
**REBUTTAL TO THE COMPOSITE
EXPERT CONCLUSION**

(CIVIL CASE 2-452/99)

GOLOVINSKY INTERMUNICIPAL COURT
NORTHERN ADMINISTRATIVE DISTRICT
OF THE CITY OF MOSCOW

Compiled by the Administrative Center for Jehovah's Witnesses
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CONTENTS

Summary	page 2
Chronological Chart	page 4
Introduction	page 5
Question One, Part A	page 6
Question One, Part B	page 14
Question One, Part C	page 22
Question Two	page 29
Extra Question	page 34
References.....	page 40

SUMMARY

IN 1993 the European Court of Human Rights ruled that Jehovah's Witnesses "enjoy the status of a 'known religion.'"¹ That same year, the Russian Constitution was ratified. It guarantees to all religious associations equal treatment before the law. Accordingly, the Department of Justice registered the Moscow Congregation of Jehovah's Witnesses on December 30, 1993. Moreover, on April 29, 1999, the Russian Ministry of Justice reregistered the Administrative Center for Jehovah's Witnesses in Russia, thus recognizing it as a lawful religious organization. Nonetheless, the prosecutor of the Northern Administrative District of Moscow now seeks to ban and liquidate Jehovah's Witnesses.

The ongoing court trial of Jehovah's Witnesses in Moscow is "the major test case to the new Russian religious law," states *Temple International and Comparative Law Journal*. It is the first time that Russia's 1997 law On Freedom of Conscience and Religious Associations is used in court in an effort to ban a Christian religion.

Jehovah's Witnesses have already challenged aspects of the 1997 law On Freedom of Conscience and Religious Associations in another closely watched test case before the Constitutional Court of the Russian Federation. The Court's November 23, 1999, decision was hailed as a victory for religious freedom in the Russian Federation. Of note is the fact that the Constitutional Court, while reaffirming the State's right to impose legitimate restrictions on religious organizations that constitute a threat to public health and safety or the constitutional rights of others, never sought to apply these restrictions to Jehovah's Witnesses. Rather, their decision recognized the Yaroslavl Congregation of Jehovah's Witnesses as a religious organization belonging to a State-registered centralized religious organization.²

What is at stake now? "The impact of the new law can be disastrous for religious minorities in Russia," comments the same law journal in the article "Freedom Under Fire: The New Russian Religious Law."³ (Spring 2000) Indeed, if the Golovinsky Court in Moscow were to fail to protect the legally guaranteed freedom of religion for Jehovah's Witnesses in Russia, then the activities of Roman Catholics, Lutherans, Baptists, Seventh-Day Adventists, and adherents of other well-known religions may also soon be banned.

This is the fifth time in five years that the prosecutor's office in Moscow's Northern Administrative District has attacked Jehovah's Witnesses in Moscow. From 1995-1998, it conducted four criminal investigations against the Witnesses but could not provide any evidence for its claim that Jehovah's Witnesses incite religious intolerance, are anti-family and anti-State, or disrespect the rights of other citizens. Yet, driven by bias, in April 1998 the prosecutor's office filed a civil complaint based on the very same accusations, but this time availing itself of provisions to ban religious organizations contained in the 1997 law On Freedom of Conscience and Religious Associations.

Meanwhile, Russia's Ministry of Justice assigned the Expert Council for Conducting State Expert Religious Studies to review the same accusations. The Expert Council's investigation established that the activities of the Witnesses are benign, lawful, peaceable, and respectful. Consequently, Russia's Ministry of Justice reregistered Jehovah's Witnesses in April 1999, and by extension, its decision exposes the present accusations of the prosecutor as baseless.

The civil trial of the Witnesses began in September 1998. On March 12, 1999, however, it was suspended, pending a review of the literature of Jehovah's Witnesses by five court-appointed religious and linguistic experts. Four experts have presented an opinion that rehashes the old accusations. However, one of the experts handed the court a dissenting opinion, in which he refutes the charges made against the Witnesses.

This rebuttal shows that scholars from Russia, Europe, and elsewhere, who analyzed the teachings, writings, and practices of Jehovah's Witnesses, have confirmed that the Witnesses form no threat to the people or the governments of any of the 235 lands in which they live—including Russia.

Of tantamount importance to the reader is to recall that the decision of the four members of the expert panel supporting a ban on Jehovah's Witnesses is based on an evaluation of religious teaching as contained on the printed page. There are no concrete actions or manifestations of belief presented as evidence of any wrongdoing. This amounts to supporting a ban that is based on evaluation of religious belief. Yet freedom of conscience and religious belief has repeatedly been hailed in international agreements as inviolable.

The Constitutional Court of the Russian Federation stated in the Yaroslavl case:

“At the same time, the legislature, taking into account the historically conditioned multi-confessional heritage in Russia, is obliged to observe the provision of article 17 (part 1) of the constitution of the Russian federation guaranteeing in the Russian federation the human and civil rights and freedoms in accordance with the generally recognized principles and standards of international law and in accordance with the constitutions of the Russian federation. Measures adopted by it pertaining to the founding, creation, and registration of religious organizations must not distort the very essence of freedom of religious professions or the right to association and freedom of activity of public associations, and possible restrictions affecting these and other constitutional rights must be justified and proportional to constitutionally significant goals.”⁴

EVENTS RELATED TO THE MOSCOW COURT CASE

December 30, 1993	Department of Justice registers the Moscow Congregation of Jehovah's Witnesses
June 20, 1996	Moscow prosecutor's office begins first of four criminal investigations of Jehovah's Witnesses on charges brought by Committee for the Salvation of Youth
September 26, 1996	The European Court of Human Rights declares that a state cannot determine the legitimacy of religious doctrine without violating freedom of religion guaranteed by the European Convention
September 26, 1997	President Yeltsin signs the Russian Federal Law On Freedom of Conscience and Religious Associations
April 13, 1998	The criminal investigation of Jehovah's Witnesses closes, meaning "complete rehabilitation of the accused, to which no one has the right to make claims of a legal or moral nature."—Article 5, Item 2, the Russian <i>Practical Academic Commentary to the RSFSR Criminal Procedural Code</i> (1995)
April 20, 1998	Moscow prosecutor's office files civil complaint against Jehovah's Witnesses, based on the same allegations filed in the dismissed criminal investigation
May 5, 1998	Russia ratifies the European Convention for the Protection of Human Rights and Fundamental Freedoms, committing Russia to support religious freedom and bringing Russia under the jurisdiction of the European Court of Human Rights
September 29, 1998	First hearing of civil case begins in Golovinsky Intermunicipal Court regarding the application of the Moscow Northern Administrative District prosecutor to liquidate the Religious Congregation of Jehovah's Witnesses in Moscow
November 18, 1998	Judge Yelena Prokhorycheva adjourns the trial until February 9, 1999, because the prosecutor lacks evidence for the charges. The prosecutor is given an additional three months to prepare
January 25, 1999	European Court of Human Rights reinforces earlier decision that a state cannot determine legitimacy of religious doctrine
February 9, 1999	Start of court trial. Government representatives, international human rights organizations, and the international media are present
March 11, 1999	European Parliament passes a resolution asking Russia to call "on those in power at central and local level to guarantee freedom of religion" and to insist that "all forms of intolerance directed against minority groups . . . be combated"
March 12, 1999	Trial is suspended pending review of religious doctrine
April 15, 1999	Expert Council for Conducting State Expert Religious Studies recommends reregistration of Jehovah's Witnesses
April 29, 1999	Under the 1997 Religion Law, the Russian Ministry of Justice reregisters the Administrative Center for Jehovah's Witnesses in Russia, acknowledging their 50-year presence in Russia
February 2001	Court case scheduled to resume

INTRODUCTION

ON March 12, 1999, the Golovinsky Intermunicipal Court of Moscow, hearing the civil case concerning the liquidation of the activities of Jehovah's Witnesses, assigned a panel of five experts to prepare a study to answer the following questions:

1. Does the literature and documents of Jehovah's Witnesses contain signs of (a) incitement to religious discord (undermining respect toward other religions and hostility toward them), (b) coercion to destroy the family, (c) infringements on the individual rights, and freedoms of citizens?
2. Are the texts of the literature and documents of Jehovah's Witnesses subject to study, an expression that is usually used in religion?

By October 1999, the experts had submitted their written opinions to the court. Four of the five experts wrote that the literature of Jehovah's Witnesses does incite to hostility toward other religions, destroys the family, and encroaches on the rights of citizens. However, one of the court-appointed experts, religious scholar Sergei I. Ivanenko, provided a dissenting opinion. He wrote that the literature of Jehovah's Witnesses teaches their members respect for the religious conviction of other people, contributes to the strengthening of the family, and does not encroach upon the rights and freedoms of citizens.

The following rebuttal consists of five sections. The first four answer the questions posed by Moscow's Golovinsky Court, while the fifth section considers an additional question raised by the experts of the prosecution. The first section highlights that the literature of Jehovah's Witnesses speaks out against fraudulent practices but does not incite its readers to acts of hostility. The second section demonstrates that the same literature contributes to a morally and spiritually strong family life. The third section provides evidence showing that the literature engenders in its readers respect for the rights of fellow citizens. The fourth section considers facts that underline how the literature has served to improve mental, emotional, and moral capacities of its readers. And the fifth section documents that the literature of Jehovah's Witnesses develops in its readers a desire to live as citizens who are an asset to the State and the community in which they live.

Question One (Part A) Posed by Court: “Do the literature and documents of Jehovah’s Witnesses contain signs of (a) incitement to religious discord (undermining respect toward other religions and hostility toward them)?”

Accusation Made by Experts of the Prosecutor: “In the texts of Jehovah’s Witnesses is present such evidence of inciting religious discord, as undermining respect and the active formulation of hostility toward other religions (especially Christianity).”—*Composite Expert Conclusion*, p. 9.

Facts: On April 29, 1999, the Ministry of Justice of the Russian Federation reregistered the religious organization of Jehovah’s Witnesses. By doing so, the Ministry recognized that Jehovah’s Witnesses do not cause “religious discord” because, according to the law, religions that do incite religious discord will not be granted reregistration. (Article 14, Part 2 of the 1997 Federal Law On Freedom of Conscience and Religious Associations) Besides, the Ministry made the decision to reregister Jehovah’s Witnesses after it had received and approved the results of a study of the literature, teachings, and activities of Jehovah’s Witnesses conducted by the Ministry’s Expert Council for Religious Studies.⁵

Not surprisingly, therefore, the opinion of the experts of the prosecution does not refer to any evidence of hostility. Their argument is based solely on their interpretation of language found in the publications of Jehovah’s Witnesses. Their opinion reflects, however, a predetermined bias and selective gleaning of doctrinal interpretation and religious commentary.

The experts deliberately ignore published statements showing that Jehovah’s Witnesses teach that doctrinal differences do not justify attitudes and acts of religious hostility and intolerance. The religious commentary ignored by the experts states:

“A self-righteous, superior attitude that looks down upon those who do not share our religious beliefs does not accurately represent the pure worship of Jehovah, nor does it please him. . . . We do not take such a narrow view, treating non-Witnesses with disdain. . . . So it would be unscriptural for us to use disparaging terms when referring to ones who do not share our beliefs. . . . Like the early Christians, Jehovah’s Witnesses in modern times have been “objects of hatred” in various lands. Yet they do not hate non-Witnesses; nor have they ever been a seedbed of insurrection against governments. On the contrary, they are known worldwide for practicing genuine love that crosses all social, racial, and ethnic barriers.”—*The Watchtower*, December 1, 1998.⁶

Oral evidence before the Golovinsky Court, tested by cross-examination, shows no incitement to religious hatred or hostility. Vasilii M. Kalin, a member of the Administrative Center for Jehovah’s Witnesses in Russia, was a victim of Soviet persecution of Jehovah’s Witnesses. His family was exiled to Siberia from the Ukraine in 1951. He testified: “I consider my beliefs to be

the most truthful ones but this does not harm the right of other individuals. We view with great respect the opinions of other people.”—Court Material, Volume 2, p. 127.⁷

The oral evidence of Mr. Kalin stating that the literature does not incite hostility but, instead, brings about positive feelings toward others is supported by several analytical studies conducted by respected experts in the field of religious studies.

In an expert study submitted to the Golovinsky Court, A.V. Pchelintsev, director of the Institute of Religion and Law, concluded:

“Based on the study and analysis of the contents submitted for the expert study of the above-mentioned publications and literature belonging to the religious association of Jehovah’s Witnesses; the experts came to the conclusion that the literature does not contain any appeals intending to undermine State security, violate the integrity of the Russian Federation, initiate wars, arouse national, racial or religious prejudice, which would in turn, incite one to commit a crime against the very fundamentals of the constitutional order and State security.”—*Expert Conclusion of Research on the Publications of the Religious Association of Jehovah’s Witnesses*, Institute of Religion and Law, Center for Religious Studies and Legal Expert Studies, March 1998, p. 2.⁸

The National Academy of Sciences of Ukraine analyzed the literature of Jehovah’s Witnesses. In April 2000, Professor P. L. Yarotskiy, doctor of philosophy and vice president of the Ukrainian Association of Researchers of Religion, wrote:

“The contents of publications and the literature of the religious association of Jehovah’s Witnesses presented for research study show no calls for the kindling of social and religious dissension, misanthropy.” On the contrary, the editions (*Watchtower*, *Awake!*, etc.) present positive materials on all the subjects mentioned.—*Conclusion of the Results of a Research of Publications of Religious Association of Jehovah’s Witnesses*, Religious Studies Department of the H. Scovoroda Institute of Philosophy of the National Academy of Sciences of Ukraine, April 20, 2000.⁹

T. Buachidze, director of the Institute of Philosophy of the Academy of Sciences of Georgia, and E. Kodua, chairman of the Faculty of Sociology of the I. Javakhishvili State University of Tbilisi, analyzed the literature published by Jehovah’s Witnesses and wrote in their expert opinion read out by the court on February 29, 2000:

“No sort of aggression is expressed in it. This organization is one interpretation of Christian teaching and it is based on the Bible. . . . The principles of the Union of Jehovah’s Witnesses differ from the principles of Orthodoxy, but they are not anti-Orthodox. The variance in the interpretations of the Bible has always existed and will always exist. It is and will be a subject of dialogue, discussion and debate, but discussion and debates should not grow into ban and injury.”—*Combined Conclusion of the Faculty of Sociology of the I. Javakhishvili State University of Tbilisi and the Institute of Philosophy of the Academy of Sciences of Georgia*.¹⁰

It is true, however, that the literature of Jehovah's Witnesses speaks out against teachings and practices that are not in harmony with God's Word. For example, before and during World War II, the Witnesses' literature boldly spoke out against the beliefs and practices of the Nazi regime. "We must tell the truth and give the warning," said the booklet *Face the Facts*, published in 1938. "We recognize the totalitarian government . . . as the product of Satan brought forth as the substitute for God's kingdom."¹¹ Was their use of criticism against the Nazis wrong? No. In fact, many Russians would regard the thousands of German Jehovah's Witnesses who paid with their life for refusing to take part in the aggression against the Soviet Union as people who committed a highly moral act. Such a view agrees with Russian journalist Aleksei Pavlov, who wrote in the *Literaturnaya Gazeta*: "Unlike representatives of other religions, 'Jehovah's Witnesses' did not accept even the slightest grain of Nazi ideology, nor Nazi rule of conduct, if it appeared to be in conflict with their faith. Naturally, it was perceived as unheard-of defiance, and consequently, it required unheard-of courage."¹² Clearly, the Witnesses' courageous and critical statements against the gross injustices committed in Nazi Germany were fitting.

* * *

The experts find criticism of the clergy and traditional church policy to be the equivalent of propaganda of religious hatred. Such criticism, however, has been part of the public debate for centuries and is nothing new to Russia. For example, Russia's literary giant Lev Nikolayevich Tolstoy described the Russian Orthodox Church of his time as a corrupt institution that had falsified true Christianity. According to the Church, Tolstoy was guilty of overthrowing "all the dogmas of the Orthodox Church and of the very essence of the Christian religion."¹³ (Note the similarity between that accusation against the writings of Tolstoy and the prosecutor's present accusation against the literature of Jehovah's Witnesses.) In February 1901, the Church struck back by excommunicating Tolstoy. In response, Tolstoy wrote on April 4, 1901:

"The doctrine of the church was in theory a cunning and harmful deceit, and in practice a collection of the grossest superstitions and sorcery, which completely conceals the whole meaning of the Christian teaching. . . . All the sacraments I consider a low, coarse sorcery, which does not harmonize with the conception of a God and with the Christian teaching, and besides, is a violation of the directest precepts of the Gospel. In the baptism of children I see an obvious distortion of all that meaning which baptism may have had for adults, who consciously accepted Christianity."

Speaking about Jesus Christ, Tolstoy added:

"If He were to come now and see what is being done in His name in the church, He would with greater and more legitimate anger throw out all those terrible corporales, Eucharist spears, crosses, cups, tapers, images, and all that by means of which they, committing sorceries, conceal God and His teaching from men."—*The Complete Works of Count Tolstoy*, Volume 23, "Miscellaneous Letters and Essays," 1905.¹⁴

Consequently, if the reasoning of the prosecutor of the Northern Administrative District of the city of Moscow were accurate, then Tolstoy, if he were alive today, would be prosecuted by the State and his writings would be banned. Instead, the State honors him, raises statues for him, and promotes his writings. Clearly, his criticism is not considered as being unlawful.

The issue is thus not whether the literature of Jehovah's Witnesses speaks out against certain organizations, including religious ones. The real issue is whether its criticism incites religious hatred and acts of violence. Clearly, this is not the case. The literature's exposure of opposing views allows the evaluation of certain religious doctrines or practices, but it does not incite hostility against people because they are Orthodox, Catholics, Protestants, or Jews, or of any other creed or organization. The publications of Jehovah's Witnesses turn a frank searchlight upon fraudulent practices. Some find this offensive, but it is unlikely to be offensive to those interested in the truth. But the public record upholds that Jehovah's Witnesses have never fomented violence on a personal level toward individuals of other faiths nor have they ever sponsored demonstrations or mob actions against other churches, whether in Russia or any country of the world. They have often been the object of such hateful actions, however.

In effect, the expert panel is advocating unfettered censorship. But censorship cannot be justified on the sole basis that literature contains criticism or opposing views. Where does that leave internationally protected intellectual freedom? This harkens back to past Soviet thinking that sought to ban all political and philosophical debate. It would be a leap back to hardheaded, hardhearted, and hard-fisted dictatorship and totalitarian control of freedom of expression.

* * *

In an effort to prove that the literature of Jehovah's Witnesses fosters intolerance, the experts state that readers are led to believe that "joining 'Jehovah's Witnesses' is the only wholesome choice for the individual."-*Composite Expert Conclusion*, p. 3.

However, Professor N. S. Gordienko and his two colleagues of the Religious Studies Department of the Pedagogical University of Russia in St. Petersburg correctly noted in their expert opinion submitted to the Golovinsky Court in 1998: "It is common knowledge in religious studies that all religious organisations are convinced that they possess the monopoly on religious truth. . . . All the religions without exception take this stand, including traditional religions in Russia."¹⁵

In fact, the word “Orthodox” (*Pravoslavie* in Russian) means “right praise” or “right worship,” being derived from two Russian words: *pravo*, “right,” and *slavit*, “praise.” The Orthodox Church publication *Pravoslavnoye Slovo* (The Orthodox Word) states: “Our Orthodox faith is created by God himself. . . . The truthfulness of our faith has been proven for centuries.”¹⁶

In his expert opinion submitted to the Golovinsky Court in 1998, Professor Bryan R. Wilson of Oxford, England, comments that it is strange to take issue with the fact “that Jehovah’s Witnesses claim to be the only true religion.” He adds: “This is a very strange objection to make against any denomination adhering to the teachings of Jesus, since the claim to be the only true religion is a general claim of Christianity. . . . In making this claim, Jehovah’s Witnesses do no more than is the accepted teaching of most Christian churches and movements.”¹⁷

Why, then, would it be offensive to the experts of the prosecutor when Jehovah’s Witnesses use their freedom of conscience to make a different choice when it comes to deciding what religion holds the truth? In this regard, the experts seem to be less tolerant than the Russian Orthodox Church itself because an official Church document states:

“We consider the God-given freedom of choice as an invaluable gift to man, and we respect the right of every person to enjoy this gift.”—*Final Document of the International Interconfessional Jubilee Conference*, November 22-25, 1999, Moscow, hosted by His Holiness Patriarch Alexy II of Moscow and All Russia.¹⁸

* * *

The experts assert that another reason why the activities of Jehovah’s Witnesses are a form of hostility is that they are directed toward the Russian Orthodox Church, which has been given a superior position as a traditional religion by the 1997 law on religion.

However, the 1997 Federal Law On Freedom of Conscience and Religious Associations shows that there are other religions in Russia besides the Russian Orthodox Church that are also traditional. Why do the experts focus on Orthodoxy? What about Islam? Judaism? Buddhism? This demonstrates a preconceived bias in favor of the Orthodox Church.

Besides that, why would being traditional be equal to being superior? Judaism was traditional until Christianity started. Catholicism was the traditional religion until Luther and Protestantism came along. Protestantism and Catholicism were traditional in Western Europe until confronted by the French philosophers, like Voltaire, who were atheists. Free speech cannot be shut down because it criticizes what is traditional.

Cyprian of Carthage, a Christian living in the third century, wrote: “We must convince by reason, not prescribe by tradition.”¹⁹ How does one convince by reason? It is by comparing the

beliefs and practices of Jesus Christ and the early Christians with the beliefs and practices of present-day religion. This requires free access to information, not State-controlled censorship. It means that the citizen should have access to writers of history as well as to contemporary philosophical and religious opinions if he is to choose his own option freely.

On May 5, 1998, Russia ratified the European Convention of Human Rights along with its protocols. This convention enshrines freedom of belief, conscience, and religion. Russian courts must likewise follow the precedent of the European Court of Human Rights, which stated: "Freedom of religion and conscience is a fundamental right and this freedom must be able to be exercised for the benefit of all religions and not for the benefit of a single Church, even if this has been traditionally the established Church."²⁰—European Court of Human Rights, Strasbourg, France, May 25, 1993.

* * *

The experts cite a quotation from a publication of Jehovah's Witnesses as an example of what the experts call "most unproven accusations" against Christendom. The quotation states:

"In fact, in this 20th century, virtually all religions, not just those of Christendom, share responsibility for wars that continue to spill much blood."—*The Watchtower*, February 1, 1995.²¹

However, compare this quotation with the following statement:

"We have caused wars and have failed to use all opportunities of working towards reconciliation and mediation; we have condoned and often too easily justified wars. Schisms and religious strife have had a great impact on European history. Many wars have been religious wars. Millions of men and women have been tortured and killed for their beliefs."²²

Both of these quotes state basically the same thing. Yet, the latter quote is from a document issued by the European Ecumenical Assembly. Who attended that assembly? *Peace With Justice—The official documentation of the European Ecumenical Assembly, Basel, Switzerland, 15-21 May, 1989*, contains a "List of Delegates." It shows participation by 700 church representatives of all of Europe's professed Christian churches, including 15 clergy of the Russian Orthodox Church. In addition, His Holiness Patriarch Alexy II of Moscow, the 15th primate of the Russian Orthodox Church, was one of the principal moderators at that convention.²³ Did these delegates make a 'most unproven accusation'?

One has to be only a casual student of history to know that Christendom's major churches have backed empires, launched crusades, and razed whole cultures in the name of God. As is admitted in a United Nations publication: "More people have been killed in the name of religion than all the wars and natural disasters put together." In the same publication, Dr. Seshagiri Rao is quoted as saying: "Religious traditions are not supposed to spread hatred and

violent conflict against one another. They are meant to be forces of reconciliation. In practice though, they have often functioned and still function as divisive forces."²⁴

The historical facts thus undeniably confirm the role of Christendom's major religions in warfare. However, the words of the ancient prophet Isaiah, inscribed on the wall of the United Nations plaza in New York City, state that servants of God "shall beat their swords into plowshares, and their spears into pruninghooks: nation shall not lift up sword against nation, neither shall they learn war any more." (Isaiah 2:4, *King James Version*) Clearly, there is a difference between how the Bible and the major religions view involvement in warfare. That is what Jehovah's Witnesses point out. However, the Witnesses cannot be accused of inciting hostility when their publications merely repeat what history books have said all along.

* * *

The experts assert that another evidence for the claim that the publications of Jehovah's Witnesses incite hostility is that "Christianity's clergy are subjected to sufficiently aggressive and not entirely founded criticism."—*Conclusion* submitted to the court, p. 9.

The relevant question is this: Is the criticism against the clergy well-founded? History gives the answer. Referring to the role of nominal Christian churches during World War I, historian Paul Johnson wrote:

"Clergymen were unable, and for the most part unwilling, to place Christian faith before nationality. Most took the easy way out and equated Christianity with patriotism. Christian soldiers of all denominations were exhorted to kill each other in the name of their Saviour."²⁵

The New Encyclopaedia Britannica comments on the clergy's role during World War II:

"In Croatia . . . the indigenous fascist regime set about a policy of 'racial purification' that went beyond even Nazi practices. . . . It was declared that one-third of the Serbian population would be deported, one-third converted to Roman Catholicism, and one-third liquidated. . . . The partial collaboration of the Catholic clergy in these practices compromised church-state relations seriously after the war."²⁶

Neither historian Johnson nor the editors of the above-quoted encyclopedia can rightly be accused of inciting hostility for reporting that the clergy took part in warfare. The historian and the editors merely stated the facts. The same is true of Jehovah's Witnesses. When one of their publications states that "the Vatican as well as the Catholic Church and its army of clergy gave either active or tacit support to the Nazi tyranny, which they regarded as a bulwark against the advance of world communism," this publication is merely stating the facts.²⁷

Evidently, the Catholic Church is well aware of the shortcomings of the Church throughout its history. On March 12, 2000, Pope John Paul II delivered a dramatic apology for past sins connected with the Church. According to a report in *U.S. News & World Report*, “by one count, Pope John Paul II alone has made over a hundred confessions of Christian failure.”²⁸ Can an honest appraiser rightly conclude that such is “not entirely founded criticism,” as the experts would have us believe? Would the expert panel suggest that somehow the pope was promoting hostility or aggression by mentioning the faults of the past?

In view of the available evidence, therefore, the Expert Council appointed by the Russian Ministry of Justice concluded, in April 1999:

“The doctrinal documents and literature of the religious organization ‘Jehovah’s Witnesses’ available to the public do not contain calls for . . . violence, incitement of social, racial, national, and religious discord.”—*Expert Council for Conducting State Expert Religious Studies with the Ministry of Justice of the Russian Federation*, Chairman M. P. Mchedlov, April 15, 1999.²⁹

As far as the content of the literature of Jehovah’s Witnesses is concerned, nothing has changed since April 1999.

Question One (Part B) Posed by Court: “Do the literature and documents of Jehovah’s Witnesses contain signs of (b) coercion to destroy the family?”

Accusation Made by Experts of the Prosecutor: “The texts of Jehovah’s Witnesses do not contain direct compulsion to destroy the family, but there is in practice direct psychological pressure fraught with destruction of the family.”—*Composite Expert Conclusion*, p. 10.

According to the experts, the answer to the court’s question is no. Yet, they say that even though the literature cannot be accused, the practices of the Witnesses can. The experts’ written opinion on family life is thus an answer to a question that the court never asked.

Facts: Note again the unreasonableness of the experts’ accusation. By reregistering the religious organization of Jehovah’s Witnesses on April 29, 1999, the Ministry of Justice of the Russian Federation has legally established that the actions of Jehovah’s Witnesses are not destructive to family life because, according to the law, religions that are “forcing the breakup of the family” will not be granted reregistration. (Article 14, Part 2 of the 1997 Federal Law On Freedom of Conscience and Religious Associations.)³⁰ The Expert Council of the Ministry of Justice stated:

“The doctrinal documents and literature of the religious organization ‘Jehovah’s Witnesses’ available to the public do not contain any basis for the claim that the restrictions and prohibitions stipulated by the teachings of Jehovah’s Witnesses represent a threat to the physical health and morality of the participants and followers of this organization.”—*Expert Council for Conducting State Expert Religious Studies with the Ministry of Justice of the Russian Federation*, Chairman M. P. Mchedlov, April 15, 1999.³¹

Nevertheless, the experts—driven by bias—simply push aside the legal decision of the Ministry of Justice and thus seek to discredit the scientific credentials of the experts consulted by the Ministry of Justice, who recommended the reregistration of Jehovah’s Witnesses. But to make their case, the experts need to do much more than simply repeat their allegation. If they were to prove that Jehovah’s Witnesses are “in practice” destructive, the experts would have had to come up with hard facts and solid evidence of such destructive family behavior displayed by Jehovah’s Witnesses—but they did not, and they cannot.

This failure of the experts is far from surprising, as Professor P. L. Yarotskiy, vice president of the Ukrainian Association of Researchers of Religions, points out. Speaking about the literature of Jehovah’s Witnesses, this scholar states: “Reading and discussing this [literature] in a family circle connected to everyday cares and necessities of human beings, works for the strengthening of a family bond and encourages a feeling of unity.”³²

Since the literature of Jehovah's Witnesses on family life is sound, says Professor Yarotskiy, the readers will improve their family life. But the experts of the prosecution say the opposite. Although the literature is sound, they claim, those who read it will become destructive to their family. The fallacy in their reasoning is that they base their view on speculation of harm instead of evidence of harm. This shows their bias. And biased experts, reminds the *Journal for the Scientific Study of Religion*, "let the political tail wag the empirical dog."³³

The experts of the prosecution further show their bias by using the term "sect" when referring to Jehovah's Witnesses. The UN Special Rapporteur on the Commission on Human Rights, Abdelfattah Amor, stated on September 8, 2000, when speaking about Jehovah's Witnesses and other minority religions:

"Quite frequently the term 'sect' is used pejoratively, particularly in order to remove the epithet of 'religion' from the communities concerned. Broadly speaking, it should be noted that this is the position of the adversaries of the 'sects.'" Such use of the word "sect" is, according to the UN Special Rapporteur, "hardly consistent with the criterion of objectivity and neutrality."—*Interim Report by the Special Rapporteur of the Commission on Human Rights on the elimination of all forms of intolerance and of discrimination based on religion and belief.*³⁴

Consequently, experts who are supposed to be objective and neutral toward their subject of study would not use the term "sect." Russian scholars agree with the UN Special Rapporteur on this point. Professors N. S. Gordienko, V. N. Nikitin, and V. M. Kudryashov state in their expert opinion submitted to the Golovinsky Court regarding the use of such words as "sect":

"These artificially created empty terms are not acceptable in modern home religious studies. Using them in religious analysis is erroneous. They are mainly used by church extremists, members of anticult movements, and church publicists with the purpose to undermine the reputation of active religious organisations."—*Objective Religious Analysis*, 1998, St. Petersburg.³⁵

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Realistically speaking, if the experts were right and the teachings of Jehovah's Witnesses were indeed destructive to family life, then a large number of the Witnesses' children would turn out bad and would be known as troublemakers by schools, youth welfare offices, courts, and prisons. This is not the case.

A school principal said about students who are Jehovah's Witnesses: "As a group, they're polite, responsible, and do well in school."³⁶ A letter from the Administration of National Education in the Volgograd Oblast, Secondary School Nr. 38, directed to the Witness parents of a student said: "Thank you for the fine person that you have raised and trained. We hope that his purposefulness, deep knowledge, honesty, decency, good and merciful heart will help your son to find his place in life."³⁷ This is but one example.

In Russia thousands of children of Jehovah's Witnesses—some even third and fourth generation—are now adults and are integrated in society. No wonder, therefore, that the experts fail to present any credible, real-life examples to substantiate their accusations! Furthermore, well-known scholars from various countries who have studied Jehovah's Witnesses prove the accusation of the experts of the prosecutor wrong.

A. I. Antonov, head of the Department of Family Sociology at the Lomonosov Moscow State University, together with three other scholars wrote in their expert opinion submitted to the Golovinsky Court:

“The literature of the religious association of Jehovah's Witnesses encourages its readers to strengthen family unity, highly value marriage, family, children, paternity and maternity, accept one's mutual responsibility as parents, children, and all family members. The given literature does not contain any convictions and principles that could lead to family breakdown, family hatred, or violence. Just the opposite, acquaintance with the presented texts prove their orientation on mankind's values of love, goodness, truth and beauty.”—*Conclusion on the Results of a Research of Publications of Religious Association of Jehovah's Witnesses*, Institute of Religion and Law, Moscow, March 1998.³⁸

Professor Gordienko and two other religious scholars of St. Petersburg commented in an expert opinion prepared for the Golovinsky Court:

“Jehovah's Witnesses view the family as God's arrangement and strive to contribute to the family's happiness and to preserve it in spite of the problems that might arise, even when other family members do not share the same religious beliefs.”—*Objective Religious Analysis*, St. Petersburg, 1998, p. 24.³⁹

Courts likewise confirm that the religion of Jehovah's Witnesses has a positive impact on the development of a child. A court in Düsseldorf, Germany, wrote that children of Jehovah's Witnesses “give the impression of ‘having a happy childhood,’” of being “straightforward, friendly—open in contact with teachers as well as most schoolmates and determined by a fine self-confidence.” The court further described the children as having “very good social behavior.”⁴⁰

A study of 126,966 people, conducted in Germany, found that 80 percent of those surveyed felt that their family life had improved because of applying the Bible-based teachings found in the publications of Jehovah's Witnesses.⁴¹ An independent survey conducted in France in 1998 found that “98 percent of Jehovah's Witnesses consider that their faith has led them to a rather harmonious life and to the respect of laws.”⁴² Similarly, an article in the Finnish newspaper *Keskisuomalainen* expressed the conclusion that the homes of Jehovah's Witnesses are “a firm stronghold of peace and love.”⁴³ And a researcher from a Canadian university concluded: “Jehovah's Witnesses experience greater success than members of other denominations in maintaining stable marital unions.”⁴⁴

To help counteract the high divorce rate in Russia, Jehovah's Witnesses have made efforts to produce and distribute free copies of the book *Making Your Family Life Happy* and *The Secret of Family Happiness*. They have left millions of these books in Russian homes and helped many people to improve their family life by studying the Bible principles highlighted in these books.

Indeed, numerous real-life examples demonstrate that the teachings and activities of Jehovah's Witnesses are a force for good in family life. When people study the Bible and sincerely try to apply what it says, families are strengthened, personalities are improved, and mistakes are avoided. "I would like to thank you for your invaluable and lifesaving work," wrote reader G. Y. of the Republic of Bashkortostan in a letter to the Administrative Center for Jehovah's Witnesses in Russia. "Thank you for the publications, which kept my family from falling apart."⁴⁵

* * *

Despite these facts, the experts claim that: "Jehovah's Witnesses place family relationships as subordinate to membership in the congregation" and that this has a destructive influence on family life.—*Composite Expert Opinion*, p. 10.

Whether they are religiously oriented or not, all responsible parents in Russia try to raise their children according to their own moral standards and in harmony with the constitution. To achieve that, Jehovah's Witnesses instill in their children such values as honesty, love of neighbor, and tolerance. However, parental training goes beyond that. The *Family Codex of the Russian Federation* states: "Parents are responsible for the training and development of their children. They are obligated to care for the health, the physical, psychological, spiritual, and moral development of their children." (Article 63, Pt. 1)⁴⁶ Instilling spiritual, or religious, values thus also forms a rightful part of parental education.

Jehovah's Witnesses take this aspect of parental education seriously. In doing so, they do not differ from God-fearing parents who adhere to other religions. Wrote Professor Bryan R. Wilson: "Naturally, parents who believe that they have discovered precious truth in accordance with which to organize their lives, desire fervently to pass that truth onto their children. They desire to educate those children into the beliefs and practices from which they consider themselves to have benefited."⁴⁷

Among members of the Russian Orthodox Church also, children are molded in their development by religious values. To illustrate: A special issue of the *Journal of the Moscow Patriarchy*, devoted to the Jubilee of the Holy Patriarch of Moscow and All Russia, Aleksy II, states that "his first conscious steps were made in the church when as a six-year-old boy, he fulfilled his first ritual, pouring out the baptism water."⁴⁸ Hence, the custom to teach children religious values early in life is not unique to Jehovah's Witnesses.

Witnesses follow the Bible principle: “Certainly if anyone does not provide for those who are his own, and especially for those who are members of his household, he has disowned the faith and is worse than a person without faith.” (1 Timothy 5:8) In harmony with this principle, Jehovah’s Witnesses view congregational services as secondary to their individual responsibilities to home and family—contrary to what the experts claim. For instance, *The Watchtower* of August 15, 1997, stated:

“The Bible urges fathers to give their families priority, saying that one who fails to provide for his family ‘has disowned the faith and is worse than a person without faith.’ (1 Timothy 5:8) . . . Would it be wise, for example, deliberately to leave one’s family without the basic necessities of life in order to pursue theocratic privileges? Could this not embitter one’s children? On the other hand, Proverbs 24:27 says: ‘Prepare your work out of doors, and make it ready for yourself in the field. Afterward you must also build up your household.’”⁴⁹

This also means that even when a child of Jehovah’s Witnesses decides not to follow the faith of his parents, the Witness parents will continue to provide that child with loving care in the home, along with protection, supervision, and training. In fact, Jehovah’s Witnesses in mixed-religious families are encouraged to give their children the opportunity to become acquainted with the religious opinions of the spouse who is not a Witness and to acknowledge the child’s freedom to participate in the religious activities of both parents. Publications of Jehovah’s Witnesses state:

“Never forget that the child has a right to receive input from both parents. Therefore, it would be shortsighted for one parent to demand prohibitions on a child’s attendance at or participation in the religious, cultural, or social activities of the other parent when the child is with that one. Likewise, it would be inappropriate for a parent to take an absolute position on a child’s school and extracurricular activities, association, recreation, or post-secondary education without due consideration for the other parent’s input and the child’s individual choices.”—“Acting in Your Child’s Best Interests,” *Awake!*, October 22, 1988, p. 12.⁵⁰

“In practice, all children have to decide what religion they will follow.”—*Jehovah’s Witnesses and Education*, p. 25.

* * *

Yet another destructive influence on the family, claim the experts, is caused by “unconditional subjection to all the established rules and current decisions of the leadership of Jehovah’s Witnesses.”—*Composite Expert Conclusion*, p. 10.

The conclusion of the experts is untrue on several counts. First, Jehovah’s Witnesses do not give “unconditional subjection” to any human creation. This is in harmony with the Bible’s injunction to give “exclusive devotion” only to God. (Exodus 20:4, 5) Furthermore, Psalm 146:3, 4 states: “Do not put your trust in . . . earthling man, to whom no salvation belongs. His spirit goes out, he goes back to his ground; in that day his thoughts do perish.” Hence, Jehovah’s Witnesses would never render “unconditional subjection” to any man. Second,

Jesus Christ made the relationship of congregation members to those taking the lead (“the leadership”) clear when he said: “All you are brothers. Neither be called ‘leaders,’ for your Leader is one, the Christ.” (Matthew 23:8, 10) Therefore, Jehovah’s Witnesses do not consider any among them to be a “leadership” class. Adding to this, Jehovah’s Witnesses are encouraged not to have what is commonly called “blind faith.” Third, note what was stated regarding the keynote address at a Bible convention of Jehovah’s Witnesses in 1997: “‘The faith of those who become Jehovah’s Witnesses is not credulity,’ said the speaker. . . . Genuine faith is not blind.”⁵¹

The experts confuse the issue. The issue is not whether Jehovah’s Witnesses accept certain rules that govern their religious community, but whether they do it voluntarily. Social anthropologist Richard Singelenberg from the Netherlands, who studied Jehovah’s Witnesses extensively, wrote in his expert opinion prepared for the Golovinsky Court in 1998: “Members associate with the Watchtower Society on the basis of voluntarily joining this organization. Consequently, members may be expected to adhere to the movement’s organizational and ideological policy and guidelines which emphasize a specific lifestyle for the individual adherent and the dissemination of the movement’s theological viewpoints to the outside public.”⁵²

Accepting certain rules voluntarily is common practice. For example, if someone chooses to enter a university, he subjects himself to the rules of the school. He even allows the school to mold his thinking and shape his values. It is similar with religion. If someone chooses to become part of a religion, he accepts the rules of that religious community. There is nothing wrong with that—as long as he does it willingly.

Independent scholars have thoroughly examined to what extent free choice exists within the religious community of Jehovah’s Witnesses. They concluded:

“In the final analysis, though, it is the individual conscience rather than organizational precepts that determine the action of the believer.”—Social anthropologist Richard Singelenberg of the University of Utrecht in the Netherlands.⁵³

“It is wrong . . . to say that Jehovah’s Witnesses regard their own organisation as the only spiritual and political authority. On the contrary, they proclaim their loyalty to God: not to an organisation.”—Professor James Beckford of the University of Warwick, England, author of the book *The Trumpet of Prophecy—A Sociological Analysis of Jehovah’s Witnesses*.⁵⁴

These researchers thus confirm what the publications of Jehovah’s Witnesses clearly state:

“Jehovah’s Witnesses do not create a hard-and-fast rule. Instead, each Christian must weigh the circumstances at hand and make a personal decision.”—*Awake!*, January 8, 2000, p. 27.⁵⁵

Parents who are Jehovah's Witnesses care for their children who do not share their faith because Jehovah's Witnesses recognize the rights of a child to select what religious beliefs he wants to follow. A publication of Jehovah's Witnesses therefore states:

"In practice, all children have to decide what religion they will follow. Naturally, not all youths choose to follow the religious principles of their parents, whether Jehovah's Witnesses or not. . . . Jehovah's Witnesses attach much importance to the individual Christian conscience. (Romans, chapter 14) The Convention on the Rights of the Child, adopted by the General Assembly of the United Nations in 1989, recognized a child's right to 'freedom of thought, conscience and religion' and the right 'to express his or her opinion freely and to have that opinion taken into account in any matter or procedure affecting the child.'"⁵⁶

Interestingly, the term "unconditional subjection" does not appear even once in all the literature that Jehovah's Witnesses have published since 1879. For those who know Jehovah's Witnesses, this comes as no surprise because the Witnesses practice "education not coercion," notes the book *The Evocative Religion of Jehovah's Witnesses—An Analysis of a Present-Day Phenomenon*.⁵⁷

Jehovah's Witnesses, therefore, avoid making rules and regulations beyond those provided in the Bible. For instance, Jehovah's Witnesses do not perform infant baptism. Children of Jehovah's Witnesses have to make their own decision as to religion when they grow up. Some children of Jehovah's Witnesses never become Witnesses.

* * *

Another part of the same accusation of the experts states that Jehovah's Witnesses demand "sharp isolation of children, teenagers, and adults from their environment."

In reality, Jehovah's Witnesses regularly interact with a wide cross section of society. They adapt to their community surroundings and try to be responsible members of the society in which they live. Professor Anatoly P. Zilber, chairman of the Department of Intensive Care and Anesthesia, Petrozavodsk University and Republican Hospital of Karelia, Russia, wrote that those Jehovah's Witnesses in Russia, Great Britain, USA, with whom he is personally acquainted—doctors, lawyers, linguists, and members of their families—"are respectable, happy people, interested in history, literature, art and life in all its aspects."⁵⁸ Concerning the children of Jehovah's Witnesses, a scholar of social sciences states: "In reality, the Witness children are well integrated into the school community."—*British Journal of Religious Education*.⁵⁹

Jehovah's Witnesses look for ways to make contributions to their social environment. The book *Rossiiskiy Svideteli Iyegovi: Istoriya i Sovremennost* (Russian Jehovah's Witnesses: History and Present), by N. S. Gordienko, gives some examples:

“Many times it has been noted in print that Jehovah’s Witnesses have actively participated in helping victims of typhoons, tsunamis, floods, earthquakes, and other natural disasters. . . . Jehovah’s Witnesses help socially unprotected groups of the population . . . For example, in December 1995, Jehovah’s Witnesses donated 47 million rubles to purchase special equipment to help more than 100 invalid children restore the motor functions of the limbs. In May 1997, Jehovah’s Witnesses gave more than 150 pieces of furniture for bedrooms and science classes to Boarding School No. 24 in St. Petersburg. Jehovah’s Witnesses donated large sums of money to the help-foundation for victims of the tragic bombings in Moscow and Volgograd in 1999.”—St. Petersburg, 2000, p. 95-6.⁶⁰

Through their Bible educational work, Jehovah’s Witnesses also make a considerable contribution to the fight against social problems. They successfully assist fellow citizens to overcome alcohol abuse, drug addiction, and criminal behavior—in a way that costs neither the taxpayer nor the government anything.

The publications of Jehovah’s Witnesses regularly remind their readers to shoulder their responsibilities in human society. To give just one example:

“A successful education should also foster in children the joy of living and help them to take their place in society as well-balanced individuals. Thus, Jehovah’s Witnesses feel that the choice of activities outside the classroom is very important. They believe that healthy relaxation, music, hobbies, physical exercise, visits to libraries and museums, and so forth, play an important part in a balanced education. In addition, they teach their children to respect older persons and to seek opportunities to do them a service.”—*Jehovah’s Witnesses and Education*, p. 5.⁶¹

Independent researchers have found that Jehovah’s Witnesses take these guidelines to heart. For example, a recent professional survey conducted in France found that Jehovah’s Witnesses show a form of behavior that is “very close to those observed among the average French people and display a high level of social integration.”⁶² Similarly, a newsman in the Czech Republic wrote about Jehovah’s Witnesses: “They recognize governmental authorities but believe that only God’s Kingdom is capable of solving all human problems. But watch it—they are not fanatics. They are people who are absorbed in humanity.”⁶³

Question One (Part C) Posed by Court: “Do the literature and documents of Jehovah’s Witnesses contain signs of (c) infringements on the individual, rights, and freedoms of citizens?”

Accusation Made by Experts of the Prosecutor: Demands made by the leadership of Jehovah’s Witnesses violate the “human right to rest” and “the human right to life.”

Alleged Bases for Accusation: By demanding that members of the religious community give up their rest, or free time, and spend time in preaching, the leadership of Jehovah’s Witnesses (the oppressors, as the experts put it) violates their members’ “constitutional human right to rest.” The experts also claim that “the human right to life is violated by restrictions by Jehovah’s Witnesses on kinds of allowable medical help, in particular, the ban on blood transfusion.”

Facts: The expert panel shows their preconceived bias by claiming Jehovah’s Witnesses are oppressively “enslaved” by their religious teachings. It is evident that experts who use denigrating and prejudicial terms to describe the subject of a study are not displaying impartiality. Furthermore, the constitutional provision in Article 37(5) that “everyone shall have the right to rest and leisure” is in the context of the right of all citizens to “make free use of his or her abilities for work and to choose a type of activity and occupation.” It does not prohibit individuals from using their free time for pursuing personal hobbies or activities. To claim that there is something unlawful in Jehovah’s Witnesses voluntarily using their time in their evangelizing work, the expert panel reaches an erroneous conclusion. If this were the case, then all volunteer work would be “unconstitutional.”

Those taking the lead among Jehovah’s Witnesses do not place demands on congregation members to preach. Rather this activity is motivated by a personal desire to share with others the encouraging things that a member has learned from the Bible. The Bible says of those taking the lead in the Christian congregation that they are not “masters over [a Christian’s] faith.” (2 Corinthians 1:24) Elaborating on this point, note what is stated in the June 1, 1999, *Watchtower* magazine:

“Humble elders realize that it is not for them to decide how much others are able to do in service to God. They know that while they may encourage others to expand or improve their ministry, service to God should stem from a willing heart. (Compare 2 Corinthians 9:7.) They are confident that if their fellow workers are joyful, they will do all they can. It is thus their heartfelt desire to help their brothers to ‘serve Jehovah with rejoicing.’—Psalm 100:2.”⁶⁴

Religious scholar Sergei Ivanenko concurred:

“It would be a serious mistake to represent the Religious Organization of Jehovah’s Witnesses as a religion whose leadership forces its rank and file believers to engage in one form of activity or another, or place upon them strict restrictions or directives. Jehovah’s Witnesses strive to live in accord with Bible principles on the basis of an individual, voluntary choice. . . . This also applies in full measure to preaching.”⁶⁵

Contrary to what the experts claim, no one dictates to individual Witnesses how much time to spend in this preaching work. Each Witness makes this decision according to his own personal circumstances, as is confirmed by the following comments published in *The Watchtower*:

“Does being whole-souled mean that we must all do the same amount in the ministry? That could hardly be possible, for circumstances and abilities differ from soul to soul. . . . A person with good health and physical stamina may be able to spend more time in preaching than can one whose strength is sapped by a chronic health condition or by advancing age. A young single person who is free from family responsibilities may be able to do more than can one who has to work full-time to provide for a family. . . . What matters to Jehovah, then, is not that you do as much as someone else does but that you do what you—your soul—personally can do. . . . Remember that what Jehovah expects from us is whole-souled service. What this amounts to may vary considerably from soul to soul. . . . As long as you give of your best, your service is valuable in God’s eyes.”—*The Watchtower*, October 15, 1997, pp. 13-15, 21-2.⁶⁶

James Beckford, an expert of the beliefs of Jehovah’s Witnesses and a professor at the University of Warwick, England, confirmed:

“It is important for each of them to exercise free moral agency in choosing to study the Bible and to live in accordance with their interpretation of its message.”⁶⁷

* * *

Jehovah’s Witnesses take Jesus Christ’s command to preach the gospel seriously. (Matthew 24:14; 28:19, 20) However, their view is not unique. Professor N. S. Gordienko and two other senior lecturers of the Religious Studies Department of the Herzen State Pedagogical University of Russia, in St. Petersburg, commented on this issue:

“All religious organizations of the world (in Russia also) care about widening of the circles of their members, and it poses no threat to humankind. The only difference is that some do this work with maximum effectiveness, the others only wish that they could do it.”⁶⁸

A church document approved by the Orthodox Church confirms Professor Gordienko’s observation. It states: “The most important thing is to actively preach the word of God to those who are near and those who are far.”⁶⁹ Jehovah’s Witnesses wholeheartedly agree with this statement.

The preaching method used by Jehovah’s Witnesses has a Biblical precedent. Like the apostle Paul, who preached “publicly and from house to house,” Jehovah’s Witnesses share Bible knowledge with all people in the communities where they live. (Acts 20:20) If they find

someone who is interested in learning more about the Bible, further discussions are arranged. Professor Gordienko notes: “Their activities to defend and spread their faith, their missionary preaching work, their desire to carry their understanding of the Bible to the maximum number of Russian people, all this is within the limits of their legally registered Statute and is normal for any religious organisation.”⁷⁰

Jehovah’s Witnesses act, indeed, “within the limits” of their legal rights when speaking to their neighbors about their faith. The publication *Religiya i Pravo* (Religion and Law) states: “According to the 28th article of the Russian Federation Constitution and part 1 of the 3rd article of the Federal Law on ‘The freedom of conscience and on religious associations’ . . . , everyone is guaranteed freedom of conscience, freedom of worship, including the right to . . . spread freely religious and other convictions and act in accordance with them . . . The Constitution of the Russian Federation (Part 1,4 Article 29) also guarantees the . . . right . . . to ‘freely look for, receive, transmit, produce, and distribute information by any legal way.’”—No. 5, 2000, p. 28.⁷¹

In addition, the European Court of Human Rights ruled on May 25, 1993, that “freedom to manifest one’s religion . . . includes in principle the right to try to convince one’s neighbor, for example, through ‘teaching.’” (*Case of Kokkinakis v. Greece; 3/1992/348/421*; European Court of Human Rights; Strasbourg, May 25, 1993) In a partly concurring opinion, Judge Pettiti stated that “attempting to make converts is not in itself an attack on the freedom and beliefs of others or an infringement on their rights.”⁷²

Although Jehovah’s Witnesses make use of their legal right to speak about their beliefs, they do not force their message on others. The Alma-Ata newspaper *Golos Azii* wrote in this regard: “Jehovah’s Witnesses don’t push their teaching upon anyone. They may start a conversation with you, but if you are not interested, they will not persist.”⁷³

Indeed, Jehovah’s Witnesses believe that the people in Russia are intelligent enough to know what they want to believe and whether they want to change their religious views. In addition, the people have the right to choose their religion. To deny them that right would be an infringement on the freedom of each citizen of Moscow.

* * *

The experts also take issue with the custom of Jehovah’s Witnesses of keeping certain records of their activities.

A publication of Jehovah’s Witnesses explains the reason why they keep some records related to their preaching activities:

“Early followers of Jesus Christ took interest in reports of progress in the preaching work. (Mark 6:30) As the work prospered, statistical reports were compiled along with accounts of outstanding experiences of those having a share in preaching the good news. . . . (Acts 2:5-11, 41, 47; 6:7; 1:15; 4:4) . . . How encouraging it was for those faithful Christian workers to hear reports of what was being accomplished! . . . In like manner, Jehovah’s modern-day organization endeavors to keep precise records of the work being done in fulfillment of Matthew 24:14.”-*Organized to Accomplish Our Ministry*, pp. 100-101.⁷⁴

Although opposers of Jehovah’s Witnesses may attach wrong motives to this keeping of records, British Professor Bryan Wilson, of All Souls College, Oxford University, England, states about this practice: “To impute a suggestion of sinister purpose and conspiracies [is] in my (extensive) experience of the Witnesses . . . totally at variance with the truth.”⁷⁵ Dutch researcher Richard Singelenberg, a social anthropologist who studied the Witnesses extensively in Western Europe, agrees that “the fact that the organization composes files on each member is no more or less ‘totalitarian’ than the records any dentist keeps of his patients.”⁷⁶

* * *

The second part of this accusation states that “the human right to life is violated by restrictions by Jehovah’s Witnesses on kinds of allowable medical help, in particular, the ban on blood transfusion.” The experts add that this “may turn out to be suicidal in the literal sense of the word.”

Yet, Professor A. I. Vorobiev, chief hematologist at the Russian Academy of Medical Sciences in Moscow, stated that the position of Jehovah’s Witnesses “cannot be considered as a refusal of medical treatment, much less as suicide.”⁷⁷ And Professor Bryan Wilson of Oxford, England, confirmed: “To suggest that the Witness teaching on blood transfusion is an encouragement of suicide is a travesty of the facts.”⁷⁸

The reason why these two well-informed authorities contradict the experts of the prosecutor is that Jehovah’s Witnesses do not teach their members to refuse medical treatment. Instead, Jehovah’s Witnesses accept medical treatment because they view life as a precious gift to be cherished and cared for. They are, as Dr. Craig Kitchens expressed in an article in *The American Journal of Medicine*, “completely in trend with modern medicine.”⁷⁹ Their decision to reject a blood transfusion is similar to that of other major religious groups that reject certain medical practices such as the ritual of circumcision, artificial birth control, or abortion.

Medical treatments that do not use blood are now available for the treatment of nearly all illnesses and virtually all types of surgery. “Bloodless surgery is a valuable field of modern medicine,” stated Professor Yuri Tarichko, chief cardiologist at the Ministry of Railways Hospital #2, in Moscow. “We are trying, as a whole, to make it one of the perspective models of medicine for the future.”—*Izvetiya*, March 25, 1999.⁸⁰

Actually, Jehovah's Witnesses have played a pioneering role in bloodless medical treatment, including bloodless surgery. At the international medical conference on transfusion alternatives held in Moscow on October 6, 1998, Michel de Guillenchmidt, professor of law from France, said:

“We should be grateful to Jehovah's Witnesses because by raising this issue, they have not only drawn attention to their own rights but also helped the entire medical community to understand the dangers of blood transfusions. This, in turn, encourages scientists to look for more sophisticated methods of bloodless surgery.”⁸¹

Anatoly P. Zilber, M.D., Ph.D., professor and chairman of the Department of Intensive Care and Anesthesia, Petrozavodsk University and Republican Hospital of Karelia, states in his book *Krovopoterya i Gemotransfuziya-Printsipi i metodi bekrovnoi khirurgii* (Bleeding and Haemotransfusion-Principles and Methods of Bloodless Surgery):

“If the doctor is acquainted with the modern concepts of clinical physiology of blood, loss of blood, and transfusion, he will find alternative methods acceptable to a specific patient and avoid transfusion of donated blood or its components. We suppose (and wish to convince the reader) that the religious teachings of Jehovah's Witnesses are not the main reason for the multitude of conflicts. They are simply more ‘literate’ in comparison with the rest of the patients not only concerning the problem of transfusions but also concerning the rights of the patient.”⁸²

Moreover, many medical experts have concluded that bloodless medical treatment is actually safer than treatments that rely on blood transfusions, as the following comments of doctors from Russia and elsewhere confirm:

“The statistics [for hepatitis infections caused by blood transfusions] are absolutely amazing. Practically all hemophiliac patients are infected with hepatitis. . . . We supported blood transfusions, and now together we shall get rid of the old views.”—A. I. Vorobiev, chief hematologist at the Russian Academy of Medical Sciences in Moscow.⁸³

“This danger [of infected blood] increases every year. . . . Today, there are HIV infection, megaviruses, hepatitis C, and other types of hepatitis for which there are not even enough letters of the Latin alphabet. It is not a hypothetical danger; it is a very real infection.”—Professor A. P. Zilber.⁸⁴

“In 1970, blood was magical and lifesaving; in 1980, it became a killer; now, in 1991, we know that not one blood transfusion is safe.”—*Anesteziologiya i Reanimatologiya* (Anesthesiology and Intensive Care), 1998, p. 183.⁸⁵

In Russia and the other countries of the Commonwealth of Independent States, there are now some 3,000 doctors who cooperate closely with Jehovah's Witnesses in providing them medical treatment without blood.⁸⁶ A growing number of doctors around the world recognize

that the medical alternatives to blood transfusion, used on patients who are Jehovah's Witnesses, are beneficial for all patients—including themselves. British surgeon Professor Stephen G. Pollard stated in an expert opinion prepared for the Golovinsky Court: "It is an increasingly common request by patients other than Jehovah's Witnesses (in particular Doctors) to request the avoidance of blood transfusion purely based on their knowledge of the risks of transfusion."—Consultant Surgeon at St. James Hospital in Leeds, United Kingdom.⁸⁷

The experts of the prosecutor also state that a religion should never demand its adherents to make decisions that "may bring harm to life and health of the person." Since increasingly more people contract dangerous illnesses through blood transfusions, the decision to accept blood transfusion may actually "bring harm to life and health." Those who want the best possible medical treatment for themselves and their family will often opt for treatment without blood because, bloodless medical treatment can be shown to be safer and effective.

* * *

Despite the advantages of bloodless medicine, though, the choice of medical treatment is left for each one of Jehovah's Witnesses to decide for himself. After having received information from the doctor and having considered the medical risks, each individual Witness makes a decision on the type of medical treatment he wants. When making such a decision, he takes into consideration the Bible principle to abstain from blood.—Acts 15:19, 20, 28, 29.

The experts of the prosecutor disagree with the explanation that Jehovah's Witnesses give of the Bible command "to abstain . . . from blood," as found in Acts 15:19, 20. They call it a "manipulation of the Holy Scriptures." However, the experts' disagreement with the way the Witnesses interpret the Bible is irrelevant. In fact, the written opinion that these same four experts submitted to the prosecutor assured:

"We will not examine here questions of the nature of the interpretation of the Old and New Testaments by Jehovah's Witnesses, since these are religious dogma and not subject for legal review." They added: "Of course, every citizen may accept or not accept one or another interpretation of the Bible, including one that Jehovah's Witnesses write about."⁸⁸

Thus, by the experts' own admission, when their opinion veers into Bible interpretation (as in this case), they may be ignored because religious teachings are "not subject for legal review."

* * *

After considering all the relevant facts, the Expert Council appointed by the Ministry of Justice declared:

"In those cases where the citizen himself willingly and in a state of consciousness refuses a blood transfusion, one cannot say there is any sort of wrongdoing." The view of Jehovah's Witnesses on blood transfusion "is not in conflict with the Russian Federation law."—*Expert*

*Council for Conducting State Expert Religious Studies With the Ministry of Justice of the Russian Federation.*⁸⁹

As to the general accusation regarding the violation of rights by Jehovah's Witnesses, the Expert Council appointed by the Ministry of Justice declared in April 1999:

"The doctrinal documents and literature of the religious organization 'Jehovah's Witnesses' available to the public do not contain basis for the claim that the activity of 'Jehovah's Witnesses,' including the practiced forms and methods of spreading faith, violates the rights of other citizens."—*Expert Council for Conducting State Expert Religious Studies With the Ministry of Justice of the Russian Federation.*⁹⁰

Consequently, the current accusations of the experts of the prosecution have been refuted by informed experts on Jehovah's Witnesses in Russia, Europe, and elsewhere.

Question Two Posed by Court: “Are the texts of the literature and documents of Jehovah’s Witnesses subject to study an expression that is usually used in religion?”

Accusation Made by Experts of the Prosecutor: “On the basis of a variety of significant indicators, the texts of the organization of Jehovah’s Witnesses subjected to study differ from expositions, which are typically used in nonsectarian faiths (in traditional religions).”

Alleged Bases for Accusation: The experts claim that the literature of Jehovah’s Witnesses causes fear, feelings of depression, anxiety, suspicion, animosity, near-hypnotic numbness, fatalism, and promotes an unfriendly disposition toward society as a whole. It also is said to ban constructive thinking.

Facts: The literature of Jehovah’s Witnesses is not used in repetitious chants. There are no attempts to isolate individuals physically and indoctrinate them. Typically, the literature of Jehovah’s Witnesses is simply read, individually and privately at home. Beyond that, Jehovah’s Witnesses consider at their meetings on a weekly basis one *Watchtower* article, two or three short articles in the *Kingdom Ministry* tract, and maybe a dozen paragraphs of a Bible-based book are considered in private homes in a smaller group session. This approach is incapable of being “near-hypnotic.”

Please compare how the personal opinions of the prosecutor’s experts, who studied Jehovah’s Witnesses for several weeks and who have no empirical evidence for their claims, differ from the scientific facts established by experts who studied the Witnesses for several years.

Victor Efimovich Kagan, doctor of medical sciences, in consultation with A. A. Severny, doctor of medical sciences, did a psychodiagnostic study of a group of Jehovah’s Witnesses in Moscow and concluded: “The results obtained characterize the members of the researched group as a whole as psychologically balanced, having positive social attitudes and a high degree of social and mental adaptivity.” Dr. Kagan added:

“No signs were detected of deformation of deep character structure. . . . Concerning psychological characteristics, the subjects were . . . calm, emotionally restrained, circumspect in their interactions with others, inclined to self-analysis, to planning ahead and to careful consideration of their actions, loving order, having a serious attitude toward decision-making, and placing a high value on moral standards. . . . This finding provides a basis for rejecting the assertion that the organization of Jehovah’s Witnesses exerts a destructive influence on the character of its members. . . . Membership in the congregation of Jehovah’s Witnesses was shown to have a positive influence on the individuals’ attitudes regarding social relationships and psychological balance.”⁹¹

Professor Rodney Stark, Department of Sociology, University of Washington, Seattle, U.S.A., concluded his study of Jehovah's Witnesses with the observation: "In short, . . . these were very pleasant, reasonable, and interesting people."—"Rationality and the Religious Mind," *Economic Inquiry*, Vol. XXXVI, July 1998, p. 379.⁹²

Professor of sociology Bryan Wilson evaluated a survey of Belgian Witnesses. Discussing the factors that attract people to become Witnesses, he wrote:

"Warmth, friendliness, love, and unity were among the most regularly mentioned items, but honesty, and personal comportment in 'acting out biblical principles' were also qualities that Witnesses cherished."⁹³

Well-qualified scholars, evidently, disagree with the experts of the prosecutor who claim that the literature of Jehovah's Witnesses engenders feelings of fear, helplessness, aggression, and similar negative qualities. The experts' predictions disagree with the apparent facts.

* * *

According to the experts, the literature of Jehovah's Witnesses creates fear and animosity because it contains "a vocabulary saturated with 'sad' and 'dark' moods." They ran the literature through a computer program (called BAAL) and found that words such as "destruction," "die," and "violence" occur regularly in the text. They claim that the presence of such "dark words" proves that the text heightens "anxiety, fear, suspicion . . . animosity."

Note, however, what P. L. Yarotskiy, religious scholar and doctor of philosophy, explains about the context of such words in the *Conclusion on the Results of a Research of Publications of Religious Association of Jehovah's Witnesses*:

"There often occur words as 'hatred' to 'hate,' etc. But the publications considered present an analysis of each particular case of use of such words and even classification of these terms with corresponding references to the Bible. Members of the religious organization of Jehovah's Witnesses are called to follow Jesus Christ in 'expressing hatred of lawlessness,' 'hating sexual uncleanness,' and in feeling hatred of apostasy, that is to promote hatred of badness, and not misanthropy."⁹⁴

Word counts as used by the experts have limited value to prove the intent of literature. For example, Jesus Christ himself used words that the experts describe as "dark." He used more than once words like these:

"Woe to you, scribes and Pharisees, hypocrites! because you cleanse the outside of the cup and of the dish, but inside they are full of plunder and immoderateness. Blind Pharisee, cleanse first the inside of the cup and of the dish, that the outside of it also may become clean. Woe to you, scribes and Pharisees, hypocrites! because you resemble whitewashed graves, which outwardly indeed appear beautiful but inside are full of dead men's bones and of every sort of uncleanness. In that way you also, outwardly indeed, appear righteous to men, but

inside you are full of hypocrisy and lawlessness. . . . Therefore you are bearing witness against yourselves that you are sons of those who murdered the prophets. Well, then, fill up the measure of your forefathers. Serpents, offspring of vipers, how are you to flee from the judgment of Ge·hen'na? For this reason, here I am sending forth to you prophets and wise men and public instructors. Some of them you will kill and impale, and some of them you will scourge in your synagogues and persecute from city to city; that there may come upon you all the righteous blood spilled on earth, from the blood of righteous Abel to the blood of Zechariah son of Barachiah, whom you murdered between the sanctuary and the altar.”—Matthew 23:25-37.

Those were “dark” words indeed. Yet, they are part of the Gospel, which means “good news.” Similarly, the literature of Jehovah’s Witnesses speaks about good tidings but does not hide Jesus’ words of denunciation. Hence, Professor N. S. Gordienko, lecturer with the Religious Studies Department of the Herzen State Pedagogical University of Russia, in St. Petersburg, told the Moscow court on March 5, 1999: “When the experts accuse Jehovah’s Witnesses for their teachings, they do not realize that they are actually making accusations against the Bible.”⁹⁵ Consequently, if a court were to use the experts’ criteria, the Bible would have to be banned and liquidated. Not surprisingly, the Bible advises “not to fight about words.”—2 Timothy 2:14, 15.

Instead of focusing on words, the experts (whose opinion contains a considerable number of “dark” words) would do well to follow the advice given by Professor Nikandr Gills of the University of Latvia who studied Jehovah’s Witnesses in his country. He told researchers who are asked to evaluate Jehovah’s Witnesses “to go beyond the layers and frames of preconceived opinions and abstract judgments about one or another religious movement, to be able to discover concrete personalities and to find out that the people who have joined a religious community and share one faith, worldview and way of life are a part of our society.” He further stressed: “A society can only get rid of stereotyped judgments about new phenomena and view it formerly rejected granted it gets to know them.”⁹⁶

Jehovah’s Witnesses invite the experts of the prosecution to do just that—first get to know the Witnesses on a personal basis, then form and write an opinion about them. Just as one cannot fully savor a meal by merely reading a cookbook, so one cannot fully appreciate the beliefs of Jehovah’s Witnesses by merely reading their literature.

* * *

The experts also claim that the literature of Jehovah’s Witnesses “bans constructive thinking.” However, a few quotations from *The Watchtower* and *Awake!* prove otherwise:

“A certain amount of privacy is beneficial for thoughtful meditation, constructive thinking and planning.”⁹⁷

“Straight thinking does not come naturally for most of us. It has to be learned. Making a sound decision may be the hardest work we are called upon to do. Constructive thinking is

more than daydreaming or the weaving of fantasies. We must weigh the various aspects of a situation. We may read material that provokes thought, and analyze it as we do, then base decisions upon facts that we have read. But what do you get out of what you read? Do you skim lightly over the page, getting merely a smattering of what is there? Or in reading is your mind active? Does it think about what is read, making certain that it got the correct idea from the page, and considering how this applies and what it means to you? Correct understanding is vital. How could you add to intelligent conversation if your information is faulty? How could you reach sound conclusions if in reading you misread the facts upon which your conclusion is based?"⁹⁸

"Your happiness will depend on how you think. If you exercise your thinking ability and apply your knowledge, you will be happy.' Showing the importance of thinking ability, he [the Gilead school instructor] explained: 'The difference between right action and wrong action is thought. What you think determines what you do.' [Instructor] J. D. Redford concluded with these words of encouragement to the students: 'There are many very intelligent people in the world who are poor thinkers, and there are many people of average intelligence who have become skilled thinkers. So acquire that skill. Be determined to use your mind. Use your knowledge.'"—A lecture given to a group of Jehovah's Witnesses who were to serve as missionaries in foreign countries.⁹⁹

Many of the tens of millions of people in over 230 countries who regularly read the literature of Jehovah's Witnesses have stated that the literature has helped them to take initiatives, to develop a positive outlook for the future, to acquire inner peace, and to live peaceful lives. Among those readers was the head of the foreign-languages department at the Karakol Institute of Management in Kyrgyzstan, a former republic of the Soviet Union, who praised the publications of Jehovah's Witnesses. He wrote the following to the Administrative Center for Jehovah's Witnesses in Russia: "Thank you for the interesting and informative articles. . . . They instill hope in us and broaden our general outlook."¹⁰⁰

Those who know Jehovah's Witnesses can confirm the accuracy of an observation made by researcher Dr. Victor E. Kagan, who studied a group of Jehovah's Witnesses in Moscow. He said: "Jehovah's Witnesses, after spending some time in the organization, become softer, kinder, more social." Dr. Kagan also noted that "they become more tolerant of people professing other religions."¹⁰¹

In April 1999 the Expert Council for Conducting State Expert Religious Studies thus notified the Ministry of Justice:

"The information set forth in the documents and materials available to the public that has been presented by the religious organization of 'Jehovah's Witnesses' on the whole corresponds to the literature distributed by the indicated organization for its members and in society."¹⁰²

The Council further declared:

“The Expert Council draws the conclusion, that as a result of studying the doctrinal provisions in the documents presented by the religious association of Jehovah’s Witnesses in Russia, there are no obstacles to be found to registration of this association as a centralized religious organization.”—*Expert Council for Conducting State Expert Religious Studies With the Ministry of Justice of the Russian Federation*, April 15, 1999.¹⁰³

That same month, April 29, 1999, the Ministry of Justice of Russia reregistered the Administrative Center for Jehovah’s Witnesses in Russia, acknowledging that neither Jehovah’s Witnesses nor their literature are guilty of inciting religious discord, destroying family life, or infringing on the rights of individuals—the same accusations that the experts of the prosecution are now making again!

Extra Question Posed by Experts: “Does the analyzed material motivate citizens to refuse to fulfill legally established civic duties?”

Accusation Made by Experts of the Prosecutor: “The literature and documents of Jehovah’s Witnesses contain tenets aimed at dividing the individual and the state.” This makes Jehovah’s Witnesses a “social-political organization and not a religious one.”

Alleged Bases for Accusation: Jehovah’s Witnesses refuse military service and alternative civil service and do not salute the flag or sing the national anthem.

Facts: Jehovah’s Witnesses do not have a hidden political agenda, as the expert panel insidiously implies. They are not a secret society, hiding their identity or connections. They are a “known religion,” a fact that has been recognized by the European Court of Human Rights.¹⁰⁴ They have been registered as a religion in over 100 countries. The Russian Federation registered Jehovah’s Witnesses as a religious organization. The expert panel itself acknowledges in their written reply to the prosecutor that Jehovah’s Witnesses have religious “dogma.” The religious faith of Jehovah’s Witnesses is what motivates them to put into action their love of God and neighbor.

Jehovah’s Witnesses view obedience to government authorities as part of their worship to God. The Bible commands Christians to obey the law, pay taxes, show honor to government officials, and be willing to do good work in the community. (Mark 12:17; Romans 13:7; Titus 3:1) The Bible even refers to government authorities as “God’s public servants” because of the beneficial services provided by government agencies. (Romans 13:6) Hence, the literature of Jehovah’s Witnesses calls upon its readers to obey the state’s laws:

“In harmony with the Scriptures and the example of first-century Christians, God’s servants today are under obligation to pay all taxes imposed upon them as well as to grant rulers and officials the fear and honor that their position deserves. This includes addressing them by their titles of honor and in no way obstructing the performance of their duties.”—*Awake!*, February 8, 1977, p. 28.¹⁰⁵

“It would be incorrect to conclude that all humans in governmental authority are Satan’s tools. Many have proved themselves people of principle, such as the proconsul Sergius Paulus who is described in the Bible as “an intelligent man.” (Acts 13:7) Some rulers have courageously defended the rights of minorities, being guided by their God-given conscience even if they did not know Jehovah and his purposes. (Romans 2:14, 15) Remember, the Bible uses the word “world” in two contrasting ways: the world of mankind, which God loves and which we should love, and the world of humanity alienated from Jehovah, of which Satan is the god and from which we must stand apart. (John 1:9, 10; 17:14; 2 Corinthians 4:4; James 4:4) Thus, Jehovah’s servants have a balanced attitude toward human rulership. We are neutral in political matters since we serve as ambassadors or envoys of God’s Kingdom and our lives are dedicated to God. (2 Corinthians 5:20) On the other hand, we are in

conscientious subjection toward those in authority.”—*The Watchtower*, November 1, 1997, pp. 16-17.¹⁰⁶

Although Jehovah’s Witnesses are neutral in political matters—not favoring one group over another—they cooperate with whatever lawful government is in power, and they strive to live in peace with their fellowman. Therefore, in the past 100 years and more, Jehovah’s Witnesses have never used physical or psychological force either in Russia or in any other part of the world. Proof of this is the Witnesses’ peaceful attitude even while being persecuted by the Communist regime in the USSR. Concerning the Witnesses’ position on violence, the book *Rossiiskiye Svideteli Iyegovi: Istoriya i Sovremennost* (Russian Jehovah’s Witnesses: History and Present) states:

“Jehovah’s Witnesses were accused of carrying out active anti-Soviet activities directed toward forcible changes in the USSR State and community. The absurdness of such suspicions was recognized by serious Soviet researchers of the beliefs and life-style of Jehovah’s Witnesses.”¹⁰⁷

Even so, some people (including the four experts of the prosecutor) feel strongly that Jehovah’s Witnesses are guilty of “antistate activities.” There is, however, a striking similarity between the accusations made by the experts and the accusations that were made by the totalitarian Nazi and Communistic regimes before, during, and after World War II. Today, the only difference is that the phrases “socialistic ideals” and “communistic ideals” have been replaced with the phrase “traditional values.” So the intent and the target of the accusations are the same, only the language has been adjusted in order to blend in with the current vocabulary. No wonder that Russian Ombudsman O. O. Mironov declared, in January 2000, about Jehovah’s Witnesses: “Truly, one can get the impression that around this religious organization, which is operating in Russia on a legal basis, there is an attempt to intentionally form an atmosphere of suspicion and feed hostility toward its members.”¹⁰⁸

* * *

The experts accuse Jehovah’s Witnesses of “inciting believers to refuse legally defined military service, including alternative service.”

Jehovah’s Witnesses recognize the right of the state to raise an army, and they do not dictate what stand their fellow believers or others should take on issues regarding military service. Such a decision is left to each individual Witness to resolve in harmony with the Bible and his Bible-trained conscience. (Galatians 6:5) *The Watchtower* states: “What, though, if the Christian lives in a land where exemption [from military service] is not granted to ministers of religion? Then he will have to make a personal decision following his Bible-trained conscience.”—May 1, 1996, p. 19.

However, when a Witness chooses not to enter the armed forces, he is free to perform alternative civilian duty if this is required and if his Bible-trained conscience so allows him. *The Watchtower* explains:

“In some places a required civilian service, such as useful work in the community, is regarded as nonmilitary national service. Could a dedicated Christian undertake such service? Here again, a dedicated, baptized Christian would have to make his own decision on the basis of his Bible-trained conscience. . . . What if the Christian’s honest answers to such questions lead him to conclude that the national civilian service is a “good work” that he can perform in obedience to the authorities? That is his decision before Jehovah. Appointed elders and others should fully respect the conscience of the brother and continue to regard him as a Christian in good standing.”—*The Watchtower*, May 1, 1996, pp. 19-20.¹⁰⁹

Unlike the experts of the prosecution, researchers of the Russian Independent Institute of Social and National Problems understand the position of Jehovah’s Witnesses. The book *Religii Narodov Sovremennoi Rossii—Slovar* (Religions of the People in Modern Russia—Dictionary), published by this institute in 1999, explains:

“Military service is in conflict with the religious views and beliefs of Jehovah’s Witnesses, but every member is offered to make that decision on his own, based on his conscience. Therefore, it is recommended to accept alternative service and to fulfill other civil rights and responsibilities.”¹¹⁰

In many lands, Jehovah’s Witnesses have performed such service conscientiously, which often includes building schools and roads, helping to care for the infirm in hospitals, and similar useful activities. Thus, even though Jehovah’s Witnesses do not perform military service, they can be of help to their fellow citizens in other ways.

According to sociologist Professor Bryan Wilson, Jehovah’s Witnesses’ position of “conscientious objection to taking up arms has increasingly been acknowledged and accorded to them in most western countries, implying that their sincerity is in no sense in doubt.”¹¹¹ The European Court of Human Rights stated on April 6, 2000: “Virtually all Contracting States now recognised the right to alternative service.”¹¹² (*Case of Thlimmenos v. Greece*; Strasbourg, April 6, 2000) In Russia, the situation should be similar, as Professor Gordienko of St. Petersburg’s Pedagogic University explained in his *Objective Religious Analysis*, prepared for the Golovinsky Court:

“Conscientious objection based on someone’s religious convictions, is a legitimate right to exercise freedom of thought, conscience and worship, recognized by International Law (Article 18 of the Universal Declaration of Human Rights; Article 18 of the International Covenant on Civil and Political Rights), and by the Russian Constitution (Article 59, part 3). Legality of conscientious objection in the case of Jehovah’s Witnesses was confirmed by the high courts of the Russian Federation.”—*International Norms of Human Rights and Their Application by the Courts of the Russian Federation* by L. B. Alekseeva, V. M. Zhuikov, I. I.

Lykashuk; edited by V. M. Zhuikov, vice-chairman of the Supreme Court of the Russian Federation, Moscow, 1996, p. 61.¹¹³

The right to refuse military service and request alternative civilian service is thus enshrined in the Constitution of the Russian Federation. The Russian Constitutional Court has twice made this clear in rulings protecting rights of Jehovah's Witnesses.¹¹⁴ The experts are, therefore, misinformed when they claim that Jehovah's Witnesses "refuse legally defined military service, including alternative service." Moreover, by seeking to deprive Jehovah's Witnesses of their right and freedom to perform alternative civilian service, the experts show that they themselves lack respect for the laws of the land that uphold such freedom.

Recent court decisions confirm that the position of Jehovah's Witnesses is not contrary to law. In fact, Russian courts have repeatedly refused to convict Jehovah's Witnesses that choose alternative service. To give one recent example, on May 5, 2000, the Gorno-Altaysk City Court in Siberia, Russia, ruled that Aleksandr Kalistratov, one of Jehovah's Witnesses, had the right to choose alternative service.¹¹⁵

It is reassuring to note that a growing number of people in authority agree with the conclusion reached by researchers of the Faculty of Sociology of the Javakhishvili State University of Tbilisi and the Institute of Philosophy of the Academy of Sciences in Georgia, who stated: "There is nothing anti-State in the refusal to serve in the army and to bear arms on the bases of faith."¹¹⁶ The Parliamentary Assembly of the Council of Europe recommended, therefore, on July 13, 2000, "that the right to conscientious objection to military service be incorporated into the European Convention of Human Rights . . . and that states take the necessary steps to ensure respect for this right."—*Exercise of the Right of Conscientious Objection to Military Service in Council of Europe Member States*, document 8809, p. 1.¹¹⁷

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The experts further claim that Jehovah's Witnesses strive to "destroy the national/State identity of its followers" by refusing to salute the flag or sing the national anthem because by saluting the flag one's attitude toward the state "is first of all expressed."

Bear in mind, however, that saluting the flag or singing the national anthem does not in itself prove "first of all" one's loyalty to the nation. Those who seek to subvert the interests of the State are often the first to disguise their aims by a display of patriotism. A columnist for a newspaper in the Caribbean pointed to a superior way of showing loyalty: "My loyalty to the country is demonstrated not in singing and shouting and saluting but by being diligent and upright in the performance of my civic duties and work, thus contributing to the strength of the nation."¹¹⁸ Likewise, a governmental decree in Argentina states that respect for the country's emblems is "not only shown by express veneration, but also by leading a conduct of hard work

and fulfilling the obligations on the human being in the different stages of his life.”—Directive issued by the Ministry of Education and Justice, Buenos Aires, August 14, 1984.¹¹⁹

And that is, indeed, the way in which Jehovah’s Witnesses demonstrate their support for the communities in which they live—as non-Witness observers confirm about them:

“They are the most honest and the most punctual tax payers in the Federal Republic.”—German newspaper *Müncher Merkur*.¹²⁰

“For decades, these people have worked honestly at the hardest jobs.”—*Religii na Kartye Zabaikalya* (Religions on the Map of the Zabaikalya).¹²¹

Jehovah’s Witnesses do not salute the flag because they view doing so as an act of worship, and they cannot conscientiously give worship to anyone or anything except God.—Matthew 4:10; Acts 5:29.

In viewing the saluting of the flag as an act of worship, Jehovah’s Witnesses imitate the early Christian church. Although the early Christians were law-abiding, they could not conscientiously participate in the patriotic rites of the Roman Empire. In commenting on the matter, *The Book of Culture* says: “The Christians, however, strong in their faith, would take no such oath of loyalty. And because they did not swear allegiance to what we would to-day consider as analogous to the Flag, they were considered politically dangerous.”¹²² Similarly, because Jehovah’s Witnesses today do not participate in patriotic ceremonies, some consider them “politically dangerous” and stir up opposition against them, just as the Romans did against the early Christians.

Nonetheless, today, Jehovah’s Witnesses are not alone in believing that the flag salute is related to worship, as the following comments show:

“Early flags were almost purely of a religious character. . . . The aid of religion seems ever to have been sought to give sanctity to national flags.”—*Encyclopædia Britannica*.¹²³

“The flag, like the cross, is sacred. . . . The rules and regulations relative to human attitude toward national standards use strong, expressive words, as, ‘Service to the Flag,’ . . . ‘Reverence for the Flag,’ ‘Devotion to the Flag.’”—*The Encyclopedia Americana*.¹²⁴

“Christians refused to . . . sacrifice to the [Roman] emperor’s genius—roughly equivalent today to refusing to salute the flag or repeat the oath of allegiance.”—*Those About to Die*, by Daniel P. Mannix, p. 135.¹²⁵

Furthermore, the decision of individual Jehovah’s Witnesses to refrain from saluting the flag or singing the national anthem is not taken “out of any unpatriotic sentiment,” stated the Supreme Court of India on August 13, 1986. Professor of law Alpheus T. Mason explains in his book *Harlan Fiske Stone: Pillar of the Law* about the refusal of Jehovah’s Witnesses to salute the

flag: “Their refusal did not mean that they were unpatriotic or that they did not love their country. It simply meant that, as they read the Scriptures, the flag salute violated the Biblical injunction against bowing down to a graven image.”¹²⁶ Similarly, Professor Nikandrs Gills, researcher at the University of Latvia, stated: “Jehovah’s Witnesses respect state symbols and maintain a neutral attitude, which does not offend others.”—*Jehovah’s Witnesses—The Movement’s History in the 20th Century and in Latvia*, p. 5.¹²⁷

To illustrate the legal acceptability of the position of Jehovah’s Witnesses, Professor Gills refers to a 1993 decision of the Supreme Court of the Philippines, which states that although Jehovah’s Witnesses “do not take part in compulsory flag ceremony, they do not engage in ‘external acts’ or behaviour that would offend their countrymen who believe in expressing their love of country through the observance of flag ceremony. They quietly stand at attention during the flag ceremony to show their respect for the right of those who choose to participate in the solemn proceedings. Since they do not engage in disruptive behaviour, there is not warrant for their expulsion.”—Supreme Court of the Republic of the Philippines, Manila, March 1, 1993.¹²⁸

“In my opinion,” adds Professor Gills, “the Court’s decision expresses an all-embracing opinion which could be held by many modern countries, and Latvia among them.”¹²⁹ Supreme Court decisions in countries such as Argentina, Canada, Ghana, India, South Africa, and the United States accommodate the Witnesses’ position on the flag salute and national anthem.¹³⁰ For instance, India’s Supreme Court stated that punishing the Witnesses for their conscientious stand on not singing the national anthem “is a violation of their fundamental right to freedom of conscience and freely to profess, practice and propagate religion.”¹³¹ The same fundamental right should be granted in Russia because freedom of worship means “freedom from a ceremony that conflicts with religious convictions,” states *Religiya i Pravo* (Religion and Law), an analytical magazine published by Moscow’s Institute of Religion and Law.¹³²

In his book *The Court and the Constitution*, professor of law Archibald Cox, of Harvard University, raises a significant question: “Why should we worry about the spiritual liberty of that tiny minority which refuses to salute the flag?” He responds: “Part of the answer lies in the premise of individual dignity on which our society rests, a dignity belonging to both orthodox and nonconformist. Part lies in the awareness that if the State may silence the speech of Jehovah’s Witnesses . . . , our own may be next.”¹³³

Yes, the suppression of freedom of worship for a minority can be the thin edge of the wedge that leads to the suppression of other freedoms for all citizens. Clearly, then, it is in the interests not only of Jehovah’s Witnesses but also of the Russian government to uphold the law.

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