

# **Cultish Religious Sects and Politics: The Brethren v. Greens Contest and Other Controversies Involving Minor Religious Sects Down Under**

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## **Abstract**

A political contest between the Exclusive Brethren and the Greens is being conducted in Australia with a high degree of animosity. The Brethren are also at odds with the government in New Zealand. These contests involving the Brethren, along with some other political controversies involving minor religious sects, raise some interesting questions about the appropriate (if there are any) demarcation lines between religion and politics in Australia and New Zealand. A greater focus on religious questions in politics has stimulated a growing interest in the broader philosophical debate about the question of separation of church and state in both countries; an issue hitherto at the fringes of political debate Down Under. This increased focus has also raised more directly issues about entitlements received by 'religious' groups generally, with the Greens openly challenging government funding, taxation, and special exemptions to Australian law the Brethren have received. These issues are examined through the prism of cultic studies.

On 15 August 2006 in the Australian Senate, the Leader of the Australian Greens, Bob Brown, moved that a parliamentary committee (the Community Affairs References Committee) inquire into matters that pertained to a minor Christian sect, the Exclusive Brethren. Specifically, Senator Brown referred to the alleged role of the Brethren in

1. family breakdown and psychological and emotional effects related to the practice of excommunication or other practices;
2. Australian politics and political activities, including donations to political parties or other political entities and the funding of specific advertising campaigns;
3. the receipt of funding from the Federal Government or other political entities;
4. taxation and other special arrangements or exemptions from Australian law that relate to Exclusive Brethren businesses;
5. special arrangements and exemptions from Australian law that relate to Exclusive Brethren schools, military service, and voting; and
6. any related matters.<sup>1</sup>

In a parliamentary chamber in which the majority was then (unusually) in the hands of the government (which under a system of responsible government is decided in the lower house), it is not surprising that the motion was defeated. However, the motion was defeated by a large majority - 59 votes to 4 votes. All other parties, including the Labor Opposition and the Australian Democrats, voted against it. Given the antagonism that exists between the Brethren and the Labour government in New Zealand,<sup>2</sup> political cousins of the Australian Labor Party, this might seem surprising. Nevertheless, with an election then on the horizon, practical political considerations were paramount.

Indeed, when Senator Brown again chanced his arm on 21 March 2007 and moved a new motion for inquiry, this time incorporating references to various allegations—including: breach of Family Court agreements denying access by ex-Brethren parents to their children; prohibitions against university education; the banning of unions from Brethren workplaces; discrimination against women; and other matters referred to in the previous motion—he again could only rely upon the four Green votes. His distinction that this time the motion focused on social rather than political matters was not persuasive.<sup>3</sup>

## Religious Schools and Politics

In the previous federal election in 2004, the ALP was badly burnt by its attack on federal funding to wealthy independent schools,<sup>4</sup> which are in the main run by religious organisations. In an effort to avoid a repeat of this experience, and in a conscious effort to win the votes of religious adherents, the Labor MP Kevin Rudd (subsequently Leader of the Opposition and now Prime Minister of Australia), set up a semiformal committee of ALP parliamentarians (formal enough to be titled the Committee on Faith, Politics, and Values) to deliberate about how to attract religious voters (perhaps more specifically, Christian voters) to the ALP. In public utterances, he has frankly reiterated the objective.<sup>5</sup> The deliberations of the committee are not hard to discern in ALP adjustments to education policy and in the very public posturing (by which I do not infer he is insincere in his beliefs) of Kevin Rudd as a devout Christian inspired by the iconic, executed anti-Nazi theologian Dietrich Bonhoeffer.<sup>6</sup>

With his swift ascension to leadership of the Australian nation, the views of Kevin Rudd are very important. Therefore, we need to read carefully the text of the debate on Bob Brown's motion to ascertain the probable position of the new Australian government on substantive issues that underpin the debate. We should also take note of a comment reportedly made by Kevin Rudd in his days before he assumed ALP leadership, a comment specifically directed at the Brethren, and one that might seem ominous to them. Rudd stated that

...the Exclusive Brethren, based on my advice, actively discourages children from using information technology, from learning how to use computers properly because they will provide avenues of contact with the outside world ... I have real reservations having federal taxpayer's money going into those sorts of schools.<sup>7</sup>

Of course, we need to ascertain exactly what Rudd meant by the expression "these sorts of schools." He might limit his concerns to those that depart from (or do not teach to the necessary standard required) state-approved core curricula.

However, if as it seems, he has reservations about funding groups that teach intolerant or repressive attitudes that interfere with the learning of a secular curriculum, he might be prepared to endorse a transparent mechanism for disqualifying intolerant religious sects from receiving government largesse. Even further, he might concur with the view that such sects should not be authorised or registered to teach children at all!

In a subsequent statement in the lead up to the federal election, Rudd denounced the Exclusive Brethren as "an extremist cult and sect" and admonished the then Prime Minister John Howard for his dealings with the group. He pointed out his concern that the Brethren "split families" and deprived children of educational opportunities.<sup>8</sup>

The debate on Bob Brown's motion revealed that out of 2,694 independent, nongovernment schools, 33 Exclusive Brethren schools receive funding from the Australian government on the basis that they are accredited by state governments as educational institutions.<sup>9</sup> In 2005, 1,441 students were enrolled in Brethren schools, and the conditions for federal funding essentially relate to the requirement that the schools be not-for-profit and meet financial accountability standards. The question raised by the debate on the activities and attitudes of the Exclusive Brethren is whether a more rigorous approach should be adopted about the values that are being disseminated to school children in Australia.

Of course, this is an issue not confined to Australia. In material forwarded to me by the excellent, Mike Kropveld-run organisation Info-Secte, the *Canadian Globe and Mail* reported that the BC Education Ministry had been "bombarded with letters of complaint from people who find it galling that the government is paying to educate the children of Bountiful with polygamist ideology," an ideology that allegedly renders women subservient and engenders a sense of worthlessness in individuals to promote obedience. It was suggested that government regulations were "designed to completely ignore the issue."<sup>10</sup>

The question about educational values has also been raised from time to time in relation to other minor religious groups in Australia. For example, in 1997, a member of the New South Wales Legislative Council queried whether the Athena

School in Tempe, Sydney, run by Scientology, was "receiving money from taxpayers to brainwash children in this so-called religion."<sup>11</sup>

More recently, in 2004, concerns were raised about federal funding to a school (the St. Joseph's School near Cambewarra) run under the guidance of a religious 'prophet' known as the Little Pebble, one William Kamm,<sup>12</sup> who presides over a group styled the "Order of Saint Charbel," and who is now serving a period of enforced meditation in a penal institution for sexual offences committed against a young disciple.<sup>13</sup> I myself raised concerns in federal parliament in 1997 about the fundraising activities of the Little Pebble.<sup>14</sup>

Unfortunately in the case of St Joseph's, although the NSW Board of Studies has some discretion over registration of schools that relates to "both the quality of teaching and the welfare of students," prior to the incarceration of William Kamm. the school was found to have "appropriate procedures relating to child protection legislation, security, and pastoral care for students." Despite the "dubious relationship between the community [Gethsemane, the motherhouse of the religious order headed by Kamm] and the school, William Kamm was found to have played no part in the school's day-to-day affairs,"<sup>15</sup> a nice distinction considering the hold he seems to have exercised over adherents.

Now the Exclusive Brethren might well be a different kettle of fish from the Order of Saint Charbel. However, Green's Senator Milne specifically challenges the funding and registration of Brethren schools, noting that

They [Brethren schools] get federal government funding because they supposedly comply with curriculum guidelines in each of the states, but they are not allowed to have computers, for a start: they are not allowed to have fax machines, TVs, or anything like that. So I am not entirely sure how they comply with curriculum guidelines around the country.<sup>16</sup>

Whatever one thinks of the motivation of the Greens, and they have been castigated by their political opponents for

engaging in an alleged 'witch hunt' against the Brethren for vindictive political reasons, the issue of the adequacy of curriculum guidelines and Board of Studies investigations are serious policy issues that warrant a considered response. Indeed, Senator Bob Brown and his colleagues in the Australian Greens have raised a number of issues that deserve consideration and that may warrant further investigation, although not necessarily in the form recommended by the Greens.

The Green's original motion essentially raised three major concerns, including inappropriate intrusion into the political sphere by church-directed campaigns; serious complaints by former members concerning family breakdowns (allegedly caused by the practices of the organisation); and whether financial privileges and other government support for Brethren businesses and schools are justified.

These concerns raise fundamental issues about the relationship between church and state (including the philosophical notion of the separation of church and state), the issue of religious freedom (including the question of individual and group rights, privileges, and quasi-immunities), the extent to which the state should or can intervene to protect the alleged victims of religious organisations, and the question of parental versus state rights with respect to the education of children. These are big questions with no simple answers. It is perhaps of little wonder then that the Senate balked at grasping these various nettles, although these are issues that we must eventually confront.

### **Separation of Church and State**

Senator Brown's motion was precipitated by incursions by members of the Exclusive Brethren into politics, including the production of pamphlets critical of the Greens, political donations and, if media reports are accurate, some childish campaigning behaviour more than bordering on the offensive (including the wearing of pig masks and the allegedly low-level harassment of at least one Green candidate). The Greens allege that these political forays were directed and funded by the Church, although the Church attempted to keep an official arm's length from the activities. According to

Senator Brown, the political activities of the members and the sect are "indistinguishable."<sup>17</sup>

Senator Brown himself concedes that political involvement by the sect should not be denied, noting that "*one cannot mind that so much in itself because we are a democracy and we welcome the involvement of everyone.*" What he objects to is the allegedly clandestine manner of that involvement.<sup>18</sup> Transparency of political donations and of those who issue pamphlets would cure this defect.

However, the issue of the appropriateness of political involvement of religious sects does become relevant if the organisation is a recipient of government funding and financial dispensations (or privileges) not received by other groups. In my view, the whole concept of the Common Law of charity (developed in England and inherited in Common Law countries), as applied to religious groups, is designed to achieve a similar result as a system of strict separation between church and state—minimising the political involvement of churches.

The dominant purpose of a religious charity must be to advance religion. If the purpose of a 'religious' organisation becomes one of political activism, then that activism might, and in my view should, threaten its receipt of taxpayer-funded benefits. The idea is quite simple. The rest of us should not have to compete on a political playing field on which some players are given special status and financial privileges by government. Most churches have long accepted the bargain and vacated the field of politics. Some either do not understand or accept the bargain or just want to have it both ways.

The idea of a level playing field in politics, along with the principle that charitable (not-for-profit) status (and all the benefits attached thereto) is conferred on those organisations that eschew private profit, seem to be the underlying rationale for Senator Brown's concern to investigate taxation and other special arrangements from Australian law that relate to Exclusive Brethren businesses. It is arguable that the public has a right to know all such arrangements, particularly when large sums of money are collected from citizens, and tax-exempt status and other financial privileges are conferred. To the extent that such matters are obscured or secret, Senator Brown seems to be

on firm ground to demand transparency, to seek an investigation into how public accountability is avoided under the present law and how the situation might be rectified.

### **Religious Freedom and Parliamentary Inquiry**

The concept of religious freedom is often invoked but little understood. In my view, it is also overrated. It seems that by clothing oneself in religious garb and a pious attitude one gains public respect, financial rewards, and quasi-immunity from investigation. It is little wonder that the leaders of prominent terrorist organisations are also claimants to religious authority; Shoko Asahara and Usama bin Laden being two notable examples.

At a lower level of criminality, we have all sorts of religious leaders who are consummate conmen, liars, and cheats—or charlatans. Many come to mind. Can anyone seriously suggest that a timely parliamentary inquiry into the activities of Shoko Asahara might not have helped to avert the sarin gas subway attacks in Japan, and other murders instigated by this mad religious leader? Can anyone seriously suggest that a timely parliamentary inquiry that assembled the complaints against Jim Jones and his Peoples Temple might not have helped to avert the mass suicides and murders in Jonestown?

It is all very well for some to suggest that, if misbehaviour is suspected, the matter should be reported to 'the relevant authorities.' The problem is the relevant authorities do not always do their job or are not sufficiently empowered to do their job. It is these types of deficiencies that parliamentary inquiries seek to rectify. In the case of Aum, it seems that the police were reluctant to investigate the organisation because it was a religion, and religion has a protected place in the Japanese Constitution—at the behest of the Americans. The attitude in Japan has now changed, but that attitudinal change occurred after a tragedy that just might have been avoided with a timely inquiry.

There have been previous parliamentary inquiries or royal commissions into religious or quasi-religious organisations in Australia, based on what the parliaments at the time considered to be sufficient evidence of concern to warrant further investigation.<sup>19</sup> There also have been other proposals for inquiries that have not proceeded.<sup>20</sup> In each case the

question of the perceived potential efficacy of the approach suggested and the substance of the prima facie evidence presented have been important considerations as to whether the inquiry proceeded.

In addition, the philosophical question of whether it is appropriate for a parliamentary committee or a commission of inquiry to focus on a particular group (or even type of group), as opposed to generic issues, is canvassed. However, it is arguable that this objection (along with that of the potential efficacy of the proposed inquiry) becomes a rationale when the political decision has been made to oppose the motion on the basis of insufficient threshold evidence, or other political considerations. If the evidence of harm presented is palpable and stimulates popular public concern, I have little doubt that the philosophical objections to inquiry would quickly recede in favour of the imperative to act.

### **Alleged Family Breakdowns**

In the case of Senator Brown's motions, political considerations arguably prevailed. The Greens presented a number of examples of Brethren practices of excommunication and interference with family ties that should arouse concern, but perhaps fell short of the detailed, chapter-and-verse litany of complaint that might have tipped the balance in favour of inquiry. It is possible that the motions were too all-encompassing, too broad-brush in approach to focus sufficiently on allegations of harm to individuals and families that might have aroused popular indignation if a more detailed and specific case had been presented.

Senator Brown himself observed that it was as a result of the Brethren "intrusion into political affairs" that "a great deal of suffering amongst people" had been drawn to his attention, a "matter that of itself warrants looking at." This might well be the case. There are apparently around 15,000 members of the Exclusive Brethren in Australia. If the level of serious complaint made about the organisation by former members (apostates, if you like) is found to be significant, then this quantity in itself would call into question the wisdom of publicly funding an organisation that arguably promotes misery rather than good. Religious organisations

are funded because there is a presumption that they operate for the public benefit.

At present, the avenues for complaint about publicly funded religious groups are not readily accessible or even apparent to most people. The cognisant might realise that the Australian Taxation Office (ATO) is the administrative body at the Commonwealth level to which complaints might be directed, but any process of investigation is obscure and completely inadequate. The ATO itself has indicated that it might not be the most appropriate body to handle the determination of charitable status, and in the Charity Commission for England and Wales we have a far more transparent model for handling complaints about the not-for-profit sector.

Unfortunately, the 2001 Report of the Inquiry into the Definition of Charities and Related Organisations, while it recommended a body with some of the functions of the Charity Commission, actually rejected the need for a body in Australia to exercise the quasi-judicial role of the Commission in determining charitable status.<sup>21</sup> This result is a great pity. We desperately need in Australia a dedicated not-for-profit tribunal that can deal with complaints about not-for-profit entities, including religions, and make determinations about their status as recipients of government largesse. Without such a body, such complaints are lost in the ether, and it becomes problematic to assert that people with complaints should go to 'the appropriate authorities.' This is precisely the comment made by Senator Chris Evans, the Leader of the Opposition in the Senate, who stated, in response to Senator Brown's motion, that

I do treat very seriously the questions of family breakdown and psychological and emotional trauma associated with any practices. As I say, I have no evidence of whether those allegations are well founded or not, but they ought to go to the appropriate authorities. We do not have the capacity to deal with them.<sup>22</sup>

Of course, the question is whether the appropriate authorities have the capacity to deal with these allegations. That is a very appropriate question for a parliamentary committee to consider.

## **Parental Values and Schooling**

The speech of Greens Senator Milne in support of Senator Brown's first motion is interesting for the insights it provides us into the question of the schooling of children and the separation of children from normal association with other kids. We might ask ourselves whether segregating children is the Australian way, particularly when one understands the underlying commitment of Australians generally to the notion of egalitarianism.

Senator Milne raises the concern that children brought up in the Exclusive Brethren sect "are not allowed to go on to higher education." This is apparently correct. Senator Milne informs us from her own experience as a teacher in northwest Tasmania, where she was told she had been complained about because she had been encouraging a grade 10 girl to go on to higher education. The girl's parents were insistent that she should leave school at grade 10 and work in a shop owned by the family or Brethren, and then marry into the sect as arranged. Senator Milne was also concerned that Brethren children "were not allowed to eat with other students, with the 'worldlies.'" They were not allowed to be part of the school community."

Here we must confront the question, to what extent should parents be permitted to raise and educate their children in the values that they adhere to, even if these values are detrimental to the development of the child and aimed at isolating the child from the mainstream community? I am happy to say that I would err in favouring the state's right to intervene in the interests of the child in exceptional cases, and that perhaps policy measures should be taken to ameliorate the effects of detrimental views being enforced as religious dogma with no exposure to alternative views. One idea is to ensure that every sectarian school be required to enroll a certain percentage of students of other faiths or of none. An inquiry into these matters by a parliamentary committee could only assist us in our endeavours to protect the interests of children raised and indoctrinated into the mores of high-demand religious sects, led in some cases by chauvinistic sect leaders who want to impose their idiosyncratic views upon young minds.

## Conclusion

Senator Brown's first motion was castigated by some of his political opponents as a 'witch-hunt,' as cheap retribution for attacks by the Brethren against the Greens, and smeared as religious vilification. However, the substance of his concerns should not be so readily dismissed. It is interesting that Senator Brown's critics conceded that many of the issues he raised warranted investigation. The argument was simply that other bodies were the most appropriate avenue for investigation. If that is the case, it will be gratifying to see these issues followed up by those parliamentarians who concede that legitimate concerns have been raised. If the 'appropriate authorities' are found to be inadequate to the task, then perhaps the Senate might reconsider the avenue of a parliamentary committee to investigate what these inadequacies might be. Even more to the point, it is now within the power of the members of the new government to act decisively on those issues they have flagged as being of community concern.

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## Notes

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- <sup>1</sup> Australian Senate, "Parliamentary Debates (Hansard)." Canberra: Commonwealth of Australia, 2006, p. 49.
- <sup>2</sup> Nicky Hager, *The Hollow Men: A Study in the Politics of Deception*. Nelson, NZ: Craig Potton, 2006.
- <sup>3</sup> Australian Senate, "Parliamentary Debates (Hansard)," (Canberra: Commonwealth of Australia, 2007).p. 91
- <sup>4</sup> Stephen Mutch, "Religion in Australian Politics: A Surfacing Debate," *AQ Australian Quarterly*, Sep-Oct (2004).
- <sup>5</sup> For example, he has stated that "for too long in this country there's been an assumption that if you have private faith your natural destination is one of the conservative parties"; Peter Hartcher, "Rudd Seeks Church Role in Politics," *Sydney Morning Herald*, 2 October 2006.
- <sup>6</sup> Kevin Rudd, "Faith in Politics," *The Monthly*, October 2006.
- <sup>7</sup> Phillip Coorey, "Costello Defends Sect's Tax Breaks," *Sydney Morning Herald*, 28 September 2006.
- <sup>8</sup> "PM met with extremists: Rudd", Daily Telegraph, 22 August 2007
- <sup>9</sup> Australian Senate, "Hansard 2006," p. 59, Senator Abetz.
- <sup>10</sup> Terri Theodore, "Should BC Fund Polygamist Education at Bountiful?," *Globe and Mail*, 14 April 2007.
- <sup>11</sup> NSW Legislative Council, "Parliamentary Debates (Hansard)." Sydney: NSW Parliament, 1997, 13 May, Hon. Franka Arena.

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<sup>12</sup> Tanya Nolan, *Doomsday Cult Received Federal Funding*. ABC Local Radio, AM transcript, 3 August, 2004.

<sup>13</sup> AAP, "'Little Pebble' Guilty of Abusing Girl," *National Nine News (Ninemsn)*, 30 May 2007.

<sup>14</sup> Australian House of Representatives, "Parliamentary Debates (Hansard)." Canberra: Commonwealth of Australia, 1997, 23 September, p. 8244.

<sup>15</sup> NSW Legislative Council, "Parliamentary Debates (Hansard)." Sydney: NSW Parliament, 2006. Hon. Dr Chesterfield-Evans. Education Amendment (Financial Assistance to Non-Government Schools) Bill.

<sup>16</sup> Australian Senate, "Hansard 2006," p. 69.

<sup>17</sup> *Ibid.*, p, 49.

<sup>18</sup> *Ibid.*, p, 50.

<sup>19</sup> For example, in 1963, the Victorian parliament appointed a Board of Inquiry to investigate Scientology; Kevin Victor Anderson, "Report of the Board of Inquiry into Scientology," Melbourne: State of Victoria, 1965. And in 1985, a select committee of the South Australian parliament reported on Scientology; The Hon. J. C. Burdett, "Report of the Select Committee of the Legislative Council on the Church of Scientology Incorporated," Adelaide: South Australian Parliament, 1985.

<sup>20</sup> In 1977, Tim Moore MP called for a select committee inquiry into the Children of God. The motion was defeated by one vote. NSW Legislative Assembly, "Parliamentary Debates (Hansard)." Sydney: NSW Parliament, 1977, 24 February, p. 4486. In 1997, the author called for a select committee to inquire into cultic abuse, but this did not proceed because of intervening elections. NSW Legislative Council, "Parliamentary Debates (Hansard)." Sydney: NSW Parliament, 1993, 22 April, pp. 1429-54.

<sup>21</sup> Hon. Ian Sheppard, "Report of the Inquiry into the Definition of Charities and Related Organisations." Canberra: The Treasury, Commonwealth of Australia: Available online at <<http://www.cdi.gov.au/html>>, 2001, p. 292.

<sup>22</sup> Australian Senate, "Hansard 2006," p. 55.

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