

EXPERT OPINION

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1. Background

1.1. Massimo Introvigne has been a Professor of Sociology of Religions at Pontifical Salesian University in Torino, Italy, until June 2016. Introvigne has also done extensive work in the field of religious liberty, having served as an appointed Representative of both the Organization for Security and Cooperation in Europe (OSCE) and the Ministry of Foreign Affairs of Italy. Holly Folk is Professor in Religious Studies, in the department of Global Humanities and Religions, a division of the College of Humanities and Social Sciences at Western Washington University, Bellingham, Washington. She serves on the Steering Committee of the New Religious Movements Group of the American Academy of Religion (see Annex 1 for an abbreviated version of our respective curriculum vitae)

1.2. We have been requested by the national legal entity of Jehovah’s Witnesses in Japan, Watch Tower Bible and Tract Society, to examine two documents: (a) “Investigative Report on Child Abuse and Other Issues Related to Religious Beliefs in the Religious Group ‘Jehovah’s Witnesses,’” (hereinafter the “**Investigative Report**”) issued on November 20, 2023, by the Research Team of Lawyers Group Assisting with Jehovah’s Witness Issues; (b) “Jehovah’s Witnesses Survey Report on Sexual Abuse in the Organization,” (hereinafter the “**Survey**

Report”) released on November 2023 by the Archive of Child Abuse of Jehovah’s Witnesses. We have been supplied with English translations of both documents.

2. Executive summary

2.1. Both reports suffer from the following critical errors:

- (a) They come from private organizations critical of the Jehovah’s Witnesses and including “apostate” ex-members. “Apostate” accounts are not irrelevant, but they are obviously biased. Those who prepared the reports appear to have no formal training in sociological studies and no professional experience in conducting surveys.
- (b) They are premised on theories of “cults” and “brainwashing, theories that have been widely debunked and which are not part of mainstream scholarship.
- (c) They take as their starting point the Q&A document published by the Ministry of Health, Labour, and Welfare on December 27, 2022. Those guidelines are seriously biased and threaten religious liberty. They were drafted in “a rush” and have been heavily criticized by international scholars. While the guidelines claim to protect the freedom of children to refuse their parents’ religion, in fact they put at risk both their freedom to embrace and practice it and the parents’ right to educate them in their religion specifically protected by Article 18 no. 4 of the International Covenant on Civil and Political Rights (ICCPR). The guidelines contain numerous provisions that declare as “child abuse” normal parental decision-making that many would consider to be beneficial or certainly not harmful. Applied literally, the guidelines would outlaw practices of many Christian churches, as well as practices of Islam and Judaism.

2.2. Our expert opinion on the Investigation Report is:

- (a) Its methodology is based on a self-selected Internet sample, which is generally regarded by scholars as a kind of sample not representative of the population it intends to survey.
- (b) How respondents were recruited generated a disproportionate number of answers by “apostate” ex-members, as opposite to ex-members who are not hostile to the organization and actual members.
- (c) The Jehovah’s Witnesses’ policy about blood transfusion is described by ignoring both that alternatives to blood are now largely available in modern hospitals and international case law favorable to the Jehovah’s Witnesses.
- (d) Jehovah’s Witnesses families are singled out for having used and justified corporal punishment of children in the past, while this was a common attitude in Japanese

society and there is no evidence that it was more prevalent among Jehovah's Witnesses than among Japan's population in general.

- (e) Teachings said to be "instilling fear" about hell and the end of this world as we know it, the fact that minors are counseled to avoid certain behaviors and forms of entertainment, and are involved in certain missionary activities, are not unique to the Jehovah's Witnesses and are common among many Christian denominations and other religions. Jehovah's Witnesses minors do not celebrate certain common feasts, but so do Jews and others in a pluralistic society, where religious differences should be respected.
- (f) The report's claim that young Jehovah's Witnesses are induced not to pursue higher education is inaccurate. Statistics show that a sizeable percentage of young Jehovah's Witnesses do go to college, although the Jehovah's Witnesses do teach that certain forms of higher education may transmit questionable values.
- (g) The report relies mostly on hostile literature to reconstruct in a substantially inaccurate way the practice of "shunning." It ignores dozens of court decisions throughout the world that, with very rare exceptions, have recognized that teaching and practicing "shunning" is part of the religious liberty that should be recognized to the Jehovah's Witnesses.
- (h) The report does acknowledge that most of the Jehovah's Witness practices it criticizes are not illegal but calls for draconian changes to the existing Japanese laws that would dramatically affect the ability of most religions to socialize their members' children into their beliefs and worldviews, a right explicitly recognized by the International Covenant on Civil and Political Rights.

2.3. Our expert opinion on the Survey Report is:

- (a) It uses a self-selected sample. It was gathered with the intent to collect those who have grievances against the Jehovah's Witnesses rather than a representative sample of the studied population. As such, it is not really a "survey" and has no statistical value.
- (b) The accusation that the Jehovah's Witnesses exposes young children to "pornographic" or "inappropriate" images, Biblical stories, and warning against immoral behavior is based on a few anecdotal stories, which are contradicted by the publicly available instructions and reading material of the organization. References to sexuality in the Jehovah's Witnesses' literature to which minors are exposed have been judged as adequate and beneficial to their education by experts. They are also much less crude than those minors in Japan may find in Japanese comics or daily newspapers.
- (c) Obviously, cases of child sexual abuse do exist among the Jehovah's Witnesses as they do in other religious communities and the general population. However, the

Survey Report uses press clippings and a biased selection of foreign sources to suggest that child sexual abuse may be more prevalent among Jehovah's Witnesses than in other religious communities or in Japanese society in general, a statement not supported by any evidence.

- (d) The Survey Report admits that the current policy for protecting children adopted by the Jehovah's Witnesses is adequate and "victim-friendly." Yet, it calls for a historical investigation into abuses that might have occurred in the past. Singling out the Jehovah's Witnesses while no similar investigation is proposed for other religious and secular groups is inherently discriminatory.

3. The Reports

3.1. We understand that the two reports come from private organizations critical of the Jehovah's Witnesses and including "apostate" ex-members. "Apostate" is not a derogatory term and is used by scholars of religion to designate those among the ex-members of a religious organization who turn into militant opponents of the religion they have left (see below). "Apostate" accounts are not irrelevant, but they are obviously biased. Those who prepared the reports appear to be lawyers or ex-members with no formal training in sociological studies and no professional experience in conducting surveys.

3.2. The report has been endorsed by several Japanese scholars. While we do not dispute their qualifications and are familiar with the work of Professor Yoshihide Sakurai and others, they are known for adopting the so-called "cultic studies" approach. As American scholar W. Michael Ashcraft explains in what is the standard manual about the academic study of new religious movements, the scholarly subfield of "new religious movements studies" was born and defined by three assumptions: that there is no intrinsic difference between "religions" and "cults" (which does not mean that religious organizations do not commit crimes, but they are as common in mainline and ancient religions as they are in recently created movements); that "cult" is a label used to discriminate against certain unpopular movement and should be avoided; and that "brainwashing" is a pseudo-scientific theory not supported by empirical research.

3.3. Those who still maintain theories of "cults" and "brainwashing," Ashcraft explains, are not part of the mainline academic field of "new religious movements studies" and have established a separate field of their own, "cultic studies." The main feature of "cultic studies" advocates is that, unlike the mainline academic scholars of new religious movements, they use a distinction between religions and "cults," and believe that "cults" are identified by their use of heavy psychological manipulation techniques, for which some of them even keep the discredited word "brainwashing." As Ashcraft notes, "cultic studies" were never accepted as "mainstream scholarship." They continued as "a project shared by a small cadre" of activists, but not endorsed by "the larger academic community, nationally and internationally." While some of its exponents may occasionally publish in scholarly journals, Ashcraft writes, "cultic studies is [sic] not mainstream"

(W. Michael Ashcraft, *A Historical Introduction to the Study of New Religious Movements*, London: Routledge, 2018, 9).

3.4. For reasons who have much to do with the Aum Shinrikyo terrorist attacks, which made those scholars who were sympathetic to new religious movements extremely unpopular in Japan, several Japanese academics embraced the “cultic studies” perspective, thus creating a distance between them and the mainline Western study of new religious movements. A somewhat typical manifestation of this distance is Professor Makoto Yokomichi’s comment in the “Investigate Report” that “it is desirable to stimulate discussion by referring to the French anti-cult law” (p. 16 [page numbers refer to the English translation supplied to us]). In fact, if there is one specific issue uniting scholars of “new religious movements studies” throughout the world is their opposition to the French anti-cult law of 2001 (and its amendments or proposed amendments of 2023) as based on the faulty ideology of “cults” and “brainwashing” (see Susan J. Palmer, *The New Heretics of France: Minority Religions, la République, and the Government-sponsored “War on Sects”*, New York: Oxford University Press, 2011).

4. The Q&A of the Ministry of Health, Labour, and Welfare

4.1. The “Investigative Report” claims that the Jehovah’s Witnesses consistently violated the directives issued in 2022 in Japan through the Ministry of Health, Labour, and Welfare, published in the form of Q&A against the “religious abuse of children” (hereinafter referred to as “Q&A”; see M. Introvigne, “Dangerous for Many Religions: The New Japanese Guidelines on Religious Donations and ‘Religious Abuse of Children,’” *The Journal of CESNUR*, 7:2, 2023, 72–113, which includes a translation of the Q&A).

4.2. We should first state that we regard the 2022 Q&A as a document seriously biased and threatening religious liberty, which includes the freedom of parents and guardians “to ensure the legal and moral education of their children in conformity with their own convictions” (International Covenants on Civil and Political Rights, Art. 18, no. 4). The guidelines have not been criticized by scholars only. Leo Lewis, the authoritative Asia business editor of the *Financial Times*, commented that “in its rush to enact something, Japan has skipped some extraordinarily nuanced theological questions and created potential trouble for a much larger circle of organizations and activities than it has bargained for” (Lewis 2023). While the guidelines claim to protect the freedom of children to refuse their parents’ religion, in fact they put at risk both their freedom to embrace and practice it and the parents’ right to educate them in their religion specifically protected by Article 18 no. 4 ICCPR, a right without which all religions would die.

4.3. We understand that the Q&A were published as a result of the public emotion against the Family Federation for World Peace and Unification (formerly known as the Unification Church) following the assassination of former Prime Minister Shinzo Abe. As Lewis noted in his *Financial Times* article, the Q&A “have the Unification Church squarely in their sights,” and are designed for “breaking it down.” However, whoever drafted the guidelines also took into account post-Abe-assassination attacks against the Jehovah’s Witnesses and other morally conservative Christian

groups. Obviously, this creates a circular argument in the lawyers' "Investigative Report." The Jehovah's Witnesses are accused of violating provisions in the Q&A that were included there with the precise aim of targeting specific practices of their organization.

4.4. The starting point of the Q&A may seem well-intentioned. They state that child abuse should never be tolerated, and perpetrators cannot use religious liberty as a defense. We agree. The problems, however, start when the document tries to define what child abuse in a religious or spiritual context is. The first case, it states, is "physical abuse" (Q&A 2). It reminds the local governments that corporal punishment is illegal in Japan and cannot be justified by religious reasons. This is less obvious than it may seem and has given rise to significant legal contentiousness in Germany and elsewhere, where conservative Christian groups insist that mild corporal punishment is prescribed by the Bible. However, there are now provisions against corporal punishments in most democratic countries and they are generally regarded as not in breach of religious liberty. In our view, they represent a welcome evolution in our society's understanding of pedagogy. On the other hand, it would be anachronistic to judge with the standards of 2024 the behavior of schools and families of the past century. British public schools were famous both for their excellence and severe corporal punishment. The latter were outlawed in public schools by a British law of 1987, which however allowed them to continue in private educational institutions until a new law of 1998 came into force in 1999.

4.5. One of us (Introvigne) had a Neapolitan grandmother, who still in the 1950s was a true believer in the Southern Italian culture of corporal punishments. She repeated the well-known Neapolitan proverb "Mazza e pannelle fanne 'e figli belle," meaning "The rod and fried bread make for beautiful children." She also went to Catholic Mass and, as countless Christians of various denominations throughout the world, heard in the readings the passage of the Bible, Book of Proverbs, 13:24, "Whoever spares the rod hates their children, but the one who loves their children is careful to discipline them" (New International Version). To be clear, as citizens, parents, and grandparents, we are against corporal punishment. On the other hand, we find it unfair to condemn as criminals and monsters our grandmothers who used it based on the standards of a different time.

4.6. The Q&A state that taking children to religious services where they are required "not to move for a long period of time," or told "to make specific movements or keep specific postures, such as prostrations," also amounts to physical abuse (Q&A 2:3). We can certainly imagine excesses in this field, but except in the People's Republic of China, where those under 18 years of age are prohibited from attending religious services, minors routinely participate in religious activities where they are asked to remain seated or to genuflect or prostrate at certain times during the service, and this is an integral part of their socialization into their parents' religion. Outside the religious context, minors are often expected to display good manners and sit respectfully during school lessons or when attending solemn events.

4.7. What we regard as disturbing in the Q&A is the definition of a religion-based "psychological abuse." This is defined as "forcing the children to participate in religious activities and similar" (Q&A 3:1) or inducing minors to certain specific behaviors by "threatening them with

words such as ‘If you don’t do this, or do this, you will go to hell’” (Q&A 4:3) or “with images or materials that may arouse fear” (Q&A 3:1). Although perhaps less fashionable now, Christians of our generation remember how priests and pastors at Catholic Catechism or Protestant Sunday School did tell children that sinners go to hell, of which catechisms and other textbooks for children had very vivid and dramatic images. Similar examples abound in Japan, such as *Namahage* and *Shiide Oni-no-mai* festivals, in which adults dress up as demons and ogres and scare children to tears so that they will not misbehave for the rest of the year.

4.8. The Q&A also regard as religious “psychological abuse” preventing minors from “socializing with friends in a way that our society generally accepts,” keeping them away from “birthday parties” (Q&A 3:2: something only the Jehovah’s Witnesses do among religions active in Japan), or from comics, cartoons or video games “that are considered age-appropriate for the children based on their general acceptance in our society” (Q&A 3:3). This may seem a minor point but betrays the rationale of the Q&A in general, i.e., that religionists do not have the right to pass to their children a way of living that is different from what is “generally accepted in our society.” Obviously, many religions believe that what is “generally accepted” by the majority is in fact morally decadent or unacceptable.

4.9. Minors, we read in the Q&A, have a right to keep their religion confidential, perhaps because by revealing it they may be bullied at school or ridiculed. As a consequence, parents cannot require “children to wear ornaments and similar that objectively reveal their belief in a specific religion” (Q&A 3:4) Perhaps Japan has not experienced the heated European discussions about the Muslim hijab, or does not have enough male minor Sikhs for which it is mandatory to wear a turban since a very young age—but here it seems that minor Jewish boys should be prevented to wear a kippah in public as well.

4.10. Taking children to religious activities is not condemned per se, but it becomes “psychological abuse” to socialize them into religions that “significantly deviate from accepted social standards” (Q&A 4:1). Again, a stand is taken discriminating against religions that may just want to live differently. How and by whom it will be determined that a religion “significantly deviates from accepted social standards” is also not explained. It is certainly true that parents often exert a certain pressure on children to persuade them to attend activities outside of their school curriculum they deem useful. It is unclear why religious activities are singled out rather than, say, pressuring recalcitrant children to take piano lessons or learn to play soccer.

4.11. Persuading children to participate in “missionary activities” is also regarded with great suspicion (Q&A 3:1). Excesses are certainly possible. However, we are under the impression that the drafters of the Q&A were impressed by stories that had surfaced in the media of young Jehovah’s Witnesses accompanying their parents in proselytizing activities or being encouraged to share their faith with fellow pupils at school. Perhaps because of a lack of familiarity with

Christianity in general, they did not realize that this is common in other Christian denominations as well.

4.12. Parents and guardians are also threatened with losing the custody of their children if they refuse for them “essential medical treatments.” The example repeatedly given is “refusing a blood transfusion,” and also having children “carry a card to express that they refuse blood transfusions” (Q&A 4:5). This indicates that, without naming them, the provision targets the Jehovah’s Witnesses. However, “medical treatment” is broadly interpreted. Catholics and other Christians are in turn the targets of a provision that defines as neglect, again punishable with the loss of custody, the parents’ refusal to give their consent to an abortion in the cases where Japanese laws allow it for underage girls (Q&A 4:10). Without entering into the merits of such laws, the Catholic Church and several conservative Protestant denominations forbid their members from approving of or cooperating with an abortion in all cases.

4.13. That sexual abuse cannot be justified by religious pretexts is obvious, but the directive specifies that children should not be exposed to materials using “sexual expressions” (Q&A 5:1) or discussing sexual acts, which may create a problem with certain books of the Bible (or sacred Hindu scriptures). It is also surprising that religious books using “sexual expressions” are singled out rather than comic books or daily newspapers where such expressions are certainly more frequent.

4.14. More problematic is including into the field of “sexual abuse” situations where minors are requested to “disclose their own sexual experiences” to the “staff” of any religion. In this case, not only the religious personnel but also the parents will be held responsible. Stated in these terms, the provision forbids and even qualifies as “sexual abuse” the Catholic confession of minors and similar practices in other religions. Confession in the Catholic Church starts at age seven. Many Catholic confessors would agree that the sins most frequently confessed by Catholic teenagers have to do with their “sexual experiences”—they would not confess the typical sins of adults such as commercial fraud or tax evasion—, and certainly the questionnaires used for preparing the confessions do include references to sexual sins.

4.15. We fully believe that fighting child abuse is a laudable aim. Sexual and other forms of child abuse unfortunately do occur in a religious context too. They are not protected by religious liberty. Children are beaten, forced to work without a salary in a variety of businesses, and sexually abused or trafficked by several organizations and individuals. Some of them are religionists, including as we all know priests and ministers of mainline religions. They betray the trust of children and families and should be severely punished. However, physical violence, being submitted to slave labor in a factory or agricultural field, rape, sexual assault, and forced prostitution are all-too-real

forms of abuse. “Religious child abuse” and “psychological child abuse” are much more elusive categories. They can easily be used to discriminate against unpopular minorities.

5. The “Investigative Report”

(a) Methodology

5.1. The “Investigative Report” presents the results of “An online survey... conducted using voluntary response sampling. We also used our website and SNS (X, formerly Twitter) to call out to people, and asked influential second-generation parties, various experts and groups working on religious second-generation issues to help spread the word about the fact that a survey was being conducted.” It is thus fair to conclude that the existence of the survey was mostly advertised to, or at least through, “apostate” ex-members and “experts” hostile to the Jehovah’s Witnesses. “Apostate” is not a synonym of “ex-member.” As noted in the seminal study of apostates by American sociologist David Bromley (see D.G. Bromley, ed., *The Politics of Religious Apostasy: The Role of Apostates in the Transformation of Religious Movements*, Westport, CT: Praeger Publishers, 1998) and confirmed by subsequent empirical research only a small minority of ex-members become apostates, i.e. militant opponents of the organizations they have left. The majority of “ordinary ex-members” simply go on with their lives, are not interested in militant crusades against their former religious organizations, do not give interviews to the media or file lawsuits, and if asked about their past experience would mention both positive and negative aspects. The media often confuse the categories of “apostates” and “ordinary ex-members” because only the “apostates” are visible to them, while the “ordinary ex-members” remain largely invisible.

5.2. Scholars of new religious movements, including the two undersigned, have produced a large body of literature on such so-called “anti-cult” advocacy groups, whose main sources are accounts by hostile ex-members. Their literature is not uninteresting and should certainly be studied by scholars. They normally do it. Indeed, *The Journal of CESNUR*, directed by Introvigne, has published the most complete annotated bibliography of critical accounts by ex-members of new religious movements produced in the 21st century currently available: J. Gordon Melton and W. Michael Ashcraft, “Ex-Member Accounts from New Religious Movements: A Compilation, 2000-Present,” *The Journal of CESNUR* 5(6), 2021, 70–103. This is evidence that scholars of new religious movements, often accused of ignoring the hostile accounts of the ex-members, in fact collect and study even the most obscure of them.

5.3. However, it is an entirely different matter when accounts by anti-cult groups and hostile ex-members are regarded as the only source of information on a religious organization. This would be tantamount to researching marriage by considering only accounts written by spouses who come out of a traumatic divorce, or the situation of the Catholic clergy by only using reports from those who have left the priesthood and have turned into bitter critics of the Roman Catholic Church.

5.4. Social research scholars Del Balso and Lewis warn that “Sampling is a tricky business” and “information may be distorted or biased.” “Scientific researchers have to overcome the problem of bias and try to find sample that is representative of the population” (Michael Del Balso and Alan

D. Lewis, *First Steps: A Guide to Social Research*, Toronto: Nelson Education, 1997, 72). James R. Lewis (“Reconstructing the ‘Cult’ Experience,” 1986, cit.) and Trudy Solomon (“Integrating the ‘Moonie’ Experience: A Survey of Ex-Members of the Unification Church,” 1983, cit.) both found in their research that “the tendency of ex-members [of religious organizations] to hold negative, cult-stereotypical attitudes towards their former groups is highly correlated with the extent of their exposure to the socializing influences of the anti-cult movement” (Lewis, “Reconstructing the ‘Cult’ Experience,” 1986, cit., 1). The survey of the “Investigative Report” was explicitly designed to gather respondents who had been “exposed to the socializing influences of the anti-cult movement,” thus creating a “biased or distorted” sample.

(b) So called “religious harm” and “freedom from belief”

5.5. The “Investigative Report” is built according to a double architecture. First, it compares the behavior of the Jehovah’s Witnesses with the Q&A and concludes that it violates the provisions of the Q&A. As mentioned earlier, this argument is circular and tautological because several parts of the Q&A were written precisely to stigmatize practices of the Jehovah’s Witnesses. Second, it notes that behavior by the Jehovah’s Witnesses that runs against the Q&A is not prohibited by any Japanese law (with some exceptions) and calls for laws to be amended. By doing this, it admits that most of the practices the “Investigative Report” dislikes are not illegal in Japan, just as it happens in most other democratic countries.

5.6. The lawyers associated with this study are making extraordinary legal claims and are asking for exceptional changes from the Japanese courts and legislating bodies. The report acknowledges that almost nothing the Jehovah’s Witnesses are doing is against the law, so the writers recommend major changes in legislation. To make their case, the writers need to draw on unproven psychological theories, including coercive persuasion (and the insinuation of collective mind control), inter alia to address the obvious fact that the Jehovah’s Witnesses are not intentionally hurting their children. They are arguing for the legal recognition of several contested ideas, foremost the existence of “religious trauma” and the assumption that non-traditional beliefs cause psychological harm. “Religious trauma” is not a recognized mental health diagnosis in the United States or Europe, despite the efforts of anti-cult lawyers and activists to develop this category. We argue that the concept of “religious harm” is not only scientifically unproven, but also discriminatory against religious minorities. This is because central to the notion of “religious harm” is the idea that because dissenting beliefs demarcate an individual as outside the mainstream, the experience of being raised by non-conforming parents is inherently harmful. In this way, any number of religious, social, or political ideas could be pathologized.

5.7. The lawyers are also asking for civil liability for religious beliefs—something else that has no current extant counterpart in democratic countries. Establishing liability for expression of ideas would be a major change to laws governing both free speech and religious freedom. Specifically, the lawyers want to make parents liable for beliefs expressed around their children. This points to another major legal innovation called for by the lawyers. They assert that children have a right to “freedom from belief” that supersedes the rights of the family unit. Note the argument being made

on pages 34–35, in the section “Room for improvement of the law or its interpretation/application”: “While the Constitution guarantees ‘freedom of religion’ to believers, one of the core aspects of ‘religious freedom’ is the ‘freedom from being forced to believe’” (35). It is emphasized that exercising “freedom to practice religious activities” in a way that infringes on the ‘freedom from being forced to believe’ of others (especially children who should be protected) should not be permissible.

5.8. This is an unprecedented interpretation of religious freedom, one which eradicates the right of parents to pass their faith tradition on to their children. It closely resembles the religious law in the People’s Republic of China, where teaching of religion to minors is illegal. There is not a democratic country in the world that has this understanding of religious freedom as its standard right now. And it should not go without notice that the writers speculate elsewhere in the report that other religions, beyond the Jehovah’s Witnesses, should come under similar purview. It is worth keeping this ambition in mind while considering the legal changes proposed by the lawyers. They are arguing for major changes in family law, which would result in a massive increase of state power over individuals, and which would be a real encroachment on civil liberties. Toward the end of the report, the writers add one of their most bizarre recommendations, asking the government to consider “the economic burden on society as a whole caused by children being unjustly forced to follow a religion” (251).

(c) Blood transfusions

5.9. The first specific matter discussed in the report is blood transfusions. The lawyers claim that even after the publication of the Q&A and their meetings with the authorities, Jehovah’s Witnesses continue to refuse blood transfusions for themselves and their children. This is true, and as it happened in other countries, it is unlikely that they will change their attitude under pressure from the authorities, as they believe that “we obey Jehovah’s law regarding blood by refusing to accept a blood transfusion, even during a medical emergency” (“Cherish God’s Gift of Life,” *The Watchtower* [Study Edition], February 2023, 20–25 [23]).

5.10. However, the report fails to mention that in most democratic and medically advanced countries the problem is becoming moot as hospitals can “provide high-quality care that does not involve a blood transfusion” (“Cherish God’s Gift of Life,” 2023, cit., 23). When Jehovah’s Witnesses wish to receive assistance in finding doctors who can provide bloodless treatment, they can seek the help of Hospital Liaison Committees, which have been established for this very purpose. The above-mentioned recent *Watchtower* article specified that elders “will not make medical decisions for you. That is your responsibility” (“Cherish God’s Gift of Life,” cit., 23). Surely, the elders would recommend that Jehovah’s Witnesses of all ages carry a document specifying that in case of emergency medical treatment they do not want to receive blood transfusions. But the decision is ultimately individual. The report objects that Jehovah’s Witnesses can make individual choices to accept a blood transfusion for themselves and their children but in this case, they will surely be disfellowshipped. This information is not accurate. Although the teaching about blood is regarded by the Jehovah’s Witnesses as firmly based on the Bible, each

case is examined by considering its context and circumstances. The Jehovah's Witnesses also emphasize that those joining them should have an understanding of their doctrines (including on blood) before being baptized.

5.11. In most democratic countries, courts—including the European Court of Human Rights in 2010 (*Jehovah's Witnesses of Moscow and Others v. Russia*, June 10) and the Italian Supreme Court of Cassation in 2020 (3rd Civil Session, decision of 4–23 December 2020, no. 29469)—have ruled that adult patients have a right to refuse any medical treatment, and protected the right of the Jehovah's Witnesses to refuse blood transfusions. Even the Supreme Court of Japan, in 2000, has clearly established the right of an adult patient to decide whether to refuse blood transfusions (Cases Nos. 1081 and 1082 of 1998. Judgment of the Third Petty Bench, February 29, 2000, dismissed). In several jurisdictions, including Japan, this also applies to “mature minors.

5.12. That refusal of transfusions has been recognized as a legal conscience right in Japan needs to be kept in mind when considering the issue (see Sakiko Masaki, Hiroko Ishimoto, and Atsushu Asai, “Contemporary Issues Concerning Informed Consent in Japan Based on a Review of Court Decisions and Characteristics of Japanese Culture,” *BMC Medical Ethics*, February 4, 2014, 15–8). The section of the report addressing blood transfusion includes a survey of some doctors of patients' rejection of blood transfusions “for religious reasons” and their case outcomes. Presumably, the cases all refer to Jehovah's Witnesses, but actually this is not known. It is not known if the doctor surveyed referred to a case in which he was the treating doctor, or whether it was simply a story he heard from colleagues. Nor was any effort apparently made to remove from the survey multiple reports about the same case. What is important to note here, is that without the specific facts of the actual cases, one cannot make estimates about mortality and morbidity based solely on anecdotal stories. Further, there can be multiple causes of mortality and without the objective medical facts about the specific cases, the projected death statistics for Jehovah's Witnesses are meaningless.

5.13. The Investigative Report also misrepresents the Jehovah's Witnesses' use of alternatives to transfusion and frames the basic search for alternatives as suspect. Yet it is worth noting the medical risks associated with transfusions, including viruses, prion diseases, and some cancers. Collaborating with hospitals to develop transfusion alternatives carries benefits for all patients. It may be that hospitals in Japan need to develop better policies to interact with families who, for any reason, are reluctant to use recommended treatments.

5.14. In the case of “mature minors” the report objects that their “refusal of blood transfusion” may not be “really ‘true self-determination,’” but derive from the manipulation of their will by the organization (71). Once again, the language presupposes the existence of some mysterious force called “brainwashing” or “mind control” capable of depriving otherwise mentally competent “mature minors” (and presumably adults too, but the report only deals with minors) of their free will. As mentioned earlier, an overwhelming majority of scholars of new religious movements agree that this elimination of free will is impossible, and “brainwashing” is just a pseudo-scientific concept used to discriminate against certain minorities (for a summary exposition of the mainline

scholarly position, see Massimo Introvigne, *Brainwashing: Reality or Myth?*, Cambridge: Cambridge University Press, 2022).

5.15. Perhaps the authors of the report did not reflect on the implications of their statement about the fact that young Jehovah's Witnesses refuse blood transfusions is the fruit of "brainwashing," and that laws should perhaps be amended to ignore their opinion and transfuse them anyway. A Catholic or Evangelical "mature minor" girl who refuses an abortion for religious motivations, even when doctors or psychologists recommend it for a variety of reasons, certainly also takes into account the religious teachings she has received. Should she be forced to have an abortion?

5.16. As for minors who are not "mature," the report describes in Japan a situation similar to other countries. In the rare cases when doctors believe a blood transfusion is absolutely necessary, and parents or guardians would not authorize it, a judge can pronounce a temporary suspension of parental authority. We do not know how frequent these cases in Japan are. Based on the experience of other G7 countries and the fact that Japan is highly respected for its advanced health care system, we suspect they are rare. Courts in democratic countries have also recommended that such measures are adopted only exceptionally. As stated in the Canadian appeal court decision of *M. (J.) v. Alberta (Director of Child Welfare)* (2004 ABQB 512, para. 43), the State "must be careful not to presume that the doctor has always recommended the only acceptable treatment and that Jehovah's Witness parents are always wrong in denying their consent for treatment by way of blood products. Such a paternalistic attitude impairs the parents' [constitutional] rights..." In Italy, one of the countries with the largest per capita population of Jehovah's Witnesses, courts have held that by choosing medical alternatives to blood transfusions, parents who are Jehovah's Witnesses are *not* displaying "parental inadequacy," but are instead conscientiously exercising constitutional rights afforded to all parents (Minors Court of Genoa, no. 1109/19, 6 May 2019; Minors Court of Milan, no. 1110/2014, 15 January 2014).

5.17. The report complains that the procedure to appoint a temporary guardian may take too much time and endanger the health of the minor. If this is true, it seems unfair to blame the Jehovah's Witnesses for a problem of delays and ineffectiveness of Japanese courts. It is also unclear what alternative is proposed. The Japanese government cannot tell the Jehovah's Witnesses how they should interpret the passages of the Bible about the prohibition of "eating blood" without grossly violating domestic-constitutional and international legal provision on freedom of religion or belief.

(d) Corporal punishment

5.18. "Whipping" is defined in the report as corporal punishment carried out with a plurality of tools, not necessarily a whip. The report admits that only after the Abe assassination there were "reports on whipping in many TV programs and newspapers in Japan" (75).

5.19. Interestingly, to the best of our knowledge, even in the massive official propaganda campaigns against the Jehovah's Witnesses in Russia (and decades ago in France) the argument that they routinely "whip" their children has never been used. Although the report mentions that a

book by one single apostate ex-member describing whipping had already been published in 2017, the insistence on this point seems to be a by-product of the anti-cult climate prevailing in Japan after the Abe assassination.

5.20. The report captures several complaints of second-generation individuals whose parents (typically the mother) jabbed them with a pen. When one of us (Folk) was in middle school, she was stabbed in the hand with a fork by her English teacher, because she had reached across the lunch table to take a piece of bread. This reflected a culture of corporal punishment that, as mentioned earlier, is happily gone but was internationally common in the past.

5.21. There is no evidence that Jehovah's Witnesses in Japan discipline their children more severely than the rest of the population. It is also probable that among families who did use corporal punishment, Jehovah's Witness teachings were not the motive for their actions. It is really offensive that the report writers should change the description of rooms available in Kingdom Halls for nursing mothers and call them "whipping rooms." This makes it seem like the Jehovah's Witnesses maintain torture chambers in their Kingdom Halls, and stock them with the equipment required to beat children, which is obviously not true.

5.22. By this, we do not argue that corporal punishment never happened in the families of Jehovah's Witnesses in Japan. On the contrary, giving its cultural prevalence in Japanese society it would be surprising if Jehovah's Witness families had been totally immune from the practice in the 20th century and beyond. Whether incidents of corporal punishment occurred in Japanese Jehovah's Witness families is thus not the right question to ask. The relevant questions are whether they are still going on now, were more prevalent in Jehovah's Witness families than in other Japanese households and were the results of specific teachings of the Jehovah's Witnesses.

5.23. On the first point, there seem to be a consensus between the authors of the report and the Jehovah's Witnesses. "The abominable practice of 'whipping' has disappeared or is disappearing as of the fall of 2023" among the Jehovah's Witnesses, the report states (94). All Jehovah's Witnesses in Japan have been informed of the law regarding corporal punishment. Yet, the report still calls for legislative intervention to assist the victims of past "whipping."

5.24. However, the lawyers should prove that the use of "whipping" in the Jehovah's Witness families was exceptional with respect to Japanese society in general (otherwise, laws should be passed allowing most Japanese who grew up in the past century to seek damages from their parents). In fact, the report argues that corporal punishment among the Jehovah's Witnesses was "an extremely abnormal situation" and that "if they were not Jehovah's Witnesses" these children would not have been whipped (107). Even without returning to the point that we have no way of knowing whether the responses collected were genuine, another methodological problem emerges. A control group, matching respondents by age, gender, socio-economic status, and city or village of

residence, is typically used to determine whether a situation is “abnormal”. No such control sample was used.

5.25. On the other hand, we know from several scholarly and legal studies that rather than being a Jehovah’s Witness anomaly as the report alleges, corporal punishment was the rule rather than the “abnormal” exception in Japanese society during the 20th century and beyond. As late as 2019, writing in the specialized *Journal of Family Violence*, two Japanese and one American academic noted that “despite calls to eliminate child corporal punishment, this practice remains a normatively accepted disciplinary practice in many Asian countries, including Japan” (Rie Masuda, Paul Lanier, and Hideki Hashimoto, “The Association between Paternal Job Stress and Maternal Child Corporal Punishment: Evidence from a Population-Based Survey in Metropolitan Japan,” *Journal of Family Violence*, 34 (2019), 119–126 [119]). A widely reviewed 2013 book by American scholar Aaron L. Miller (*Discourses of Discipline: An Anthropology of Corporal Punishment in Japan’s Schools and Sports*, Berkeley, CA: Institute of East Asian Studies, 2013) revealed that, although technically prohibited in schools (but at that time not in families), whipping and other corporal punishments were routinely used against minors in Japan, particularly by sport coaches, and met with the general approval of Japanese society.

5.26. From 2008, several Universal Periodic Reviews of Japan at the Human Rights Council of the United Nations recommended that the country enacted laws to prohibit corporal punishment or “whipping” at home. However, there was considerable domestic resistance to these suggestions. Finally, the strong intervention of the United Nations Committee on the Rights of the Child was one of the factors leading Japan to pass in June 2019 the “Act Amending the Child Abuse Prevention Law 2000 and the Child Welfare Act 1947,” which came into force in April 2020 and prohibited domestic corporal punishment of children (“Corporal Punishment in Japan,” *End Corporal Punishment*, November 2023, 1–8).

5.27. In the same year 2020, an academic survey was published evidencing that 70.7% of Japanese parents with children age 3 to 5 had used spanking or other forms of corporal punishment against them (Sachiko Baba, Ehab S. Eshak, Kokoro Shirai, Takeo Fujiwara, Yui Yamaoka, and Hiroyasu Iso, “Factors Associated with Family Member’s Spanking of 3-5-Year-Old Children in Japan,” *Journal of Epidemiology*, 30 [2020], 464–473). Before the 2020 law, a 2017 survey revealed that 70.6% of Japanese parents believed corporal punishment of children was necessary, and 49.8% admitted they had used it (Krista Roger, “Survey Reveals 70% of Japanese Adults Believe Corporal Punishment Is Necessary,” *Japan Today*, January 1, 2020, <https://bit.ly/3P9MycW>).

5.28. Even *after* the widely publicized new law had banned domestic corporal punishment a “survey of 20,000 adults carried out in January 2021 found that 41.3 percent of respondents approved of using corporal punishment for disciplinary purposes. 0.9 percent said it should be used proactively, 7.8 percent said it should be used if necessary, and 32.6 percent said it should be used only as a last resort” (“Corporal Punishment in Japan,” 2023, cit., 6). These data demonstrate that

corporal punishment was common and even “normatively accepted” practice in Japanese society. It was not even illegal before April 2020.

5.29. One paragraph of the report is titled “Strong Endorsement of Whipping by the Organization’s Publications” (107). However, the content of the paragraph does not support the statement in the title. In fact, only two *Watchtower* articles are mentioned, one from 1954 whose graphic illustrations are reproduced (77), no doubt with the purpose of impressing the reader, and one from the September 8, 1992, issue of *Awake!*, “‘The Rod of Discipline’—Is It Out-of-Date?”, 26–27).

5.30. The 1954 article was published seventy years ago. It should be read in the context of 1954, not 2024, and compared with similar texts authorizing a moderate use of physical discipline in Christian churches and educational institutions (including the British public schools mentioned above). It compares favorably to these texts, and it is not a “strong endorsement of whipping.” It specifies that “when the Bible speaks of the rod of correction it does not necessarily mean a literal rod; in the broad sense it means parental authority. Its corrective influence may take a variety of forms. Whatever form it takes, it should always be wielded in love and mercy, never in anger or rigid justice” (“Disciplining Children for Life,” *The Watchtower*, January 15, 1954, 54–62 [56]). While allowing for mild corporal punishments, the article suggested that in most cases they are either not necessary or not effective: “The temperament and disposition of the individual child must be considered. Some are very sensitive, and such drastic measures as spanking may not be necessary. Some may be so callous that such drastic measures may be ineffective” (57). With a comment that may be considered as advanced and progressive for the 1950s, the article also counseled the parents not to “hedge the child in by numerous, needless prohibition” and “when possible, let them make their own choices and decisions” (56).

5.31. The 1992 article notes that “each year thousands of children die as a direct result of physical abuse by a parent” (26) and urges to put the reference to “the rod” in the Book of Proverbs in a broader context that should also take other Biblical passages into account. “The individual pieces of a jigsaw puzzle make little sense. It is only after fitting them together that one can see the whole picture. Likewise, ‘the rod’ is just one piece of the puzzle. To see the full picture, we must fit ‘the rod’ in with other Bible principles related to discipline.” These includes “Never drive your children to resentment” (Ephesians 6:4) and “Don’t over-correct your children, or you will take all the heart out of them” (Colossians 3:21) (26). Also, the article says, by examining the uses of the Hebrew word for “rod” (*she ’vet*) we find that “it is often used symbolically in the Bible, representing authority” and certainly “does not refer exclusively to physical punishment. It encompasses all forms of discipline” (27). The conclusion is that while the author of the Book of Proverbs did condone mild corporal punishment, the Bible also acknowledged “that physical punishment is usually not the most effective teaching method. The Book of Proverbs itself, 8:33, says, ‘Listen to discipline’ not, ‘Feel discipline.’ And Proverbs 17:10 points out that ‘a rebuke works deeper in one having understanding than striking a stupid one a hundred times’” (26). While the Jehovah’s Witnesses take the Bible seriously and do not agree with the liberal view of some contemporary theologians that certain passages hurting modern sensitivity should be excised or censored, this

balanced interpretation of Proverbs 22:15 certainly does not support the “Investigative Report” statement that it constitutes a “strong endorsement of whipping.” In 1979, *Awake!* reiterated that the Biblical text should be interpreted as allowing only mild forms of physical corrections: “The Bible in no way endorses angry whippings or severe beatings that bruise and can even cripple a young child. That is child abuse, not loving discipline” (“Should Children Be Spanked?”, *Awake!*, May 8, 1979, 27–28 [28]).

5.32. In fact, the “Investigative Report” is aware that its fishing expedition for old texts from publications of the Jehovah’s Witnesses including a “strong endorsement of whipping” has not achieved significant results. For this reason, it hypothesizes that there should be somewhere secret texts, “internal instructions for elders... not seen easily” (107). The argument is not persuasive. There are dozens of websites and books by apostates who are ex-members including ex-elders and even an ex-member of the Jehovah’s Witnesses’ higher ruling council, the Governing Body, Raymond Franz (1922–2010). They are full of references to internal manuals for elders, and every single quote that the apostates believe can damage the Jehovah’s Witnesses is exploited and emphasized. In Russia, congregations and homes of elders have been raided and the material seized has been used by anti-cult “experts” for preparing voluminous reports aimed at proving that the Jehovah’s Witnesses are “extremists.” If somewhere there were hidden texts with a “strong endorsement of whipping,” these sources would certainly have unveiled and published them. On the contrary, they are nowhere to be seen.

5.33. Summing up, the report agrees that today corporal punishment is *not* practiced by the Jehovah’s Witnesses. On the contrary, their publications and statements reiterate that they “do not tolerate child abuse,” that children should never be treated “harshly,” and that “abuse or cruelty” in all forms are forbidden by their organization (Public Information Department Jehovah’s Witnesses Japan, “Statement for Media Outlets. RE: Jehovah’s Witnesses Cooperate with the Children and Families Agency,” May 10, 2023, 1). “Before counseling a young one, the parent might ask himself: ‘Do I have to make an issue over this matter? Will I handle the situation in a balanced, loving way, or should I wait until I am not irritated? Do I have all the facts? Is there something happening in my child’s life that I am unaware of? After the counsel is given, will my child know that he has been treated fairly and with love?’ There is never a reason for a Christian parent to treat his children harshly” (“Does Your Counsel ‘Make the Heart Rejoice’?”, *The Watchtower*, Study Edition, February 2022, 14–19 [18]). As for the past, it seems that the Jehovah’s Witnesses are maliciously singled out for what was a problem of Japanese society in general. Reflecting on the history of corporal punishment in modern Japan may be a useful exercise to avoid repeating past mistakes, but asking only the Jehovah’s Witnesses to apologize to and indemnify adults that were involved as children in a practice Japanese society in general regarded as “normatively accepted” is grossly unfair and is in itself an act of discrimination.

(e) Teachings said to instill fear

5.34. The Jehovah’s Witnesses are accused of “instilling fear” in children through “images or material” about the end of the world as we know it (Armageddon) and hell (110–111). This is

against the Q&A, the report notes, but is admittedly not illegal in Japan. Or not yet: according to the report, “It is felt that it is necessary to take measures such as imposing laws and regulations against [such] acts” (121). The authors of the report seek to establish an unproven theory of “psychological abuse,” one that interferes with the rights of the family.

5.35. Right now, teaching one’s religious beliefs to one’s children is not prohibited in Japan, but the report writers are asking for a radical change in the law. If narrowly applied only to Jehovah’s Witnesses, this would be unacceptable discrimination. The risk is that it would be applied quite widely, to many religions, as well as non-religious people who have heterodox ideas. Families worried about environmental destruction, or nuclear weapons, could just as easily be accused of abuse for sharing their concerns about the future. The lawyers call for regulation of Jehovah’s Witness literature, on the grounds that the images are traumatizing to children. This would be another major reversal of established civil liberties. We are not sure the writers of the study have even thought through the impact of their proposals on representational democracy. Regardless, it is misinformation to describe the publications of Jehovah’s Witnesses as “graphic” or “shocking.” Compared to anime and manga—items easily available to children in Japan—the Jehovah’s Witness materials on topics such as future disasters are chaste and restrained.

5.36. This part of the report also exhibits a common fallacy of anti-Jehovah’s-Witnesses literature. Teachings, narratives, and languages that are common among Christians are mistaken as being unique to the Jehovah’s Witnesses. The latter may have a special emphasis about the end of the world as we know it, but it is also true that 39% of the Americans and 47% of the American Christians believe that we are living in the “end times” (Pew Research Center, “About Four-in-ten U.S. Adults Believe Humanity Is Living in the End Times,” December 8, 2022, available at <https://www.pewresearch.org/short-reads/2022/12/08/about-four-in-ten-u-s-adults-believe-humanity-is-living-in-the-end-times/>).

5.37. The leading scholar of millennialism, Catherine Wessinger, has debunked the idea that believing that the end of the world is near generates antisocial behavior. While exceptions exist, throughout the history of religion the opposite has often been true. Those awaiting the end of the world have built powerful charitable institutions and embraced strict moral teachings, as they believed that when the end will come their chances of living forever in a heavenly (or earthly) paradise will depend on how their good and bad deeds will be evaluated by God (Catherine Wessinger, “Millennialism in Cross-Cultural Perspective,” in C. Wessinger, ed., *The Oxford Handbook of Millennialism*, 3–25, New York: Oxford University Press, 2011). The lawyers’ report acknowledges that the Jehovah’s Witnesses are peaceful and law-abiding citizens but then gives voice to an apostate ex-elder who claims that “They refuse to serve in the military even if it means incarceration because of the organization’s teachings, such as maintaining political neutrality, and they are willing to be martyred at times because they see this as a command from God. While these beliefs are admirable, they run the risk of turning violent, as in the case of suicide bombings by fundamentalist extremists of other religions” (253). This is patently absurd. In the whole history of

the Jehovah's Witnesses there is not a single incident where they have "turned violent." Their only relation with violence is that they have been at the receiving end of it.

5.38. Even those who do not meditate often on what Christians call the "final eschatology" about the end of the world cannot avoid the thought of the "intermediate eschatology" that is imminent for all of us, i.e., our own death. Although morbid or macabre images should be avoided when dealing with children, most Christian churches do not share the modern idea that they should be shielded from knowing about death, and they will unavoidably experience it when a grandparent or another relative will die.

5.39. To explain death, Christian pastors and parents teach that it is not the end of existence, which will continue in heaven—or in hell. In the Catholic Church and in several conservative Protestant churches, catechisms for children do mention hell. Answering British biologist and promoter of atheism Richard Dawkins, who had claimed with arguments similar to the "Investigative Report" that teaching children about hell is a form of child abuse, the American Christian Research Institute, whose materials (ironically, including theological criticism of the Jehovah's Witnesses) are widely used in evangelical churches, recommended that Christians "discuss and do not hide the disturbing aspects of hell with your children." "There is tremendous value," its *Christian Research Journal* wrote, "in moving children toward a real apprehension of the self-imposed nature of hell and the effects of rejecting God" (Rebekah Valerius, "Is It Abusive to Teach Children About Hell?", *Christian Research Journal*, June 12, 2020, available at <https://www.equip.org/articles/is-it-abusive-to-teach-children-about-hell/>).

5.40. The catechism for the youth most used today in the Catholic Church, called YOUCAT and first introduced in 2011, clearly explains that unrepentant sinners go to hell. It describes hell as "the 'outer darkness' (Matthew 8:12). Expressed in our terms, it is cold rather than hot. It is horrible to contemplate, a condition of complete rigidity and hopeless isolation from everything that could bring aid, relief, joy, and consolation into one's life" (n. 53). YOUCAT also teaches that there will be an "end of the world" accompanied by a "Last Judgment": "The Last Judgment is ... our day in court. Here it is decided whether we will rise to eternal life or be separated from God forever" (n. 161).

5.41. Roman Catholics, unlike Protestants, believe that the Virgin Mary, the mother of Jesus, has among its roles a pedagogical function and continues to teach Christians through apparitions, usually to young children. While apparitions of the Virgin Mary are often reported, the Catholic Church has endorsed only a few of them. One, the Catholic Church believes, occurred in 1917 in Fatima, Portugal. It has been officially approved and several Popes have made the Fatima pilgrimage, including the present Pope Francis. According to the official reconstruction by the Vatican, included in a document of the Congregation of the Doctrine of Faith published on the Holy See's web site in 2000, part of what the Virgin Mary showed to three children aged nine and ten years was "the vision of hell. [As reported by one of the children] 'Our Lady showed us a great sea of fire which seemed to be under the earth. Plunged in this fire were demons and souls in human form, like transparent burning embers, all blackened or burnished bronze, floating about in

the conflagration, now raised into the air by the flames that issued from within themselves together with great clouds of smoke, now falling back on every side like sparks in a huge fire, without weight or equilibrium, and amid shrieks and groans of pain and despair, which horrified us and made us tremble with fear. The demons could be distinguished by their terrifying and repulsive likeness to frightful and unknown animals, all black and transparent” (“The Message of Fatima,” https://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20000626_message-fatima_en.html). This is surely more terrifying than any description of hell in the literature of the Jehovah’s Witnesses and is proposed by the Catholic Church as a teaching imparted to 9- and 10-year-old children by the Virgin Mary herself.

5.42. Images have changed in time, but there are still Christian books for children with vivid depictions of hell and its fire. Also, children living in European cities would likely see the flames of hell depicted in paintings in ancient churches and in museums. We wonder whether the authors of the report imply that Dante’s “Comedy,” with its terrible depictions of hell, should be forbidden to minors in Japan, and Japanese travel agents should not take families with minors to the famous Medieval Cemetery of Pisa or to countless European cathedrals whose frescos or paintings show how devils torment the sinners in the afterlife. Buddhist depictions of Cold Hells and demons are not less terrifying.

(f) Social life

5.43. The report claims that the Jehovah’s Witnesses violate the prescriptions of the Q&A because their children (a) do not celebrate birthdays, Christmas, and other common feasts; (b) are prevented by parents from reading popular Japanese manga and watching equally popular anime and TV series; (c) are taught a conservative sexual ethic, and “sexual activity outside legal marriage and formal marriage” including “premarital sex” (134) is strongly discouraged and presented as a serious sin. Although in what are presented as responses by apostates there are exaggerations, these claims are basically true.

5.44. We understand that Japanese society is remarkably coherent, but those like us who grew up in more religiously diverse environments understood since primary school that children coming from different families have different behaviors with respect to holidays. One of us (Folk) had a Jewish father and a mother who converted to Judaism when she was 15 and went through the experience of not attending Christian celebrations when most of her classmates did. In Italy, where Introigne grew up in the late 1950s and 1960s, there was a strong Communist presence, and children from Communist families would not celebrate certain civil and religious feasts. There were also Protestant children who did not share in the joyful celebrations of the feasts of the Virgin Mary, a typical feature of Italian culture. And so on. If the law should compel the Jehovah’s Witness children to celebrate birthdays, it should also compel children from Jewish or atheist families to celebrate the birth of Jesus, which would be a serious violation of their freedom of

religion or belief. A more reasonable solution is to teach children that a pluralistic society is made of women, men, and children of different beliefs and cultures, and all should be respected.

5.45. It is generally acknowledged that there are problems with comics and cartoons that depict violence, nudity, and include scary references to the occult not suitable for the younger readers. One of us (Introvigne) has written extensively about comics and is familiar with the resistance early manga and anime produced in Japan have encountered in Europe and the U.S. for this very reason. Conservative religionists in Europe and the U.S. have long counseled their devotees to prevent children from accessing this form of entertainment, proposing instead their own comics and cartoons promoting moral and religious values. And not only them. For decades in Europe Communists counseled their members not to allow American superhero comics, believed to promote Western capitalist values, into their homes. In Italy and France Communists produced their own alternatives, just as Christians did (see Antoine Court, ed., *Le populaire à l'ombre des clochers*, Saint-Étienne: Université de Saint-Étienne, 1997). Italian scholar Umberto Eco (1932–2016) lampooned this censorship against comics in otherwise progressive families in his 1964 book *Apocalittici e integrati* (translated as *Apocalypse Postponed*, London: British Film Institute, 1994). Contemporary popular culture includes much that many parents find objectionable for different reasons. Teaching children that certain products should be avoided may be a healthy attitude and is certainly part of the parents' freedom of education.

5.46. We categorically disagree that it is child abuse to restrict children's access to popular culture or entertainment media. We do not believe children are psychologically harmed by being prevented from watching a television show, or even from watching television entirely. It is problematic that the study on media consumption, reported on page 161 of the Investigative Report, combines limited and total restrictions on media. It is impossible to determine whether parents denied children *any* access to comics, television, or movies, or whether they were making sensible content choices. The most commonly cited restrictions were on highly marketed entertainment characters, with the most commonly cited limitation being Dragonball Z. Despite its popularity in Japan, Dragonball Z has been censored for American viewers several times because of its violent content (see Joseph Brogan, "10 Dragon Ball Scenes That Were Too Controversial for American Audiences," "Sk Anime," May 18, 2022, <https://www.sportskeeda.com/anime/10-dragon-ball-scenes-controversial-american-audiences>). If it was regarded as too violent for American audiences, we feel it stretches credulity to label the Jehovah's Witnesses psychologically abusive for refusing to let their children watch the show.

5.47. It is also the parents' right to teach their children to avoid promiscuous sexual behavior. Conservative Christians, Jews, and Muslims strongly discourage premarital sex (and counsel their children to preferably marry co-religionists, which is part of what the "Investigative Report" finds objectionable among the Jehovah's Witnesses). In many Christian bookstores in the United States, one can find on sale t-shirts for boys and girls with the slogan "True Love Waits." In 2022, Pope Francis presented the new Catholic guidelines about marriage. They reiterate that the Catholic Church "must never lack the courage to proclaim the precious virtue of chastity, no matter how directly it contrasts with the prevailing mentality... For engaged couples, this means living chastity

in continence” (*Catechumenal Pathways for Married Life: Pastoral Guidelines for Local Churches*, Vatican City: Libreria Editrice Vaticana, 2022, 58–59). In short, the Jehovah’s Witnesses are singled out and blamed for a position that is shared by millions of religionists throughout the world.

(g) Missionary activities

5.48. The Jehovah’s Witnesses are criticized for involving minors in missionary and proselytizing activities since a very young age. “Many began witnessing as children and continued into adulthood” (149).

5.49. This is another example of the fallacy of regarding as unique to the Jehovah’s Witnesses attitudes that are common among most Christians and correspond to the missionary ethos of Christianity. Perhaps one example may suffice. MIDADE is a Catholic umbrella organization for the missionary activities of minors, recognized by the Vatican and presented as such in Vatican’s own website (<https://www.laityfamilylife.va/content/laityfamilylife/en/associazioni-e-movimenti/repertorio/mov-apost-bambini.html>). It is also a United Nations ECOSOC-accredited NGO. MIDADE (a French acronym; in English IMAC, International Movement of Apostolate of Children) traces its origins back to 1936 when a priest called Gaston Courtois (1897–1970) founded the “Coeurs vaillants et Âmes vaillantes” (Brave Hearts and Brave Souls) movement in France, for boys and girls aged between 8 and 15. Later, similar movements were born in several countries. In Italy, the “Azione Cattolica Ragazzi” (Children Catholic Action) could be joined at age 4. As a personal recollection, one of the authors of this report (Introvigne) went to a Jesuit Catholic primary school and joined a Jesuit movement for children’s apostolic activities then called CIDROS and now part of MIDADE (on the history of CIDROS, see *Il Movimento Eucaristico Giovanile*, Rome: MEG-Italia, 2016). He remembers that at age 8 he was taught how to approach adult passers-by in the streets, interview them about their attitude to religion, and give them flyers. One answered, “Aren’t you too young to do this?” but then accepted to be interviewed and even came to a missionary meeting; the story made it to CIDROS’ national magazine. As explained in the Vatican’s web site, the activities of MIDADE are based on the idea that “children are already fully persons, capable of transforming the world around them.” Even children can, in their own way, “act to build up the Kingdom of God.”

(h) Higher education

5.50. The “Investigative Report” regards as a form of abuse the fact that some of the respondents reported that their parents discouraged them from pursuing higher education.

5.51. Jehovah’s Witnesses are strong supporters of educations for both boys *and* girls. They counsel their children not only to go to school but to do their best to excel there. Governments today, they write, “see the value of education and often require young people to receive primary and secondary schooling. We comply with such laws in harmony with the command: ‘Let every person be in subjection to the superior authorities,’ or governments. (Romans 13:1) In addition, we encourage our children to apply themselves at school and to do their best, not being satisfied to do

the bare minimum” (“How Do Jehovah’s Witnesses View Education?”, 2023, available at <https://www.jw.org/en/jehovahs-witnesses/faq/jw-education-school/>). Nobody can accuse the Jehovah’s Witnesses of violating the laws on mandatory education, including in Japan.

5.52. As for post-secondary education, the Jehovah’s Witnesses do warn that “the environment in some universities or similar centers of higher learning can pose moral and spiritual dangers,” and counsel parents and young adults to be careful in their choices. Yet, these are individual decisions that the elders would not make for the young women and men and their families. The Jehovah’s Witnesses report that “today, many of Jehovah’s Witnesses have received advanced secular education” (“How Do Jehovah’s Witnesses View Education?”, 2023, cit.). In our personal experience of several years of study of the Jehovah’s Witnesses, we have met among them skilled professionals with college and university degrees. Certainly, nobody is disfellowshipped or punished because of a decision to go to college or university. In the report itself (with all its methodological limits), it is worth noting that only 16 percent of respondents claimed that Jehovah’s Witness teachings prevented them from attending college without their agreement (24 percent made the personal choice not to go to college and cited religion as a reason: 187).

5.53. While we are not aware of specific studies about Japan, statistics on Jehovah’s Witnesses who went to college are included in studies about Kazakhstan and France. A 2023 study from Kazakhstan found that 23.9% of the Jehovah’s Witnesses went to college and 19.1% obtained a degree there (Aldiyar Auyezbek and Serik Beisembayev, *View, Values and Beliefs of the Jehovah’s Witnesses: Analytical Report on the Results of the Study*, Astana: PaperLab Research Center, 2023, 8). A much older French study by the research company SOFRES dates back to 1998. At that time, the level of BAC+5 (meaning five years of post-secondary instruction after the high school’s final exam) was 7% for Jehovah’s Witnesses in their mid-30s. This was considerably lower than Kazakhstan in 2023 but consider that in 1998 the percentage of French citizens in the same age cohort with a BAC+5 education level was only 12% (SOFRES, *Témoins de Jéhovah, Rapport de synthèse, Octobre 1998*, Paris: SOFRES, 1998, 4). Both investigations were conducted among Jehovah’s Witnesses in good standing only and confirm that in the organization there was and is no prohibition against going to college.

5.54. On the other hand, it is part of the culture of the Jehovah’s Witnesses to deny the idea that everybody “should seek the prestige or status that can result from higher education” or should set as the main goal in life making as much money as possible by securing the high-paying jobs that college education may (sometimes) guarantee (“How Do Jehovah’s Witnesses View Education?”, 2023, cit.). A democratic society respectful of diversity should acknowledge that not all communities share the same lifestyles, and respect those whose goals and priorities in life are

different from the majority. Indeed, their way of living and setting their priorities may be seen as a resource and a prophetic testimony in a society dominated by greed and materialism.

(i) Shunning

5.55. Jehovah’s Witnesses counsel their members in good standing not to associate with ex-members who have been disfellowshipped for serious sins, and have not repented, or have publicly disassociated themselves from the organization. Cohabiting relatives are not shunned, nor are those “lapsed” members who simply become inactive without publicly disassociating themselves from the Jehovah’s Witnesses either through a declaration or by joining a different religion or an organization whose membership in the Witnesses regard as incompatible with Biblical teachings.

5.56. The “Investigative Report” admits that shunning is not mentioned in the Q&A (198). However, it considers it yet another example of “psychological abuse” and even of “child abuse” when minors are shunned or do not leave the organization because they are afraid that they will be shunned. The root cause of the problem is seen in the baptism at an early age: “baptism can be a breeding ground for child abuse and human rights violations in the form of shunning. It can be said that the organization promotes practices that inextricably entail the risk of child abuse and human rights violations and, in fact, fails to take a deterrent stance against child abuse and human rights violations that are triggered by baptism” (33).

5.57. Shunning is presented as “a substantial violation of religious freedom” (35), and a bibliography is offered of a few authors who agree. However, apart from the fact that their arguments have been rejected by scholars specialized in the study of the Jehovah’s Witnesses (see M. Introvigne and James T. Richardson, “Why New Proposals to Criminalize Jehovah’s Witnesses’ ‘Shunning’ Are Wrong: A Response to Grendele, Flax, and Bapir-Tardy,” *The Journal of CESNUR*, 7, 6 [2023], 61–69, and the bibliography mentioned there), the “Investigative Report” fails to inform its readers that courts of law all over the world have taken the opposite position. Compelling the Jehovah’s Witnesses to teach a different interpretation of the Bible and consort with ex-members they do not want to associate with would be the real “substantial violation of religious freedom.”

5.58. The first in-depth discussion of the practice was included in the 1987 decision of the United States Court of Appeals for the Ninth Circuit *Paul v. Watchtower Bible and Tract Society of New York, Inc.* The court acknowledged that the plaintiff had experienced some unpleasant incidents in being “shunned” by close friends who were Jehovah’s Witnesses after she was disfellowshipped. Nonetheless, the court maintained that “Shunning is a practice engaged in by Jehovah’s Witnesses pursuant to their interpretation of canonical text, and we are not free to reinterpret that text... a state tort law prohibition against shunning would directly restrict the free exercise of the Jehovah’s

Witnesses' religious faith" (United States Court of Appeal, Ninth Circuit, *Paul v. Watchtower Bible and Tract Society of New York, Inc.*, 819 F.2d 875, 1987).

5.59. In 2003, the Court of Appeal of Warsaw, in Poland, similarly concluded that "a court is not authorized to verify attitudes of members of any religion regarding principles accepted by that denomination as well as to judge sanctions imposed on an individual who encroached those principles... This also applies to the following by its members of the obligation concerning a certain conduct toward expelled members" (Court of Appeal of Warsaw, "Case VI A CA 81/03," Fourth Civil Section, August 13, 2003).

5.60. In 2005, the Hungarian Supreme Court observed that "the state shall not interfere in internal matters of the church... therefore the religious beliefs and decisions of the church concerning ethical matters shall not be subjects to the jurisdiction of the state or the court, and this includes the public announcement in a congregational meeting that a former Jehovah's Witness has been disfellowshipped and its consequences" (Supreme Court of Hungary, *Lorincz v. Jehovah's Witnesses in Hungary*, decision of August 29, 2005).

5.61. In 2007, the Court of Appeals of Tennessee observed that "The doctrines of the Jehovah's Witnesses and their reading of scripture require that their members ostracize individuals who have been disfellowshipped. While there is no question that this practice has resulted in a painful experience for the Andersons [the plaintiffs in the case], the law does not provide a remedy for such harm. For example, in other contexts, family members sometimes become estranged from each other for various reasons on their own volition, and the law does not recognize a basis for suit for the pain caused by such estrangement. Courts are not empowered to force any individual to associate with anyone else... Shunning is a part of the Jehovah's Witnesses belief system. Individuals who choose to join the Church voluntarily accept the governance of the Church and subject themselves to being shunned if they are disfellowshipped" (Court of Appeal of Tennessee, *Barbara J. Anderson et al. v. Watchtower Bible and Tract Society of New York, Inc., et al.*, January 19, 2007, Case no. M2004- 01066-COA-R9-CV, 2007).

5.62. In 2012, the Administrative Court of Berlin examined a complaint by a disfellowshipped Jehovah's Witness against the public announcement in a congregational meeting of the measure against him, since "members of the association should have no social contact with disfellowshipped persons," and it would become impossible for him "to have a picnic, celebrate, do sports, go shopping, go to the theatre, have a meal at home or in a restaurant" with friends who remained in the Jehovah's Witnesses. The court denied the request, commenting that the Jehovah's Witness policy on these matters "is not subject to state authority" and is protected by "freedom of religion, the separation of Church and state, and the right of religious associations to self-determination" (Administrative Court of Berlin, "Case VG 27 K 79.10," decision of December 11, 2012).

5.63. In 2017, the Italian Supreme Court (Cassazione) ruled that the so called "ostracism" is also protected by the principle of non-interference. The decision observed that in this case "ostracism" is "a refusal to associate" with the disfellowshipped ex-member, and "no law requires a person to behave in the opposite manner." In fact, "no discrimination took place." Even if one would argue

that refusing to associate with disfellowshipped members violate “good manners and civilized behavior,” this would not “constitute a justiciable crime or civil tort.” Individuals, and even a whole “category,” have a right to decide to “break off or interrupt personal relations,” and courts have no business in telling them otherwise (Corte di Cassazione, *F.L. v. Congregazione Cristiana dei Testimoni di Geova*, April 13, 2017, no. 9561).

5.64. In Japan itself, on April 9, 2020, the Niigata District Court answered an ex-Jehovah’s Witness, who had asked the judges to rule that disfellowshipping and shunning are illegal, that these practices are deeply related to the content of religious doctrine and faith, and it is impossible to judge their validity or lack thereof unless one steps into the content of said doctrine and faith, which is prohibited by constitutional principles.(Niigata District Court, “Case 2018 [Wa] 71,” April 9, 2020).

5.65. Opponents of the Jehovah’s Witnesses used to quote a decision by the Court of Ghent, in Belgium, that on March 16, 2021, fined the Jehovah’s Witnesses for their practice of shunning, contradicting previous Belgian case law. However, the first-degree decision was overturned by the Court of Appeal of Ghent, which concluded that shunning can be freely taught and practiced in Belgium, through a verdict confirmed by the Court of Cassation on December 19, 2023. Opponents are thus left with a single Norwegian decision running counter this massive international case law, in which the County Governor for Oslo and Viken issued an administrative decision denying to the Jehovah’s Witnesses the state subsidy for the year 2021 they should have received as they did for thirty years, finding some aspects of shunning objectionable. This decision is under appeal at the time of this writing and should be weighed against the above-mentioned decisions that in various countries unanimously concluded that shunning can be freely taught and practiced by the Jehovah’s Witnesses and state interference on this matter would be a gross violation of their freedom of religion.

5.66. The argument of the “Investigative Report” that baptized Jehovah’s Witnesses, including minors, are blackmailed through the shunning doctrine, and compelled to remain in the organization if they want to avoid ostracism has been consistently rejected by these decisions, and for good reasons. Several other religions shun ex-members, including Orthodox Jews through *herem*, where those who have left Judaism are considered as if they were dead (some groups even organize a symbolic funeral: Haim Hermann Cohn, “Herem,” in *Encyclopedia Judaica*, corrected edition, 18 vol., vol. 8, 344–55, Jerusalem: Keter, 1996) and Muslims, for whom apostasy is regarded not only as a reason for shunning but as a crime punished by the Islamic law, in some cases even with the death penalty (see David Cook, “Apostasy from Islam: A Historical Perspective,” *Jerusalem Studies in Arabic and Islam* 31 (2006), 248–88; Christine Schirrmacher, “Leaving Islam,” in *Handbook of Leaving Religion*, edited by Daniel Enstedt, Göran Larsson, and Teemu T. Mantsinen, 81–95, Leiden: Brill, 2020).

5.67. With the same twisted logic regarding this as “blackmail,” one could argue that the member of a political party is blackmailed into remaining there or face ostracism and ridicule as a “traitor” or “turncoat.” Or that a spouse is blackmailed into remaining in an unhappy marriage rather than

divorcing since divorcees may be shunned or ostracized by their ex-spouses and children. Those who marry do not plan to divorce but know that this is a possibility and consequences may be harsh. If they want to avoid the risk of divorce, they may simply not marry. The same is true for the Jehovah's Witnesses. Even the "Investigative Report" admits that within its (self-selected and biased) sample the Japanese Jehovah's Witnesses, when they were baptized, were usually informed about the doctrine and practice of shunning (209). If they wanted to avoid the risk of shunning, they might have just renounced to be baptized.

5.68. In the case of *Jehovah's Witnesses of Moscow v. Russia* (2010), the European Court of Human Rights confirmed that Jehovah's Witnesses are a "known religion" and stated that "it is a common feature of many religions that they determine doctrinal standards of behavior by which their followers must abide in their private lives" (European Court of Human Rights, June 10, 2010, <https://hudoc.echr.coe.int/eng?i=001-99221>).

5.69. Religious disagreements are only one subcategory among many causes leading to estrangement. Family members or former friends may seriously quarrel about politics, money, and even sport, and stop talking to each other. It is also a fact of life that a large percentage of families in modern Europe choose to entirely cut off contact with a family member due to a "clash in values" which, in most cases, has nothing to do with religious beliefs (see for example: <https://www.bbc.com/worklife/article/20211201-family-estrangement-why-adults-are-cutting-off-their-parents>). In the case of divorce, a spouse who feels wronged by the other may decide to permanently shun the ex-husband or wife. These are personal decisions courts of law cannot interfere with. A family court may order a husband to pay alimony to his ex-wife, but it cannot order the two of them to keep meeting and being friends. Similarly, a court of law cannot compel Jehovah's Witnesses to keep associating with those who have left the faith or have committed what they regard as serious sins. In short, no external authority can compel human beings to associate with somebody they do not, or no longer, like.

5.70. The authors of the "Investigative Report" may answer that they do not ask the courts to compel individual devotees to associate with disfellowshipped ex-members (although sometimes one has the impression that this is precisely what they would like to achieve). They want laws that would prohibit the Jehovah's Witnesses as an organization from teaching shunning. This is even more problematic, however. As mentioned earlier, other religions have similar teachings. Few would deny that some form of shunning is taught in the Bible by the authors of 1 Corinthians 5:13 ("Expel the wicked person from among you") and 5:11 ("Do not even eat with such people"), and 2 John 10–11 ("Do not take them into your house or welcome them. Anyone who welcomes them shares in their wicked work"). Some can argue that these passages are historically conditioned and should be regarded as teaching precepts no longer in force. Others may offer a different interpretation of the same Biblical quotes. But it should be obvious that in a democratic society

affirming religious liberty how believers interpret the Bible and act based on these interpretations is a matter that can be debated among theologians but cannot be decided by the states.

5.71. One does not become a Jehovah's Witness overnight. While some new religions and movements have been accused of accepting new members after they have attended one meeting only, or even after a short interaction with a minister at a street stall, these accusations would not be valid if directed at the Jehovah's Witnesses. On the contrary, they warn against rushing to be baptized, and make sure that candidates for baptism know the essential teachings of their organization. What sins are considered serious, the possibility that unrepentant sinners will be disfellowshipped, and the consequent shunning, are among the basic teachings that candidates to baptism should know and understand.

5.72. The "Investigative Report" objects that, while this is true for those who join the Jehovah's Witnesses as adults, it is not true for "children" who are born within the organization. It should be clarified that the Jehovah's Witnesses do not practice infant baptism, also called pedobaptism, i.e., they do not baptize children as soon as possible after they are born. This is the case for Roman Catholics, Eastern Orthodox, and several Protestants, with the exclusion of the denominations issued from the so-called "Radical Reformation" (which was often "anabaptist," meaning "without [infant] baptism"), Baptists, and some Pentecostals. Jehovah's Witnesses are part of these minority Christian groups believing that those who practice pedobaptism misinterpret the Bible. On October 1, 2011, for example, *The Watchtower* discussed the issue, insisted that "Jesus did not teach that infants should be baptized," and observed that those who are baptized must be disciples of Jesus. That is, they are individuals who have learned about Jesus and have chosen to follow him—a choice that no infant, of course, can make ("Should Infants Be Baptized?", *The Watchtower*, October 1, 2011, 11). There are dozens of other texts where the Jehovah's Witnesses present their criticism of infant baptism. Being born in a Jehovah's Witness family, thus, does not mean that one is automatically regarded as one of the Jehovah's Witnesses.

5.73. Sons and daughters of Jehovah's Witnesses parents who want to join the organization (not all do) follow the same path of every other candidate to baptism. The "Investigative Report" claims that "minor children are baptized because of a temporary emotion" (214). Based on our own observation of the Jehovah's Witnesses, this is not true. On the contrary, particularly in the case of minor children who ask to be baptized, the elders are extremely cautious in assessing their maturity and making sure they understand the obligations associated with the baptism.

5.74. *The Watchtower*, in its study edition of July 1, 2006, addressed itself directly to children of Jehovah's Witnesses parents: "So you young ones should understand that neither your parents nor the Christian elders in the congregation are going to force you to get baptized. The desire to serve

Jehovah must come from you” (“Youths, Make It Your Choice to Serve Jehovah,” *The Watchtower*, Study Edition, July 1, 2006, 26–30 [28]).

5.75. The “Investigative Report” mentions that children “in their early teens or younger” have been baptized (202). In our and other scholars’ observation of the Jehovah’s Witnesses this is not unheard of but is comparatively rare.

5.76. In modern societies, young people achieve maturity at different ages due to diverse circumstances prevailing in different areas of the world. The Jehovah’s Witnesses acknowledge this. *The Watchtower*, study edition, March 2018, stated that “Of course, each child is unique; not all children become mature at the same rate or at the same point in life. Some have a good measure of mental and emotional maturity at a young age and express a desire to get baptized. Others may not be ready for baptism until they are a bit older. Thus, discerning parents do not pressure their children to get baptized.” (“Parents, Are You Helping Your Child Progress to Baptism?”, *The Watchtower*, Study Edition, March 2018, 8–12 [9]). The 2008 book *Questions Young People Ask—Answers That Work, Volume 2* addresses the question “Is there a certain age by which you should be baptized?” and answers as follows: “Age is not the primary factor. Still, you should be old enough—and mature enough—to understand the meaning of dedication” (Christian Congregation of Jehovah’s Witnesses, *Questions Young People Ask—Answers That Work, Volume 2*. Wallkill, NY: Watch Tower Bible and Tract Society of New York, Inc., 307).

5.77. Contrary to what the “Investigative Report” implies, that a minor may be mature enough to make choices implying important consequences is not a theory unique to the Jehovah’s Witnesses. In some countries, including the United States, England, and Wales, minors can be tried as adults in criminal courts for serious charges such as homicide and sexual assault, if the courts believe that their cognitive and moral capabilities were developed enough at the time of the crime. The Roman Catholic Church practices infant baptism and does not require an understanding of the faith as a pre-requisite for being baptized, but it canonizes those who performed heroic moral and religious deeds as saints. Dozens of minors have been canonized, even outside the special situation of martyrdom. As reported by the daily newspaper of the Italian Catholic Bishops, in 1981 the Vatican Congregation for the Causes of Saints indicated that at age 7 some minors may consciously decide whether to accept or reject God’s plan for them, and as a consequence may be considered for canonization (Riccardo Maccioni, “Perché ci sono pochi bambini santi,” *Avvenire*, August 22, 2019). If they can be regarded as mature enough to be tried as adults for serious crimes or, at the other extreme of human possibilities, canonized for their virtuous deeds, surely “some” minors can also be baptized as mature believers in those Christian organizations such as the Jehovah’s Witnesses that do not practice pedobaptism.

5.78. The “Investigative Report” also insists that minors may be disfellowshipped and shunned. Just as minors who commit crimes are tried by secular authorities, if not as adults, then in juvenile courts, many religions have provisions that minors guilty of serious offenses can be excluded from the community. Among the Jehovah’s Witnesses the possibility also exists that a minor is disfellowshipped, but these cases are rare. Even taking the responses obtained for the “Investigative

Report” at face value, one would notice that no cases of disfellowshipping and shunning of minors was reported in Japan in the last thirteen years, i.e., after the year 2010. The report comments that “The lack of data for children in recent years may be due to the younger age group and fewer responses in the first place and does not necessarily indicate that shunning of children is not taking place” (218). Obviously, this is just speculation. The fact is that, even by fishing for hostile respondents in all possible ways (see above), the authors of the report could not find one single case of a minor disfellowshipped and shunned in Japan after 2010.

5.79. Note that the report consistently uses the word “children” to designate those “under 18 years of age” (218). Clearly calling a 17-year-old “a child” may have a propaganda value but is not correct. It is a sad fact of modern society that teenagers commit serious crimes, as a casual look at daily newspapers would confirm. They are punished for such crimes, although in most cases less harshly than adults, including in Japan. For example, “Article 51 of the Juvenile Law of Japan provides that ‘in case a person who is under 18 years of age at the time of commission of an offense is to be punished with the death penalty, he shall be sentenced to life imprisonment’” (https://www.unicef-irc.org/portfolios/documents/400_japan.htm). It is thus not surprising that religious organizations also provide for disciplinary measures against minors.

5.80. In the rare cases when minor Jehovah’s Witnesses are disfellowshipped, they are certainly not shunned by their parents and siblings at home. In fact, they are not even excluded from home Bible study activities, although understandably they will no longer serve as “publishers” and preach the faith of the Jehovah’s Witnesses to others. On November 15, 1988, *The Watchtower* instructed that parents who have a disfellowshipped daughter or son “are still responsible for their child, though he [sic] is disqualified as an unbaptized publisher.” “Just as they will continue to provide him with food, clothing, and shelter, they need to instruct and discipline him in line with God’s Word. (Proverbs 6:20-22; 29:17) Loving parents may thus arrange to have a home Bible study with him, even if he is disfellowshipped. Maybe he will derive the most corrective benefit from their studying with him alone. Or they may decide that he can continue to share in the family study arrangement. Though he has gone astray, they want to see him return to Jehovah, as did the prodigal son in Jesus’ illustration” (“Helping Others to Worship God,” *The Watchtower*, November 15, 1988, 15–20 [20]).

5.81. The “Investigative Report” acknowledges that in principle, according to the Jehovah’s Witnesses textbooks, shunning applies to those who have publicly disassociated themselves from the organization, while those who simply “fade out” or become inactive are not shunned. The “Investigative Report,” however, underplays the importance of “fading out” or “going inactive” among second-generation members. It is very common for second-generation Jehovah’s Witnesses to stop attending or participating. Often, one can do this without many consequences. There is an expectation to abide by the morality code, and that is an understandable point of contention for young adults. But going inactive is a widely used option, which points to the fact that most second-generation Jehovah’s Witnesses do not hold the views of people included in the study, which drew from support groups for former members whose experiences were disproportionately negative. Yet even the report itself on page 216 confirm that the majority (70%) of its respondents who went

inactive were not shunned. And on page 231 it states that going inactive was the most common option for young respondents who left, with 65% leaving under this condition (compared to 11% disassociating and 24% being disfellowshipped).

5.82. However, the report claims that in some cases those who go inactive are also shunned, and that this finds support in the manual for the elders “*Shepherd the Flock of God*, chapter 12, paragraph 52” (216). In fact, paragraph 52 does not deal with baptized Jehovah’s Witnesses who have become inactive but with “unbaptized publishers” who have committed “serious wrongdoings.” “Unbaptized publishers” are those who have started participating in evangelizing activities of the Jehovah’s Witnesses in preparation for a possible baptism but have not yet been baptized. Depending on the nature of the wrongdoing, these unbaptized publishers may be asked to no longer participate in missionary activities, or “If the elders see that such a person is a threat to the flock, they can privately warn those endangered,” which is different from shunning. As for baptized Jehovah’s Witnesses who become inactive or “fade out,” it is always possible that in some congregations there would be somebody who, as the saying goes in another religion, “is more Catholic than the Pope” and refuses to communicate even with these inactive members—but this does not correspond to the teachings of the organization.

5.83. At this stage, we would like to include a comment on the manual for the elders “*Shepherd the Flock of God*.” The report seeks to frame the Jehovah’s Witnesses as a dysfunctional organization beset by secrecy. The writers assert repeatedly that the pastoral training guide “*Shepherd the Flock of God*” is a “secret” publication. The writers, however, have miscast the status of this book. It is true that, as a technical manual, it is typically read by Elders, either in training or as part of their pastoral responsibilities. And, much of the material in that book is available in the dozens of publications of Jehovah’s Witnesses which are widely available on their official website, jw.org. It is also true that the book is “copyrighted and confidential” (ironically, on page 40, the footnote of the lawyers’ report omits precisely the part of the quote that states the book is copyright-protected). We interpret the identification of the book’s contents as “confidential” as a recommendation that members should not casually discuss pastoral activities with non-believers. And we question the presumption that the general public should have unrestricted access to information about the procedural operations of a private organization. It is hard to believe this would be expected, for example, of one of the major Buddhist denominations in Japan.

5 The “Survey Report”

(a) Methodology

6.1 The second, much shorter, document we have been asked to examine is a so-called “Survey Report” about sexual abuse by “Archive of Child Abuse of JW,” described as a “voluntary

organization.” The report consists of press clippings of cases that happened outside of Japan, quotes from Jehovah’s Witness literature, references to foreign studies and a survey.

6.2 The “survey report” takes its name from a survey that, we are told, was conducted in July 2023 among those who answered an appeal posted on X (formerly Twitter) asking “any person who has been sexually abused or harassed in the organization of the Jehovah's Witnesses” (6) to respond. They collected 159 valid responses. All the objections we have presented with reference to the “Investigative Report” about self-selected samples, gathering only hostile respondents, and the possibility of manipulation by trolls and false respondents also apply to this survey.

6.3 However, unlike the lawyers who prepared the “Investigative Report,” the authors of this survey do explain to us the technique they used to make sure that responses were genuine. “When answering the questionnaire, respondents needed to agree that false reports and identity theft are prohibited” (41). Perhaps a comment is not even needed.

6.4 We are told that 11 of the 159 respondents were interviewed in person. Given that there are more than 200,000 Jehovah’s Witnesses in Japan, and that by adding the ex-members who have left the organization and are still alive the total would be significantly higher, the number of interviewees is less than anecdotal for a study that claims to be quantitative rather than qualitative.

(b) Religious educational materials

6.5 The “survey” first looked for violations of Q&A 5.1 and 5.2, which refer respectively to exposing minors to educational materials with inappropriate references to sexuality and inducing them to discuss or confess their sexual experiences to religious clergy or staff.

6.6 We read in the “survey report” stories about children being lectured about the evils of masturbation, pornography, adultery, and even anal and oral sex at a very young age. For the reasons explained above, we take their testimonies with some skepticism. Clearly, if somebody as it is claimed lectured children about “anal sex” at an age between “0-6 years” (12) this was inappropriate.

6.7 On the other hand, warning teenagers against pornography is fully justified. In societies with high computer literacy among the youngsters, 75% of teenage boys and 70% of girls watch online pornography according to a recent American survey: “most (54%) reported that they first saw online pornography when they were 13 or younger, including 15% who reported they had seen pornography before they turned 11. On average, teens... reported having first consumed pornography when they were 12” (Common Sense, *Teens and Pornography*, San Francisco: Common Sense, 2022, 5). Sadly, in Japan 44.1% of those indicted for possession of child pornography “were between the ages of 14 and 19” in 2022 (“Teens Made Up 44.1% of Japan Child-Porn Offenders in 2022: Police,” *The Japan Times*, March 9, 2023, <https://www.japantimes.co.jp/news/2023/03/09/national/crime-legal/teens-japan-porn-offenders-police/>). It is thus perfectly appropriate to warn youth in their early teens about pornography, and

even before. The claim by a respondent quoted in the “survey report” that she had never known the meaning of “‘masturbation’ or ‘oral sex’” and learned it only “as a high school student or college student” (12) is hard to believe. Young Jehovah’s Witnesses grow up in a conservative and protected environment at home, but they all go to public schools.

6.8 The survey grotesquely misrepresents the activity that is at the center of most of the complaints regarding “exposure to pornography.” In fact, among the Jehovah’s Witnesses there is no youth program for children to attend while adults are having religious meetings. Rather, children are expected to sit quietly with their parents, who are seen as responsible for the religious instruction of their children. This means that children sometimes hear sermons or Bible study lessons that warn against “sexual immorality,” but this happens in a group setting while they are sitting with their parents. To frame the complaints as examples of some kind of lurid “grooming” is completely dishonest.

6.9 We have great respect for the values of Japan, and we personally agree that children should not be exposed to inappropriately-aged sexual content. But the “survey report” misrepresents the Jehovah’s Witnesses activities. What we are talking about, in terms of “exposure to sexual content,” is minors hearing admonitions against promiscuous sexuality. The messages are considerably milder than what one would typically hear in an American or European secular class on “health.” They were heard in religious services and at Bible study sessions; it is highly likely that the parents were present. Many complaints revolved around the curriculum “Enjoy Life Forever!” Everybody can see the lesson on Sexual Immorality (“LESSON 41 What Does the Bible Say About Sex?”), which is available online at <https://www.jw.org/en/library/books/enjoy-life-forever/section-3/lesson-41/>. The lesson is the farthest thing one could imagine from pornography. Yet the wording of the report cues up expectations of decadence and immorality when the opposite is true.

6.10 We are of course not in a position to deny that one or more elders lectured very young Jehovah’s Witnesses on morality by using expressions inappropriate for their age. What we can deny, however, is that—as the report claims—this attitude is promoted by the Jehovah’s Witnesses and these expressions are used in the literature of the organization intended for children (and publicly available on the website JW.org).

6.11 We have read the August 2021 report of independent expert Professor Patrick Parkinson, who reviewed in detail the child protection policy of Jehovah’s Witnesses and their literature concerning child sexual abuse. In his expert report, Professor Parkinson found the material used by the Jehovah’s Witnesses adequate and even exemplary for teaching children, guided by parents, how to protect themselves from sexual abuse (Parkinson report, 64–66 and 91–93, available on the website of the Australian Government’s National Office for Child Safety: <https://www.childsafety.gov.au/system/files/2022-10/jehovahs-witnesses-attachment-patrick-parkinsons-independant-report-2021.pdf>).

6.12 It is true that the Bible itself (which is certainly not read by five-year-old children of the Jehovah’s Witnesses but may be read by teenagers) includes stories of adultery and sexual sin. We

find it somewhat strange that this is singled out as a problem for the Jehovah's Witnesses community in Japan, a country that has been repeatedly at the receiving end of criticism by UNICEF for the large circulation and availability to children of comics and cartoons with inappropriate sexual content. A specialized academic noted in 2011 that "not only is the level of sexuality and violence depicted in some manga and anime unsuitable for their target audience of young teens, but also that characters who are, or appear to be, young teens themselves are depicted in violent and sexual scenarios which, if they were depictions of real young people, would be unlawful" (Mark J. McLelland, "Thought Policing or the Protection of Youth? Debate in Japan over the 'Nonexistent Youth Bill,'" *International Journal of Comic Art*, 13, 2011, 348–367 [350]). The situation has now improved, but problems remain. Really in a context where "violent and sexual scenarios" are continuously depicted on social media, newspapers, and comics are the Bible and *The Watchtower's* articles commenting the Bible the problem?

6.13 With respect to the alleged violation of Q&A 5.2, the "survey report" offers testimonies and even cartoons claiming that minors who confess sexual sins to the elders are asked for embarrassing details. While this might have happened in the past, elders have long been directed not to ask inappropriate questions when meeting with congregants who have committed a serious sin, either minors or adults. One of us (Introvigne) has participated in studies of Catholic confession and sexual abuse promoted by the Apostolic Penitentiary, the Vatican dicastery dealing with the sacrament of confession. Without denying the fact that mistakes were made in the past and that among priests there were criminals who misused even the confession for their child abuse crimes, these studies also evidenced that in normal cases confessors did not ask minors for details of sexual encounters out of voyeurism but to better counsel them and protect them from unwanted or damaging experiences. The same is true for Jehovah's Witness elders.

6.14 The statement on page 33 of the survey report is deeply and unnecessarily offensive: "it may be necessary to take strict measures to ensure that the organization does not become a paradise for pedophiles." There is no basis for this accusation, but the tone is a very accurate reflection of the bias that permeates the so-called study.

(c) Alleged cases of sexual abuse

6.15 The final part of the "survey report" deals with alleged cases of sexual abuse. Reportedly, 35 out of 159 respondents claimed they had been sexually abused as minors. However, only 9 out of these 35 respondents "were interviewed to confirm their identity and veracity" (22). It appears that almost all the cases happened in a family setting. 21 were not reported to anyone until the 2023 survey, and only 4 were reported to the elders (27). The elders certainly cannot be blamed for not having reported to the authorities cases they were not aware of.

6.16 Responsibility for events in the past needs to be applied consistently and fairly. This raises an important point, which we already mentioned and of which readers of the report need to be aware. The Jehovah's Witnesses do not have "children's programming" such as Sunday Schools. This makes the rate of church-worker abuse, which is typically what is thought of as "religious

sexual abuse” extremely low. To create the impression that the Jehovah’s Witness organization somehow encourages abuse, antagonists typically fold incidents of family abuse into the category usually restricted to “clergy” and “clerical workers.” But family abuse is typically not factored in when thinking about how the issue is a problem in other religions. The selective inclusion of family cases for the Jehovah’s Witnesses, and omission from other religions, results in creating the impression that the Jehovah’s Witnesses suffer from an abuse problem on the order of magnitude of the Catholic Church. This is not based in fact.

6.17 The “survey report” does acknowledge that “around the year 2000” the Jehovah’s Witnesses clarified that the so-called two-witness rule (requiring the existence of two witnesses of a sinful conduct in order to convene a judicial committee and eventually disfellowship the unrepentant offender) only applies to the internal ecclesiastical handling of sex abuse cases, while “two witnesses... are not required to report child abuse to the authorities” (33). The report also honestly admits that the present policy of the Jehovah’s Witnesses is “victim-sympathetic” (35). They quote *The Watchtower* to the effect that where secular laws require that an allegation of child abuse is reported to the authorities, as is the case in Japan, the Jehovah’s Witnesses teach that “such laws do not conflict with God’s laws” and comply with them (33). Yet, contradictorily, a government investigation is demanded (42) and the report insists that “it is important to continue to raise voices against the organization” (37).

6.18 It seems that the “voices” and the investigation should be, in the intentions of the authors of the “survey report,” of historical nature, and study what happened in past decades when the present child protection policy was not yet in force among the Jehovah’s Witnesses. While this may have an interest, it is unclear why such a historical study should target only the Jehovah’s Witnesses rather than other religions, sport clubs, public schools, and Japanese society in general.

6.19 While these comments may be sufficient, we would like to add some quotes to illustrate both the present policy of the Jehovah’s Witnesses and the fact that it is not true, as the “survey report” claims, that reporting to the secular authorities abuses perpetrated by a fellow Jehovah’s Witness became allowed only after 2017 or 2019 (37).

6.20 As for the present policy, in the May 2019 issue of *The Watchtower*, we read that “Elders assure victims and their parents and others with knowledge of the matter that they are free to report an allegation of abuse to the secular authorities. But what if the report is about someone who is a part of the congregation, and the matter then becomes known in the community? Should the Christian who reported it feel that he has brought reproach on God’s name? No. The abuser is the one who brings reproach on God’s name” (“Love and Justice in the Face of Wickedness,” *The Watchtower*, “Study Articles for July 1–August 4, 2019,” May 2019, 8–13 [10–11]).

6.21 The official child safeguarding policy of Jehovah's Witnesses, published in dozens of languages on their official website, states at paragraph 4: “In all cases, victims and their parents have the right to report an accusation of child abuse to the authorities. Therefore, victims, their parents, or anyone else who reports such an accusation to the elders are clearly informed by the elders that they have the right to report the matter to the authorities. Elders do not criticize anyone

who chooses to make such a report—Galatians 6:5” (<https://www.jw.org/en/gov-resources/global-information-brochures/packet-jw-scripturally-based-position-child-protection/>)

6.22 As early as 1993, the *Awake!* magazine recommended that, in case of rape, one should “call the police as soon as you are able to,” noting also that “reporting is not the same as prosecuting, but if you choose to prosecute later, your case will be weakened by a delayed report” (“How to Cope with Rape,” *Awake!*, March 8, 1993, 8–11 [11]). In 1997, the same *Awake!* magazine suggested to Jehovah’s Witnesses that “children should also be warned about—and urged to report to authorities—any person making improper advances toward them, including people they know” (“Sexual Exploitation of Children—A Worldwide Problem,” *Awake!*, April 8, 1997, 11–15 [14]).

6.23 Also, in 1997, *The Watchtower* asked, “What if a baptized adult Christian sexually molests a child?” The answer was that “the molester may well have to serve a prison term or face other sanctions from the State. The congregation will not protect him from this” (“Let Us Abhor What Is Wicked,” *The Watchtower*, January 1, 1997, 26–29 [28–29]).

7 Conclusion

7.1 The methodology of both reports is hopelessly flawed. Each inquiry asked respondents to report subjective “feelings of being abused.” This allowed the reports to be permeated with assertions of abuse where no criminal activity took place. The reports’ writers are forced, time and again, to acknowledge that the Jehovah’s Witnesses are not breaking laws.

7.2 We appreciate that the lifestyle of the Jehovah’s Witnesses might appear unusual to some in Japanese society. Japan is known as a society that values social cohesion and conformity to group norms, and people who are perceived as challenging the collective ethos can be criticized or rejected. This is likely a difficult experience for adolescents, and we wish among other things that schools in Japan improve efforts to eliminate bullying and foster social inclusion.

7.3 However, we strongly disagree with the idea that Jehovah’s Witnesses’ lifestyle and teachings are conducive to mental health problems. On page 199 and later on 244, the “Investigative Report” cites a psychiatric study from almost fifty years ago. The inclusion of this study is a baseless attack, casting aspersions on the mental health of a minority population. The assertion of a ninefold increase in depression cannot be extrapolated to the extant Jehovah’s Witness population.

7.4 It is worth noting that both the “Investigative Report” and the “Survey Report” rely on unproven psychological theories, which have very little evidence for support. The theory of “religious abuse” is not an accepted psychiatric diagnosis in the United States or Europe, despite efforts by anti-cult activists to have it recognized.

7.5 Parents have a right to pass their religious faith to their children. This is not a right for parents in mainline and majority religions only. It extends to parents who belong to minority religions, whose values may not be those regarded as “acceptable” by social majorities—but in our

increasingly secularized societies the gap is widening between the opinions of the majority and what most religions teach on several subjects. Perhaps parents want to teach their children that the prevailing social attitude on sexuality or economic materialism is wrong. Perhaps they find the majority's view reflected in movies, comics, magazines, or video games they want their children to stay away from. Some of them may believe, such as the Jehovah's Witnesses do, that celebrating birthdays is against God's command expressed in a sacred text. Others would insist that teaching their children that criminals not only go to jail but, if they do not repent, may eventually go to hell may contribute to educating them to become good law-abiding citizens. Some parents counsel their children to go to confession or discuss their wrongdoings with a minister of God or with congregation elders. We may agree or disagree with each of these attitudes or behaviors. They may not correspond to our preferred idea of pedagogy. But it is absurd and discriminatory to equate these ways of educating children based on certain religious beliefs with child abuse or neglect.

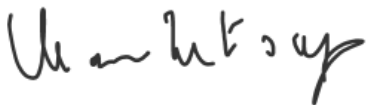
7.6 In closing, we want to underscore the radical nature of the proposals for legislative change, and point out how alarming they are. It is important, in thinking about the proposed legal changes, to consider the provenance of these ideas. The attacks on the Jehovah's Witnesses follow a pattern seen in other nations. We are very concerned that the anti-cult campaign against the Jehovah's Witnesses is being used to advance legal precedents that would have wide impact on all religions and non-religious organizations as well. The "Investigative Report" recommends laws pertaining to censorship, restrictions on association, and parental rights, some of which resemble regulations in the People's Republic of China. It seems that the real target of the anti-Jehovah's Witness campaign is to change the laws in Japan so as to restrict both religious freedom and secular freedom of conscience.

7.7 Respecting religious pluralism and freedom of religion or belief does not mean only allowing citizens to freely practice their faith, but also to pass it on to the new generations and their own children. The post-Abe-assassination concerns are not reason enough for a democratic country such as Japan to forget its commitment to religious liberty, which is consecrated in its Constitution and by its having signed the United Nations International Covenant on Civil and Political Rights.

February 20, 2024

Massimo Introvigne

Holly Folk



Annex 1

Abbreviated curriculum vitae

Massimo Introvigne has been a Professor of Sociology of Religions at Pontifical Salesian University in Torino, Italy, until June 2016, when he retired. He has published some seventy books in several languages (including two by Oxford University Press, and one by Cambridge University Press), and more than a hundred articles in peer reviewed academic publications on religious pluralism, new religious movements, and sociology of religion in general. His full bibliography is available at http://www.cesnur.org/introvigne_biblio.htm.

Without unduly insisting on the reputation of his writings, we quote two appreciations of Introvigne. In the second edition of his *Nuovo manuale di sociologia della religione* (New Manual of Sociology of Religion), Roberto Cipriani, former president of AIS (Italian Association of Sociology) and one of Italy's leading sociologists, called Introvigne "one of the Italian sociologists of religion most well-known abroad, and among the world's leading scholars of new religious movements" (Roberto Cipriani, *Nuovo manuale di sociologia della religione*, 2nd ed., Rome: Borla, 2009, 470). In reviewing one of his textbooks in the book review magazine of the American Academy of Religion, the world's oldest and largest association of university professors studying religion, Swedish academic Per Faxneld wrote that "Introvigne is one of the major names in the study of new religions in general," that "Introvigne's scholarship cannot be faulted at any point," and that his is a body of writings "destined to become a key reference work [...] in the broader fields of new religions" (<http://readingreligion.org/books/satanism>).

Introvigne has also done extensive work in the field of religious liberty. From January 5 to December 31, 2011, he served as the "Representative on combating racism, xenophobia and discrimination, with a special focus on discrimination against Christians and members of other religions" of the OSCE, the Organization for Security and Cooperation in Europe. Mentioning his experience with the OSCE, in June 2012 the Italian Ministry of Foreign Affairs appointed Introvigne as chairperson of the newly instituted Observatory of Religious Liberty, created by the Ministry to monitor religious liberty on a worldwide scale. He served in this capacity until 2015. Introvigne has studied the Jehovah's Witnesses for some forty years. He has written three books and more than twenty articles on the Jehovah's Witnesses.

Holly Folk is Professor in Religious Studies, in the department of Global Humanities and Religions, a division of the College of Humanities and Social Sciences at Western Washington University, Bellingham, Washington. She serves on the Steering Committee of the New Religious Movements Group of the American Academy of Religion (since 2020; past service 2010–2014). From 2020–2018, she served on the board of the Communal Studies Association. Professor Folk has studied the theology and practices of Jehovah's Witnesses within the framework of a comparative study of "new Christianities" for several years. Folk's research has been recognized and supported by both the Association for the Sociology of Religion and the Society for the Scientific Study of Religion.