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Russian Anti-Scientology Technology and the Ukrainian War

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ABSTRACT: From the early 1990s in Russia the study of “cults” with the aim of eradicating them has been presented as a “science” inspiring a specific legal and administrative technology. Using the Church of Scientology as a case study, the paper claims that this combination of (pseudo-) science and technology in Russia went through three different phases: “sectology” and “spiritual security” in the 1990s; “extremism studies” and anti-extremism laws in the 2000s; and “destructology” and statutes against “undesirable organizations” in the 2010s, with harsher measures introduced after the war of aggression against Ukraine started in 2022. Scientology was declared an “undesirable organization” in 2021, which offers to the Russian state new tools of repression after the law on such groups was amended in 2022.

KEYWORDS: Church of Scientology, Scientology in Russia, Spiritual Security, Anti-Extremism Laws in Russia, Destructology, Alexander Dvorkin, Alexander Novopashin, Roman Silantsev.

Introduction

American scholar Michael Ashcraft, in his seminal history of the academic study of new religious movements, distinguishes between the mainline “new religious movements studies” and “cultic studies.” The latter were cultivated by a tiny group of scholars that, unlike the overwhelming majority of their colleagues, maintained that “cults” were different from legitimate religious and used “brainwashing.” “Cultic studies,” Ashcraft wrote, were never accepted as “mainstream scholarship.” They continued as “a project shared by a small cadre of committed scholars” but not endorsed by “the larger academic community, nationally and internationally.” “Cultic studies” scholars live in their own bubble, and only rarely appear in mainline conferences about new religious movements or are published in the corresponding journals. Yet, they remain persuaded that

“cultic studies” are, in their own right, part of “science,” something their mainstream colleagues would deny (Ashcraft 2018, 9).

Ashcraft wrote about Europe and North America. In Russia, the situation was slightly different. While a handful of Russian academics, most of whom have had serious problems in continuing teaching and even living in Russia, have studied new religious movements according to the scholarly criteria prevailing in the West, most of the university courses about секты (“sekty,” the Russian word for “cults”) are offered either in Orthodox seminaries or in courses leading to a degree in National Security or State Administration (Uzzell 2005; Payne 2010). This started in the Soviet Union, including at the KGB’s secret Yuri Andropov Red Banner Institute, now renamed the Academy of Foreign Intelligence, where one of the pupils was a certain Vladimir Putin.

Russian “sectology” claimed to be a science capable of inspiring a technology, i.e., a set of legal and administrative measures aimed at eradicating the “cults” and preventing them from doing harm in Russia.

Through the example of the fight against the Church of Scientology, this paper examines three different historical phases of the Russian scientific or pseudo-scientific study of “cults” and related technologies. The first was “sectology,” as it developed in 1990s, with the corresponding technology of “spiritual security.” The second was “extremism studies” in the first decade of the 21st century, with the technology of the laws and administrative measures against extremism. The third, which started in the previous decade but received a decisive impulse from the war of aggression against Ukraine, is “destructology,” with the corresponding technology of laws and actions against organizations labeled as “undesirable.” This chronology does not imply that the ideology, measures, and campaigns developed in each phase were abandoned in the subsequent one. Rather, the old “sciences” and “technologies” were maintained, while the new ones were added, thus creating a cumulative effect.

Phase 1: Sectology and Spiritual Security

“Sectology” in an anti-cult perspective was taught in Russian Orthodox universities from 1992, immediately after the Patriarchate of Moscow had reorganized its Department of Religious Education. As a 2020 report by the

United States Commission on International Religious Freedom noted, it was not a coincidence that in 1992 Alexander Dvorkin, an Orthodox activist who had left Russia in 1977 to study in the United States, where he was exposed to the ideas of the Western anti-cult movement, returned to his home country. “Sectology” as taught by the Russian Orthodox Church, which in 1999 created for Dvorkin a permanent chair on this subject at its University of Saint Tikhon in Moscow, was a strange mixture of traditional Christian apologetics against heretics and Western anti-cult ideas accusing “cults” of totalitarian control and brainwashing (Human Rights Without Frontiers Correspondent in Russia 2012; USCIRF 2020).

As a recent book by Canadian scholar Douglas Cowan illustrated, in the West there is a clear distinction between a “counter-cult” movement operated by the Christian Churches to denounce “cults” as heretics, and a secular “anti-cult” movement that is based on a non-religious criticism of the “cults” as harmful for their alleged use of “brainwashing” (Cowan 2023). As Cowan notes, the distinction between “anti-cult” and “counter-cult” movements was first proposed by Massimo Introvigne in 1993 and widely adopted by scholars in subsequent years (Cowan 2023, 28). The two movements occasionally cooperate, but just as often disagree, since the secular anti-cult accusations of using “brainwashing” and causing harm are sometimes directed by anti-cultists also against the very Christian groups to which the religious counter-cultists belong.

Not so in Russia, where the Orthodox counter-cult movement and the state-sponsored allegedly secular anti-cult campaigns are hard to distinguish. As American scholar Daniel Payne (himself an Orthodox priest, although not affiliated with the Moscow Patriarchate) wrote in an oft-quoted 2010 article, since the advent of Putin, while the Constitution proclaims the theoretical separation of church and state, in fact “the church is indeed united with the state in promoting a greater Russia through the spread of Russian Orthodox Christianity” (Payne 2010, 713). Payne also noted how in Putin’s Russia the rhetoric against “non-traditional” religions (or “cults”) used by the Orthodox Church and the allegedly secular state security and political institutions was becoming undistinguishable (Payne 2010, 715–16).

In this phase, a key role was played by Alexander Dvorkin who, based on both his affiliation with the Moscow Patriarchate and his fifteen-year training in the West, tried to establish “sectology” as part of mainline social science in Russia. Dvorkin defined what he called “totalitarian cults” as possessing four

characteristics. First, they proposed a false and manipulative interpretation of traditional religious scriptures. Dvorkin's academic background was on Christianity only, but he claimed with dubious arguments that, for example, the International Society for Krishna Consciousness, popularly known as the Hare Krishna movement, falsified and misinterpreted the ancient scriptures of Hinduism. Second, Dvorkin claimed that members of "totalitarian cults" were manipulated by the nefarious influence of a charismatic leader. Third, he used Western theories of "brainwashing" to explain how this influence worked. Fourth, he explained that after having been "brainwashed" members of "cults" often left their families and jobs to start a life separated from the "normal" society (Dvorkin 2002).

One asset of Dvorkin some appreciated in Russia was that having spent fifteen years in the United States, he spoke a decent English, which was not common among Russian Orthodox activists. He was thus used to cultivate foreign anti-cultists eliciting their sympathy for Russia and its treatment of religious minorities. In 2009, Dvorkin became Vice President of FECRIS, the main European umbrella organization of anti-cult movements, a position he maintained for twelve years until 2021. He remained in the board of directors of FECRIS even after the Ukrainian war was started in 2022 (Berzano et al. 2022). In 1999, he organized a FECRIS symposium in Saint Petersburg, which offered the opportunity for a meeting of the participants with the Minister of Justice of the Russian Federation Aleksandr Konovalov (Dvorkin and Semenov 2009).

Dvorkin also invited to Russia Western anti-cultists, including Canadian former Scientologist Gerry Armstrong and German Lutheran pastor Thomas Gandow, both fanatical opponents of the Church of Scientology (Berzano et al. 2022). It became clear to Dvorkin that Scientology was a main target of Western anti-cultists and that, to be taken seriously abroad, he and his anti-cult organizations in Russia should also conduct campaigns against the Church of Scientology.

The technology putting the pseudo-science of "sectology" into action had a specific name, "spiritual security." It consisted in measures aimed at making it difficult for "non-traditional religions" and "cults" to register and operate legally in the Russian Federation, thus ending the short period of religious liberty under Boris Yeltsin (1931–2007). In fact, freedom of religion had already been limited

by the same Yeltsin in 1997 with a more restrictive law on religions enacted under the pressure of the Orthodox Church.

The expression “spiritual security” originated, as Payne reported, from remarks made in 1996 by an influential Russian bishop who presided over the politically important diocese of Kaliningrad, Metropolitan Kirill, who would later become in 2009 the Patriarch of Moscow (Payne 2010, 714). As documents made available to scholars in the short period of the 1990s when previously secret Soviet archives were open to them, Kirill had been an agent of the KGB, which should not be confused with a simple informant, a role thousands of priests were compelled to play. As American scholar David Satter summarized, Kirill

was more than just an informer, of whom there were millions in the Soviet Union. He was an active officer of the organization (Satter 2009).

Parenthetically, Satter noted how his KGB connections helped Kirill in securing after the fall of the Soviet Union a deal that greatly helped his career, under which the state granted to the Russian Orthodox Church the exclusive right to import and sell duty-free alcohol and tobacco. Not all the money was used for religious purposes. Satter reported that in 2006 the personal patrimony of Kirill was already estimated at \$4 billion (Satter 2009).

British scholar John Anderson summarized Kirill’s concept of “spiritual security” as the doctrine that Orthodoxy (together with some ethnic faiths that did not try to convert Orthodox believers, such as Islam for the Chechens or Buddhism for the Kalmyks) was essential for preserving Russia’s identity as a nation. Accordingly, “competitors (especially Catholics and ‘sects’ [‘cults’]) can be depicted as threats to the religion of the nation, and thus to the nation itself” (Anderson 2007, 195).

Putin officially adopted the notion of “spiritual security” in the 2000 “National Security Concept,” which included a provision that

the Russian Federation’s national security also includes protecting the cultural and spiritual-moral legacy and the historical traditions and standards of public life and preserving the cultural heritage of all Russia’s peoples. There must be a state policy to maintain the population’s spiritual and moral welfare, prohibit the use of airtime to promote violence or base instincts, and counter the adverse impact of foreign religious organizations and missionaries (“2020 Russian National Security Concept”).

Concerning Scientology, there was one problem, however. While Dvorkin felt obliged to promote campaigns against Scientology and invite foreign anti-

Scientologists to lecture in Russia to enhance its international role within FECRIS, in fact fighting Scientology was not a priority of the Orthodox Church. The latter was interested in making life more difficult for the groups whose “missionaries” converted a significant number of Orthodox believers, primarily the Pentecostal churches and the Jehovah’s Witnesses. Scientology had smaller numbers in Russia, and the average Scientologist did not correspond to the profile of the naïve Orthodox believer who was “lured” to “heretic” Christian organizations by devious missionaries.

Scientology did not even correspond to Dvorkin’s profile of a “totalitarian cult.” It did not distort the sacred scriptures of Christianity or other traditional faiths as it was a new religion with new scriptures of its own. Its members were hardly under the hypnotic spell of a leader, as they rarely met the head of the Church, David Miscavige. And they did not separate themselves from the larger society, as most Russian Scientologists were well-off professionals with brilliant careers.

Certainly the provisions making registering religions in Russia more difficult also affected the Church of Scientology. However, the original so-called science of “sectology” of the 1990s was clearly insufficient to build a persuasive criticism of Scientology as a “totalitarian cult.” Things, however, changed with the new century.

Phase 2: “Extremism Studies” and Anti-Extremism Laws

In 2000, Russian scholar Nikolay Trofimchuk (1942–2002) published a book called *Экспансия* (Expansion), co-authored with the younger scholar Mikhail Svishchev. The book was praised as a new main theoretical statement of “spiritual security” and was “widely used in training seminars and conferences for federal and provincial bureaucrats” and security agents (Uzzell 2005, 11). Trofimchuk had been appointed in 1994 head of the Religious Studies Department of the Russian Academy of Public Administration but did not come from the Russian Orthodox Church. In fact, in Soviet times he had been the head of one of the departments of Moscow’s Institute of Scientific Atheism.

Yet, in *Экспансия* the former “scientific atheist” Trofimchuk wrote that the harmful activities of the “cults” are “directed primarily against Orthodoxy, the

only Christian religion that has managed to largely preserve the purity of the commandments of Christ and actively opposes the spiritual corruption that the Judeo-Masonic civilization of the Western world brings” (Trofimchuk and Svishchev 2000, 195). While using Dvorkin’s definition of a “totalitarian cult,” Trofimchuk added two other features to identify “cults”. First, they were “extremist” organizations claiming that their worldview offered the only true way of salvation, thus denying that the truth was to be found in the Orthodox Church. Second, they worked on behalf of the American intelligence service to cause unrest and ultimately overcome the Putin government in Russia.

Trofimchuk’s book included a violent diatribe against Mikhail Gorbachev (1931–2022), accused of “embracing Scientologists,” while not being a Scientologist himself, and of favoring the participation of Communist Party members in the activities of Scientology. He noted that both the American headquarters of the Gorbachev Foundation and of the Church of Scientology were located in California. He depicted the American state as the seat of the “Church of the Antichrist,” hosting the headquarters of the Church of Satan (which, by the way, in 2001 had just been moved to New York), and allegedly “one of the world’s largest Masonic ‘temples’... with the symbol of Satan depicted on its facade.” Not coincidentally, the Russian scholar noted, California was also “an international center of sodomy,” with “entire neighborhoods in the cities inhabited only by sodomites” (Trofimchuk and Svishchev 2000, 196–97).

Gradually, the other features of Dvorkin’s original definition of a “totalitarian cult” came to be regarded as secondary, and an “extremist” religious organization was defined as affirming the superiority of its worldview over that of the Russian Orthodox Church and working, sometimes unknowingly but more often knowingly, for the American intelligence to undermine the Russian state. Trofimchuk wrote that

A missionary... preaching the Baptist faith in Siberia is thus as much an American agent as a CIA officer working at the U.S. embassy in Moscow (Trofimchuk and Svishchev 2000, 15).

The new science of “extremism studies” introduced by Trofimchuk was enthusiastically embraced in Orthodox circles by anti-cultists such as Novosibirsk’s Archpriest Alexander Novopashin, who became Dvorkin’s second-in-command in Russia’s main organization combating “cults” called ПАЦИРС (Russian Association of Centres for Religious and Cultic Studies). It also

generated its technology, in the shape of anti-extremism laws and administrative measures.

In 2001, a much more important event than the publication of Trofimchuk's book changed how the world looked at religious extremism, the 9/11 terrorist attacks. Russia passed a law of extremism that was particularly harsh but did not raise much international criticism as it was regarded as one of many international reactions to 9/11. However, in subsequent years, the law was repeatedly amended to include forms of "extremism" that did not include violence. "Religious extremism" was defined, in the footsteps of Trofimchuk and other "extremism studies" authors, as the claim of superiority and exclusivity of one's religion over the others (by which the Russian authorities meant the Russian Orthodox Church and other "traditional" faiths). Books were banned as being "extremist" and seized, including books published and sold by the Church of Scientology (Kravchenko 2018).

The anti-extremism law proved itself a very effective tool for harassing and jailing Jehovah's Witnesses, a main target of the Orthodox Church, starting a process that would lead to their liquidation in 2017. In fact, the Jehovah's Witness actively try to convert members of other religions and tell them that they offer the only way of salvation. Many other religions, of course, do the same, including the Russian Orthodox Church itself, but this did not save the Jehovah's Witnesses from being labeled as "extremist" and banned in Russia (Fautré 2020; Carobene 2021).

In their case, the "science" of "extremist studies" had produced an effective technology: the amendments to the anti-extremism law. However, once again, applying the theory to Scientology proved initially difficult. Scientologists, as all other religionists, are persuaded that what they call their "technology" offers a uniquely effective way of recovering and affirming our identity as spiritual beings, cause rather than effect of our world. However, Scientology is not exclusivist and does not ask those who become Scientologists to abandon their former religion. In this sense, Scientology is not a "religious extremist" organization as defined by the Russian anti-extremism law. In fact, by this definition, it is one of the less "extremist" religious movements operating in Russia.

In the decade that started with the year 2000, several legal actions were initiated against churches of Scientology and individual Scientologists in Russia, but enforcing against them the anti-extremism law as was done in the case of

Jehovah's Witnesses proved difficult. Other legal techniques had to be used, including accusing Scientologists of commercial fraud or providing without a license what allegedly amounted to health care services.

However, another of the new criteria for "religious extremism" might be applied to Scientology. The Church of Scientology was headquartered in the United States, even in California, the "land of the Antichrist" according to Trofimchuk, and thus was by definition suspect of espionage and sabotage on behalf of the American intelligence.

One event that offered to anti-cultists, including Dvorkin and Novopashin, the opportunity of claiming that they had found a smoking gun proving that Scientologists worked as CIA agent was Ukraine's Orange Revolution of 2004. Ukrainians protested that the proclaimed victory of pro-Russian presidential candidate Viktor Yanukovich was due to widespread electoral fraud. The protests eventually led Ukraine's Supreme Court to annul the suspicious elections and call for a re-run election with the presence of international observers, where Yanukovich was defeated.

Russian anti-cultists were particularly vocal in claiming that "cults" had been infiltrated into Ukraine by American intelligence since the 1990s, including the Hubbard Learning Centers of the Church of Scientology, and they had disseminated the anti-Russian feelings that would explode in the Orange Revolution (see *Komsomolskaya Pravda* 2022).

These claims became even stronger after the Maidan Revolution of 2014 in Ukraine that was again directed against the pro-Russian policies of Yanukovich, now president of the country. This time, as I have detailed in a previous article, Dvorkin delivered lectures and granted interviews both in Russia and abroad claiming that Scientology had played a crucial role in organizing and leading the Maidan events (Šorytè 2022). Dvorkin originally claimed that one of the anti-Russian politicians, Arseniy Yatsenyuk, who will become Ukraine's Prime Minister after Yanukovich was ousted in 2014, was a Scientologist and the brother of a prominent female Scientology executive in California (*Srbin.info* 2014).

In other interviews, considering that even American anti-cultists had told him that this theory was not supported by evidence (Ortega 2014), Dvorkin said that

perhaps Yatsenyuk was not a Scientologist but had taken Scientology courses. Dvorkin told *Voice of Russia* that

Yatsenyuk, before his political career, he did take several Scientology courses and paid for it. It is no secret that Scientology as of 1994 has been cooperating very closely with the CIA of the United States of America. The State Department of the USA lobbies the interests of Scientology in all the countries of the world. And Scientology, apparently, shares some of the information it gathers with the Central Intelligence Agency. So, it means that, at least in Yatsenyuk's case, he can be controlled by the CIA (*Voice of Russia* 2014).

Eventually, this escalated to a theory that Scientology, with other “cults,” had “organized” the Maidan, something that has been repeated again when the new war was started in 2022 (Šorytė 2022).

Note, however, that in the absence of exclusivism, the qualifying mark of a “religious extremist” organization, it was still difficult to accuse Scientology of “extremism,” which would allow Russian courts to liquidate it as they would do with the Jehovah's Witnesses. This does not mean that Scientologists are not sentenced for “extremism,” in addition to other charges. On August 24, 2023, the Nevsky District Court of St. Petersburg sentenced five Scientologists for organizing, and participating in, an extremist organization. Four were sentenced to fines and one, Ivan Matsitsky, to six and a half years in prison. He was, however, released as he had already spent this time in pre-trial detention and house arrest (SOVA Center 2023). There is, thus, an inertia under which in old cases the charge of “extremism” is still applied against Scientologists, while there is at the same time some awareness that “extremism” is not the more persuasive category to crack down on the church.

Phase 3: Destructology and Laws against Undesirable Organizations

As the first decade of the 21st century was coming to an end, the role of Dvorkin and Novopashin as the leading Russian anti-cultists was increasingly challenged by a scholar twenty-two years younger than Dvorkin, Roman Silantyev. He also worked for the Orthodox Church, who in 2001 managed to have him appointed as executive secretary of the Interreligious Council of Russia, although he was only 24 years old. In 2005, however, he was dismissed from his position after his publications accusing Islam in general of being a potentially

destructive and harmful religion had caused a strong reaction among Russia's Muslim establishment. The Council of Muftis had even threatened to suspend its participation in the Interreligious Council (*Interfax-Religion* 2005).

While continuing to publish on Islam, Silantyev reinvented himself as an expert of “cults,” largely operating independently of the Dvorkin organization. In 2009, Justice Minister Konovalov, the same who in that year received the FECRIS dignitaries, reorganized the Ministry's Expert Council for Conducting State Religious-Studies Expert Analysis, and made it the core body identifying which religions were “extremist.” Dvorkin was appointed chair of the Council, and Silantyev deputy chair.

In the subsequent decade, Silantyev started claiming that both “sectology” and “extremism studies” were somewhat outdated, and a new science was needed to elaborate a theory encompassing both extremist and (by the legal definition) non-extremist organizations that threatened Russia's spiritual security. He called this new science “destructology,” meaning its field was the study of organizations whose aim was to “destroy” the Russian identity and its traditional Christian values (*Interfax* 2018). Although ridiculed by several Russian scholars, in 2019 “destructology” was officially recognized as an academic discipline, and Silantyev was appointed as head of a “Laboratory of Destructology” at Moscow State Linguistic University, overcoming the objections of the Russian Academy of Sciences, which had described destructology as a “pseudo-science” (see Šorytė 2022).

Silantyev claimed that the advantage of “destructology” was that it allowed to label as “destructive” organizations that were not technically “extremist,” yet conspired to destroy Russian and Orthodox values. Chief among these organizations, Silantyev indicated, was the Church of Scientology, but equally “destructive” were non-religious movements and campaigns, including feminism, LGBT activism, and the anti-Putin campaigns of Alexei Navalny (Montay 2023; *The Russian Reader* 2023).

The technology to make “destructology” an effective tool to prevent all these organizations from operating was found in the 2012 Russian Undesirable Organization Law, amended in 2015, which allows prosecutors to declare international organizations “undesirable” without proving they are extremist and without a decision by a court of law. Scientology was declared undesirable in

2021, but more than one hundred organizations have been included in the list, including the World Wildlife Fund (WWF: Ministry of Justice of the Russian Federation 2023, 91) and the Wild Salmon Center, a respected international conservationist organization regarded as “destructive” because it has criticized certain policies in the Russian Far East that endanger salmon (Ministry of Justice of the Russian Federation 2023, 100).

However, before the 2022 Ukrainian war participation in “undesirable” organizations was punished only with a fine. Only those sentenced twice within one year for participating in the same undesirable organization might be sentenced to jail. They could still escape detention by “voluntarily ceasing” any activity in the group.

After the aggression against Ukraine, however, the law on undesirable organizations was amended in 2022, and now any form of participation in an “undesirable” group is punished with a penalty up to ten years in jail or in a labor camp. Pentecostal pastors have already been sent to labor camps under the amended law, which can also be enforced against Scientologists.

Conclusion

On May 4, 2023, theatre director Evgenia Berkovich and playwright Svetlana Petriyчук were arrested in Moscow on charges that their play “Finist, the Brave Falcon,” which had won awards even in Russia, identified them as members of a “destructive” movement (*Novaya Gazeta Europe* 2023). They are well-known in international theatrical circles, and media all over the world protested their arrest (Montay 2023; Tarasova and Tanno 2023; Lloyd 2023).

It came out that the prosecutor had based the arrest order on an expert opinion by Silantyev, who claimed inter alia that the play, which is about women who married Islamic State militants, subtly promoted a destructive movement, feminism. Silantyev wrote that feminism

is far from innocuous. Destructological science has documented instances where the internalization of this ideology has led to the conscious preparation and execution of terrorist acts (*Meduza* 2023).

This was too much even in Putin’s Russia and even during the war in Ukraine. The Scientific Publication Ethics Council, which includes several members of the

Russian Academy of Sciences, published a statement against “destructology.” The scientists wrote that

“Destructology” is not listed as a normative field of science and education officially recognized in Russian Federation. It is also absent from the international scientific field. Publications on this topic amount to the creation of only one author (Roman Silantyev). A new science comes into being not because someone proclaims it (as in the case of destructology), but by making discoveries within it that are recognized by the scientific community. This has not happened... It is unacceptable that persons with pseudoscientific and anti-scientific beliefs participate in the preparation of expert examination reports in humanities for court hearings, they thereby mislead the court. We should especially note that this is happening against the backdrop of an increasing number of centers like the “Destructology Laboratory,” which gather together people with pseudoscientific positions, but receive orders for official state expert examinations, which leads to the legitimization of pseudoscientific fields. In recent years, many erroneous decisions have been made relying on such “expert examinations.” This is detrimental not only to the lives of individuals and their loved ones, but also to the image of the country, its judicial system, and Russian science in general (Scientific Publication Ethics Council 2023).

However, after the declaration it was the Scientific Publication Ethics Council rather than Silantyev that met with some trouble and official harassment. It seems that prosecutors, and the Putin regime itself, are not prepared to renounce pseudo-scientific theories, and the corresponding legal technologies, that allow them to put in jail those who threaten Russia’s “spiritual security.” The Church of Scientology is regarded as one such threat.

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The Myth of a Russia Besieged by “Cults”: From Ivan Ilyin to the Russian FECRIS’ Campaigns Against Scientology

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ABSTRACT: Emphatic references in Vladimir Putin’s speeches to Russian philosopher Ivan Ilyin, who died in exile in 1954, led Western scholars to ask the question why the Russian President celebrates a thinker who, while a critic of Hitler, defined himself as a fascist and admired Mussolini, Franco, and Salazar. The paper argues that, rather than his fascism, what attracts Putin in Ilyin’s thought is the idea of Russia as a victim nation besieged by the West through the propaganda of democracy and homosexuality—and “cults.” With the difference that for Ilyin the quintessential “cult” was Anthroposophy, this narrative is similar to the campaigns against Scientology of what was until 2023 the Russian branch of the European anti-cult federation FECRIS. In both cases, it is alleged that a foreign power (Germany for Ilyin, the United States for the Russian FECRIS) tries to destroy the Russian soul and to excite anti-Russian feelings in Ukraine by using as its agent a “cult,” or more than one. For Ilyin, Germany used Anthroposophy, while for the Russian FECRIS the United States mobilizes Scientology against Russia.

KEYWORDS: Ivan Ilyin, Russian Fascism, Russian Nationalism, Anti-Cult Movement in Russia, Anti-Scientology Campaigns, FECRIS, RATsIRS.

Putin’s Strange Fascination with a “Fascist” Philosopher

On September 30, 2022, Vladimir Putin presided over a ceremony at the Kremlin proclaiming the annexation to Russia of four Ukrainian regions, whose territories his army was partially controlling. He concluded his speech as follows:

I want to end my speech with the words of a true patriot, Ivan Alexandrovich Ilyin: “If I consider Russia my Motherland, then this means that I love in Russian, contemplate, and think, sing, and speak Russian; that I believe in the spiritual strength of the Russian people. His spirit is my spirit; his fate is my fate; his suffering is my grief; his flowering is my joy” (Putin 2022).

Ivan Ilyin (1883–1954, also transliterated as Ivan Il'in) is a name we have been reading in the last few years in daily newspapers and mainline electronic media. We read that, while Eurasianist Aleksandr Dugin is busy self-promoting himself as Putin's alleged intellectual inspirer, in fact the Russian President is much more influenced by Ilyin, a philosopher who died in 1954 and had been almost forgotten until the Kremlin leader started quoting him. Putin personally supervised the repatriation of Ilyin's remains to Russia from Switzerland, where the philosopher had died in exile, and presided at their reburial in Moscow. The 2015 propaganda documentary on Putin directed by Nikita Mikhalkov also insisted on Ilyin's influence. In 2011, Mikhalkov had produced a documentary, *The Russian Philosopher Ivan Ilyin*, whose influence on Putin has also been noticed (Ferrari 2023, 90).

Putin's references went almost unnoticed in the West, until in 2018 Yale historian Timothy Snyder published an article in *The New York Review* (Snyder 2018), claiming that Ilyin's religious "fascism" was essential to understand the politics of the Russian President. Snyder's theory did not go unchallenged. Another well-known scholar of Russia, George Washington University's Marlene Laruelle, answered Snyder by claiming that Ilyin's importance as a source of Putin is not crucial, and that those really influenced by Ilyin are part of one among different factions of Putin's supporters, the one closest to Patriarch Kirill (Laruelle 2018). Director Mikhalkov, Laruelle wrote, is himself part of this faction, so his references to Ilyin in the documentary on Putin are not surprising. With the invasion of Ukraine, the controversy moved from specialized to general media.

There is one point on which I would agree with Laruelle. Apart from its importance, crucial or otherwise, Ilyin's influence on Putin cannot be used to attack the Russian President by attributing to him Ilyin's sympathy for Benito Mussolini (1883–1945), although not for Adolf Hitler (1889–1945: Ilyin disagreed with Nazi anti-Semitism, was threatened by the Gestapo, and moved from Germany, where he had been initially exiled, to Switzerland in 1938 [Tomsinov 2012, 143–46]). On the contrary, Putin constantly insists on the mythology of the Great Patriotic War, i.e. World War II, and Stalin's (1878–1963) key role in defeating the Nazis. Ironically, Ilyin himself popularized the use of the expression "Great Patriotic War," but for him it was the Russian war against Napoleon I (1769–1821). Putin would never use the word "fascism" with

positive connotations, as Ilyin did, although by the end of his life the philosopher regarded Francisco Franco (1892–1975) or António de Oliveira Salazar (1889–1970) as more believable embodiments of “good” fascism than Mussolini (Barbashin and Thoburn 2015; Zemánek 2016, 36).

Ilyin’s mythologization of the Russian White Army who fought against the Bolsheviks as “God’s own army” is a different matter (Sharipov 2008; Tomsinov 2012). Just as he repatriated and reburied Ilyin’s remains, Putin also took to Moscow and reburied with great honors the body of the White leader General Anton Denikin (1872–1947), who had died in 1947 in the United States. Although he has rehabilitated Denikin, Putin has stopped short of embracing Ilyin’s position that in the Russian civil war the Whites represented the site of God and the Reds the site of Satan. Putin’s position corresponds more to a significant scene in the celebrated 2008 Russian movie *The Admiral*, directed by Andrei Kravchuk (Kravchuk 2008). As summarized by Rosita Šorytė,

After one of Kolchak’s last battles, Orthodox priests come to bury the dead. One priest asks another whether they should also bury the atheist Reds, rather than the Christian Whites only. The answer is that they should all be buried together. White or Red, they are all sons of Mother Russia (Šorytė 2020, 20).

Finally, Ilyin was a monarchist, and more than a nostalgic one (Poltoratsky 1979). He theorized that only monarchy would guarantee a third way government, somewhere in the middle between corrupted Western democracies and the excessively authoritarian forms of fascism epitomized by Nazi Germany (Zernov 2007). Ilyin believed that,

The principles of organicity, unity and the idea of monarchy corresponds much more to spirituality than the idea of a republic, because a republic is revolutionary and leading by its very character, essence, and mental foundation to the disintegration of the state unit into parts, into fragments, into particular interests (Zemánek 2016, 37).

Putin has several monarchists among his close friends and political associates but does not dream of restoring the Czarist monarchy. Although a monarchist in theory, Ilyin might have agreed in practice. In his final years, he came to the position that, although he remained

a deeply convinced monarchist, at the same time he was able to appreciate the positive aspects of the republic and republican legal consciousness. In addition, he recognized that there could not be a monarchy as a universal form of government suitable for all. Its restoration in Russia cannot be sought for at all costs, because the essential condition for

the establishment of a monarchy is an appropriate form of legal consciousness (Zemánek 2016, 37–8),

and that level of consciousness was unfortunately lacking among Russians. Putin would not disagree today. For him, one Czar in the Kremlin is enough, and his name is Vladimir Putin.

Whose “Fascism”?

All this does not mean that Ilyin’s influence on Putin or at least his circle is not real or is unimportant. Perhaps the debate has focused excessively on Ilyin’s fascism. As an Italian, I am reluctant to call “fascist” phenomena far away from the original Mussolini movement, but in the case of Ilyin he used the word himself. He visited Italy in 1925 and wrote appreciatively about how a fascist country was taking shape (Tomsinov 2012, 131). More important than his admiration for Mussolini is the fact that “fascism” for Ilyin was an ideal category, referred to a political system that privileged spiritual over materialistic values, and hierarchy over democracy. Ilyin’s

analysis of fascism is interesting in the context of his criticism of democracy and totalitarianism. He perceives it as a reaction to the emergence and rise of Bolshevism, the widespread chaos, and the risk of a left-wing totalitarianism (in this regard, one can find analogous features with the later conception of the historian Ernst Nolte [1923–2016]), and as the mobilization of state-forming right-wing forces at a time of threat to the existence of the state and the nation. In this sense, Ilyin considers fascism a necessary and essentially healthy phenomenon. In his opinion, fascism sought just socio-economic reforms of an anti-socialist character and grew out of a healthy national-patriotic feeling (Zemánek 2016, 36).

However, according to Ilyin, a genuine “fascism” should avoid, as in his opinion Franco and Salazar were doing more effectively than Mussolini, the “mistakes that may lead to his defeat.” In this context, Ilyin mentions:

- 1) a hostile attitude towards religions and churches;
- 2) the creation of a right-wing totalitarianism as a centralized and idealistic state-form;
- 3) the formation of a single-party system, leading to the development of corruption and demoralization;
- 4) extreme nationalism and militant chauvinism, “megalomania” of the leaders;

- 5) introducing socialist elements in social reforms, and a tendency to nationalize the economy;
- 6) idolatrous Caesarism combined with demagoguery, servility, and despotism (Zemánek 2016, 36).

If we take away the word “fascism,” we find the apology of the same system combining authoritarianism with a non-socialist economy and cooperation with religion among many Russian ideologists and leaders, including Putin. On this, Ilyin would not even be particularly original. However, there are other features of his thought that have been rarely discussed in the Western debate about Ilyin, although they have received more attention in Russia.

Russia as a Christ-Like Nation

For Russian historians of philosophy, Ilyin is not an obscure character. He is the most influential Russian non-Marxist philosopher of the 20th century. Many Russian interpreters of Ilyin focus on his highly technical works on Georg Wilhelm Friedrich Hegel (1770–1831), which consecrated him as a leading philosopher. However, increasing attention is being paid to his more political writings, the one Putin, who is not a philosopher and lacks the tools to appreciate Ilyin’s approach to Hegel, is referring to in some of his speeches.

There are two features of Ilyin’s philosophy that may appeal to Putin, his views of Russia and of the enemies of Russia. A key concept for Ilyin is fatherland, as he explained in the lectures “The Fatherland and Us” and “Three Speeches on Russia,” delivered in Germany in the 1920s after he had been expelled from Soviet Russia and deported on one of the famous “philosophers’ ships” (Sokhryakov 2004).

Each of us, Ilyin said, has three fathers in increasing order of importance: our biological father, our spiritual father in the (Orthodox) Church, and God. The fatherland is defined by the combination of these three relationships. Since spiritual relationships are more important, where we physically are is less crucial than where our spirit is (Ilyin 2023, 3–57). As he wrote in 1926 in “The White Idea,” the Russian White emigres had carried Russia with them and could be more Russian in Berlin or Paris than Stalin was in Moscow, since they had a “spiritual Kremlin” in their hearts (Ilyin 1926, 9).

By the time he collected lectures of 1926 and 1927 in “Three Speeches on Russia,” published in Sofia in 1934 (see Il’in 2023, 3–57), Ilyin had re-introduced in the concept of fatherland a territorial element, defined as the areas reached by Russian ancient national culture and marvelous language. He also took a stand against any idea of Ukrainian (or Baltic) independence, although he was certainly not the only émigré thinker to do so (Il’in 2023, 59–83).

By meditating on the Great Patriotic War, which as mentioned earlier for him was the war against Napoleon I, he described Russia as a “Christ-like” nation that periodically passes through cycles of self-sacrifice, death, and resurrection. Russia is on the side of God, and there are only two paths open to humans in an age of revolutions, toward God and against God. By saving itself and returning to its past glory (and territory) Russia will save humanity as a whole. Ilyin also wrote about chivalry, and fantasized about a new order of chivalry that would embody Russian values and take them to the world (Sharipov 2008; Il’in 2023).

Ilyin, Freud, and “Cults”

The Russian messianic project, Ilyin believed, was not without obstacles. Certainly, he saw the Bolsheviks as evil, but they were not the only enemies of Holy Russia. An interesting episode in his life happened in 1914, when Ilyin went to Vienna seeking the help of Sigmund Freud (1856–1939), who at that time had as a patient a fellow Russian aristocrat, Sergei Pankejeff (1886–1979), whom he called the Wolf Man. After his experience as Freud’s patient, Ilyin spoke highly of psychoanalysis and tried to propagate it in Russia.

But why did Ilyin need Freud? The answer involves music, esotericism, homosexuality—and “cults.” Ilyin, who was interested in music, had become best friends with composer Nikolai Medtner (1880–1951) and his brother, musical critic Emili Medtner (1872–1936). According to Russian and Western scholars of Ilyin, including Magnus Ljunggren, the philosopher’s infatuation with both Medtners might have led him to discover his latent homosexuality, although he was married with a female philosopher colleague (Ljunggren 2014, 119).

The Medtners had been friends with famous novelist Andrei Bely (1880–1934) but broke with him when he converted to Rudolf Steiner’s (1861–1925) Anthroposophy. A pamphlet war for and against Anthroposophy followed, which

even led Emili Medtner to a nervous breakdown. Medtner’s theory was that there was a conspiracy inspired by the Westerners, particularly by Germans, who used Anthroposophy and other “cults” to corrupt the Russian spirit and prepare Russia’s military defeat (the Russian word used was “секта” [sekta] but it should be translated as “cult,” not as “sect,” which has a more benign meaning in English). Ilyin sided with the Medtners, and helped Emili write his anti-Anthroposophical tirades (Ljunggren 2014, 117). This is yet another significant difference between Ilyin and Dugin. Ilyin rejected all “esoteric aberrations” as “cultic” and inimical to the true Russian spirit. Dugin has been influenced at least by one esoteric school, traditionalism, particularly as presented by Italian right-wing esotericist Julius Evola (1898–1974: Sedgwick 2011).

In this controversy some characters played an ambiguous role, such as symbolist poet Vyacheslav Ivanov (1866–1949). He had defended against accusations of being part of the Western-cultic conspiracy composer Alexander Scriabin (1872–1915), who was heavily influenced by Theosophy and, when he lived in Brussels, became a close friend of painter and prominent Theosophist Jean Delville (1867–1953). Scriabin and Delville should have become part of an international project about Prometheus with Lithuanian painter Mikalojus Konstantinas Čiurlionis (1875–1911), who also had Theosophical interests, but the project was interrupted by Čiurlionis’ illness and death (Jumeau-Lafond 1996, 33; Introvigne 2014, 101). As for Ivanov, after Scriabin’s premature death in 1915, he came closer to Emili Medtner, which greatly enraged Ilyin, who was perhaps jealous. It was not untypical for men with hidden homosexual pulsions to claim, as Ilyin did, that homosexuals were part of a broader anti-Russian conspiracy. He accused them of having infiltrated and dominating Russian Symbolist milieus (Ljunggren 2014, 117).

Freud may have cured Ilyin of the most pathological aspects of his obsession for homosexuals and for “cultic” conspiracies involving Anthroposophy, and Theosophy. However, Ilyin remained both homophobic and intolerant of religious perspectives other than the Russian Orthodox one. He was also an avid reader of books about Masonic conspiracies. When he was accused by the Gestapo in Nazi Germany of being a Freemason, Ilyin answered indignantly that he had fought against Freemasonry for all his life. He regarded Freemasonry, he said, as “the most dangerous anti-Russian organization in the world” (Tomsinov

2012, 144). In fact, Ilyin admired Mussolini for his anti-Masonic policies (Tomsinov 2012, 121).

Ilyin, Putin, and Little Red Riding Hood

It is certainly not Ilyin's support of fascism and admiration for Mussolini, Franco, and Salazar that motivate Putin's references to him. On the contrary, these positions by Ilyin may explain why Putin does not celebrate the philosopher explicitly more often.

However, sometimes he does. Putin is surely familiar with a text Ilyin wrote in 1950, *What a Dismemberment of Russia Will Mean for the World* (Il'in 2023, 59–83). When he wrote it, Ilyin was in exile. Unlike Putin, he had nothing good to say about the Soviet regime. On the contrary, he predicted (quite correctly) that it will fall under the weight of its catastrophic economic and social policies. The question Ilyin asked was whether this unavoidable fall would involve a “dismemberment” of the Soviet Union into as many states as there were Soviet Republics. He was afraid that the West would favor this “dismemberment,” but predicted catastrophic consequences.

Ilyin poked fun at the idea that the Central Asian republics, whose identity he argued had been artificially created by the Soviets, might one day become independent. Above all, he criticized the claims of independence by the Baltic States and Ukraine. He recognized that they had a separate linguistic and cultural identity, but so did the Basques and the Catalans, and Spain would never let them go (Ilyin also predicted, less accurately, that Croatia, Slovenia, and Slovakia would never become independent: Il'in 2023, 62).

Since he believed that Russia is not based on ethnicity or language, but on a spiritual and religious myth, ethnic and linguistic questions, and the very opinion of the peoples who were part of the Soviet Union, were dismissed by Ilyin as irrelevant. If the West would promote the dismemberment of Russia, Ilyin predicted, since Russia as a spiritual idea and a religion would never die, eventually a strongman would emerge in the Kremlin who will try to take back the former Soviet Republics separated from Russia by force, thus condemning the world to a century of bloody wars.

Ilyin concluded with his own interpretation of the Little Red Riding Hood fairy tale. In case they will proclaim independence, the Baltic States and Ukraine will be the Little Red Riding Hoods that would leave the mother (Russia)’s home and end up being devoured by the Big Bad Wolf (the West). A hunter will emerge, as in the fairy tale, who will fight the wolf and take the Little Red Riding Hoods back to the safety of Mother Russia’s home (Il’in 2023, 81–2). It is not impossible that Putin may see Ilyin’s references to a strongman who will emerge in the Kremlin after the fall of the Soviet Union and play the role of the hunter in the Little Red Riding Hood story as an extraordinary prophecy in fact referred to himself.

It is Ilyin’s vision of Russia as a spiritual fatherland, a religion—and not a secular one—threatened by Western democrats, homosexuals, “cultists,” and other infidels that appeals to Putin. The current Russian President may not share Ilyin’s antipathy for Theosophy, considering that he has repeatedly expressed his esteem for Russian Theosophist and painter Nicholas Roerich (1874–1947), and in 2020 was willing to allow Russia to part company with a page of a precious Medieval manuscript and trade it with Serbia in exchange of seven Roerich paintings (*Tass* 2020). On the other hand, Theosophy and Roerich’s version of it, Agni Yoga, are listed as “cults” by Russian anti-cultists, who even called them “Satanism for the intelligentsia” (Tver Branch of the Russian Association of Centers for the Study of Religions and Cults [RATsIRS] 2011).

Ilyin as a Precursor of the Russian FECRIS Campaigns Against Scientology

Besides influencing the Orthodox Church and Patriarch Kirill, Ilyin has a place among the diverse cultural influences that shaped the toxic ideology of the Russian President, although on how important this place is the jury is still out.

What is certain is that, without naming names, Putin has supported the idea that Russia is threatened and under siege by the West through “cults” (*Vzglyad* 2012), as well as through LGBT activists and pro-democracy NGOs. The Orthodox Church and the anti-cultists have given substance to Putin’s statements by singling out the Jehovah’s Witnesses and the Church of Scientology as the main “Western agents” and “cults” threatening Russia’s “spiritual security.” If one substitutes “Scientology” for “Anthroposophy” in Ilyin’s criticism of “cults,” his statements look quite similar to contemporary Russian anti-cult discourse.

At the core of Ilyin's ideology is that Russia in its spiritual essence is a unique "Christ-like" nation and a potential redeemer of the world. As such, it is the target of dark anti-Christian forces and is looked at with both envy and hostility by the materialistic West. Russia successfully resisted the invasions of both Napoleon I and Hitler. Although the war against the latter, in the eyes of Ilyin, was led by an evil regime, it still testified to Russian greatness. The West thus understood that Russia cannot be defeated militarily. It can only be destroyed if its spirit is corrupted. The West tries to corrupt Russians through "cults," which operate hand-in-hand with the other two anti-Russian main agents of subversion, homosexuals and activists for Western-style democracy. Before the Russian Federation, Ilyin believed that the Western assault would target the easier preys of the Baltic States and Ukraine, with the aim of separating them from Russia.

Ilyin died in 1954, still believing that the main agent of corruption was Germany. He warned the United States that, if it would be allowed to convert Ukraine and the Baltic States into its satellites, Germany would quickly become again an anti-American world power (Il'in 2023, 78), thus in some way "obliterating" the two World Wars and their consequences (Il'in 2023, 80).

It was from Germany that Anthroposophy had been exported into Russia and, when he wrote *What a Dismemberment of Russia Will Mean for the World* in 1950, memories of World War II were still fresh in Ilyin's mind. In their version of the Little Red Riding Hood tale, contemporary Russian anti-cultists have replaced Germany with the United States as the Big Bad Wolf. The two narratives are otherwise similar.

FECRIS, the European Federation of Centers of Research and Information on Cults and Sects, is the main European umbrella organization for national anti-cult movements. From 2002 and until March 2023 (Information and Consulting Center on Cultism 2023), it had as its Russian branch, the Russian Association of Centers for Religious and Cultic Studies (РАЦИРС/RATsIRS), later called "Center for Religious Studies," which is in turn a federation between different local anti-cult organizations. In March 2023, under heavy international criticism because of RATsIRS' support to the Russian war of aggression against Ukraine, FECRIS decided to no longer indicate it as its Russian branch in the list of its member organizations published on its website. The decision came more than one year after Russia invaded Ukraine in February 2022.

While it operated as the Russian FECRIS between 2002 and 2023, RATsIRS constantly promoted a narrative depicting Russia as besieged by “cults,” which led it to enthusiastically support the two invasions of Ukraine of 2014 and 2022, based on the claim that the Ukrainian government was both dominated by “cults” and trying to export them to Russia (Berzano et al. 2022). Although RATsIRS asked the Russian government to suppress a number of different religious minorities and assisted it in the “liquidation” of the Jehovah’s Witnesses (Šorytė 2022), the Church of Scientology played a leading role in its discourse about a spiritual invasion of Russia and the former Soviet Union territories organized by the West to demoralize and corrupt the Russian soul. In this sense, Scientology was for the Russian FECRIS what Anthroposophy was for Ilyin.

The similarities are easily discernible. Like Ilyin, RATsIRS maintains that Russia is a beacon of spirituality and Christian values, and that the West uses “cults” to infiltrate the country and destroy its identity. However, unlike Ilyin the Russian FECRIS sees the United States rather than Germany as the evil center organizing this attack against the Russian spirit after the fall of the Soviet Union.

This was not, the Russian FECRIS argued, a Cold War strategy, and only emerged in the 1990s. Archpriest Kirill Novopashin, Vice President of RATsIRS, writes that until 1990

The largest number of trials against cult leaders took place in America, the largest number of convictions were in America, the largest number of cults that were dispersed and whose leaders were imprisoned were found in America (Novopashin 2023).

Novopashin does not offer any evidence for this statement. Certainly, the U.S. had an active anti-cult movement, and a few leaders of new religious movements who committed common crimes went to jail. On the other hand the two groups Novopashin regards as the very epitome of “cultism”—the Jehovah’s Witnesses and the Church of Scientology—, as well as many others he calls “cults,” won several legal and administrative cases in the U.S. and were allowed to exist and prosper.

Novopashin argues that only after the fall of the Soviet Union made Russia permeable to “cults,” did the U.S. decide to transform themselves from an “anti-cult” to a “pro-cult” country:

Cults became one of the instruments of the United States in reorganizing the world. The United States began to forbid Europeans to fully fight against cults and put serious pressure on Russia—they said, if Russia wanted to become a truly “civilized state,” then

it should not infringe on the rights of cults, should not persecute them, and should not ban their activities. On the contrary, Russia should assist them in every conceivable way. In 1997, former US Secretary of State Madeleine Albright [1937–2022], while visiting Moscow, met with Patriarch Alexy II [1929–2008]. She promised His Holiness the Patriarch to support the Russian Orthodox Church, but on the condition that the Russian Church would not interfere with the Western missionaries pouring into Russia, representing various destructive pseudo-religious associations. Naturally, His Holiness the Patriarch did not even begin to talk about this topic. And the very next year, 1998, the United States passed the International Religious Freedom Act. According to this law, any opposition to cults is immediately declared a “serious violation of freedom of religion,” which may entail certain sanctions—political, economic (Novopashin 2023).

Of course, the 1998 U.S. International Religious Freedom Act did not even mention “cults,” and promoted freedom for all religions.

Novopashin specifies that

experts have long been making a well-founded assumption about Scientology, which has long been working as a special unit of the U.S., intelligence service, sharing part of the information it obtains with the U.S. intelligence community, and in return receiving support from the State Department and other U.S. government bodies (Novopashin 2023).

As mentioned earlier, Scientology plays in the Russian FECRIS’ narrative the role Anthroposophy played in Ilyin’s tirades against “cults.” Neither Scientology in the 21st century nor Anthroposophy in Ilyin’s times were the largest new religious movements operating in Russia. However, they were both singled out because the countries from where they came, Germany then and the United States now (although in fact Anthroposophy had moved its headquarters from Germany to Switzerland), were regarded as the main enemies of Russia. Just as Ilyin saw in the arrival of Anthroposophy in Russia a devious German plot, the Russian FECRIS saw in the activities of Scientology in the United States the result of a conspiracy by the U.S. intelligence (Šorytė 2020).

Another significant parallel is that, like Ilyin, RATsIRS believes that the conspiracy, before extending to the territory of the Russian Federation, started hitting the softer targets of the former Soviet Republics separated from Russia, Ukraine in particular. The most famous Russian anti-cultist, RATsIRS President (and, from 2009 to 2021, FECRIS’ Vice President) Alexander Dvorkin, insisted that Scientology was behind Ukraine’s Orange Revolution of 2004, the Maidan Revolution of 2014, and the resistance of Ukraine to Putin’s policies ever since (Berzano et al. 2022; Šorytė 2022). After his theories were dismissed and

criticized even by the most extreme Western anti-Scientologists as devoid of any evidence (e.g. Ortega 2014), Dvorkin somewhat reformulated them, but he has maintained to this very day that Scientology infiltrated Ukraine on behalf of the U.S. Central Intelligence Agency to ultimately target Russia. This is reminiscent of Ilyin’s and his friends’ insistence, despite the lack of evidence, about a German conspiracy to demoralize Russia by infiltrating Anthroposophy there.

Both Ilyin’s and the Russian FECRIS’ narratives served a dual purpose, one domestic and one international. Domestically, they reinforced the image of Russia as a “Christ-like” suffering and besieged nation. It is an image that has served Russia well during the crises of its history. Internationally, they elicited the sympathy of some Westerners—who disliked “cults” for reasons of their own—for Russian nationalism, which would otherwise hardly have been popular. Despite their differences, Ilyin’s and RATsIRS’ discourses about “cults” threatening Russia both perpetuate an old narrative of Russia as a victim, envied and hatred by the West because of its deeper and superior spirituality (Šorytė 2020), which keeps being mobilized in periods of crises and wars.

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**The Unification Church Issue in Japan:
An Analysis by a Japanese Christian Theologian**

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ABSTRACT: This is the English translation of an article published on September 22, 2023, in the Christian web magazine *SALTY* (Nakagawa 2023) by a well-known Japanese theologian, who is the Executive Secretary of the Tokyo Institute of Christian Theology and the President of the Japan Christian Theological Institute. He is also a historical opponent of the Unification Church. He explains that fake news and exaggerations about former Japanese Prime Minister Shinzo Abe’s relationships with the Unification Church played a role in the path leading to his assassination. He also maintains that other fake news and “half-truths” are spread to support the request for a legal dissolution of the Unification Church (now called Family Federation for World Peace and Unification).

KEYWORDS: Unification Church, Family Federation for World Peace and Unification, Assassination of Shinzo Abe, Unification Church in Japan, National Network of Lawyers Against Spiritual Sales.

Introduction

The Japanese government is said to be submitting a request for the dissolution of the Unification Church as a religious corporation to the court as early as October. I have been observing this organization from a critical perspective for twenty-five years, and I have written several articles about it. However, what constantly strikes me in the midst of this is the gap between public perception and the actual situation. Initially, individuals like Yoshio Arita, Eiji Suzuki, and Professor Kimiaki Nishida, who were close to [anti-Unification-Church] lawyer Masaki Kito, appeared on television and discussed this issue. To me, it seemed that only one of the groups fighting on the issue was presenting its own opinions, and I expected that positions from different angles would eventually emerge. However,

it appears that there has not been any sign of a brake being applied, and the conversation has swiftly moved in one direction before anybody could stop it.

I could understand the intention of the National Network of Lawyers against Spiritual Sales (NNLSS) to influence public opinion and push the government to file a dissolution request. However, usually, there should be debates involving both sides and opposing views, with room for direction adjustments and corrections. In this case, the information circulating in the media seems to excessively emphasize one perspective only. To me, it appears as if the opinion of one group is dominating the entire discourse.

To borrow the words of theologian Hans Küng (1928–2021), who participated as an expert in the Second Vatican Council, “A half-truth is also a half-lie.” Especially in matters of religion, we must not allow public discussions to result in the same kind of sensationalism as scandals involving celebrities or politicians that stir up public opinion. We should be more careful. This issue, in particular, has escalated since the assassination of former Prime Minister Shinzo Abe (1954–2022), and a significant amount of misinformation has accumulated. Therefore, the issue should be considered more in-depth than it currently happens.

False Information and Its Sources Led to the Death of Former Prime Minister Abe

There has been a narrative suggesting that former Prime Minister Shinzo Abe had a “deep relation” with the Unification Church, which led an individual, who believed this was the case, to take extreme actions and ultimately resulted in the assassination of Abe.

In my opinion, the term “relation” itself is broad enough. It can include various types of relations such as “neighborly relationships,” “friendship,” “acquaintance,” and even “conflict,” “hostility,” and “a generic relationship with others.” Therefore, I deliberately wrote three articles with the strong title “Abe Had No Relation with the Unification Church.” Now, one year has passed since that tragic shooting incident, and I believe everyone can see that what I was writing was correct.

So, it is important to look at who was speaking the truth and who was spreading falsehoods in this issue and consider changing our sources of information. False information and unreliable sources led to irreversible consequences. The tragedy

that has already occurred cannot be undone, but we can change false information and information sources. If we don't even do that, it would indeed be a matter of acting "against humanity."

1. The video message by former Prime Minister Abe sent to UPF (Universal Peace Federation)

There are individuals who have propagated the idea that former Prime Minister Abe had a deep involvement with Unification-Church-related organizations based on the fact that he sent a video message to a UPF gathering. However, it is important to note that UPF stands for "Universal Peace Federation," an international NGO with consultative status at the United Nations Economic and Social Council.

Prominent figures from around the world, including former President Donald Trump and other leaders of major countries, have sent messages to UPF events. Figures like Vice President Mike Pence and Secretary Mike Pompeo of the U.S. Republican Party have even attended UPF events in South Korea. In this context, we must recognize that this was considered acceptable on a global scale. Thinking of the situation, we can say that Abe's sending a video comparably indicates a relation that had nothing special. In other words, the attempt to sensationalize and present Abe's video message as a special relationship with the Unification Church was an exaggeration and should be corrected.

2. The full text of the video message sent to UPF

When you look at the full text of the video message (Abe 2021), it neither praises the Unification Church nor does it express a special veneration for its leader, President Hak Ja Han. Only a part of the polite expressions directed towards UPF—

in honoring Dr. Hak Ja Han Moon and all of you, I would like to express my profound thanks for your tireless efforts through UPF in resolving disputes in the world, especially in relation to the peaceful reunification of the Korean Peninsula (Abe 2021)

—was isolated and became widely known. In fact, I have never seen a Japanese person who does not include polite words when giving greetings. It is perfectly

normal to use polite expressions, and it is a mistake to claim that “Abe had a relationship with the Unification Church” based solely on this video message.

3. The claim that former Prime Minister Abe received 50 million yen as payment from UPF

Journalist Eight Suzuki has claimed that former Prime Minister Abe received 50 million yen as appearance fee from UPF, but there is no evidence whatsoever to support this claim. Despite mentioning “inside information,” no substantiation for the appearance fee has emerged. UPF has also denied this allegation (Universal Peace Federation 2023). Nevertheless, false information continues to be disseminated by individuals influenced by Eight Suzuki’s statements, and this misinformation is still being believed by some.

4. Claims by Eight Suzuki regarding former Prime Minister Abe’s invitation of Chairman Tokuno from the Unification Church to the Prime Minister’s residence

Eight Suzuki, who claims to have inside information from the religious group, claimed that,

In early June 2016, Prime Minister Shinzo Abe invited Eiji Tokuno, the President of the Unification Church and the Family Federation for World Peace and Unification, along with the wife of Chairman So Yon Chon, to the Prime Minister’s Residence (Suzuki 2017).

However, the Prime Minister’s daily schedule is meticulously recorded. When examining the Prime Minister’s schedule for early June 2016, it appears highly unlikely that the meeting happened on any day except the 3rd and the 8th of June. Even if Tokuno was invited to the Prime Minister’s Residence on either of those days, the meeting would have lasted only twenty minutes. It would be difficult to imagine that a close and deep relationship could develop in just twenty minutes. Furthermore, Tokuno himself has stated that he was not invited to the Prime Minister’s Residence.

Amidst the proliferation of such rumors, former Prime Minister Abe met his tragic end. However, the erroneous information and its sources have remained unchanged and uncorrected, frequently causing a sensation whenever these rumors are associated with the Unification Church. In reality, there should be a stern call for “Enough!”

However, there does not seem to be any such consideration concerning the Unification Church issue, and it appears that the campaign against it is continuing as it is.

Of course, as someone who upholds orthodox Christian doctrine, I have been observing the Unification Church from a critical position. However, the current situation is drastically different from what I know, and it has left me astonished.

There have been situations in the past where the public outcry led the government to take action, and this is not something new. However, this time, it involves a “religious” issue. In the cases of the Recruit scandal and the Moritomo Gakuen issue, when time passed and the public forgot, the only thing that remained was the media frenzy when the lid was finally lifted. However, this time, it is not permitted. In terms of the gravity of the matter, this should be completely different from the past issues where the government was involved and influenced by the sensation caused by media. The level of significance is distinct between the government initiating the dissolution of a religious corporation and requesting the dissolution of a private organization. This is the first religious persecution in the post-war history, and it could also greatly undermine Japanese constitutionalism.

Past and Present: “A Half-Truth Is Also a Half-Lie”

I regard it as a fact that in the past the Unification Church caused quite a few social problems. Among the visible aspects of its history, it is a fact that in the past the Unification Church has garnered significant social resentment by causing different problems. There were stories of parents claiming they were unable to meet their children no matter how they approached the group, which kept University students and others in “specific facilities and accommodations” under the guise of “training” by the religious movement, as well as stories of Unification Church members selling items through the so-called “spiritual sales.” Even within my own relatives, there is a person who was persuaded to purchase a personal seal for 100,000 yen about thirty years ago. She says she ended up making the purchase contract, thinking, “They were so persistent, so I gave in!” At that time, she was barely making ends meet. She threw away the personal seal in frustration when she moved.

Such memories leave a strong impression. Therefore, the past excesses of the Unification Church are likely to continue to haunt it in the future. Especially within the Christian community, which was in the position of easily receiving consultation requests or reports of sufferings in matters of heresy and “cults,” almost everybody is against the Unification Church. Some even harbor strong hatred towards it.

On the other hand, the Christian community itself also faces many issues. It cannot claim a superior moral ground in any way. Looking back, I myself have caused many people in the church of Christ to feel distrust against religion. Being an imperfect human being, I have made numerous mistakes, and as a result, I have caused hardships for others. This is why I want to evaluate efforts and hard work and to offer opportunities for those who have tried to improve and achieved positive outcomes.

And at that moment, the words of theologian Hans Küng come to mind and resonate in my heart: “A half-truth is also a half-lie.” How important these words are right now. Will we continue to proclaim a “half-truth” which is actually a “half-lie,” or will we come to a balanced evaluation by looking at the parts that were previously unseen? So, I would like to take a moment to focus on the unseen part as “the other half of the truth.”

The Other Half of the Truth 1: Improvement Since the Declaration of Compliance

Attorney Tatsuki Nakayama, who represents the Unification Church, reports as follows in his book *No Grounds for Dissolution Request Against the Family Federation* (published in Japan by Kogensha Company):

It cannot be said that the Family Federation is ‘continuously’ doing bad things. Since the 2009 Declaration of Compliance, the number of civil trials in which the Family Federation is the defendant has decreased sharply. In particular, it should be noted that not a single civil court has received a complaint about donations in the last seven years. Compared to before and after the 2009 Declaration of Compliance, the number of donation trials has plummeted to about one-fortieth of that. In terms of the lost amount of employee liability, 99.7% is for actions before the Declaration of Compliance. After the 2009 Declaration of Compliance, the number of lost cases plummeted to about 1/300 or 0.33%. In this way, no one should try to turn the brunt of ‘continuously doing malicious things’ onto the Family Federation. It established a new donation system after the 2009 Declaration of Compliance, drastically reduced the number of donation trials to 1/40 and the number of

lost cases to about 1/300 and has not been tried in civil or criminal cases in the past ten years or so (Nakayama, this issue of *The Journal of CESNUR*).

The Unification Church has been working on reforms since it announced the “Declaration of Compliance” in 2009. Even from my anti-Unification-Church standpoint, this is an undeniable and verifiable fact that is reflected in the numbers. I personally had some of my doubts resolved when I conducted an undercover investigation into the Unification Church in 2012, and since then, my concern for issues related to the Unification Church had diminished. However, it is no wonder that my concerns waned because, especially after the “Declaration of Compliance,” there were hardly any noticeable social issues associated with the church. In other words, the features that led the Unification Church to be classified as a “cult” were removed more than a decade ago. The Unification Church has already fit into the framework of a religion. Therefore, it would be unreasonable to classify it as a “cult” now and, considering the passage of time, it could even be seen as insulting.

Certainly, the religion can look perplexing for those who do not belong to it. Fears of curses or hexes and the ways people avoid them may seem particularly strange. However, religion in general tends to involve such aspects.

The Unification Church may still have many issues to address. Nevertheless, if improvements have been made and the results are evident in the numbers, even after more than a decade, it is reasonable to hold hope for further improvements.

I too have spoken ill of the Unification Church countless times. However, despite its limitations as an organization, the Unification Church has made efforts towards improvement and the results are clear in the statistics. Therefore, I must respond with sincerity to this.

Once again, I would like to use this opportunity to apologize and correct my previous mistake of designating the Unification Church as a “cult” over the past fourteen years since the 2009 “Declaration of Compliance.”

Even my vigilant eye, which was keen on the Unification Church issue, failed to notice this aspect, so it is likely that the majority of people were lacking in this awareness as well. We need to take a closer look at the progress made in the fourteen years since the “Declaration of Compliance.”

The Other Half of the Truth 2: The Peculiar Behavior of the National Network of Lawyers Against Spiritual Sales

According to Consumer Affairs Agency data from 2021, cases related to the Unification Church account for only about 1.9% of all nationwide cases of spiritual sales, with over 98% having no connection to the Unification Church.

However, Attorney Tatsuki Nakayama points out that on the website of the National Network of Lawyers Against Spiritual Sales (NNLSS), all 128 cases listed, 100%, are related to the Unification Church and its lawyers are 100% aimed at attacking the Unification Church. In other words, they are attacking 100% for less than 2% (Nakayama, this issue of *The Journal of CESNUR*). For over 98%, they are doing nothing at all.

In response to my interview, Attorney Tatsuki Nakayama stated,

Almost all (98%) of the lawsuits over torts filed against the Family Federation (Unification Church) as defendant have had lawyers from the NNLSS serving as plaintiff representatives. If there are victims of the Family Federation (Unification Church) all over Japan, it would be strange that no other lawyers were serving as plaintiff representatives (Nakayama, personal interview).

To remain neutral in this issue, this is the most reasonable approach, and it should be clearly visible to everybody. It is not just me who might think that there may be other motives within the NNLSS. The movement driven by animosity towards the Unification Church should come to a halt for a moment, and the issue should be considered more carefully.

The Other Half of the Truth 3.1: Kidnapping, Confinement, and Forcible Deprogramming

Among the anti-Unification-Church militants, there are those who badly need to deal with the Unification Church as a “cult,” otherwise they may have to face not only moral responsibility but also criminal liability.

Such significant truths are being concealed, and many Christian pastors are involved in this matter. Therefore, I must address this issue, which also serves as self-reflection as I am part of Japan’s Christian community.

Many of those who are currently attempting to label the Unification Church as a “cult” may have been well aware of, or perhaps even deeply involved in, the reality of kidnapping and confinement. That is why this issue must be approached with great caution, as it is indeed a horrifying matter. For those who harbor animosity towards the Unification Church, there may be criticism directed at me such as, “Are you defending a heretical form of Christianity?” However, this is a more profound issue that transcends such dimensions.

The method used for this kidnapping and confinement is referred to as “protection and persuasion,” or “deprogramming.” This falls under the category of what some call “brainwashing,” which is often closely related to the term “mind control.” It is argued that the difference between “brainwashing” and “mind control” lies in whether there is physical coercion as a means. When the Chinese Communist Party is said to be conducting “re-education” in the Xinjiang Uyghur Autonomous Region, it would thus involve “brainwashing.” In other words, individuals are restrained, confined, and subjected to “educational” measures.

Now, when it comes to the people associated with the>NNLSS and their affiliates using “deprogramming,” there have been cases where they prominently involve parents, suddenly restrain adult members of a certain group, and force them into cars, keeping them in a state of captivity until they renounce their beliefs. They never release the believers until they give up their faith. In the longest case, this captivity lasted for as long as twelve years and five months (Tokyo High Court 2014). There are numerous outrageous instances of deprogramming. It is truly horrifying.

This issue must be addressed separately in another article. The dissolution request of the Unification Church will further obscure this reality. There is also this “half of the truth” to consider. If this “truth” is not discussed, and things progress, it would mean that this “half of the truth” is as well the “half of the lie.”

The Other Half of the Truth 3.2: Kidnapping, Confinement, and Deprogramming as Modern-Day Witch Trials

Article 38 of the Japanese Constitution explicitly prohibits illegal “detention” and “confinement,” and calls for them to be included as offenses in the Criminal Code, because unlawful physical restraint is globally regarded as an outrageous

violation of human rights. This is a consensus upheld worldwide, based on historical reflection.

Article 38 states that, “1. No person shall be compelled to testify against herself. 2. Confession made under compulsion, torture or threat, or after prolonged detention or confinement shall not be admitted in evidence. 3. No person shall be convicted or punished in cases where the only proof against her is her own confession.”

The early Christian Fathers of the Church, such as Origen (ca. 185–253), Irenaeus (ca. 130–202), and Augustine (354–430), engaged in “heresy refutation,” and never “forced apostasy through abduction and confinement.” Heresy refutation contributed to the development of orthodox Christian doctrine. However, forced apostasy through abduction and confinement, on the other hand, bears more resemblance to “witch hunts” in the late Middle Ages. In this context, the idea of being “possessed by demons” has been replaced with “mind control.” The orthodox Christian Fathers held a mentality of heresy exclusion to protect the correct teachings but did not engage in detention and abduction for the purpose of apostasy. Especially in Western countries, there is a historical reflection on the “witch trials,” and lessons have been learned from those failures.

What About Japan and the Japanese people?

The Universal Declaration of Human Rights, Article 9, stipulates the following:

No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.

Japan also ratified the Universal Declaration of Human Rights in 1979. Christians must not repeat that mistake again.

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Research Notes

From Mental Health to Spiritual Technology: The Evolution of Religious Practice in Scientology

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ABSTRACT: Scientology’s self-association with technology is visible not only to academics of religions but also to the general public. Even the Church’s 2014 Super Bowl halftime commercial carried the message that Scientology is a “spiritual technology.” Although in the early Dianetics L. Ron Hubbard was dealing with the human mind and mental health only, he was already developing a methodological approach and technological attitude that remained when he came up with a new term, Scientology, and started referring to it as a religion. He not only defined the religious practices of Scientology as a “technology” but used engineering terms such as “SOP” (Standard Operating Procedure). Later, he introduced the “Standard Technology” concept, which became a key objective to achieve for Scientology practitioners. The paper is an attempt to trace the “religious” turn from Dianetics to Scientology by following the evolution of the concept of the individual’s consciousness into spiritual being, parallel with the development of the “technological” paradigm, as part of a larger study into the philosophical analysis of the subject.

KEYWORDS: Scientology, Dianetics, L. Ron Hubbard, Scientology Standard Operating Procedure, Scientology Standard Technology, Theta, Thetan.

Introduction: Scientology 2.0

After more than half a century of initial research about Scientology’s nature, religious status, its founder’s intentions, organizational characteristics, and so on, several leading scholars of new religious movements (NRM) started suggesting that academics should introduce a new approach to Scientology studies. The term “Scientology 2.0” was introduced in 2017 and 2018 in

conference papers by Massimo Introvigne, as mentioned by Donald Westbrook in his 2020 article “Scientology Studies 2.0,” which summarizes both the development of the academic approach of Scientology and the change in attitude of the Church of Scientology (COS) towards researchers (Westbrook 2020, 7). Westbrook did not stop here but released a short monography on these possible future paths in the *Cambridge Elements* series, in which he states,

Numerous other avenues for scholarly exploration exist. [...] there is a need for more research into the particulars of Scientological theology and practices [...]. As the subfield of Scientology studies continues to develop, a new generation of scholars—and I suspect even some Scientologists themselves—may be eager to work on some of these open areas and chart new scholarly paths of their own (Westbrook 2022, 40–1).

In agreement with this statement—and being myself one of the Scientologists Westbrook referred to—I was also looking for new research approaches that had not yet been explored. I found that the tenets of Scientology have been greatly “under-researched” in the context of Western philosophy. L. Ron Hubbard (1911–1986) himself refers to different philosophers of the Western traditions, either laudatorily or with critical remarks.

The fact that the COS defines the word Scientology as “knowing how to know” (“Scientology Definition” 2023) immediately raises the question of how much it qualifies as an “epistemological enterprise” among other epistemological endeavors under the magnifying glass of philosophy. But that requires broader research—in the making. The apropos of this paper was the Annual Conference of the European Association for the Study of Religion (EASR 2023) held in September 2023 in Vilnius, Lithuania. The topic of the conference was religions and technologies, and one of the panels focused on the different aspects of technology in relation to Scientology.

Scientology’s self-association with technology is visible not only to academics of religions but also to the larger public, as even the Church’s 2014 Super Bowl halftime commercial carried the message that Scientology is a “spiritual technology.” While in the early Dianetics, Hubbard was dealing with the human mind and mental health only, he already aimed at developing a sort of methodological approach and technological attitude that he maintained even after coming up with a new term, “Scientology,” for what he started to refer to as a religion. He not only defined the religious practices of Scientology as a “technology” but used engineering terms such as “SOP” (Standard Operating

Procedure), and later introduced the “Standard Technology” concept, which became a key objective to achieve for Scientology practitioners.

This research note is an attempt to trace the “religious” turn from Dianetics to Scientology by following the evolution of the concept of the individual’s mental consciousness towards the notion of a “spiritual being,” parallel with the development of the “technological” paradigm, as part of a larger study into the philosophical analysis of the subject.

Remarks on Methodology

One may point out that the disciplinary array of the academic study of a particular religion usually includes several different social sciences: sociology, anthropology, ethnography, psychology, and even economics or political studies; and other fields of humanities, including history. The philosophy of religion is nowadays a bit sidelined and is, for example, rarely represented at the religious studies conferences, being rather confined to the ones on philosophy.

I believe that using the tools and features of philosophy can add to religious studies. I share the viewpoint of Thomas A. Lewis, which he sensibly stated in his book *Why Philosophy Matters for the Study of Religion and Vice Versa*:

To call for a revitalized philosophy of religion that is integral to religious studies, however, is not to call for domination. It is to view philosophy of religion as one subfield among others of religious studies, not as the unique center of the field. I do not seek a return to an earlier stage in which philosophers of religion dominated our theories and methods seminars.

My vision is methodologically pluralistic. This methodological pluralism, particularly when these approaches engage with each other, produces much of the field’s strength, depth, and energy (Lewis 2017, 144).

I concur with Lewis’s remark about the pluralistic approach introducing depth to the field. I think it is particularly true for new religious movements such as Scientology, where the tenets are rather new and different, or differently structured, with respect to new groups where the theological background is directly built onto scriptures also held sacred by older traditions, such as the Bible for Christian NRMs or the *Bhagavad Gita* for ISKCON. Of course, the researcher must also realize the peculiarity of the differences in the interpretation of those source texts, but the knowledge of those sources goes back to thousands

of years ago. On the contrary, the writings of L. Ron Hubbard as well as, for example, the *Book of Mormon* of the Church of Jesus Christ of Latter-day Saints (LDS Church) have been available only for a few hundred years or even a few decades.

In the case of Scientology, according to the COS itself, the canon of L. Ron Hubbard's scriptural corpus is "more than half a million written pages, over 3,000 tape-recorded lectures, and some 100 films" (Westbrook 2019, 8). I would add to this that these materials are mainly available only in printed form, so the researcher is also facing a challenge here, especially while looking for specific concepts or key words. Doing research in my home country, Hungary, is also hindered by the fact that there are no significant collections of secondary literature available, as the subject of Scientology is not yet researched so intensively that university or other libraries would invest in prestigious (and expensive) international journals and books. More open sources—such as CESNUR's publications, for example—would surely be helpful.

Despite the challenges, I believe that philosophy-based textual and hermeneutical analyses—following Thomas Lewis's ideas—may help the practitioners of other disciplines to gain deeper understanding of the subject (in this case, Scientology), its terminology and context, so that better, deeper, or more appropriate questions can be asked, or research designs created. This research note would like to promote a better insight into the evolution of Hubbard's concept of the individual consciousness from a psychological to a spiritual meaning, while examining whether the "technological" characteristics of the practices have also changed or not, following what was presented at the EASR 2023 Conference.

Influence of Western Philosophy on L. Ron Hubbard

As mentioned above, my broader research is focusing on finding the traces of Western philosophy in Hubbard's writings and lectures. The *Philosopher and Founder* volume of the L. Ron Hubbard biographical series—published by the COS itself—mentions that, when Hubbard was 28 years old, he wrote a fiction story titled "The Dangerous Dimensions," which was published in the July 1938 issue of the *Astounding Science Fiction* magazine (Bridge Publications 2012, 18;

Hubbard 1938). The story is about a philosophy professor who discovers an equation to travel through dimensions.

Upon the request of the magazine readers, Hubbard wrote an article titled “Tomorrow’s Miracles.” In this article, he praised philosophy and philosophers for being the forerunners of every great discovery and achievement of natural sciences and technical studies. He stated that philosophers with their theories and predictions based on structured thinking opened the space for scientific research and discoveries. At the same time, he also acknowledged the role of science for all the useful theoretical and practical inventions. He mentioned a good number of philosophers who played a significant role in formulating initial ideas, which were later confirmed through scientific methods (Hubbard 2012, 19–26).

In the same biographical volume *Philosopher and Founder* the editors mention the so-called “Excalibur” manuscript. Here, I would like to mention only one aspect of that manuscript as a hypothetical link to American history of philosophy, and that is the “Hilltop Cabin” where the manuscript was allegedly born (Bridge Publications 2012, 7). The reference to the cabin may be a tribute by Hubbard to David Henry Thoreau (1817–1862), who wrote his book *Walden* in a shack in the woods in an attempt to “suck out all the marrow of life,” similarly to Hubbard’s attempt in “Excalibur.” Of course, since “Excalibur” was never published, this link would need to be confirmed by sound historical or biographical data, assuming they exist.

We should also not pass by the fact that the era of Hubbard’s young years—particularly as far as primary education was concerned—was dominated by American Pragmatism (Hall 1996). Also, the whole cultural and philosophical field was filled with Pragmatism in those days. As James R. O’Shea states,

Against the background of the pervasive influence of Kantian and Hegelian idealism in America in the decades surrounding the turn of the century, pragmatism and related philosophical outlooks emphasizing naturalism and realism were dominant during the first three decades of the [20th] century (O’Shea 2008, 205).

If one looks at Hubbard’s non-fictional texts and the ethos of Scientology at large, Pragmatism and even instrumentalism may be discovered when it comes to the application of the basic tenets. Hubbard also mentions one of the “founding fathers” of American Pragmatism, William James (1842–1910), about fifteen times in different writings or lectures, referring usually to James’s pragmatic approach. In his lecture “Conquered Territory,” delivered on 30 March 1955,

Hubbard sort of praises James for establishing a line of communication for the distribution of information regarding the human mind (Hubbard 1955a, 406).

In the biographical volume mentioned before, another article by Hubbard is included, from February 1966, titled “Philosophy Wins After 2,000 Years.” There, he praises the classic Greek philosophers, the pre-Socratics, Plato (426?–347 BCE), and Aristotle (384–322 BCE) alike, and states that Scientology has proven their dualistic theories and “furnish all the evidence they need” for “Man to know” (Bridge Publications 2012, 125–27). One of my aims was to find traces of his “confirmation” of the body and soul theory in Scientology scripture, which may be similar, for example, to the Pythagorean or Platonic ideas of metempsychosis.

*From the Consciousness of the Mind to the Concept of the Thetan (Soul, Spirit):
The Religious Turn*

For those interested to read about the “transition” from Dianetics to Scientology with an interdisciplinary approach, a very comprehensive summary may be found in chapter two of Donald Westbrook’s *Among the Scientologists* monograph (Westbrook 2019, 77–85). However, while Westbrook elaborates the sociological, legal, institutional, economical, or psychological reasons, discussing numerous secondary literature as well, he also mentions that the “theological reasons from Hubbard’s books, lectures, and activities” are “largely underexamined” (Westbrook 2019, 78). As an attempt to assist the researchers in that aspect, here is an initial analysis of that transition period, through the evolution of the mind-spirit concept. The reason why I believe that the examination of this conceptual development may be the key to understand the underlying theological reasons is to be found in a rather late text of Hubbard, which I will introduce later (Hubbard 1973).

Hubbard’s attempt to locate or define the “essence” of humans already started in his first book on the subject, *Dianetics: The Original Thesis* (1948), in which he defined the

Analytical Mind: The residence of consciousness in the individual and the seat of his dynamics and basic personality (Hubbard 2007b, 183).

He also identified the “I” with the “analytical mind.” The expression “seat of his dynamics” needs some further clarification. By “dynamic” he means the “urge” towards survival by a person or a people. The analytical mind is the source point where this “urge” is located (Hubbard 2007b, 128).

In 1950, in his best sold book, *Dianetics: The Modern Science of Mental Health*, Hubbard elaborated on the notion of “analytical mind,” but also introduced a concept that will be a key, and a consequent and coherent conception, from this point on: *theta*.

Emotion is a Θ (theta) quantity, which is to say that is so involved with life forces that Dianetics handles it with invariable success, but does not attempt to give forth more than a descriptive theory (Hubbard 2007a, 133).

As it can be seen, Hubbard himself was not yet sure how to describe the concept, but said it was involved with the life force itself. Later in the book he went one step further, though, by stating that “ Θ quantity may be life force itself” (Hubbard 2007a, 144). Hubbard referred later to the term *theta* as the Greek symbol for life or spirit (Hubbard 1975, 429), which—according to my understanding—might go back to Egypt. According to Kieren Barry’s *The Greek Qabalah*, “the letter *theta* (Θ) was, in its archaic form, written as a cross within a circle.” He refers to Porphyry (232–305) as a source of his statement that “the Egyptians used an X within a circle as a symbol of the soul” (Barry 1999, 73).

In Hubbard’s next book, *Science of Survival* (originally published in June 1951) he starts to fill the term *theta* with new meaning:

Theta is thought, life force, *élan vital*, the spirit, the soul or any other of the numerous definitions it has had for some thousands of years (Hubbard 2007c, 4).

Here, he actually starts to attach *theta* to spirit or soul, and introduces his conception of immortality (Hubbard 2007c, 313 and 531). In fact, it is still a kind of postulated immortality. It is similar to the conception of immortality of the soul in Immanuel Kant’s (1724–1804) *Critique of Practical Reason* (Kant 2020, 142–44). In this quote, Hubbard also mentions *élan vital*, yet another reference to Western philosophy, as the term was introduced by French philosopher Henri Bergson (1859–1941) in his book *Creative Evolution* (Bergson 1907).

Following the publication of *Science of Survival*, in a lecture delivered on August 13, 1951, titled “The Dynamics of Existence,” Hubbard started to stress immortality.

And there is, by the way, far more evidence in existence now in Dianetics as to the immortality of the force of life, regarding the mortality of the organism, than there is against an immortality (Hubbard 1951, 28).

He refers to the evidence gathered through the application of the principles. Later in the same lecture series, he brings back also the term “I” and defines it as “the awareness of awareness” (Hubbard 1951, 146).

With the appearance of the subject of Scientology, the *theta* started to become a sovereign entity with independent existence. I agree with Westbrook that Phoenix, Arizona, is a dominant initial location for Scientology, but I would object to the idea of Phoenix being *the* birthplace (Westbrook 2019, 82). Before settling permanently in Phoenix, Hubbard delivered his last lecture series in Wichita, Kansas, which is known today as *Scientology: Milestone One*. At the very beginning of the first lecture (which had the same title of the whole series), on March 3, 1952, Hubbard proclaimed “This is a course in Scientology,” adding that the word “Scientology” “might seem a little strange” for the audience (Hubbard 1952a, 1).

In the last lecture of the same series, “Principal Incidents on the Theta Line,” delivered on March 10, 1952, Hubbard amalgamated the terms *theta*, “I” and “awareness”:

There is theta-I, or theta individual, which is the individual you are and are aware of being (Hubbard 1952b, 583).

One can see that here the concept of the human individual becomes an independent entity. The conclusion was presented a little more than two months later (on May 20, 1952) in a lecture titled “Decision: Cause and Effect.” It was already delivered in Phoenix as part of the *Route to Infinity* lecture series. Hubbard stated that,

Right here in the middle of “youness” is an imperishable completely indestructible motion source. It is a motion source which itself has no motion. That is your inheritance as part of divine beingness. That is it. And don’t think that is a small part of you or merely a part of you, because it is not. You have immortality in that part of you, which is you; that is immortal. If you didn’t have that, you wouldn’t be here (Hubbard 1952c, 156).

It would be probably difficult to find conclusive evidence, but an Aristotelian influence can be picked up from the formula “motion source which itself has no motion.” The expression echoes Aristotle’s “unmoved mover,” especially if we also put it in context with Hubbard’s “divine beingness” mentioned in the next

sentence. Anyhow, Hubbard here summarizes the characteristics of the human soul or spirit and peremptorily sets Scientology on a dualistic course.

Again very shortly after this lecture, in July 1952, he published the book *History of Man*, where in the second sentence already he introduced the term *thetan*, which will be used therefrom as the Scientology word indicating the individual human soul or spirit (Hubbard 2007d, 1).

From this point, Hubbard drifted more and more away from the “modern science of mental health” idea of Dianetics, towards the idea of Scientology being a religion. In a lecture titled “The Hope of Man” on June 3, 1955, he settled the question:

Now let me say something about this word, religion. You know that religion has a great many meanings—it has great many meanings. It could mean an enormous number of things. And where the public at large turns away from religion, they don't really know what they are turning from. But where they turn away from it, they are turning away from impracticality and that is all they are turning away from. [...] I want to tell you first that we have a practical religion. And before you say, “Religion—grrr,” think of that: It's a practical religion. And religion is the oldest heritage man has. Many, many of those present are ministers. The fact is that we do not fit at all or influence or have any real contact with medicine, certainly not with psychiatry. We do not exist in the tradition of psychology. We could only exist in the field of religion (Hubbard 1955b, 21–22).

When he mentions “impracticality” and “practical,” we may assume the mentioned influence of the Pragmatist atmosphere from Hubbard's early education. Hubbard notes that “religion has great many meanings.” It is hard to argue with that from an academic perspective if by “meaning” we mean definition. Hubbard wrote a text in 1973 titled “Religious Influence in Society,” in which he advocated religion and the positive social influence of religion, and launched the Scientology Volunteer Minister Program (Hubbard 1973). The text is an important source, because Hubbard reveals his choice of the definition of religion,

In a few words, religion can be defined as belief in spiritual beings. More broadly, religion can be defined as a system of beliefs and practices by means of which a group of people struggles with the ultimate problems of human life. The quality of being religious implies two things: first, a belief that evil, pain, bewilderment and injustice are fundamental facts of existence; second, a set of practices and related sanctified beliefs that express a conviction that Man can ultimately be saved from those facts (Hubbard 1973, 3).

Looking at this paragraph, there are obvious and not so obvious overlaps with different definitions of religion in the academic field. The first essentialist statement is a clear repetition of the classic animist definition from Edward Burnett Tylor's (1832–1917) milestone book, *Primitive Culture* (Tylor 1871). The rest of the paragraph is a mixture of substantive and functional elements, which implies again the American Pragmatist influence, namely of William James (1842–1910). As Ann Taves summarized:

James [in *The Varieties of Religious Experience*, James 1902] defined religion in terms of an uneasiness and its solution, where the solution involves “a sense that we are saved from the wrongness by making proper connection with the higher powers” (Taves 2021, 198).

Hubbard's enumeration of life's hardships and reference to religion supplying the hope of solving the corresponding problems by “a set of practices and related sanctified beliefs” (placing practice in the first place!) bears the Pragmatist mindset of James. A scent of Paul Tillich's (1886–1965) theory of the “ultimate concern” may also be detected here—and since Tillich was a contemporary philosopher-theologian, Hubbard may have met his works—but I did not find any explicit reference to him.

What is more important is that Hubbard committed himself to the Tylorian definition, so that unraveling the religious turn along the evolution of the conception of the spirit seems an appropriate approach. Of course, the critics of Scientology would object that Hubbard matched a definition to his theory, but a) these definitions are still broadly accepted by the academia too, and b) it is very unlikely that Hubbard's way of thinking or intention can be credibly proven in one sense or the other.

While this religious turn occurred in Dianetics-Scientology it is also interesting whether it influenced the practice of Dianetics and Scientology.

A Technological Turn?

The episode of L. Ron Hubbard's biography about studying engineering is widely covered and has been studied by different scholars. An unabridged overview has been published in *The Journal of CESNUR* in 2018 by Ian C. Camacho, titled *Degrees of Truth: Engineering L. Ron Hubbard* (Camacho

2018). I refer to Camacho's article for a discussion of how much L. Ron Hubbard was trained as an engineer. What is beyond reasonable doubt is that he attended science classes. His interest in applying the "engineering attitude" to his methods when approaching the mind in Dianetics, or the *thetan* in Scientology, is proven by the actual processes he developed. I am also not trying to prove or disprove the validity or success of these processes, which is not relevant for this paper, as I am only focusing on his endeavors.

Distinguished scholars have already explored this aspect from different angles. For example, Frank K. Flinn (1939–2015) had already examined Scientology as "technological Buddhism" (Flinn 2009). In this context, he offered a definition of technology.

By technology I mean the linguistic union of *techne* (craft, art, making) with *logos* (word, reason, rationale) so that "knowing" is co[m]penetrated with "making" or "doing" (Flinn 2009, 212).

This definition aptly describes the pragmatic or instrumentalist attitude in Scientology's religious practices. Flinn also solved the problem of how religion and technology can "get along" by citing examples from older religious traditions (Flinn 2009, 212–13).

Hubbard's endeavor to provide standardized procedures can be detected from the earliest publication in which actual methods were presented. In his mainly theoretical first book *Dianetics: The Original Thesis* (1948), he provided the first description of the "auditing technique"—often regarded as "therapy"—and its basics (Hubbard 2007b, 85). Then in *Dianetics: The Modern Science of Mental Health (DMSMH)* (originally published on May 9, 1950), which focused on application, he used repeatedly the terms "therapy," "procedures," and "techniques" (Hubbard 2007a).

Barely two months after the publication of *DMSMH*, on July 10, 1950, Hubbard delivered a lecture titled "A Summary of Standard Procedure" (Hubbard 1950b, 151–59). This lecture shows that Hubbard tried to provide its *auditors* (practitioners) with some kind of procedure that they can uniformly apply. Dianetics was fast evolving in those days, which is well demonstrated by the fact that in the very first issue of the publication called *The Dianetic Auditor's Bulletin* (Vol. 1, Issue 1-2, July-August 1950), titled "Standard Procedure,"

Hubbard was already mentioning that the “Standard Procedure” was being revised (Hubbard 1950a, 24).

The next significant development was parallel with the eventual change in the definition of the spirit. Few months after the delivery of the already mentioned *Route to Infinity* lecture series, in October 1952, in the lecture titled “Basic Summary on SOP of Technique 8-80” (Hubbard 1952d), Hubbard introduced “Standard Operating Procedure” (SOP), a social and mechanical engineering term that is said to have emerged in the mid-20th century (Nolan 2023). Apparently, he was keeping pace with contemporary terminologies. About a month later, on November 14, 1952, “Standard Operating Procedure Issue 2” was announced (Hubbard 1952e, 303). It will be followed by several further versions of SOPs, up to *SOP 8-0* (Hubbard 2007e, 373).

In early June 1958, in the *Ability* magazine’s issue 76, in the article “Offbeat Processing,” Hubbard stressed the importance of “being standard,” by stating,

Every process was once experimental. BUT when you want results you had better use standard techniques and procedures. [...] Most clearing “failures” are caused by the use of nonstandard techniques and procedures (Hubbard 1958, 367).

Then, a period of about ten years passed before he will return to this particular subject in 1968, on the occasion of the delivery of the so-called Class VIII auditor course, which is one of the highest classes for Scientology practitioners. Connected to that, before and in the course, he gave several definitions. The first mention of the term “Standard Tech” I have found is of May 31, 1968:

There is one Tech and that is Standard Tech. [...] Other tech is defined as any tech which is not Standard Tech (Hubbard 1968, 651).

This may be interpreted as the *tertium non datur* (the principle of excluded middle) definition of “Standard Tech,” as it sets that something is either standard or not: there is no third option. On 24 September 1968 in Class VIII, Lecture 1, he added:

[...] that terribly narrow path which we now call standard tech is composed of those things which if they are out inhibit and prohibit all case gain (Hubbard 1975, 403).

The term “out” in such context in Scientology means “missing,” “not done,” “neglected.” On October 15, 1968, in Class VIII, Lecture 19, Hubbard urged “a standardization of processes so that they apply to 100 per cent of the cases to which they are addressed” (Hubbard 1975, 403). Then, on February 26, 1970:

“Standard Tech is not a process or series of processes. It is following the rules of processing” (Hubbard 1970, 33).

In these latter quotes, Hubbard emphasized that “Standard Tech” in fact designates the quality and norms of Scientology religious practices. However, on September 29, 1982, he also indicated where one can find the different items of “Standard Tech”:

“Standard Tech” is contained in the official volumes of the technical services and HCO Bulletins and charts within them and in textbooks on the subject (Hubbard 1982, 1110).

Conclusions—Future Directions

Since this is a research note, very strong conclusions may not be drawn. There can be, however, the hypothetical conclusion that Hubbard was strongly influenced by American Pragmatism by his primary educational and cultural environment and subsequent line of studies together with his education in science and engineering. This educational and cultural combination resulted in his Pragmatist, instrumentalist approach in the development of his mental, later spiritual technology.

Since Hubbard himself regarded the Tylorian animist formula as a valid definition of religion for him (“In a few words, religion can be defined as belief in spiritual beings”: Hubbard 1973, 3), this seems an appropriate approach to examine the development line from Dianetics towards Scientology along the evolution of the concept of the human spirit and spirituality. According to the selected source text data, the actual turn happened between June 1951 and July 1952 gradually, from the *Science of Survival* to the *History of Man* books.

A strong endeavor to standardize the procedures was present from the very early days of Dianetics. It did not change with the spiritual/religious turn, but even grew stronger, culminating in the ideas subsumed under the term “Standard Tech.”

A future direction may be the full mapping of traceable philosophical influences and intersections with different philosophies. This is an ongoing larger study, but research notes such as the present paper may perhaps still assist social

scientists in proposing more complete research designs and contextualizing the subject.

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Research Notes

Why New Proposals to Criminalize Jehovah’s Witnesses’ “Shunning” Are Wrong: A Response to Grendele, Flax, and Bapir-Tardy

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ABSTRACT: Two British psychologists and one criminologist recently suggested extending existing provisions about domestic abuse and “coercive control” in the family in the United Kingdom to religion-based “shunning” as practiced by the Jehovah’s Witnesses. Domestic abuse laws target abusive practices in families. It is argued that the Jehovah’s Witnesses are a “family” in a metaphorical sense and a “gated community.” We argue that there are limits about how far the notion of “family” can be stretched and that the Jehovah’s Witnesses are not a “gated” or “closed” community. We also criticize proposals to amend the existing laws on domestic abuse and “coercive control” within the family to extend them to religious communities and note the methodological and other biases of the authors.

KEYWORDS: Jehovah’s Witnesses, Jehovah’s Witnesses’ Shunning, Jehovah’s Witnesses Ostracism, Windy A. Grendele, Coercive Control.

We are both sociologists who also have a legal training, and have followed with interest for decades legal cases involving the Jehovah’s Witnesses. Legal assaults against the practice of the so-called “shunning” or “ostracism” by the Jehovah’s Witnesses (and several other religions) have been consistently resisted by courts of law in democratic countries including UK, Ireland, Germany, Italy, Canada and United States (see Introvigne 2021a). In short, the Jehovah’s Witnesses counsel

their members to avoid social interaction with ex-members who have been disfellowshipped for having committed serious offenses and having not shown repentance, or who have publicly and formally left their organization. Cohabiting relatives are not shunned, nor are those who simply become inactive and no longer participate in the organization's activities, without publicly disassociating from it (Chryssides 2021; Richardson 2021; Introvigne 2022b).

Courts of law have repeatedly stated that “shunning” is a religious practice willingly followed by individuals and based on the Jehovah's Witnesses' interpretation of the Bible. Prohibiting it would mean interfering with the beliefs and internal organization of a religious body, thus violating the principle of freedom of religion or belief (for a list of cases, see Introvigne 2021a, Introvigne 2022b). Courts have also noted that Jehovah's Witnesses know about “shunning” when they join the organization, and that in general citizens should be free to decide with whom they want to associate—or not to associate. As the Italian Supreme Court of Cassation stated in 2017, some can regard this refusal to associate with ex-members as a breach of politeness, but it is not a breach of any criminal or civil law (Corte di Cassazione 2017).

Opponents of the Jehovah's Witnesses, however, keep trying, and exploring new legal avenues to prohibit “shunning,” or rather prohibit teaching it, since how a court of law can force those who refuse to associate with certain individuals to remain in communication with them is unclear. In our society many also “shun” and refuse to meet or even talk with divorced ex-spouses or former friends they have quarreled with, and courts cannot compel them to behave differently.

One dangerous way of prohibiting (the teaching of) “shunning” is to extend to religious communities the laws on domestic abuse or “coercive behavior” in the family. These laws exist in several countries and do mention “coercive control” and “psychological abuse,” in itself a problematic notion that may be reminiscent of the discredited theory of brainwashing (Richardson 1991, 1992, 1993, 1996, 2014, 2015; Introvigne 2022d). However, by looking at the case law one finds that what is normally punished is a consistent pattern where a spouse abuses the other by controlling access to money, threatening violence, and limiting the freedom of movement, which is something different from mere persuasion.

The United Kingdom is not the only country where proposals to extend laws on domestic abuse incriminating “coercive control” to religious organizations have been formulated. However, one of the few explicit proposals to single out

the Jehovah's Witnesses and their practice of "shunning" has now been presented in the last issue of the *Journal of Law and Religion* by two British psychologists, Windy A. Grendele and Savin Bapir-Tardy, and one criminologist, Maya Flax (Grendele, Flax, and Bapir-Tardy 2023). They had already criticized the Jehovah's Witnesses' "shunning" in a previous article published in *Pastoral Psychology* earlier this year (Grendele, Bapir-Tardy, and Flax 2023). Grendele's 2022 doctoral dissertation was also a critical examination of "shunning" (Grendele 2022).

The three authors would like to apply the U.K. Serious Crime Act 2015 and Domestic Abuse Act 2021, which extend the notion of domestic abuse beyond physical violence by including emotional abuse and "coercive control," to the practice of "shunning" of the Jehovah's Witnesses. What they know about personal experiences of "shunning" derives from having interviewed disgruntled ex-members only (and "two Elders who were *physically in but mentally out* of the church" [Grendele, Flax, and Bapir-Tardy 2023, 298], whatever this may mean), which raises serious doubts about their methodology and scientific impartiality. Although they quote once the magazine *Bitter Winter*, which is against criminalizing "shunning" (Grendele, Flax, and Bapir-Tardy 2023, 295), the objections by several scholars of the Jehovah's Witnesses (including Chryssides 2021) against the common anti-cult reconstructions of how "shunning" works are also ignored.

Relying only on hostile ex-members leads the authors to present as facts very serious allegations ("There have been instances where these suicidal thoughts have turned into successful suicides": Grendele, Flax, and Bapir-Tardy 2023, 310) and to make generalizations that are demonstrably inaccurate. For example, based on the accounts made by "Rose," the authors conclude: "Grandparents are not permitted to see their grandchildren if they are no longer members of the community" (Grendele, Flax, and Bapir-Tardy 2023, 302). In fact, as clarified by *The Watchtower*, while the "shunning" policy prohibits "spiritual fellowship" with disfellowshipped non-cohabiting relatives, "if a disfellowshipped [sic] parent goes to visit a son or daughter or to see grandchildren and is allowed to enter the Christian home, this is not the concern of the elders. Such a one has a natural right to visit his blood relatives and his offspring. Similarly, when sons or daughters render honor to a parent, though disfellowshipped [sic], by calling to see

how such a one's physical health is or what needs he or she may have, this act in itself is not a spiritual fellowshiping [sic]" (*The Watchtower* 1974, 471).

A serious flaw of the article is its summary of legal cases about the Jehovah's Witnesses. There are some references to criticism of how the Jehovah's Witnesses handled in the past cases of sexual abuse, with the usual reference to the Australian Royal Commission (Grendele, Flax, and Bapir-Tardy 2023, 294–95; for a criticism of the Australian report and its use internationally, see Folk 2021, Introvigne 2023a), but comments by other authorities and courts that the current policy of the organization effectively protects children (see Introvigne 2021a) are not mentioned. The findings of the England-Wales Independent Inquiry into Child Sexual Abuse (Independent Inquiry Child Sexual Abuse 2021) are also reported in an incomplete way, ignoring the parts where they acknowledge the effectiveness of the child protection policy introduced by the Jehovah's Witnesses in 2018–19 (e.g., Independent Inquiry Child Sexual Abuse 2021, 64–7).

Criticism that the same Inquiry misinterpreted the “two-witness rule” adopted by the Jehovah's Witnesses for their internal ecclesiastical governance (but not for determining whether an abuse should be reported to secular authorities: see Introvigne 2021b) was also ignored. In this sense, the authors' references to sexual abuse among the Jehovah's Witnesses in a scholarly article are dangerously close to statements published by the Spanish newspaper “El Mundo” that a court in Spain recently declared unsubstantiated (see Introvigne 2023b). It is also unclear what discussions about sexual abuse (and blood transfusions) have to do with the subject matter of the article, i.e., whether “shunning” should be criminalized.

Concerning “shunning” in particular, dozens of decisions, including by national Supreme Courts in different countries, which found the practice not illegal and protected by religious liberty (Introvigne 2021a), are not mentioned. Thanks to “Bitter Winter,” the authors at least know that the controversial decision of the Court of Ghent, Belgium, that declared “shunning” illegal in 2021 was overturned on appeal in 2022 (Introvigne 2022c). However, having mentioned the later decision, they go on and keep quoting from the first-degree ruling (Grendele, Flax, and Bapir-Tardy 2023, 295), ignoring that its arguments were systematically dismantled by the Court of Appeal in the light of the

European Convention and the case law of the European Court of Human Rights (on which see Richardson 2020).

While they claim that they do not want to see the Jehovah's Witnesses banned in the United Kingdom as it was done in Russia in 2017, they still quote several unfounded allegations made by Russian courts as relevant references (Grendele, Flax, and Bapir-Tardy 2023, 295–96), but fail to inform readers that all such allegations have been disproved by the European Court of Human Rights both in 2010 and 2022 (European Court of Human Rights 2010, 2022).

We note that two out of three authors of the article are not trained in law and that the first author Grendele described herself in her 2022 doctoral dissertation as an “inactive” Jehovah's Witness (Grendele 2022, 131). In the same dissertation, she both reported that she had posted her invitation to participate in her survey of “shunning” on social media groups operated by anti-cult and anti-Jehovah's-Witnesses movements (Grendele 2022, 115–16) and that she had suggested to some of her interviewees to contact the same organizations, as well as others, if they “would need support after taking part to the interview” (Grendele 2022, 378).

Grendele's possible conflict of interest is not disclosed in the article. On the contrary, the authors write that, “None of us have firsthand experience of having been shunned from the Jehovah's Witnesses community nor have we been affected by such a practice” (Grendele, Flax, and Bapir-Tardy 2023, 298). As mentioned earlier, it is true that inactive members who have not explicitly disassociated themselves from the Jehovah's Witnesses are not shunned. However, it would have been preferable to disclose that the first author of the article, while not shunned, had a clear potential involvement with the matter, as an inactive member who had gone public attacking the religious movement. Grendele's dissertation is publicly available on the Internet. While the possible conflict of interest might have escaped the peer reviewers, other obvious biases and methodological problems should have not.

The authors suggest that provisions about abuse in the family can be extended to religious communities. They note that some British courts have adopted an extensive notion of family when interpreting the anti-abuse statutes, and some scholars have suggested that gated therapeutic communities, for example, may function like families (Grendele, Flax, and Bapir-Tardy 2023, 307). They write that “the Jehovah's Witnesses consider themselves as a unified spiritual family”

(Grendele, Flax, and Bapir-Tardy 2023, 308). However, metaphorical uses of the term “family” are certainly not exclusive to the Jehovah’s Witnesses. Pope Francis is not the only religious leader who insists that his church should be seen as a large family (see e.g. Francis 2014). Nor is this limited to churches only. Recently, Italian soccer was hit by a scandal of illegal betting by some players. Coaches and team executives (see e.g. *SportMediaset* 2023) reacted by stating that football teams are “families” that should help the repentant sinners and ostracize the unrepentant bad apples. Examples can be multiplied. If laws intended for the family should be applied in all cases where the metaphor of the family is used, they should extend to most social communities. This was never their purpose.

The authors also repeat a common mistake, that the Jehovah’s Witnesses form a “gated community,” “isolated from mainstream society” (Grendele, Flax, and Bapir-Tardy 2023, 308). They rely once again on “apostate” ex-members (Introvigne 2022a) to support this statement, but scholars who have studied the Jehovah’s Witnesses came to opposite conclusions (see Folk, Introvigne, and Melton 2020). The vast majority of the Jehovah’s Witnesses do not live in “gated communities,” much less in an “ongoing state of siege” or in an “experience of entrapment” (Grendele, Flax, and Bapir-Tardy 2023, 297). They have a regular job outside of the religious organization, where they interact with non-Jehovah’s-Witnesses daily. Their children attend public schools. The parallel with therapeutic communities or with small religious movements living in isolated communes simply does not make sense.

In the end, the authors do recognize that it is unlikely that the British laws on domestic abuse as they exist today can be applied to the Jehovah’s Witnesses and their teachings about “shunning.” The notion of “family” can be stretched, but there are limits. Accordingly, they suggest that the laws should be amended to include religious communities.

They realize that their proposal would meet with objections based on freedom of religion or belief and freedom of association. They note that these freedoms are not without limits (Grendele, Flax, and Bapir-Tardy 2023, 312), which is certainly true. Criminal behavior is not protected by religious liberty. There is, however, nothing criminal in “shunning.” As the authors themselves admit, there have been and there are similar practices in many religions—and we would be

curious to know whether they really want to forbid imams to present the Islamic teachings on apostasy in their Friday sermons in U.K. mosques.

These practices derive from how religions interpret their respective sacred scriptures and decide to self-organize themselves, both matters on which secular courts should not interfere. Since courts cannot compel citizens to associate with people they dislike, what the authors ask is that teaching a certain interpretation of the Bible should be prohibited in the U.K.

Or perhaps the Bible itself. In some form, “shunning” is clearly referred to in 1 Corinthians 5:13 (“Expel the wicked person from among you”) and 5:11 (“Do not even eat with such people”), and 2 John:10–11 (“Do not take them into your house or welcome them. Anyone who welcomes them shares in their wicked work”: all quotes from the New International Version). Should the Apostolic Letters be blacklisted as books prohibited in the U.K.?

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Documents

“Dear Prime Minister Kishida”: Why the Unification Church Should Not Be Dissolved

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ABSTRACT: A leading Japanese lawyer explains why, notwithstanding the media slander, he decided to represent the Family Federation for World Peace and Unification (formerly Unification Church) against the government’s threat to dissolve it. He then discusses the grounds for dissolving a religious corporation under Japan’s Religious Corporation Act. He concludes that the Family Federation does not meet this act’s criteria for dissolution and asks the question whether the request for dissolution is not based on political expediency rather than on solid legal grounds.

KEYWORDS: Family Federation for World Peace and Unification, Unification Church, Dissolution of the Unification Church in Japan, Assassination of Shinzo Abe, Japan’s Religious Corporations Act.

General Outline

This text is about the Japanese government’s efforts to dissolve the Family Federation for World Peace and Unification (formerly the Unification Church, hereinafter referred to as the “Family Federation”). The contents of the text are as follows.

I. General remarks

The government’s efforts do not satisfy the grounds for dissolution under Article 81, paragraph 1 of the Religious Corporations Act, as the Family

Federation has no “organizationality, continuity, or maliciousness.” Therefore, the government’s request for a dissolution order is not justified.

II. Strict dissolution requirements

The Religious Corporations Act was enacted based on reflection about the persecution of religion before World War II and the importance of freedom of religion (Article 20 of the Constitution). It sets the grounds for government dissolution of religious corporations and requires that dissolution of a religious corporation be handled with more rigor than dissolutions of other corporations.

1. “Extremely,” “obvious,” “necessary and unavoidable”

Article 81(1)(1) of the Religious Corporations Act sets out the strictest requirements for dissolution that no other legal entity has, using the phrase “obviously” to be “extremely” contrary to the public welfare. In the Aum Shinrikyo case, the Supreme Court also issued a dissolution order based on extremely cautious grounds that it was “necessary and unavoidable.”

2. “Laws and regulations” do not include the Civil Code

The grounds for dissolution under the Companies Act and the General Incorporated Association/Foundation Act are “acts that violate criminal laws and regulations.” As such, the Companies Act limits dissolutions to violations of “criminal laws.”

In contrast, the dissolution of a religious corporation should be more strictly interpreted than that of normal corporations. It is unfair to create wider grounds for the dissolution of a religious corporation by including tortious acts besides criminal offenses.

Therefore, the “laws and regulations” of Article 81, paragraph 1, item 1 of the Religious Corporations Act shall not include the Civil Code. This is a confirmed judicial precedent (Aum Shinrikyo High Court decision, December 19, Heisei 7). The government cannot interpret the dissolution requirements more broadly for the Family Federation than it did for Aum Shinrikyo, which killed about 30 people. Decisions contrary to judicial precedent deprive the public of predictability and violate religious freedom.

3. The three requirements for dissolution—organizationality, continuity, and maliciousness—are not met

(1) No organizationality

The actions of individual members do not lead to the dissolution of the corporation. They can lead to dissolution only if the corporation commits an organized misconduct. The criterion for judging “organizationality” is that “representative officers, etc. (i.e., executives) exploit the actions of the believers, etc.” (Aum Shinrikyo High Court decision).

However, none of the leaders of the Family Federation has taken advantage of (or profited from) the actions of the laity. None of the past judicial precedents (civil and criminal) regarding the Family Federation recognize organized misconduct in this corporation.

(2) No continuity

Since the Family Federation issued a Declaration of Compliance regarding donation practices in 2009, there has been little conflict. With the exception of three cases that ended in settlement and one judgment (judgment amount of 5.2 million yen and partial settlement amount of 1.4 million yen), no other court cases have been filed in the past 14 years regarding donations. In the last seven years since March 2016, not a single court case has been filed.

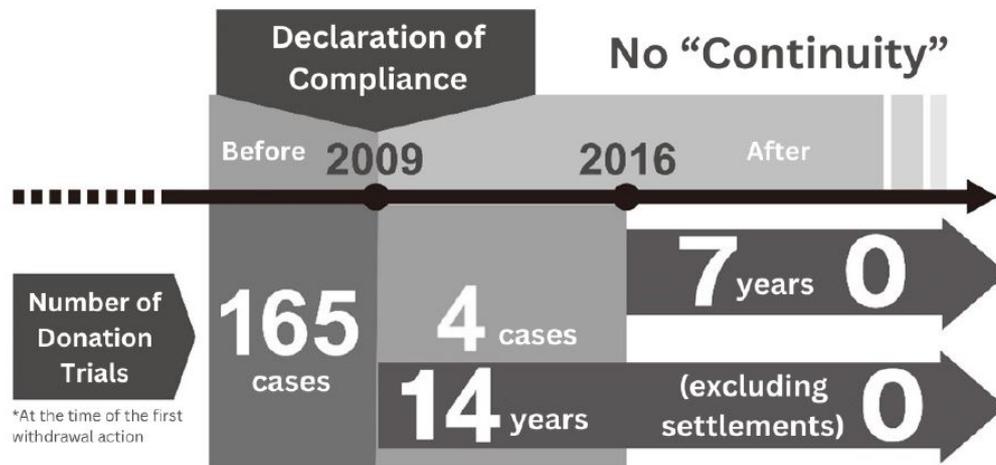


Chart 1. Number of donation trials.

(3) No maliciousness

Many other, more unscrupulous religious corporations have survived without receiving a dissolution order (see comparison table below). Thus, it would be grossly disproportionate for the Family Federation to receive an order to dissolve itself.

For example, Nenpo Shinkyo and Hōyū-no-kai were subject to the dissolution suit because the leaders raped some believers or caused others to die, and especially the master of the Hōyū-no-kai was sentenced to prison in a criminal trial. However, the court did not grant an order to dissolve either corporation and both corporations continue to exist as religious corporations today.

In addition, the other five religious corporations that committed many crimes, such as mass assault and murder and were more malicious (Kenshokai, Hōnohana Sampogyo, etc.), did not receive government requests to answer questions (e.g., cooperate with an investigation), let alone a formal request to dissolve themselves.

4. Imbalance with past responses

For nearly 30 years, the government and the Ministry of Education, Culture, Sports, Science and Technology (MEXT) chose not to request a dissolution order for the Family Federation (1994, 1998, 2017). This is despite the Family Federation facing more lawsuits in the 1990s than now.

The Family Federation has significantly improved its activities since it issued the Declaration of Compliance in 2009, and it has not had a single civil trial in the past seven years. Given this improvement, it is not possible today to request a dissolution order for the Family Federation.

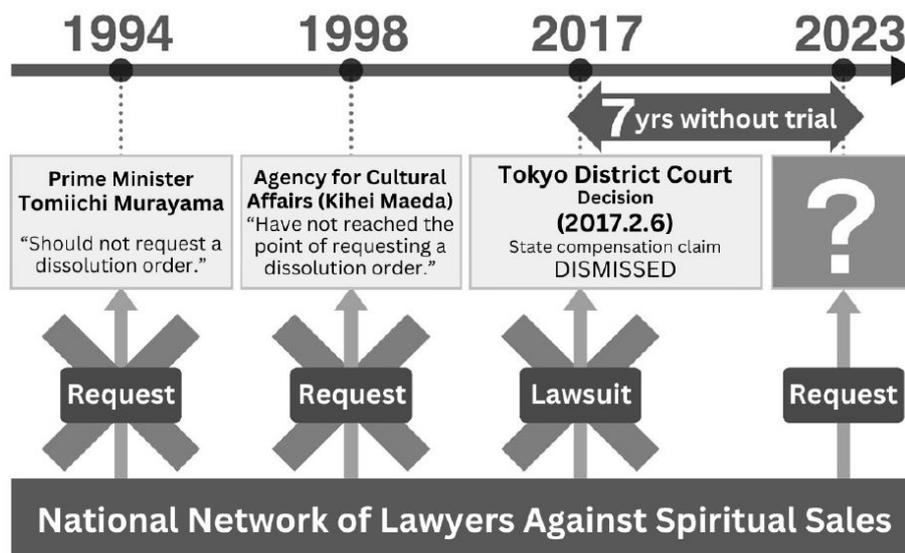


Chart 2. The history of the requests for a dissolution order.

5. Dissolution does not help victims

When a dissolution order is issued, the legal personality as a religious organization ceases to exist—which makes it more difficult to respond to or help victims. The December 2022 Act on the Prevention of Unfair Solicitation of Donations could end in smoke or unintended consequences. In the Aum Shinrikyo case, Masaki Kito of the National Network of Lawyers Against Spiritual Sales strongly opposed the order to dissolve Aum Shinrikyo.

In fact, the dissolution order is not intended to help victims. The Tokyo District Court’s ruling on February 6, 2017, stated that “relief” for “individual stakeholders” is not the purpose of a dissolution order, but that “remedy for damages is entrusted to the general tort code, etc.”

- Comparison of maliciousness with other religious corporations

Compared with eight other religious corporations, the Family Federation is not “malicious” enough for the government to request an order for its dissolution.

A. Religious corporations that have gone to court for crimes and possible dissolution

The following three religious corporations went to court for crimes, such as sexual assault, group beatings, fraud, and murder. They were also considered for dissolution orders; however, no dissolution order was issued and all three of these groups continue to exist as a religious corporation.

1	Nenpo Shinkyō	Around 1961, the leader committed obscene acts and rape of many female believers, deceived believers to solicit donations, and forced sick believers to perform penance and die.
2	World Salvation Church	In 1968, executives gave psychic therapy to a believer and killed him. In 1976, two board members were arrested on suspicion of bribery.
3	Hōyū-nō-kai	In 1990, the leader and seven followers beat and drowned their followers on the beach in Kyoto Prefecture in the name of “confession.”

B. Religious corporations that have not been tried for a dissolution order request

The following five religious corporations went to court for crimes, such as group assaults, beatings, and murders. However, in these cases, the government did not exercise the right to question the corporations, nor did it order a request for a dissolution. The five corporations were allowed to continue to exist as a religious corporation (although the group known as Hōnohana Sampogyo dissolved due to bankruptcy).

B1. Mass beatings and murder

4	Shinji Shumeikai	In 1995, a former believer and prayer master beat believers in the name of a prayer act to exorcise evil spirits and killed seven people (Fukushima exorcism murder case; the relationship with the corporation is unclear because it involved a “former” believer).
5	Kigenkai	In 2007, a large number of believers conspired to beat and kill a group of co-religionists because of internal disputes.
6	Kukai Esoteric Buddhism Daikinryuin Temple	In 2012, nine believers attacked and killed a co-religionist at a dispute over doctrine.

B2. Numerous criminal cases

7	Kenshokai	Since 1999, its believers have committed at least a dozen criminal offenses to date. Among others, in 2003, the head of the Kenshokai district department was sentenced to 15 years in prison for murder.
8	Hōnohana Sampogyo	In 2000, 13 people, including leader Fukunaga Hogen, were convicted of fraud.

Based on these contents, it is clear that there is little chance that the Family Federation will be dissolved. Once the trial of the dissolution order begins, it is obvious that the government will eventually lose.

I would like you, Prime Minister Fumio Kishida, to take an impartial standpoint and make a calm and rational judgment on the various recent trends surrounding the Family Federation.

Background of Appointment

I am a lawyer who is a third-party participant in the reform of the Family Federation for World Peace and Unification (formerly the Unification Church, hereinafter referred to as the “Family Federation”). First, I will explain why I am taking on this matter as if “picking up chestnuts in the fire.”

I am not a believer in the Family Federation, and I had no connection with the Family Federation until the summer of last year (2022). That is when a lawyer friend of mine in Japan approached me and asked, “I cannot find anyone to take this case. Would you be willing to take this case for the Family Federation?”

I accepted the offer, but since it is an organization with a bad reputation, I was hesitant to take it on. If it was a clear antisocial organization, such as a criminal operation, I would not defend it. However, I did not recognize that the Family Federation was a clear antisocial organization. In July last year, then-LDP Chairman of General Affairs Tatsuo Fukuda said that he “doesn’t know what’s wrong” with having a relationship with the Family Federation, and I felt the same way.

Even defendants charged with heinous crimes have the right to a fair trial, and any entity has the right to justice. A lawyer is in a profession that proudly undertakes “dirty work” for the sake of legal justice in which anyone is brought to justice through due process. I was willing to take on the work that someone had to do, so I was prepared to take on criticism and give advice on behalf of the World Headquarters of the Family Federation from a third-party standpoint.

By the way, my specialties are overseas legal affairs, compliance, and integrity. When I work with my client companies, I tell them, “Have the courage to speak out against injustice.” That being said, if I don’t have the courage to take up this case, I will be a hypocrite who deserves to perish as a human being. So, I work with the spirit of “Even though thousands of people go against me, as long as I am true to my heart, I should continue my path.”

Religious Hate

It has been less than a year since I got involved with this case, but no matter who I meet in the Family Federation, I have never seen a so-called bad person.

Consequently, it does not make sense that it continues to be called an antisocial organization in the media.

The public continues to use derogatory terms such as “cult” to criticize the Family Federation. However, such religious hate speech (religious hate) is strictly prohibited, as “Any advocacy of ... religious hatred that constitutes incitement to discrimination, hostility ... shall be prohibited” under Article 20(2) of the International Covenant on Human Rights, which has been ratified by Japan.

I feel righteous indignation at the media, which incite religious hatred, and the government’s stance, which seems to have been influenced by it, from the perspective of religious freedom and legal justice. In particular, as a legal professional, I cannot help but feel a strong sense of discomfort that the pros and cons of a dissolution order—which should be a pure legal interpretation of the Religious Corporations Act—is treated like a political matter. In a country under rule of law, the pros and cons of a dissolution order should be determined in accordance with the law.

The Ministry of Education, Culture, Sports, Science and Technology (MEXT) has exercised its right to question the Family Federation seven times and seems to be looking for an opportunity to request a dissolution order. However, from a legal point of view, it cannot meet the requirements of a dissolution order at all. Here’s why.

Purpose of the Religious Corporations Act

The Religious Corporations Act, enacted in 1951, was intended to strictly protect religious freedom due to remorse for pre-war religious persecution. Therefore, the Ministry of Education, Culture, Sports, Science and Technology (MEXT), which has jurisdiction over religious corporations, should show more restraint in the exercise of its authority with them, compared to other, secular corporations.

Section 81 of this Act, which provides for a dissolution order, also stipulates that a dissolution order is issued only when the activities of a group are “clearly” recognized as being “extremely” contrary to the public welfare. This is a stricter dissolution requirement than that of other legal entities, such as joint-stock

companies. In this way, compared to other corporations, it is supposed to be difficult to issue a dissolution order to a religious corporation in the first place.

Therefore, in 72 years that have passed since the enactment of the Religious Corporations Act, there have been only two religious corporations that have been ordered to dissolve, including Aum Shinrikyo. Even in the Supreme Court ruling on the dissolution of Aum Shinrikyo, it was carefully held that the dissolution was “necessary and unavoidable.”

There were only about 1,000 followers of Aum Shinrikyo. On the other hand, there are about 600,000 believers of the Family Federation nationwide. I would like you to carefully examine again whether it is really “necessary and unavoidable” to deprive these believers of their religious freedom and order the dissolution of their religious corporation.

Is It Worse than Aum Shinrikyo?

At the Budget Committee of the House of Representatives in October 2022, Prime Minister Kishida changed his interpretation overnight regarding the “violation of laws and regulations” as the requirement of the dissolution order.

On the 18th of the same month, he stated that the “law” is limited to “criminal law, etc.” and that “illegal acts of the Civil Code do not fall (into this category),” following the interpretation of the Tokyo High Court in Heisei 7 regarding Aum Shinrikyo in 1995.

However, on the following day, October 19, Prime Minister Kishida changed his view and stated, “If the organizationality, maliciousness, and continuity of the misconducts are revealed, then the tortious acts under the Civil Code may fall into this category.”

It is said to be the first time since the end of World War II that a Prime Minister changed the interpretation of a statute in one day.

Aum Shinrikyo killed 29 people and caused about 6,500 victims, and 192 believers, including its leader, were prosecuted, thirteen of whom were sentenced to death. It is quite different from the Family Federation.

As for the Family Federation, there were only a few criminal cases more than ten years ago in which companies run by believers were accused of violating the

Act on Specified Commercial Transactions. No one was killed, and in its nearly sixty-year history, religious activities of believers have never been criminalized as fraud, intimidation, or confinement. Although the alleged “spiritual sales” have been condemned, there has never been a case in which a believer’s actions have been rescinded due to fraud or intimidation, not only in criminal cases but also in civil cases.

In this way, if we compare Aum Shinrikyo and the Family Federation, it should be impossible to interpret the requirement for dissolution more broadly for the Family Federation than for Aum Shinrikyo. In the case of Aum Shinrikyo, dissolution was attributed to “only criminal cases.” Nevertheless, in the case of the Family Federation, how in the world can we interpret “including civil cases”?

Any decision contrary to judicial precedent would infringe on the freedom of religion stipulated in the Constitution. Given the separation of powers and the constitutional independence of the courts, Prime Minister Kishida cannot have the authority to change the interpretation of precedents.

“Laws” Do Not Include the Civil Code

I will add a little legal explanation to the point that “laws” do not include the Civil Code. Certainly, since “laws” refers to “law” and “order,” the Civil Code can also be included in “law” from the point of view of a literal interpretation alone.

However, the Religious Corporations Act was enacted to protect constitutional religious freedom in the first place. Therefore, Articles 1 and 85 of the Religious Corporations Act stipulate that the provisions should be interpreted in a way that protects freedom of religion.

In particular, the dissolution of a religious corporation is a serious act that extinguishes legal personality. Even if the corporation is dissolved, individual believers can continue their religious activities for the time being, but due to dissolution, all rights—such as ownership of worship facilities and real estate that the Family Federation has acquired so far—will be lost.

In addition, now that criticism of the Family Federation is already strong, believers are exposed to discrimination, such as not being able to get a job, being bullied, and not being able to get married. Once the trial of the dissolution order

begins, the believers will be subjected to even more severe social condemnation. This condemnation will last at least ten years. So, the initiation of the trial of the dissolution order means “social death” for believers.

For this reason, the “violation of laws and regulations” as the prerequisite of the dissolution order should be a strict and rigorous requirement to be directed at strong social condemnation, which deserves the sanction of extinction of legal personality. With that in mind, the Civil Code is not included here.

Let’s consider a concrete example. Article 199 of the Penal Code states, “A person who kills another person is punished by the death penalty...” Therefore, we can understand in advance that we should not kill people because the act or consequences of “killing people” are clear. In this way, the “laws” as a requirement for the dissolution of a religious corporation must also be able to predict what is wrong. Otherwise, the constitutional religious freedom is violated as “surprise.” This is the due process requirement guaranteed by the Constitution.

However, if the Civil Code is included in the “laws,” it will be a “surprise.” This is because even if you look at the articles of the Civil Code, you will not know “what is wrong.”

For example, Article 709 of the Civil Code, which defines torts, states “intentionally or negligently infringes the rights or legally protected interests of others.” Reading this, you will not know what is forbidden. A case is contested in civil court and takes several years to settle. In other words, it may take a few years to determine whether an act is tortious or illegal. Thus, criminal and civil law are completely different in that prohibited acts can be predicted or not.

The government and the Ministry of Education, Culture, Sports, Science and Technology (MEXT) seem to interpret that the requirement of three elements of “organizationality, continuity, and maliciousness” can lead to a violation of “laws and regulations.” However, vague “organizationality, continuity, and maliciousness” alone does not tell us what kind of actions are condemned. Thus, from the viewpoint of due process and clarity, it cannot be interpreted that “laws” include the Civil Code.

In fact, the dissolution requirements of the Companies Act and the General Incorporated Association Law enacted after 2005 limit them to “acts that violate

penal laws and regulations.” The Religious Corporations Act is an old law that was enacted 72 years ago, so it is written vaguely just as “laws.”

As mentioned above, the Family Federation, which has not violated the Penal Code, has not committed any “violation of laws” justifying the requirement of the dissolution, so a dissolution order cannot be issued.

The Ministry of Education, Culture, Sports, Science and Technology (MEXT) has exercised the right to question the acts of the Family Federation on the grounds that there is suspicion of “organizationality, continuity, and maliciousness.” However, there is no organizationality, maliciousness, or continuity, as follows.

No Organizationality

In the first place, the Religious Corporations Act specifies that the dissolution reason cannot be a violation by the “individual” believer, but a violation by a “religious corporation.” Individual crime and dissolution of a corporation are separate, and even if an individual believer commits a crime, the religious corporation cannot be automatically dissolved.

In what cases can a religious corporation itself be deemed to have violated laws? The answer is, when it commits a crime as an organization. As to this “organizationality,” the Tokyo High Court, at the dissolution of Aum Shinrikyo, defined it as “an act committed by the representative officer of a religious corporation using the property acquired and accumulated in the name of the corporation and the human and material organizations built on the basis thereof.” This is what “organizationality” is all about. In short, a religious corporation can only be condemned if “the executive is in a relationship that takes advantage of the faithful.”

However, in cases involving members of the Family Federation, there is no such organizationality. There is no fact that the executives took advantage of believers to commit evil deeds. Even in the current hostile media coverage, there is no report at all that “Chairperson Tanaka of the Family Federation took advantage of the believers to commit bad deeds.”

In this way, if we analyze the judicial precedents of Aum Shinrikyo, we can immediately see that there is no “organizationality” in the Family Federation.

Further analysis shows that, in the past, the only time a Family Federation believer was brought to a criminal trial was the 2009 Shinsei case, but the Family Federation was not responsible as an organization. In this Shinsei case, the Family Federation was searched and seized, but none of the Family Federation employees were prosecuted because there was no evidence of collusion between the Family Federation and the Shinsei company.

This is probably because not only the courts but also the investigating authorities could not find organized misconduct in the Family Federation. Even in these cases, there is no evidence of executives taking advantage of the faithful.

In addition, it appears that the Ministry of Education, Culture, Sports, Science and Technology (MEXT) seems to want to recognize “organizationality, continuity, and maliciousness” from the civil trials in which the Family Federation lost. However, even in the two court cases that recognized the donation-related tortious acts of the Family Federation itself, there was no finding of Family Federation “executives taking advantage of the acts of the faithful.”

Further, it seems the Ministry of Education, Culture, Sports, Science and Technology (MEXT) is trying to recognize “organizationality” by citing 22 cases in which the Family Federation lost on employers’ liability. However, upon careful legal investigation, we found that the Family Federation won about half of those cases. An analysis of each claim in each case (each donation act, about 1,000 items) shows that the Family Federation won 50% of the cases, and won 48% in terms of the total amount.

In this way, in about half of the trials, no tort was found by the Family Federation, and the Family Federation actually won. In 22 court cases, the Family Federation won or lost by half and half—half of which the court does not even recognize tort. Given this, it is not fair to take only half of the losses and accuse them of being “organized.”

“Spiritual Sales”

In the past, the psychic manipulative sales or so-called “spiritual sales” were regarded as a problem within the Family Federation. This is a case in which the sales method of a company run by a believer who sold seals was disputed.

Certainly, it seems that there have been times when believers were so religious and pious that they engaged in activities that were a bit outside the common sense of the general society. However, the organizational responsibility of the Family Federation is not recognized by judicial precedent.

In particular, after the Family Federation issued a Declaration of Compliance in 2009, based on past reflections, it has been working to carry out activities that are close to the common sense of society by alerting against and refraining from emphasizing ancestral ties, psychic abilities, and excessive donations.

Therefore, as far as I have seen, compliance seems to be so pervasive in the Family Federation that it makes us wonder, “Is there any better and more sound religious organization than the Family Federation?” In fact, only four lawsuits have been filed for refund of donations since 2009, and not a single case has been filed in the last seven years.

The Act on the Prevention of Unfair Solicitation of Donations, which prevents unfair donation solicitations, was enacted in December last year, but I honestly doubt how effective this law will be for the purposes of saving the alleged “victims” when no lawsuit has been filed for donations in the past seven years.

High Donations

Even in a case of receiving a large donation from a member of the Family Federation, it cannot be determined that the Family Federation has done something systematically unlawful.

Certainly, there were times when the atmosphere was such that each church and believers competed with each other over the amount of donations. However, the Family Federation does not impose sanctions or disadvantages on believers who fail to achieve their goals. Therefore, it cannot be said that the Family Federation has set a “quota” for the target amount of donations, and it cannot be confirmed that the Family Federation used coercion to force a large amount of donations. In particular, after the 2009 Declaration of Compliance, the Family Federation has built a personnel evaluation system that prohibits forcing large donations, and it has tightened the confirmation procedure when receiving large donations. With these in mind, I don’t think the Family Federation will have problems with large donations in the future.

At the end of July this year, the National Network of Lawyers Against Spiritual Sales filed for civil mediation regarding cases where the alleged victims are seeking the return of their donations. I think the reason why they chose mediation over litigation was because they didn't have enough evidence to uphold the lawsuit.

There is still a general concern that excessive donations could destroy families. However, it is still unclear to what extent the Family Federation is responsible for the family situation of Tetsuya Yamagami, who killed former Prime Minister Abe. It must be calmly discussed pending the outcome of Yamagami's criminal trial.

Problems of the Second-Generation Believers

The treatment of "second-generation religious believers" became a hot topic. As to the Family Federation, it seems to have given insufficient consideration to each family while bearing the word "Family" in its name. Therefore, it is now focusing on reforming this family issue.

Although Article 18(4) of the International Covenant on Human Rights allows parents to educate their children based on their religious beliefs, I believe that the biggest challenge for the Family Federation is how to reconcile the piety of the devout first-generation believers with their children, or second-generation followers.

Going a little deeper into this issue, it seems that the Family Federation has a stronger centripetal force and magnetism toward the religious doctrine than other religions, perhaps because the "Divine Principle" takes on an academic color.

From my point of view, the depth of their faith can be described as "a very rich source," especially before the 2009 Declaration of Compliance. However, even though they had such deep faith in their teaching, since the 2009 Declaration of Compliance, they were able to build a system to prevent excessive donations, so I do not think that the sincerity or depth of their faith has caused friction with society. Rather, it is an organization that is making tearful efforts to harmonize with society. It is unfortunate that this situation has not been reported.

In any case, I think it is important to increase opportunities for dialogue in order to reconcile the seriousness of faith of first-generation believers with the values of second-generation believers.

Family Federation donations come from the Christian tradition of donating one-tenth of one’s income. There is a famous passage in the Bible: “It is easier for a camel to pass through the eye of a needle than for a rich person to enter the kingdom of God” (Mark 10:25). The reason why donations are easier to understand in Europe and the United States is based on this biblical teaching. In Japan, where Christianity is not very widespread, it seems difficult to understand this biblical offering.

No Continuity

It cannot be said that the Family Federation is “continuously” doing bad things. Since the 2009 Declaration of Compliance, the number of civil trials in which the Family Federation is the defendant has decreased sharply. In particular, it should be noted that not a single civil court has received a complaint about donations in the last seven years.

Compared to before and after the 2009 Declaration of Compliance, the number of donation trials has plummeted to about one-fortieth of that. In terms of the lost amount of employee liability, 99.7% is for actions before the Declaration of Compliance. After the 2009 Declaration of Compliance, the number of lost cases plummeted to about 1/300 or 0.33%.

In this way, no one should try to turn the brunt of “continuously doing malicious things” onto the Family Federation. It established a new donation system after the 2009 Declaration of Compliance, drastically reduced the number of donation trials to 1/40 and the number of lost cases to about 1/300, and has not been tried in civil or criminal cases in the past ten years or so.

Abduction and Confinement of Family Federation Believers

There is a reason why there are fewer trials against the Family Federation. For nearly 30 years, anti-family coalition forces have asked people know in English as “deprogrammers” to kidnap and imprison believers, force them to leave, and persuade them to sue the Family Federation as a defendant if they leave.

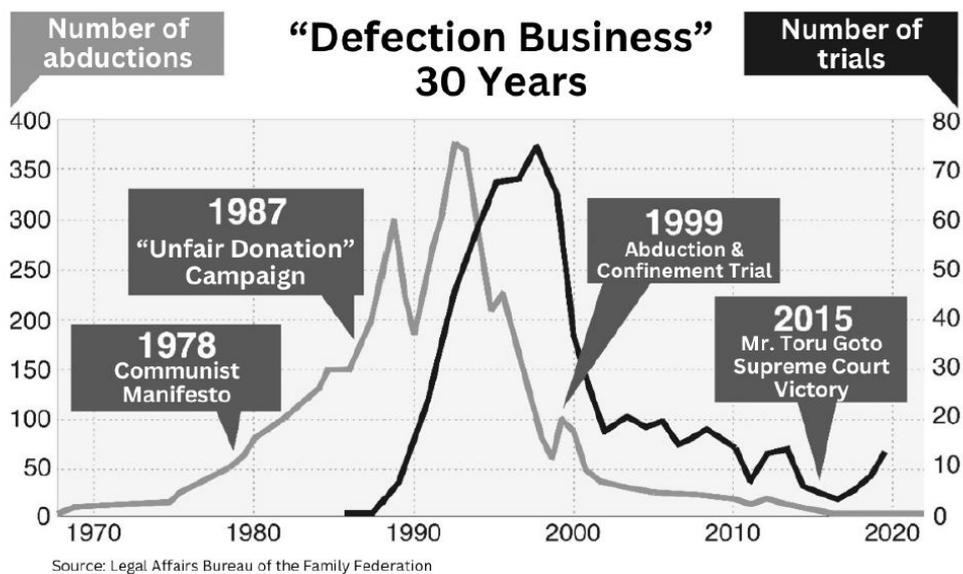


Chart 3. Thirty years of deprogramming Family Federation members in Japan.

This is called the “defection business” and it seems that the number of abduction and confinement victims exceeds 4,300. The composition of the “Abduction and Confinement → Trial” is shown in the graph above.

For example, Toru Goto, a believer, was imprisoned for 12 and a half years, and in 2015 he won a lawsuit at the Supreme Court and won compensation of 22 million yen. In this way, since the Family Federation won the case against the abductors and the abduction and confinement were eliminated, there was no longer a “stepping stone” to bring lawsuits against the Family Federation.

The relationship between this abduction and confinement and the National Network of Lawyers Against Spiritual Sales, which is said to have been involved in it, is described in detail in “Our Unpleasant Neighbors” (Information Center Press) written by journalist Kazuhiro Yonemoto, to whom Tetsuya Yamagami sent a letter the day before the murder of former Prime Minister Abe.

In the media, the narrative—or “Composition A”—that is reported is only that “the Family Federation is the perpetrator and is causing the damage of large donations.”

However, behind the scenes, there is also a “Composition B” narrative that says, “The Family Federation has suffered from the abduction and confinement involving the National Network of Lawyers Against Spiritual Sales.” I would like Prime Minister Kishida and the Minister of Education, Culture, Sports, Science and Technology to look at both these compositions with an open mind.

There’s also “Composition B”

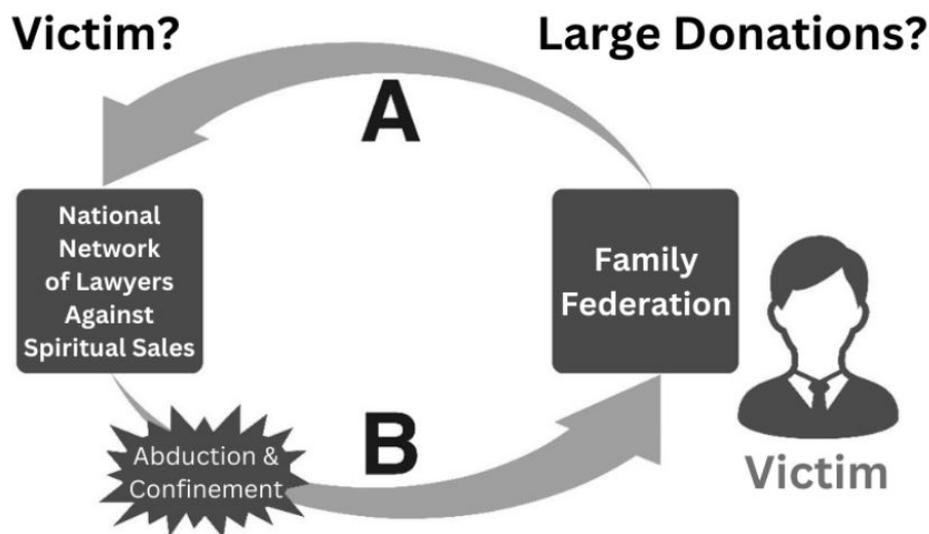


Chart 4. The real victim-perpetrator circle.

No Maliciousness

The Ministry of Education, Culture, Sports, Science and Technology (MEXT) says that the Family Federation is “malicious” because it lost a total of 1.4 billion yen in 22 civil court cases in which the Family Federation lost on the grounds of employer liability.

However, according to my analysis, the Family Federation won about half of the cases, 48% and won about 1.1 billion yen. For half of the donations, the court did not recognize the Family Federation’s tort liability (employer’s liability). In this way, it is not fair to take only the Family Federation’s lost cases as a way to claim that it is malicious.

It has also been criticized that the doctrine and solicitation of the Family Federation is “mind control” or “brainwashing.” However, the definition of mind

control is vague to begin with and overseas research has persuasively shown that it does not have the effect of changing humans. In Japan trials, which have been contested for more than 20 years, there has never been a single case in which responsibility for mind control has been found head-on.

Comparison of Maliciousness with Other Religions

Compared to other religions, I do not think the Family Federation is “malicious” enough to order its dissolution.

In the cases of Aum Shinrikyo and Myokakuji Temple, where dissolution orders were issued, leaders were sentenced for murder and fraud. These cases cannot be compared to the Family Federation, where no executives have been taken to court or convicted of criminal or fraudulent acts.

In addition, there are six religious corporations, whose believers and former believers have committed group assaults and murders, that have not been disbanded and are still in existence today. These are Nenpō Shinkyō, World Salvation Buddhism, Hōyū-no-kai, Kigenkai, Kukai Esoteric Buddhism Daikinryūin, and Shinji Shumeikai.

In particular, the first three religious corporations, such as Nenpo Shinkyo, were brought to court with dissolution orders on the grounds of mass lynching and murder, but the court ultimately refused to approve their dissolution. I don’t believe the Family Federation should be dissolved given that other religious groups that killed their followers are not dissolved.

In addition, the government has not exercised its right to question or requested a dissolution order against Hōnohana Sampogyo, in which the leader and others were subjected to organized fraud civil cases, and the Kenshokai, which has caused 12 criminal cases since 1999 and its district director was sentenced to 15 years in prison for murder in 2003.

Compared to these religious groups, you can see that there is little chance that the Family Federation will be dissolved. Once the trial for the dissolution order begins, it will be clear that the government will eventually lose. If the Kishida administration were to start a trial for dissolution order, I think it would leave a stain on the nation’s history as a government that “lost in a case where it is destined to lose, started a trial for religious persecution, and wasted tax money.”

Past Failure to File a Dissolution Order Request

In fact, for about thirty years, the government has repeatedly received requests from the National Network of Lawyers Against Spiritual Sales to investigate and dissolve the Family Federation, but it has not exercised its right to question and has not requested a dissolution order.

Specifically, then-Prime Minister Tomiichi Murayama in 1994 and the Agency for Cultural Affairs in 1998 clearly determined that it was not possible to request a dissolution order of the Family Federation after analyzing court precedents.

In 2012, the National Network of Lawyers Against Spiritual Sales filed a lawsuit claiming national compensation from the Family Federation. The lawyers argued that the Ministry of Education, Culture, Sports, Science and Technology (MEXT) had failed to exercise its legal rights to question the Family Federation and request a dissolution order.

However, the Tokyo District Court rejected the request of the National Network of Lawyers Against Spiritual Sales in February 2017, stating that it was within the discretion of the Ministry of Education, Culture, Sports, Science and Technology (MEXT) to not ask questions or request a dissolution order.

Six and a half years have passed since then, and no court case has been filed against the Family Federation regarding donations. In other words, you can understand that there is no way that the Family Federation, which has improved its organization after the 2009 Declaration of Compliance, can now be ordered to dissolve.

Dissolution Order Does Not Help Alleged Victims

The Tokyo District Court’s February 2017 ruling stated that “relief” for “individual stakeholders” was not the purpose of a dissolution order, but that “relief for damages is entrusted to the general tort code, etc.”

As such, in the first place, the dissolution order is not intended to help individual victims. In other words, the court held that the relief of individuals, such as the Yamagami family and Sayuri Ogawa (pseudonym), should be discussed in tort and should be considered separately from the question of whether or not to lose the legal personality of a religious corporation.

In addition, when a corporation is dissolved, it becomes difficult to compensate for damages, so in order to save the victims, it is better to continue the corporation rather than dissolve it. The Diet passed the Act on Prevention of Unfair Donations in December last year. However, to request a dissolution order while enacting a new law looks like an act of shooting oneself in the foot.

In fact, Masaki Kito of the National Network of Lawyers Against Spiritual Sales once stated that it was better not to dissolve Aum Shinrikyo. Why should Aum Shinrikyo not be dissolved, but the Family Federation should be dissolved?

According to data from the Consumer Affairs Agency in 2021, only 1.9% of the damage consultations it invited for “spiritual sales” problems were related to the Family Federation. The remaining 98.1% involved “spiritual sales” for other organizations.

However, the National Network of Lawyers Against Spiritual Sales does not pay attention to the 98% of organizations on its website; it only attacks the Family Federation. I feel that the National Network of Lawyers Against Spiritual Sales—despite its name—only works for the anti-Family Federation cause with a partisan character and political purpose.

Name Change to Family Federation

The change of name from the Unification Church to the Family Federation in 2015 has been criticized as a ploy to influence politicians by using a new name. This case does not deserve criticism from a legal point of view. Deciding the name of a religious corporation is part of religious freedom and can essentially be changed immediately by notification to competent authorities.

This is evident from international comparisons. In 1997, then-President of the Family Federation, which emphasizes the family, Reverend Sun Myung Moon instructed the entire world membership to change its name to the Family Federation for World Peace and Unification. As a result, the name change to Family Federation was completed in 97 countries around the world a few years later.

However, in Japan, the notification to the Ministry of Education, Culture, Sports, Science and Technology (MEXT) was not accepted; it was finally changed

after 12 years of delay, compared with other countries. Internationally, only the Family Federation in Japan was subjected to discriminatory measures.

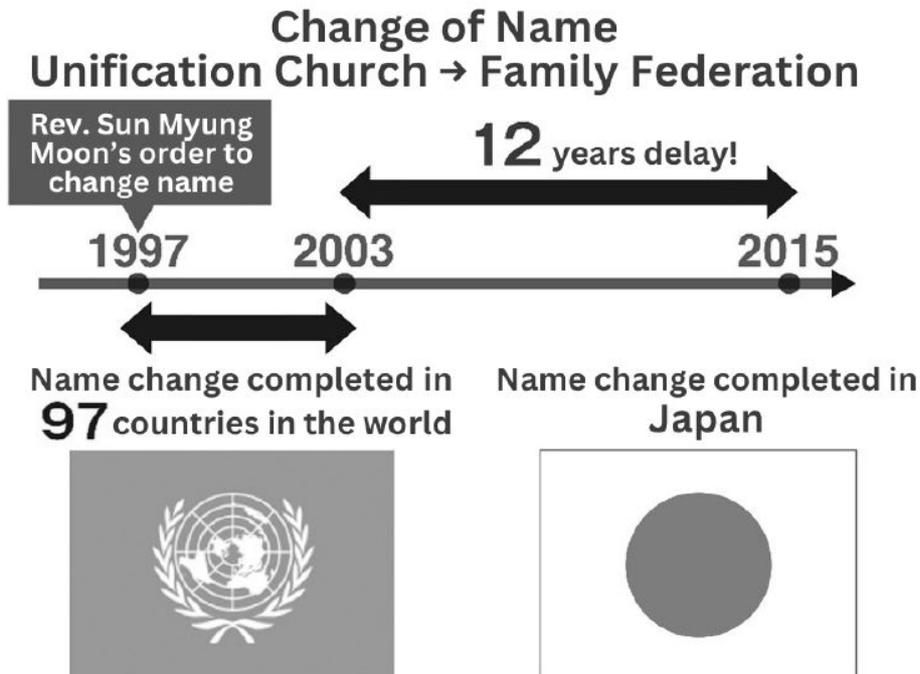


Chart 5. Change of name from Unification Church to Family Federation throughout the world.

Prime Minister Kishida's dangerous interpretation of the law

Prime Minister Kishida stated in the Diet in November 2022 that the Family Federation's effort to create a memorandum (agreement) stating that believers would not file a claim for damages against the Family Federation or that the creation of a videotape of these scenes itself is enough to prove the illegality of Family Federation's solicitation and recruitment methods. Moreover, this view was followed by the Consumer Affairs Agency in its explanation of the Unfair Donation Solicitation Prevention Act.

However, as a lawyer, I can say that it is a matter of course and a daily occurrence to prepare agreements, make recordings, and videos in order to confirm the intentions of the parties and prevent future disputes. If taking a video is presumed to be illegal, the visualization of criminal investigation interrogation will also be close to illegality.

The memorandum that Prime Minister Kishida claimed to be the ground to prove Family Federation's illegality was held to be legally valid in civil trials last year and the year before. Since Prime Minister Kishida has made these statements that ignore these precedents, I believe that there are no people around him who calmly analyze judicial precedents and give him proper advice.

As a Japanese Citizen

In this way, I feel a bit embarrassed, not only as a lawyer but also as a Japanese citizen, because Prime Minister Kishida has changed the interpretation of laws and regulations overnight and made statements that ignore judicial precedents.

As I have mentioned so far, it is clear from the comparison with past cases that it is not possible to order the dissolution of the Family Federation. Nevertheless, the current situation—in which the right of questioning is exercised seven times to “torture the members of the Family Federation without killing them,” so to speak—is a major religious persecution that violates the freedom of religion under the Constitution. In fact, it has drawn strong international criticism from American and European religious liberty watchdogs and human rights activists.

Japan, as a world-class democracy, must be a nation that values freedom of religion. I would like Prime Minister Kishida not to listen only to the arguments of one party, but to make a calm and rational judgment based on judicial precedents and the matters pointed out in this document.

⊗ The Journal of CESNUR ⊗
