

# IS SCIENTOLOGY A RELIGION?

A Report of Research by Dean M. Kelley

Counselor on Religious Liberty  
National Council of Churches of Christ in the U.S.A.



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## INTRODUCTION

The Church of Scientology of California commissioned the author of this report to investigate the question whether Scientology is a religion in a legal sense. The author consented to undertake this task (without fee) by means of interviews with a cross-section of adherents of the Church of Scientology across the country at times and places of his own choosing.

During June, July and August of 1980 interviews were conducted with 21 individuals selected at random at Scientology institutions in Sacramento, California; Albuquerque, New Mexico; Washington, D.C.; and Clearwater, Florida. Each interview sought to elicit how the respondent came into contact with Scientology, what his or her present relation to the movement is, what function it serves in his or her life, and what difference it has made in his or her understanding of ultimate questions of existence.

The purpose of the interviews was not to determine the teaching or tenets of Scientology but to determine what Scientology was doing for the adherent. The approach was similar to that envisioned by a California court in *Fellowship of Humanity v. Alameda County* in ascertaining whether that non-theistic organization was entitled to tax exemption of its property as a "religion":

Thus the only inquiry in such a case is the objective one of whether or not the belief occupies the same place in the lives of its holders that the orthodox beliefs occupy in the lives of believing majorities, and whether a given group that claims the exemption conducts itself the way groups conceded to be religious conduct themselves.

153 Cal.App.2d at 6920

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*Note: The author was executive for religious liberty of the National Council of Churches of Christ in the U.S.A. (1960-1990) and Counselor on Religious Liberty (1990- ). The author takes full and sole responsibility for this study and its findings. They are not to be attributed to the NCC or any of its member denominations.*

Persons interviewed included 13 men and eight women, with eight being full-time church-workers (clergy?) and 13 part-time (laity?). Some had been in the movement for only a year or so, while others had been in it for many years (up to 18 or 20). While there was significant variety in the responses, by the time of the last interviews very little “new” material was emerging, most being repetitious of information and experience already encountered in earlier interviews. Thus, in a sense, one had the feeling of having explored to a “saturation” depth the kinds of answers elicited by the questions being asked.

The interviewer tried not to “telegraph” the object of the interview and to ask open-ended questions wherever possible, following up on terms and ideas mentioned by respondents rather than introducing them cold as in a straight interview-schedule. Questions did not refer to “religion” until respondents did, but instead focused on “what Scientology has done for you.”

## SECTION I: OBSERVATIONS

Several observations emerged repeatedly, uniformly and saliently:

1. Scientology has become very important in the lives of those interviewed. It occupies a very central, and apparently very constructive, place in the way they now organize their ideas, their work and their life-plans. Many have gone into Scientology full time (as staff = “clergy?”), while those who have not often devote their vacations or extended leaves from their regular occupations to pursuing further training and counselling in Scientology. Some have gone into private business with other Scientologists (one musician played in a band all the members of which had become Scientologists!).

2. Scientology has provided for some a “way out” from drug addiction, alcoholism, frustration, aimlessness, depression, or a sense of futility - no easy task. (One young man described himself as having been a “druggie” relying on crime to support his heavy drug habit, but gave up crime, got a job to pay for his Scientology courses, and abandoned drugs completely. Several others reported having gotten out of drugs after being told they could not continue in Scientology if they took drugs.)

3. A central element in the effect on them which Scientology has had was their conviction that they are “spiritual beings” who have an ongoing existence independent of body or mind, and that consequently there is no need to fear death, which is simply the “dropping” of the current body, to be replaced in time by another body.

4. Their attitude toward Scientology was generally quite utilitarian: it had “worked” for them in improving their ability to cope with day-to-day problems of interpersonal relationships, communication, self-awareness, etc. Even the more “spiritual” aspects (their word) were viewed pragmatically: “If it doesn’t work for you, forget it.” Only those teachings were considered to be true that proved out in the individual’s own experience, and some had not (yet?) reached a level of “spiritual” discovery. (One young man commented that he had “heard about” reincarnation, but it wasn’t some-

thing he found particularly useful or important for himself.)

5. The process of “auditing” (counselling carried on with the counsellee holding a conductor in each hand attached to an “E-Meter” (Wheatstone bridge) that registers fluctuations in galvanic skin conductivity believed to be connected with the subject-matter of the counselling) was very central to their experience of Scientology, and several described it as a practice of “confession.” They seemed to feel that it was highly therapeutic, and that one could not deceive the E-meter, thus making auditing superior to other forms of counselling.

6. References to “ethics” cropped up frequently in the interviews, though usually without any very clear-cut or conventional content.

7. References to conventionally “religious” aspects of Scientology – the chapel, ordination, clerical garb, the cross-like symbol, etc. – seemed distinctly peripheral. (“Oh yes, now that you mention it, we do have Sunday services.”)

8. References to the Founder, L. Ron Hubbard, were frequent and adulatory, one might almost say “devout”: his pictures are everywhere; he is the author of most of the vast compendium of material that Scientologists study; there is reserved for him in every Scientology facility a vacant but well-appointed office, with his “Commodore’s” gold-braided hat sitting on the desk.

9. References to respondents’ former religious affiliations and to other religions were usually respectful, and the point was made repeatedly that Scientology is compatible with other religions; it simply “applies” what in other religions is apparently thought to be only theoretical. Some respondents said they were still Lutherans or Methodists, but evidently not actively so. Most described themselves as being “Scientologists” rather than, and instead of, being adherents of some (other?) religion.

10. Many reported that they had been dissatisfied with previous religions because their questions had not been answered satisfactorily. They had often been told what to believe but had not directly experienced the answers to their questions, and so remained “seekers” until they came into Scientology, where they were not given answers or told what to believe, but were enabled to discover answers through their own experience, which apparently satisfied their need. They referred repeatedly to the “Eighth Dynamic,” less often to “God” or a “Supreme Being” to whom one is said to relate in the “Eighth Dynamic,” but made clear that Scientology does not provide a definition of God or specific content for the “Eighth Dynamic,” leaving that to the individual to discover.

11. Some reported having solemnized marriages for other Scientologists or to have had their own marriages solemnized by Scientology “clergy.”

## SECTION II: COURTROOM FINDINGS

The above observations may be viewed against various definitions of “religion.” Three will be used here. The first is the definition outlined by the California court in *Fellowship of Humanity*. The court wrote:

Religion simply includes:

(1) a belief, not necessarily referring to supernatural powers; (2) a cult, involving a gregarious association openly expressing the belief; (3) a system of moral practice directly resulting from adherence to the belief; and (4) an organization within the cult designed to observe the tenets of the belief.

153 Cal.App.2d at 693 (1957) indentation supplied

A. “*A belief, not necessarily referring to supernatural powers.*” The court does not indicate what kind of level of belief is referred to, but religion has traditionally dealt with “ultimate” questions, such as the meaning and purpose of life, the nature and destiny of the universe, whether life continues after death, etc. Scientology provides an elaborate conceptual framework within which some of these kinds of questions seem to be answered. Though not all are explicitly addressed, the anxieties of adherents about them seem to be allayed. Scientology deals very explicitly, however, with the question of death, and in somewhat the same way as Neoplatonism and Christian Science (by denying the reality or importance of the body) and some Eastern traditions (reincarnation in successive bodies). Like some other religions (Buddhism, Confucianism, Taoism), it does not contemplate two orders or levels of existence, natural and supernatural, but only one. It does not provide detailed conceptual content for the “Eighth Dynamic” or the “Supreme Being,” but does leave a place for it, unlike some bodies characterized by courts as religions (*Fellowship of Humanity*, *Washington Ethical Society* (249 F.2d 127), *Ethical Culture and Secular Humanism* (*Torcaso v. Watkins*, footnote, 367 U.S. 488)).

B. “*A cult, involving a gregarious association openly expressing the belief.*” What is meant here by a “cult”? The Oxford English Dictionary defines “cult” as:

1. worship - 1683.
2. a particular form of religious worship; esp. in reference to its external rites and ceremonies - 1679.

There is no pretense of worship, in the Judeo-Christian sense, being carried out in the Church of Scientology. There is a chapel in each of the Scientology facilities where a few Scientologists gather on Sunday for a lecture or to listen to tapes on a particular subject. Respondents did not seem to think that this practice was of great importance in the Scientology scheme of things or that conventional worship occurred there.

The whole of Scientology, however, is a “gregarious association expressing the belief,” and several social gatherings (including the chapel services) are “gregarious” (as opposed to individual or one-on-one) activities. These are explicitly characterized as “Third Dynamic” (group life) events.

C. “*A system of moral practice directly resulting from an adherence to the belief.*” Scientology has an extensive body of literature on “ethics” - which seems to

be what the court is referring to by moral “practice.” It even has “ethics officers” to counsel with adherents who may have deviated from the ethical standards promulgated by the group. (Contrary to the court’s contention, there are generally-recognized religions – animism, some forms of Hinduism, etc. – that do not have an ethical dimension, though they usually do project a (non-ethical) system of conduct or action for believers of a ritual or propitiatory nature.)

D. “*An organization within the cult designed to observe the tenets of belief.*” Scientology is nothing if not a vast and elaborate “organization...designed to observe the tenets of belief.” (If “cult” means “worship,” it is hard to see what “within the cult” can mean.) Every Scientology installation has a large wall-chart listing column after column of offices or functions, with both a day and night staff in some cases. (Not all positions may be filled at a given time, but most of them seem to be most of the time.) That huge and serried organization exists to carry on the work of Scientology, which is essentially to recruit and train adherents in the practice of Scientology. Whether that practice is “religion” or not, however, is not determined by whether it has an organization to carry it out but by what the practice itself is, and by what kind of beliefs it observes or promulgates, which is dealt with in Point A above.

The definition of “religion” used so “simply” by the court in *Fellowship of Humanity* is not altogether conclusive for our purposes, since it includes some elements (worship, ethics) not universally found among acknowledged religions, and it is not entirely clear or internally consistent in its use of terms: Is “cult” in (2) the same as “cult” in (4)? How is a “gregarious association” (2) different from “an organization within the cult” (4)? The definition does not specify what type of “belief” is religious, as distinguished from philosophical, ethical, psychological, political or technological, so a further clarification seems necessary.

### SECTION III: REGULATION VS. RELIGION

The Internal Revenue Service is reported to use a 13-fold description of religion that has never been officially formalized as a regulation. It contains 13 marks, traits or criteria, not all of which, says the Internal Revenue Service generously, need be met to identify a “religion.” (Source: Bruce Hopkins, *The Law of Tax-Exempt Organizations* 134 (3d Ed. 1979).)

1. “*A distinct legal existence.*” The Church of Scientology is formally incorporated in many jurisdictions in the United States and elsewhere. (Some acknowledged religions or churches are not, such as the Episcopal Church or the United Methodist Church, at least on a national level.)

2. “*A recognized creed and form of worship.*” The Church of Scientology has a formal creed that can be seen posted in its premises. As indicated above, it does not have, or pretend to have, a form of worship in the Judeo-Christian model.

3. “*A definite and distinct ecclesiastical government.*” As mentioned earlier, the Church of Scientology has an elaborate local, national, and international system of organization and governance, but whether it is “ecclesiastical” depends on whether the organization is “religious.”

4. *“A formal code of doctrine and discipline.”* Short of the Roman Catholic code of canon law, there has seldom been a body of “doctrine and discipline” as voluminous as the official directives and manuals of Scientology. Whether it is “doctrine and discipline” in the sense intended by the IRS turns again upon whether the content is “religious.”

5. *“A distinct religious history.”* This criterion is also circular. Scientology has a fairly “distinct” history covering its development since inception in the early 1950s, but whether this constitutes a “religious” history depends on whether it is a “religion.”

6. *“A membership not associated with any other church or denomination.”* This trait of exclusivity is characteristic of most Western religions in recent times, but not of the “mystery” religions of Rome, c. 200 B.C.-200 A.D.; one could be a devotee of Mithra, of Isis and Osiris, and of Dionysius all at the same time. Mutual exclusivity is also not characteristic of some Eastern religions either. Scientology does not claim to be the “one and only” mode of belief, as most modern Western faiths do, but in actuality it seems to pre-empt the believer’s attention, to preclude much interest in other systems of religious belief, and to satisfy or assuage the religious needs and interests of its adherents.

7. *“A complete organization of ordained ministers ministering to their congregations and selected after completing prescribed courses of study.”* If there is anything Scientology abounds in, it is “ordained ministers” who have completed “prescribed courses of study.” Its ratio of “staff” or full-time practitioners to “laity (?)” or part-time practitioners is unusually high, with a “mission” having several staff, a “church” dozens, and a major center like Los Angeles or Clearwater, hundreds. The core of Scientology *is* “prescribed courses of study,” including a “minister’s course” required of all who seek to qualify as auditors. The phrase “ministering to their congregations” is more difficult to apply, since there is not the one-to-one relationship between a minister and a congregation in Scientology that there is in most Protestant denominations. The pattern is more like a Roman Catholic parish, with several priests and nuns ministering collectively to hundreds or thousands of parishioners. (On the other hand, several acknowledged religions, such as oldline Quakers and the Church of Christ, Scientist, do not have “ministers” at all, and several do not require “prescribed courses of study” for their preachers.)

8. *“A literature of its own.”* Some religions do not have this attribute. Scientology does. It has enough “literature of its own” to supply them all twice over - if it is “religious” literature.

9. *“Established places of worship.”* There are many established Scientology facilities or installations through the country. They are not “places of worship” as conventionally understood. Whether they are nevertheless places of religious practice depends upon whether Scientology is a religion.

10. *“Regular congregations.”* Scientology has centers to which fairly stable clientele repairs continually for the ministrations which Scientology affords, mainly courses and counselling. It does not have many collective assemblages to which all or most of the constituents are expected to come for corporate activities. Those who enroll for courses in Scientology sign a form which describes the applicant as “a Church of

Scientology International Member,” and records are kept of all such applicants/enrollees/members, most of whom progress over longer or shorter periods of time through the seemingly inexhaustible levels of auditing and training called “the Bridge,” the higher levels of which can be attained only at Los Angeles and a few other centers, and the highest only at Clearwater, Florida, the Western Hemisphere headquarters of the Church.

Thus it can be said that each Scientology center has a fairly stable and continuing constituency, similar in its accessions, defections, perdurance and decay to the “regular congregations” of more conventional religions. Whether they *are* the equivalent of conventional congregations depends again on whether Scientology is a religion.

11. “*Regular religious services.*” As indicated earlier, Scientology has fairly regular Sunday services, or so respondents reported. Though they are not characterized as “worship,” they might qualify as “regular religious services” – if Scientology is a religion. The chapel services and chapels – like the clerical garb, the modified symbol of a cross, the ecclesiastical titles and terminology – seem like borrowings from the prevalent and conventional forms of Christianity rather than outgrowths of Scientology itself.<sup>1</sup> But then, many new religions borrow from older ones to gain “protective coloration.” The Baptists and Quakers eventually attained recognition as religions without resorting to the conventional religious symbols of their time and without benefit of clergy, but they endured severe persecution in the process. New religions ought not to have to mimic the trappings of older ones in order to survive and be accepted on their own terms. In any event, these symbolic elements did not play any part in determining my conclusions about whether Scientology is a religion.

12. “*Sunday schools for the religious instruction of the young.*” The evidence on this point is sparse and conflicting. Some informants said Scientology has no such schools for “the religious instruction of the young,” while at least one said there are such schools, and he had sent his children to one in Detroit. There are some religions which address themselves exclusively to adults and thus do not have such schools. The criterion is also circular, since whether the instruction given in such schools (if they exist) is “religious instruction” depends on the prior question whether Scientology is a religion.

13. “*Schools for the preparation of its ministers.*” Scientology is itself one vast and infinitely gradated “school for the preparation of its ministers,” if the functionaries so produced are conceded to be “ministers,” which turns on whether they minister a religion.

Most of the foregoing evidences are not conclusive, but rest on the very question at issue: what is a “religion”? The definition in *Fellowship of Humanity* has not been

1. Much more authentic to its own history is the nautical symbolism that pervades the organization, reportedly a survival from L. Ron Hubbard’s years at sea with his closest disciples. This shipboard nostalgia is perpetuated in the elite affiliation called the “Sea Org,” whose members wear quasi-nautical uniforms as they go about their work and who occupy the highest echelons of leadership in the Church (continued on next page) (somewhat like the monastic orders did at some periods in the Roman Catholic Church). Each member of the “Sea Org” has signed a “billion year” contract to serve Scientology through successive lives. That may be only a symbolic statement, but it is unique to Scientology and lends a trans-temporal dimension not found in non-religious organizations. Even other religious traditions that envision some form of reincarnation and cultivate full-time, lifetime commitments from their most devoted elites do not project that commitment across the millennia.

embraced by other courts, though the U.S. Supreme Court may have followed its method and borrowed its results in recognizing “religion,” not by its *content* or *structure*, but by its *function*. (See *U.S. v Seeger*, 380 U.S. 163 (1965), *Welsh v. U.S.*, 398 U.S. 333 (1970), *Torcaso v. Watkins*, 376 U.S. 488 (1961).)

The Internal Revenue Service’s criteria are not only circular but highly conventional. They were elaborated for the laudable purpose of sifting out “mail-order ministries” designed as tax shelters, but as one commentator has written of them:

These criteria tend to require an organization to be a developed denomination according to the pattern reflected in the most accepted mainline churches. They do not recognize the substantial departure from this structure among a number of religious organizations which have long been recognized as American churches ... Christ and his band of disciples certainly did not meet these criteria ... It is perhaps never wise to define a religion based on its developed state, since its early state is not only most fluid, but usually its most delicate and important. It is precisely then, in this larval stage, that a particular religion needs to have the benefit of religious protections.

—Worthing, Sharon, “‘Religion’ and ‘Religious Institutions’ Under the First amendment” in 7:2 *Pepperdine Law Review* 344-345

## SECTION IV: A DEFINITION OF RELIGION

Thus far the jurisprudence of the United States has survived for over 200 years without an official definition of religion, and it is to be hoped that no court or governmental agency ever feels obliged to compose one, since it would tend to force all newly emerging religions to conform to its Procrustean bed. Still, if “religion” is to be a preferred category of the civil law, as it was – fortunately and wisely – conceived to be by the authors of the First Amendment of the Constitution, that term will have to be applied by the civil magistrate to include or exclude the claimants of its benefits – modest though they be.

The term “religion” did not need to be defined in the First Amendment, since everyone knew in general to what it referred. Even today there is little perplexity about what “religion” is in 95 percent of cases. It is the boundary questions pertaining to new and unconventional religions or groups claiming to be such that cause the perplexities. In these instances, the civil magistrate can refer to resemblances to bodies already acknowledged to be religious, but we have seen above how difficult a task that can be. And how close must the resemblance be? What elements of similarity are essential and which are optional? And upon what evidence from what sources should the magistrate rely to make a determination?

The Supreme Court has wisely concluded that the magistrate may not assess the truth or falsity of the claimant’s beliefs (*U.S. v. Ballard*, 322 U.S. 78 (1944)), nor whether they are theistic (*Torcaso*, *Seeger* and *Welsh*, citations *supra*), nor indeed inquire into the content of doctrines and tenets at all (*Presbyterian Church v. Mary Elizabeth Blue Hull Memorial Presbyterian Church*, 393 U.S. 440 (1969)). Perhaps

a slightly more penetrating scrutiny may be undertaken at the threshold, before a group is recognized as a religion, but even here the magistrate is limited in the depth to which he or she can penetrate (cf. *Ballard*). The court may not specify what *content* or what *structure* a group must exhibit to be deemed religious,” nor, within certain broad limits, what *conduct* will disqualify a group. (The Mormon cases, in which the Corporation of the Church of Latter-day Saints was dissolved because it taught and practiced polygamy (1890), reached results which the courts would probably not reach today, but even those drastic measures did not contend that Mormonism was not a *religion*, only that its teaching of plural marriage could be prohibited.)<sup>2</sup>

What the courts can do—and have done in *Seeger* and *Welsh*—is to examine the *function* of religion to see if it “occupies in the life of its possessor a place parallel to that filled by the God of those admittedly qualifying for the exemption” (*Seeger v. U.S.*, 30 U.S. 163). To do this, they should rely on evidence provided, not by outsiders or defectors, but by the only competent witnesses in a position to know whether they are indeed gaining the consolations of religion from the organization in question: the current consumers thereof, the present adherents of the group claiming to be a religion.

How shall the court know whether what they are gaining from the organization are indeed the consolations of religion? There is a considerable literature devoted to defining or describing what it is that religion provides for human beings and human societies, ranging from Durkheim (*Elementary Forms of the Religious Life*) to Weber (*Sociology of Religion*). Unfortunately, the scholarly writers on the subject of the function of religion do not agree among themselves what that function is. But their differing views can be subsumed under a broader rubric: *Religion is that form of human activity which provides an explanation of the ultimate meaning of life to its adherents*. (This description is explained in greater detail in the author’s previous works, *Why Conservative Churches Are Growing*, Harper Row, 1972, 1977, pp. 37-41, and *Why Churches Should Not Pay Taxes*, Harper & Row, 197, pp. 59-69.)

There are several subsidiary facets in this description that should not be overlooked.

a. It assumes that a group *claims* to be a religion. Scientology has certainly made that claim.

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2. *The Act of Congress of 1887 disincorporating the Mormon Church and forfeiting its property to the United States contained a proviso “that no building . . . which is held and occupied exclusively for the purposes of worship of God . . . shall be forfeited.”* Late Corporation of the Church of Jesus Christ of Latter-Day Saints v. U.S., 136 U.S. 1, 7 (1890).

b. An organization claiming to be a religion must have a body of *adherents* of sufficient *continuity* to be identifiable over time and of sufficient *numbers* to support it by their voluntary contributions. Scientology certainly has such a body of adherents.

c. The organization claiming to be a religion must offer some explanation of the ultimate meaning of life such as satisfies the needs of its adherents. That is the crucial question that necessitated the interviews with a cross-section of consumers of the would-be religion of Scientology. What is the upshot of that inquiry?

## SECTION V: SYSTEM OF THOUGHT

Scientology offers a vast and highly elaborated system of thought that interprets and explains various aspects of human experience. In its bookish, study-oriented approach to its work, it is the new scholasticism, attractive to people who like to organize, conceptualize, systemize, and intellectualize their experience. It does not teach a specific concept of “God” or the “Supreme Being,” though it refers rather grandly—and vaguely—to an “Eighth Dynamic,” the highest in a hierarchy of eight relationships in which persons can invest their energies, but it gives little guidance or explanation of how one should proceed in relation to that “dynamic” or what one may expect to find there.

But Scientology does teach very clearly and explicitly—or enables its adherents to discover—that they are “spiritual beings” who have a continuing existence beyond death in successive mortal bodies. This central teaching or discovery, referred to by almost all respondents as their own conviction, is alone a significant differentiation from non-religious philosophies and psychologies. It is a concept characteristic of several religions and of virtually no system of thought that is non-religious.

More to the point, this view of reality and its attendant implications seem to satisfy most adherents’ hunger for ultimate meaning. Several respondents characterized themselves as “seekers” who had sampled one religion after another and found them all unsatisfying until they encountered Scientology, and found continuing satisfaction in it. As one of them put it, “Those kinds of questions don’t bother me any more.”

Though Scientology does not have a specific answer ready for every conceivable theological question (any more than some acknowledged religions do), it seems to have been able to instill in its devotees a confidence that existence takes place in a basically meaningful and reliable framework in which purposive human activity is possible and effectual.

In the sense that it effectively assuages (if not explicitly answers) its adherents’ anxieties about the ultimate meaning of life, Scientology *is* a religion and functionally a very effective one. Given the analysis in Section IV above, this is the single necessary and sufficient quality of a religion, of all religion, and of no other form of human endeavor. Not all adherents have come to Scientology in search of this product or service, and not all have attained this level of insight, but that is true of all

religions. Of the respondents interviewed, none who had previously felt religious perplexities reported that those perplexities continued in Scientology. There may have been some who continued to be perplexed, but did not admit it; more probably, persons who were still dissatisfied drifted away from Scientology—as some do—and are still seeking elsewhere. That does not impugn the fact that Scientology may perform the function of religion for those who remain.

In addition to the foregoing conclusive finding about Scientology, there are others that, while not in themselves dispositive, help to reinforce the conclusion that Scientology is a religion:

1. The “confessional” character of “auditing”;
2. The teaching (whether objectively true or not) that human beings are essentially good;
3. The emphasis on ethics in human relationships;
4. The ability to recover persons from drug addiction;
5. The solemnizing of marriages by Church personnel;
6. The focus on “helping others” resulting in Church programs for the aging, opposition to electroshock therapy and lobotomy as mental hygiene techniques, etc.

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