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Switzerland and the new religious movements

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Abstract

After a brief review of the Swiss religious landscape, it will be shown that the officially recognized churches are socially well-accepted, while many of the smaller groups have less credit in the eyes of the population. Legally, on the level of the Federation, Swiss law is very liberal, treating all religious beliefs in a like manner. However, the relationship between church and state in Switzerland is a matter to be decided by the cantons. Church-State regimes, therefore, vary widely between cantons, ranging from very liberal to very regulated. Concerning new religious movements, federal policy is also very liberal, refraining from any kind of „sect policy". The cantons, again, vary in their treatment of new religious movements.

L'auteur

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1.1 The religious landscape of Switzerland

Switzerland, a multilingual and multicultural country with four national languages, consists of 26 cantons (of which six are half-cantons). In the year 2000 it had 7,288,010 inhabitants, 20.5% of these were not of Swiss nationality. A total of 79.3% of the inhabitants (Swiss and foreigners) declared themselves to be members of a Christian denomination. Of these 52.8% were Roman Catholic, 41.7% Reformed (Protestant), 2.8% Protestant Free churches, 2.3% Christian Orthodox, 0.2 Christ-Catholic and 0.2% other Christian churches. Among the non-Christian religions, Islam (4.3%), Hinduism (0.4%), Buddhism (0.3%) and Judaism (0.2%) were the most important. The category „other" amounted to 0.1%. Some 11.1% of inhabitants claimed to be without any religious affiliation and 4.3% gave no indication at all.[1] The so-called „new religious movements" are numerically not very important. It is quite difficult to know their exact size, but estimations normally give them not more than 1-2% of the population. The largest groups (following 2000 census data) that are sometimes called „new religious movements" or even „sects" are the Neo-Apostolic Church and the Jehovah's Witnesses. The geographic centrality and the good infrastructure of the country have the effect that most religious groups of a reasonable size try to be present in Switzerland. It is not possible in the present publication to give an exhaustive list of religious movements in Switzerland, since there are literally hundreds of different groups. For a good overview the reader may refer to (Schmid/Schmid 2003) concerning the german-speaking part and (Basset 2001) for the french-speaking part of Switzerland. Groups that have been formed or have had special importance in Switzerland are Fiat Lux, the St. Michaelsvereinigung, Antroposophy and the Ordre du Temple Solaire.

2. The social and legal status of churches and religious organizations

Considering very briefly the social status of churches and religious organizations in Switzerland, the two „big" churches that are recognized officially in most cantons (the Reformed and the Roman Catholic Churches) generally have high acceptance in the Swiss population. As surveys in 1989 and 1999 show (Campiche/Dubach 1992, Stolz 2001), a high percentage of the population thinks that these churches fulfil important social functions. In contrast to the officially recognized Christian churches, evangelical free churches, as well as groups belonging to other world religions (especially Islam) and new religious movements, are often perceived as „sects" and stereotyped in a very negative way (Stolz 2000).

Let us now turn to the legal status of churches and religious organizations. This topic cannot be understood without taking into account Swiss federalism. Thus, we have to distinguish very clearly between the federal level and the level of the cantons. On the federal level, it is interesting to take a look at the Swiss Constitution: the preamble starts out with a reference to „God Almighty" and „Creation". Although, after such an introduction, one might have expected a constitution in favor of Christianity or at least monotheistic religions, this is not so. In fact, the Swiss Constitution is very liberal. Thus in Article 15 (Freedom of Religion and Conscience) we read:

(1)   The freedom of religion and conscience is guaranteed.

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[1] These numbers stem from the Swiss Census 2000.

(2)   Every person has the right to freely choose his or her religion or non-denominational belief and to profess them alone or in community with others.

(3)   Every person has the right to join or belong to a religious community and to receive religious education.

(4)   No person may be forced to join a religious community, to conduct a religious act or participate in religious education.

Following interpretations of these rights by the Federal Court[2], we can say that liberty of conscience and belief protects the whole range of religious (and non-religious, for example, philosophical) beliefs. As François Bellanger notes: „The distinction between „sect" and religion (…) is of no juridical interest. From the point of view of the law, there is no difference between sects, religions or beliefs." (Bellanger 2003, S. 99). Although the state shows itself in Article 15 to be confessionally neutral, this liberal stance finds its limits in Article 72.1 concerning „church and state", where we read:

The regulation of the relationship between church and state is a cantonal matter.

This means that despite the liberal stance of the Federation, on the cantonal level each individual canton can choose a totally different way of constructing the relationship between church and state – as long as the rights granted by the Constitution are not violated. As a result of this, we find 26 different church-state regimes in Switzerland, a different one in every canton or half-canton. The regimes of regulation are extremely varied. A few examples will suffice here. The most liberal arrangement is to be found in the canton of Geneva. Here, there has been (almost) complete separation of church and state since 1907.[3] The most regulated example, on the other hand, is the canton of Vaud. In this canton the new constitution (2003) states that the Reformed Church, the Roman Catholic Church are institutions of public law (de droit publique) and the Israelite community is an institution of public interest[4].. The expenses of the Reformed and Roman Catholic Churches are paid for by the state (which means that there is no specific church tax). All the other cantons have regulatory arrangements that fall between these two extreme cases. In most cantons, both the Reformed and the Roman Catholic (and very often also the Christ-Catholic[5]) Churches are recognized officially by the state, which means that they have certain rights and obligations. Prerogatives can include the right to raise a church tax from (self-declared) members and also moral personalities, exemption from taxes, the right to give religious education in school and to administer religious services in hospitals and to the army. In almost all cantons, we find that the law adapts to the emergence of growing religious pluralism by diminishing the importance of historically grown religious monopolies or oligopolies. The trend, however, does not seem to go in the direction of a complete separation of church and state, but rather towards the public recognition of an ever greater number of religious groups.

3. The relation between the state and new religious movements

3.1 Swiss law and the new religious movements

The mass suicides committed by members of the OTS (Ordre du Temple Solaire) on Swiss territory in 1994[6] led to considerable debate on whether and how the state should react to potentially dangerous „sects". In order to understand how Switzerland has

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[2] BGE 119 Ia 178.

[3] The separation is not total, however. The Protestant, Roman Catholic and Christ-Catholic Churches are recognized publicly, which means that the state helps them with some administrative business, such as the raising of a church tax. However, the payment of the church tax is optional and the churches are in no way subsidized by the state. Another example of the marked separation of church and state besides Geneva is the Canton of Neuchâtel.

[4] Other religious groups can, under certain conditions, also qualify for such public recognition.

[5] The Christ-Catholic Church split from the Roman Catholic Church as a liberal reaction to Vatican I.

[6] There were also mass suicides by the OTS in Québec in 1994, France in 1995, and again in Québec in 1997.

responded to this question, we have to distinguish, again, between the federal level and the cantons. On the federal level we find a very liberal stance, that refrains from introducing a „sect policy". A first indicator is the fact that the Swiss Constitution does not use the word „sect", but treats all religious beliefs on the same level. A second indicator is a report produced by the Federal Department of Justice and Police from 1998 that looks into the question of whether, and under what circumstances, „sects" might endanger federal security. The report takes the group „Scientology" as an example and concludes, both in general and in respect to Scientology, that preventive federal action against „sects" would not be advisable.[7] A third indicator is to be found in various responses of the Federal Council to parliamentary interventions. Specifically, in 2000, the Federal Council reacts to a report by a commission of the National Council, which advises a national sect policy (recommending for example: better protection of religious consumers, better coordination between the federal state and the cantons on matters concerning sects, the formation of a national information center on sects).[8] The Federal Council, however, rejects these proposals very clearly.[9] It argues, for example, that the existing laws are sufficient to protect people from all kinds of action by potentially dangerous groups; that the term „sect" cannot be defined clearly, since the phenomenon is too complex, and that, therefore, there cannot be a clear „policy on sects". The Federal Council has issued a list of criteria that would justify preventive police action. This foresees such action only if there is:

1. violence in or outside of the religious movement or group, or if the movement can be qualified as a violent or terrorist organization or as endangering internal security
2. a danger to constitutional order, due to the movement using unlawful and anti-democratic means
3. a threat to human dignity or social peace because of racist or anti-Semitic actions
4. systematic violation of the financial interests of its members (organized crime)
5. a ban on the movement in other countries for having violated the law.[10]

Needless to say, the policy concerning sects differs in each of the 26 cantons and half-cantons. Some cantons, for example, have produced special reports or publications on the matter; several cantons subsidize information centers on sects and religious movements (such as the Centre des Croyance in Geneva or Infosekta in Zurich). Cantons also differ concerning the legislation introduced in response to specific problems with specific religious groups. Past experience has shown that better coordination between the cantons in these matters would help, since the same problems come up time and again, but are often tackled without the know-how already acquired in other cantons.

3.3 New religious movements, society and state: selected problems

In what follows we will enumerate some examples of problems between new religious movements and society or the state in Switzerland.

Salvation Army[11]
Before the beginning of the 20th century most dissident religious groups in Switzerland had a more or less marked Christian background. Examples would be the Anabaptists of the 16th century, the Neo-Apostolic Church, the Mormons or the Salvation Army of the 19th century or the Jehova's Witnesses that arrived at the beginning of the 20th century.

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[7] Departement fédéral de justice et police , La scientology en Suisse, 1998, p. 13.

[8] „Sectes" ou mouvements endoctrinants en Suisse. La nécessité de l'action de l'Etat ou vers une politique fédérale en matière de „sectes". Rapport de la Commission de gestion du Conseil national, 1. Juillet 1999.

[9] Réponse du Conseil fédéral au rapport de la CdG-CN: „Sectes" ou mouvements (...), 2000.

[10] Réponse du Conseil fédéral au rapport de la CdG-CN: „Sectes" ou mouvements (...), 2000 p. 3

[11] Nach Mayer 1985; Delcourt 1989.

Often the societal reactions to these groups were very similar to the reactions we can observe at present and which are directed towards what we nowadays call the "new religious movements". A very interesting example is the arrival of the Salvation Army in Switzerland (Mayer, 1985). In the 19th century, this group was perceived as dangerous; it was accused of tearing apart families, pursuing financial goals under the guise of religious cover and leading its members into a total dependence. Nowadays, however, the Salvation Army is seen as old-fashioned but inherently good-natured. How did the relationship between the group and the society change so dramatically? It seems that both the movement has become softer in its missionary practice and society has become more realistic in its perception of the group, abolishing former stereotypes and prejudice.

Antroposophy[12]
After having been excluded from the theosophical movement for having criticized certain tendencies, Rudolf Steiner founded his own movement called "Anthroposophy" in 1913 in Dornach. Anthroposophy, which combines theosophical and Christian elements, wants to let us develop our spiritual faculties such as imagination, inspiration and intuition. The movement has been very influential in Switzerland, in large part because of special "Steiner-Schools" which have a good reputation and which for a long time were perceived to be very modern. Nowadays, one easily forgets that the foundation of the Anthroposophical center in Dornach in the years 1910-1920 was greeted with very negative societal reactions. In the media, in books and in reunions it was maintained that Anthroposophy was a conspiring, subversive, "un-Swiss" organization which had the unique goal of letting Rudolf Steiner become a rich man and giving him the opportunity to lead his followers into a total dependence (Mayer 1993). As in the case of the Salvation Army, this is a good example showing that a very tense relationship between a religious movement and society can evolve and lead to a relaxed coexistence.

Divine Light Zentrum[13]
The Indian Swami Omkarananda, who had lived for several years as a monk in the Ashram of Swami Sivananda and who taught, for example, a kind of Mantra-Meditation, founded the Divine Light Zentrum in Winterthur in 1966. The success of the movement led to the purchase of a lot of real estate in a restricted area, making the presence of the movement in the neighborhood very visible. In the following, a self-enforcing process of ever higher tensions between the movement and its neighborhood evolved, which was fuelled as well by neighbors, politicians, the media as the movement itself, who started a series of law-suits. Finally, the situation escalated, when some followers of the movement reacted with various unlawful activities, planting, for example, a bomb, which exploded at a house of a local politician. Swami Omkarananda was sentenced to imprisonment by the federal court (1979-1985) and was then banished from Switzerland. His followers have since tried to rehabilitate their master. The example presents some interest, for it shows how over-reactions both on the side of the religious group as on the side of societal groups can lead to a self-enforcing process, ending possibly in a catastrophe.

St. Michaelsvereinigung[14]
In the 1960s the St. Michaelsvereinigung was founded in a small village called Dozwil (canton Thurgau) by Paul Kuhn. The central element of the cult was the reception of (sometimes: apocalyptic) messages by a "medium" (Maria Gallati and Ulrich Aeberhard). In March and April 1988 members of the group distributed a message in Dozwil, which announced the imminent end of the world. The date of the apocalypse was said to be the 8th of may. The biggest boulevard-journal of Switzerland (Blick) made a headline story out of this incident: it deplored the "madness of this sect", investigated the danger

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[12] Nach Schmid/Schmid 2003; Mayer 1993.
[13] Nach Schmid/Schmid 2003; Mayer 1993;.
[14] Nach Schmid/Schmid 2003, Mayer 1993, Aubert/Keller 1994, Steiner 1996.

especially for children in the village and made the group known in the whole country. As a consequence, on Mai 7th/8th hundreds of people flooded into Dozwil in order to witness the (non-) occurrence of the end of the world. This, in turn, led to riots and attacks on members of the St. Michaelsvereinigung and gave the press new material for further headlines. In spite of the failed prophecy and a lot of defections, the St. Michaelsvereinigung survived. Dozwil had to face, however, important tensions between followers and adversaries of the religious movement. This example is interesting in so far as it shows how external actors (in this case: the media) can use and aggravate possible tensions between religious groups and their social environment.

Ordre du Temple Solaire[15]

In the early 1970s the Frenchman Joseph Di Mambro founded a community near Geneva, one of the names of which was "Ordre du Temple Solaire". In 1982 the homoeopathic doctor Luc Jouret joined the group, quickly becoming a co-leader. The group, active in Switzerland, Canada and France, offered its members an esoteric view of the world partly influenced by the Rosicrucian movement and incorporating apocalyptic elements. As to their apocalyptic ideas, the group considered itself first as "survivalist", preparing actively in order to survive an imminent end of the world. When the group faced more and more difficulties (Di Mambro's tricks with which he produced certain spiritist phenomena were becoming known in the group, Jouret was convicted for possession of arms, the luxurious life-style of the leading duo was being criticized, several members defected reclaimed their money), the apocalyptic fears of the leaders rose. The idea of the "transit", the self-induced trespassing into another world, was born. In the following months the leaders planned a mass-suicide, which took place in September/October 1993. Some members were considered "traitors" and killed. Other members of the group committed suicide later, in December 1995 and March 1997. This is an example of a group that, as a consequence of internal reasons, gets caught in a self-destructing dynamic, which leads into catastrophe. The public takes notice only afterwards.

Scientology[16]

The science-fiction author L. Ron Hubbard invented in the 1940s in the USA a kind of do-it-yourself-psychotherapy, which he called "Dianetics". A book, which described this technique, was a commercial success; the method itself, however, was criticized harshly by virtually the whole range of professional psychiatrists. After two failures in organizing Dianetics, Hubbard finally founded "Scientology", a tightly controlled organization, which had the goal of monopolizing the technique, preventing any "free-lance" use of the method. Selling courses and material by the use of which the technique is taught, the organization has since spread all over the world. In Switzerland, the first group was founded in 1970. Today we find centers in the cantons of St.Gallen, Zurich, Basel, Bern, Lucerne, Vaud and Tessin. The biggest centers are to be found in the cities of Zurich and Lausanne.[17] Several cantons and cities had to deal with Scientology as a result of

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[15] Nach Schmid/Schmid 2003, Mayer 1999,

[16] Nach Stark/Bainbridge 1985; Wilson 1990; Département (1998); Schmid/Schmid (2003).

[17] Die *Dianetik* geht davon aus, dass der Mensch zwei Arten von "mind" besitzt, einen analytischen und einen reaktiven. Der analytische mind besitzt fast unbegränzte Fähigkeiten, er wird jedoch durch den reaktiven mind in seiner Funktionsweise gestört (durch sog. Engramme, d.h. durch eine Art das Verhalten störende Erinnerungen). In einer ein elektronisches Gerät (E-meter) benutzenden Therapieform (Auditing) werden die Engramme wiedererinnert und hierdurch gelöscht, bzw. in den analytischen mind überführt. Sind alle Engramme gelöscht, so ist der Mensch "clear" und verfügt somit wieder über die ursprünglichen Fähigkeiten des Thetan. Die *Scientology* ist dann die Lehre von den verschiedenen Stufen von OT (operative thetan). Wer clear ist, kann also durch das Belegen weiterer Kurse und das Erreichen immer höherer Stufen eine immer grössere Vollkommenheit erreichen. Die Scientology gehteiner Reinkarnationsvorstellung aus. Im Auditing können Erlebnisse aus früheren Leben auftauchen. Während die Dianetik eine Art psychotherapeutische Technik darstellt, ist Scientology nach Auffassung der Organisation eine Religion, da man im Bereich des Thetans mit spirituellen Problemen konfrontiert wird.

petitions, parliamentary initiatives and complaints from the population. Quite often the question was, if it was possible or advisable to prohibit the group from advertising their method on the streets by the use of their well-known personality test. In some cases such a prohibition became reality (for example in the canton of St.Gallen since 1990). The reason given was that Scientology did not act as a religious group, but was rather trying to sell a commercial product. An indicator for the perceived importance of Scientology can be seen in the fact (already mentioned above) that the federation used the example of Scientology to study the question if sects could possibly be a problem for national security and if a preventive sect-policy was advisable. The tensions between Scientology and their social environment, which are in part to be explained by their aggressive vending style and an excessive self-confidence, are very similar to the problems many other groups face. The example of Scientology is especially interesting, however, since it is a group whose religious character is open to doubt. This leads into a situation in which the state has to adress the question of the definition of religion.

Fiat Lux[18]
Erika Bertschinger, alias Uriella, a former member of Spiritist circles, had – as she says – a first psychic contact with Jesus Christ in the 1970s. In 1980, she founded the "Orden Fiat Lux" in Egg (canton of Zurich). Further locations of the movement are Schwellbrunn (canton of Appenzell), where Uriella leads a practice for natural healing, and a place in Germany (Strittmatt/Görwihl) and Austria (Sittersdorf). Uriella supervises the movement together with her husband Eberhard Bertschinger Eicke (Icordo). The messages that are being transmitted through the medium Uriella combine elements from Christianity, Esoterism, the UFO-movement, physiognomy, alternative medecine and apocalyptic thought. Criticism inside the movement is virtually non-existent; outside criticism, however, has especially focused on the healing practice of Uriella. It is maintained, for instance, that Uriella sells fake healing products for high prices (one example: tap water that has been transformed into "Anthrums-Water" and which is supposed to have healing power). In Germany, Uriella had to go to court several times with respect to her healing practice. One charge was that she had caused the death of two of her followers, preventing them to go to a regular doctor. In 1996, however, the verdict in this matter was not guilty for lack of evidence. Uriella and Icordo appear regularly in the media; they are often made fun of by commentators and the public. They do not seem to mind, however, well knowing that appearances in the media always work as publicity.

Conclusion

These few examples suffice to show that problems between new religious movements, society and the state have to be seen as effects emerging from an often complex interplay of different factors. Although many affairs seem to have similar appearances, every singular case can only be explained by carefully inspecting the specific historical conditions. In some cases an internal dynamic of the group is the decisive factor (Ordre du Temple Solaire); in other cases we are faced with an self-enforcing dynamic between religious group and social environment (Divine Light Zentrum), in yet other cases the society reacts with hostility to religious practices and missionary activities that are perceived as "foreign" (Salvation Army, Scientology). In many cases external actors who can have their own interests in dealing with the affair can have an important role to play, for example the media, politicians or experts (Divine Light Zentrum, St. Michaelsvereinigung, Fiat Lux). In virtually all of the cases a part of the problem lies in an excessive self-confidence concerning the truth of their own message and a lack of internal critical faculties of the concerned groups. Sometimes we can observe that initial conflicts wane, as the groups tune down their initially sky-high ambitions and the society is getting used to the presence of the groups (Salvation Army, Anthroposophy). Since there is an important danger in judging religious groups on the basis of stereotypes and

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[18] Nach Schmid/Schmid 2003.

prejudices, the federal practice of refraining from a preventive sect-policy and to judge every case individually, if necessary, seems quite reasonable.

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