

The Chilling Wind of Copyright Law?

Legal changes may reshape Internet activity

If one of the committees trying to define the future of the Internet is right, pretty much everything anyone does in cyberspace may be illegal. The Working Group on Intellectual Property Rights of the White House Information Infrastructure Task Force is not even talking about hacking or software piracy or thefts of confidential information. The team is crafting a whole new definition of copyright law.

According to the group's draft report—issued last summer and the subject of recent public hearings—random browsing of World Wide Web pages, transmission of Usenet postings, reading of electronic mail or any of the other Internet activities may already violate the law. "It's really that bad," says Jessica Litman, a professor of copyright law at Wayne State University. She explains that the team's chairman, Bruce A. Lehman of the Department of Commerce, has made a peculiar reading of a part of the copyright act that applies to computer software and has extended it to all digital data.

The rule in question says that loading a program from a disk into working memory constitutes making a copy—even though the bits and bytes vanish once the computer is turned off. It thus follows, according to the draft, that transferring the text of a document across the Internet so that it can be dis-

played on a user's screen is also copying—and, unless specifically licensed by the owner, copyright infringement.

Although the principle of fair use may legitimize making such copies, the report suggested that exemptions might shrink as automated licensing schemes are put into place. Jane C. Ginsburg of Columbia University notes that a recent court decision rejected a fair-use defense on the grounds that the defendant, Texaco, could easily have obtained permission to copy. (At the same time, she points out, the court suggested that copyright owners might be compelled to grant permission.)

The working group has also advocated abolition of the "first sale" doctrine, which states that someone who buys a copyrighted work, such as a textbook, can freely sell, give or lend it to anyone else without paying additional royalties. As a result, says Pamela Samuelson, professor of law at the University of Pittsburgh, the electronic equivalent of flipping through magazines at a newsstand would be illegal, as would the analogue of wandering into a bookstore and skimming a novel before deciding whether to buy it. Interlibrary loans that make articles in obscure journals available to researchers would also be a thing of the past, remarks Prudence Adler of the Association of Research Libraries. In short, predicts L. Ray Patterson of

the University of Georgia, the constitutional mandate that copyright should "promote the progress of science and the useful arts" would be a dead letter.

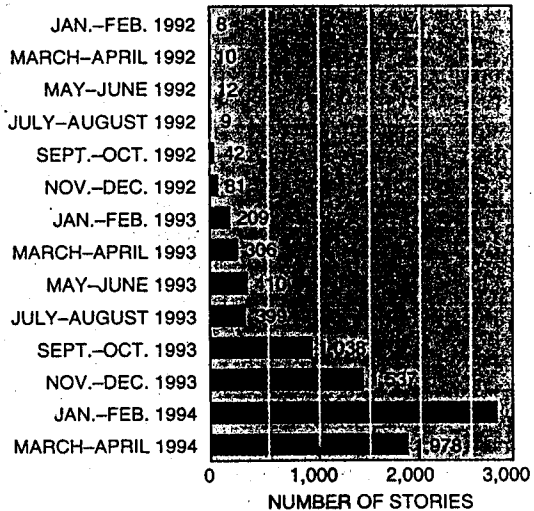
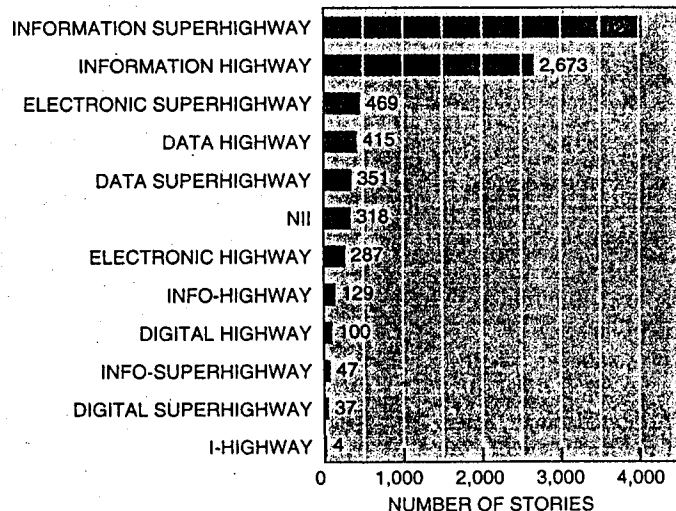
Not surprisingly, Terri A. Southwick of the Patent and Trademark Office takes a different view. Unless they believe their property will be protected, copyright holders will not trust their works to the Internet, and development of a global information highway will be stunted, she explains. If these concerns are not addressed, "the Internet will still thrive," Southwick says, "but it won't reach its full potential." Ginsburg reported that artists appear more or less evenly split between enthusiasm for cyberspace as a wonderful new medium and fear that they may lose all control of their works once recordings, texts or pictures are converted to digital form. (*Scientific American*, for example, currently sharply restricts redistribution of its text on networks.)

No one is willing to bet which viewpoint will prevail. The task force received more than 150 responses and held four days of public hearings. Six weeks after the filing deadline, its members had yet to finish reading responses. The final report, to be issued in March or April, will contain proposed legislation to clarify who can do what to whose data. But the congressional subcommittee that deals with the issue has been cut in half, and its roster is still unsettled. Outgoing staffer William Patry suggests that anything could happen, "including nothing at all." —Paul Wallich

How Do They Call It? Let Us Count the Ways

Since the phrase first appeared in 1992, the "information superhighway" has become a familiar part of the American lexicon. Its synonyms, according to a report by the Freedom Forum Media Studies Center at Columbia University,

remain somewhat less popular in the newspapers, magazines and broadcasts that were reviewed (left). At the same time, however, the concept seems to have peaked before its prime, well before the highway is laid down (right).



LAURIE GRACE

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ROYAL OAK

Books

Pro-Exxon author not welcome in Cordova

By Rosanne Pagano
Associated Press

ANCHORAGE, Alaska — Jeff Wheelwright pulled into Cordova's postcard pretty harbor just the way he wanted — aboard a slow-going boat, otters at play, August sunshine tickling the waters.

It was a deceptive tranquility and Wheelwright, author of the new oil spill book "Degrees of Disaster," knew it.

Published by Simon & Schuster, the book argues that the Exxon Corp. is right, that Prince William Sound has healed itself — in some instances despite the company's \$2 billion cleanup five years ago.

In Cordova, the town's only bookstore was threatening a boycott by refusing to display "Degrees" beside other works on the tanker grounding in 1989 and its divisive, expensive aftermath.

Not only was Wheelwright late for a talk, scheduled at the city library when the bookseller wouldn't have him, but rumor had it that the event was canceled altogether when pressure was applied to deny him a public venue in Cordova, the fishing village that is home to Prince William Sound's commercial fleet.

"I should have expected something like this," Wheelwright said in a recent interview in Cordova, with a sunny day to kill and no scheduled signings.

"Nobody invited me here," he said. "It was my own willfulness, and a desire to thank some people who helped me, that brought me back."

None of the 11 million gallons of North Slope crude that gushed from the Exxon Valdez ever spread to Cordova, on the sound's eastern rim. The town was spared asphalt shores and oiled birds.

But it was in Cordova, an isolated port surrounded by rain forest, that a political oil-spill ethos coalesced.

Outraged fishermen watched salmon and herring harvests fail in the years after the spill, then waited until this summer for their lawsuits to be heard by a federal jury sitting in Anchorage. Cordova's environmentalists collected fax numbers for the national press corps. And neighbors watched while three of five canneries closed, unemployment notched up and friends moved out.

"I've read all the oil spill books that have come out and I've met all the authors," said former Cordova mayor Kelly Weaverling, whose Orca bookshop on main street will order Wheelwright's book if customers request it, but will not stock it.

"This is my store. I can associate with who I want. There are some books I just don't carry," Weaverling said. "L. Ron Hubbard (the founder of Scientology) and Jeff Wheelwright. Those are two points of view I don't agree with."

Best Sellers

Fiction

1. "Debt of Honor," Tom Clancy (Putnam)
2. "The Body Farm," Patricia Cornwell (Scribners)
3. "The Celestine Prophecy," James Redfield (Warner)
4. "The Gift," Danielle Steel (Delacorte)
5. "A Son of the Circus," John Irving (Random House)
6. "Nothing Lasts Forever," Sidney Sheldon (William Morrow)
7. "Politically Correct Bedtime Stories," James Finn Garner (Macmillan)
8. "The Bridges of Madison County," Robert James Waller (Warner)
9. "The Chamber," John Grisham (Doubleday)
10. "Brothers and Sisters," Bebe Moore Campbell (Putnam)

Nonfiction

1. "Men are from Mars, Women are from Venus," John Gray (HarperCollins)
2. "Couplehood," Paul Reiser (Bantam)
3. "In the Kitchen with Rosie," Rosie Daley (Knopf)
4. "Embraced by the Light," Betty J. Eadie (Gold Leaf Press)
5. "Barbara Bush: A Memoir," Barbara Bush (Scribners)
6. "The Book of Virtues," William J. Bennett (Simon & Schuster)
7. "Motherless Daughters," Hope Edleman (Addison-Wesley)
8. "The Kennedy Women," Laurence Leamer (Villard)
9. "Brando," Marlon Brando (Random House)
10. "Midnight in the Garden of Good and Evil," John Berendt (Random House)

IN TODAY'S GERMANY

NEVER AGAIN!

October 3, 1990, was an historic day for Germans. As the former communist state of East Germany and the democratic republic of West Germany joined again after almost 50 years of division, Germans all over the world celebrated the reuniting of their country.

Yet paradoxically, four years after Germany's rebirth as one nation, the gulf inside the country between Germans and those viewed as "foreign" or non-German is wider than at any time since World War II.

Resurgent nationalism has brought a wave of attacks on religious and racial minorities.

Once again, Jews are among the victims. In March of this year, a Jewish synagogue was fire-bombed with neo-fascist extremists suspected as culprits — the first such attack on a synagogue since the war.

An isolated incident? Hardly. In the year of unification, incidents of extremist violence totalled 375. The following year, they more than tripled to 1,275. In 1992, they totalled 2,285. Members of minority religions and ethnic groups have been targets of beatings, burnings and even murder.

Germany's recent president, Richard von Weizsaecker, warns of the national reversion to fascism, with anti-Semitism again rearing its ugly head. In May, Weizsaecker told the *New York Times* that when he spoke about the Holocaust nine years ago, "I got many letters then asking me what right I had to say that many Jews had died. Today, I am still getting the same kind of questions, but now they sign their names and give their addresses. Nine years ago, they were anonymous."

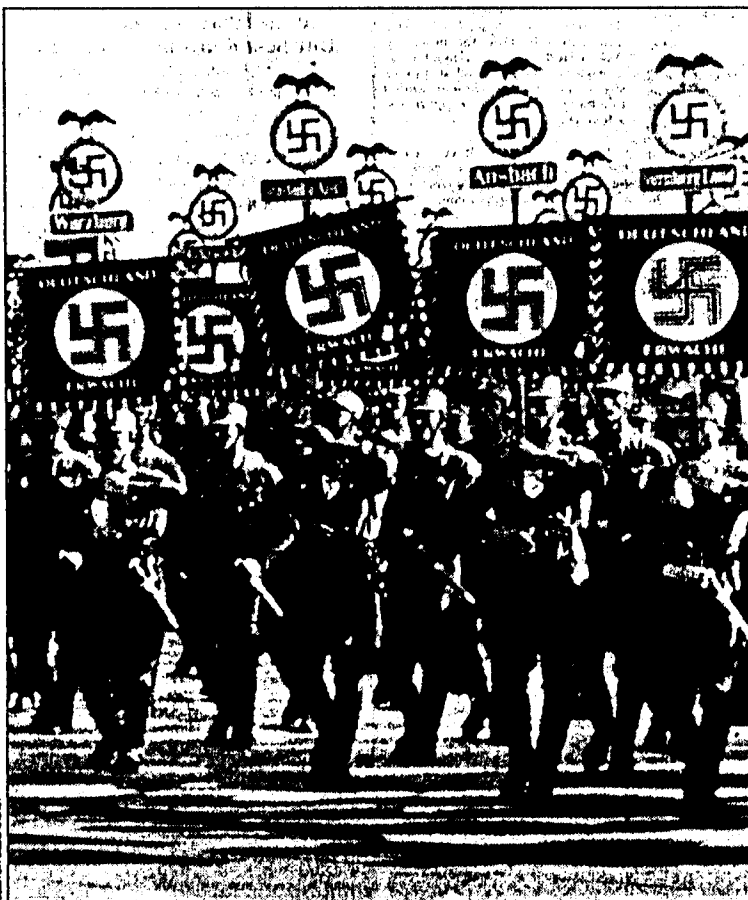
Those who look to the German government for solutions will find none. Although media blame shaven-headed, neo-Nazi youth for the discriminatory acts against non-Germans and minorities, the government is as guilty.

In Germany today, you cannot join a political party if the government disagrees with your religious beliefs. In December 1991, the Christian Democratic Union (CDU), Germany's governing party, did what would be unthinkable in any other democracy. At its annual party convention in Dresden it resolved that membership in the Church of Scientology was incompatible with membership in the CDU party. And it banned all Scientologists from the party.

Chancellor Helmut Kohl, in his capacity as the national leader of the CDU party, personally voted for this prohibition. By doing so, he violated the religious freedom guarantees embodied in the German constitution — a constitution written for Germany after the war to protect the rights of minorities.

Anyone wanting to join the CDU has to sign an official form stating that he is not a member of the Church of Scientology — a recognized, tax-exempt American religion.

Intolerance and hatred characterize the treatment of "foreigners" and minorities by the German authorities. In an incident reported by Amnesty International, a 32-year-old Iranian who was travelling on a bus was violently assaulted by the driver. When the police arrived, instead of arresting his assailant, they pulled the Iranian roughly from



the bus and threw him into a van with such force that his head banged against its side.

He was driven to a police station and interrogated by several officers, who, thinking he was Jewish, hurled racial insults at him. When they found out he was Iranian, they ridiculed and abused the Islamic religion. When he tried to complain about his ill-treatment, one of the officers struck him several times in the face. A medical examination later found that his vision had been damaged by these attacks, yet he was accused by the German police of "resisting state authority."

Recently a mob of rightists and hooligans attacked a group of five black Africans and destroyed a local restaurant owned by Turks. Of 50 rioters arrested in broad daylight, the police released 49 immediately. However, they detained a Turkish waiter who had stabbed a rioter in defense of the African men.

In the 1930s, Nazis stormed through the streets of German cities, terrorizing and killing Jews and members of religious

minorities. Although news of these events reached the outside world, nothing was done.

Today, we would be wise not to ignore the early warning signs from a country which has twice this century brought the world to war, and whose government is today attempting to rewrite history with an exhibition at Columbia University puffing up so-called German resistance to the Nazis — a spectacle that, according to the Chancellor of the Jewish Theological Seminary, is intended solely to polish Germany's international prestige.

You can make your voice heard. Experience has shown that German politicians, while ignoring protests from minorities in their own country, will listen to the voice of world opinion — especially American opinion.

Write to Chancellor Helmut Kohl. Urge him to take strong and effective steps to stop hatred and discrimination against religious and ethnic minorities in Germany.

Dr. Helmut Kohl
Federal Chancellor
Adenauerallee 139-141
53113 Bonn
Germany

Send copies of your letter to:
John Shattuck
Assistant Secretary of State
Department of State
2201 C Street, NW
Washington, D.C. 20520
President Bill Clinton
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dr. Klaus Kinkel
Federal Minister
of Foreign Affairs
Adenauerallee 99-103
53113 Bonn, Germany

Mr. George Rupp
President
Columbia University
New York, N.Y. 10027

Dr. John Gerard Ruggie
Dean
School of International and
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New York, N.Y. 10027

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IN TODAY'S GERMANY

PRESERVE THAT FREEDOM

On June 6, representatives from many nations celebrated the 50th anniversary of the Allied invasion at Normandy.

D-Day was a decisive step toward liberation of Europe and the end of the Third Reich. But for many, real liberation did not come until the spring of 1945 when the advancing Allied armies reached the heart of Europe and discovered the unspeakable — concentration camps where millions had been exterminated.

Witnesses to the atrocities vowed "Never Again." Germany was partitioned into East and West. And to ensure its dark legacy would never repeat, a constitution was written for Germany to guarantee religious freedom and human rights for *all* its citizens.

Today, Germany is reunited, but it has not yet risen superior to its ignoble past. Neo-Nazi extremism is again on the rise, and members of minority religions and ethnic groups are again victims of discrimination and persecution — including firebombings, beatings, knifings and other violence.

Despite the attempts of the German government to convince the world that teenage skinheads are the sole perpetrators of violence, investigations by human rights groups have uncovered brutal treatment of minorities by German authorities.

A typical incident reported by Amnesty International concerned a Sri Lankan who was stopped by two plainclothes police officers while cycling to work. They accused him of stealing the bicycle, which he denied, producing the receipt showing he had purchased it honestly. The officers reacted by handcuffing him so violently that they fractured his wrist. They told him that "foreigners" like him committed acts of theft, arrested him and took him to a police station, where they isolated him in a cell. Only after it became plain that no charge could be laid against him was he released.

Such incidents reflect growing intolerance by Germans of non-Germans and minorities.

According to a recent opinion poll conducted for the American Jewish Committee, 22% of Germans would "prefer not" to have Jews living in their neighborhood, while 47% feel the same way about Arabs, 39% about Poles and 36% about Turks.

The government is at best ineffectual in dealing with the upsurge in violence, at worst itself discriminatory.

For example:

- Chancellor Helmut Kohl, according to a spokesman, would not even visit the Turkish victims of a firebombing because his schedule was too full for "condolence tourism."
- Members of the Church of Scientology have been physically attacked, fired from their jobs, excluded from political



Liberation day at the infamous Dachau concentration camp, Germany 1945.

participation and their properties have been damaged. The instances are too numerous to recount here.

- The Rosicrucians, persecuted and destroyed by the Nazis, are today attacked in a booklet published by Germany's ruling political party.

- Official statistics published in May confirm that anti-Semitism has been rising steadily since 1992 leading to, most recently, the firebombing of a synagogue in Luebeck.

Jens Mueller, a well-known German artist and publisher, charges the German government with "complicity" in the violence. He wrote, "Yes, the government has organized several anti-fascist rallies... but the skeptic in me notes that these rallies didn't occur until after 1,800 violent attacks on foreigners in 1992, which resulted in terribly embarrassing international headlines for Germany, which in turn moved a number of foreign business concerns — including

notable American banks — to cancel plans to invest in Germany."

It is especially ironic, therefore, that Germany has launched an international campaign to lobby for a seat on the United Nations Security Council. Germany's ambassadors have been ordered to convince the world of their country's eligibility to police the world.

Yet Germany is still gripped by the same hatreds that obliged the world to police Germany.

In view of the ample evidence since unification that fascism is on the rise again, condoned and encouraged by the German government, we ask your help in preventing history from repeating itself.

Bigotry and hatred can only exist when honest men refuse to act in the face of evil. By making your voice heard, you can help stop the hatred.

Write to Chancellor Helmut Kohl. Urge him to take strong and effective steps to stop hatred and discrimination against religious and ethnic minorities in Germany.

Dr. Helmut Kohl
Federal Chancellor
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53113 Bonn
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IN TODAY'S GERMANY

"GERMAN RESISTANCE A CONTRADICTION IN TERMS



The German government is currently sponsoring an exhibition, recently at the Library of Congress in Washington D.C. and Columbia University in New York, and starting tomorrow at the University of North Carolina, Chapel Hill, to promote, incredible as it may seem, the German resistance to Hitler and the Nazis from 1933-1945 — an exhibition which has given rise to severe criticism that the German government is exploiting the myth of German resistance for political ends.

The exhibit, Chancellor Helmut Kohl's personal *pièce de résistance*, is notable not for what it includes, but for what it omits. Its literature abbreviates Jewish resistance to the Nazis to a single page and downgrades the Warsaw Ghetto, the heroic symbol of World War II resistance, to one sentence. It also completely ignores the Belgian and Yugoslavian resisters who, unlike the tiny and unsuccessful German resistance, were able to rescue Jews and political dissidents from deportation to concentration camps.

By attempting to characterize a handful of courageous acts that had no impact whatsoever on Hitler's reign of terror as evidence of a widespread resistance movement, the exhibit diminishes the horror of the Holocaust and the Nazis' mass murder, virtually unopposed, of millions of Jews, Gypsies, Rosicrucians, Jehovah's Witnesses and other minorities.

According to the *Washington Post*, the Bonn government campaigned vigorously, enlisting politicians, diplomats, historians and curators, to launch this exhibit in the heart of American political life.

Yet, the paper reported, "The dreary presentation doesn't square with the Germans' feverish work to place the exhibit somewhere in Washington.... The intended audience seems not to be the casual visitor, but history itself — the version that will be passed on through teachers and textbooks. That's why it was so important to the Germans to place this exhibit in Washington, and in a cultural institution of impeccable credibility."

The media named Chancellor Kohl as the official who ordered the exhibit as a means to neutralize the U.S. media coverage of rising violence and injustice in his country. Chancellor Kohl and his fellow politicians perceive the reporting as unfavorable to Germany's carefully groomed public image.

Those concerned for human rights who observe the plight of minorities in present-day Germany have denounced the exhibit as blatant propaganda intended to blind future generations to the truth about German history.

Another key fact must be remembered about the so-called German resistance. The officers who plotted the failed attempt on Hitler's life in 1944 primarily wanted to save what could be saved of Germany's war effort. They knew Hitler was losing the war. Many of them had blood on their hands. One of them, Artur Nebe, is portrayed as a hero of the resistance, one of the "Men of 20 July 1944", in another exhibit, this one sponsored by the German Army and currently showing in Berlin.

The truth is that Nebe was a mass murderer. He ran mobile SS killing units that came in after the rapidly advancing army and rounded up the Jews, Bolsheviks and dissidents. These units loaded people into trucks, made the exits airtight, then pumped the trucks full of carbon monoxide. At one point, Nebe reported with satisfaction to Berlin that his "Einsatzgruppe B" (Attack group B) had killed 45,467 people.

In 1994, while the German government puts on this exhibit to rewrite history, attacks upon Africans, Jews, Turks and other religious and ethnic minorities are now so

common in Germany that they rarely make the local press any longer.

Due to government-sponsored hate campaigns, German Scientologists are routinely denied employment and excluded from membership in political parties, trade unions, professional and social organizations and schools. A recent statement by a German government minister is representative of the virtually unchanged mentality that characterizes government attitudes towards minorities in Germany. On September 21, the Federal Minister of Labor, Norbert Blüm, launched a vicious attack on members of the Church of Scientology. Blüm called for the "use of all means that the state has at its disposal" to prosecute a "war" on members of the Church. In the same breath, without having met or spoken to a single Scientologist and without citing any factual evidence to justify or substantiate his oppressive measure, he banned Scientologists from operating employment agencies, an issue he had been asked to decide on.

In July, Amnesty International warned that discrimination and brutal treatment of minorities in Germany was on the increase. Two months later, the Hamburg Minister of the Interior, Werner Hackmann, had to resign over a dozen incidents in which policemen violently beat up foreigners.

After initially defending the brutality, when Hackmann agreed to quit he made the surprising admission that he was deeply ashamed of the police and that violence was rising to unacceptable levels. And a police watchdog group said that, "there is an exaggerated *esprit de corps*, there is xenophobia within the police and there are mechanisms that keep the police from being properly controlled."

Germany's constitution, based on the American model, was written to protect the rights of minorities so that the horrors of the past would not be repeated. Today, Germany's political leaders are tearing that constitution to shreds while engaging in efforts to mislead Americans as well as their own people over the terrible events that made it necessary.

Write to President Clinton and those named below. Urge them to take strong and effective steps to stop hatred and discrimination against religious and ethnic minorities in Germany.

President Bill Clinton
The White House
1600 Pennsylvania Ave.
Washington, DC
20500

John Shattuck
Assistant Secretary
of State
Department of State
2201 C Street, NW
Washington, D.C.
20520

Dr. Helmut Kohl
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Officials in Germany Denounce Sect as a Menace to Democracy

By CRAIG R. WHITNEY

Special to The New York Times

BONN, Oct. 12 — Leading members of the German Government and opposition parties have attacked the American-based Scientology movement as a danger to democracy, and called on the next government to ban it.

The interior ministers of the 16 German states last spring called Scientology "an organization that combines elements of business crime and psychological terror against its own members with economic activities and sectarian traits, under the protective cover of a religious group."

On Tuesday, Renate Rennebach, a member of Parliament from the opposition Social Democratic Party, asserted that Scientology was not a religion but a conspiratorial movement with global political aims.

"At present Scientology is misusing international concern about right-wing radical attacks in the Federal Republic to cause serious damage to the reputation of the country abroad, with an advertising campaign in influential American newspapers," Mrs. Rennebach said.

Full-page advertisements paid for by the British-based International Association of Scientologists appeared in The New York Times and The Washington Post last month. The advertisements recounted the rise of militant right-wing violence against foreign asylum-seekers and immigrants in Germany since unification four years ago and said "fascism is on the rise again, condoned and encouraged by the German Government."

Labor Minister Norbert Blum de-

nounced the advertisements today as a campaign of defamation against the German Government, which has strongly condemned the attacks against foreigners and since 1992 has outlawed five neo-Nazi parties that it maintained had inspired the attacks.

"Scientology is not a church or a religious organization," Mr. Blum said. "Scientology is a machine for manipulating human beings."

Asserting that the movement's real aims were political and transcended national boundaries, Mrs. Rennebach, her party's spokeswoman on sects, said the new German federal government that will be elected next Sunday should put the group under surveillance.

With an estimated two million members in Germany alone, Scientology has aroused considerable controversy since it first came here in 1970 and stimulated the production of at least six books denouncing it for defrauding adherents of their savings, threatening opponents with violence and seeking to infiltrate companies and entire branches of commerce, such as commercial real estate, in major German cities.

Ursula Cabertha, who heads a department of the Hamburg state Ministry of the Interior that is devoted exclusively to dealing with complaints about Scientology, supported Mrs. Rennebach's call to outlaw the movement here and said the Hamburg authorities would pursue legal action against it all the way to the German supreme court.

"Scientology is by far the most dangerous and the most widespread of these psycho-technical groups," she said.

Scientologist documents made available by Mrs. Rennebach today included a "Call-to-Arms Germany" complaining of bomb threats and violence against Scientology churches. "We can prove beyond any doubt that this is the exact same pattern which was used to start the hate campaign against the Jewish people in 1935," said the document, signed by Klaus Buchele, from the group's office of special affairs.

The New York Times

MONDAY, NOVEMBER 7, 1994

Scientology and Its German Foes: A Bitter Conflict

By CRAIG R. WHITNEY

Special to The New York Times

HAMBURG, Germany — It would take something like an invasion of space aliens — maybe something out of an L. Ron Hubbard science fiction novel — to match the climate of fear and mutual suspicion that prevails between the Church of Scientology that Mr. Hubbard created and its frightened opponents in Germany.

"Fear is part of their system — it's a totalitarian organization that seeks to control everybody else, a dictatorship," said Ursula Caberta y Diaz, who heads the four-member working group that was set up four years ago by the Hamburg government to combat the Scientology movement and that has tried to get the courts to declare it a criminal conspiracy.

"This couldn't happen anywhere else in the world," said Franz Riedl, the church's spokesman in this country. "Our members have been subject to systematic persecution, arson, threats of violence, and dismissals, and children have been thrown out of kindergartens simply because their parents were Scientologists. The situation has become unbearable."

The church, the high fees it charges members for services and rites that are similar to psychological counseling sessions, and its open involvement in business and marketing have provoked strong reactions all over Germany since it first turned up here in the 1970's.

The Church of Scientology, with headquarters in Los Angeles, was founded in 1954 on the basis of what Mr. Hubbard, an American writer of science fiction who died in 1986, had

set down in a book called "Dianetics: The Modern Science of Mental Health."

The church's goal, according to its literature, is "to bring an individual to an understanding of himself and his life as a spiritual being." Global membership is estimated variously from 50,000 to eight million.

The latest scare here is that Scientologists are using the high-priced Hamburg real estate market to amass huge profits for more nefarious purposes.

"They have been buying rental residential properties and turning them overnight into cooperatives, using disreputable methods to frighten and coerce the renters into buying them back at high prices," said Peter Landmann, chairman of the Hamburg branch of the German real-estate agents' association.

Mr. Landmann said companies controlled by the church and companies run by church members were involved. He declined to identify any, but said that as much as a third of the cooperative apartment market in Hamburg might have fallen under their influence.

Mr. Riedl said there might be some real-estate agents who were members of the church, but denied that it was in the business to make money.

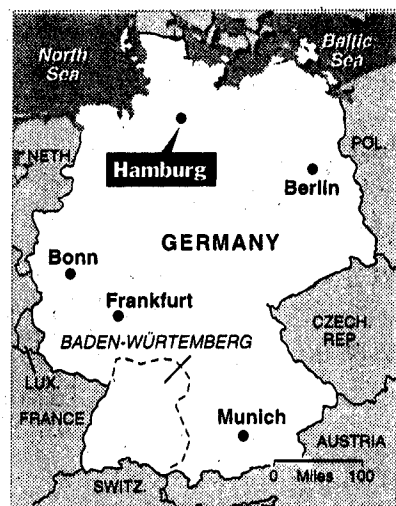
According to Mr. Riedl, the church has 30,000 members in Germany, mainly concentrated around Hamburg, Munich, Frankfurt and Baden-Württemberg. But in his view, it is the state and its political institutions that are out of control.

Mrs. Caberta's Social Democratic Party organization in Hamburg fears subversion, and bars church members from joining. Chancellor Helmut Kohl's Christian Democratic Union and its Government coalition partner, the Free Democratic Party, bar them countrywide.

Renate Rennebach, a Social Democratic member of Parliament in Bonn, has called on the Government to ban the church outright, a step that seems unlikely unless somebody can prove in court that it actually practices the extortion, blackmail and subversion it is so often accused of.

"Scientology, despite official denials, is pursuing an expansion strategy that strives for nothing less than global domination," Mrs. Rennebach warned.

Other German politicians have charged that what the church wants



The New York Times

Hamburg has set up a working group to combat Scientology.

is political and economic power — Germany today, tomorrow the world. "It is a psycho-sect that makes people financially dependent on it and then squeezes them like lemons," said Stefan Schwarz, a Christian Democratic youth leader in Bonn.

But he said that too often the church's opponents did not back up their charges with the facts needed to take action in court.

The banners hanging on the church's five-story glass-walled headquarters in Hamburg say it is being persecuted. Scientology has tax-exempt status in the United States, Canada, Australia and Russia, the signs say — why not in Germany?

The church and 150 of its related corporations won that status from the United States Internal Revenue Service a year ago, after 39 years of legal battles. Here, there has been no definitive court ruling yet that the church is a nonprofit organization.

But in August, a Hamburg administrative court ruling forbade Mrs. Caberta's office from distributing a pamphlet charging that "Scientology amounts to this: A sick person has succeeded in selling his own madness, in the form of courses, for a great deal of money to mankind as a desirable goal."

The court also ordered the excision of passages accusing the church of "brainwashing" and racism. The city has appealed the decision.

The church gets a uniformly bad press here, and its building has had to be evacuated several times because of bomb threats. "I've been threatened and sprayed with tear gas for distributing church literature," said Karl-Otto Clausen, a 44-year-old church worker.

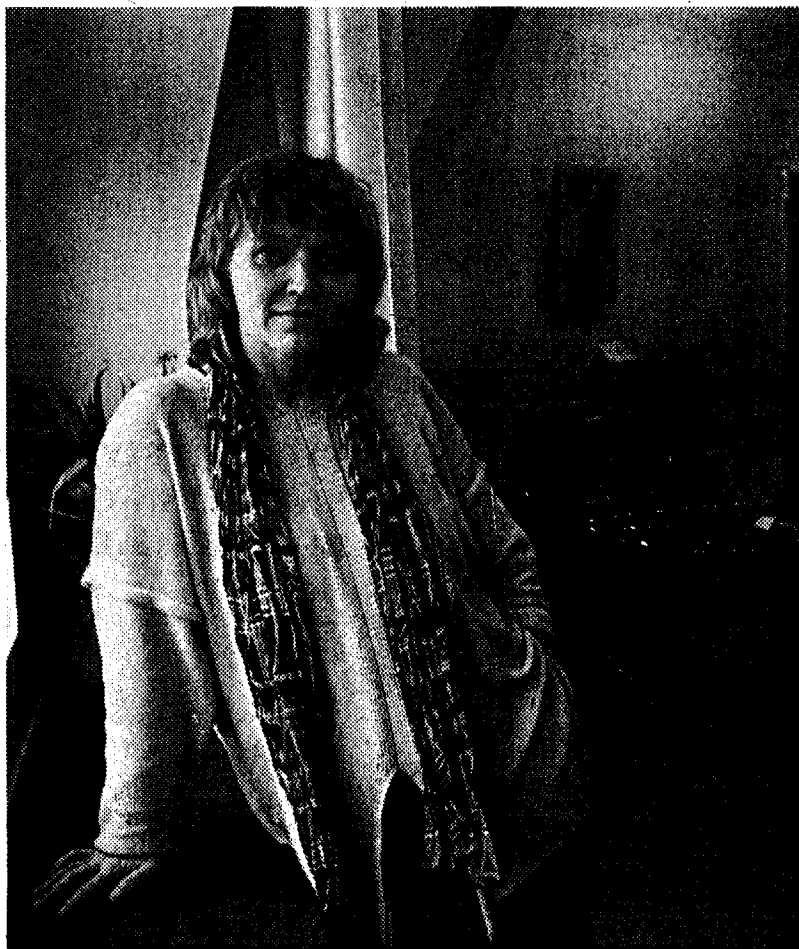
Mr. Riedl said the church charged 30,000 marks, about \$20,000, for the services — including counseling and questioning sessions — required to reach the level of "clear," which Mr. Hubbard's teachings define as "a new state for the individual in which he is no longer adversely affected by his past and is capable of living a rational existence."

But according to some former church members, "clear" is just the beginning of a cycle of financial indebtedness the church uses to ensnare adherents. Gunther Träger, a public relations agent in Frankfurt, said he paid six-figure amounts to reach higher levels before he left in 1991.

"They didn't do anything for three-quarters of a year," he said. "Then I gave an interview to a news magazine, and they started threatening me."

The established churches and Government authorities here say they are often asked for help by relatives of members who accuse the Church of Scientology of trapping them in a web of financial and psychological dependence.

Early this year, interior ministers of the 16 German states accused the church of combining "elements of business crime and psychological terror against its own members with economic activities," but stopped short of taking any action. In June,



Focus/Matrix

Ursula Caberta y Diaz, head of the Hamburg government task force set up to combat the Scientology movement, calls the group totalitarian.

Does the church nurture fear or is it being persecuted in Germany?

prosecutors in Hamburg dropped a three-year investigation of the church on grounds of "lack of sufficient evidence of the existence of a criminal conspiracy."

The church then began a publicity counteroffensive in the United States suggesting that history was repeating itself here. "It is simply appalling to compare what's happening to them in Germany today with what happened to the Jews under the Na-

zis," said Professor Fritz Stern, a leading American expert on Germany at Columbia University.

The church recently called attention to its problems here with a series of full-page advertisements in The New York Times and The Washington Post. The advertisements place the measures against the church in the context of widespread racist violence against foreign immigrants and asylum-seekers here, suggesting that the authorities condone the attacks and persecute the church the way the Nazis persecuted the Jews.

The German authorities have denounced the comparison, and the advertising campaign, as being highly misleading. They have banned neo-Nazi groups for inciting violence, not encouraged them.