



DET KONGELIGE BARNE-
OG FAMILIEDEPARTEMENT

Jehovas vitner

Translated from Norwegian by
ChatGPT

Deres ref

Vår ref

Dato

24/4119-

11. november 2024

Decision – The Request for Reconsideration is Rejected – Jehovah's Witnesses

We refer to the letter dated October 24, 2024, requesting reconsideration of the following six decisions:

- 1) Decision of the Governor of January 27, 2022, rejecting the request for government subsidies for 2021.
- 2) Decision of the Ministry of Children and Family Affairs dated September 30, 2022, which upheld the decision of January 27, 2022.
- 3) Decision of the Governor of December 22, 2022, rejecting the application for registration under the Religious Communities Act.
- 4) Decision of the Governor of November 7, 2023, rejecting the request for government subsidies for 2022.
- 5) Decision of the Governor of November 7, 2023, rejecting the request for government subsidies for 2023.
- 6) Decision of the Governor of June 18, 2024, rejecting the request for government subsidies for 2024.

The Department's Conclusion

The request for reconsideration is not accepted.

The decision not to overturn the above-mentioned decisions is not an individual decision in the sense of the Administrative Procedures Act, and therefore cannot be appealed.

Content of the Request for Reconsideration

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Jehovah's Witnesses refer to the above-mentioned decisions, stating that they "are based on the religious doctrine of Jehovah's Witnesses regarding limiting contact with a person who has been removed from the congregation, or who has voluntarily disassociated themselves." Jehovah's Witnesses wish to inform about "a recent adjustment, made globally, in our religious practice in this area." The main adjustments are then summarized in four bullet points. Among other things, it is stated:

« If a baptized minor commits a serious sin, two elders will have a conversation with the minor and their Christian parents or guardians to find out what the parents have already done to help their child make the necessary changes and repent. If the minor has a good attitude and the parents are able to reach them, it may be that the two elders will conclude that no further action is necessary. It is the parents who have the biblical responsibility to correct their children in a loving way. For this reason, it will be even rarer for a baptized minor who has committed a serious sin to be removed from the congregation. »

« Members of the congregation choose for themselves whether they want to invite a person who has been removed from the congregation or has disassociated themselves to a congregation meeting. They can also choose to greet the person and welcome them to the meeting. If the person expresses a desire to return to the congregation, the elders can also arrange for someone in the congregation to study the Bible with them, even though they have not yet been reinstated. A person who has been removed from the congregation or has chosen to disassociate themselves can be reinstated within a few months if they show that they genuinely repent. »

In the letter dated October 31, 2024, additional remarks are made regarding the above letter. Jehovah's Witnesses refer to the attached expert statement from Jean Zermatten, former chairman of the UN Committee on the Rights of the Child, and state that it concludes that « the relevant religious practices of Jehovah's Witnesses are in accordance with, and protected by, the UN Convention on the Rights of the Child. »

Section 35, first and second paragraphs of the Public Administration Act.

According to Section 35, first paragraph of the Public Administration Act, an administrative body may « reconsider its own decision without it being appealed if:

- a. the change does not harm anyone the decision is directed towards or benefit directly,
- b. the notification of the decision has not reached the concerned party and the decision has not been publicly announced, or
- c. the decision must be considered invalid. »

In Section 35, second paragraph, it states: "If the conditions in the first paragraph are met, the decision may also be reconsidered by the appellate body or another superior authority."

The Department's Assessment

The department does not see any information in the request for reconsideration that suggests the decisions should be considered invalid or that they should be reconsidered on any other grounds, cf. Section 35, first and second paragraphs of the Public Administration Act.

In our opinion, the content of the two quotes above confirms that the Governor and the department have applied the correct understanding of Jehovah's Witnesses' practices related to contact with persons who have been disfellowshipped or have disassociated themselves. The main elements of the practice remain. Reference is made to the Watchtower Study Article 35 from August 2024, Help for Those Who Are Removed from the Congregation, which states the following in paragraph 14 (emphasis added by the Watchtower):

« Does what we have looked at now mean that we should absolutely not contact someone who has been removed from the congregation? No, not necessarily. Of course, **we will not socialize with them**. But we can use our Christian conscience to decide if we want to invite them to a meeting. For example, we might want to do so if they are a relative of ours or if we were close friends before they were removed from the congregation. How should we treat them if they come to a meeting? Previously, we would not have greeted such a person. Here too, each person must use their Christian conscience to decide what they will do. Some feel they can greet them or welcome them to the meeting. But we will not have a prolonged conversation or do other things together with them. »

We assume that it is still the case that:

- Any baptized person can be disfellowshipped from Jehovah's Witnesses, including children.
- Disfellowshipping leads to strict, systematic, and targeted social ostracism of the disfellowshipped person – even from family and relatives who do not live in the same household as the disfellowshipped person.
- Baptized persons who voluntarily disassociate from Jehovah's Witnesses, including children, will be subjected to the same social ostracism as disfellowshipped persons.

The disfellowshipping practice violates the rights of children, as stated in the assessments of the Governor and the department.

Regarding the statement from Jean Zermatten, which is attached to the letter of October 31, 2024, we first note that it seems to be based on a different understanding of Jehovah's Witnesses' practices than the one the department adheres to, as outlined in the points above. On pages 13 and 14, he refers to a ruling from the Court of Appeal in Ghent (which Jehovah's Witnesses have previously cited):

« In this case, being excluded from the religious community does not necessarily mean rejection or isolation, even if the adolescent is, in fact, distanced from the other members, but not necessarily from everyone and not from his/her family. »

« It would appear that the children's relationship with their parents is not affected and that any social isolation would only concern other community members. »

The decisions in this case are based on evidence – primarily Jehovah's Witnesses' own texts – which support the following understanding of the practice: Members are generally not to have ordinary social contact with disfellowshipped and disassociated family members who do not live in the same household, including children and siblings. As soon as a child who has either been disfellowshipped or has voluntarily

disassociated from Jehovah's Witnesses reaches adulthood and moves out on their own, it is expected that the parents and any siblings who are members of Jehovah's Witnesses will no longer have ordinary social contact with that individual. The religious scholar George Chrystides, who has written several books on Jehovah's Witnesses, states the following in his article Jehovah's Witnesses: Disfellowshipping, Shunning, and the Ghent Ruling, published in Bitter Winter on April 20, 2021 (emphasis added by us):

« The Society's sanction of shunning applies to baptized members (adults and minors), and those who have dissociated themselves—that is to say, those who have formally expressed in writing a desire to be no longer part of the Watch Tower organization, or whose actions plainly demonstrate a desire to leave, such as regularly attending a mainstream church, joining the army, or voluntarily accepting a blood transfusion.

[...] **Members may not associate with the disfellowshipped or disassociated** individual. It is also worth noting that reinstatement is possible, and indeed encouraged: the elders will attempt to visit the disfellowshipped member at least once a year to offer counsel and to determine whether the ex-member might be persuaded to return.

[...] However, it is disingenuous to believe that family ties remain intact, and that only spiritual fellowship is withdrawn. *Bitter Winter* quoted the statement: "Since [...] being disfellowshipped does not sever the family ties, normal day-to-day family activities and dealings may continue. Yet, by his course, the individual has chosen to break the spiritual bond between him and his believing family..." (*Keep Yourselves in God's Love* [2008, 2014]: 208).

This might seem to suggest that family relationships remain the same, but that the disfellowshipped member may not participate in the weekly Family Worship Evening. The situation is not quite so simple. So long as the household remains together, normal family activities take place. If the father of the household has been disfellowshipped, he will still be permitted to eat with the others, watch television, go on family outings, and have normal relationships with his wife, including sexual relations. He is still the head of the household, to whom his wife should be subject, unless his demands are contrary to Jehovah's law. If some other member of the family is disfellowshipped, normal familial relationships are intact, but they will be excluded from the Family Worship Evening. Instead, the father is encouraged to give them one-to-one spiritual counselling. What the offender may not do, however, is speak to non-family Witnesses who call.

The offender is not normally required to leave home—certainly not if he or she is a minor. However, one Watch Tower publication states that it may be necessary for a householder to ask a disfellowshipped member to leave. This would be considered appropriate if they continued to engage in unacceptable practices, for instance, if they repeatedly came home drunk, or persistently stayed out late with a non-believing partner. **Once the offender leaves the home, then social interaction discontinues. Two Watch Tower videos depict parents refusing to open a text message from disfellowshipped children, since they are no longer allowed to have social contact.** »

Zermatten's statement seems to give little weight to the psychological strain associated with the practice described above. In our opinion, it is not accurate to describe the consequences for a child being disfellowshipped from Jehovah's Witnesses as "less pleasant," as Zermatten appears to do on page 13 of the statement.

Depriving a teenager under 18 years of ordinary social contact with friends and family/relatives outside the household, and additionally leading them to believe that nearly all contact with the family within the household will cease once they become an adult and move out, is, in the department's view, consistent with descriptions of negative social control and psychological abuse, as noted in the assessments of the Governor and the department. The department further notes that this could be the consequence for minors if, for example, they have kissed their partner without later regretting it, or have exercised their right to disassociate from the religious community.

Zermatten also provides an overview of sanctions within other religions. In this regard, the department notes that it is not uncommon for religious communities and other membership organizations to have rules of exclusion, and that these are sometimes applied to remove membership from people who act in opposition to the organization's goals and interests. However, it is very unusual for such exclusion rules to involve the remaining members being asked to break almost all contact with close family members and others who have either been excluded or have voluntarily disassociated themselves from the organization. This is not addressed by Zermatten. The department cannot see that this review has any significant relevance to the assessment of children's rights or to the issue of discrimination.

With best regards.

Erik Saglie (e.f.)
ekspedisjonssjef

Geir Telstø
utredningsleder

Dokumentet er elektronisk signert og har derfor ikke håndskrevne signaturer

Kopi
Statsforvalteren i Østfold, Buskerud, Oslo og Akershus

¹ Vær hyrder for Guds hjord, kap. 12, avsnitt 15.