sectarian aberrations and therapeutic aberrations are implemented in full compliance with the rights of individuals

and the rights of patients, as mentioned and reinforced in recent legislation¹⁶⁶.

With regards the refusal to accept blood transfusions, particularly for *Jehovah's witnesses*, the DGS focuses on the obligation for doctors to take all action possible to ensure that the patient, loved ones or family and friends accept the transfusion, when no other solution exists, and on the obligation to assist a person in danger in application of the professional code of ethics, should an immediate risk of death arise.

Action against sectarian and therapeutic aberrations

- *Field of health - Implementation of article 52 on the use of the qualification of psychotherapist, and of the law of 9 August 2004 concerning public health policy*

The field of mental health is ripe for the intervention of sects. Individuals with either identified mental disorders, or facing temporary difficulties due to a serious incident in their lives, are vulnerable. They are often in need of support and reassurance, and, generally speaking, they are not sufficiently vigilant with people contacting them and claiming to assist them.

The DGAS is fully aware of the activities of certain movements as their action is made public. This is particularly the case for the *Church of Scientology*, which has publicly made the field of mental health one of its priorities. It claims to defend the mentally ill. Its publications denounce the psychiatric treatment applied in hospitals as inhuman. In this

¹⁶⁶ Law of 4 March 2002 on the rights of patients and the quality of the health system; law of 9 August 2004 concerning public health policy; law of 22 April 2005 concerning the rights of patients reaching their end-of-life).

sector, the group generally acts in the context of an association which it controls and whose title can lead to confusion: "*Citizen's Commission for human rights*" (CCDH).

The CCDH regularly requests the transmission of all documents on the activities of the departmental commissions on psychiatric hospitalisation (CDHP). The DGS regularly reminds the DDASS of the actual nature of the applicant. It encourages services to apply extreme caution in complying with law.

The field of psychotherapy is also ripe for sectarian aberrations, disguised as assistance for people in difficulty. Until the law of 9 August 2004 on public health, the qualification of psychotherapist was entirely unregulated.

The drafting of the decree on the qualification of psychotherapist (in application of article 52 of the law from 2004) has led to significant collaboration. Ensuring explanations and collaboration was a long-winded task. The bill should be submitted to the Council of State in 2007. It aims to restrict the use of the title of psychotherapist, for those without legal entitlement to this qualification, to professional actors with prior university training.

➤ *The therapeutic application of non-conventional practices with minors*

Various non-conventional practices with therapeutic intentions are currently proposed to families and institutions providing care for children and adolescents suffering from serious physical and/or mental health disorders and who are prepared "to try anything" to end their distress.

None of these practices have, to date, proved their effectiveness according to the formalities applicable to scientific assessment. Some of these practices are however supported by famous figures from the worlds of sport and

entertainment and are regularly advertised in a concerning manner.

At the request of the DGS and the DGAS, several of these methods were studied in 2006. The results of this study will be available in 2007. The national council for social and medical-social assessment will consider a definition of good practices on the basis of these results.

The supreme health authority will also consider a complaint concerning good practices in the care of children suffering from autism-type disorders in its work program for 2007, at the request of the DGS.

➤ *Accompaniment of people coming to the end of their lives*

The law on "end-of-life" voted in 2005, focused on the current state of accompaniment practices for people coming to the end of their lives and palliative care for both adults or children.

The DGS monitors associations working in this field and recruiting voluntary personnel. This vigilance also applies to training providers which propose their services to health professionals, and to individuals which wish to provide home accompaniment to people nearing the end of their lives. The DGS aims to avoid sectarian aberrations in this field, particularly in the context of the approval procedures applicable to these associations and training structures.

➤ *Rejection of vaccinations*

Many alternative medicines, including some which are promoted by movements considered as sects, reject any type of vaccination. Mandatory vaccinations are criticised by associations claiming no relation to sects in view of individual freedom, and doubts concerning the effectiveness and the secondary effects of vaccinations.

They put forward theories with no scientific justification, particularly the link between multiple sclerosis and the vaccination against hepatitis B (France), or between autism and the vaccination against measles (Great Britain) and maintain arguments on the grounds of alternative medicine or ecology. These arguments are similar to those made by certain sects.

In May 2006, local Ministry services were informed that the DGS could provide a letter specifying the applicable procedures in order to ensure the vaccination of a child against BCG. These specifications are also available on the Ministry's intranet.

In view of a public campaign on the importance of vaccinations in preventing the spread of infectious diseases, on 10 October 2006, the DGS financed and organized a "vaccination day" in collaboration with the National institute of prevention and health education (INPES). This event brought together the health professionals concerned and representatives of local Ministry services. The DGS also financed the copying of an exhibition on vaccinations, aimed at the general public. Finally, in 2006, the DGS, in collaboration with the vaccinations' committee, produced the "New guide to vaccinations" published by INPES.

➤ *Birth - perinatal care*

The DGS monitors the field of perinatal care in view of preventing sectarian aberration. Two initiatives particularly contributed to indirectly reinforcing vigilance against the risk of sectarian infiltration in the field of birth preparation and "birth homes" in the context of the perinatal plan for 2005-2007:

An additional birth preparation appointment will be arranged for the mum or the couple, from 2007, in the fourth month of pregnancy. This appointment is intended to identify

any points of psychological vulnerability in future mums. The creation of a training reference for application at this appointment has been entrusted to the French society for perinatal medicine, and was in the process of completion at end 2006.

A working group consisting of representatives from specialised companies and hospital personnel was created at end 2005 to establish experimental specifications for the running of "birth homes". This test program aims to provide guarantees in terms of the safety of mothers and children, particularly via the creation of these structures at immediate proximity to the obstetrics' service. These specifications were due to be completed at end 2006.

These initiatives intend to simplify dialogue between professionals and future parents. They aim to satisfy any concerns felt by the latter in view of the birth and parenthood, and to avoid certain individuals turning to people or movements with sectarian-type practices and/or recommending methods with therapeutic intentions and no scientific justification.

➤ *Sanitary interventions in crisis situations.*

The Ministry of Health and Solidarity also remains vigilant on the risks of intervention by sects within populations in a fragile situation due to catastrophes (flooding, the explosion of buildings, etc.). This issue will be considered in 2007.

➤ *Project for the reinforcement of action against sectarian and therapeutic aberrations*

On 9 November 2006, the Ministry of Health and Solidarity addressed a communication to Georges Fenech, deputy for the region of the Rhône and President of the "parliamentary investigatory commission for the influence of

sects and the consequences of their practices on the physical and mental health of minors". In this communication, the Ministry informed Mr. Fenech of the series of initiatives planned for the combat against sectarian aberrations in the sanitary and medico-social fields, the extent of which is highlighted in the MIVILUDES report for 2005.

These initiatives particularly concerned the development of monitoring and analysis resources likely to improve the detection of criminal practices and the launch of proceedings against the operators, as well as the long-term distribution of information to the public on the dangers of the therapeutic application of certain non-conventional practices in terms of health, by the DGS, in collaboration with the appropriate partners.

These initiatives will aim to identify and counter dangerous practices in terms of the loss of opportunity for users in the benefits to risk balance, from 2007. To begin with, the practices considered as involving the greatest risks for the health of individuals will be subject to an analysis/assessment group consisting of qualified individuals working independently to the Ministry. This group will be entrusted with providing a detailed opinion on each practice assessed, as well as making recommendations in view of the distribution of information and, if necessary, warning the public of the practices assessed and involving risk.

4 - The Division of hospitalization and the organization of health care (DHOS)

Sectarian aberrations in the field of health generally relate to non-conventional practices in terms of care. These unproved practices may, by very definition, represent a danger for individuals or lead to a loss of opportunity if they replace conventional treatment. Many of the operators breach the law:

usurpation of qualifications, illegal practice of medicine or pharmacy, untruthful advertising, charlatanism, fraud, etc.

Other types of infractions may be identified, if these individuals or organisms belong to sects: breaching of human rights and fundamental freedoms (hold on individuals), fraudulent abuse of weakness, threats to public order, etc.

While the proliferation of these practices is considered under the chapter on public health, the multiplication of training courses for these practices also implies the question of the application of the legal financing obligation for professional training if these courses promise diplomas which are not recognised by any professional or university classification, and/or lead to breaches of law and regulations.

The Division of hospitalization and the organization of health care (DHOS) ensures the application of rules concerning health professionals and that the illegal practice of medicine and pharmacy, fraud and charlatanism is sanctioned if it is informed of such practices.

This division also calls on hospital managers to be vigilant with regards the quality of the training courses contracted, in order to prevent the infiltration of charlatans or fraudulent organisms, with potential links to sects.

In 2006, the activities of the DHOS in terms of non-conventional therapeutic practices led to three hands-on projects:

Reminders of law and sanctions

- refusal of the authorisation to practice, particularly in view of the type of diplomas (Canadian Ph.D. option in naturopathy) or of the lack of competence of the applicant (acupuncture restricted to doctors, as a secondary activity),

- reiteration of the role and the independent nature of the Council of the Order of Physicians as a jurisdiction, to a doctor contesting an ordinal sanction for charlatanism,
- reiteration of the provisions of the Code of medical ethics, to a doctor sanctioned for a breach of this code, and questioning the legal prohibition of charlatanism and the obligation to provide care on the basis of scientific data,
- intervention with regards a private health insurance company concerning one of its representatives who advised patients with cancer to stop conventional treatment and accept untested treatment,
- a negative response to an elected representative requesting a scientific assessment of the method of Dr. Ryke Geerd Hamer, who recommends that allopathic treatment be stopped, and encourages patients, who are particularly vulnerable and easy to influence due to their pathology, to cease all medical treatment.

Incompatibility between an intended private activity and the dignity of the prior administrative functions fulfilled by public hospital personnel

The commission of deontology for public hospital personnel is responsible for the appraisal of compatibility between the functions previously fulfilled and the envisaged private activity, as an employee or on a freelance basis, of a civil servant working in a hospital, and leaving government service on a temporary or definitive basis. The commission will specifically assess if the envisaged activities could imply prejudice to the dignity of the functions previously fulfilled by the individual concerned due to the their nature or the conditions of practice.

This body has observed a growing number of reconversions by hospital personnel, to care sectors based on dubious non-conventional practices, although the current number of cases remains relatively low. Reconversions essentially concern nurses, and, to a lesser extent, other

categories of paramedical personnel. The commission reiterates that private activities which could lead to criminal prosecution, as well as those which, without necessarily involving the intervention of the penal judge, could, due to their nature or conditions of practice, imply prejudice to the reputation or the perception of the public service, are prohibited.

The role of this commission is particularly beneficial for individual reminders of law to health professionals. The annual activity reports for this commission, which report on jurisprudence, have been available on-line since 2005 on the Ministry's web site.

Calls for vigilance by hospital staff when contracting training courses

Those responsible for contracting training courses have regularly been requested, generally via circulars, to be vigilant concerning the quality of training courses, particularly in terms of the nature of the qualification, the ethics of the actors, the recognised scientific validity and non-obsolete nature of the information provided, the conformity of the specifications defined, and the competences, qualifications, and diplomas which may be acquired via the course, as compared with recognised levels of university and professional qualifications.

With regards the possibility to receiving financing for professional training leave, training courses involving kinesiology or Chinese touch-massages (practices which are not recognised by regulations applicable to health professionals), the DHOS has specified to the training fund collector responsible for handling and sharing contributions for this right, that professional training leave implies that the training course followed must lead to a diploma recognised by the National education service and/or recorded in the National register of professional certifications (RNCP), or must lead to the possible acquisition of a professional qualification in view

of practicing a recognised profession. The DHOS added that the latter criteria must be applied in view of the legal nature of the practice of the profession, a diploma in kinesiology, or the application of any other non-scientifically proved method, which could lead to the illegal practice of medicine.

The DHOS is aware that an increasing number of care services propose practices which provide undeniable relief and well-being to their patients (sophrology in maternity, massages for premature children and new-borns, touch-massage in intensive care, in geriatric services or for palliative care, etc.). In order to avoid aberrations, the DHOS indicated that it was preferable, in view of safety, for training courses in these fields to not be covered by professional training leave and to be the result of collective debate in the context of the training plan of the establishment.

The awareness cell for sectarian aberrations of the National association for the permanent training of hospital personnel (ANFH) provides training managers with an appraisal table for training applications and services, on the association's web site (<http://www.anfh.asso.fr/celluleveille/Grille.php>)

CONCLUSION

The past year has clearly demonstrated the changes in sectarian phenomena both in France and internationally. While no major irrational, dramatic and spectacular event has occurred, happily, the movements in question have been observed making a sustained attempt to merge into the background, blend into the masses and integrate all sectors of society, under the umbrella of care, training, assistance, specific competences or even spirituality, to resume, any aspect which could appear kind and honourable.

Sects and individuals taking inspiration from their practices take advantage of the slightest weakness by public authorities, the slightest reduction in vigilance by institutions to flood in the crack and obtain benefits. No profit is too small, no step forward too tiny.

Voluntary workers in associations, field agents, and elected representatives carry out this day-to-day combat investing in highly effective and precious initiatives in a deeply human manner, without hope for personal benefit.

They thus support action by government services, coordinated at interministerial level by MIVILUDES.

The media is taking action to defend victims and inform the public of the risks inherent to badly understood practices or individuals with little or no scruples.

We would like to thank all those who support the action of the government in favour of victims.

The presence of these volunteers at our sides is perceived by all as a sign of legitimacy and trust in the republic.

The victims and the families of victims can be confident in the unfailing intention of public authorities to ensure that the prejudice incurred will be accounted and compensated for.

We must work together to ensure that a maximum of information is collected from the situations reported to us as, united, we will have the strength to defend human rights and the respect of the dignity of our fellow citizens against dream merchants who only sell nightmares.

APPENDICES

1 – Examples of reports received by MIVILUDES

2 - Parliamentary activity: Written questions

3 - Addresses and useful links

**1 - A REPORT FROM PARENTS WHOSE SON IS RECRUITED
BY A GROUP RESEMBLING A SECT, JUNE 2006¹⁶⁷**

January 2006

Our son, F., who has worked since age 18, has been employed by a small TV repair firm for the last six years. He is the only employee and works with his boss who trained him initially and subsequently took him on as a worker. They got on very well for many years, and then the TV repair market started dropping (new technologies, falling cost of new TVs, etc...), and F. found his work monotonous, and very lonely (he was generally alone in the workshop and the store). He was increasingly reticent to leave on the Sunday evening and return to the flat he occupied during the week. He wanted to change job, but did not know what type of work to seek.

A program on the "Cinq" (French TV Channel)

He saw a documentary on the TV (on a channel which he considered as a "serious" channel): *"Iboga, the men of the sacred bush"*. He consulted internet and came upon the association *Meyaya*, which organizes "iboga-based personal development seminars" based on the Bwiti religion. [Http://www.iboga.org](http://www.iboga.org), stated the following at the time: *"Many individuals suffer in our dehumanized society. Depression, communication difficulties, lack of self-confidence, solitude, low-scale addiction, family or professional problems, miscellaneous neurotic problems, insignificant recurrent physical troubles, or more simply, an indefinable sense of disquiet. Taking iboga can solve all these problems ..."*

Bwiti initiates can confirm this: you come back from an "Eboka journey" a new person. You are freed from the fears of your childhood, you feel stronger, more open, you accept

¹⁶⁷ Text published with the written accord of the parents of F.

yourself as you really are, and consequently, you accept others as they are. Many sources of conflict with the family, colleagues, supervisors, or loved ones will disappear...

Most people arrive at the seminar tired, anxious, disillusioned, and some are "dead-beat". They leave calm, self-confident, happy with themselves, with their family and friends, with society, nature, to resume, they feel alive.

Iboga provides a second chance, simply by working on yourself, without a guru, without any ritual, without any imposed concepts of how to live, just the concept of being happy".

Everybody can be affected.

5-6-7 February

F. participated at an "Iboga initiation seminar" at the château de Liviers near to Privas in the region of Ardèche, organized by Gérard Sestier, a trained ethnologist, with a degree in psychology and philosophy (according to the web site) and his wife Jeanne, of African origin. The guru Mallendi was present with his assistants, apparently doctors, there to supervise the trainees, with the help of a few initiates and with African musicians from Paris. The seminar cost: 490 EUR + accommodation of EUR 150. *Meyaya* is an association according to the law of 1901. Cheques were written to this order.

1st day

Trainees arrived during the evening. Around twenty participants were present. Mallendi spoke to everybody to identify individual problems. He recommended that no-one take drugs, tobacco or alcohol to allow the iboga to act, however certain participants took the former substances.

No meal was provided. Participants drank an "alanga" brew to calm them and to ensure they were receptive to the iboga. Car keys were taken away and mobile phones were prohibited.

1st night

The 1st night involved:

- taking iboga (ground roots) using a spoon and mixed with water or honey. Vomiting: this was the "iboga cleaning the body".

- African music and dance until the participants reached exhaustion.

F. explained that *"I was sick because I arrived late and was stressed. I only took four or five spoonfuls. Some participants took fifteen spoonfuls, and the doctors a plateful"*.

2nd day

Participants could go to their rooms in the morning. It was possible to eat (figs, apples, etc.) but the participants were not hungry. They did not feel like sleeping either.

2nd night

Iboga - music - dance - hallucinations. F. explained that - *"We have a great amount of internal energy in us, even if we have not eaten or slept"*,

- *"We saw our own deaths"*,

- *"We went back to our birth"*.

3rd day

Participants ate and slept. Car keys were returned to participants.

F. returned home with a new look: shorter hair. He slept a great deal for the next few days.

18 March

A discussion group was organized by *Meyaya*. After this, F. decided to leave his job.

End April

F. resigned from his job, with no precise plan, and without the right to unemployment benefit. He appeared relieved, and was more communicative.

21-22 May

F. followed a training course in the Bwiti religion near to Toulouse, with another guy called Gérard who owned a

hostel, a large two-storey house set out in the countryside, with animals, geese, gander, a dove which sat on his shoulder.. Food was bio.

The training course involved psychology and philosophy. Freud, Descartes, Rousseau, etc. were referred to, but *"let's not take it too seriously"*. Participants were told that they should let their heart and intuition speak out, rather than logic.

Participants were recommended to not cut relations with their family (*"your parents are your creators, your gods"*), or friends, and to open up to others, to take steps forward.

F. explained that *"This is not a sect, we are not cut off from the world"*.

Was iboga taken during this course? Probably.

2-3-4 June

A large *Meyaya* party was organized near to Limoges, Blond, in the forest, on private property, with a building in ruins. All participants brought their own tents and cooking was shared. *Meyaya* wish to furnish this location to make it more comfortable. Around fifty individuals partied for two nights: music, dance, taking of iboga.

End June

F. planned to leave once again to assist with the supervision of an iboga initiation seminar.

We were afraid that our son was a victim of mental manipulation and had lost his sense of criticism towards his "new religion". In a period of four months, he had completely changed his philosophy towards life: he believes that a multitude of gods exist in nature, that iboga is a sacred plant, present at the origins of the world, in Gabon, and which enables him to discover his true life, by communicating with his birth and his death. He is hermetic to scientific data maintaining that iboga is a dangerous hallucinogenic plant, which is prohibited in several countries. We think that the

"guru" manipulates the participants psychologically using the effects of this hallucinogenic drug, taken at high doses, a lack of food and sleep, and rituals in which trainees wear an African loincloth and body paint, listen to lancinating music, and dance until exhaustion.

We are afraid that our son is no longer able to live without these rituals, this drug, and that he will leave for Gabon (the origin of the world according to *Meyaya*).

2 – PARLIAMENTARY ACTIVITY: WRITTEN QUESTIONS

Just over 30 written questions have been received over the last twelve months, concerning sectarian issues. Around twenty have been replied to. Although this figure has dropped as compared with 2005 (40 questions), these statistics demonstrate the interest shown by parliamentary deputies in this issue.

The following is a selection of questions with innovative responses:

Fiscal matters

One third of the responses concern the tax regime applied to certain groups. Two of these questions¹⁶⁸ are identical and concern *Tradition Family Property (TFP)* and one question focuses on tax rebates for donors:

Question: Claude Darciaux [deputy of the Côte d’Or] would like to bring the attention of the Minister of Economy, Finance and Industry to the action of the association *Tradition, Family, Property*. This association is mentioned on the list of sects included in the parliamentary reports for 1995 and 1999 as an entity to be effectively considered as such. And yet *Tradition, Family, Property* sends a letter enclosing a medal to individuals, requesting a donation in return. This letter from the association informs donors that they may benefit from a tax rebate. Therefore, she asks what action the Minister intends to take to end the tax rebates accorded for donations to sects.

¹⁶⁸ <http://questions.assemblee-nationale.fr/question.asp>: question n° 92277 and question n° 86477 by Jean-Claude Lefort, deputy for Val-de-Marne).

Answer: "To benefit from the tax rebate applicable to income tax and defined in articles 200 and 238 bis of the General tax code, donations and payments must be made to works or organisms of general interest and of a philanthropic, educative, scientific, social, humanitarian, sports, family-based, or cultural nature or assist in the protection of artistic heritage, the defence of the natural environment or the distribution of French culture, language and scientific knowledge. The "general interest" condition implies that the activities of the work or organism are non-profit making, that management is devoid of personal interest, according to the definitions of these notions in the administrative instructions of 15 September 1998 and 16 February 1999, respectively published in the Official tax bulletin with the references 4 H-5-98 and 4 H-1-99, and that the operations do not benefit a limited number of individuals. In addition, the payment, be it a donation or a subscription, must be entirely reward-free with no direct or indirect consideration to the benefit of the author. The association mentioned in the question does not satisfy any of these conditions. Its purpose does not correspond to any of those listed on an exhaustive basis in the law, it not work in the general interest of the public and the payments receive a direct consideration. Subsequently, the issuing of certificates allowing individuals making donations in good faith to benefit from a tax rebate applicable to income tax exposes the organism in question to the application of the penalties defined in article 1740 A of the aforementioned code. According to this article, the undue issue of documents, such as certificates, receipts, statements, invoices or similar enabling a tax payer to obtain a tax rebate applicable to taxes on income and profit, a tax credit or other similar fiscal reduction, will lead to the application of a fine equal to 25% of the amounts unduly indicated on these documents, or, should the amounts not be stated, of a fine equal to the amount of the unduly accorded rebate, credit or fiscal reduction.

Answers to questions ¹⁶⁹ concerning the fiscal debt of the *Jehovah's witnesses* - the delegate Minister for the budget and government reform reiterated the law: "*The administration is bound by legal rules on fiscal secrecy with regards tax payers. In view of these rules, the administration cannot provide the information requested in this question as the answer is to be published in the Official journal.*"

Justice/public authorities¹⁷⁰

Question: Jean Louis Masson [Senator for Moselle] brought the attention of the Minister of Justice to the fact that public authorities and several parliamentary initiatives tend to stigmatise certain philosophical or religious currents using the pretext of combating sects. Could the Minister please indicate if the membership of an organisation listed as a sect in the annual parliamentary report is likely to justify retaliation measures by a private employer or by the executive sections of local/regional authorities. If so, could the Minister please indicate that no risk of breaching the freedom of religion or philosophical opinion exists.

Answer: *The Minister of justice informs the senator that the use of the list of sects established by the parliamentary investigatory commission on sects in France in 1995 must be avoided to the benefit of the use of sets of criteria, as reiterated by the Prime Minister in the circular of 27 May 2005. In addition, constitutionally guaranteed principles prohibit any authority from judging the motivations of individuals joining these organizations. However, if these organizations commit any type of attack on individuals or assets, it is clear that the judicial authority must provide a determined response to the aberrations in question.*

¹⁶⁹ <http://questions.assemblee-nationale.fr/questions.asp>: questions n° 84578 by Etienne Mourrut, deputy of Gard, and n° 77636 by Jean-Pierre Brard, deputy of Seine-Saint-Denis.

¹⁷⁰ <http://www.senat.fr/quesdom.html>: question n° 22122.

Health/kinesiology¹⁷¹

Question: Jean-Luc Warsmann [deputy for Ardennes] brings the attention of the Minister of Health and Solidary to the status of kinesiology. It would appear that the practices leading to sectarian aberrations can be differentiated from a so-called "applied" kinesiology which is formalised and recognised by authorities in various countries. Consequently, could the Minister please provide information on the actual situation, and on his intentions in this field.

Answer: *Kinesiology is a movement which describes itself as "energetic therapy" and which appeared in the United States in the sixties. Kinesiology is similar to chiropractic, based on the concept of vital energy, and has developed in France, especially by recruiting actors from health professionals and practitioners of parallel medicines. The sector offers very expensive courses, presented as leading to qualifications by operators, but is not defined or recognised by the Public health code. The Interministerial mission responsible for vigilance and combat against sectarian aberrations has focused on kinesiology on several occasions. It is essential to highlight that any person participating in the diagnosis or treatment of real or assumed disorders, via personal acts, or verbal or written consultations, or via any other type of procedure, who does not hold the mandatory diploma for the practice of a medical profession or who does not benefit from the provisions concerning acts which may be practiced as paramedical professions, will be subject to prosecution for the illegal practice of medicine, according to article L. 4161-1 of the Public health code. In addition, before recognising the beneficial nature of therapy, it is essential to define the pathologies addressed by the therapy and appraise its effectiveness. Article L 4127-39 of the Public health code (Code of medical ethics) specifies that "doctors may not propose remedies or procedures which have not been*

¹⁷¹ <http://questions.assemblee-nationale.fr/questions.asp>: question n° 76088.

adequately proved or are illusory, to patients or family and friends of patents as beneficial and without danger. The practice of charlatanism in any form is prohibited". *To date, no serious study has been carried out concerning the satisfaction of these requirements in the field of kinesiology, in its "applied" form or under any other name. Therefore, at the current time, no element of proof allows for the establishment of a justified differentiation between the various practitioners claiming to apply kinesiology in view of ensuring protection against any risks for public health.*

International relations ¹⁷²

Question: Francis Falala [deputy for La Marne] brought the attention of the Ministry of foreign affairs to the seventh annual report by the US State department, published on 8 November 2005. In this report, France is subject to certain remarks by Washington, highlighting the "restrictive legislation" applicable to religious communities, which are qualified as sects or dangerous religions. The report specifically mentions the About Picard law of 2001 against sectarian aberrations, and he would like the Minister to indicate the intentions of France in view of a reply to these accusations.

Answer: *The US State Department publishes a report describing the situation in terms of freedom of religion each year, covering all countries. French authorities do not intend to respond to this report, as has been the case in previous years. France will continue with its policy towards sectarian aberrations, in accordance with the framework defined by the current parliament, and implemented by the interministerial mission for vigilance and combat against sectarian aberrations (MIVILUDES).*

Finally, as is the case each year, several questions concerning the prescription of "Ritaline®" for hyperactive

¹⁷² <http://questions.assemblee-nationale.fr/questions.asp>: question n° 83218.

children or the consumption of psychotropic substances, with the occasional reference to the US *Food and Drug Administration* could imply that lobbying campaigns aimed at parliamentary deputies by certain movements, traditionally hostile to psychiatry, have not abated.

3 USEFUL ADDRESSES AND LINKS

The sites indicated below allow access to a great number of documents containing useful information. MIVILUDES indicates that it is not liable for the content of these sites¹⁷³:

- *Union nationale des associations pour la défense de la famille et de l'individu victime des sectes (UNADFI - National union of associations for the defence of the family and sect victims)*

<http://unadfi.org>

- *Centre de documentation, d'éducation et d'action contre les manipulations mentales (CCMM - Centre for documentation, education and action against mental manipulation)*

www.ccomm.asso.fr

- *Groupe d'étude des mouvements de pensée pour la prévention de l'individu (GEMPPPI - Study group for conviction movements for the protection of individuals)*

<http://www.ifrance.com/sectes-info-gemppi/>

- *Association vie religieuse et familles (Association for religion and families)*

www.avref.asso.fr

- *Psychothérapie vigilance (Psychotherapy and vigilance)*

<http://PsyVig.com>

- *Other useful addresses*

www.prevensectes.com

www.zelohim.org

<http://www.sos-therapies.org/>

www.antisectes.net

¹⁷³ Non-exhaustive list.