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New Religious Movements and the Problem of Extremism in Modern Russia

*Veronika V. Kravchouk**

I. INTRODUCTION

The liberal transition-era policies of the early 1990s following the dissolution of Communism led to the emergence of new foreign and domestic religious movements previously unknown in Russia. The dynamic proliferation of new religious movements and the demands of social, economic, and cultural transition have confronted the government with new and diverse pressures. These increased pressures on the Russian government have been especially poignant as the government has adopted legislation to address extremist activity and regulation of new religious movements.¹

Appropriately categorizing new religious movements for purposes of legislation and law enforcement, however, has proven difficult and controversial because classifying a religious group as a cult or sect rather than as a genuine religion has real consequences.² According to Eileen Barker, a preeminent expert on new religious movements,

application of one label can, without any further clarification or information, bestow respectability and privileges such as status and tax exemption; the application of the other label can give a society permission to damn an organization and to treat its members as

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1. *See infra* notes 64–65 and accompanying text and Part II.D.

2. Eileen Barker, *Why the Cults? New Religious Movements and Freedom of Religion or Belief*, in *FACILITATING FREEDOM OF RELIGION OR BELIEF: A DESKBOOK* 1–2 (Tore Lindholm et al. eds., 2001).

lesser citizens, or even as non-citizens, denied what would otherwise be considered their basic rights.³

In order to understand the government's attempt to categorize new religious movements, it is necessary to understand the factors that distinguish constitutionally protected exercise of religious freedom from truly dangerous extremist activity, as well as the difficulty of correctly applying those factors.⁴

Traditional factors that are helpful in distinguishing between law-abiding new religious movements and new religious movements that are prone to extremism include: (1) length of existence of the religious group, (2) tendency to preserve territorial and/or group isolation, (3) ad hoc financing, and (4) authoritarian or charismatic leadership. However, Russian lawmakers should be mindful of the various shortcomings of these traditional factors, as these elements may result in over- or underinclusiveness in labeling potential extremist activities and groups. Particular difficulties with the application of these factors, such as (1) unavailability of information and length of existence, and (2) vagueness and ambiguity of criteria for identifying extreme religious movements, make this a process that continually requires refinement.

Part II of this Article reviews Russia's religious history, the post-Soviet proliferation of new religious movements, the problems and issues, real or perceived, attendant to the rise of these movements, including extremism, and the government's response to these movements. Part III illustrates the government's dilemma of combating extremism while respecting religious freedom, and points out many of the problems that arise from exclusive reliance on these traditional factors. Ultimately, Russia is confronted with a tension between promoting freedom of religion and protecting society from extremism. As a first step, Russia should establish a committee to analyze this problem countrywide and educate its citizenship concerning religion and religious diversity. While increased religiosity has undoubtedly had positive benefits on the country, the widespread emergence of new religious movements has changed the religious character of Russia in ways that potentially threaten the country's stability unless lawmakers achieve a workable balance in identifying and dealing with extremism.

3. *Id.*

4. *See infra* Part III.A.

II. THE CHANGING RELIGIOUS LANDSCAPE IN RUSSIA

Dealing with the appearance of new religious movements in Russia requires a nuanced approach because of Russia's unique religious history. Significant world religious events, such as the Renaissance, Reformation, and Enlightenment, largely passed unnoticed by tsarist and Soviet Russia.⁵ Consequently, the religious pluralism deeply rooted and commonly embraced in Western culture is, like democracy and capitalism, a relatively new concept for the post-Soviet world. Understanding Russia's unique religious heritage is essential to understanding responses to new religious movements and attempts to deal with extremist activities that have emerged over the past decade.

A. Russia's Religious Heritage

Prior to the adoption of Christianity in 988 AD, religious belief in Russia was characterized by a pantheistic pagan worldview that was expressed in art, custom, and religion.⁶ Russia officially adopted Christianity in 988 AD, when Prince Vladimir of Kiev sent envoys abroad to survey the religions of surrounding regions and return with a recommended faith to augment the pagan traditions of the people of Russia.⁷ Pagan Slavs who refused to allow their religious beliefs to be dictated by Greek Orthodoxy initially met orthodoxy with extreme resistance.⁸ Orthodox Christianity eventually gained acceptance as it merged with traditional Slavic beliefs and grew to be identified with the "spirit of Russia."⁹ From 988 AD to 1917, the Russian Orthodox Church reigned as the officially endorsed religion of the Russian Empire.¹⁰ Although other traditional religions such as Islam, Catholicism, Lutheranism, Judaism, and Buddhism were also

5. LYNN R. ELIASON, PERESTROIKA OF THE RUSSIAN SOUL: RELIGIOUS RENAISSANCE IN THE SOVIET UNION 51 (1991).

6. Nikolay Andreyev, *Pagan and Christian Elements in Old Russia*, 21 SLAVIC REV. 16, 16-17 (1962).

7. See Orthodox World, *A Brief History of the Orthodox Church: The Baptism of Russia*, at <http://www.orthodoxworld.ru/english/istoria/2/index.htm> (last visited Mar. 26, 2004).

8. Andreyev, *supra* note 6, at 18-20.

9. *Id.*

10. See Lev Simkin, *Church and State in Russia*, in LAW AND RELIGION IN POST-COMMUNIST EUROPE 261 (Silvio Ferrari & W. Cole Durham, Jr. eds., 2003).

present, they “enjoyed a substantially restricted set of rights and privileges.”¹¹

After the 1917 Revolution, the socialist state established a progressive policy of secularization and strict separation between church and state that evolved into a hostile and discriminatory governmental stance against all religious denominations.¹² For example, the new secular state deprived religious organizations of property rights and recognition as legal entities.¹³ The Soviet state’s hostility to religion continued until the 1980s when Mikhail Gorbachev, under his policies of *perestroika* (restructuring) and *glasnost* (openness), began to ease the strong bureaucratic grip of the government, thereby allowing for more initiative and freedom of individual groups or enterprises,¹⁴ including religious organizations.¹⁵ By 1990, the Russian Soviet Federative Socialist Republic adopted a law which conferred a degree of respectability on religion by officially recognizing the right of registered religious organizations to obtain legal entity status.¹⁶ According to Deacon Andrei Kurayev, a member of the Russian Federation State Duma’s Expert Advisory Council on Questions of Freedom of Conscience, the goal of this law was “to free the life of religious organizations from interference by the state.”¹⁷ This liberalized regime resulted in a quadrupling of the number of religious organizations.¹⁸ Russians enthusiastically

11. *Id.*

12. *Id.*

13. *Id.* By decree, “the Council of People’s Commissars on January 20, 1918 established [that]: ‘No churches or religious societies may own property. They shall not possess the rights of a legal entity. All property of existing churches and religious societies in Russia is declared to be national property.’” *Id.* (citing *On the Separation of the Church from the State and the School from the Church*, *Sobr. Uzakonenii*, RSFSR, 1918, No. 18, art. 263).

14. See generally Oxana Antic, *The Spread of Modern Cults, in RELIGIOUS POLICY IN THE SOVIET UNION* 252, 256 (Sabrina P. Ramet ed., 1993); Kathryn Hendley, *The Role of Law in the Russian Economic Transition: Coping with the Unexpected in Contractual Relations*, 14 *WIS. INT’L L.J.* 624, 629–30 (1996).

15. See Howard L. Biddulph, *Religious Liberty and the Ukrainian State: Nationalism Versus Equal Protection*, 1995 *BYU L. REV.* 321, 326–27.

16. See Biddulph, *supra* note 15, at 327–28; Simkin, *supra* note 10, at 262. See generally Law of the Russian Soviet Federative Socialist Republic on Freedom of Worship, available at Religion and Law Research Consortium, <http://www.religlaw.org/template.php?id=74>.

17. Deacon Andrei Kurayev, *Freedom of Conscience and Freedom for Cults*, *TRUD*, Aug. 13, 1997, at 1, 4, reprinted in *CURRENT DIG. POST-SOVIET PRESS*, Oct. 1, 1997, at 4.

18. Simkin, *supra* note 10, at 262 (noting that the number of religious organizations went from approximately 6,737 in 1986 to 20,200 in 2001).

received Russian Orthodoxy and other religious movements to fill the “spiritual vacuum” left by secularized Soviet ideology.¹⁹

In many ways, Russian society was unprepared for the strong appeal that religion would have as Russians gravitated to a variety of both established and emerging religions.²⁰ The general excitement of the era resulted in a broad invitation of religious groups to participate in many social institutions where these groups gained significant access to and influence over potential converts. For example, the Church of the Unification of the Reverend Moon (Moonies) secured broad access to public schools where they distributed religious literature to children, resulting in unprecedented success for the group that would have been unthinkable in any other country.²¹ Similarly, the Church of Scientology gained access to many children affected by the Chernobyl disaster through their humanitarian efforts and allegedly conducted “auditing” of the children.²² This is in direct contrast to Western countries, which generally allow a great deal of religious freedom but still maintain restrictions on proselytizing underage youth.²³

The general lack of religious experience in Russian society made it difficult for many Russians to distinguish between reputable religious organizations and religious groups known abroad for scandalous activities.²⁴ The desire for new ideas and religions was so

19. Andranik Migrayan & Aleksandr Tsipko, *Only Together Can a Weak Government, a Weak Church and a Weak Society Be Strong*, NEZAVISIMAYA GAZETA, Aug. 20, 1997, at 2, reprinted in CURRENT DIG. POST-SOVIET PRESS, Oct. 1, 1997, at 1–2; see also Antic, *supra* note 14, at 254; Marina V. Vorobjova, *Traditional and Nontraditional: Paradoxes of Coexistence*, paper presented at the 2003 CESNUR International Conference, “Religion and Democracy: An Exchange of Experiences Between East and West,” Apr. 9–12, 2003, available at http://www.cesnur.org/2003/vil2003_vorobjova.htm (last visited Jan. 26, 2004).

20. See generally Antic, *supra* note 14, at 253–54; Migrayan & Tsipko, *supra* note 19; Vorobjova, *supra* note 19.

21. See ALEKSANDR SHCHIPKOV, VO CHTO VERIT ROSSIYA? [WHAT DOES RUSSIA BELIEVE?] 145 (1998).

22. See *id.*

23. Sergei Filatov, *Noviye religioznye dvezheniye—ugroza ili norma zhizni?* [New Religious Movements—Threat or Norm of Life?], in RELIGII I OBSHCHESTVO: OCHERKI RELIGIOZNOI ZHIZHI SOVREMENNOI ROSSII [RELIGION AND SOCIETY: SKETCHES OF RELIGIOUS LIFE IN CONTEMPORARY RUSSIA] 401, 403 (2002).

24. Filatov, *supra* note 23, at 404.

strong that many Russians fell victim to fraudulent schemes,²⁵ lost loved ones to cult inspired suicides, murders, abandonment, or other abuse.²⁶ Some of these so-called religious organizations were in actuality terrorist organizations that sought to exercise psychological control over their victims.²⁷ According to Kurayev, “it became clear very quickly that . . . in fact, sometimes people need to be protected from religious organizations.”²⁸

These publicized events lead to mounting concern over Russia’s increasingly diverse religious makeup. With time, the terms “cult” and “sect” began to acquire negative connotations as the public began to associate them with “antisocial,” “criminal,” and “dangerous” behavior.²⁹ Writers and journalists often wrote about “the negative effects of religious cults and neomysticism upon the mental health and the life in general of young people.”³⁰ Lawmakers feared that the emergence of new religious movements threatened their ability to maintain centralized control.³¹ Some have argued that this negative response is partly due to Western anticult movements.³² In reality, however, “there has not been any evidence to suggest that in Russia the overwhelming majority of new religions and their members have been any less loyal citizens than the rest of society.”³³

25. See, e.g., Viktor Panchenko, *Khabarovsk Sect Chief Convicted for Money Laundering*, ITAR-TASS, June 27, 2001 (recounting events surrounding the conviction of a director of a Scientology center for business and money laundering), available at LEXIS, News & Business.

26. See, e.g., Mikhail Doronin, *Cults in Russia Preach License for Murder—Prosecutor*, ITAR-TASS, Aug. 27, 1997 (noting one prosecutor’s belief that “250,000 families have been destroyed” by cults by a variety of outrageous activity, including murder, suicide and child abandonment.), available at LEXIS, News & Business; Oleg Yemelyanov, *Religious Sect Subjected Children to Torment—Eyewitnesses*, ITAR-TASS, Mar. 10, 1999, available at LEXIS, News & Business.

27. Olga Kostromina, *Totalitarian Sects Train Terrorists*, ITAR-TASS, Oct. 28, 2003 (noting that some “totalitarian sects” are “becoming suppliers of operatives to carry out bomb attacks” and cause psychological harm to their adherents), available at LEXIS, News & Business.

28. Kurayev, *supra* note 17, at 4.

29. Marat S. Shterin & James T. Richardson, *Effects on the Western Anti-cult Movement on Development of Laws Concerning Religion in Post-Communist Russia*, 42 J. CHURCH & ST. 247, 249 (2000); see also Barker, *supra* note 2, at 2.

30. Antic, *supra* note 14, at 254 (citations omitted).

31. See Shterin & Richardson, *supra* note 29, at 251.

32. See *id.* at 249.

33. *Id.* at 251.

B. New Religious Movements in Modern Russia

New religious movements consist of new denominations, religious groups, or spiritual trends or tendencies appearing during the second half of the twentieth century, which may either be independent of any previously established religious center or a fusion of various religious faiths.³⁴ The emergence of “new religious movements” contributed to the increased diversity of Russia’s religious landscape by attracting religiously inclined Russians to explore the new aspects of religious belief offered by these various movements. For many Russians, the term “new religious movement” invokes stereotypical images of criminality, extremism, hypnosis, brainwashing, fanaticism, and totalitarian sects.³⁵

In January 1990, prior to the dissolution of the Soviet Union, sixteen traditional religious organizations and one nontraditional religious organization were registered with the state.³⁶ By January 1999, Russia housed fifty-eight registered groups.³⁷ According to more recent social statistics, new religious movements are the most dynamic and fastest growing among all religions.³⁸ Current data suggests that around ten percent of the Russian population, or approximately fifteen million Russians, belong to new religious movements.³⁹ Other data, spanning seventeen years of observation, show that new religious movements continue to grow both quantitatively and qualitatively based on their methods of attracting converts and the growth of their financial strength.⁴⁰

These new religious movements in modern Russia may be divided into three main groups: (1) long-established foreign religions appearing for the first time in Russia during the past decade, (2) new

34. NOVIYE RELIGIOZNIYE KUL'TI, DVIZHENIYA I ORGANIZATZII V ROSSII [NEW RELIGIOUS CULTS, MOVEMENTS, AND ORGANIZATIONS IN RUSSIA] 163 (1998) [hereinafter NOVIYE RELIGIOZNIYE KUL'TI]; see also L.I. GRIGORYEVA, RELIGII “NOVOVA VEKA” I SOVREMENNOYE GOSUDARSTVO [RELIGIONS OF THE “NEW AGE” AND MODERN GOVERNMENT] 69 (2002).

35. GRIGORYEVA, *supra* note 34, at 196.

36. *Id.* at 29.

37. *Id.*

38. *Id.* at 20–23.

39. *Id.* at 27.

40. See V.V. Kravchouk, *Gosudarstvo i tserkov' v Frantsii: otnosheniye k novim religioznim dvizheniyam. Gosudarstvo, religiya, tserkov v Rossii i za rubezhom* [Government and State in France: Relationship to New Religious Movements. Government, Religion, Church in Russia and Abroad], No.2 (1997), cited in GRIGORYEVA, *supra* note 34, at 21.

foreign religious movements or “new age” religions formed within the last 100 to 150 years, and (3) new religious movements formed in Russia during the past decade.

The first category, long-established foreign religions, includes religious groups lacking historical, ethnodenominational roots in the territory of Russia or the former Soviet Union. These religious traditions arrived in Russia from abroad during the past decade.⁴¹ They are typically in formal submission to their foreign religious centers, which coordinate their activities. Numerous Protestant groups, groups and movements from the United States, South Korea, and other countries, and certain trends derived from Islam and Buddhism, among others, belong to this category.

The second category, the so-called “new age” religions, first appeared during the last 100 to 150 years. These movements emphasize the dawning of a new century and typically offer humanity an integrated perspective of existence that combines both physical and spiritual elements.⁴² Their beliefs are not necessarily correlated methodologically with any of the major world religions and often consist of a synthesis of elements from various religious traditions, forming eclectic doctrines that emphasize their own cultural and religious ideas.⁴³ These movements are very often led by a charismatic leader and bring forward alternative programs concerning the development of man and society.⁴⁴ Examples of “new age” religious movements include the Church of Scientology,⁴⁵ the

41. See, e.g., Eleanor Randolph, *Billy Graham Stirs Moscow's Religious Spirit*, WASH. POST, Oct. 26, 1992, at A12 (describing early importing of American religion into Russia); James Rupert, *Religious Faiths Collide in Russia*, WASH. POST, July 25, 1993, at A5 (describing Russian reactions to American proselyting).

42. See NOVIYE RELIGIOZNIYE KUL'TI, *supra* note 34, at 167–68.

43. For example, “new age” religious movements emphasize the dawning of a new age or golden era for the chosen, the emergence of a new spirituality with the goal of combining all religions into one, mysticism, the cosmos, globalism, futurism, changing conceptions of God, and changing conceptions of the role of women in religious life. See GRIGORYEVA, *supra* note 34, at 88–89.

44. See *id.*; see also *infra* Part III.A.4.

45. See generally *A Description of Scientology*, at http://www.scientology.org/en_US/religion/description/index.html (last visited Feb. 3, 2004).

Church of Unification of the Reverend Moon,⁴⁶ the International Society of Krishna Consciousness,⁴⁷ and the Bahá'í belief.⁴⁸

The third category consists of new religious groups of Russian origin, which first appeared or were structurally formed in Russia during the past decade. These groups are ideologically related to the new age religions discussed above. The most prominent religious groups in this category are the Church of the Last Covenant (Vissarions),⁴⁹ White Brotherhood (Usmalos),⁵⁰ followers of P.K. Ivanov (Ivanovtzi),⁵¹ the Bazhov Academy of Secret Knowledge,⁵² the Church of the Family of the Children of God (formerly Children of God),⁵³ and Purpose (*Namereniye*), known as Purpose

46. See SHCHIPKOV, *supra* note 21, at 143–47; see also *The Teachings of the Church of Unification*, at http://www.unification.org/overview_DP.html (last visited Mar. 10, 2004).

47. See *The Basics Principles of Krishna Consciousness*, at <http://www.iskcon.com/basics/index.html> (last visited Mar. 10, 2004).

48. See *The Bahá'í Faith*, at <http://www.bahai.org/article-1-2-0-1.html> (last visited Mar. 30, 2004).

49. This group is based on the belief of Sergei Torop, who believed that he was the reincarnation of Christ and that his new name was Vissarion. SHCHIPKOV, *supra* note 21, at 167–70. The Vissarions believe that the world is hostile and impossible to accept, so they try to break their contacts with it. See Vorobjova, *Traditional and Nontraditional*, *supra* note 19.

50. The White Brotherhood is an organization that began in Ukraine and consists mostly of youth who operate by conspiracy and follow Maria Devi-Christos, who they believe to be the Mother of Christ. Members of this sect practice complete isolation from the world by avoiding newspapers and television and must consider their family members to be enemies unless they too have accepted the “Mother of Peace.” See RELIGIOZNIYE OB'YEDINENIYA ROSSISKOI FYEDYERATZII: SPRAVOCHNIK [RELIGIOUS ASSOCIATIONS OF THE RUSSIAN FEDERATION: A REFERENCE BOOK] 223–25 (1996) [hereinafter SPRAVOCHNIK].

51. This group consists of followers of P.K. Ivanov, who claimed to have acquired special powers from the condescension of the Holy Ghost, including the ability to endure severe cold, go without outer clothing in winter, and heal illnesses. See NOVIYE RELIGIOZNIYE KUL'TI, *supra* note 34, at 170–73. This movement attracts followers by promising complete healing of all illnesses and strong health achieved through the ritual of pouring cold water on themselves outside twice per day. *Id.*; see also RELIGII NARODOV SOVREMENNOI ROSSII: SLOVAR' [RELIGIONS OF THE PEOPLES OF MODERN RUSSIA: A DICTIONARY] 108–09 (1999).

52. See Erika Allen, *Conquering the Totalitarian Impulse*, CATHOLIC WORLD NEWS, at <http://www.cwnews.com/news/viewstory.cfm?recnum=21140> (last visited Feb. 26, 2004) (“This group combines eastern mysticism with local folklore, and centers around ‘prophet’ and leader Sobolyov, director of a spiritual-ethical center. . . . Sobolyov has developed a creation myth in which the Urals host the origin of life, the coming of the Antichrist, and the end of times . . .”).

53. See generally Yana Afanasenko & Matvei Pismanik, *Tserkov' Sem'ya Detei Bozhikh: An Indigenous Russian Neoreligious Phenomenon*, 30 RELIGION, ST. & SOC'Y 277, 277 (2002) (discussing the Church of the Family of the Children of God and its emergence as part of the “religious ‘Renaissance’”).

Foundation for Human Self-Development.⁵⁴ These domestic sects tend to be more successful because of their ability to adapt to the nuances of Russian culture and history and to more uniquely fill the gaps left by the absence of an official state ideology.⁵⁵

All the above-mentioned varieties of nontraditional religious movements have cardinally changed the denominational spectrum and altered the country's religious situation, creating concerns and questions among the Russian population and the country's traditional religions. The appearance and rapid spread of these new religious movements prompted a new set of problems in church-state relations.

C. Problems of New Religious Movements

As a result of highly publicized instances of religion-related abuses⁵⁶ and even terrorism,⁵⁷ many Russians are concerned with the frequency of religious proselytizing.⁵⁸ Other general fears include the spread of harmful organizations operating under the guise of religious activity⁵⁹ and the stringent control of religious organizations by centralized authorities located abroad.⁶⁰ Because of the troubles of extremism, in addition to these other concerns, the government had to take steps toward eliminating the threat of terrorist and extremist acts while balancing religious freedom.

54. Followers of Purpose have operated in Orenburg for ten years and are registered with the Justice Department as a charitable organization. Lyudmila Meshchaninova, *Evil Purpose*, VREMYA MN, May 21, 2003, at 10, reprinted in CURRENT DIG. POST-SOVIET PRESS, June 25, 2003, at 14.

55. SHCHIPKOV, *supra* note 21, at 156.

56. See, e.g., *supra* notes 25–28 and accompanying text.

57. See Kostromina, *supra* note 27.

58. See Mark Elliot & Anita Deyneka, *Protestant Missionaries in the Former Soviet Union*, in PROSELYTISM AND ORTHODOXY IN RUSSIA: THE NEW WAR FOR SOULS 197, 197–98 (John Witte Jr. & Michael Bourdeaux eds., 1999).

59. See Vladimir Feodorov, *Religious Freedom in Russia Today*, 50 ECUMENICAL REV. 449, 450 (1998) (“Yet there is a real danger that naïve citizens may be misled by pseudo-religious groups which hide commercial aims behind religious or therapeutic slogans.”).

60. See, e.g., *Duma Appeal on Dangerous Religious Sects*, MOSCOW ROSS. GAZETA, Dec. 28, 1996, at 4 [hereinafter *Duma Appeal*], translated in FBIS DAILY REP., Mar. 14, 1997, available at Religion & Law Research Consortium (Dec. 15, 1996), <http://www.religlaw.org/template.php3?id=70>.

1. Extremism

Extremism is a political mentality that approaches radicalism, maxims in behavior, and religious bigotry, and suggests personal worldviews and goals that tend to deviate from those accepted in society. One scholar defined it this way: “Extremism, as it is well known, is characterized in the most general sense by adherence to extreme views and actions which radically diverge from social norms and rules.”⁶¹ Extremist measures commonly take the form of violence, either directed outside the group, as against other people or the government, or within the religious or political group itself, as in the case of mass suicides, murders,⁶² or radical actions, such as storming a Moscow theater and taking 700 hostages,⁶³ fall well outside the norms of behavior.

More generally, extremism covers an entire range of actions employed to destabilize society by verbal or written threats or by unlawful and violent acts, which are intended to alter the accepted societal structure and achieve one’s personal or collective goals. The law “On Counteracting Extremist Activity,” enacted in 2002, defines several specifically prohibited extremist actions in an attempt to help detail and address extremism.⁶⁴ These actions include forceful attempts to destroy the constitutional structure; undermine national security; usurp commanding authority; create illegal armed forces;

61. Abdyl Abdulvaganovich Nurullaev, *Religiozno-politicheskii ekstremizm: ponyatiye, sushchnost', puti preoldoleniye* [*Religious-Political Extremism: Understanding, Essence, Methods of Negotiation*], in DESYAT' LYET PO PUTI SVOBODI SOVESTI [TEN YEARS ON THE PATH OF FREEDOM OF CONSCIENCE] 58 (2002).

62. See Hannah Clayson Smith, Note, *Liberté, Égalité, et Fraternité at Risk for New Religious Movements in France*, 2000 BYU L. REV. 1099, 1112 (discussing the “suicide-homicide of members of the Geneva-based Ordre du Temple Solaire in Switzerland and Canada in 1994, followed by similar events in southeastern France in 1995”).

63. See Oksana Yablokova & Yana Valueva, *Tears and Red Roses Outside the Theater*, MOSCOW TIMES, Oct. 24, 2003 (describing the Chechen situation on the one-year anniversary), available at LEXIS, News & Business; Natalia Yefimova et al., *Armed Chechens Seize Moscow Theater*, MOSCOW TIMES, Oct. 24, 2002 (describing Chechen conflict of 2002, where Chechen guerillas took over 700 hostages and demanded immediate withdrawal of federal troops from Chechnya), available at LEXIS, News & Business.

64. Fed. Law No. 114-FZ (July 25, 2002), *Sobr. Zakonod. RF*, 2002, No. 30, Item 3031, Art. No. 1, LEXIS, Int'l Law Libr., RFLAW File (GARANT 12027578) (English) [hereinafter Extremism Law]. See generally J. Brian Gross, Comment, *Russia's War on Political and Religious Extremism: An Appraisal of the Law “On Counteracting Extremist Activity,”* 2003 BYU L. REV. 717; J. Brian Gross, *A Bend in the Road to Civil Society: The Effect of Russian Anti-extremism Legislation on Not-for-Profit Organizations*, 6 J. INT'L NOT-FOR-PROFIT L. (2003), at http://www.icnl.org/journal/vol6iss1/rel_grossprint.htm.

carry out terrorist activity; incite social, racial, nationalistic, or religious animosity; debase national dignity; create massive disorder; engage in hooligan activities; and commit acts of vandalism motivated by ideological, political, racial, nationalistic, or religious hatred or hostility, or otherwise commit acts motivated by hatred or hostility toward a social group; distribute propaganda of exclusivity, advocating either superiority or inferiority of citizens on the basis of social, racial, national, religious, or linguistic affiliation; display Nazi or Nazi-like propaganda; or encourage or support others in committing extremist activity.⁶⁵

Unfortunately, a general definition of extremism does not necessarily indicate the root of the extremist tendency—the motivations for the antisocial behavior, whether political or religious. In fact, the basis for extremist activity does not necessarily rest on one foundational motivation but typically results from a combination of factors.⁶⁶ Among these are political, economic, ethnic, psychological (e.g., fits of uncontrolled passion, revenge, temporary insanity, or inadequacy), and religious motives. In its efforts to understand this phenomenon, Russia has acknowledged this multifaceted aspect of extremism. Russian Federation Ministry of Justice official V.I. Korolyov recommends avoiding the term “religious extremism” because it does not accurately convey the reasons behind the extremist activity.⁶⁷ Rather, the term “religious-political extremism” more clearly conveys the motivation for such behavior. Religious-political extremism includes activity motivated by

65. Extremism Law, *supra* note 64, art. no. 1.

66. Nurullaev, *supra* note 61, at 64–65; *see also* Kostromina, *supra* note 27 (defining “a totalitarian sect as an authoritarian organization whose main objectives—power and money—are attained under the cover of religious, cultural or other pseudo activities,” and thus suggesting that there are a variety of potentially observable purposes behind extremist activity).

67. Geraldine Fagan, *Russia: Three Draft Laws on Religious Life Yet to Reach Parliament*, KESTON NEWS SERV., Apr. 3, 2002, at <http://www.starlightsite.co.uk/keston/kns/2002/020403RU-02.htm>. For example, the following exchange occurred at a conference at the Russian Academy for State Service:

While he and his colleagues at the Ministry were “not supporters” of religious extremism as a legal term, said Korolyov, it was nevertheless contained in Russia’s 10 January 2000 National Security Concept . . . and so required a definition. . . . A noisy debate ensued once Igor Kanterov . . . asked Korolyov what he thought the nearest Russian term for extremism (ekstremizm) was. “Violence,” replied Korolyov, at which . . . Remir Lopatkin exclaimed: “No, extreme!” (krainy).

Id.; *see also infra* Part III.A. The inability to define extremism with exact precision gives rise to one criticism concerning the traditional framework by which to judge religious organizations and their likeliness to participate in extremist activity—vagueness.

religion, or the use of religion as a camouflage, that is aimed at the forceful alteration of the political system, the forceful seizure of power, or incitement of religious animosity for political gains.⁶⁸

In the minds of Russians, the rise of extremism and its proliferation throughout Russia were inextricably connected to the number and unfamiliarity of new religious movements.⁶⁹ To some, “the easy registration provisions in the 1990s led to a proliferation of cults that preached violent, socially destructive doctrines.”⁷⁰ For example, organized gas assaults on subways in Tokyo in 1995, attributed to the group Aum Shinrikyo, which had broadcast daily “on one of Russia’s largest radio stations,” only increased the perceived connection between new religious movements and extremism.⁷¹

2. Other problems

In addition to the potential problem of extremism in new religious movements, these groups also raise other concerns connected with extrareligious activity, such as conducting taxable commerce under the guise of tax-exempt religious organizations, committing human rights violations, and espionage or other covert political activity. For example, although increasingly accepted as a religion, Scientology is also widely acknowledged as a method of psychiatric healing and a commercial enterprise that sells specialized textbooks to its adherents for profit.⁷² This use of the religious organization for nonreligious purposes has arisen specifically in attempts to avoid taxation. In a U.S. case, the Ninth Circuit Federal Court of Appeals determined that the Church of Scientology does not qualify for tax-exempt status available to nonprofit religious and charitable organizations because its commercial income was used for

68. Nurullaev, *supra* note 61, at 59–62.

69. See Arina Lekhel, Note, *Leveling the Playing Field for Religious “Liberty” in Russia: A Critical Analysis of the 1997 Law “On Freedom of Conscience and Religious Associations,”* 32 VAND. J. TRANSNAT’L L. 167, 194–95 (1999).

70. *Id.* at 196.

71. Maxim Isayev & Andrei Vaganov, *Japanese Police Looks for Aum Senrikyo Chief*, NEZAVISIMAYA GAZETA, Mar. 24, 1995, at 1, available at LEXIS, Russian Press Digest.

72. Boris Falikov, *HPD: Problemi religioznovo statusa (na primere Scientologya)* [NRM: Problems of Religious Status (by the Example of Scientology)], RELIGIYA I PRAVO [RELIGION & L.] No. 2 (2001), <http://www.rlinfo.ru/rip/2001/falikov2.html>; Galina Krilova, *Scientologiya—religii ili kommertziya?* [Scientology—Religion or Commerce?], RELIGIYA I PRAVO [RELIGION & L.] No. 2 (2001), <http://www.rlinfo.ru/rip/2001/krylova2.html>.

non-church purposes.⁷³ In 1984, the Reverend Moon spent thirteen months in a U.S. federal prison for failure to pay taxes, an action that brought him more glory as a “martyr of religious persecution.”⁷⁴ Some “commercial organizations [have attempted] to penetrate religious associations’ structure and merge with them in order to utilize tax privileges granted them.”⁷⁵ Additionally, some observers claim that certain cults pose as charitable organizations in order to obtain access to prison inmates to gain potential followers.⁷⁶

D. Government Response to New Religious Movements

Due to the connection, whether real or perceived, between new religious movements and extremism or other social problems, Russia began to experience a backlash against many of these apparent abuses by emerging religious movements.⁷⁷ A variety of concerns over the perceived dangers of new religious movements “took many different forms ranging from paranoid xenophobia . . . to a more centrist position.”⁷⁸ The proliferation of anxiety over these new movements led to the request for government intervention. In December 1996, the State Duma sent an appeal to President Yeltsin detailing several dangers posed by new religious cults, urging action to ensure “religious security.”⁷⁹

The many fears over the spiritual security of the country led to the enactment of the 1997 federal law “On the Freedom of Conscience and Religious Associations” (“1997 Religion Law”), which provided a strict registration regime to mitigate the activities

73. *Church of Scientology v. Comm’r*, 823 F.2d 1310, 1315–19 (9th Cir. 1987).

74. See SHCHIPKOV, *supra* note 21, at 144.

75. Andrei O. Protopopov, *Church-State Relations in the Russian Federation*, 1996 BYU L. REV. 853, 866.

76. See, e.g., German Petelin, “Cops Won’t Go to Heaven”—*Totalitarian Cults Successfully “Tour” Russia’s Correctional Facilities*, NOVIYE IZVESTIA, Aug. 19, 2003, at 1–2 (“For all practical purposes, the penal system has been farmed out to destructive cults that are slipping past the barbed wire under the guise of all manner of charitable foundations.”), *reprinted in* CURRENT DIG. POST-SOVIET PRESS, Sept. 24, 2003, at 16.

77. John Witte, Jr., *Soul Wars: The Problem and Promise of Proselytism in Russia*, 12 EMORY INT’L L. REV. 1, 10 & n.32, 11–17 (1998) (describing the backlash against proselytizers from the West).

78. Lekhel, *supra* note 69, at 196.

79. *Duma Appeal*, *supra* note 60.

of dangerous “sects” and “cults.”⁸⁰ In an effort to address the problems and concerns of the Russian public, this new law impacts religious freedom in two fairly controversial ways. First, and foremost, the Religion Law imposes allegedly burdensome registration requirements and procedures on new religious movements, in an effort to limit the flood of new groups.⁸¹ Second, this new law seeks to identify traditional religious denominations in Russia.⁸² Specifically, the Religion Law was enacted “having respect for . . . Christianity, Islam, Buddhism, Judaism and other religions constituting an integral part of the historical heritage of the peoples of Russia.”⁸³ The traditional/nontraditional distinction is important because under the 1997 Religion Law, religious organizations that have been in Russia for more than fifteen years or for more than fifty years enjoy a higher-tier legal entity status that includes less frequent renewal of registration, easier acquisition of property, and ability to use the name “Russia” or “Russian Federation” in the official name of the religious organization.

The growth and reaction to new religious movements and the government’s response to these new groups reveals two things. First, it is essentially impossible to conclude that religion is a separate, distinct, foundational factor for determining extremism.⁸⁴ Second, the religion-based factor should be envisaged as framing the motivational concerns of extremism and terrorism. Because religion effectively “frames” the motivational concerns of extremism, one should also note at least two other fundamental considerations: (1) religious-based motivation brings out the most dangerous aspect in extremism, and (2) religious-based extremism may be found within any religion, including traditional “peace-loving” religions, although

80. See generally On the Freedom of Conscience and Religious Associations, Fed. Law 125-FZ (Sept. 26, 1997), ROSS. GAZETA, Oct. 1, 1997, available at LEXIS, Int’l Law Libr., RFLAW File (GARANT 71640) [hereinafter Religion Law]. See generally W. Cole Durham, Jr. & Lauren B. Homer, *Russia’s 1997 Law On Freedom of Conscience and Religious Associations: An Analytical Appraisal*, 12 EMORY INT’L L. REV. 101 (1998).

81. See Marina Thomas, *Russian Federation Constitutional Court Decisions on Russia’s 1997 Law “On Freedom of Conscience and Religious Associations,”* 6 INT’L J. NOT-FOR-PROFIT L. (2003), at http://www.icnl.org/journal/vol6iss1/rel_thomasprint.htm.

82. *Id.* at 201–03 (discussing the potential differentiation between religious communities caused by the preamble of the Law on the Freedom of Conscience and Religious Associations); see also GRIGORYEVA, *supra* note 34, at 47 (2002) (discussing the significance of the distinction between traditional and nontraditional religions).

83. Religion Law, *supra* note 80, pmbl.

84. See *supra* notes 66–68 and accompanying text.

any move towards extremism tends to create specific variant features of the original religion. In the words of one scholar, “Religious extremism, as defined here, is destructive of any communal structure. . . . All historical religions recognized the destructive capacity of extremism and sought strategies to contain it.”⁸⁵

The major characteristic of new religious movements, especially in the initial stages of their existence, is their unpredictability in the course of further development. It is extremely difficult, especially for a governmental body that must respect the freedoms of conscience and belief, to differentiate and identify potential extremist groups from peaceful and harmless emerging religious groups. In reality, only a minority of new religious movements actually commit unlawful actions.⁸⁶ Even the most ardent opponents of emerging religions could hardly accuse the remaining majority of new religions, consisting of thousands of foreign and hundreds of loyal Russian religious organizations and groups, of creating social chaos and unrest. Furthermore, extremism must be judged in context. Well-established, worldwide religious organizations may be considered “extreme” new religious movements in Russia simply because they are new in Russia. Thus, in order to establish a policy that both respects the Russian Federation’s constitutional commitments to freedom of conscience and association, while concurrently protecting citizens from dangerous organizations, the government must accurately discern the extremist tendencies of each religious group, not just in Russia, but also in the context of their worldwide activities reputation.

III. THE DIFFICULTY OF IDENTIFYING EXTREMISM IN NEW RELIGIOUS MOVEMENTS

Because the Russian constitution affirmatively protects the right to freedom of conscience and belief for Russian citizens and foreigners alike,⁸⁷ the state must carefully craft its policies to avoid

85. See Charles S. Liebman, *Extremism as a Religious Norm*, 22 J. SCI. STUDY RELIGION 75, 79 (1983); *supra* notes 66–68 and accompanying text (discussing problems of vagueness and ambiguity of criteria).

86. See Shterin & Richardson, *supra* note 29, at 251.

87. See KONST. RF art. 13 (1993) (stating that Russia has no official state ideology); *id.* art. 14 (affirming that Russia is a secular state and that all religious associations are equal before the law); *id.* art. 28 (guaranteeing freedom of conscience, including right to profess, disseminate, and share religious views).

encroachment upon these rights. In responding to concerns about abuses committed under the banner of religion, the state must be mindful of the tension between freedom of conscience and protection of society, and find a proper balance as it attempts to root out extremism.

Scholars have noted several factors that may have a tendency to lead to the creation of inappropriate social policy. First, the emergence of nontraditional religious groups tends to awaken intolerance in members of established religions.⁸⁸ Second, there is a tendency to overlook the nuances of each new religious movement and to group all new religious movements together without distinguishing between legitimate and harmful groups.⁸⁹ The combination of these two errors gives rise to many social problems, such as an attribution of one group's misdeeds to all new religious movements, creating collective stereotypes concerning new religions.⁹⁰

It is essential that the government develop an accurate method of determining which specific religious movements pose a threat to society and which merely advocate the peaceful exercise of a given set of beliefs. Traditionally, governments have employed certain factors such as whether the movement is "close-knit, esoteric . . . with strong internal solidarity, charismatic leaders, and apocalyptic-messianic worldviews" to determine which movements may pose a risk of extremism or are liable to use religion to abuse society at large.⁹¹ Although these factors are helpful and useful in determining which religious movements may give rise to extremism, they are also incomplete. In order to determine the proper course of action, it is necessary to consider these traditional factors and their weaknesses, so that the government may know how best to proceed.

88. Bryan R. Wilson, *Absolutes and Relatives: Two Problems for New Religious Movements*, in CHALLENGING RELIGION: ESSAYS IN HONOUR OF EILEEN BARKER 13 (James A. Beckford & James T. Richardson eds., 2003).

89. *Id.*

90. *Id.* at 13–14.

91. Thomas Robbins, *Notes on the Contemporary Peril to Religious Freedom*, in CHALLENGING RELIGION: ESSAYS IN HONOUR OF EILEEN BARKER 71, 76 (James A. Beckford & James T. Richardson eds., 2003).

*A. Distinguishing Between Potentially Dangerous and
Peaceful New Religious Movements*

The usual predictors for terrorist or extremist actions by or arising out of any religion, whether Islam or Protestantism, are equally valid for new religious movements and involve the study of certain religious characteristics that have traditionally been considered good indicators of groups prone to antisocial behavior. Though these factors are useful in identifying extremist groups, they are far from perfect. These factors include the length of the group's existence, isolationist tendencies, financing sources, and charismatic leadership.

1. Length of existence

The volume of information available on a specific religion, its doctrine, and its social adaptability are often directly related to the term of that religion's existence. Simply put, the older the religion is, the more that is known about it.⁹² There are two relevant aspects of length of existence: first, the length of existence as a world religion, and second, the length of existence in a particular country.⁹³ For example, the Bahá'í belief is a new religious movement that has existed for approximately 150 years and has demonstrated development in a way that poses no threat to society.⁹⁴ As of 1996, the Bahá'í faith had nearly six million members in 174 countries.⁹⁵ Thus, over 150 years and with an international presence in 174 countries, governments are reasonably familiar with this religious movement. Conversely, when dealing with younger religious communities, very little is known about how they will interact with society long-term.

When uncertainty exists surrounding the determination of which religious groups are prone to extremism, the length of time they have been in existence is increasingly important. However, this is a less than perfect measurement because the problem of insufficient

92. Cf. Jacques Robert, *Religious Liberty and French Secularism*, 2003 BYU L. REV. 637, 648 (discussing newness as a factor for determining "sectes," which he defines as potentially prone towards antisocial behavior).

93. See GRIGORYEVA, *supra* note 34, at 55.

94. See *The Bahá'í Faith*, at http://www.answering-christianity.com/Bahai_faith.htm (last visited Mar. 25, 2004) (discussing the major tenets and history the Bahá'í faith).

95. See SPRAVOCHNIK, *supra* note 50, at 219–22 (1996).

information about a new religious organization has been aggravated over the past decade due to the inability of the state to properly catalogue extremist activities.⁹⁶ In the absence of accurate information, public perception is often that younger religious communities engage in “brainwashing” or “mind control,” break up families, and pose a threat to “centralized control” and “basic values.”⁹⁷

However, a dearth of information caused by the relative newness of a religious movement is not dispositive of the extreme nature of that movement. Not every new religion is or will become extremist.⁹⁸ Nor is every long-standing religion immune to extremist tendencies.⁹⁹ Thus, determinations based solely upon the length of existence of particular religious groups can potentially create harmful and incorrect public perceptions. Inadequate information about the religious background of a new group can be the basis for spreading inaccurate information across a society. Such inaccurate information may exacerbate misunderstandings, increase societal tension, and result in ineffective local and federal policies that adversely affect legitimate religious organizations while failing to eliminate extremist behavior.

2. Tendencies to preserve territorial and/or group isolation

The degree to which a new religious group isolates itself from other groups, society, or the government demonstrates traditional correlation with extremism and movements with “tight internal social control, . . . intense communal solidarity, [and] strong social boundaries isolating the group from the broader society” may be particularly prone to violence.¹⁰⁰ New religious movements that are open and transparent to society or allow for easy access to their inner

96. See *Russian Security Agencies Discuss Combating Islamic Extremism*, BBC MONITORING FORMER SOVIET UNION, July 11, 2001 (“The Justice Ministry does not monitor the registration of extremist organizations since it is not its task to supervise them systematically. According to the general prosecutor, the Interior Ministry and FSS [Federal Security Service], for their part, have not worked out any methods of struggle in that sphere.”), available at LEXIS, News & Business.

97. Shterin & Richardson, *supra* note 29, at 250–51.

98. See Jacques Robert, *Religious Liberty and French Secularism*, 2003 BYU L. REV. 637, 647–51.

99. Consider Islamic fundamentalist movements. See also *id.*

100. Thomas Robbins, *Sources of Volatility in Religious Movements*, in CULTS, RELIGION & VIOLENCE 57, 59 (David G. Bromley & J. Gordon Melton eds., 2002).

structure tend to engender the good will of the public and are less likely to give rise to extremism. Conversely, complete isolation of members of a religious movement facilitates the ability of a controlling leader to exercise physical influence over believers, force members to relinquish personal property for the good of the sect, or engage in other harmful activities.¹⁰¹

The White Brotherhood, a new religious movement whose members have been involved in and arrested for illegal activities,¹⁰² is an example of a new religious movement that isolates its members from outside influence and demands renunciation of social life and secular careers.¹⁰³ The White Brotherhood requires an ascetic way of life for its members, including abstention from television, radio, and most written news sources, partly to achieve “maximum isolation” from the “Satanic energy” of the outside world.¹⁰⁴ Similarly, members of Aum Shinrikyo typically create an economically self-sufficient society that allows them to maintain isolation and, allegedly, to create and train warriors to fight against the system as the end of the world draws near.¹⁰⁵

The government must, of course, be cautious with stereotyping groups with isolationist practices because characteristics of isolation are also present in many well-established religions. For example, “[r]enunciation of property, asceticism, [and] obedience—all these have been requirements of monastic life, including that of the Orthodox Church, for centuries.”¹⁰⁶ Taken alone as an indicator of extremist tendencies, this criterion would allow the government to designate any religion as extremist and would thus be overinclusive. However, taken in combination with other factors, the degree of

101. See SHCHIPKOV, *supra* note 21, at 140–41. Some commentators, however, have noted that increased accessibility to the Internet has led to a decline in the importance of isolation as a factor. See Bryan J. Yeazel, Note, *Bomb-Making Manuals on the Internet*, 16 NOTRE DAME J.L. ETHICS & PUB. POL’Y 279, 291 (2002) (citing *Downloading Hate*, ECONOMIST, Nov. 13, 1999, at 1).

102. In October 1993, while allegedly awaiting the “end of the world” in Kiev, Ukraine, Russian members of the White Brotherhood, including the leaders Yury Krivonogov and Marina Tsvigun, were arrested for seizing a cathedral. See SHCHIPKOV, *supra* note 21, at 164. While most of the members were released, Krivonogov and Tsvigun were sentenced to seven and four years in prison respectively. See *id.*

103. *Id.* at 166; see also Sergei Filatov & Lawrence Uzzell, *Sects and the Church*, MOSCOW TIMES, June 5, 2002, available at LEXIS, News & Business.

104. SHCHIPKOV, *supra* note 21, at 165.

105. *Id.* at 153.

106. Filatov & Uzzell, *supra* note 103.

transparency and openness in the organization is a factor that decreases the danger of extremism.

Conversely, new religious movements that engage in secret rituals and secret multilevel initiations, or have special rules or information intended for authorized use only, present understandable concerns. Such behavior is an indication of potential extremist activity to which society may react vigorously. The degree of isolation versus transparency also relates to another important factor: accessibility of religious groups to government inspection. The more a religious group keeps its members isolated, the more difficult it will be for the government to obtain information about the group's practices.

3. Financing sources and expenses

The majority of new religious movements are generated spontaneously as like-minded individuals pursue a common belief—that is, as an ad hoc group for which any financing is unplanned or unanticipated. These groups usually gather in the private homes of their members, organize in clubs, or go on picnics, and do not need any financial support from the outside. Initially, they are not intended to be a source of financial benefit for a leader or the retinue, and financial blunders are virtually nonexistent at this stage of their existence. Still, there are other forms of religious organization in which material and private goods are laid as the foundation stone.¹⁰⁷ For example, the Church of Unification has been described as a “gigantic commercial enterprise, comprised of hundreds of firms all over the world.”¹⁰⁸ In this case, private property may pass from the hands of its members to those leading the organization, or special fees and unpaid labor may be demanded.¹⁰⁹ Internal and nontransparent financial structures facilitate antisocial manipulation, such as exploitation of members' labor.

107. Jerry Markon, *Party Just Like a Cult, Experts Say*, *NEWSDAY* (N.Y.), Nov. 17, 1996, at A5 (listing among the characteristics of a cult “deceptive recruiting and fund-raising practices”).

108. SHCHIPKOV, *supra* note 21, at 144.

109. *See, e.g., Uganda Seeks Interpol Help to Arrest Cult Leaders*, *XINHUA GEN. NEWS SERV.*, Mar. 29, 2000 [hereinafter *Interpol Help*] (“Ugandan police confirmed more than 760 cult members had been murdered by the cult leaders who collected money from followers and forced them to labor on their farms.”), available at LEXIS.

4. *Authoritarian/charismatic leadership*

Another traditional factor used to determine potentially extremist movements rests on the characterization of a religious leader as “charismatic.”¹¹⁰ The definition of charisma in the new religious movement context differs from its traditional meaning. Charisma is a Greek word meaning a “special spiritual gift or talent regarded as divinely granted to a person.”¹¹¹ Buddha, Mohammad, Baha-ulla, Blavatskaya,¹¹² the Rerikhs¹¹³—all were charismatic leaders and founders of their own religions.¹¹⁴ According to Eileen Barker,

Charismatic authority is, by definition, exercised in accord with the dictates of the charismatic person and is, thereby, unbound by rules or tradition. It is an authority that can be extended over all aspects of the followers’ lives—what they wear, where they live, what kind of work they do, whom they marry In other words, charismatic leaders are not accountable to any other human being, and, given that they can change their minds at a moments notice, their . . . actions will be far less predictable than those that follow an established tradition or a bureaucratically administered set of rules.¹¹⁵

Because of the possible spiritual connection between a religion and its leader, the state should tread lightly when categorizing new religious movements according to their type of leadership. However, the type of leadership may prove enlightening as to the nature of the religious group. In the majority of new religious movements, a charismatic leader is only a source of inspiration for followers, a sort of symbol for the religious movement marking the moral and spiritual level of the religious organization.¹¹⁶ However, other types

110. GRIGORYEVA, *supra* note 34, at 69.

111. WEBSTER’S NEW INTERNATIONAL DICTIONARY 377 (3d ed. 2002).

112. NOVIYE RELIGIOZNIYE KUL’TI, *supra* note 34, at 91. Elena Petrovna Blavatskaya was a writer, traveler, and theosophist who worked to develop a universal mythology that would confirm a systematic path to esoteric religion and lead to a union of religion and philosophy. She studied the secret powers of nature and people. *Id.*

113. See generally Roman Lunkin & Sergei Filatov, *Rerikhianstvo: Sinteticheskoye mirovosreniye ili novaya religiya?* [*Rerikhism: Synthetic World View or New Religion?*], in RELIGIYA I OBSHCHESTVO: OCHERKI RELIGIOZNOI ZHIZHNI SOVREMENOI ROSSII [RELIGION AND SOCIETY: SKETCHES OF RELIGIOUS LIFE OF CONTEMPORARY RUSSIA] 450 (2002).

114. GRIGORYEVA, *supra* note 34, at 65, 69.

115. Barker, *supra* note 2, at 6.

116. *Id.* at 128–29.

of charismatic leaders may focus on the inner structure of the religious group more than on outlying believers, which may lead to the formation of a rigid hierarchy based on strict obedience and conformity to the proclaimed religious worldview, imposing strict codes of behavior under the threat of extreme punishment.¹¹⁷ The goals of this second type of religious leader are typically sociopolitical and aimed at financial success. Under this latter type of charismatic leadership, a real danger exists that those members within the inner hierarchy will turn to religious extremism to achieve the group's own ends.¹¹⁸

B. Problems with and Difficulties in Applying These Factors

These traditional factors, unfortunately, do not predict with complete accuracy which new religious movements are likely to be dangerous and predisposed to commit extremist activities. Rather, the government must address several difficulties in identifying groups that tend toward extremism. By examining these weaknesses, the government can more effectively identify truly dangerous organizations and more closely target its efforts in a way that is neither under- nor overinclusive.

1. Availability of information and length of existence

The first barrier to proper identification focuses on how to gain the necessary information about new religious movements. Generally, a new religion arises spontaneously somewhere in the vast expanses of a country or penetrates unobtrusively from somewhere abroad, and thus may pass unnoticed. Regardless of whether a religion is old or new, it may pass into the country without acknowledgement or fanfare. If a religious movement maintains such a low profile, the public may only discover the existence of the new religion by virtue of an extremist breach of order, which suddenly appears in the newspaper headlines.

117. See GRIGORYEVA, *supra* note 34, at 65; Afanasenko & Pismanik, *supra* note 53, at 281.

118. See, e.g., Jere Hester, *In Cults, Leaders' Charisma Reigns*, N.Y. DAILY NEWS, Mar. 27, 1997, at 5 (explaining that charismatic cult leaders "are experts at mind control and manipulation"); Viktor Panchenko, *Khabarovsk Sect Chief Convicted for Money Laundering*, ITAR-TASS, June 27, 2001, available at LEXIS, News & Business; *Interpol Help*, *supra* note 109.

For example, even though the Pentecostals have been in Russia since the beginning of the twentieth century, a relatively obscure and unsuspecting Pentecostal sect in the Aldan region of Yakutia in Siberia became well known to the public through a standoff with government authorities after members of the sect occupied a city administration building and demanded unpaid wages for work done by members of the group in a timber processing plant.¹¹⁹ The standoff became even more glaring when the sect's leader, Vitaly Kozarj, rejected an administration offer to pay 250,000 roubles and demanded that the administration instead "shoot down members of the sect."¹²⁰ The administration brought a criminal case for the seizure of the building and for the death of a ten-year-old boy, who was beaten and then tossed out into the cold for attempting to escape during the standoff.¹²¹

Similarly, Satanist groups typically remain generally unknown until criminal actions call attention to their existence. The society of Satan appeared in Moscow in 1989.¹²² Ritual murders in the Tula region, however, brought their activities into the public spotlight, when nine Satanists were tried for and convicted of murder.¹²³

These examples demonstrate that detecting propensity for extremist behavior requires taking into account more than the length of the organization's existence in Russia or its high profile in society.¹²⁴ There may be many relatively old but as yet unidentified religious groups that advocate extremist behavior. Likewise, many more recent but publicly identified religions are not a danger to society.

To discover whether a movement may give rise to extremism, the government should seek help from specialists and experts who are capable of investigating and tracking the religious state of affairs

119. Oleg Yemelyenov, *Members of Religious Sect Occupy Office Building in Yakutia*, ITAR-TASS, Mar. 3, 1999, available at LEXIS, News & Business.

120. *Id.*

121. See Yekaterina Rybas, *Pentecostals Suspend Hunger Strike: Ban on Aldan Sect Will Be a First for Russia*, NEZAVISIMAYA GAZETA, Mar. 10, 1999, at 2, reprinted in CURRENT DIG. POST-SOVIET PRESS, Apr. 7, 1999, at 13, available at LEXIS, News & Business.

122. See NOVIYE RELIGIOZNIYE KUL'TI, *supra* note 34, at 74-75.

123. See Valery Rudenko, *9 Satanists Accused of Murder Go on Trial in Tula Region*, ITAR-TASS, May 28, 1998, available at LEXIS, News & Business; *Russian Satanists Sentenced for Tula Ritual Murders*, BBC WORLDWIDE MONITORING, Feb. 18, 1999, available at LEXIS, News & Business.

124. See *supra* Part III.A.1.

across the country. The government should first seek information concerning unregistered religious groups through the assistance of experts in the field of religion studies.

2. *Vagueness and ambiguity of criteria*

The second difficulty arises from the intricacies of the legal system, which defines the criteria for unlawful extremist actions vaguely, especially in cases relating to religious beliefs. For example, the definition of extremism in the Extremism Law includes “the activity of public and religious associations or any other organizations . . . to plan, organise, prepare and perform . . . acts aimed at . . . the propaganda of exclusiveness, superiority or deficiency of individuals on the basis of their attitude to religion [or] social, racial, national, religious or linguistic identity.”¹²⁵ This definition is potentially overinclusive because most religions generally claim to be more correct than others or have some superior doctrinal basis for their beliefs.

Similarly, ambiguity in defining the criteria to distinguish between extremist groups and lawful activities acceptable for traditional and new religious movements creates problems. In many ways, seemingly normal and harmless activities or purposes may also be preparatory for or associated with extremism, and, vice versa, activities or purposes that may appear extremist in nature may be quite innocuous. For example, sports clubs are widely popular sources of humanitarian activity allowing children and young adults to participate in various recreational and educational pastimes. As part of these recreational or instructional activities, religious communities may encourage their selected young believers to master the techniques of self-defense—an acceptable skill. But viewed from another angle, one may see this encouragement and instruction as something more problematic—military training—and thus a form of preparation for extremist activities.¹²⁶

125. Extremism Law, *supra* note 64, art. 1.

126. One of the definitions of extremism under the recently enacted Extremism Law includes “creation of illegal military formations.” *See* Extremism Law, *supra* note 64, art. 1.

IV. CONCLUSION

It has always been difficult to uncover extremist and antisocial activity while preserving religious freedom. New religious organizations that participate in extremist activity are also the organizations that take the greatest pains to veil such participation and conceal witnesses. Thus, those that are most dangerous may appear to be the most normal. Moreover, the preeminent feature of new age religions is their fantastic adaptability and social mimicry in conforming to norms of social life, both of which hinder any attempt to distinguish them from harmless religious groups.¹²⁷

There is widespread public doubt as to the sincerity of recent religious communities. Many such groups seem to have adopted a religious facade to disguise what is essentially a cultural, educational, sporting, or welfare activity. Other religiously motivated and often dangerous groups operate without registering with the state as religious organizations. In this way, they are able to carry on potentially dangerous extremist activity unnoticed and without the protections afforded by a watchful state. For example, soon after the gas attack in Tokyo, the Aum Shinrikyo religious group in Moscow lost its status as a legally recognized religion.¹²⁸

To increase the chances of properly identifying potentially extremist organizations, the government should take two important steps. First, the government should establish a committee on new religious movements that has the ability to effectively examine the religious situation across the country and analyze data to make recommendations for local executives. Second, the government should take steps to introduce and finance educational religious studies programs so as to provide citizens with a broad background

127. See Eileen Barker, *New Religious Movements: Their Incidence and Significance*, in *NEW RELIGIOUS MOVEMENTS: CHALLENGE AND RESPONSE* 24 (Bryan Wilson & Jamie Cresswell eds., 1999) (“In some respects, the transported [new religious movement] might appear only marginally different in whatever country it is operating.”).

128. *Stricter Religion Bill Heads to Kremlin*, *MOSCOW TIMES*, July 5, 1997 (noting that the 1997 Law was justified as targeting Aum Shinrikyo after it carried out nerve gas attack), available at LEXIS, News & Business; see also Sergei Filatov, *Sects and New Religious Movements in Post-Soviet Russia*, in *PROSELYTISM AND ORTHODOXY IN RUSSIA: THE NEW WAR FOR SOULS* 163, 166 (John Witte Jr. & Michael Bourdeaux eds., 1999) (“[T]he Russian organization quickly faded, though there are still a few small groups of followers of the ‘Enlightened Teacher’ in some Russian towns who continue to idolize him.”); Ian Reader, *Dramatic Confrontations: Aum Shinrikyō Against the World*, in *CULTS, RELIGION & VIOLENCE* 189 (David G. Bromley & J. Gordon Melton eds., 2002).

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in new religions and potentially dangerous religious ideas. By taking steps now to identify dangerous groups and to promote a broad understanding of all religious organizations, the Russian government can help mitigate and prevent the social instability caused by extremist violence and antisocial behavior, rather than simply addressing the violence and destructive results of extremism.

