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**REPORT**

**On behalf of the Enquiry Commission on the influence of cult  
movements and the consequences of their practices on the  
physical and mental health of minors**

**President  
Mr. Georges FENECH**

**Stenographer  
Mr. Philippe VUILQUE**

**Members of Parliament**  
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**The Enquiry Commission on the influence of cult movements  
and the consequences of their practices on the physical and  
mental health of minors is composed of: Mr Georges FENECH,  
President, Ms Martine DAVID, Mr Alain GEST, Vice-Presidents:  
Jean-Pierre BRARD, Rudy SALLES, secretaries; Philippe  
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LEVY, Pierre Morel A-L'HUISSIER, Jacques MYARD, Daniel  
PRÉVOST, Éric RAOULT, Jacques REMILLER, Chantal ROBIN-  
RODRIGO, Serge ROQUES, Michèle TABAROT, Philippe  
TOURTELIER, Christian VANNESTE, Philippe VITEL.**

**Ladies and Gentlemen,**

**Freedom of conscience and opinion constitutes one of the**

most essential tenets of democracy. It is rooted in article 10 of the Universal declaration of Human Rights. "No one should be worried by their opinions, even religious"; It is strengthened also in paragraph 5 of the preamble of the 1946 constitution "No one should be penalized in their work or at their job due to their origins, opinions and beliefs." It is also enforced by article 2, paragraph 1 of the constitution which states that: "The republic respects all beliefs". We know however that the freedom of each human being ends where that of another begins. In light of the fact that they sometimes wish to share their beliefs, that freedom of conscience has an individual dimension as well as a collective one which can have them confronted to requirements of a public order. This notion of public order, never defined and always assessed by internal judges as well as the European Court of Human Rights, covers public security, the protection of order, health, public morality and the rights and freedoms of each.

Amongst those rights, however, those of the child are of particular importance. Their physical vulnerability as well as their psychological and intellectual transience to simplistic discourse and their material dependence make them easy preys to what we usually refer to as sectarian movements. Behind those, are organizations that are abiding by criteria adopted by the first inquiry commission of the National Assembly on cults (1) and which was also supported by the present inquiry commission. We will remember mental destabilization, the enormity of financial requirements, the induction of a break up with the original environment, the violations of physical integrity, the more or less antisocial discourse, violations of public order, the importance of judicial run-ins, the possible diversions from traditional economic circuits, and finally, infiltration attempts by public authorities. Not only is it useless to revisit those qualifications today but at least 6 of them were meant to apply to minors. Moreover, by extending the crime of fraudulent abuse of the state of ignorance and weakness of physically or psychologically subjugated people, act 2001-504 of June 12th, 2001, which tends to strengthen the prevention and repression of sectarian movements that violate fundamental human rights and freedoms constitutes a precious tool for incriminating sectarian abuse.

Several factors fully justify the creation of an enquiry commission devoted to the analysis of the influence of sectarian deviances on minors: cases reported by miscellaneous public authorities of children involving cults; the awareness of public opinion to this issue by the latest activity reports from the Inter-ministerial Mission to fight against sectarian deviances (MIVILUDES); the veracity lack of coherence and coordination of the responsiveness of public authorities to practices that are, often times, hard to grasp.

If 3 enquiry commissions on cults were created over the last 12 years (!) by the National Assembly, this last initiative shows a twofold willingness from national representatives not to abandon their efforts regarding behaviors that violate freedom and to focus their attention especially a group that is more obviously exposed to physical and psychological pressures.

The mental manipulation of children, the opposition of parents to all forms of socialization and external education, risks of sexual or otherwise physical abuse, absolute control over people from the youngest age on to maintain them in a secluded organization, actually constitute the many manifestations of the grasp of cults on minors that must be denounced and fought. To the extent that the international community equipped itself of judicial tools over, the last few years, to defend the better interests of children, such as the International Convention for the Rights of the Child of 1989, the present parliamentary step is supported in a privileged manner by that text which legitimizes its action.

Voted unanimously by the National Assembly on June 28, 2006, this proposed resolution favors the creation of an enquiry commission on the influence of cult movements and the consequences of their practices on the mental and physical health of minors and allowed the creation of that commission on June 29, 2006. By granting its presidency to Mr. Georges Fenech, UMP Member of Parliament for Rhône, as Mr. Philippe Vuilque, Socialist Member of Parliament for Ardennes became its stenographer, established upfront the spirit of willingness in which they expected to work. The commission then proceeded to auditioning 65 people over a period of 63 hours. In an effort to respect the wish of cult victims not to expose themselves for fear of retaliation the commission granted them the right to be auditioned in private whereas 40 people were heard in the presence of the media. The minutes of those auditions were recorded on a CDROM and enclosed at the end of the present report. simultaneously concerned with the principle of contradiction and bonded by transparence, the commission distributed questionnaires to various organizations dealing with investigations, which was joined to the report along with the answers they provided. Many of them however, such as the Church of Scientology, the Raelians, Sahaja Yoga and Tabitha's place didn't reply.

To complete its research, however, the commission surveyed the main administrations concerned with the impact of sectarian deviances on minors, this issue having educational, judicial, sanitary, social as well as international implications. The questionnaires to administrations with their respective answers were also enclosed in the present report. An international enlighten on the management of those problems by foreign authorities was provided by the contribution of many of our embassies and various parliaments from the European Union. All of this data constitutes a rich collection of judicial and sociological information eager to nourish the thinking of the commission.

Finally, the stenographer used the privileges granted to him by article 6 of the ordinance of November 17, 1958 regarding the functioning of parliament assemblies in order to assess, with children at Tabitha's place in the Atlantic Pyrenées, the conditions in which home schooling was taking place. He did so by accompanying the academic inspector during his visit.

The conclusions stemming from the work of the enquiry

commission are twofold; On the one hand, children are becoming easier preys to cults; on the other hand, the involvement of public authorities against the influence of sectarian deviances is rather unbalanced.

## **SYNTHESIS OF THE COMMISSION'S VISIT TO TABITHA'S PLACE (ATLANTIC PYRENÉES)**

Philippe Vuilque, stenographer, Georges Fenech, President, Alain Gest, Vice-President and Jean-Pierre Brard, secretary of the commission went to Sus on November 29, 2006 at 9 am to accompany Jean-Michel Elpe, Academy inspector and Philippe Wolf, inspector of the National Education, in their inspection mission aimed at verifying the home schooling conditions and health of minors residing in that community.

Dr Colette Moulines and nurse Nicole Marty , technical advisor to the Academy Inspection department brought their contribution to this inspection.

Surprised by the unexpected visit, 2 members of the community invited the delegation to the living/dining room of the main building and shared tea and cookies with them.

The President reminded the purpose of the commission's visit to the hosts: verify the schooling conditions of children. A member of the community stated that the children, whose number vary between 15 and 20 due to frequent trips, were thought by their own parents; said parents had no specific training - the same person told them he only had a professional high school degree in automotive body repair and was teaching French, math and history.

Answering to the stenographer, as to why children weren't going to school, one member stated that public school thought everything except to fear the word of God. The members of the community, including children, are covered by no social protection whatsoever, said protection being denied under the pretense that it is considered unequal, whereas true solidarity has to be conscious and consensual. Neither children, nor adults are vaccinated.

The 3 classrooms were visited: they all had the same material characteristics: traditional but very basic school equipment (tables, blackboards, lockers, a few posters featuring French trees). No computer equipment was noticed.

2 children were present in the first classroom, 4 in the second and 5 in the third.

The inspector of National Education proceeded to testing the children on their reading, comprehension and math.

Singing and music (harp, flute, violin) were practiced by the children.

Answering questions from the delegation children stated that they didn't watch TV, for lack of time, they never went to

theater or to see a movie, that birthdays were seldom celebrated and that Christmas was never celebrated (no Christmas tree and no gifts).

They have no textbooks and use learning material made by their own parents.

Asked by the President about their feelings on external schools compared to their schooling they said that they were learning wisdom and that the outside world was not exactly good. "they are doing crazy stuff because their parents don't take care of them."

The delegation then met privately with a young girl, (almost an adult), who lived in the community since she was born. After stating that she was glad to live in the community she said she knew nothing of Zidane (famous retired European football player), the Beatles or the Rolling Stones. She was unable to name a famous singer or actor (never went to see a movie) and planned to stay in the community and learn to sew and bake pastries. An eventual affective relationship is thinkable for her only in the context of the community.

At the request of the President as to the actual number of children who were schooled in the community, compared to those who were declared to Academy Inspection, the inspector of National Education proceeded to calling the children by name to check their presence. It was noted that only 14 children were declared whereas 18 were present.

The Academy inspector reminded them of the legal dispositions applying to them as well as the children who were only "passers-by" in their school and ordered them to correct this situation as soon as possible. It is now up the inspector of National Education to proceed to the proper follow-up.

By the end of the visit the general feeling was that notwithstanding the warm welcome by the community the strongest suspicions were confirmed as to the schooling conditions and the socialization of the children.

As adequate schooling should favor the critical thinking of the future citizens as well as their knowledge of society, those children are confined to a community, shut out from the world and live in a bubble.

Those children certainly seem happy to live in that environment and look relatively cheerful but underneath that first impression the fact remains that adults are imposing their way of life on them and wish to conceal reality of the external world from them at all costs, even if it's dangerous.

## **PART 1 CHILDREN, A PREY TO CULTS**

Article 8 of the European Convention on Human Rights guarantees the right to privacy regarding family matters. It would therefore be tempting for public authorities to consider the influence of cults, mainly on children, as part of that

protected sphere in order to justify some form of non-intervention.

However, according to constant jurisprudence, though this article was meant to protect everyone from arbitrary intrusion by public authorities it does not force them to abstain from all types of action. As we are regularly reminded by the European Court of Human Rights, this limitation is not incompatible with their duty to fulfill their positive obligations. The guarantee offered by article 8 is also aimed at insuring the development of each individual's personality. It belongs to authorities to keep a fair balance between general and particular interests.

General interest is certainly not to allow situations to drag on, under the pretense that adults have rights they can enjoy, involving children who are victimized by social seclusion, deprivations or manipulations eager to affect their development and social insertion, as is the case with children victimized by cults.

## 1. THE VICTIMIZED CHILD

### A. SOCIAL SECLUSION

#### 1. A phenomenon hidden behind freedom of opinion

"In 2006, the main difficulty regarding the situation of children was the question of seclusion." That's how Michel Huyette, delegate advisor on the protection of children at the Bastia (1) court of appeal focused on the main problem faced by children under the influence of cults. During his audition before the enquiry commission, while stating that the present French legislation was sufficient to be able to intervene in every situation, involving children victimized by cults, he emphasized on the fact that the French penal code did not make the seclusion of children illegal. It actually constitutes no violation. However, not only does social seclusion lead to rejection of the external world but the child will suffer greatly from a lack of adaptation to a society that was constantly stigmatized during his/her stay in the cult. In the eyes of this judge, who is quite familiar with the question "the problem of children who live in cults is that their parents tell them every day that the external world is monstrous and dangerous. This means that even when they are adults they will never leave the cult." The judge also thinks it is necessary to rely on the rights of children which are already mentioned in numerous French as well as international texts: the right to freedom of thought, the right to education and knowledge and the right to have a job..."Children who are secluded in cults are completely deprived of all those rights. (...) One must always think in terms of seclusion. When they are secluded children are prevented from living the same way as anyone else. "

This inadequacy between the rights of children mentioned in international texts and sectarian movements was mentioned several times before the commission. Jean-Michel Roulet (1) President of MIVILUDES, mentioned articles 13 and 17 of the International Convention on the Rights of Children of 1989, (aka: The New York Convention) and said that "according

to article 13 the child has a right to freedom of expression. That right includes freedom to research, receive and propagate information and ideas of all kinds without any border considerations. It is rather obvious that all those dispositions are not respected." Therefore, as emphasized several times by members of the commission (2), the New York Convention includes, in a more general fashion, many dispositions aimed at protecting the child which favor the development of critical thinking.

It is frequent for freedom of religion (also mentioned in texts) to come in opposition to people fighting against social seclusion as practiced in cults. We cannot, however, under the pretense of freedom of religion, justify practices which are prejudicial to the development of the child. As Jean-Michel Roulet noticed: "It is extremely important not to allow this discourse around the theme of violations of freedom of religion to develop (...). What worries us, more than philosophical and doctrinal content, is practices that have nothing to do with beliefs(...)." After reminding us that the New York convention also guarantees freedom of religion to minors, Michel Duvette, Director of juvenile judicial protection at the Ministry of Justice (3) says, while denouncing this argumentation: "in our country, which is one of the best in protecting such rights, we are reminded of past tragedies as soon as the question of the religious conception of individuals is brought up. We are always hesitant when restrictions are proposed regarding this fundamental right. Cults are experts at bringing up this debate in such a way as to intimidate the judicial institution and render inefficient all attempts with regards to the protection of minors.

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#### b) Jehovah's Witnesses

In an official statement from July 3rd 1997, the national consistory of the Jehovah's Witnesses stated their opposition to all hierological blood transfusions in order to abide by 3 verses of the Bible and a verse from the apostles' acts regarding food restrictions

Favoring alternatives to transfusions (autological transfusions, products obtained by the fractioning of plasma, increase in the production of red cells), they consider their position to be a therapeutic choice as opposed to denial of treatment. Using dramatic events that occurred over the last 20 years regarding blood transfusions they feel justified in extending that "choice" to their children.

Regarding a request for scientific analysis made by the stenographer of the commission and presented about a DVD produced by the Jehovah's witnesses with the help of hospital practitioners, the National Academy of Medicine and the high authority on health denounced what they call " banalities, approximations and omissions that are detrimental to the safety of transfusions. " "There is no critical presentation of available studies and no caseloads regarding the problems the "experts" on the DVD refer to, as would require principles of medicine founded on evidence.

**In a letter addressed to Mr Jean-Pierre Brard (member of the commission) the National Order of physicians refer to the content of the DVD as pseudo-scientific methods solely oriented towards a particular agenda and without any validation or development of critical thinking.**

**Notwithstanding the fact that those "alternative methods" (supposing their use had been planned well in advance) are useless in cases of emergency and that the safety of blood products is extremely high, it's undeniable that blood transfusions, as practiced today, are the only proven method and constitute a vital medical act for many people in different pathological circumstances.**

**In those conditions the denial of a blood transfusion becomes a choice to face death as opposed to a therapeutic choice. Such a consent is unavoidable in the JW movement and those bypassing it are considered not to be willing to take part in the sect anymore by their action and are rejected from the sect.**

**Refusing a blood transfusion, when it is needed for an adult, is supported by the laws of today. Article L. 1111-4 of the public health code states: "everyone makes, along with their health professional, decisions regarding their health, given the advice and information they are provided with. (...) If the will of the patient to reject or cease a treatment puts their life in danger the physician must do everything possible to have the patient consent to essential care."**

**Let's remember however an ordinance from the 16th of October 2002 where the State Council states the limits of such freedom in the following terms: " the right of the patient to give, when their health allows them to do so, their consent to a medical treatment is a fundamental right; however, doctors do not violate this fundamental right, as mentioned in article 16-3 of the civil code as well as article L. 1111-4 of the public health code, when they have done everything they could to convince a patient to consent to an essential treatment. They are accomplishing, in an attempt to save the patient, an act that is essential to life and adequate for the patient's condition."**

**Though it is not the enquiry commission's mandate to judge the beliefs of Jehovah's Witnesses its role is to denounce the effects those beliefs have on the health and psyche of children.**

**Asked to be martyrs for their cause, young Jehovah's Witnesses hope they will have to go through surgery some day and reject a blood transfusion in order to serve as examples of a good JW.**

**JW magazine Awake! presents pictures of 24 children from different countries who died as a result of refusing a blood transfusion. The article talks about how much of a positive effect for the JW movement the behavior of those kids had on the medical profession. Medical staff were shocked by their stubbornness and were asking questions. Some of them even**

allowed themselves to be indoctrinated.

This education of young kids to martyrdom is extremely troublesome. As for the parents who put the health of their kids at risk, even to a point of sacrificing their life prognosis by denying a blood transfusion, it is unacceptable; it constitutes a nuisance to public order, according to the analysis exposed before the enquiry commission by Jean-Olivier Vioux who says: "when the life of a child is in danger the state cannot negotiate. (...) Danger is imminent and a blood transfusion is denied: It's a nuisance to public order."

The manifestations of this nuisance are limited by article L. 1111-4 of the public health code which states: "In the case of denial of treatment by a person who has parental authority or a legal guardian which is eager to have serious consequences on the health of the minor, doctors are allowed to provide an essential treatment."

What if the doctor was him/herself a Jehovah's Witness? The 2001 report of the inter-ministerial mission to fight against cults (MILS) states at page 94: "there is a directory of JW doctors. It is possible for a doctor to show up and ask to participate in a surgery as a Jehovah's Witness even though he doesn't even know the JW patient."

The creation of hospital liaison committees by Jehovah's Witnesses allows them to list doctors who are "receptive" and towards which patients facing the possibility of a surgery requiring a blood transfusion can be oriented.

Aware of the lethal risk JW children can be exposed to, the commission wishes a better protection for them than what the law now offers by proposing a modification to article L. 1111-4 of the public health code in order to forbid parents to abandon their kids to an imminent death. Paragraph 6 of that article should read: "In a case where denial of treatment regards a blood transfusion, the doctor, after informing the person who has parental authority or the legal guardian of the consequences of their choice, proceeds to administer the blood transfusion."

If such a legal modification is adopted it should be accompanied by measures of educational assistance aimed at the psychological protection of the young transfused patients as they are discharged and returned to their family. They should be told about the ordeal of a young man as exposed by Charline Delporte before the inquiry commission: "He said his parents were Jehovah's Witnesses but he was not since he was 6 years old. He was transfused as a result of a serious illness after an intervention from the State Attorney (...) "You don't understand. I will not get into the New World after Armageddon. I am dead in the eyes of my parents. Every day, while praying, they tell me that I will not be with them in paradise." (1)