

Framing Effects in the Coverage of Scientology versus Germany: Some Thoughts on the Role of Press and Scholars¹

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"Scientology might be one weird religion, but the German reaction to it is weirder still - not to mention disturbing."² This is how Richard Cohen of the Washington Post describes the controversy of Scientology vs. Germany, and he adds, "[...] the treatment of Scientologists is both inexplicable and troubling."³ The inexplicable or rather as yet unexplained could usually be expected to raise the attention of scholars, especially if there is a troubling thrill to it. However, German scholars have mostly preferred to remain silent on the issue, and the few who spoke out published in German, but not in English.⁴ American scholars, on the other hand, quite often seem to have firm opinions on the issue, but what finally gets published are usually rather general evaluations. Although the controversy on the whole has gained widespread media attention, the actual causes of disturbance remain rather murky, especially if one decides to take a closer look.

Part of the confusion obviously derives from the lack of scientific studies on the subject. Here the lack of German contributions is felt most keenly, because it would have been their task to provide reliable facts on which further studies could be based. However it would be asking too much of this paper were it to jump in and fill the wide gap on its own. Rather, it is intended as an exploratory study in order to make the structure of the whole controversy itself clearer and to stimulate further discussion.

Confusion may also stem from the very nature of the issue as a media controversy. It becomes visible only in the media, and the press has made a major contribution to its escalation. As there are no scientific studies available that analyze the issue, the press is also the main source of information for American scholars. We will therefore examine a typical media effect, framing, which may help to give a new perspective on the issue.

But framing is not only a media effect. It is also a political activity, consciously applied by the participating officials and interest groups in order to move public opinion in the direction they favour. The framing approach also helps to understand the political impact of scientific work. In this regard one also has to ask if a pointed frame still helps to explain an issue or if explanatory value is lost at the expense of political interests.

The Framing Concept

1 Many thanks to Ben Zablocki and Tom Robbins for the encouragement and support they have given me for writing this paper.

2 Richard Cohen: Germany's Odd Obsession with Scientology. Washington Post Nov. 15, 1996.

3 *ibid.*

4 cf. Jürgen Eiben: "Erfolg um jeden Preis? Die Scientology-Organisation in der gesellschaftlichen und politischen Auseinandersetzung." In: Ministerium für Arbeit, Gesundheit und Soziales NRW: Die Scientology-Organisation. Methoden und Struktur, Rechtsprechung und gesellschaftliche Auseinandersetzung. 2. Bericht, Köln 1997, p.25-46; Claus Leggewie and Alexandra Lagalée: "Scientology - Gewerbebetrieb oder Verfassungsfeind?" Blätter für deutsche und internationale Politik, August 1997, p.979-989.

The starting point for the framing concept is the observation that the media do more than simply offer new facts for discussion, or just enhance the importance of some items over others. The news is presented in frameworks which already give influential cues on how the issue is to be understood and assessed.

A number of disciplines have been pursuing the framing approach, and thus it offers explanations for a wide range of areas. In the newsmaking process, frames are vital news organizing devices which help journalists to manage large amounts of information (Gitlin 1980). But there is a political aspect to frames as well. They can subtly shape public opinion on an issue. The power to define a frame therefore is political power. A social psychological perspective finally explains how frames influence people's evaluations and decisions (e.g. Kahneman and Tversky 1984). Frames pass on cues of a qualitative nature which have a great impact on how the information they carry is perceived. Gamson and Modigliani emphasize that frames put issues into a meaningful context, drawing on culturally available ideas and symbols. They define a frame as "[...] a central organizing idea or story line that provides meaning to an unfolding strip of events, weaving a connection among them. The frame suggests what the controversy is about, the essence of the issue." (1987, p.143). The frame thus is an integrating, multifunctional whole. As Entman puts it,

"Typically frames diagnose, evaluate, and prescribe, a point explored most thoroughly by Gamson (1992) [...] Frames, then, *define* problems - determine what a causal agent is doing with what costs and benefits, usually measured in terms of common cultural values; *diagnose causes* - identify the forces creating the problem; *make moral judgments* - evaluate causal agents and their effects; and *suggest remedies* - offer and justify treatments for the problems and predict their likely effects." (1993, p.52)

The various functions of the frame cannot be isolated from each other. Even if some are not expressed explicitly, they can be inferred from the common cultural stock. If an issue is framed as a matter of free speech, then the remedy to uphold freedom of speech is already implied, as this is a value with strong general support. Frames do not only allow the reduction of large quantities of information to a manageable size, they also allow the completion of sketchy information by analogical inference as well as the interpretation of ambiguous information.

Frames are offered to the media by official sources and the various interest groups involved. Terkildsen et al. observed that in an arising conflict the media initially adopted the interest groups' frames, only gradually developing their own analytical framework (1998, p.56). They also emphasized that the abilities of the interest groups' spokespersons represent a key factor which influences the journalists' decision regarding whom to quote: "Thus, groups that understand the rules of the game, such as hiring public relations specialists, adding drama or glamour through events or players, and keeping their messages simple and clear, should play a larger role in the media's construction of the conflict." (1998, p.48).

This paper's basis of reference for the press coverage are three leading daily newspapers in both countries. These are the New York Times (NYT), the Washington Post (WAP) and the Los Angeles Times (LAT) for the U.S., and the Frankfurter Allgemeine Zeitung (FAZ), the Süddeutsche Zeitung

(SZ) and the Frankfurter Rundschau (FR) for the German side⁵. The elite print media have a significant influence on the formation of media images, as electronic media use them for orientation (Böhme-Dürr 1998 a, p.187) They are the main source of information for political decision makers and therefore are able to set the political agenda (ibid.). Van Driel and Richardson have emphasized the impact of nationally acclaimed media on conflicts involving new religious movements, which they point out to be basically an upper-middle class phenomenon (1988, p.39).

The sample covers the period from November 1993 (Scientology's tax exemption dates Oct. 13, 1993) until April 1998. From the American papers, all articles containing at least two sentences on the Scientology vs. Germany controversy were analyzed and contrasted to American home news of the same period. On the German side, the basis of reference was the file "Religious Communities and Sects" of the Federal Press Documentation Office (Bundespressdokumentationsstelle). The file does not collect all articles on the subject, but selects according to political relevance, reference to current politics of Parliament and general background information. Although the sample is not complete, it can be expected to contain most of the articles on the controversy since this has been a major topic in German politics. As the Federal Press Documentation Office is the main source of press information for members of Parliament, the articles collected there are the ones that actually are able to influence the political agenda. As the sample from American newspapers is rather small (36 articles), and the German sample may not be complete (88 articles), only a qualitative analysis can be given.

American frames of the controversy

One of the most interesting features of the controversy of Scientology against Germany is how it reached international public attention. Neither Scientology's PR efforts nor the critique in the State Department's annual Human Rights Report since 1993 accomplished this. It took an open letter from Hollywood celebrities to the German chancellor on behalf of Scientology (International Herald Tribune, Jan. 9, 1997, reprint in FAZ, Jan. 18, 1997), together with a false rumour that the forthcoming State Department's report would criticize Germany much more harshly than previously (see LAT Feb. 18, 1997) to trigger an international press echo. The controversy continued to be a topic throughout 1997.

The course of events raises the question as to why neither Scientology's campaign against Germany nor the State Department's Human Rights Report were sufficient to make the controversy a newsworthy issue. To clarify this, Scientology's framing as well as the entries in the Human Rights Report will be examined before going on to the frames used in the press.

Scientology is a very media-conscious religion and has extensive teachings on public relations (e.g. Church of Scientology International 1994, p.719-759). In his classic book on Scientology, "The Road to Total Freedom", Roy Wallis notes that:

"Scientology maintains an extensive public-relations apparatus, the purpose of which is to publicize an image of the movement which will attract new followers, stimulate sympathy

5 for easy access to German press articles on Scientology see <http://home.snafu.de/tilman/gerpress.html> ; for translations see <http://www.cisar.org>

and support from non-members for Scientology policies and practices, and rouse antagonism towards Scientology's opponents. This public-relations apparatus aims to legitimate the tactics and hostilities of the movement's leaders by elaborating an exoteric ideology which draws on contemporarily acceptable rhetorics of justification." (1977, p.239).

Wallis continues, "The propaganda and public-relations activities of the movement are important reality-maintaining devices, the objects of which are to increase the respectability of the movement and its public acceptance as a new religious denomination unjustly persecuted by an insidious and sinister conspiracy. They form part of a battery of techniques that defends the movement against internal challenges and supports the validity of the view of social reality which it embodies." (1977, p.240).

Scientology has indeed continued to be quite prolific in producing information booklets⁶ and magazines⁷ to get its view across, and has run strongly worded advertising campaigns in *Roll Call*, *The New York Times*, and *The Washington Post* in 1994. Although some agents in the conspiracy which seems to haunt Scientology occasionally change - e.g., the IRS is out, the German government is a fairly new demon -, Wallis' explanation of Scientology's PR as a reality-maintaining device is still enlightening. For the purpose of this paper suffice it to say that Scientology has a professional attitude in dealing with the media, it has extensive teachings on the use of PR, and it spreads its PR materials quite energetically. Thus, Scientology is a very active and purposeful participant in the controversy.

Germany has become a major target for Scientology ever since the Church surprisingly was granted tax-exempt status by the IRS in the USA (see NYT, March 9, 1997). The frame Scientology presents for the events in Germany is one of religious persecution directly analogous to the Nazi persecution of Jews during the Third Reich. The advertising campaign in *Roll Call* in 1994 with the headline "Stop the Hatred in Germany - Don't Let History Repeat Itself" set the tone: "In the 1930s, Jews were the target. In the 1990s, it is members of the Church of Scientology such as notable jazz great Chick Corea. 'Religious apartheid' is alive and well in the new Germany." (*Roll Call*, April 21, 1994, p.13) "The insidious propaganda techniques of Joseph Goebbels are still in use today to indoctrinate Germany's future leaders - by the most powerful political group in the country. The goal: to stigmatize, ostracize and destroy religious minorities." (*Roll Call*, June 9, 1994, p.14)

As required by the analogy with the Third Reich, evil originates with the German government:

"While world media attention to this problem has increased in recent years, the fact is German government officials have fomented discrimination against the Church of Scientology for more than two decades. Today, however, virtually all minority religions and racial groups have become targets of government-fostered oppression and xenophobia. [...] The tactics of the hatemongers have been simple: dehumanize minorities in the eyes of other

6 on Scientology vs. Germany see "The Rise of Hatred and Violence in Germany." Published as a public service by Freedom Magazine, no year (this is actually a compilation of articles from various issues of Freedom Magazine); "Die Fakten hinter den Schlagzeilen." Published by the Church of Scientology International, Los Angeles 1996; "Religiöse Apartheid 1996. Unterdrückung von Grundrechten religiöser Minderheiten in Deutschland." Church of Scientology International: Freedom Publishing, USA 1996.

7 see www.freedommag.org

Germans, ostracize them, and subject them to a relentless campaign of unconstitutional, illegal and oppressive actions with the purpose of wiping them out. As a direct result, violence against minorities in Germany is on the rise." (Freedom Magazine: The Rise of Hatred and Violence, introduction).

The government's powers seem to be unlimited and out of control: "In defiance of its own Constitution and its international commitments to the protection of human rights, the German government is today again in control of the media and uses newspapers, radio and TV as its own weapons of propaganda against the Church." (loc. cit., p.72) "Documented cases abound which prove that responsible German authorities either turn a blind eye to criminal attacks on minorities, or engage in unconstitutional and criminal violations of civil and human rights themselves." (Freedom Magazine: The Rise of Hatred and Violence, introduction).

The structure of the frame is extremely simple. Most ads and articles start with an invocation of Nazi terror tactics and then move on to events in today's Germany which are presented as being identical. Ample use of Nazi pictures and symbols helps to bring this message across both visually and emotionally. The claim that history is about to repeat itself places the current events in a time scheme: they are preliminaries to a new Holocaust. At the same time this scheme serves as an explanation why the current situation is already comparable to the Nazi era in spite of obvious contradictions - because the really heinous crimes are said to be yet ahead.

A simplistic frame calls for simple explanations. Causal responsibility for the alleged Nazi-style persecution of Scientologists is attributed to the propaganda efforts of the German government, and finally is said to be based in the fascist-like mentality of some politicians. Responsibility for remediation, which as opposed to causal responsibility enjoys positive evaluation (cf. Iyengar 1989), rests with concerned American citizens. The suggested remedy is of course to "stop the hatred", that is, to exercise international pressure upon the German government to make it change its policy.

The emotional message of the frame is so strong that its actual content becomes a secondary issue. The "documentation" by Scientology again relies heavily on pictures and dramatic stories, but hardly ever gives researchable data. An online-information by the German Embassy has termed this "the tactic of supplying only incomplete information to back up its claims, making it extremely difficult for the German government to research and respond to charges." (www.germany-info.org/newcontent/np.bak/np_3k.html). German investigative journalism faces the same problems. The newsmagazine SPIEGEL found stories to be "mostly dressed up" (6/1997, p.76), and in an article for the New York Review of Books political journalist Josef Joffe also concluded that cases "do not withstand closer scrutiny" (April 24, 1997, p.18). Political scientists Leggewie and Lagalée state that allegations were far-fetched, out of context, and turned out at closer look to be hoaxes or distorted facts (1997, p.987). It is also my experience that in the cases I have been able to check things turned out to have been grossly distorted, e.g. the presentation of the Federal Labour Court's ruling of March 22, 1995 in The Rise of Hatred and Violence (Freedom Magazine, no date, pp.90f.).

On the whole, Scientology's advertisement campaigns and booklets don't seem to have had much direct effect. At the most, several background articles in the New York Times (e.g. Nov. 7, 1994) and the Washington Post (e.g. Jan. 30, 1995) which are not based on current events may have been

triggered by the campaign, because they refer to it. But they do not back up Scientology's frame of persecution. Of the whole sample, only one article in the Los Angeles Times by guest author Alexander Cockburn uses Scientology's frame (March 13, 1997).

The first official American reference to the controversy of Scientology vs. Germany is one sentence listing the Church's complaints in the State Department's Report on Human Rights Practices in 1993, released on Jan. 31, 1994⁸, only months after Scientology gained tax-exemption. Although the passage continued to grow in length over the years, the press did not pick it up before the Hollywood letter. Usually, official sources are favoured by the media because they are easily accessible and held to be reliable. In this case, however, the passage may have been overlooked because the State Department did not put it high on the political agenda. Moreover, the dry language of the report, which restrains from direct evaluations, made it difficult for the media to assess its political relevance. Explicit cues as to how to understand the passage, i.e. framing information, are largely absent. This made it very difficult for the media to predict how the State Department was going to react in the future.

Undisputedly, however, the issue was perceived to be one of discrimination, and this has continued to be the topic of the frame of both American officials and the press. Only eight articles have appeared in the sample before the Hollywood letter, two of which are short reports. The six others are using a point-counterpoint structure, contrasting Scientology's views with that of German officials. This is a common journalistic technique to construct objectivity and balance through formal means of presentation (Hanson 1997, p.387). Telling two sides of a story gives the impression of fairness, but rests on the assumption that there are only two sides to it (ibid.). In this case, it also has a levelling effect, as it indirectly ascribes just about the same credibility to statements of German officials as to Scientology's claim to be persecuted like the Jews in the 1930s.

Since the State Department's commentaries on the Hollywood letter such an approximation of the positions hardly occurs anymore, as on the one hand the official critique of Germany was maintained in a diplomatically mild fashion; on the other hand, Scientology's Nazi parallels were harshly rebuked. State Department spokesman Nicholas Burns explained the American position as follows: "We have criticized the Germans on this, but we aren't going to support the Scientologists' terror tactics against the German government." (WAP, Jan. 27, 1997). Accordingly, except for the above mentioned article using Scientology's frame (LAT March 13, 1997), all other articles continue to employ the discrimination frame, but have become more cautious in evaluating the German government's policy.

Still the amazing difference between the American media's predominantly negative home news on Scientology and the at least partially supportive stance in the Scientology vs. Germany controversy calls for explanation, especially as the media coverage of new religious movements in general has been found to have a negative bias (see Wright 1997, Richardson and van Driel 1997, both with further references). Wright identifies several factors influencing the degree of media bias. In addition to common problems such as time and budget constraints and source problems he lists journalists' knowledge/familiarity with subject matter and the degree of cultural accommodation of

8 see www.state.gov/www/global/human_rights/hrp_reports_mainhp.html

the targeted religious group (p.104). Given Scientology's negative attitude towards journalists in general and its rather high degree of deviance from the mainstream, journalists can hardly be expected to regard it in a familiar and supportive manner or to see it as culturally accommodated. Yet the foreign news on the movement, where time and budget constraints as well as source problems are always far more severe than in home news, gets the more supportive coverage.

One of the reasons certainly is the fact that Scientology's framing of the issue is far less offensive to Americans than to Germans. Scientology's Nazi references are sure to elicit outrage among Germans. Yet similar references are also used by American media when covering German affairs, however without claiming identity between today's events and those of the past.

The media are not only the main source of information for Americans on Germany, they also disseminate and reinforce stereotypes held by the American public. While derogatory national stereotypes of other nations are no longer acceptable, it is generally thought to be legitimate to portray Germans as authoritarian and militaristic (Collins 1995, p.1). According to a 1993 Gallup poll ordered by the German Federal Press Office, more than half of the Americans believe that national socialism might rise again in Germany, that Germans are antisemitic, not trustworthy as a political partner, and arrogant; still more than 40 percent hold Germans to be violent (BPA 1993).

Nazi references are not only an integral part of American comedies and movies, they also permeate the news. Analyses of American TV news on Germany from the late eighties/early nineties found that Hitler was shown more often than chancellor Kohl (Keil 1991, p.35), and Neo-Nazis were quoted almost twice as often as German politicians (Lichter 1993, p.14). Lichter also criticized an "absence of overall journalistic balance" in reports on political issues which typically quoted a single critic but no second voice (ibid. p.15), and he generally stated a "surprisingly pervasive negativity of the coverage" (ibid. p.20). But to be fair one has to add that this tendency peaked in the period of German reunification.

In the American press, Nazi references in articles on non-Nazi topics have also increased significantly since 1990. Böhme-Dürr (1998 a, b) sees the actual trigger for this in the German reunification and the end of the Cold War, which brought about the loss of the familiar geopolitical perspective with its simple categories of democratic friends and communist enemies. Whereas correspondents increasingly tried to include new views, especially those of "ordinary" Germans, America-based commentators more often turned back to Germany's Nazi past in their effort to regain orientating perspectives (1998 a, p.195). Böhme-Dürr's explanation of the function of Nazi references to structure a new situation which is perceived to be unclear, unpredictable, and therefore somewhat troubling is convincing.

This is also a key to understanding why Scientology's alleged Nazi parallels have not been acceptable to Americans and have been firmly rebuked by officials. While it is legitimate to make references to the past in order to gain perspectives on the present, Scientology's strategy to identify the present with the past is not perceived to be legitimate. However the usage of these references is such a familiar technique that Scientology's frame quite often seems to have been just modified. But apparently it was not questioned whether either the original frame or the modified version were justified in the first place.

Foreign news always has to deal with far more pressing limitations of research time and budgets than home news. There are far less sources available, less time to check them, and finally less space in the newspaper to present an issue. Given such circumstances, the frame gains importance, since the articles have to be consistent in themselves. Rather than dropping the frame altogether, information which contradicts the frame may not be regarded, and information which is incomplete or unclear may be interpreted according to the frame. It is of course idle to speculate which sources journalists were using. However the pattern of the mistakes they made is telling.

An interesting point in question is the ascription of the locus of control regarding the discrimination against Scientologists. The State Department clearly assigns treatment responsibility to the German government, although it is cautious in attributing causal responsibility or in making evaluations in this regard. The press is less cautious and sees the government at work even where it cannot possibly intervene.

A nice example is a passage in the letter from Hollywood which states "Children have been excluded from schools because their parents are Scientologists." (International Herald Tribune Jan. 9, 1997, quoted from FAZ Jan. 18, 1997). The letter does not specify the type of school. However both the Los Angeles Times (Jan. 11, 1997) and Washington Post (Jan. 14, 1997) quote the letter as speaking of public schools. Expulsion from public schools is also quoted as a claim made by Scientologists in the New York Times of Nov. 8, 1997. But this never happened (see German Embassy, www.germany-info.org/newcontent/np.bak/np_3k.html). Apparently, the cases have occurred at private institutions and seem to be about non-admittance more often than expulsion. Scientology mentions instances at one private Hamburg school, a private parents' initiative in or near Essen, a private kindergarten in Stuttgart, and two unidentifiable kindergartens (Church of Scientology International 1996 a, p.7f.). The newsmagazine SPIEGEL (6/1997, p.77) identified one Protestant kindergarten in Krefeld, which did not admit the child of Scientologists because their beliefs were found to be incompatible with the Christian principles of the institution.

Now the question is why the newspapers took the unidentified schools mentioned in the letter to be public schools. As proper research would have led them to different results, the most plausible explanation lies in the frame within which the information was given. A frame speaking of "organized governmental discrimination" and concluding that the situation sounds more "like the Germany of 1936 rather than 1996" (International Herald Tribune Jan. 9, 1997, quoted from FAZ Jan. 18, 1997) calls to mind the exclusion of Jewish pupils and students from public schools by the Nazis. The fact that this is exactly how the newspapers interpreted the claim shows the suggestive effect of the frame.

Information which is incompatible with the frame is likely to be rejected. The Washington Post and the Los Angeles Times (both Jan. 27, 1997) quote a paper from the German embassy which stated that "the German government has not taken any legislative action against the Scientology sect", but add that German state governments have. I am not aware of such legislation. Even the Bavarian screening of applicants for public service on membership in the organization, which is quoted as evidence by the Los Angeles Times, is solely an administrative order, but does not have the rank of a law (see KWMBI I Nr. 20/1996, p.396). Obviously the fact that no legislative action has occurred

seems to be inconceivable, so rather than questioning the frame, the information by the German embassy is interpreted as being at least incomplete, if not misleading. Thus, even first-hand information by an official source loses credibility if it threatens the overall framework.

Other powers falsely ascribed to the government include the barring of Scientologists from membership in major political parties (NYT Nov. 8, 1997). Of course the government cannot dictate the parties' political programmes or otherwise interfere with the process of opinion formation within the parties. It was the parties' own decision that the teachings of Scientology are incompatible with their policy. Notwithstanding the contrary opinion of the Los Angeles Times (Jan. 27, 1997), the government has no power to list "authentic" religions, nor could such an action infringe on the guarantee of religious freedom. Religious freedom is granted by the constitution as a basic right of the individual and therefore is independent of the legal status of a religion.

This list could be continued. To sum up, the fact that the press frames the issues as a matter of discrimination and that it is far less reluctant than the State Department to ascribe causal responsibility to the German government can easily lead to erroneous causal attributions. Less background knowledge and the smaller amount of accessible information in foreign news gives journalists less of a chance to realize such mistakes.

But the question remains why the topic as such is held to be interesting even when concern for careful investigation of details is lacking. According to Gans (1980, p.37), "[...] foreign news deals either with stories thought relevant to Americans or American interests; with the same themes and topics as domestic news; or when the topics are distinctive, with interpretations that apply American values." But apart from the State Department's concern for the economic interests of Tom Cruise and Chick Corea, the people involved are mainly German citizens, though members of an American organization.

Religious freedom has always been a major issue in the United States, and it has been even more salient in recent years. Concern about free exercise of religion has been widely expressed since the Supreme Court decision on *Employment Division vs. Smith*, which in the dramatic words of Kent Greenawalt "[...] comes close to eliminating the Free Exercise Clause as a significant piece of the U.S. Constitution." (1993, p.504). Congress' subsequent efforts to create a remedy in passing the Religious Freedom Restoration Act in 1993 (see Laycock 1994; Drinan 1997) were accompanied by an increased interest of the State Department in religious freedom issues abroad. The escalation of the *Scientology vs. Germany* controversy in 1997 coincides with the defeat of the Religious Freedom Restoration Act by the Supreme Court in June 1997. Thus the public debate on free exercise of religion in the U.S. continues, and so does the State Department's interest in foreign affairs on the same issue.

It is thus arguable that the press is using the controversy of *Scientology vs. Germany* as a setting for discussing American positions on religious freedom. Foreign news has the advantage that value judgments and critique can be expressed in much harsher form than would be acceptable in home affairs (Gans 1980, p.31). The coverage of the events in Germany thus serves as a means to form public opinion and to create a social consensus on religious freedom in general, which can subsequently be applied to the home situation. Treating the issue as a completely abstract matter of

religious freedom is facilitated by the fact that political knowledge on foreign affairs tends to be low among Americans (see e. g. Dimock and Popkin 1997) which makes the availability of contradicting information less likely.

As McClosky and Brill (1983) have pointed out, civil liberties enjoy widespread support in the abstract, but their concrete application is quite often rejected (p.417). This is because the norms have been learned only in very general terms (p.418), so in their application to a concrete situation they may not be recognizable anymore (p.432). Especially the costs involved in the exercise of civil liberties are not visible in their abstract form, but become a conspicuous feature of their application (ibid.).

When evaluating a concrete situation, one's personal sympathy for the groups involved can be expected to correlate with expressions of tolerance. However Kuklinski et al. (1991) have shown that even when the group in question is widely respected, such as the Parent-Teacher Association, support for libertarian acts tends to wane once participants begin to think about possible consequences (p.17). Their conclusion on citizens' abilities to reach tolerant positions through rational reflexion is devastating: the first gut-level reaction to an issue turned out to be more tolerant than the opinions expressed after considering possible consequences (p.22f.).

Nelson et al. studied framing effects on tolerance judgments towards hate groups (1997). They chose the topic of a Ku Klux Klan rally, because this created a conflict between support for freedom of speech versus concern for public order and opposing racism. This was expected to enhance framing effects of the news coverage. In one setting, the free speech frame and public order frame were taken from actual news broadcasts, whereas the second setting used artificially created internet news to allow better control of the variables. Both studies concluded that the news framing had a direct effect on the participants' ranking of the values involved: "The present results show a clear effect of news frames on an entirely different kind of judgment: the willingness to extend civil liberties protections to ignoble and potentially dangerous groups. These findings affirm that tolerance decisions reflect not only long-standing individual and group characteristics but also short-term political forces, including the activity of the mass media." (p.576).

Now when even a "hate group" such as the Ku Klux Klan receives support if a concrete event is framed accordingly in the media, the usage of the religious discrimination frame by the American press in the coverage of Scientology vs. Germany can be expected to generate the same effect. As no other frame is offered - except Scientology's frame of persecution - the possibility of detecting conflicting values at all is drastically reduced. The available information is sketchy, and due to the frame especially information on problems caused by Scientology is rather scarce. This facilitates the perception of the issue as a completely abstract matter, which again leads to more tolerant positions, since potential costs of such positions are neither discussed nor even relevant to the American public. The focus on abstract norms also explains the press' much more tolerant position regarding foreign Scientology affairs as opposed to the rather critical home news on Scientology, which deals primarily with problematic consequences and controversies. At the same time, the American interest in the German events is presented as a mere humanitarian concern and is thus isolated from the current struggle of legislators and Supreme Court on the matter of free exercise of religion in the

U.S.

German Frames of the Controversy

There is no way to directly compare American and German press coverage of the topic, as there are major differences to be kept in mind. First of all, Germany is an export-oriented nation, and therefore the media devote much more space and resources to foreign news in general than their American counterparts. About every tenth foreign report in the media is on the U.S. (Schmidt and Wilke 1998, p.179). So, from an American point of view the Scientology controversy in Germany is a relatively unimportant foreign affair, whereas in Germany it is a home affair that gained international political prominence. This is about as important as an issue can possibly become, and an unusual career for such a topic as well. In addition, Scientology has been the most debated and most covered new religious movement in Germany for years. In fact the whole discussion of new religious movements has narrowed to a discussion of Scientology almost exclusively. Any event concerning Scientology has a fair chance to make it into the news. Thus, there is a greater variety of sources, for example court decisions concerning Scientology are covered regularly. Also, journalists who frequently report on Scientology profit from the advantage of growing background knowledge.

Another major advantage of German journalists are their English language skills. This sounds trite but it is still a factor that should not be underestimated, as not only correspondents, but commentators as well are able to follow events in the U.S. via American press and news agencies. American newspaper articles are regularly quoted, as illustrated by the New York Times report on the background of Scientology's tax exemption (March 9, 1997, in FR, March 15, 1997, and FAZ March 11, 1997). One highly critical editorial from the Washington Post appeared in translation in the SZ (Nov. 23, 1996). Thus, events in the U.S. quite often are presented from the viewpoint of the American press and are therefore presumably reflecting American public opinion.

The first reports of the State Department's reactions to the controversy stem from August 1996 in connection with the unsuccessful efforts of the youth organization of the conservative party to boycott the movie *Mission: Impossible*, starring Scientologist Tom Cruise. Here also the first reference is made to the critique of Germany in the Human Rights Report of 1995 (SZ Aug. 10, 1996), which so far had not been reported. But as the State Department did not formally address the German government, the issue soon was dropped.

The next major event is the letter from Hollywood on behalf of the Scientologists in January 1997. The German press did not only faithfully record the various protests against this letter, but continued to report related American political actions throughout the year more often than did the American press. Thus the pattern of timing of Scientology-staged events becomes clearer. Whether or not Scientology had a hand in drafting the Hollywood letter, it appeared only days before the State Department's Report on Human Rights Practices for 1996. A Scientology demonstration for religious freedom in Frankfurt on July 21, 1997, took place right before the release of the Report on United States Policies in Support of Religious Freedom by the Bureau of Democracy, Human Rights, and Labor Affairs on July 22; another Scientology demonstration in Berlin on October 28, 1997, preceded the vote on a resolution condemning German governmental discrimination of

Scientists in the Committee on International Relations on October 31 (H.Con.Res. 22, 105th Congress⁹); and the asylum granted to a German Scientist in February 1997 was made public in the New York Times on November 8, right before the House voted against the resolution on November 11. After this, only the Washington visit of members of the parliamentary Enquete Commission on So-Called Sects and Psycho-groups managed to get concerted press attention.

The harsh words of German officials on Scientology have caused reactions ranging from disapproval to protest, especially among Americans. Indeed, if one took Scientology to be a true bona fide religion, then the former minister of labour's statement that Scientology was a cartel of suppression with contempt for human dignity¹⁰ would be perceived to be highly discriminating. However the government's line of argument is that Scientology was no religion in the first place, so according to this logic members' feelings about that kind of language would not have to be considered. The government and various other politicians have in fact made strong efforts to frame Scientology as an organization which under the pretense of being a religion combines elements of economic crime and psychological terror tactics against its members.

Such framing activities have raised considerable attention and have in fact been the most visible activities of politicians in regard to this topic. Political action is generally to a large extent symbolic action, but in this case it has been confined almost exclusively to the symbolic realm because of constitutional restraints. The constitutional guarantee of freedom of religion is extensive and granted without explicit limitations. Thus, it is limited only by the basic rights of other individuals and the constitutional order itself. Legislation directed specifically against a religion is not possible. So far, the Federal Labour Court has stated in one decision that the Hamburg Scientology organization was no religious association but a business (BAG, ruling of March 22, 1995, 5 AZB 21/94, NJW 1996, pp.143-152). But this decision is not binding for other courts, so the legal question whether Scientology is a religion or not is still far from being settled.

At the same time, Germany is a social welfare state, the state grants extensive protection to the citizens and is expected to intervene on their behalf at a much earlier stage than for instance in the United States. As Scientology is perceived to be attacking the very social consensus of the welfare state, public pressure to act is enormous, but as long as Scientology is regarded to be a religion or Weltanschauung, politicians hardly have any means to act. When comparing the media effect of the few political actions that have occurred to their factual consequences, one can in fact gain the impression that their main intention was to arouse media attention and thus to form public opinion through framing efforts.

The Bavarian screening of applicants for public service (KWMBI I Nr. 20/1996, p.396) is a good example. The announcement that Scientists may not possess the loyalty necessary for public service has caused a heated debate. However, so far not a single one case has been reported in which anyone was in fact denied employment or removed from public service on the mere account of Scientology membership, and this is very unlikely to ever happen in the future. For one thing, if the

9 see http://commdocs.house.gov/committees/intlrel/hfa47803.000/hfa47_803_of.htm; <http://wpxx02.toxi.uni-wuerzburg.de/~krasel/CoS/germany/congres s1.html>.

10 menschenverachtendes Kartell der Unterdrückung", see OVG Münster, ruling of May 31, 1996, B 993/95, NVwZ 1997, pp.302-304).

courts took Scientology to be a religion, then already the screening might constitute religious discrimination and thus would not be permissible, as in this case the applicants' religion would be the starting point for further state action (Cremer and Kelm 1997). Moreover, the European Court for Human Rights ruled in the case of a Communist teacher that the German requirements of loyalty in public service were too demanding (EGMR, verdict of Sept. 26, 1993, NJW 1996, pp.375-381), so even if German courts would uphold a decision against a Scientology applicant, the European Court might not agree. It is unlikely that either the Bavarian government or Scientology would risk a possible defeat in court, but both have a strong interest in making the measure a major media event. Thus, unpleasant as the measure may be, its main function is to frame the Bavarian government as actively combatting a harmful organization while at the same minimizing the risk of taking factual actions which could be legally challenged. Scientology on the other hand is using the chance to frame itself as the victim of religious persecution.

The resulting noise is out of all proportion to what actually is happening. However, with both sides stirring up emotions, public opinion towards Scientology has indeed become quite negative. This leads to discrimination, and even though Scientology is actively contributing to the escalation of this situation, there can be no justification in principle for discrimination, which of course also applies to discriminating actions by Scientology.

The German official frame for Scientology as a shady business and potential threat to the free democratic order is quite pronounced. However comments on the American State Department's stance on the controversy are cautious and diplomatic. German officials have spoken about different opinions, different historical experiences, and misunderstandings in German-American relations.

The German elite press is following the official frame quite closely when reporting on the international part of the controversy, which is typical for foreign news. A markedly distinct frame appears in almost all of the editorials which can be characterized as diagnosing mutual hysteria and hypocrisy. German officials, whether belonging to the federal or state governments or being engaged in their personal struggle against Scientology, receive a full share of scornful comments. The efforts of the youth organization of the conservative party to boycott the movie *Mission: Impossible* in summer 1996 because it starred Scientologist Tom Cruise were perfect material for biting satire, and the few adult politicians who supported the boycott did not escape without injury. Equally the prolonged debate whether Scientology should be observed by the intelligence service was accompanied by strong editorial statements that such a measure was exaggerated and not supported by sufficient evidence.

Here another side of the press' frame becomes evident: the Scientology controversy is seen as a test case for democracy and tolerance, as an opportunity to discuss the scope of the right of religious freedom and the possible conflicts with other basic rights. The American critique generally is accepted as basis for further discussion, even when it has such a provocative form as the Hollywood letter. But at the same time this is used as a chance to lament the lack of correct information on the American side, not only in Hollywood but among politicians as well. Notably in regard to the Committee for International Relations several editors state a loss of competence in foreign affairs.

The prescriptive dimension of the frame advises everyone to stop heating up the conflict and calls

for increased objectivity. At the same time this is a call for maximized tolerance and clear support for civil rights. The elite press is bringing in its whole political weight as the fourth estate in order to counter a policy which politicians from the two big German parties pursue because it is perceived to be popular. The press additionally serves as an open forum for discussion, as numerous guest authors have been invited to contribute on the topic of Scientology.

The marked deviance from the official frame is mitigated by the fact that many different views on the topic are presented. Legal decisions on Scientology are regularly covered, and the legal discussion seems to provide an important incentive to take up the topic of civil rights and to call for due process. The very fact that the courts have shown an independent and cautious way of handling the Scientology controversy gives the press the opportunity to introduce such standards into the public debate. A variety of other sources are also influential. An essay by political scientists Leggewie and Lagalée (1997) was partially reprinted in the *Frankfurter Rundschau* (July 30, 1997), as was a policy paper of the Green party on its position towards new religious movements (FR Nov. 22, 1996). Again it is a typical advantage of home news to get information from a number of competing parties and interest groups and thus to be able to adopt their arguments.

Apart from differences in the content of the positions, there are substantial structural similarities in the coverage of American and German elite press. The conspicuous differences between the rather negative stance in reporting home events and the discussion of abstract values in editorials is evident in both our media samples, indeed occurs within the same newspapers. At times one is left to wonder if the journalists from the local news department are still on speaking terms with their colleagues from the foreign news department. Whenever the emphasis is on concrete consequences of Scientology-related events, then tolerance dwindles; if the issue is treated as an abstract matter, then it is much easier to take a liberal stance, which fits nicely with the overall results of research into tolerance judgements. On the whole, the basic differences between the positions of the American and German elite press are more or less equivalent to the characteristic differences between home and foreign news, the main advantage of home news being the greater amount of available information.

The scholars' role in the conflict

Having dealt primarily with the negative effects of framing, let me interject that framing is to some extent unavoidable and can even be helpful in order to organize big amounts of data, or to give a provocative view or a new perspective on a topic.

However problems arise whenever a frame is too narrow and inhibits the awareness of interdependencies through the isolation of items, or if a frame distracts attention from contradicting evidence. Framing effects also become apparent when information is scarce but is presented in a strong framework, which may lead people to fill in information gaps through analogical completion. Such completion looks plausible as it is in accordance with the frame, which in turn might tempt one to neglect the critical examination of the sources. One has to keep in mind that a frame is a tool which helps to present evidence but which cannot replace it.

Framing effects are not restricted to the media, but occur in scientific studies as well. In the case of the Scientology vs. Germany controversy they are all the more likely to happen, since the sources on the topic are scarce and especially problematic. As German scholars have the easiest access to these sources and the best possibilities to check and evaluate them, it is all the more unfortunate that they hardly produced any studies on the topic¹¹. In fact it would have been the task of German scholars to present reliable data for further discussion.

Reasons for the silence of German scholars may be seen in the relatively small number of non-theological religious studies and the little interest sociologists have shown in this field of studies. Moreover, any contribution about the controversy, no matter how moderate or detached, might unintentionally heat the conflict, as all participants in the controversy seem to have an interest in its further escalation and might react angrily at any effort to take the heat out of the debate. Furthermore, any statement on the topic cannot be limited to the scientific discourse but will be interpreted in political terms as well. This requires a double caution, as any statement does not only have to be scientifically justifiable, but its potential political consequences have to be kept in mind as well. This is a situation German scholars are not as accustomed with as their American colleagues. However, even if this may help to explain the absence of German contributions, it should not be taken as an excuse for avoiding an uncomfortable yet relevant topic.

American scholars are facing similar source and framing problems as the American press. In fact American newspapers serve as the scholars' main source of information due to their topicality, accessibility and due to the lack of scientific studies on the issue. However reliance on a frame once chosen easily makes overlook those problems. The key framing assumption that issues of new religious movements in Germany inevitably are matters of discrimination is so strong that the frame itself is no longer questioned. Moreover, as opposed to the media's construction of objectivity through a point-counterpoint structure and the inclusion of an opposing second voice, the scientific

11 cf. Jürgen Eiben: "Erfolg um jeden Preis? Die Scientology-Organisation in der gesellschaftlichen und politischen Auseinandersetzung." In: Ministerium für Arbeit, Gesundheit und Soziales NRW: Die Scientology-Organisation. Methoden und Struktur, Rechtsprechung und gesellschaftliche Auseinandersetzung. 2. Bericht, Köln 1997, p.25-46; Claus Leggewie and Alexandra Lagalée: "Scientology - Gewerbebetrieb oder Verfassungsfeind?" Blätter für deutsche und internationale Politik, August 1997, p.979-989.

papers on the issue mainly rely on occasional source quotations in support of their point, without due consideration of source problems.

For instance, the all-American hypothesis that evil always results from government intervention leads legal scholar John T. Cross to believe that the German government refused to allow Scientologists' children to attend school (1997, p.4), a belief which is also shared by James T. Richardson (1998, p.9), who also buys the Washington Times' claim that the German government had in fact the power to bar Scientologists from membership in the major political parties (*ibid.*). It is of course tempting to quote the most spectacular statements one can get hold of, but if not even the scholars bother to check their sources, how will such gross mistakes ever be detected? The argument actually goes around in a circle when legal scholar Paul Horwitz (1997, p.118) has to admit that constitutional protection of religion in Germany is exceptionally broad, yet quotes Richardson (1995 b, p.194) as proof for the hostile treatment of Scientologists. Although Horwitz is only able to quote one court case which did not rule in favour of Scientology, the frame leads him to conclude that Scientology had fared very poorly not only at the hands of the state, but of the courts as well (p.122). Though he has a point with regard to state authorities, in the case of the courts he definitely is wrong.

But framing effects are not restricted to the uncritical adoption of frames. The question whether Scientology should be granted bona fide status has generated a special kind of literature which is busily being promoted by the Church of Scientology (see CSI 1998 b). A number of scholars have complied with the request to share their views on the topic. At least some of them consider their contributions not as mere expert opinions, but as scientific studies in their own right (*cf.* Wilson 1996, p.284). Like many others, Alan Black explicitly states that he had been asked to address the question (<http://hatewatch.freedommag.org/hatewach/experts/enq/black01.pdf>, p.1; url no longer active). It is not known to me whether he had also been asked to publish the same essay (with minor changes only) in the Australian Religion Studies Review (1997), but by putting it into this context he obviously considers it to be a scientific study.

Avoiding clarification as to whether such an essay is to be regarded as a matter of opinion or if criteria for scientific studies apply has a number of advantages. Critical literature or opposed arguments are not dealt with at all; at the same time the authority claimed is of course that of the scientific expert. This is a strategy of immunization.

But the papers not only blur the boundary between expert opinion and scientific study. They also manage to combine a value-neutral approach (*e.g.* Wilson 1998, p.114) with the political demand that Scientology should be considered as a bona fide religion (*loc. cit.* p.145). At least "bona" is a clear evaluation, and it is difficult to understand how Wilson could possibly rally for a bona fide status for Scientology without endorsing its warrant and worth. The concluding remark of Alonso Galan (1998, p.223), "Without entering in administrative, juridical or tax-related considerations, I reaffirm that Scientology fulfills completely the requirements that can be asked of any religion," also can only be interpreted in the sense that he is not willing to discuss details, but regards his normative statement to be valid in the fields he mentioned.

Whatever the scholars' motivation to come forward with such political calls may have been,

Scientology's intention to use these essays in order to shape public opinion and finally to gain or retain tax-exempt status should have been obvious from the start. But also the specific structure of the expert opinions can best be explained as framing efforts. There has been no discussion how the opinions of sociologists, theologians or philosophers should relate to the legal question whether Scientology meets the requirements of a bona fide religion. The value-neutral analysis of people's behaviour as motivated by their beliefs differs fundamentally from the legal inquiry whether such behaviour deserves special constitutional protection such as the right of free exercise. It is also hard to understand how an account of how Scientology presents itself could be decisive in establishing its tax-exempt status, even if theologian and philosopher Alonso Galan feels compelled to claim that Scientology "[...] pursues no other goals than those to do with the spiritual nature of man." (1998, p.223). He does not indicate how he came to this conclusion, nor how it could be tested. Instead, the issue of what is to be regarded as religion in the field of sociology or religious studies is framed as being identical with the question of legal recognition and tax-exemption. The well-known argument that Scientology might only put on the appearance of a religion, but in fact was pursuing economic goals (e.g., BAG, ruling of March 22, 1995, 5 AZB 21/94, NJW 1996, p.146f.) is not mentioned at all.

The reference to a value-neutral approach enables the authors to omit problematic aspects for instance in connection with the ethics of Scientology. Alonso Galan's statement that "The concern with ethics and moral aspects are of the utmost importance in the doctrine of Scientology" (1998, p.218) is correct, and for the question whether a Scientologist's behaviour can be explained in terms of his ethics it is not necessary to evaluate these ethics. However as Alonso Galan does not differentiate between his theological-philosophical concept of religion and a normative legal category of religion, he is making an implicit evaluation. At least before moving on to call for the legal recognition of Scientology as a religion he should have considered the social consequences of these ethics, as has for instance legal scholar Ralf Abel (1996). Abel states that the principle of Scientology's social behaviour could aptly be termed social darwinism (1996, p.33). According to Abel, Scientology's list of high crimes as put forward in Hubbard's Introduction to Scientology Ethics (1993) "[...] documents that Scientology is thinking in terms of a rigid scheme of either friend or enemy, which knows only good and evil, and aims to punish, to eliminate, to isolate and possibly also to physically exterminate the differently minded person, who is presented and understood as being evil." (Abel 1996, p.29; my translation). "For Hubbard and therefore for Scientology, no place is left for concepts of solidarity, humaneness and respect for the rights of the other. Such attitudes are presented as unworldly and unrealistic." (p.30). Abel concludes that Scientology's ethics are incompatible with a free democratic order (p.40ff.). Interestingly, Abel is drawing on the same texts as Alonso Galan and numerous other experts, mainly Hubbard's Introduction to Scientology Ethics (1993), but as opposed to them Abel quotes more than just the introductory chapter.

In the expert opinions in favour of Scientology, framing effects are caused mainly by the following factors: an allegedly value-neutral approach and the omission of any problematic aspect of Scientology are combined with an implicit evaluation which derives from confusing a scholarly neutral definition of religion with a normative legal definition. To apply Entman's (1993, p.52)

account of framing effects, the Scientology-is-a-bona-fide-religion-frame defines the problem as one belonging to the field of sociology, philosophy or religious studies, but not to legal studies or the courts. The causes for the lack of acceptance of Scientology are diagnosed in terms of its unusual appearance such that Scientology meets old-fashioned understandings of religion, but it is ruled out that Scientology's economic or other activities might be relevant. The frame's moral judgments are rather discreet, but the remedy - acknowledgment of Scientology as a religion - is not only suggested but demanded. The frame itself is never seriously questioned. As readers' general background knowledge on the issue can be assumed to be limited, and as church-state relations are a tricky matter, as are sources on Scientology, the frame's effects can be expected to be strong.

It is not my intention to criticize scholars who feel obliged to make political calls. I also do not want to discourage the use of newspaper articles as a source. We probably could not do without the press, but what we ought to do is to check our sources and try to be aware of our own and other's framing effects. Society probably also needs the political commitment of scholars. But efforts to shape public opinion should be labelled as such, and the primary objective of a scientific study should be concern for a detached discussion of evidence, not the framing of selected items according to the political aims of the author. Otherwise, to use an image by Eileen Barker (1995, p.309), this would mean allowing the political tail to wag the empirical dog.

To conclude, the one thing which is certain about the Scientology vs. Germany controversy is that no statement can be taken at its face value. All participants are making strong efforts to frame the issue according to their own interests, so that even non-events can cause dismay whereas actual problems may be overlooked. Efforts of German politicians to enhance their popularity with strong-worded statements meet Scientology's efforts to present itself as the victim of unjust persecution. The American press may prefer sensationalist news to boring investigation and may frame the issue according to American stereotypes. This is no easy starting point for American scholars, who consequently are facing severe source problems. However some scholars have decided to take an active political role in the debate and to rally for Scientology's bona fide status. This is yet another conscious framing effort in order to gain influence on the controversy.

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