

DECLARATION OF FRANK K. FLINN

I, Frank K. Flinn, declare

A. Qualifications

1. I recently retired as Adjunct Professor in Religious Studies in Arts and Sciences at Washington University, St. Louis, Missouri, where I taught from 1989 to 2012. I remain Adjunct Professor in University College of Washington University where I still offer courses in Religious Studies. I also serve as a writer, editor, lecturer and consultant in the fields of theology and religion.

2. I hold a Bachelor of Arts degree in Philosophy (1962) from Quincy University, Quincy, Illinois; a Bachelor of Divinity degree (1966), *magna cum laude*, from Harvard Divinity School, Cambridge, Massachusetts; and a Ph.D. in Theology/Special Religious Studies (1981) from the University of St. Michael's College, Toronto School of Theology, Toronto, Ontario. I have also done advanced study at Harvard University, the University of Heidelberg, Germany, and the University of Pennsylvania. At the University of Heidelberg, I was a Fulbright Fellow in Philosophy and Ancient Near Eastern Religions, 1966-67. At the University of Pennsylvania, I was a National Defense Foreign Language Fellow, Title VI, in Semitic languages, 1968-69. A copy of my curriculum vitae is attached hereto.

My Curriculum Vitae is attached (Exhibit 1).

Attached are certified letters from Harvard Divinity School, attesting to my reception of a Bachelor of Divinity degree in 1966 (Exhibit 2), and from the University of St. Michael's College, University of Toronto, attesting to my reception of a Ph.D. in Theology/Special Religious Studies in 1981 (Exhibit 3).

3. Since 1962 I have devoted intense study to religious sectarian movements, ancient and modern. A portion of my doctoral studies was focused specifically on the rise of new religious movements in the United States and abroad since World War II. That study included the investigation of new religions in terms of their belief systems, lifestyles, use of religious language, leadership, motivation and sincerity, and the material conditions of their existence. I regularly teach a course "The North American Religious Experience" at Washington University, which contains a section on new religious movements. I am author most recently of *The Encyclopedia of Catholicism* (New York: Facts On File, 2007) and *The Encyclopedia of Religion and Culture* (New York: Facts On File, in press).

4. I am a member in good standing of the American Academy of Religion.

My membership registration number is attached (Exhibit 4).

5. Since 1968 I have lectured and written about various new religious movements which have arisen in the 19th and 20th centuries in North America and elsewhere. In my lecture courses "Anthropology of Religion" (LaSalle College), "Comparative Religion" (University of Toronto), "The American Religious Experience" (St. Louis University), and "The North American Religious Experience" (Washington University), and "Utopias Dystopias: Theological Programs and Philosophical Projects" (Washington University). I have dealt with such religious phenomena as the Greco-Roman Mystery Religions, the Great Awakening in America, the Shakers, the Church of Jesus Christ of the Latter Day Saints (Mormons), Seventh Day Adventism, Jehovah's Witness, New Harmony, Oneida, Brook Farm, Family Federation for World Peace and Unification (formerly Unification Church), Scientology, Hare Krishna, New Religions of Korea and Japan, and others. I have published

several articles and been general editor of books on the topic of new religions. It is my policy not to testify about a living religious group unless I have long-term, first-hand knowledge of that group. I have testified on various aspects of the new religions before the U.S. Congress, the Ohio Legislature, the New York Assembly, the Illinois Legislature, and the Kansas Legislature. I have delivered lectures on the topic of the new religions at colleges, universities and conferences, in the United States, Canada, Japan, the Republic of China, and Europe.

5a. The methods I use in the study of religion include the phenomenology of religion, comparative religions, the social anthropology of religion, the psychology of religion, and religious hermeneutics or the method of interpreting sacred texts. In phenomenology of religion I have been influenced by W. Christensen Brede and Gerardus van der Leeuw especially in the method of letting religious phenomena appear and speak for themselves. In comparative religion, I have been influenced by Mircea Eliade and Houston Smith. For my hermeneutical interpretation of religious scriptures, I am guided by Paul Ricoeur. In religious cultural anthropology I take my bearings from the school represented by Clifford Geertz.

Attached is a notarized list of courses I have taught at Washington University in St. Louis (Exhibit 5).

Important texts:

Phenomenology:

W. Brede Kristensen , *The Meaning of Religion*, The Hague: Martinus Nijhoff , 1960.

Gerardus van der Leeuw, *Religion in Essence and Manifestation: A Study in Phenomenology*, New York: Harper & Row, 1963.

Hermeneutics:

Paul Ricoeur *The Conflict of Interpretations: Essays in Hermeneutics*, ed. Don Ihde, trans. Willis *et al.*, Evanston: Northwestern University Press, 1974 (1969);

_____. *Essays on Biblical Interpretation*, ed. Lewis S. Mudge, Philadelphia: Fortress Press, 1980.

Comparative Religion:

Mircea Eliade, *Patterns in Comparative Religion*, London: Sheed & Ward, 1958.

Houston Smith, *The World's Religions*, rev. ed., San Francisco: HarperOne, 1991.

Cultural Anthropology:

Clifford Geertz, *The Interpretation of Cultures*, New York: Basic Books, 1973.

6. I have studied the Church of Scientology in depth since 1976. I have sufficiently sampled the vast literature of Scientology (its scriptures) to help form the opinions expressed below. I have visited Scientology Churches in Toronto, St. Louis, Portland (Oregon), Clearwater (Florida), Los Angeles, New York, London, Madrid, and Paris, where I have familiarized myself with the day-to-day workings of the Church. I have also conducted numerous interviews with members of the Church of Scientology. I am also familiar with most of the literature written about Scientology, ranging from objective scholarship to journalistic accounts, both favorable and unfavorable. Sometimes people both inside and outside use the phrase “Church of Scientology” or simply “Scientology”. The phrases can overlap in meaning, but in this writing the phrase “Church of Scientology” will refer to the Church’s ecclesiastical structure and organization (*see below*, para.18) and the term “Scientology” will refer to the Church’s religious beliefs and practices (*see below* paras. 8-16(d)).

Attached is the Interview Form I use when I interview members of new religions. The form is based on the work of James Fowler, *Stages of Faith: The Psychology of Human Development and the Quest for Meaning*, Philadelphia: Fortress Press, 1987. When conducted properly the interview reveals the nature of a person’s faith, his or her religious history, and the stage of faith the person is at the time of the interview. (Exhibit 6).

The writings and recordings of L. Ron Hubbard on Scientology are vast. The key writings to determine the character of Scientology as a religion are:

Dianetics: The Original Thesis Los Angeles, Bridge Publications, 1951/2007.

Science of Survival, Los Angeles: Bridge Publications, 1951/2007.

Scientology: Fundamentals of Thought, Los Angeles: Bridge Publications, 1956/2007.

Scientology: A New Slant on Life, Los Angeles: Bridge Publications, 1965/2007.

Scientology 0-8, Los Angeles: Los Angeles: Bridge Publications, 1970/2007.

Scientology 8-8008, Los Angeles: Bridge Publications, 1952/1953/2001/2002/2006/2007.

Two works based on L. Ron Hubbard’s writing and which he oversaw the composition of:

The Background, Ministry, Ceremonies & Sermons of the Scientology Religion, Los Angeles: Bridge Publications, 1999.

What is Scientology? Los Angeles: Bridge Publications, 1992.

B. Definition of Religion in General

7. As a comparative scholar of religion, I maintain that for a movement to be a religion and for a group to constitute a church, it needs to manifest three characteristics, or marks, which are discernible in religions around the world. Below, I define these three characteristics:

(1) First, a religion must possess a system of beliefs or doctrines which symbolically relate the believers to their ultimate concerns and the ultimate meaning of life (God, the Supreme Being, the Inner Light, Immortality, the Infinite, etc.). This ultimate reality is transcendental in nature and beyond the ordinary perception of the senses. Hence it is a matter of faith. Sometimes beliefs are formalized into creeds or statements of faith, sometimes they are embodied in sacred myths and stories.

(2) Secondly, the system of beliefs must issue into symbolic religious actions, and practice. These can be divided into

(a) ethical codes, or norms of behavior (positive commands and negative prohibitions or taboos), which have particularly important consequences for religious believers and communities and

(b) rites and ceremonies, pious acts and other observances (meditation, holidays, scriptural study, prayer, sermons, purifications, fastings, pilgrimages, etc.). Rituals are further divided into seasonal rituals often centering on planting and harvesting cycle and marked by the equinoxes and solstices, and life-cycle rituals associated with birth, puberty initiation, marriage, age-graded societies, death and burial. Some rituals are

centered on the commemoration of historical events, such as the birth and death of Jesus of Nazareth, the Exodus of the Jews from Egypt (Passover), the Hijra of the Prophet Muhammad from Mecca to Medina (21-22 June, 622 C.E./1 A.H.), and the birth, enlightenment and Parinirvana of the Buddha (Waisak/Vesak).

(3) Thirdly, the system of beliefs and practices must unite a body of believers or members so as to constitute an identifiable community which is either hierarchical or congregational in polity and which possesses a spiritual way of life in harmony with the ultimate meaning of life as perceived and practiced by the adherents.

Not all religions will emphasize each of these characteristics to the same degree or in the same manner, but all will possess them in a perceptible way.

7(a). The above definition of religion accords with the essential aspects of religion according to the most eminent anthropologists, sociologists, theologians, phenomenologists and religion and law experts in the United States, Europe, and Australia. The clearest indication that my approach to defining religion is widely shared by mainstream scholars is the fact that it is in line with that found in the key textbooks currently used within academic courses on religion at universities throughout the world. In particular, Meredith McGuire, Professor of Sociology and Anthropology at Trinity University, San Antonio, Texas, has published the most influential textbook *Religion: the Social Context*, which has had five editions since 1982. It defines religion along the lines I suggest. See Meredith McGuire, *Religion: the Social Context*, Long Grove, IL:Waveland, 2008, pp. 6-13 and Chapter 4. Professor Alan Aldridge's *Religion in the Contemporary World: a Sociological Introduction* (three editions between 2000 and 2013) also agrees with my definition. Among other things, his definition specifically refers to the claim of the Church of Scientology to be regarded as

religion. See Alan Aldridge, *Religion in the Contemporary World: a Sociological Introduction*, Cambridge: Cambridge University Press, 2013, chapter 1. These textbooks are used for teaching sociology of religion at the leading universities in the United States and Europe, such as Harvard University, Princeton University, University of California, Columbia University, Pennsylvania State University, London School of Economics and Political Science (London University), King's College London, and Oxford University. In the last 50 years, there has been a continuous tradition of defining religion along the lines that I suggest above, beginning from the following works by the highly influential anthropologist Clifford Geertz and sociologist Melford Spiro:

Clifford Geertz. "Religion as a Cultural System" in *Anthropological Approaches to the Study of Religion*, ed. Michael Banton, London: Tavistock, 1966:1–46.

Melford Spiro. "Religion: Problems of Definition and Explanation" in *Anthropological Approaches to the Study of Religion*, ed. Michael Banton, London: Tavistock, 1966: 85–126.

The most recent definitive publication on this issue is Arthur Greil and David G. Bromley, eds., *Defining Religion: Investigating the Boundaries between the Sacred and the Secular*, Oxford: Elsevier Science Ltd, 2004, which likewise confirms the validity of my approach. See in this volume especially Professor Lori Beaman's article, "The Courts and the Definition of Religion", pp. 203-219.

7(b). All the scholars mentioned above are among the most influential members of the leading international associations in the academic study of religion: the American Academy of Religion, the Society for the Scientific Study of Religion, the International Association of the Sociology of Religion, and International Association for History of Religions. While definitions used by individual members of these associations may vary on minor points, the

essential components mentioned above in my definition are invariably recognized by them as the defining characteristics of the phenomenon that we refer to as religion. Thus, the definition that I propose is widely shared and recognized within the academic community of scholars of religion.

7(c). Finally, with respect to the scholars of New Religious Movements, of which Scientology is one, the world-renowned center for the study of new religions, CESNUR (The Centre for the Study of New Religions) in Turin, Italy, uses a broad definition of religion along the lines I suggest and consistently includes Scientology in the list of religious groups it includes in its publications and reviews. See http://www.cesnur.org/testi/se_scientology.htm and http://www.cesnur.org/2001/scient_june01.htm . A similar approach is taken by the INFORM (Information Network Focused on Religious Movements), another highly influential institution, affiliated with the London School of Economics and Political Science (London University). INFORM was founded and is currently chaired by Professor Eileen Barker, member of the British Academy and a preeminent authority in the field of new religions; it is funded by the British government and supported by the mainstream churches in England. See, <http://www.inform.ac/when-is-a-religion-a-cult>. INFORM has consistently listed Scientology among new religions since its founding in 1988.

References:

Alan Aldridge, *Religion in the Contemporary World: a Sociological Introduction*, Cambridge: Cambridge University Press, 2013, chapter 1.

Lori Beaman, "The Courts and the Definition of Religion" in Arthur Greil and David G. Bromley, eds. *Defining Religion: Investigating the Boundaries between the Sacred and the Secular*, Oxford: Elsevier Science Ltd, 2004, pp. 203-219.

Bruce J. Casino, LL.D. "Defining Religion in American Law" in *International Coalition for Religious Freedom* on line at http://www.religiousfreedom.com/index.php?option=com_content&view=article&id=431&Itemid=442.

CESNUR: http://www.cesnur.org/2001/scient_june01.htm.

Joseph Henry Fichter, "Sociological Measurement of Religiosity." *Review of Religious Research* 10, no. 3 (1969), pp. 169-177.

Clifford Geertz. "Religion as a Cultural System" in *Anthropological Approaches to the Study of Religion*, ed. Michael Banton, London: Tavistock, 1966, pp. 1-46.

Arthur Greil and David G. Bromley, eds., *Defining Religion: Investigating the Boundaries between the Sacred and the Secular*, Oxford: Elsevier Science Ltd, 2004.

John R. Hinnells, ed. *The Routledge Companion to the Study of Religion*. New York & London: Routledge, 2005.

INFORM: <http://www.inform.ac/when-is-a-religion-a-cult>.

Meredith McGuire, *Religion: the Social Context*, Long Grove, IL:Waveland, , 2008, pp. 6-13 and Chapter 4.

Melford Spiro. "Religion: Problems of Definition and Explanation." *Anthropological Approaches to the Study of Religion*, ed. Michael Banton, London: Tavistock, 1966, pp. 85-126.

Paul Tillich, *The Dynamics of Faith*, New York: Harper & Row, 1957.

Arnold van Gennep, *The Rites of Passage*, Chicago: University of Chicago Press, 1960.

Joachim Wach, *The Comparative Study of Religions*, New Haven: Yale University Press, 1958.

John Milton Yinger, *The Scientific Study of Religion*, London: Macmillan, 1970.

Bruce J. Casino, LL.D. "Defining Religion in American Law" in *International Coalition for Religious Freedom* on line at http://www.religiousfreedom.com/index.php?option=com_content&view=article&id=431&Itemid=442.

C. Scientology as a Religion

8. On the basis of these three markers and of my research into the Church of Scientology, I can state without hesitation that the Church of Scientology constitutes a religion. It possesses all the essential marks of religions known around the world: (1) a well-defined belief system, (2) which issues into religious practices (positive and negative norms for behavior, religious rites and ceremonies, acts and observances), and (3) which sustain a body of believers in an identifiable religious community, distinguishable from other religious

communities.

1. Scientology System of Beliefs

9. In terms of the Scientology belief system, there exists a vast amount of religious material through which the scholar must wend her or his way. Furthermore, the scholar needs to be sensitive to the fact that Scientology, like every other religious tradition in history, is organic and has undergone and is undergoing an evolution. One can mention such key scriptures by L. Ron Hubbard as *Dianetics: The Modern Science of Mental Health*, *Scientology: The Fundamentals of Thought*, *The Phoenix Lectures*, plus the voluminous training and management manuals, but this would only be the tip of the iceberg of Scientology scriptures. Central to everything are the writings and recorded lectures of L. Ron Hubbard, who is the sole source of inspiration for all Scientology doctrines pertaining to auditing and training.

10. My interviews with Scientologists and my study of its scriptures have shown that members of the Church adhere to a basic creed, in which they confess that mankind is basically good, that the spirit can be saved and that the healing of both physical and spiritual ills proceeds from the spirit. In full, the Scientology creed states:

“We of the Church believe:

That all men of whatever race, colour or creed were created with equal rights.

That all men have inalienable rights to their own religious practices and their performance.

That all men have inalienable rights to their own lives.

That all men have inalienable right to their sanity.

That all men have inalienable rights to their own defense.

That all men have inalienable rights to conceive, choose, assist and support their own

organizations, churches and governments.

That all men have inalienable rights to think freely, to talk freely, to write freely their own opinions and to counter or utter or write upon the opinions of others.

That all men have inalienable rights to the creation of their own kind.

That the souls of men have the rights of men.

That the study of the mind and the healing of mentally caused ills should not be alienated from religion or condoned in non-religious fields.

And that no agency less than God has the Power to suspend or set aside these rights, overtly or covertly.

And we of the Church believe:

That man is basically good

That he is seeking to survive

That his survival depends upon himself and upon his fellows and his attainment of brotherhood with the Universe.

And we of the Church believe that the laws of God forbid Man:

To destroy his own kind

To destroy the sanity of another

To destroy or enslave another's soul

To destroy or reduce the survival of one's companions or one's group.

And we of the Church believe: That the spirit can be saved and

That the spirit alone may save or heal the body.”

The Backgrounds and Ceremonies of the Church of Scientology of California, World Wide, Los

Angeles: Bridge Publications, 1999, pp 4-5. This creed elaborates on and complements the Scientology teaching on the Eight Dynamics. A “dynamic” is an urge, drive or impulse to survival at the levels of the self, sex (including procreation as a family), group, all of mankind, all living things, all the physical universe, spirit, and, finally, Infinity or God. Contrary to some popular presentations of Scientology, the Church has always maintained a belief in the spiritual dimension and, specifically, a Supreme Being: The earliest editions of *Scientology: The Fundamentals of Thought* explicitly state: "THE EIGHTH DYNAMIC--is the urge toward existence as Infinity. This is also identified as the Supreme Being". L. Ron Hubbard, *Scientology: The Fundamentals of Thought*, Los Angeles: Bridge Publications, 1956/2007, p. 39. The average believer is expected during his or her adherence to Scientology to realize the self as fully as possible on all eight dynamics and thus develop an understanding of a Supreme Being, or, as the Scientologists prefer to say, Infinity.

11. Scientologists define the spiritual essence of humanity as “thetan” which is equivalent to the traditional notion of the soul. They believe that this “thetan” is immortal and has assumed various bodies in "past lives". The Scientology doctrine of past lives has many affinities with the Hindu and Buddhist teaching on *samsara* or the transmigration of the soul. Some have asked about the origin of the idea of thetan. L. Ron Hubbard wrote in 1954 that he first generated the “theta-mest theory” in the Fall of 1950 (Lecture of 8TH Advanced Clinical Course on 6 October 1954 Lecture #3). Here he is referring to the soul as a “static” entity vis-à-vis m(atter), e(nergy), s(pace) and t(ime). “Thetan” is first formally defined in the 1951 edition of *Science of Survival* where Mr. Hubbard writes; “Let us call this life energy by a symbol in order to identify it. We will assign to it the Greek letter *theta* (Θ) and distinguish it as an energy existing separate and distinct from the physical universe as we know it”. L Ron

Hubbard, *Science of Survival*, Los Angeles: Bridge Publications, 1951/2007, p. 4. Hubbard tends to use the term *theta* to refer to the general notion of spirit or soul and the term *thetan* to refer to the individual who is a spirit or soul. More will be said about the soul below under para.16 (a).

11(a). One can write a whole treatise on the use of the term *theta*. Theta is the ninth letter of the Proto-Canaanite/Phoenician/Hebrew alphabet and the eighth letter of the Greek alphabet. Like the other letters of the early Semitic alphabets, theta provides the acrophonic or first sound element that makes the sound “th”. Originally theta, shaped like a circle with a cross in it ⊗ in Phoenician, signified a circular object such as a wheel or sun disk. As the 9th letter in all the Semitic alphabets theta has long held symbolic and mystical associations. The Neoplatonist philosopher Porphyry of Tyre (234-c305 C.E.), said that the theta letter (θ) symbolized the soul in Egyptian thought, as well as the Ennead or Nine Gods (Atun and his offspring) at Heliopolis. Others claimed it symbolized the sun or the earth. Eusebius of Caesarea refers to Epeis, an Egyptian hierophant or priest-scholar, who said theta symbolizes the universe connected by the sacred cosmic serpent (*Praeparatio Evangelica* 1.10). Number and letter symbolism, including the Hebrew equivalent letter “teth” (ט), was very common in the Gematria of Jewish Kabbalah mysticism. Teth symbolized wisdom and enlightenment. In the medieval Jewish mystical treatise the *Zohar*, the letter teth is associated with the divine goodness (Hebrew, *tov*) that suffuses all creation (Prologue 6.33). Number and letter symbolic speculation was also very common in Theosophical circles at the turn of the century and Mr. Hubbard was interested in Theosophy early in his life. The symbol is used in geometry to signify angles, mathematics to signify functions, neuropsychology to designate a type of brain wave function, and astronomy to designate stars within constellations. However, Mr.

Hubbard's use of the term is very specific and unique to Scientology.

References:

Eusebius of Caesarea, *Praeparatio Evangelica*, on line at <http://archive.org/details/praeparatioevan00giffgoog>.

Jonathan D. Rawn, *Discovering Gematria: Foundational Exegesis and Primary Dictionary*, Hixson TN: Gematria Publishing, 2008.

Kieren Barry, *The Greek Qabalah: Alphabetic Mysticism and Numerology in the Ancient World*, York Beach ME: Simon Weiser, 1999.

12. The creed of Scientology contains essential components that are equivalent to articles of belief within more established religious traditions, such as the classic Christian creeds of Nicaea (325 C.E.) and Constantinople (381), the Lutheran Augsburg Confession (1530 C.E.), and the Presbyterian Westminster Confession (1646 C.E.). Like these earlier creeds, the Scientology creed defines the ultimate meaning of life for the believer, shapes and determines codes of conduct and worship in conformity with that creed, and defines a body of adherents who subscribe to that creed. (The terms “creed” and “confession” in this context refer to the same thing: a formal statement of faith to which a believer gives assent.) The creed of the Church of Scientology is an updated creed that gives ultimate meaning to transcendental realities: the soul (*thetan*) and its destiny, spiritual aberrancy (the equivalent to sin in Christian terms), salvation/survival, healing by means of the spirit, the freedom of the believer, and the spiritual equality of all. Christians, too, have sought updated creeds, such as the Masai Creed of 1960.

References:

“Creed,” in *Oxford Concise Dictionary of World Religion*, ed. John Bowker, New York: Oxford University Press: 2012, s.v.

J.N.D. Kelley, *Early Christian Creeds*, 3rd ed., London: Continuum, 1950/2006. *Creeds of Christendom*, www.creeds.net.

John H. Leith, ed., *Creeds of the Churches: A Reader in Christian Doctrine from the Bible to the Present*, 3rd ed., Louisville: John Knox Press, 1982.

Masai Creed, <http://www.faith-theology.com/2006/11/african-creed.html>.

Andrew Wilson, *World Scripture: A Comparative Anthology of Texts*, New York: Paragon, 1991.

13. Following their creed, Scientologists distinguish between the “reactive” or unconscious mind and the "analytical" or awake mind. The reactive mind records what adherents call "engrams”, which are spiritual traces of pain, injury, or impact. The reactive mind is believed to retain engrams that go back to the foetal state and reach further back even into past lives. The theological notion of "engrams" bears close resemblance to the Buddhist doctrine of the "threads of entanglement" which are held over from previous incarnations and which impede the attainment of enlightenment. Scientologists believe that unless one is freed from these engrams, one's survival ability on all the levels of the "eight dynamics", happiness, intelligence and spiritual well-being will be severely impaired. It is on the basis of this belief or spiritual knowledge that adherents are motivated to go through the many levels of auditing and training, which constitute the central religious practices of Scientology. I will discuss auditing and training in greater detail below in para. 16(a-c). A neophyte or beginner in the auditing/training process is called a "preclear" and one who has removed all engrams is called a "clear". Those who go beyond the level of “clear” begin to ascend the Bridge to become OTs or “Operating Thetans”. The “Bridge” in Scientology is symbolic shorthand for The Bridge to Total Freedom, the chart defining the various grades and classifications in auditing and training that Scientologists undertake on their ascent to spiritual awareness. A chart of these grades and classifications is attached as Exhibit A. The distinction between preclear and clear can be compared with the Christian distinction between sin and grace and the Buddhist distinction between ignorance/illusion (Sanskrit, *avidya*) and enlightenment (*bodhi*).

References:

“A View On Buddhism” on line at <http://viewonbuddhism.org/karma.html>.

L. Ron Hubbard, *Science of Survival*, Glossary, s.vv.

Houston Smith & Philip Novak, *Buddhism: A Concise Introduction*, San Francisco: HarperCollins, 2003.

Xinzhong Yao and Yanxia Zhao, *Chinese Religion*, London: Continuum, 2010.

Zoroastrian Creed on line at <http://www.livius.org/au-az/avesta/avesta05.html>.

14. Scientologists do not speak of "clearing" simply in terms of individual well-being. Their belief is that auditing and training have a beneficial effect on the person's family, group, environment, and sphere of influence. In other words, the beneficial effect takes place on all eight levels of the "dynamics". Scientologists also believe that they should take responsibility for bettering the world around them and that they should help others attain the state of being "clear". They believe that when enough people have attained the clear state, the central aim of Scientology, as enunciated by L. Ron Hubbard in the "Aims of Scientology", will have been achieved: "A civilization without insanity, without criminals and without war, where the able can prosper and honest beings have rights, and where man is free to rise to greater heights". L. Ron Hubbard, *Scientology 0-8*, Los Angeles: Bridge Publications, 2007, p. 3. In this quest to remove the conditions leading to mistrust, war and self-destruction, Scientology is no different than all the other missionary or evangelical religions, including but not limited to Buddhism, Zoroastrianism, Judaism in the 3rd-1st century B.C.E. Diaspora, Christianity and Islam.

References:

Frank Whaling, "A Comparative Religious Study of Missionary Transplantation in Buddhism, Christianity and Islam," *International Review of Mission* 70: 280 (October 1981), pp. 314-333.

Max L. Stackhouse, "Missions: Missionary Activity," *Encyclopedia of Religion*, 2nd ed., ed. Lindsay Jones (Detroit: Macmillan Reference USA, 2005), vol. 9, pp. 6068-6076.

15. Three aspects of Scientology's goal to "clear the planet" so as to bring about a new

civilization demonstrate that the belief system of the Church accords fully with the pattern of the great historic religions, past and present. Those three aspects are (a) its missionary character, (b) its universality, and (c) its quality of ultimate concern and commitment.

15(a). First, Scientology's religious quest is envisioned in terms of a sacred mission, addressed and available to one and all. Thus, the prophets of the Bible such as Amos, Isaiah and Jeremiah, received revelations that they had a mission to address the nations far and wide about peace, justice and love. Thus, too, the Buddhist missionaries of the second century B.C.E. onward sensed a calling to spread the message of the Buddha throughout the Far East, including China, Indochina, Indonesia, Korea and Japan. Today Japanese Buddhist missionaries are spreading their message to Europe and the Americas. So also, Jesus of Nazareth saw his gospel as having a missionary goal; hence he sent his disciples unto all the nations (Matthew 28:18-20). The missionary aspect of Islam is so strong that today it is the fastest growing historic religion in the world, especially in Africa and East Asia. In its dedication to "clear" the planet in order to bring about a new civilization Scientology's missionary efforts conform entirely to the pattern of the great historic religions.

15(b). Secondly, Scientology sees its mission in universal terms. As a result, it has set out to open mission centers in all parts of the world in order to make the auditing and training technology universally available. By "technology" Scientologists mean the correct and accurate application of the spiritual principles so that a person can successfully ascend the Bridge to total spiritual freedom (*see above*, para. 14) Scientology respects the religious beliefs and practices of other religions (*see below*, para. 30). Thus it does not "proselytize" in the way of some missionaries, seeking to prove the falsity or incorrectness of a hearer's religion. Rather, it follows a method of attraction and invitation by creating bright, cheerful

centers and distributing information on the benefits the precepts, practices and benefits of the Scientology religious technology, and on the effectiveness of Scientology's affiliated social betterment campaigns in such areas as literacy, drug prevention, and moral standards. Because its ultimate goal is spiritual freedom, Scientology respects the right of each individual to choose their own path to faith. The most obvious historic parallel to traditional historic religion is Jesus' commission to his disciples: "Go ye therefore and teach all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Spirit" (Matthew 28:19). In the eighth century B.C.E. the Jewish prophet Amos was called to bring God's word not only to Judah and Israel but also to Damascus, Gaza, Ashkelon, Tyre, Sidon and Edom, all of which were "pagan" Canaanite city states that did not share Israel's belief in the God of the Fathers (Amos, chaps. 1-2). Today, Muslims are establishing full-scale mosques in cities like London, Los Angeles, Toronto, and even Seoul because they believe in the universal value of the Word of the Prophet Muhammad in the Qur'an. Likewise, Buddhist and Hindu Vedanta spiritual leaders are bringing their sacred teachings and forms of life to Europe and the Americas because they are convinced that their teachings have a universal application. Again, in this respect, Scientology follows the pattern of the historic religions in the worldwide spread of its auditing and training technology, which Scientology missionaries believe will benefit all of humankind.

15(c) Thirdly, the dedicated aim of Scientology is to assist enough people to attain the status of "clear" so that the tide of civilization may turn to the better. This aim has the character of an ultimate concern and commitment. Each of the great historic religions has a central core of teaching which provides its followers a compelling motivation to fulfill its religious mission on a worldwide scale and with a sense of urgency and ultimacy. For the Buddhist that core

teaching is summed up in the religious notion of "release" (*moksha*) from the entangling bonds of craving and the bestowal of bliss in egoless thought (*nirvana*). The Buddhist scripture the Dhammapada has the Buddha declare: "All the rafters [of my old house] are broken, shattered the roof-beam; my thoughts are purified of illusion; the extinction of craving has been won" (section 154). The ultimacy of this awakening is what motivated and motivates every Buddhist monk and missionary. As I have noted above, the Scientology belief in past lives and reincarnation is closely related to the Hindu and Buddhist idea of *samsara*; likewise, the Scientology notion of "clearing" has close affinities with the Buddhist belief in *moksha*. As Buddhist missionaries in the past sought to make available to all sentient beings "release" from the cravings of existence, so also the Scientologist missionary strives to make available to one and all the opportunity to be rid of engrams which impede universal survival, peace and abundance by becoming "clear". Zen Buddhists in Japan seek to attain *satori* or "sudden enlightenment" for all humanity, and the strength of this belief has led them to establish Zen centers in the Americas and Europe. The Muslim conviction in the ultimacy of the word of the Prophet Muhammad—contained in the Qur'an and summed up in the great *shahada*: "There is no God but Allah, and Muhammad is his prophet"—give the missionaries of Islam the strength of conviction to seek converts on a worldwide scale. In the biblical tradition, the most compelling core belief which motivated and still motivates missionary activity is the firm trust that God desires the ultimate salvation and universal redemption of all humankind. Thus the biblical prophet Isaiah saw God's salvation of all the nations as the new creation of a heavenly Jerusalem on earth in which all flesh would worship the one, true God (Isaiah 66:22-23). In the New Testament the redemption wrought by God in Jesus the Christ is viewed by the Apostle Paul not simply as the salvation of Christians, or even of all humanity but as the pledge of

universal liberation, restoration and re-creation of the cosmos itself (Romans 8:19-23). In this context the Scientology belief in the mission of “clearing the planet” to bring about a renewed civilization corresponds in like kind to the ultimacy of conviction which characterizes the motivation and faith of the world's great historic religions.

References:

Dhammapada, on line at <http://www.accesstoinsight.org/tipitaka/kn/dhp/dhp.11.budd.html>.

David L. McMahan, *The Making of Buddhist Modernism*, London: Oxford University Press, 2008.

John L. Esposito, ed., *The Oxford Encyclopedia of the Modern Islamic World*, 4 vols., London: Oxford University Press, 1995.

Jay L. Garfield, “Buddhism in the West” on line at http://info-buddhism.com/Buddhism_in_the_West_Jay_Garfield.html.

B. Scientology Religious Practices

16. In terms of religious practices, Scientology possesses the typical ceremonial religious forms which are found among the world's religions, namely, initiation or baptism (which is called "naming" by Scientologists), marriage, funerals, etc. The forms for these rituals are contained in *The Backgrounds and Ceremonies of the Church of Scientology of California, World Wide* (1999). However, a central religious practice unique to Scientology is “auditing”. There are many levels of auditing through which the Scientologist ascends, just as Roman Catholics, Buddhists and Hindu Vedantists ascend through multiple meditation levels. Concomitant with auditing is Scientology “training”, which I will discuss at greater length below in para. 16(b). The core sacramental life of Scientology is centered on what they call “auditing” and “training”.

1. Auditing

16(a). Auditing is a religious instructional type of process by which spiritual guides (trained Scientology ministers) lead adherents through the states of spiritual enlightenment. Scientologists believe that by actively going through this gradated auditing process, they help to free the soul or "thetan" from its entangling afflictions or "engrams" and other spiritual travails. The stages of auditing are called "grades" or "levels", and these are shown on the Scientology "Classification, Gradation and Awareness Chart". This chart depicts metaphorically the span between the lower and higher levels of spiritual existence. Scientologists call the chart the "Bridge to Total Freedom" or, simply, the "Bridge". See Exhibit A. The "Bridge" details the spiritual continuum, ranging from negative "unexistence", through middle level "communication", "enlightenment", "ability", and finally to "clearing", "source", and ultimately "power on all 8 dynamics" and ending with "total freedom". The vast bulk of Scientology religious practice is devoted to auditing and training courses for enlightenment and the training of auditors, which are the Church's spiritual counselors.

16(b). These gradated stages are remarkably like the stages and levels of religious and spiritual illumination in the noted Christian treatises *Ladder of Divine Ascent* by 6th century Eastern Christian monk Johannes Klimakos, the *Journey of the Mind into God* by the medieval Franciscan theologian St. Bonaventure, and the *Spiritual Exercises* by St. Ignatius of Loyola, founder of the Jesuits. The Christian stages of contemplation are generally broken down into three stages: the purgative, the illuminative and the unitive ways. Many have criticized Scientology for its multiple stages of auditing to higher and higher levels as if it is just a way to entice members in to pay more money for more auditing. The critics, however, are rendered mute when comparative religion scholars point out to them that Johannes Klimakos has no less than thirty (30) rungs on his ladder of the soul's ascent into the Divine Mystery and that the

threefold path described above has many sub-stages. Johannes Klimakos' ladder has been a common theme in Greek and Russian Orthodox sacred iconography. The Persian Muslim Sufi scholar Al Hujwiri broke down the "stations" (*maqamut*) of the ascent into the godhead into a basic four: 1) repentance (*tawba*), 2) conversion of the heart (*inaba*), 3) renunciation (*zuhd*), and 4) trust in God (*tawwakul*), and there are higher states until the mystic goes beyond perception and fuses with the divine.

References:

Al Hujwiri, *Khasf al-Mahjub* ("The Unveiling of the Veil"), tr. R.A. Nicholson, London: Luzac & Co., 1911/1971.

St. Bonaventure, *Itinerarium Mentis in Deum*, ed. Philotheus Boehner, OFM, St. Bonaventure, NY: Franciscan Institute Publications, 2002.

Steven T. Katz, ed., *Comparative Mysticism: An Anthology*, London: Oxford University Press, 2013.

John Climacus, *The Ladder of Divine Ascent*, : Boston: Holy Transfiguration Monastery, 1991.

Evelyn Underhill, *The Essentials of Mysticism and Other Essays*, London: Oneworld Publications, 1920/1999.

16(c). The spiritual goal of auditing is first to become "clear" of harmful "engrams" and then to become a full "operating thetan" (OT) so that a person becomes "at cause" over "life, thought, matter, energy, space and time". Through auditing the Scientologist seeks to attain awareness of the self as an immortal spiritual being and comes to understand and embrace the Eighth Dynamic, that is, what Scientologists understand to be spiritual salvation and communion with the divine, God or Infinity. Scientology, like many other religions, makes a sharp distinction between the body and soul (thetan). Spiritual difficulties should be handled on through spiritual means, while physical difficulties can and should be handled through ordinary medical treatment.

2. Training

16(d). The other central religious practice of Scientology is training, which involves intensive study of the Church's scriptures. Although one important aspect of training is the education of individual auditors capable of ministering auditing to parishioners, auditor training has an equally important individual, spiritual component as well. This spiritual element is in keeping with the emphasis of Scientology, as well as Eastern religions, and Western mystical movements on meditative and instructional worship rather than on celebratory worship which prevails in most Western religions. Scientology doctrine states that training provides fully one-half of the spiritual benefit parishioners receive in moving up the "Bridge" (*see above*, para. 13). Scientologists who serve as ministers to Church of Scientology congregations undergo special training, including the study of the beliefs and tenets of the Church, the correct application of the religious technology, the study of counseling for people with marriage and other problems, the proper conduct of Scientology ceremonies (births or naming, marriages, funerals), and study of the religions of the world.

3. Other Ceremonies and Rituals

16(e). In addition to those described above, Scientology has a number of other religious rituals and services which find analogues in most Christian churches and other religious traditions. It has to be noted that, like in mainstream Christian churches and other religions, these services are free and open to the general public. They include Sunday services, weddings, and funerals. Scientology also celebrates a range of holidays throughout the year. As in other churches, many of these holidays mark the key events in the life and activities of its founder; for example, Hubbard's birthday on March 13, the original publication of *Dianetics*

on May 9, the maiden voyage of the *Freewinds*, the Scientology sea vessel, on June 6. It also includes celebration of the key figures in the Church of Scientology, its auditors, on the Auditor's Day on the second Sunday in September,

Reference:

Church of Scientology, "What Religious Holidays Do Scientologists Celebrate?" on line at <http://www.scientology.org/faq/inside-a-church-of-scientology/scientology-religious-holidays.html>.

4. Code of Ethics.

16(f). In accord with the religious practices of auditing and training, Scientology has a code of ethics. The ethical code is derived from the Creed of Scientology, especially the statements that forbid humans "To destroy his own kind...To destroy the sanity of another...To destroy or enslave another's soul...To destroy or reduce the survival of one's companions or one's group" (*above*, para. 10). The code is both sharpened and refined in the Auditor's Code, including its revisions and additions. See L. Ron Hubbard, *Science of Survival*, Los Angeles: Bridge Publications, 1951/ 2007, pp. 229-235. In *Introduction to Scientology Ethics*, Bridge Publications, 1968/2007, Mr. Hubbard applied the code of ethics to the Eight Dynamics, the application of Scientology's spiritual technology to the life situations of believers, and to keeping the integrity the standardness of the tech. Scientology's ethics is aimed at insuring that the believer can rise from the lowest preclear level of "unexistence", to become a person who is "clear" of all impeding engrams, and, finally, to a fully "operating thetan" who has power over matter, energy, space and time, as summarized in the Bridge. The ultimate goal is to increase and advance the survival of humankind and civilization itself, as stated in the Creed. *See above*, paras. 10, 13. This code can compare with the Ten Commands in the Bible (Exodus 20:1-17), the Code of the Bodhisattva and the Ten Major Precepts plus

the Forty-Eight Secondary Precepts of Mahayana Buddhism.

References:

“The Bodhisattva’s Infinite Compassion” in Mircea Eliade, *Essential Sacred Writings from Around the World*, San Francisco: HarperSanFrancisco, 1977, pp. 48-49.

“Ten Major Precepts” and “Forty-Eight Secondary Precepts” on line at <http://www.ymba.org/bns/bnscon.htm#major>.

C. Church Community

17. As with every religion known to me, Scientology has a communal life and ecclesiastical organization which function both to preserve and express the belief system and to foster religious practices. In ecclesiastical terms, the Church of Scientology is hierarchical rather than congregational in organization. Congregational religions exercise authority by locally electing ministers of churches, voting on reformulations of belief systems (creeds) and religious practices, as well as church polity. Most Protestant denominations in the United States are congregational in their polity. They exercise authority, so to speak, from the bottom up. Hierarchical religions, on the other hand, exercise authority by appointment and delegation from the top down, either from a central religious figure such as the Supreme Pontiff (Pope) in Roman Catholicism and the Dalai Lama in Tibetan Buddhism, or from a central executive body such as a synod of bishops or council of elders. My study of the Church of Scientology showed me that it follows the classic hierarchical type of church polity.

18. I will here give a brief summary of the organization of the Church of Scientology. L. Ron Hubbard, who died in 1986, was and remains the sole source of Scientology religious doctrine and technology, including the upper OT levels. The highest ecclesiastical authority in the Church of Scientology is exercised by Church of Scientology International (CSI) and Religious Technology Center (RTC). Similar to the Eastern Orthodox autocephalous

patriarchies in conjunction with their Holy Synods and local Bishops councils and to the Vatican in conjunction with regional Roman Catholic bishop's conferences, the RTC also has the ability to maintain orthodox doctrine and practice as a result of its ownership of trademarks associated with Scientology and Dianetics services (*see below*, paras. 32-36). The CSI is the "Mother Church" and has the chief responsibility to propagate the Scientology creed around the world. The all important function of the RTC is to preserve, maintain and protect the purity of Scientology technology and to insure its proper and ethical delivery in accord with the tenets of the faith. The RTC functions very much like the Congregation for the Doctrine of the Faith in Roman Catholicism, the Commission on Theology and Church Relations in the Lutheran Church Missouri Synod, and Synod Councils among many Eastern Christian congregations. Under CSI and RTC stands Scientology Missions International (SMI), which functions as the "Mother Church" to the mission churches around the world. This structure is very similar to the First Church of Christian Science in Boston, which also serves as the Mother Church to all other Christian Science churches. In all doctrinal disputes, the RTC is the ultimate and final court of appeal in Scientology, just as the Vatican and its congregations are the final courts of appeal in Roman Catholicism. I need also to mention here the Sea Org(anization). The Sea Org is composed of Church of Scientology members who take vows of service "for a billion years", signifying their commitment to serve the Church in this life and in countless lives to come. The Sea Org has become to Scientology what Jesuits, Dominicans, and Franciscans have been in the past to Roman Catholicism. From the ranks of the Sea Org has come almost all the Church's leadership.

D. Special Topics

1. “An Applied Philosophy”

19. Scientology sometimes describes itself as "an applied religious philosophy". Critics have used this phrase to argue that Scientology is not a religion. The vast majority of such critics are theologians and representatives of the anti-cult movement. With respect to the theologians, not all of them deny that Scientology is a religion but those who do tend to represent a particular confessional viewpoint rather than adhere to a definition of religion generally accepted among social scientists, anthropologist, historians of comparative religions, and other academics who take a non-confessional, descriptive, and objective approach to the study of religions.

19(a). In their turn, the anti-cult groups claim that Scientology is not a religion on the grounds of their personal or confessional opposition to it and not on scientific grounds based on their research of the group as one among many other religions. Unlike scientific scholars, the anti-cult parties are prescriptive rather than descriptive in their approach. The significant majority of social scientists (sociologists, anthropologists, and other scholars from mainstream academic areas) do not share this view, nor do they see the practical philosophical aspects of Scientology as grounds to deny Scientology's religious character. This is clearly evidenced, for instance, in the position of CESNUR and INFORM, the most authoritative academic centers for the study of new religions.

19(b). We need to make a clear distinction between criticism of Scientology on the one hand and the view that it is not a religion on the other. Scholars, who have produced definitive work on Scientology have sometimes been critical of certain practices but nevertheless held a firm view that it is undoubtedly a religion. This includes the most comprehensive published studies of Scientology, such as Professor Roy Wallis' groundbreaking study of Scientology.

See Roy Wallis, *The Road to Total Freedom: A Sociological Analysis of Scientology*, London: Heinemann, 1976. The same holds for the recent in-depth study by Dr. Hugh Urban of Ohio University. See Hugh Urban, *The Church of Scientology: A History of a New Religion*, Princeton: Princeton University Press, 2011. Both studies unequivocally conclude that Scientology is a religion and see its practical philosophical aspects as part of what Scientology offers as a contemporary religion.

19(c). As noted above, my research into the teachings of the Church and interviews with its members shows beyond all reasonable doubt that Scientology possesses all the marks which are common to religions around the world and throughout history: a well-formed belief system, sustained religious practices, and a hierarchical ecclesiastical polity. Furthermore, the word "philosophy" can have several meanings and is not at all incompatible with the word "religion". Literally, the word philosophy means "love of wisdom" and every religion known to humankind preaches some sort of "wisdom" or insight into ultimate truth. My interviews with Scientologists showed that adherents consider the word "philosophy" to refer to the ultimate meaning of life and the universe in the religious sense of the term. Scientology's "philosophy" is dependent upon and subordinate to the belief that the soul is immortal and has an eternal destiny. In making use of philosophical concepts and in stressing the application of its teachings, Scientology is certainly no different than any other religion.

20. Religion always links up with philosophy. In fact, Hinduism as a religion gave rise to the many schools of Vedanta philosophy. The early Fathers of the Christian church—Sts. Basil, Gregory of Nyssa, Augustine, and others—adopted aspects of Neoplatonic philosophy in order better to express the Christian faith, such as the nature and relations of the Trinity (Father, Son, and Holy Spirit), and the soul's relation to the divine. Neoplatonism

continues to influence Eastern Orthodox theology to this day. See Frank K. Flinn, “Neoplatonism” in *The Encyclopedia of Catholicism*, New York: Facts on File, 2007, pp. 470-471. The great Father of the Christian Church Eusebius of Caesarea in his work *The Preparation for the Gospel* (Greek, *Εὐαγγελικὴ Προπαρασκευή*) saw Mid-Eastern mythology and classical Greek philosophy as leading to the acceptance of the Christian gospel. In his great work the *Summa Theologica*, St. Thomas Aquinas, the greatest theologian in the history of Roman Catholicism, makes use of countless philosophical ideas, terms and constructs borrowed from the Greek philosopher Aristotle and urges the moral application of these “philosophical” notions in everyday life. No one would classify the *Summa* as anything but a religious theological treatise of the highest order. St. Symeon the New Theologian (949-1022) combined the Neoplatonic philosophy of contemplation (*theoria*) with the Christian intense inner experience of God as Light in silence (*hesychia*). Earlier and contemporary theologians use the philosophical methods of phenomenology (Emanuel Levinas, Jean-François Courtine), existentialism (Søren Kierkegaard, Nikolai Berdyaev, John Macquarrie) , critical Marxist theory (Leonardo Boff, Enrique Dussel) , analytical philosophy (Michael C. Rea) and even deconstruction (Thomas J.J. Altizer, Mark Taylor). The phrase “an applied religious philosophy” in no way detracts from Scientology being a religious faith in the fullest sense of the term.

References:

Eusebius of Caesarea, *Praeparatio Evangelica*
<http://archive.org/details/praeparatioevan00giffgoog>.

Edward Grant, *God and Reason in the Middle Ages*, Cambridge: Cambridge University Press, 2001.

Griggs, *Divine Eros: Hymns of St Symeon the New Theologian*, Popular Patristics Series, vol. 40, Boston: St. Vladimir's Seminary Press, 2011.

Will Herberg, ed., *Four Existentialist Theologians: A Reader from the Works of Jacques Maritain, Nicolas Berdyaev, Martin Buber, and Paul Tillich*, Garden City NY: Doubleday, 1958.

David J Kalupahana, *A History of Buddhist Philosophy*, New Delhi: Motilal Banarsidass, 1994.

Dominic J. O'Meara, *Neoplatonism and Christian Thought*, Albany: State University of New York Press, 1981.

Hugh Urban, *The Church of Scientology: A History of a New Religion*. Princeton: Princeton University Press, 2011

Kevin J. Vanhooser, ed., *Cambridge Companion to Post-Modern Theology*, London: Cambridge University Press, 2003.

Swami Vivekananda, "Vedantic Philosophy" – An Address before the Graduate Philosophical Society of Harvard University, on March 25, 1896, on line at http://www.ramakrishnavivekananda.info/vivekananda/volume_1/lectures_and_discourses/the_vedanta_philosophy.htm.

Roy Wallis, *The Road to Total Freedom: A Sociological Analysis of Scientology*, London: Heinemann, 1976.

Graham Ward, ed., *Blackwell Companion to Post-Modern Theology*, London: Wiley-Blackwell, 2004.

2. Scientology as a Distinct Denomination

21. I am informed that the Moscow Department of Justice has challenged Scientology's *bona fides* because it does not demand that its members forego the beliefs and practices of their natal or other religious congregations. First of all, the Department's perception of the Scientology beliefs and practices in this regard is incorrect. Secondly, it goes without saying that a new religion will derive its membership from a population that has grown up in other faiths and that it would be impossible to acquire new members if a person from another religion was not welcome to come in and take part in introductory services and learn about Scientology without having to first discard his or her natal religion.

22. As an outside observer of the rise of new religions, I have found that new religious

movements have been put into a double bind. On the one hand, if the new religions criticize traditional religions and demand full-time commitment immediately from their new adherents, they are often accused of “brainwashing” or using “coercive” proselytizing methods. On the other hand, if they claim affinity for earlier religions and openness to them, they are then charged with not having a distinct membership and religious path, thereby losing any claim to a separate legal religious status. Similar observations have been made by other scholars of new religions, who have studied them systematically through interviewing hundreds of members and observing their religious practices and church organizational activities. In particular, I can refer to the following studies that are now considered classical in the sociology and anthropology of religion:

James Beckford, *Cult Controversies: Societal Reactions to New Religions*, London: Tavistock, 1985.

Eileen Barker, *New Religious Movements: a Practical Introduction*, London: HMSO, 1989. This book by a prominent academic was commissioned and published by the British Home Office – the Ministry of Internal Affairs.

Bryan Wilson and Jamie Cresswell, *New Religious Movements: Challenge and Response*, London: Routledge, 1999.

22(a). Political authorities, upon whom the granting of legal status depends, seem to be unaware that, in placing newer religions in this double bind, they are thereby establishing and giving advantage to certain religions (the older, traditional ones), to the disadvantage of others (the newer, innovative ones). This type of policy abandons the ideal impartiality of law, which ought to apply to one and all equally. The ideal of impartiality is why the many statues of Lady Justice around the world show her wearing a blindfold. In 2004, James Richardson, world-renown Professor of Law and Sociology of Religion, published a seminal volume *Regulating Religion: Case Studies from Around the Globe* which includes 33 studies that confirm my observation. See James Richardson, ed., *Regulating Religion: Case Studies from*

around the Globe, New York: Kluwer, 2004. These studies contain a wealth of detailed data on the ways in which governments and courts of law treat new religions in different countries. The volume clearly shows that in democratic countries, irrespective of their dominant or traditional religious cultures, a consensus has been reached among scholars of religions and legal practitioners that new religions should be treated with judicial and administrative impartiality accorded to all other religions and there are no scientific or legal grounds for discriminatory approaches toward them.

22(b) In turn, this democratic approach to religious diversity has led to a more objective attitude towards new religions within national courts and international policy bodies, such as the European Court of Human Rights. These findings are in line with an earlier fundamental study by Professor Carolyn Evans, *Freedom of Religion under the European Convention of Human Rights*, Oxford: Oxford University Press, 2001. With respect to Scientology, Professor Steve Bruce, the prominent scholar of religion and politics, points out that the dislike of Scientology found in some countries has to do with social and political bias and does not reflect what the group actually does in these countries and elsewhere. *See* Steve Bruce, *Politics and Religion*, Cambridge: Polity, 2003, pp. 198-199. This form of bias is almost identical to suspicion toward Catholics found in the 19th century America or Britain, or negative bias towards the Eastern Orthodox in some Catholic countries today.

22(c). A third observation is also in order. It is now fully clear to historians of doctrinally orthodox Christianity that it took nearly 300 years for it to fully emerge out of its Judaic and general Greco-Roman religious matrix, and its rivalry with various Gnostic versions of the mission of Jesus. The Council of Nicaea (325 C.E.) marks the ascendancy of Christian

orthodoxy but even after that the orthodox had to struggle against the Arian and Nestorian heresies. Buddhism to this day shares central concepts with its matrix religion Hinduism: *dharma, samsara, moksha, nirvana*. It eventually developed its own specific interpretations of these terms, but that process took centuries. That many post-World War II new religious movements and offshoots of previous religions have taken fifty to sixty years to emerge as distinct entities comes as no surprise to the historian of religion, even granting the speed of modern communications.

References:

Eileen Barker, *New Religious Movements: a Practical Introduction*, London: HMSO, 1989.

James Beckford, *Cult Controversies: Societal Reactions to New Religions*, London: Tavistock, 1985.

Steve Bruce, *Politics and Religion*, Cambridge: Polity, 2003.

Carolyn Evans, *Freedom of Religion under the European Convention of Human Rights*, Oxford: Oxford University Press, 2001.

Richard Gombrich, *How Buddhism Began: The Conditioned Genesis of the Early Teachings*, New Delhi: Munshiram Manoharlal Publishers, 1997.

Diarmaid MacCulloch, *A History of Christianity: The First Three Thousand Years*. London, Allen Lane, 2009.

James Richardson, ed., *Regulating Religion: Case Studies from around the Globe*, New York: Kluwer, 2004.

Bryan Wilson and Jamie Cresswell, *New Religious Movements: Challenge and Response*, London: Routledge, 1999

23. Scientology churches welcome persons from all faiths to come inside and learn about Scientology and the Church's activities. A person could not be expected to adopt Scientology as his or her religion knowing nothing whatsoever about it. However, as believers become more involved with Scientology, they inevitably let go of their prior faith. At the same time, a Jew who becomes a Scientologist might remain

affiliated with Judaism for cultural reasons and might celebrate Jewish holidays with family and friends, but he or she would not practice and would not believe in the Jewish religion. Scientologists regard their faith as a complete religion requiring dedication and full time commitment from Church members. The intention is that, once someone studies the scriptures of the faith and partakes in religious services they will embrace Scientology as *their religion*. The Internal Revenue Service of the United States, which has stringent standards about a religion having a distinct membership, recognizes that Scientology has a membership not associated with any other church or denomination (*see below*, para. 45(a)1).

23(a). L. Ron Hubbard understood that commitment to Scientology would eventually become an exclusive dedication. In the early days between 1950 and 1954 he acknowledged Scientology's spiritual debt to other religions, especially Hinduism and Buddhism (*see above*, para. 13; *below* para. 32(b)). In the Scientology creed, first formulated in 1952, he affirmed that "all men have inalienable rights to their own religious practices and their performance" (*above*, para. 10). Nonetheless he was convinced that Scientology had real, practical answers to the human predicament that other religions so far had failed to deliver. By 1965 he was insisting that serving the goals of Scientology would take a full-time effort and that Scientology is the only true path. In HCO Policy letter "Keeping Scientology Working Series 1: KEEPING SCIENTOLOGY WORKING" (7 February 1965), he addresses church leaders how to work with neophytes: "Never let them be half-minded about being Scientologists". This policy letter was reissued for emphasis in 1970 and again in 1980. Mr. Hubbard then ordered it to be the first item studied on all courses in Scientology as a constant reminder. In the HCO Policy Letter "Keeping Scientology Working Series 4: SAFEGUARDING

SCIENTOLOGY” (14 February 1965) he asserts that Scientology is a workable way “out of the labyrinth” and that any deviations into other paths –what Scientologists call “squirreling”—risks losing the only path that really works. The 14 February 1965 Policy Letter explicitly states:

In fifty thousand years of history on this planet alone, man never evolved a workable system. It is doubtful if, in foreseeable history, he will ever evolve another.

...

Man is caught in a huge and complex labyrinth. To get out of it requires that he follow the closely taped path of Scientology.

...

Scientology will take him out of the labyrinth. But only if he follows the exact markings in the tunnels.

Mr. Hubbard further emphasized this in 1968, when the Class VIII level of auditor training was introduced as part of a “Standard Tech Program”. His point was that only “standard”, meaning fully orthodox Scientology, was to be used. This position can be seen in the revisions made to the Auditor’s Code. The first version of the Auditors Code is found in the Dianetics book in May 1950. The Code subsequently went through multiple revisions in 1951, 1954, 1956, 1957, 1958 and 1959. The 1968 version states unequivocally: “This is the Auditor’s Code of 1968. It supercedes all earlier codes. It has been developed as part of the Standard Tech Program. It is the official Auditor’s Code”. The final version of the Auditor’s Code (1968) includes the newly added line 3: “I promise to administer only Standard Tech to a preclear in the standard way.” Administering the “Standard” Tech in a “standard” way within Scientology means adhering to the orthodox teaching and practice of the spiritual technology founded by L. Ron Hubbard (*see below*, para. 37). Thus we see the evolution in

Scientology from a previous general religious matrix into a distinct religious path that requires a membership fully dedicated to the goals of Scientology's religious tenets and allows for no deviation from the one path, the "standard" tech.

24. The Department of Justice is also mistaken to suggest that exclusivity is a necessary feature for a religion and is practiced in all other religions. Western religions—Judaism, Christianity, and Islam—in their present form have taken on the character of exclusivity, ruling out any acceptance of or participation in "other" forms of religion. Each strand in this broad religious current claims either the sole Teacher (Moses), or the sole Savior (Jesus), or the sole final prophet (Muhammad). However, exclusivity has not always been rigidly applied even in these traditions. Traces of religious toleration, pluralism and openness remain in the Jewish and Christian Bibles. The book of Genesis 14:18-20 narrates that Melchisedech, the priest-king of Salem, offered the patriarch Abraham bread and wine and blessed him. Even though he was an uncircumcised Canaanite, the Hebrew Torah names him as the first priest (Hebrew, *kohen*) of the Most High God. Later texts in the Jewish Bible, especially the book of Judges, describe the Canaanites and their rites as anathema to the faith of Israel. Christians also refer to the "pagan" Melchisedech as a figure worthy of admiration. Quoting Psalm 110:4, the letter to the Hebrews (5:6, 10; 6:20; 7:1, 10-11, 15-21) refers to Jesus himself as a priest according to the order of Melchisedech. To this day the East Orthodox, Roman Catholic and Coptic churches use the phrase "Thou are a priest for ever according to the order of Melchisedech" in their rituals for the ordination of priests.

25. A stunning example of the pluralistic origins of the Bible is the example of Second Isaiah, the exilic prophet and composer of chapters 40-55 in the book of Isaiah. In Isaiah 45:1 he refers to Cyrus the Great (c. 600/576-530 B.C.E.), the Zoroastrian king of Persia, as the

Lord's chosen Messiah (Hebrew, *moshiach*). Second Isaiah dared to refer to this "heathen" as a messiah because Cyrus liberated the exiled Israelites from bondage under the Babylonians and provided for the rebuilding of the Temple in Jerusalem. Jesus took his message of the kingdom to a Samaritan woman (John 4:4-26). In his day, Samaritans were disdained by most Jews but Jesus did not demand that she become a Jewess. Muhammad preached to the Jews in Medina. Some converted, some did not. He nonetheless signed a social compact with friendly Jewish tribes and others. Muhammad continued to preach respect for God's word in the Torah (Qur'an, *sura* 5:44) and the "People of the Book" (Arabic, *Ahl al-Kitab*), the people who have received revelations from God (Jews, Sabians, Magians and Christians).

26. One of the commonest misperceptions present-day Christians make is to think that Christianity began whole-cloth as a distinct religion with the mission of Jesus of Nazareth. They forget that Jesus was born as a Jew, that he lived as a Jew, that he preached as a Jew, and that he died as a Jew. All the first followers of Jesus were Jews. The book of Acts in the New Testament show the early Apostles such as Peter partaking in Jewish worship and preaching in the porticos of the Jerusalem Temple (Acts 2:22). In the Christian tradition, Paul is often depicted as the person who brought about the split between Judaism and Christianity, yet the book of Acts 21:26 shows him undergoing the Jewish ritual bath purification of the *mikvah* before entering the Temple sanctuary. Over the last two decades archeological digs have demonstrated intimate connections between "Jewish" synagogues and "Christian" house churches such that some scholars claim that Jews and Christians were participating in one another's services and rituals well into the first millennium. See Eric M. Meyers & Marc A. Chancey, *Archeology of the Land of the Bible, Vol. 3: Alexander to Constantine*. New Haven:

Yale University Press, 2012, pp. 174-238. The prime examples are the 3rd century synagogue and the nearby house church at Dura Europos.

27. The most telling evidence that Christians of Jewish descent continued to partake in Jewish rituals and ceremonies comes from St. John Chrysostom (c. 347-407) in his *Eight Orations Against the Judaizing Christians*. In his early career Chrysostom served as a deacon and presbyter in Antioch before becoming archbishop and patriarch of Constantinople. His sermons later became the source of the Western stereotype of the Jew and of virulent anti-Semitism in Europe. He was actually targeting not Jews themselves but members of his own congregation who continued to partake in the High Holiday feasts of the local Jewish synagogue, to listen to the sermons of the rabbis, and even to circumcise their male children. Chrysostom was trying to force a split between Antiochan Jews and Christians of Jewish descent that had not yet taken place into the 3rd century of the Common Era and even later. Up until the Council of Nicaea (325) Christians in the Roman world consulted Jewish rabbis to fix the date of the Pascha, the original name of Christian Easter and the name of the Jewish Passover in Aramaic. Easter is the most sacred festival in the Christian calendar, yet Christian authorities went to the rabbis who were experts in the lunar calendar used to calculate the date of Passover, and, hence, the Christian Pascha. This was more than religious pluralism; it was religious interdependence.

References:

Thomas M. Finn, "Pasch, Paschal Controversy" in Everett Ferguson, ed., *Encyclopedia of Early Christianity*, 2nd ed., New York: Garland, 1998.

St. John Chrysostom, *Eight Orations Against Judaizing Christens* on line at: <http://www.ccjr.us/dialogika-resources/primary-texts-from-the-history-of-the-relationship/247-chrysostom>.

28. From the foregoing it is clear that the allegedly “exclusive” religions were often pluridenominational at different times and to varying degrees in their complex histories. Pluridenominationality continues into our own times. I personally have studied religious ceremonies of the Full Gospel Businessmen’s Fellowship, a Pentecostal religious organization begun by Demos Shakarian in California in 1952, with participants who are Anglican, Presbyterian, Lutheran, Roman Catholic, Baptist and Eastern Orthodox. Many Jews and Christians today, while being faithful to their own traditions, partake also in Buddhist meditation, Tibetan Buddhist chanting, or Hindu Yogic devotions. Anglican bishops in Great Britain tolerate Pentecostalism and even Spiritualism. Members of the Caribbean Santeria religion nonetheless have their children baptized and get married in the Roman Catholic Church. The Mayan people of Central America both attend the Christian Eucharist and yet practice their ancient Mayan sacrifices and calendar rituals on the steps of the church and at ancient Maya temples. The Pueblo peoples of the Rio Grande Valley partake of the Roman Catholic sacraments, yet also continue to celebrate their ancient rituals and sacred dances centered on the seasonal planting, harvest and hunting ceremonies in a form of what I call sacro-parallelism, holding together two religious forms in a creative tension without merging the two.

29. In Korea Christian Pentecostal Assemblies often have sessions that replicate the indigenous form of Shamanism. They are not alone in finding compatibility between Christianity and Shamanism. The remarkable Russian Orthodox missionary St. Innocent of Moscow (Ioann Veniaminov, 1797-1879), Apostle to the Aleuts and other native tribes in Alaska from 1824 to 1838 and later Metropolitan of Moscow, recognized that the “spirits” of the local shamans were not demons and therefore encouraged them to continue their healing

and divination provided they attributed their powers to God. *See* Paul Garrett, *St. Innocent, Apostle to America*. Crestwood, New York: St Vladimir's Seminary Press, 1979, pp. 77-99.

Thus the religious exclusivism of Western religions is not as exclusive as many would have us believe.

30. While the religions of the West often claim to be exclusive, the religions of the East never have been. In the Far East the traditions of Daoism in China (or Shintoism in Japan and Shamanism in Korea), Buddhism and Confucianism are called the *San Chiao* or the “Three Paths” as they are practiced together by each person. A common saying in China is that a person is a Buddhist when he or she philosophizes, a Confucianist when he or she socializes, and a Daoist when in trouble. The Three Paths practiced in China gave birth to a religious movement named San Chiao, founded by Li Shiqian, and harmonizing the teachings of the Buddha, Lao Tzu and Confucius. The saying of the sect was: “Buddhism is the sun; Daoism the moon, and Confucianism the five planets.” In similar fashion, the Bahá’i faith sees itself as the incorporation and culmination of all other faiths.

30 (a). The Buddha did not prohibit worship of local gods. Hindus continue to tolerate participation in multiple religious traditions. The Hare Krishna branch of *bhakti* or devotional Hindu Vaisnavism celebrates the feast of “The Birth of Our Lord Jesus Christ” on December 25 just as they celebrate the feast of the Birth of Our Lord Krishna. In India members of the Vaisnavite (Vishnu) sect partake in temple rituals of the Saivite (Shiva) sect, and both of these will worship at the temples of the Jains—often seen in the West as a completely separate religion—and the Jains will reciprocate. In Europe and America, Hindu temples today incorporate side chapels for Saivites, if the temple is Vaisnavite, and vice versa; likewise they

will also have a side chapel for Jains. Despite their often bitter and violent relations, both Sunni and Shiite Muslims make the *hajj* or pilgrimage to Mecca together.

30 (b). Pope John Paul II initiated a World Day of Prayer for Peace at Assisi, Italy, on 26 October 1986 and religious officials and lay people from most of the world's religions took part. Buddhist monks, Hindu *sadhus* and Jain devotees together make pilgrimages to and worship at various sites in India where there is held the Kumbh Mela, the largest single religious gathering in the world, numbering between 20 to 70 million attendees over a two-week period. Religious pluralism and pluridenominationality is growing every which way everywhere in the world.

31. In Japan, Shinto and Buddhism are practiced in tandem by one and the same person. In general, Buddhism handles religious matters pertaining to death and the afterlife, while Shinto is oriented toward life and its religious events such as birth and marriage. Shinto also provides the feasts that celebrate the most important aspects in the life of the nation, for example, celebration of the harvests (*matsuri*) and veneration of the Emperor and national heroes. Funerals are generally conducted under Buddhist auspices, while marriages and blessings of houses are overseen by Shinto priests. This religious phenomenon in Japan is called *shinbutsu-shugo* or the "joining of *kami* and Buddha." This fusion is clear at a shrine within Jōgyō-ji temple in Kamakura, Japan. The shrine shows a Buddhist pagoda with carvings of the seated Buddha and plaques of Bodhisattvas joined with foxes, the animal familiars of the Shinto goddess (*kami*) Inari, who is the patroness of fertility, agriculture, and, in modern times, business success. These shrines are called Inari Shrines and this can be found in temples throughout Japan. In this country no one would be surprised that the same person simultaneously observes Shinto rituals, participates in Buddhist ceremonies, worships Jesus,

and practices new forms of yoga in the new religion of Transcendental Meditation. See Ian Reader, *Religion in Contemporary Japan*, London: Macmillan, 1991. See Exhibit B.

32. Many sociologists and anthropologists observe that in contemporary societies people tend to “pick and choose” beliefs and practices from different religions, for example combining Christianity and various Eastern religions. The most prominent recent studies confirm my own research and show that this kind of inclusive religiosity has become increasingly prominent in the United States. See Wade Clark Roof, *Spiritual Market Place: The Remaking of American Religion*, Princeton: Princeton University Press, 1999; Robert Putnam and David Campbell, *American Grace*, New York: Simon and Schuster, 2010, and, in Europe, Grace Davie, *Religion in Europe: Memory Mutates*, Oxford: Oxford University Press, 2000. Public opinion surveys such as the prestigious Pew Forum on Religion and Public Life have recently confirmed this trend. See “Many Americans Mixing Multiple Faiths: Eastern, New Age Beliefs Widespread”, 25 February 2013, on line at <http://www.pewforum.org/other-beliefs-and-practices/many-americans-mix-multiple-faiths.aspx>. Most scholars explain this change by the fact that contemporary individuals live in religiously diverse societies, have unrestricted access to multiple sources of religious knowledge, and value their freedom to exercise free choice with regard to religious practice. Many religious professionals acknowledge this new situation and have shown their preparedness to work with it rather than against it. For instance, Professor John Saliba, an ordained Catholic priest, has published an influential book *Understanding New Religions*, London: Geoffrey Chapman, 1995, which is recommended for students in many Catholic universities throughout the world. This book takes an open-minded approach toward the new religions.

32(a) Finally, many scholars, such as Professor Paul Heelas at Erasmus University, Rotterdam,, consider Scientology as precisely a religion that fits perfectly in this new cultural trend. See Paul Heelas, *The New Age Movement: The Celebration of the Self and the Sacralization of Modernity*, Cambridge: Blackwell, 1996. It is common knowledge that many contemporary prominent politicians and public figures combine adherence to their conventional religion and new religious practices. Among the widely known examples in the United Kingdom is William Hague, the British Foreign Secretary, who combines Anglicanism with the practice Transcendental Meditation; Cherie Blair, wife of Tony Blair, former British Prime Minister, who is both a committed Catholic and New Age practitioner, and Prince Charles, heir to the throne and future head of the Church of England, who has on many occasions confessed his engagement with practices from different religions, including the New Age. See Steve Bruce, *God is Dead?*, Cambridge: Blackwell, 2002.

References on religious pluralism and pluridenominationality include:

Bahá'í Faith, www.bahai.org.

Michael Barnes, "Religious Pluralism" in John R. Hinnells, *The Routledge Companion to the Study of Religion*, London and New York: Routledge, 2005, pp. 407-422.

Steve Bruce, *God is Dead?*, Cambridge: Blackwell, 2002.

Grace Davie, *Religion in Europe: Memory Mutates*, Oxford: Oxford University Press, 2000.

Miguel A. De La Torre, *Santeria: The Beliefs and Practices of a Growing Religion in America*, Grand Rapids MI: Erdmann's, 2004.

Paul Heelas, *The New Age Movement: The Celebration of the Self and the Sacralization of Modernity*, Cambridge: Blackwell, 1996.

Donald S. Lopez Jr., ed., *Religions of China in Practice*, Princeton: Princeton University Press, 1996.

Stephen P. Huyler, *Meeting God: Elements of Hindu Devotion*, New Haven: Yale University Press, 1999.

Kumbh Mela, <http://kumbhmelaallahabad.gov.in/english/index.html>.

Donald S. Lopez Jr., "The Spirits of Chinese Religion" on line at <http://academic.brooklyn.cuny.edu/core9/phalsall/texts/lopez.html>.

Robert Putnam and David Campbell, *American Grace*, New York: Simon and Schuster, 2010

Wade Clark Roof, *Spiritual Market Place: the Remaking of American Religion*, Princeton: Princeton University Press, 1999.

John Saliba, *Understanding New Religions*, London: Geoffrey Chapman, 1995.

Andrea M.H. Schuster, "Rituals of the Modern Maya" in *Archeology*, vol. 50. No4, July/August 1997. Available on line at www.archaeology.org/9707/etc/maya.html.

J.R. Ziegler, "Full Gospel Business Men's Fellowship International" in *The New International Dictionary of Pentecostal and Charismatic Movements*, ed. Stanley M. Burgess & Eduard M. Van der Maas., Grand Rapids: Zondervan, 2002.

32(b). Scientology has always recognized affinities with Hinduism, Buddhism and the religions of the Far East. L. Ron Hubbard saw Scientology as a culmination of many religious traditions: "Scientology is formed in the ten thousand years of religious philosophy and considers itself the culmination of the searches that began with the Veda, the Tao, Buddhism, Christianity and other religions. Scientology is a Gnostic faith in that it knows that it knows" *Scientology: A New Slant on Life*, Los Angeles: Bridge Publications, 2007, p. 25. Like Hinduism it affirms past lives and release from entanglement in past lives. Like Buddhism it promises a path to enlightenment which Scientologists call "knowingness." L. Ron Hubbard sincerely believed that the Scientology technology could be of benefit to members of all other religions. That Scientology is not "exclusivist", as Western religions like to maintain they themselves are, makes perfect sense. The chief mission of the Church is to rid the planet of harmful engrams no matter where they occur to insure the survival of humanity itself, as the Scientology creed attests (*see above*, para. 10).

3. Trademarks

33. I have been informed that the Moscow Department of Justice is of the opinion that, because the Church of Scientology makes heavy use of trademarks, it must be a business and not a religion. There is no doubt that the Church of Scientology owns multiple trademarks, copyrights and patents. It has employed them since the earliest days of the religion. I will list some of the important ones:

CHURCH OF SCIENTOLOGY INTERNATIONAL corporate symbol, DIANETICS, DIANETICS symbol, DIANETICS symbol in a circle, DIVISION 6 symbol, E-METER, FLAG, FLAG SERVICE ORGANIZATION corporate symbol, FREEWINDS logo, GOLDEN AGE OF KNOWLEDGE logo, GOLDEN ERA PRODUCTIONS, GOLDEN ERA PRODUCTIONS symbol, HUBBARD LIFE ORIENTATION, HAT IN LIFE symbol, L. RON HUBBARD, L. RON HUBBARD signature, NEW ERA DIANETICS, NEW LIFE RUNDOWN, NOTs, RELIGIOUS TECHNOLOGY CENTER corporate symbol, RON signature, RON's ORG, SAINT HILL SPECIAL BRIEFING COURSE symbol, OXFORD CAPACITY ANALYSIS, PURIFICATION RUNDOWN, SCIENTOLOGY, SCIENTOLOGY symbol, SCIENTOLOGY cross (pointed) SCIENTOLOGY cross (rounded), SCIENTOLOGY MISSIONS INTERNATIONAL logo, SCIENTOLOGY VOLUNTEER MINISTER symbols, SEA ORG symbol, SOLO NOTS, SOURCE, STUDENT HAT, SUNSHINE RUNDOWN, STANDARD TECH, STANDARD TECH symbol, SUPER POWER, THE BRIDGE, THE FLAG LAND BASE.

A more complete list can be found at www.scientology.org/tmnotice. The Scientology trademark was registered in 1952. *See Exhibit C.* All of these trademarks, including material objects such as ministers' insignia, E-meters, and logos, are dedicated to preserving, fostering and missionizing the beliefs and practices of the Church of Scientology and the writings of L. Ron Hubbard in which those religious beliefs and practices and organizational instructions are set down.

34. A quick survey of registry offices around the world will show that most religions, old and new, have made multiple uses of trademarks, copyrights and patents to protect their religious beliefs, practices, sacred books and scriptures and other publications, their religious services such as spiritual counseling, and affiliated organizations. This is true about various

Eastern Orthodox communions, Roman Catholicism, Evangelical Protestants, Lutherans, Episcopalians, Seventh Day Adventists, Mormons, Jehovah's Witnesses, Buddhists, Hindus, Pentecostals, etc. The list is endless. This tribunal will be provided with a substantial number examples from the European Union, the United States, and elsewhere, to demonstrate the ample use of trademarks from all sorts of religious congregations and entities. *See Exhibit D.*

35. The real question is not that religions use trademarks—most of them obviously do—but why they use trademarks. The answer is that religions use trademarks—and other legal means of protection—in order to secure their identity as a religious organization as well as to secure the integrity or purity of their religious beliefs and practices. These two religious motives are what is truly behind all efforts to trademark religious marks. *See David A. Simon, “Register Trademarks and Keep the Faith: Trademarks, Religion and Identity”, IDEA: The Intellectual Property Law Review 49:2, pp. 233-312, attached as Exhibit E.*

36. The objection is immediately raised that historic or mainline religions do not seem to make much use of trademark law. There is a common perception that historic religions do not use religious marks. That perception does not accord with the facts. In the United States alone there are more than 1500 religious trademarks with the term “Bible” in them (most dealing with Bible instruction or Bible publications by religious groups). Traditional churches and religions in the United States, Canada, England, France, Germany and elsewhere, have employed trademarks to protect their names, symbols, logos, teachings, services and sacred writings and auxiliary publications. In the United States, the Seventh Day Adventists, a Protestant millennial movement that began in early 19th century, have well over 70 registered

trademarks protecting their religious teachings, practices, publications, educational materials, media enterprises, newsletters, libraries, universities, etc.

36(a). In ancient times, today's historic religions did not use trademarks because most were established or protected by the political states in which they existed and would turn over dissenters, innovators of new religions, schismatic's and heretics—that is, those claiming rival “trademarks” of religious faith—to be punished by the civil state in order to protect the dominant religions' identity and integrity. Granted that modern states no longer enforce a single religious orthodoxy but allow freedom of religion, the chief means that religious groups have nowadays to protect their identity and integrity is their use of legal trademarks, copyrights and patents. Traditional religions are now resorting to trademarks, copyrights and patents more and more. The Catholics Bishops Conference of the Philippines for example has trademarked the term “Catholic” in response to the existence of Catholics deviating from the orthodox Roman doctrine yet using the term “Catholic” to describe their churches. *See* <http://filipinofreethinkers.org/2011/06/13/cbcp-trademarks-the-term-catholic/>. My expectation is that the use of religious trademarks by all religions, old and new, will grow in Russia and throughout the world. In fact, there is much evidence that the Russian Orthodox Church today is moving in this same direction. Until 2012, the title “The Stretensky Monastery in Moscow” has been a registered trademark in Russia. On Russian Orthodox Church finances in general, *see* Sergei Chapnin, "The Income of the Russian Orthodox Church" in *East-West Church & Ministry Report* 9 No. 1 (Winter 2001), pp. 15-16.

36(b). Although this tribunal will be provided with substantial examples of trademarks and other religious marks used by old, modern (post-Protestant Reformation), and contemporary religions, I would like to highlight one, because it perfectly illustrates the final

point above in para. 35(a): the Jacobite Syrian Orthodox Church. The Jacobite Church, as it is known for short, is one of the oldest Christian streams in the entire world, tracing its roots back to the year 52 C.E./A.D. and the missionary activity of St. Thomas the Apostle, who brought the Gospel to Syria and India according to very ancient traditions. As a Christian tradition, one cannot get older than that. Throughout the 20th century, the Jacobite Christians have moved in significant numbers to nations in Europe and the Americas. Despite their venerable antiquity, the Jacobites have felt the necessity to trademark their religious goods and services in the United Kingdom. Those goods and services include 1) educational and training services, including praise, worship and religious entertainment, 2) musical events, 3) websites, video, DVDs, sporting and cultural activities, 3) ministry services, including weddings, baptism, bereavement ceremonies, etc., 4) online sermons, religious programs and seminars, 5) evangelizing and global outreach, and discipleship (=gaining converts), 6) religious prayer services and bible study, and more. Like the newest of new religions, this oldest of the old traditions is employing trademarks, patents and copyrights in this modern world in order to guarantee the purity and integrity of its doctrine and to insure the faithful conduct of its religious practices. In this pursuit the trademarks of the Jacobite Syrian Orthodox Church parallel almost exactly the types of trademarks employed by the Church of Scientology. See Exhibit F.

36(c). Furthermore, the most authoritative wide-ranging study by fifteen scholars has shown that economic practices of new religions, including Scientology, do not differ essentially from those of more traditional religions. See James Richardson, ed. , *Money and Power in the New Religions*, Chicago: University of Michigan Press, 1988. Throughout history, all religions had to support themselves materially through engagement with the

economic system that prevailed within a particular historic period. The Bible refers to slavery without condemnation, as it was common in ancient society. During the Middle Ages, all traditional churches, including the Roman Catholic Church and the Russian Orthodox Church, were landlords and used serf labor. With the development of capitalism churches engaged in banking, became important players on the land and other property markets, and invested in industries, including oil and even sometimes the arms trade. Otherwise, some of them were supported by governments that redistributed proceeds from the same economic activities. We should also remember that most traditional churches charge for many of their services and practices (e.g. baptisms, weddings, burials, and exorcisms). It then comes as no surprise that new religions, including Scientology, which in economic terms start from scratch, engage in legitimate activities that prevail in the current economic system, including marketing, and trademarks, and also charge for some of their services.

References:

Sergei Chapnin, "The Income of the Russian Orthodox Church" in *East-West Church & Ministry Report* 9 No. 1 (Winter 2001), pp. 15-16.

James Richardson, ed., *Money and Power in the New Religions*, Chicago: University of Michigan Press, 1988

37. From the beginning of the Church of Scientology, L. Ron Hubbard became concerned about inauthentic auditing and training subverting the effectiveness of ascending the Bridge, the Scientology levels of spiritual awareness. In a crucial HCO Policy Letter entitled "Keeping Scientology Working" (7 February 1965) Mr. Hubbard reserved to himself all the fundamental discoveries of Scientology teaching and practice. I have called this "the standardness of the tech" in a much quoted article first printed in 1986. See Frank K. Flinn, "Scientology as Technological Buddhism" in Joseph H. Fichter, ed., *Alternatives to American Mainline Churches*, Barrytown NY: Unification Theological Seminary, 1983, pp. 89-110.

The “standardness of the tech” is the Scientology equivalent of the “infallibility of the Church” in Eastern Orthodoxy and Roman Catholicism and the “inerrancy of Scripture” in Protestantism. The registration of trademarks is the way the Church of Scientology preserves and keeps the purity or standardness of the tech originally established exclusively by L. Ron Hubbard. Thus the Church of Scientology’s efforts to trademark its religious marks is grounded in religious motives and is in no way a sign that Scientology is a secular business enterprise but rather is using a means of protecting its religious teaching and practice.

4. Commissions

38. Another claim is that, since the Church Scientology pays commissions to members who distribute its literature and technology, it is a secular business and not a religion. This question can be answered only after determining the nature and scope of what is meant by the freedom of religion.

39. Logic tells us that, if a political state upholds the freedom of religion, it *ipso facto* upholds the right of a religion to survive. This is why international human rights agencies have included the right to solicit funding in the right to freedom of religion or belief. The United Nations General Assembly in its Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief, adopted on 25 November 1981, determined that:

Article 6: “The right to freedom of thought, conscience, religion or belief includes the freedom: ... (b)“To establish and maintain appropriate charitable or humanitarian institutions;” ... and (f)“To solicit and receive voluntary financial and other contributions from individuals and institutions.”

Therefore, the right of a religion to survive implies that religion’s right to seek the material means whereby it can survive and spread its message. Provided that the means the particular

religion uses follow the general legal norms of a given society and that the money goes to further the religion's mission and/or to support its ministers and their helpers in their religious functions, the state has no further interest.

Reference:

Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, on line at <http://www.un.org/documents/ga/res/36/a36r055.htm>.

40. Most traditional religions, such as Eastern Orthodoxy, Roman Catholicism, Hinduism and Buddhism, have built up a sufficiently large membership that they can survive on free will offerings alone. However, many traditional religions still receive direct support from the civil state, such as Hinduism in India, Anglicanism in England, Lutheranism in Norway and Sweden, Lutheranism and Roman Catholicism in Germany. Also many traditional religions in Europe and the Americas have built up over time multi-billion euro or dollar portfolios in mutual funds, treasuries and other investments which they use to support their religious mission. Newer religious movements are at a distinct disadvantage when they first begin.

41. In order to survive some religions in their early phases require tithing, a 10th portion of the income of members. The Bible sanctions this form of payment for the upkeep of the Temple in Jerusalem along with its priests and Levites. The tithe is discussed throughout the books of Leviticus, Numbers and Deuteronomy. The traditional Christian churches supported this form of religious finance in past history. Tithing is still maintained in Orthodox Judaism, some forms of Protestantism—especially the newer sects—and the Church of Jesus Christ of the Latter Day Saints (“Mormons”). The Mormons also pay their missionaries a stipend during their mission service to spread the faith. In some nations, Catholic priests are

paid partly by an allowance from the diocese (which comes from general voluntary contributions by followers) and partly by a monthly commission (stole or surplice fee) from fixed fees for services in their particular parishes, such as weddings, baptisms, funerals and special Masses (fees for special Masses are called “stipends”). In effect, Catholic priests are directly involved in services from which they earn commissions. Russian Orthodox priests also receive direct income for private services by request (*treby*), including baptisms, funerals, blessings at home, etc. Most religions support their missionaries to other lands with salaries, fees, commissions, donations or other forms of monetary support. Attached is a Comparative Chart of Religious Funding comparing the various methods in the United States (and other countries) used by Judaism, Mormonism, Catholicism, Hinduism, Zen Buddhism and Evangelical Christians to raise money in order to support their teachings, practices and missionary activity. A thorough examination of the chart will show that every method of funding employed by the Church of Scientology has its counterpart in one of these religions. See Exhibit G. Attached, too, is the expected payment schedule for various *poojas/pujas*, or rituals performed for parishioners, at the local Hindu Temple in St. Louis, Missouri. See Exhibit H. All the Hindu temples in Europe and the Americas, as well as in other nations, publish similar fee charts for religious services. There is also evidence that Russian Orthodox priest advertise their *treby* fees. See Sergei Chapnin, "The Income of the Russian Orthodox Church" in *East-West Church & Ministry Report* 9 No. 1 (Winter 2001), p. 15.

42. Many newer religious congregations or traditional religions newly arrived in a foreign territory have paid a commission, a portion of the sale of some religious good or service. I have known religious groups that have paid commissions on the sale of religious literature or religious objects—such as crucifixes, prayer beads, incense burners, candles or

other religious paraphernalia. In the 1970's to the 1980's members of the Family Federation for World Peace and Unification (formerly called the Unification Church), sold flowers on street corners throughout the United States. Members kept part of their intake as a commission to pay for their living expenses and donated the rest to the central church. Likewise newer religions often offer stipends for the recruitment of new members or the purchase of religious services and religious tracts. In the United States there are also professional donation collection agencies, working in behalf of mainline religions that in the recent past have been paid commissions on obtaining religious endowments from wealthy donors or legacies left in wills.

43. To a skeptical outsider, this type of activity often appears as “commercialism” or “secular business, plain and simple”. To the believers, it is sign of their personal commitment to their religious faith and a means to spread the faith and guarantee its survival. One of the principal reasons that the Church of Scientology uses a commission-based income system is that it believes in religious self-sufficiency. L. Ron Hubbard supported self-reliance and self-sufficiency from the very beginning, as recorded in the *Professional Auditor's Bulletin* 90, 26 June 1956. See Exhibit I. Commissions allow the Church of Scientology to spread the faith without financial burdens on the general public via begging and/or public solicitation. In this context it is vital to underscore that the U.S. Internal Revenue Service, after an exhaustive investigation, determined unequivocally that there is no personal inurement in the Church of Scientology—in street parlance, the church leaders are not personally “getting rich” off the income of the Church—and that all the monies raised by Scientology serve its religious mission. Indeed, the United States government through the IRS, after examining Scientology's practices throughout the world, determined that: 1) Scientology is a bona fide religion; 2) the

Churches of Scientology and their related charitable and educational institutions are operated exclusively for recognized religious purposes; 3) the Churches of Scientology and their related charitable and educational institutions operate for the benefit of the public interest rather than the interests of private individuals; and 4) no part of the net earnings of these Churches of Scientology and their related charitable and educational institutions inures for the benefit of any individual or non-charitable entity.

44. The ideal of self-support and self-reliance is very much in character with new American religious movements. The ideal was enshrined in the celebrated 1841 essay “Self-Reliance” by the American Transcendentalist religious philosopher Ralph Waldo Emerson. *See* <http://www.emersoncentral.com/selfreliance.htm>. The idea of self-reliance was an essential aspect of missionary policy for 19th century Christian missionaries to Korea and Japan. The policy was called the Three-Self Movement: native churches should become Self-propagating, Self-supporting, and Self-governing. “Self-propagating” in this context means gaining new members. The British Anglican minister Henry Venn (1796-1873) first formulated this missionary strategy as secretary of the London-based Church Missionary Society. Missionaries like American Presbyterian minister John Livingstone Nevius (1823-1893) carried out the policy in China with great success. (In 1954 the Peoples Republic of China took over the Christian missionary effort and renamed it the Three-Self Patriotic Movement, thoroughly under the thumb of the government and not at all in accord with the 19th century founders’ intentions.)

References:

“Henry Venn,” *Dictionary of National Biography*, London: Smith, Elder & Co., 1885-1900, s.v.

“John Livingstone Nevius,” *Biographical Dictionary of Chinese Christianity*, on line at <http://www.bdcconline.net/en/stories/n/nevius-john-livingston.php>.

45. Over the years, the method of commissions and fees for auditing and training has allowed the Church of Scientology to remain self-propagating, self-supporting and self-governing in its missions throughout the world. This policy has also allowed it to preserve its religious identity and the integrity of its belief system and religious practices.

E. Recognition of Scientology as a Religion

46. Every Scientologist that I have interviewed since I met by first one in 1976 has acknowledged with complete conviction that Scientology is his or her personal religion. The external recognition of Scientology as a religion has come from three major sources: (a) legal recognition by courts and government agencies in different parts of the world, (b) scholarly recognition that Scientology is a religion according to the criteria discussed above in para. 7, and (c) general acceptance in public understanding as represented in popular encyclopedias, textbooks, census lists of religious denominations, etc. As a phenomenologist of religion, I have always stated that belief does not exist in some abstract place in space but in the hearts and minds of the believers. Throughout the world there exist untold numbers of Scientologists who sincerely believe in the tenets and practices of their religion. According to the Supreme Court of the United States and the courts of many other nations, sincerity of belief on the part of religious adherents is the primary index of a *bona fide* religion and Scientology would not have been grant USC 501(c)(3) status as a tax exempt religion if it had failed that test (*see below*, para 45(a)1).

46(a). Many courts and government agencies in the United States, Canada, Australia and European nations have accepted that the Church of Scientology and its subsidiary organizations fit the definition and criteria of what those respective nations determine as a *bona fide* religion.

46(a)1. On 1 October 1993 the Internal Revenue Service (abbreviated as IRS) of the United States government recognized the Church of Scientology and its associated religious entities as a religion under the 26 United States Code 501(c)(3) which grants tax exemption to religions and other charitable organizations. This decision came down after many years of IRS investigation of the Church of Scientology. To qualify as a religion, an organization must meet certain “facts and circumstances”: 1) a distinct legal existence, 2) a recognized creed and form of worship, 3) a definite and distinct ecclesiastical government, 4) a formal code of doctrine and discipline, 5) a distinct religious history, 6) a membership not associated with any other church or denomination, 7) an organization of ordained ministers, 8) ordained ministers selected after completing prescribed studies, 9) a literature of its own, 10) established places of worship, 11) regular congregations, 12) regular religious services, 13) Sunday schools for religious instruction of the young, and 14) schools for the preparation of its ministers.

According to the IRS, the Church of Scientology even met condition 6, although it does not require its members to disassociate from their customary religious affiliations when first joining. A United States Tax Court decision added a 15th factor, namely that the religions “serve an associational role in accomplishing its religious purpose”. *See Church of Eternal Life and Liberty v. Commissioner*, 86 T.C. 916, 924 (1986). The IRS determined that the Church of Scientology qualifies too under that factor. In applying these 15 factors, the IRS determines whether the beliefs and practices of the religious members are sincerely held and

sincerely conducted. Again, the Church of Scientology met the test. In my own study of the IRS investigations of the qualifications of a religion under the USC 501(c)(3) statute, the determination of the status of Church of Scientology is the longest and most thorough in the IRS's entire history (the United States began collecting federal taxes in 1862, and the IRS in its present form was constituted in 1913). *See* Exhibit J, letter of notification from IRS to the Church of Scientology 1 October 1993; Exhibit K, letter from IRS 4 September 1966 to Lord McNair, House of Lords, UK, confirming the Church of Scientology's tax exemption as a religion.

46(a)2. On 27 October 1983 the High Court of Australia in the *Church of the New Faith* [=the name then of the Church of Scientology in Australia, incorporated in 1959] v. the Commissioner for Payroll Tax 1VR 97 upheld the Supreme Court of Victoria which determined that "the beliefs, practices and observances of the Church of the New Faith were a religion in Victoria". (The name was legally changed to "Church of Scientology" in 1982.) The High Court further stated that the Church of Scientology "easily discharged the onus of showing that it is religious". It further emphasized; "The conclusion is that it [the Church of Scientology] is a religious institution entitled to tax exemption is irresistible". Available on line at <http://www.uniset.ca/other/cs6/154CLR120.html>.

46(a)3. In October 1997 the Italian Court of Cassation (=the supreme judicial authority of Italy) ruled in a landmark decision *Bandera and Others v. Italy* (n. 16835/97) that the court recognized Scientology as a religion according to all the criteria for defining a religion. *See* Exhibit L.

46(a)4. On 30 January 1985 the Stuttgart District Court of the Federal Republic of Germany ruled in *People v. Karl Friedrich Munz*, District Court Stuttgart, 30 January 1985 No. 49 711 292249 that the Church of Scientology has a spiritual mission “to help man in his striving for spiritual freedom and to completely free him from problems and burdens to reach total freedom in order to recognize himself as a spiritual being and experience the existence of a Supreme being...”. *See* Exhibit M.

46(a)5. On 31 October 2007, the Spanish National Court of Madrid (*Audencia Nacional*), Administrative Litigation Branch (*Sala de lo Contencioso--Administrativo*) in the case *Iglesia de Scientology de España*, appeal no. 0000352/2005, issued a ruling affirming the Church of Scientology’s right to religious freedom and that the Church of Scientology of Spain be entered into the Registry of Religious Entities. The registration was completed 13 December 2007. *See* Exhibit N.

46(a)6. On 7 January the Regional Court of Munich ruled that Scientology is a religious belief. Regional Court of Munich I, 6th Chamber for Civil Matters. No 6 0 5709/82, 6 0 6 6895/82, 7 January 1993, *Kager v. SKD*, *Ertl v. SKD*.

46(a)7. On 13 March 2000 the National Judicial Board for Public Lands of Sweden, which oversees the National Administration of Religions, registered the Church of Scientology of Sweden as a “religious community” and two months later granted Scientology ministers the right to perform legal marriages as a religion. The National Judicial Board issued a four-page statement outlining the religious character of Scientology and concluding that Scientology fully meets the criteria as a religion. *See* Exhibit O.

46(a)8. On 25 February 1992, the Tax Court of First Instance of Monza, Italy, determined that the Church of Scientology of Monza is a religious establishment. Tax Court of Monza, No. 597. *See* Exhibit P.

46(a)9. In a letter dated 28 April 1993 the Department of Finance Controller of Customs and Excise, Johannesburg, South Africa, acknowledged that the Church of Scientology of South Africa is a religious body. *See* Exhibit Q.

The above-mentioned court cases and governmental determinations are only a small sampling of the many rulings and findings that the Church of Scientology is a *bona fide* religion and that auditing and training are religious practices comparable to traditional religions. These rulings range from duly constituted highest courts in the land, to provincial, regional and state governments, to federal and local tax authorities, and to city administrations and their taxing agencies. Historically, it is worth noting that many religions in their initial phases were challenged by the standing authorities. The Romans in the 2nd century C.E. accused Christianity of being a *superstitio* or a “superstition” seeking to supplant the theo-political polytheistic *pietas* of Imperial Rome (Tacitus, *Annals* 15:44; Pliny the Younger, *Letters* 10:96-97). Romans even charged Christians with being “atheists” (*Martyrdom of Polycarp* 3). Like many other new religions—often called “cults” and/or “frauds”—by unsympathetic outsiders, the Church of Scientology was been challenged as to its status as a religion. However, over time this prejudice has been overcome and continues to be overcome by impartial judicial and administrative decisions in case after case.

References:

Roy Louis Wilken, *The Christians as the Romans Saw Them*, 2nd ed., New Haven: Yale University Press, 2003.

46(a)10. The official recognition of Scientology as a religion includes not only the judicial and legal decisions included in 45(a)1-9, but also the recognition by civil authorities of the Church of Scientology's right to perform traditional ecclesiastical functions, namely, to solemnize births (the naming ceremony) and marriages and to conduct funeral rites. This right is in some cases simply recognized, officially recognized and/or officially licensed. In Canada these ecclesiastical function are recognized in the provinces of Ontario, Manitoba, British Columbia, Alberta and Quebec. These rights are recognized throughout the United States, where some states require official registration—for example Nevada and the District of Columbia—and others do not. Australia, New Zealand, Scotland, Sweden and South Africa officially recognize Scientology ministers, while Zimbabwe, Spain and Portugal allow Scientologist ministers to perform the Church's rites. This wide acceptance of Scientology to conduct religious rituals in different nations and different cultures throughout the world is a firm indicator that Scientology is a religion in the fullest sense according to common understandings of people of the world and their official agencies. 46(b)1. Not only civil governments and agencies have recognized that Scientology is indeed a religion, but also leading scholars in the fields of the sociology of religion, anthropology and history of religion, comparative religion, law and religion, and phenomenology of religion. Although these scholars may approach the matter from different vantage points and criteria, they all have determined that Scientology constitutes a religion as it meets the indicators of religion described above in para. 7. First and foremost is Bryan R. Wilson (1926-2004), eminent deceased Reader in Religion at Oxford University and author of the universally influential book *Sects and Society* (Heinemann, 1961). This view was supported also by extensive research by Professor Roy Wallis (1945 – 1990), author of definitive books in the sociology of

New Religious Movements, including a landmark study of Scientology. See Roy Wallis, *The Road to Total Freedom: A Sociological Analysis of Scientology*, London: Heinemann, 1976.

Next in eminence would be J. Gordon Melton, author of the authoritative *Encyclopedia of American Religion* (Thomson Gale, 2009), director of the Institute for the Study of American Religion in Santa Barbara, California, Distinguished Senior Fellow at Baylor University in Texas, and expert on all aspects of new religious movements. Next would be the prominent sociologists of religion David Bromley, professor of sociology at Virginia Commonwealth University, and Anson Shupe, emeritus professor of sociology at University of Indiana-University of Purdue at Fort Wayne, Indiana; they are joint authors of the influential *Strange Gods: The Great American Cult Scare* (Beacon, 1981). Next would follow William Sims Bainbridge of the United States National Science Foundation who has studied Scientology since the late 1960's and is author of the noted article "Science and Religion: The Case of Scientology" (1987), along with Régis Deriquebourg, professor of psychology at Charles de Gaulle University in Lille, France, and author of the ground-breaking book *Minority Religious Groups: Aspects and Problems* (1982). Of special note is James T. Richardson, professor of sociology and judicial studies at the University of Nevada, Reno, and author of *Regulating Religion: Case Studies from around the Globe* (2003). Finally, the latest study of Scientology by Dr. Hugh Urban of Ohio University, *The Church of Scientology: A History of a New Religion*. Princeton: Princeton University Press, 2011, unequivocally considers it a religion. I would like to reiterate that we need to make a crucial distinction between critical approach to a particular religion and the issue of its status as a religion. Both academic scholars and other writers often criticize certain practical actions and activities of many religions, including the Christian, Islamic, and Jewish traditions. However, this is not a valid ground to deny them

their religious status, as the generally accepted definitions clearly indicate that these groups are religions. The same approach should be applied to Scientology. Those scholars who have studied Scientology systematically and according to the accepted scientific methods, have come up with balanced accounts of this group, which, while not turning a blind eye on some pages in its history, were unanimous in their view that Scientology is a religion by any accepted definition. In fact, since the early 1990s, there has been a stable consensus among these scholars that Scientology is a religion. The above mentioned authoritative studies by Roy Wallis, Bryan Wilson, Gordon Melton, and Hugh Urban, as well as the position of the key academic centers in the study of new religions, CESNUR and INFORM, is the best testimony to this.

46 (b) 2. These findings that Scientology is a religion are shared by at least 50 eminent scholars from Germany, France, Belgium, Finland, Sweden, South Africa, Italy, Spain, Russia, Norway, Denmark, Greece, Holland, Austria, Argentina, Australia, Japan, Canada, New Zealand, Kazakhstan, Slovakia, Hungary, the Czech Republic, Slovenia, the United States and other countries. None of these scholars are Scientologists, but all of them recognize that, from a rational and scholarly point of view, the Church of Scientology meets all the fundamental qualifications of what a disinterested viewer would call a religion (*see above*, para. 7). The following excerpts of opinions by these experts are illustrative and typical of the vast majority of scholars who have studied Scientology over many years:

“Scientology is a bona fide religion and should be considered as such....[Scientologists] perceive their beliefs and practices as a religion, and many bring to them levels of

commitment which exceed those normally found among believers in the traditional religions.”

— *Bryan Wilson, Reader Emeritus in Sociology*
University of Oxford

“Everything which is said or done in Scientology can and has to be understood only if Scientology is viewed as a religion.”

— *Dario Sabbatucci, Professor of History of Religions,*
University of Rome

“Scientology is truly a religion.”

— *Jacques Robert, Associate Professor of Public Law,*
University of Paris II

“Scientology clearly meets the scholarly definition of any religious tradition, clearly pursues the goals of any religious quest, and clearly exhibits the dimensions of any religious community.”

— *Lonnie D. Kliever, Professor of Religious Studies,*
Southern Methodist University, Dallas, Texas

“Apart from individual salvation, Scientology sees it as its task to clean up our whole planet and create a civilization where there is no irrationality, criminality or wars.... Scientology in its present form is a religion, offering crucial religious services, a distinctive belief and a tightly organized religious denomination.”

— *Harri Heino, Professor of Theology, Research Chief,*
Evangelical Lutheran Church of Finland

“Therefore, per the analytical definitions of religion, the Church of Scientology constitutes a religious institution, since its expectations in relation to its adherents correspond to what such institutions expect of religious individuals.”

— *Alejandro Frigerio, Professor of Sociology, Catholic University of Argentina*

“As a religion that is both old and new, the Church of Scientology has continued to advance religious aspirations that have gained adherents all over the world. At the very least, the Church of Scientology merits continued recognition and attention as a religion in South Africa.”

— *David Chidester, Professor of Comparative Religion, University of Cape Town, South Africa*

“For the reasons given in the preceding analysis, I consider that Scientology is rightly regarded as a religion. As well as having the salient generic characteristics that typify recognized religions, Scientology has its own distinctive features--particular beliefs and practices that mark it out as a different religion rather than a non-religion.”

— *Alan W. Black, Associate Professor of Sociology, University of New England, Armidale, New South Wales, Australia*

“Scientology appears to have adopted from the outset and as a basic doctrine a spiritual attitude to life.”

— *Geoffrey Parrinder, Professor of the Comparative Study of Religions, University of London*

Academic studies from these scholars are attached as Exhibit R.

References for scholarly approaches to Scientology as a religion:

William Sims Bainbridge, “Science and Religion: The Case of Scientology” in Bromley & Hammond, *above*, pp. 59-79.

David G. Bromley & Philip Hammond, eds., *The Future of New Religious Movements*, Macon GA: Mercer University Press, 1987.

Régis Deriquebourg, “How Should We Regard the Religious Ceremonies of the Church of Scientology” in James R. Lewis, ed., *Scientology*, London: Oxford University Press, 2009, pp. 165-182.

J. Gordon Melton, *The Church of Scientology*, Salt Lake: Signature Books, 2000.

Anson Shupe, “The Nature of the New Religious Movements—Anticult “Culture War” in Microcosm: The Church of Scientology versus the Cult Awareness Network” in James R. Lewis, ed., *Scientology*, London: Oxford University Press, 2009, pp. 269-281.

James T. Richardson, “Scientology in Court: A Look at Some Major Cases from Various Nations” in James R. Lewis, ed., *Scientology*, London: Oxford University Press, 2009), pp. 284-294.

Hugh Urban, *The Church of Scientology: A History of a New Religion*, Princeton: Princeton University Press, 2011

Roy Wallis, *The Road to Total Freedom: A Sociological Analysis of Scientology*, London: Heinemann, 1976.

Bryan R. Wilson, “Scientology: An Analysis and Comparison of its Religious Systems and Doctrines in Scientology” in *Theology and Practice of a Contemporary Religion*, Los Angeles, Bridge Publications, 1998.

46(b) 3. It should be emphasized that the Encyclopedia of Religion (Macmillan, 2005) and Religion Past and Present (German, *Religion in Geschichte und Gegenwart*), both of which carry entries on Scientology and its related subjects, are the two most respected scholarly reference sources on the topic of religion world-wide, and they vet both their topics and their authors with extreme care.

46(b)4. A significant number of professional and scholarly encyclopedias and references sources around the world describe Scientology as a religion and/or applied religious philosophy (*see above* on the phrase “applied religious philosophy” para. 19). This description includes entries under the titles “L. Ron Hubbard”, “Dianetics”, “Scientology,

Church of”, and “Scientology”, “Thetan” and “engrams”. Professional encyclopedias and reference sources describing Scientology as a religion and/or belief system and/or church include the following:

David G. Bromley, “Church of Scientology,” *Encyclopedia of American Religion and Politics*, ed. Paul A. Djupe, Laura R. Olson, New York: Facts On File, 2003, pp. 102-103.

Frank K. Flinn, “Scientology” in *Encyclopedia of Community: From Village to Virtual World*, Thousand Oaks: Sage Publications, 2003, s.v.

John Gordon Melton, “Scientology,” “Lafayette Ron Hubbard,” “*Dianetics: The Modern Science of Mental Health*” in *Encyclopedia Britannica Online* at <http://www.britannica.com/EBchecked/topic/528983/Scientology>.

John Gordon Melton, “Scientology, Church of” in *Encyclopedia of Religion*, 2nd ed., ed. Lindsey Jones, Detroit: Macmillan Reference, 2005, vol. 12, pp. 8192-8194.

Stefen Rink, “Scientology,” *Brill Dictionary of Religion*, Leiden: Brill, 2003, vol. IV, pp. 1693-1997.

James T. Richardson, “Scientology” in William H. Sawatos Jr., ed., *Encyclopedia of Religion and Society*, on line at <http://hrr.hartsem.edu/ency/Scientology.htm>.

46(c). Besides the judicial/civil administrative and professional recognition that Scientology is a religion according to legal and scholarly standards on the definition of religion, there has been a widespread acceptance and acknowledgement of Scientology’s religious status among the general public. That opinion is most accurately reflected in popular dictionaries and reference materials on religion. Below is a small sampling:

“Scientology,” *Gale Encyclopedia of U.S. History: Government and Politics*, 2. Vols., Detroit: Gale, 2008, s.v.

“Scientology,” *WordNet*, Princeton University, on line at wordnetweb.princeton.edu/perl/webwn?s=scientology.

“Scientology,” *Collins English Dictionary*, New York: HarperCollins, 2012, s.v.

“Scientology,” *The Free Dictionary*, on line at <http://www.thefreedictionary.com/Scientology>.

“Scientology,” *Patheos Religion Library*, on line at <http://www.patheos.com/Library/Scientology.html>.

“Scientology,” *Beliefnet*, on line at <http://www.beliefnet.com/Search/Tags.aspx?q=Scientology>.

“Major religious groups” on line at http://en.wikipedia.org/wiki/Major_religious_groups.

“Scientology” in *Larousse Dictionary of Beliefs and Religions*, ed. Rosemary Goring, Edinburgh: Larousse, 1994, p. 466.

A.H. Andersen & C.H. Partridge, “Church of Scientology, The” in *Dictionary of Contemporary Religions in the World*, ed. Christopher Partridge, Leicester UK: Interservice Press, 2002.

“Scientology” in *Encyclopedia Americana*, International Edition, Danbury CT: Scholastic Library Publishers, 2006, p. 296.

“Scientology” in *Oxford Dictionary of World Religions*, New York: Oxford University Press, 1997, p. 569.

Pew Forum on Religion in Public Life, <http://projects.pewforum.org/religious-advocacy/church-of-scientology-international-national-affairs-office/>.

John R. Hinnells, ed., *Penguin Dictionary of Religions*, London: Penguin, 1997, s.v.

The above citations demonstrate that among common, thoughtful people Scientology is held to be a religion the way Eastern Orthodoxy, Roman Catholicism, Hinduism, Buddhism, Sikhism, etc., are held to be religions.

Conclusion

47. The above testimony should make it abundantly clear that Scientology is a religion in the fullest sense of the term. It has beliefs and practices that compare to other religions, old and new. It handles its finances like other religions. Its adherents hold their beliefs with the same sincerity as do Eastern Orthodox, Hindu, Buddhist, and Parsi believers. The Church of Scientology governs itself much like other hierarchical churches. And, like many other religions in their formative years, it has suffered misunderstanding, misinterpretation, distrust and persecution, but, like those earlier religions, it has and continues to overcome these obstacles to the free expression and practice of the Scientology faith.

I, FRANK K. FLINN certify that the attached is the original document of

AFFIDAVIT

[Signature]
Signature

05.14.2013
Date

STATE OF MISSOURI

CITY OF ST. LOUIS

Signed before me this 14th day of May 2013.



TONDA MACLIN
My Commission Expires
December 6, 2015
St. Louis City
Commission #11402022

[Signature]
NOTARY PUBLIC