

Scientologists win partial court victory

EDITORIAL

ON JULY 28, an appeal court in Lyon reduced the sentences of six members of the Scientology movement charged with responsibility for the suicide of one of their followers. The court also ruled that the "Church of Scientology" was entitled to call itself a religion. In so doing, the appeal court gave the movement created by the science-fiction writer Lafayette Ron Hubbard in 1954 a seal of approval it probably did not expect.

The court justified its decision by invoking an "absolute" freedom of worship — anchored in the French tradition of freedom of thought. It thus confirmed a position that the French courts had already adopted in 1980.

It is not the job of either the state or the judiciary to become involved in the debate over whether Scientology is a religion or a cult. For almost a century now, France has enjoyed perfectly adequate legislation in the form of the 1905 law separating church and state, which specifies that "the republic does not recognise, remunerate or subsidise any form of worship". The key question is whether the religious association concerned respects the law and the freedom of the individual.

Although the court of appeal has recognised the existence of a Scientology "community" and of its followers' "shared faith", the "victory" should not be allowed to obscure the fact that the leaders of the movement in Lyon have been sentenced for fraud and manslaughter.

In its ruling, the appeal court noted that Scientology, as practised in Lyon, was an enterprise whose sole aim was the improper solicitation of believers' money. It remarked that in certain cases the techniques used by Scientology resulted in "a veritable manipulation of the mind".

The anti-cult activists who have exposed the shocking methods of indoctrination, harassment and blackmail used by Scientologists will feel that the court of appeal has been too lenient. But the magistrates felt it was not their business to assess the general doctrine of the Church of Scientology.

The decision will probably revive the debate about how to deal with cults. When it handed in its report in January last year, the parliamentary commission of inquiry into cults, which classified the Church of Scientology as a cult, felt it was "neither useful nor opportune" to draw up anti-cult legislation and that France's existing laws provided the necessary guarantees.

The Lyon magistrates, on the other hand, pointed out that the job of the law was to judge acts alone and not social phenomena.

The day after the magistrates' decision, the public prosecutor's office referred the case to the supreme court of appeal.

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