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A hate speech campaign against the Jehovah's Witnesses

An association calls for a Russian-style ban of the JW's in Spain. The Witnesses have sued for defamation, but the association is supported by most local media.

by Massimo Introvigne

Let's start with a story. In a democratic country, and one with an authoritarian past when Jews were persecuted, an association is founded to claim that Jews routinely commit crimes. Some of the members of the association are Jews who have left their religion and turned against it. Others just do not like Jews. Their claims against Jews are both widely disseminated and demonstrably false. They also hail totalitarian regimes that persecute Jews. A Jewish anti-defamation organization sues the anti-Jewish association. Some, however, claim that the latter is the real victim, and that by suing it the Jews just confirmed how evil they are.

This story is hypothetical. However, if you go back one paragraph and systematically change "Jews" into "Jehovah's Witnesses" you have an accurate description of what is happening right now in Spain. There is no doubt that Spain is a democratic country. It has an authoritarian past, when the Jehovah's Witnesses were discriminated and persecuted under the Franco regime, as were most non-Catholic religious minorities. Mindful of this authoritarian past, to its credit Spain now has a liberal enough legislation about minority religions. Jehovah's Witnesses, for example, enjoy the highest possible level of administrative recognition there.

However, on May 18, 2019, a Spanish Association of the Victims of the Jehovah's Witnesses (AEVTJ) was founded in Toledo. It was officially registered in the Register of Associations on October 11, 2019.

AEVTJ's by-laws, which read like a polemical pamphlet rather than a legal document, clarify that its aim is to spread "through all possible media" a narrative persuading the Spanish public opinion that the Jehovah's Witnesses violate the Spanish and human rights laws, commit crimes and their "victims" are led to "isolation, depression, and even suicide." Those who escape just with "mental illness" and "fibromyalgia," but at least still alive, may count themselves lucky, the AEVTJ proclaims.

AEVTJ's claims are demonstrably false. Gabriel Pedrero, one of the main AEVTJ activists, launched on change.org a petition to have "the Jehovah's Witnesses declared in Spain an extremist, destructive cult..." (the Spanish word used is "secta" but it should be translated in English as "cult" rather than as "sect"). He wrote there: "Let's sign so that this religious organization may be declared a cult extremist and destructive as it was in Russia," thus endorsing the persecution of the Jehovah's Witnesses in Russia and the Russian unique interpretation of the category of "extremism" to "liquidate" peaceful religious minorities. The Russian crackdown on the Jehovah's Witnesses has been

condemned by international organizations, Western governments, and [the European Court of Human Rights](#).

On May 3, 2021, the Jehovah's Witnesses sued AEVTJ for defamation. AEVTJ hired as a lawyer to defend them one Carlos Bardavío, who has been presented to the press as "[the most important cult expert in the world.](#)" This is in itself remarkable, since I have been [described myself](#) in one of the official websites of the American Academy of Religion as "one of the major names in the study of new religions in general," and had never heard of Bardavío before this case. So did a dozen of international colleagues I consulted, all leading international scholars of new religious movements.

From his Facebook page, Bardavío looks like an ambitious young lawyer and professor of law understandably interested in promoting himself. While neither he nor Gabriel Pedrero of AEVTJ qualify as scholars of religion, there is a field where they seem remarkably skilled, Russian-style agitprop and disinformation. Pedrero even let the cat out of the bag when he suggested that Spain should treat the Jehovah's Witnesses just as it does Russia, and adopt the Russian notion of religious extremism.

Bardavío's legal strategy is common enough in cases against religious minorities. He asks "apostate" ex-members to testify and answer leading questions on whether they felt abused when they were Jehovah's Witnesses and discriminated after they left, and believe the Jehovah's Witnesses are a destructive cult. One may only hope that the court will understand that "apostates," a technical term indicating the minority of ex-members who become militant critics of the religion they have left, [are not representative](#) of ex-members in general and [are generally not regarded](#) by scholars as the most believable source about the groups they were once part of.

These "apostate" ex-members have clearly been socialized into [the anti-cult movement](#), of which they use the jargon and even repeat common but false claims. One is that the investigation on sexual abuse of minors by an Australian Royal Commission discovered that the Jehovah's Witnesses had shielded from secular justice 1,000 perpetrators of pedophile crimes in that country. This statement is false.

As American scholar [Holly Folk demonstrated in Bitter Winter](#), the Royal Commission's figure of 1,006 cases of suspected sexual abuse of minors reflects the sum of all disciplinary reports and referrals, proven and unproven, that had been submitted to the Jehovah's Witness organization in Australia over a 65-year period. These data were supplied to the Royal Commission by the Jehovah's Witnesses themselves. The Jehovah's Witnesses had regarded 383 of the 1,006 allegations as serious enough to be reported to the police, and 161 had resulted in convictions. The Royal Commission's acquisition of all the remaining cases, which were put at the police's disposal, has not resulted in a wave of prosecutions, confirming that the judgement of the Jehovah's Witnesses had been sound enough. The Spanish apostates also omit to mention that, while scholars have criticized the methodology of the Australian investigation, the Jehovah's Witnesses nonetheless fared better in terms of how they protected children than other religious organizations, including the Roman Catholic Church.

Apart from the judges, Bardavío and Pedrero have effectively disseminated their narrative, including the famous but false story of one thousands pedophiles allegedly protected by the organization in Australia, among dozens of Spanish media, most of which have not double-checked what they were told with the Jehovah's Witnesses. Only some of them have published the Jehovah's Witnesses' replies. Most articles only report the opinions of apostates and anti-cultists such as the [ex-Catholic priest](#) Luis Santamaría

del Río. This is a spectacular example of the [media bias against religious organization labeled as "cults."](#)

Accusations against the Jehovah's Witnesses are repeated uncritically, without any awareness that they have been debunked by scholars and repudiated by courts of law. That the Jehovah's Witnesses protect pedophiles has been argued by the Belgian governmental anti-cult mission CIAOSN, which however has been found [guilty of spreading fake news](#) and defamation by a Belgian court of law on October 5, 2021.

The Jehovah's Witnesses practice of "[shunning](#)" those ex-members who have been disfellowshipped for serious sins or have formally left the organization (as opposed to simply becoming inactive) is described incorrectly in the Spanish case, including by omitting to specify that it is not applied to cohabiting relatives. Also, the Spanish anti-cult activists and media do not mention that the practice has been regarded as a legitimate expression of the Jehovah's Witnesses freedom of religion [by courts in several countries](#), including in Belgium where a court of appeal [has](#) overturned a first-degree decision that had declared "shunning" illegal.

The Jehovah's Witnesses practice of refusing blood transfusions for Biblical reasons is described without considering the internationally recognized patients' rights to refuse medical treatments and the great variety of specific cases the specialized literature has examined. Even the dead horse of "[brainwashing](#)," a theory regarded as pseudo-scientific by an overwhelming majority of scholars of new religious movements and by courts of law in the United States and elsewhere, is resurrected. Findings by scholars such as [Raffaella Di Marzio](#) that Jehovah's Witnesses appear as psychologically well-adjusted as their fellow citizens who do not belong to their religious organization are also ignored.

The end result, and the one the anti-cultists—who operate according to a well-rehearsed international model—wanted to achieve, is a reversal of truth and reality. The AEVTJ, the defendant of the case and an organization that had spread fake news against the Jehovah's Witnesses, is presented as the victim, a small, brave group resisting a powerful international organization. The Jehovah's Witnesses, the plaintiffs who seek justice against slander and defamation, find themselves put on trial.

Some can object that religious and anti-religious controversies have a century-old tradition, and even exaggerations should be tolerated in the name of freedom of speech. Indeed, there is a subtle line between freedom of speech and slander and defamation. What AEVTJ propagates is, however, "hate speech," something that is not protected by free speech principles. I had hate speech in my portfolio when I served in 2011 at the OSCE (Organization for Security and Cooperation in Europe) Representative for combating racism, xenophobia, and religious intolerance. I know hate speech is difficult to define, and Spanish criminal law has its own classification for hate speech. But one of the tests to identify hate speech from an international law perspective is that it generates hostility and physical violence. This is precisely what is happening in Spain.

Since the AEVTJ started operating, there have been more documented cases of vandalism against Kingdom Halls (places of worship) of the Jehovah's Witnesses than those anti-cult propaganda had already generated in previous years. The word "secta" ("cult") has been spray-painted on Kingdom Halls, and sheets of papers have been placed there with accusations of protecting pedophiles (mentioning the usual false Australian statistics) and even of "human sacrifice."

Hate speech invariably generates hate crimes. Media that irresponsibly repeat and amplify slander without checking it are also not without guilt. What we are witnessing in Spain is a campaign of hate speech. In the interest of religious liberty, human rights, and democracy, it should not be allowed to continue.

Photo: A place of worship (Kingdom Hall) of the Jehovah's Witnesses vandalized on September 11, 2022, in Badalona, Spain.

Spanish Supreme Court: A Catholic lay group can exclude women

The Esclavitud, a Canary Islands organization, can continue to admit male Catholics only as members. The decision will also protect other religious groups.

By Massimo Introvigne

Bitter Winter (31.01.2022) - <https://bit.ly/3oanwwf> - The grounds of an interesting [decision of the Spanish Supreme Court](#) rendered on December 23, 2021, have recently been published. The Justices concluded that a Catholic lay organization may exclude women from membership without violating Spanish and European statutes on non-discrimination.

The case involved the Pontificia, Real y Venerable Esclavitud del Santísimo Cristo de La Laguna (Pontifical, Royal and Venerable Slaves of the Most Holy Christ of La Laguna), whose origins are probably more ancient than 1659, when it was legally incorporated. The "Christ of La Laguna" is a wooden sculptural masterpiece by an unknown Flemish author of the 16th century, who according to some art historians should be identified with Louis Van der Vule, of whom not much is known.

It was exhibited in several European cities, until it was purchased in 1520 by Alonso Fernández de Lugo, the Spanish conquistador who conquered the Canary Islands for Spain. It was placed in San Cristóbal de La Laguna, commonly known as La Laguna, in the island of Tenerife, the largest of the Canary Islands, inside a new church built by de Lugo, now part of a UNESCO World Heritage site.

Apart from its artistic value, the Christ of La Laguna has a considerable devotional importance for Catholics in the Canary Islands. To protect the image and organize the procession carrying it through Tenerife, the lay organization called the Esclavitud was organized. Originally, it admitted only local aristocrats, but later the [Statutes](#) specified that all male Catholics can petition the organization to be admitted.

In 2018, a woman applied to become a member. Her petition was declared null and void based on article 1 of the Statutes, which defines the Esclavitud as an association open to male Catholics only. She sued the Esclavitud and the Catholic Bishop of Tenerife, who had declined to intervene, arguing that article 1 violated the fundamental human rights of women not to be discriminated. On March 11, 2020, the Second Court of First Instance of Santa Cruz de Tenerife ruled in favor of the woman and declared article 1 of the Esclavitud's Statutes null and void.

The Esclavitud appealed, but on December 22, 2020, the First Section of the Provincial Court of Santa Cruz de Tenerife rejected the appeal. The Esclavitud then went to the Supreme Court. The Esclavitud argued that the first- and second-degree decisions violated the Concordat between Spain and the Holy See, which reserves to the Holy See only the jurisdiction on statutes of Catholic lay associations recognized as “pontifical.”

The Diocese of Tenerife also intervened on the appeal, and referred to a broader right of religious associations to self-organize themselves, which would subsist even in the absence of a provision in the Concordat. The Diocese also argued that secular courts are not competent to judge similar cases, and the woman should have taken her complaint to a Catholic canonical tribunal. The state objected that the right of women not to be discriminated is such a basic human right that it should prevail on the right of religious liberty, and even on international treaties such as the Concordat.

The Supreme Court disagreed with the Diocese, and stated that secular courts are not prevented by the Concordat to render decisions in cases where members of the Catholic Church argue that their human rights have been violated by a Catholic organization. However, it considered that the Concordat reinforces a general principle established by the European Court of Human Rights (ECHR) in several decisions, including *Sindicatul “Păstorul cel Bun” v. Romania*, decided by the Grand Chamber in 2013, stating that courts cannot interfere on how religious bodies admit and exclude members.

This principle applies to all religions. A reconstruction of the ECHR case law persuaded the Spanish Justices that freedom of religion requires that religious organizations should be allowed to reserve certain positions and offices to males only (or to females only: a man cannot become a Catholic nun).

The woman argued that the Esclavitud has a “dominant position” because it is exclusively in charge of organizing the processions, but the Supreme Court answered that this cannot be assimilated to a monopoly or quasi-monopoly in the economic field. Women, the Justices commented, remain free to establish separate associations expressing their devotion to the Christ of La Laguna.

The decision’s scope goes beyond the specific case, and reaffirms that religious bodies have a right to self-organize themselves and to admit or exclude members as they deem fit, including by refusing admission to some in reason of their gender. The implications are important for all religions, not for the Catholic Church only.

Photo : *The Christ of La Laguna in the church built by Alonso Fernández de Lugo in the 16th century.* [Credits.](#)