Government Restriction VS Religious Freedom in Times of Covid-19 Pandemic: A Case of South Korea's Sarangjeil and Shincheonji

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Abstract

The large scale spread of COVID in South Korea began with a religious gathering, prompting the government to restrict religious gatherings from the world's known religions to the New Religious Movement. The crisis has changed religious practices and gatherings from vibrant face-to-face communal gatherings to online gatherings. There are different responses on the part of every religious community; while others are silent about the government's restriction policy, the protestants are not in favor of it and are calling for religious freedom. It is from this divided consciousness that this paper is written, especially on what, how, and when to use religious freedom. Richard Garnett's contextual concept of religious freedom (freedom for, freedom from, and freedom within) is applied to analyze the cases of the Sarangjeil and Sincheonji churches.

The finding says that the religious groups mentioned have violated the government's health protocol and that the freedom they claimed does not contribute to civic peace and the common good. The reason the government gets into their premises is due to their violation of the health protocol. The government did not also violate their freedom within, as it does not "interfere in the church polity and religious affairs." The research recommended a roundtable dialogue for the government and the church to cooperate with each other for the common good.

Keywords: COVID-19, Religious Freedom, Government Restriction, Sarangjeil, Shincheonji

Introduction

To contain the COVID 19 pandemic, the government implemented preventive physical distancing policies, imposing strict lockdowns and restrictions on the gathering of people as the virus endangers public health and has been claiming millions of lives. It has resulted to a massive

economic bankruptcy of businesses and so with the churches that serve as healing banks to aid the psychological and spiritual health of the people in the most depressing period of history (Lewis,2023).

There are many pathways on the spread of the virus that had been observed around the globe, the

case in South Korea started in the Shincheonji (New Heaven and Earth) Church religious gathering where the cluster spread of the virus among the church members is observed. In the *ab initio* on the spread of the virus, the government has issued policies for safety protocols e.g. wearing of mask, avoid gathering, social distancing and quarantine, and as Lee and Oh (2021, p. 1) narrated, it also become the start of the Protestant churches' antagonism against the policies of the government.¹ The religious group Sarangjeil and so with Shincheonji in criticizing the government's communist style of implementing the health protocols.

Despite the government's policy of social distancing and gathering restrictions, the rally regarding the South Korea's health protocol was packed with people who banded together to express their displeasure with the government. But the government uses its power to suppress the religious antagonists who are bringing along with them the conviction of their basic rights and freedoms mandated in the South Korean constitution, Article 20: No. 1 "to enjoy the freedom of religion" and No. 2 "the separation of religion and state." The government is filing a lawsuit against the Shincheongji and Sarangjeil churches "demanding charges and compensation for the public damages caused by the large-scale spread of the virus"².

But it seems that the government is using a two-sided sharp spear not only to suppress the spread of the virus but also to suppress the above-stated religions. However, one cannot fully side with the government's action nor the religious institutions accused of the unintentional and invisible crime of the spread of the virus. To help weigh the situation, this paper explores the background and the churches'

concerns including the background of the church leaders who are the influencer of the action of their members, and answer the questions on the why/s of the government's action and how the two churches defended themselves against the alleged crime. The paper also gazes on the bias of the government in the implementation to the covid-19 health protocols. Also with the existing question on the measure of religious freedom and how the concerned religious group interprets "freedom," as well as the measure of the government's restriction and control of anarchy to curb the spread of the coronavirus and protect the welfare of the citizenry, for analysis, Richard W. Garnett's (2019) contextual religious freedom is used. Garnett categorized religious freedom into freedom for (common good), freedom from (antireligious e.g., activists groups), and freedom within (religious autonomy, transcendental freedom), which differences in propositions have a different contextual application.3

Discussion

South Korea's Sincheonji and Sarangchaeil's Religious Movement

Sincheonji

The Sincheonji is an international New Religious Movement (NRM) founded in South Korea by Lee Man Hee on March 14, 1984. According to the historical narrative of Young Sang Kim, the NRM mirrors its organizational structure to that of Jesus' disciples, naming each tribe after the name of the 12 disciples who competed with each other to grow in numbers and employed "sheep stealing" *modus operandi*. It created a conflict that led them to lose their public image with the controversy of using

¹ Lee, S. & Oh, S. (2021). Religion and Public conflict in the Post-Covid Era, Religions, 12 no 10 Oct 2021, p 1-18

² https://www.seoul.go.kr/news/news_report.do# view/324861

³ R.W. Garnett (2019) Religious Freedom and the Law: Emerging Contexts for Freedom for and from Religion, Routledge, edited by Brett G. Scharffs, Asher Maoz, and Ashley Isaacson Woolley.

public premises for religious gatherings as well as "disguising to be a regular Presbyterian church."⁴

The founder, Lee Man Hee, born in 1931, was from Kyong Sang province in the small Pyunggark village of Chung district. He had moved to Seoul as a factory worker and was hopping from one church to another. His first affiliation was with the "Tent Temple Church of Jae Yul Yoo and the Evangelism Center (whose founder, Tae Hun Park, was expelled and considered a heretic by the Presbyterians), and later he belonged to the Tabernacle Church founded by Man Moon Baek" (p.13). The New Tabernacle movement associated with Sincheonii stems from his previous religious group, which he left because Baek's prophecy of the end of time on March 13, 1980, did not come true. The above-mentioned church leaders having connections with Lee Man Hee are notoriously known for fraudulence and sex scandals.5

Lee Man Hee created his own doctrine, placing Korea as the new heaven and the new earth and Lee as "the promised prophet" of the world. Just like the prophecy about the end of the time by the churches that influenced him, he also prophesied that Jesus would come very soon (p30) and that Jesus is none other than himself, and that the end time had already started on the day when Sincheonji was founded. The self-proclaimed messiah also created his own teachings and doctrines, the doctrine of the pairs, e.g., the beginning and the end, the elusive revelation, and the true revelation. He is the new covenant and the new truth, but his "teaching was considered by the Presbyterian circle as heretical and anti-Christian". ⁷ The promise of wealth and that God would wipe away the members' tears "without

suffering pain and death" drew members who, in their basic needs, became a comfort and a vision of hope. The Sincheonji became a mega-church and one of the fastest growing NRMs, whose members actively gathered for religious activities.

However, the Sincheonji, being marked as heretic, cult, or sect, was not able to win the trust of the parents of the members who think that their sons or daughters are brainwashed by the Sincheonji, and so the Sincheonji asked for a halt to the deprogramming of their members.

In their report to the United Nations General Assembly, the Sincheonji expressed their concern about deprogramming and discrimination against church members as a result of the widespread COVID-19 large-scale infection. Parents tried to stop their sons and daughters from becoming members of Sincheonji, forcing them to follow their own Christian faith to the point of abducting them, which ended in a disastrous death.

"A dozen groups labeled by their opponents as "cults" are victims of deprogramming, but the most targeted, with more than 2,000 cases, is Shincheonji. In 2018, a female Shincheonji member, Gu Ji-In, died as a result of the second attempt at deprogramming her, after the first had failed. As she tried to escape, her father bound and gagged her, causing suffocation. As a result, members of Shincheonji and other groups took to the streets in massive demonstrations... Deprogramming continues with numerous instances of violence and even attempts to confine abducted Shincheonji members in psychiatric hospitals. In 2019 alone,

⁴ Kim, Y.S. (2016). The Sincheonji Religious Movement: A Critical Evaluation, University of Pretoria, MA Thesis, p.8.² https://www.seoul.go.kr/news/news_report.do# view/324861

⁵ Ibid, p.13-20.

⁶ Ibid, p.28.

⁷ https://www.nytimes.com/2020/03/09/opinion/coronavirus-south-korea-church.html

Shincheonji has documented 72 cases of attempted deprogramming."8

However, the public image of Sincheonji was dragged to the ground at the onset of the pandemic as it became the historic start of the large-scale spread of the COVID-19 virus. The spread of the virus from the church members of Sincheonji provoked public anger and criticism against them. They were not only lambasted with foul words in the blogs and on social media, but the discrimination against the members of the religious group also went to the extent of firing employees and the suicide of members who could no longer bear the blame and public criticism.

"In Ulsan, on February 26, a Shincheonji female member died after falling from a window on the 7th floor of the building where she lived." The incident occurred when her husband, who had a history of domestic violence, was attacking her and trying to compel her to leave Shincheonji... This lethal incident is just the tip of the iceberg. In the years after the case of Patient 31, more than 6,000 instances of discrimination against Shincheonji members occurred in South Korea, and the number continues to grow. "Being identified as a member of Shincheonji leads to the serious risk of being harassed, bullied, beaten, or fired from one's job9."

The fire of hatred against the Sincheonji was fueled by 1.2 million signatures to ban the church, the exaggeration of the social media, and the coercion

of the government in handling the COVID-19 outbreak, while the other churches found it the right time to dissolve the Sincheonji. Lee Man Hee is facing homicide and "willful negligence" charges in connection with the COVID-19 outbreak in South Korea, which began at his church and spread to 5200 members, as well as the other 12 churches sued by Seoul City Mayor Park Won Soon. The local government also sees the church's obstruction of justice by not disclosing the total number of members and reasons that around a hundred thousand do not want to disclose their identities and around 50 thousand have wrong birth dates and also an accusation that he is lying about the number of real properties owned by the Church.

The government has ordered the closure of Sincheonji and all other businesses; placed the church members in a mandatory quarantine; and demanded the lists of the members within Korea and overseas, including the list of the students enrolled in the Bible study of Sincheonji. The Sincheonji also asserted their rights to privacy in disclosing their identities. The local government raids the Sincheonji premises in search of real lists. They also ask for a list of the properties (rented and owned) by the church. In response, the church promised full cooperation to eradicate the COVID-19 virus and was the first to donate plasma for research into its cure. The church leader, Lee Man Hee, was acquitted by the court after he was found not guilty of violating the COVID-19 health policies.12

Report to the United Nations General Assembly on Eliminating Intolerance and Discrimination Based on Religion or Belief and the Achievement of Sustainable Development Goal 16 (SDG 16). https://www.ohchr.org

⁹ United Nations Report, https://www.ohchr.org

¹⁰ Seoul mayor sues South Korean religious group for "murder" and "injury" in connection with an increase in coronavirus cases, March 1, 2020, Retrieved 24 July 2022.

¹¹ Lee, Sarang & Shin Ahn (2021). Sincheonji, The Study of New Religions in the Era of Post-COVID-19: A Phenomenological Interpretation, Journal of the Korean Academy of New Religions Vol. 45: 85-109.

¹² Shincheonji: Korean sect leader found not guilty of violating virus law, January 13, 2021; Retrieved July 24, 2022, https://www.bbc.com/news/world-asia-55642653.

Sarang Jeil

Jeon Gwang Hoon, the eldest of five siblings, was born on March 28, 1956, in the remote village of Uisong in the Gyungsangbukdo. Kwangwoon Electronics Technical High School, Theological Seminary and Anyang University are his alma maters.¹³ He became a pastor and founded the Sarang Jeil in 1983. He established the Puritan Spiritual Training Center and held the positions of president of the Korea Christian Federation, founding President Syngman Rhee's Production Promotion Committee, Chairman of the Committee for Restoring the Church, Vice-Minister of the General Assembly Maintenance Foundation of the Presbyterian Church of Korea, and Honorary Chairman of Unification Mission University.14

He was elevated to fame as a Protestant revivalist. However, he is not only a spiritual enthusiast. Cho Yun, a religious correspondent, describes him as an ambitious politician, who envisioned creating an organization like the Vatican, possessing unified power to control churches. He was one of the pastors of the mega-churches to create a "Christian Political Party to fix the country" known as the Christian Liberty Party or Christian Liberty Unification Party. The pastor, leading the banner of the political holy movement, had been at the front of many political rallies within the country and had been the prime mover of former President Lee Myung Bak's candidacy, saying, "If you do not vote for Elder Lee Myung Bak, you will be erased from the book of life". 15 A charismatic leader who believes

in the healing and prosperity gospel, who stands as the preacher in street rallies in religious ecstasy and glossolalia prayers. He was put in jail for violating the South Korean Election Law when he was leading a rally on anti-Moon Jae-in votes outside the date of the campaign period and was released on bail but remained an avid critic of the Moon administration and sued for libel for an imprudent speech that Moon was a North Korean spy. All these cases were acquitted by the higher courts. He was put in jail for violating the violating and sued speech that Moon was a North Korean spy. All these cases were acquitted by the higher courts.

He was also defying the government's health protocol to prevent the risk of infection from the COVID-19 pandemic, convincing the members to attend the rally, telling them it is "patriotic to die from illness" and "those who suffer from illness will be healed if they attend the rally". But the said rally, spearheaded by the pastor, was supported by some other church leaders and elders, asserting religious freedom against the ban of gathering on COVID-19 health protocol and also with the fear that the country will turn communist.

"The Korean Alliance of Elders, representing elders at large churches who have followed the lead of their conservative pastors, helped mobilize protesters for a major rally on Aug. 15 in Seoul's Gwanghwamun Square, which contributed to a nationwide resurgence of COVID-19. In short, Jun arose from the far-right pastors at big churches who have meddled in politics to defend the vested interests of the church by maintaining the division of the Korean Peninsula." 18

¹³ https://en.wikipedia.org/wiki/Jeon_Kwang-hoon

¹⁴ 정치목사전광훈누구?나이는?어느지역출산?obtained on July 24, 2022

¹⁵ cite_note-12 Ko Suk Pyu, https://en.wikipedia.org/wiki/Jeon_Kwang-hoon

Anthony Kuhn, The Volatile Mix of a South Korean Church, Politics, and the Coronavirus, National Public Radio, September 15, 2020, retrieved July 24,2022, https://www.npr.org/2020/09/15/912682401/the-volatile-mix-of-a-south-korean-church-politics-and-the-coronavirus.

¹⁷ Supreme Court confirms conservative pastor's acquittal in pre-electioneering and libel case against Moon, March 17,2022. Retrieved 24 July 2022. https://en.yna.co.kr/view/AEN20220317004400315

¹⁸ Cho Yun, [News Analysis] Jun Kwang-hoon's Rise from Pastor to Political Player, https://english.hani.co.kr/arti/english_edition/e_national/960464.html

Despite the ban on gathering due to the infectious virus, the protest rally became the source of the cluster virus spread, which the city health recorded 4,743 among Sarang Jeil members¹⁹, which ranks next after Sincheonji's case. In the press release of the Seoul City news portal, the City has demanded a large monetary compensation for damages as an effect of the large-scale growth of COVID-19, amounting to 13.1 billion won for the violation of the disease prevention policy, refusing investigation as well as submitting false information. Included in the calculation of the amount are the damages in the transportation sector (bus and subway), health insurance, the cost of quarantine, support for the living expenses of those who are infected, quarantine facility, and medication fees, etc.²⁰ The Sarang Jeil and Pastor Jeon Gwang Hoon case are slightly more detailed than the Sincheonji case. The two founders are avid critics of the Moon administration, however, the only fact on which we can base the biases of the government is the open letters and complaints of the agencies or religious institutions concerned.

Complaints Against the Government's Religious Persecution

Despite the fact that the virus's spread is undeniably going through any secular gatherings and crowded places such as subways, public markets, roads, and other avenue of virus infection, the religious churches where on the front of the public blame. The report to the United Nations to eliminate the religious discrimination that was mentioned above did not mention in detail the biases that the government had towards religion in general and toward the Sincheonji and Sarangjeil in particular. The open letter of the Korean ambassador to the

United States.²¹

"If we're talking about infectious disease spread, how about the subway? It is so crowded. Then they must halt the subway operations. 3.5 million people use the subway daily. When we go to church, we check our temperatures, we sanitize our hands, we write our contact information, of course we check to make sure we wear masks, and we sit apart a good distance. The service is short and then we go home. We cannot not take the subway. I use the subway multiple times a day. So everyone can carry on as usual. Only church services are prevented. Isn't this clearly oppression of the right to worship?"

The religious leaders came up with their own preventive health measures and misunderstanding occur "Unjust treatment and persecution occur even though many religious organizations have temporarily halted in-person worship services and complied with national health regulations... banning small group gatherings for Bible study, choir practice, and other activities." Despite the fact that the church leaders were responding to the needs of the time and came up with "preventive efforts" by limiting the numbers of attendees. To make matters worse, the church in general becomes a criminal suspect, and to make matters worse, cash incentives are given to whistleblowers who report on religious institutions that did not follow health protocols, as in the case of Guri.

"In June, the Seoul government dispatched some 50 to 100 private individuals, not believed to be government officials,

¹⁹ 문연옥,박현경,이고은,김대희, 2020,사랑제일교회발 코로나 19 재유행과 서울시의 경험 Vol.1 No.5 of SEOUL HEALTH ON AIR

²⁰ https://www.seoul.go.kr/news/news_report.do# view/324861

²¹ Letter to President Moon Jae of South Korea Concerning Religious Persecution in South Korea https://jubileecampaign.org/letter-to-south-korean-president-moon-jae-in-regarding-religious-persecution/

to demolish a local church and punish individuals gathered there to protest the government's attempts to dismantle religious freedom. In a separate incident, worship at a Seoul Church was interrupted when the Prime Minister sent over 500 officials, including clinic workers, police officers, and local district authorities, to dissolve the gathering."

The letter clearly states the bias and places the government in question why they act like copepods, eyeing religion while secular gatherings also contributed to the outbreak, like the outbreak of a "Lotteria franchise at Jonggak subway station in Seoul" while condemning churches. The churches saw the purpose of the government to paralyze political activism using pandemic health protocols and the proliferation of highly opinionated news articles calling to put the church leaders behind bars is adding fuel to the fire.

Analysis

In the Declaration of the Religious Freedom, *Dignitates Humanae* states that "the human person has the right to religious freedom and that this right has its foundation in the very dignity of the human person as this dignity is known through the revealed word of God and <u>by reason itself</u>" which according to Garnett is not for the "political convenience, benefit or necessity."²² We have stated also above the article 20 of the South Korean constitution on the religious Freedom "to enjoy the freedom of religion and the separation of the church and the state" and since we cannot base the case analysis from these two statements let us use the explanation of Richard

W. Garnett²³ (2019) who asserts that religious freedom must be applied in context. He was using "freedom for, freedom from, and freedom within" to shed light on the law of religious freedom.

1. Freedom *for* is intended to contribute to "civic peace, civic virtue," the alleviation of human suffering, and the relief of mental torment.

The violations of Sincheonji and Sarang Jeil of the government health protocol, despite the alarming infection of the COVID-19 virus, cannot be considered an exercise of religious freedom as it worsens the case of human suffering instead of relief, and secondly, it endangers the lives of the church members and the other constituents.

2. Freedom *from* is meant "for the aggressive anti-religious stance of some activists' groups, the right not to be confronted and offended by or even to encounter unwelcome religious arguments, practices, and symbols in the public square, not to be coerced or persecuted by the state in the name of religious orthodoxy or the demand of religious unity."

The gravity of the issue is not so much on religion but on public health and the COVID-19 pandemic. The mentioned religious group failed to follow Korea's Disease Control and Prevention guidelines and policy, i.e., to avoid gathering. The spread of the virus is not intentional and no one is willing to be infected by the virus. It only happens that it started at a religious institution, which the government and the public in general blame on the church.

The government is using the covid-19 issue to curtail not only the spread of the virus but also the political activism in which the churches are actively participating. In the content of the open

²² Declaration on Religious Freedom, *Dignitatis Humanae*, https://www.vatican.va/archive/hist_councils

²³ Richard R. Garnett is a founding director of the Notre Dame Law school program for the Church, State and society. He is teaching law and political science in the University of Notre Dame.

letter the government "demolish a local church and punish those who gather" did not mention if the local church belongs to the Sincheonji or the Sarangjeil but the action is a violation of religious freedom.

Freedom from within is "the autonomy of the church where the state has no jurisdiction when it comes to the church polity and religious affairs."

The government did not "interfere in the church polity and religious affairs." The church's authority and structure remained untouched by the authorities. However, the violation of religious freedom in the cases of Sincheonji and the Sarang Jeil above is the raid of the religious premises; asking for the lists of the members where their personal identity is at stake. Individuals or churches are given the choice to give their identification numbers and date of birth as a form of voluntary cooperation to the government for contact tracing and not by force. Freedom from within is associated with the "rights to privacy". Also, the church or any individual member has "the right to remain silent under the Miranda rights and be given the chance to ask for help from the lawyer to speak on their behalf". The authorities did not only ask to disclose the lists of the church members but also the lists of the religious properties, which is going far from the intention of contact tracing of possible exposure to COVID-19. The authorities need to understand that those infected by the COVID-19 virus are not criminals; they are victims of unseen enemies and they must be protected and cared for by the state.

Given the right to privacy is also contextual, every individual member of the church is at the same time a citizen of the state. And because of this, it is impossible for the state not to interfere in the church's affairs when the citizens are

facing danger or death. The members of the church are not the sole entity of the church; they also have a duty to the country as citizens. "Render therefore unto Caesar the things which are Caesar's; and to God the things that are God's" (Matt. 22:22). Although the church has its own autonomy and polity, it is required to follow state policy and is not a cause of anarchy.

The government has its bias in the implementation of the COVID-19 health protocols, especially in singling out the religious institutions, most specifically the Sincheonji and the Sarangjeil, to blame and focusing on the strict implementation of the health protocols only for religious gatherings while being negligent to secular gatherings.

Conclusion

COVID-19 is a serious problem that needs cooperation and unity on the part of the church and the state to protect the welfare of the constituents. Religious freedom is for the common good and not for personal vested interests. The paper sees the government bias in the implementation of the covid-19 health protocols and also sees the churches violating the protocols. However, no one has to be held accountable for any crime that the church leaders did not do and even see how the covid-19 virus devoured the human flesh. This paper would also like to suggest and recommend to the government;

Recommendations

A roundtable dialogue and cooperation to address the problem of COVID-19 with the state and church leaders. Listen to and be open to proposals and suggestions from religious institutions and grassroots people on how they can help to slow the spread of the virus. Proper education and training for law enforcement to become humane and not violate human rights.

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