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JOINING A "CULT": RELIGIOUS CHOICE OR PSYCHOLOGICAL ABERRATION?

DENA S. DAVIS¹

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I. INTRODUCTION

America has always been fertile ground for a multiplicity of religious groups, whether homegrown sects like Mormons, Shakers, and Jehovah's Witnesses, or immigrants from abroad like Mennonites, Quakers, and Jews. In the 1970s and 1980s we saw an explosion of new religious groups in America, many of which came to be labeled by their detractors as "cults." The groups were based on a variety of ideologies drawn from Eastern and Western religious traditions and were organized in different ways, but they shared some basic characteristics: all were relatively "high demand" religions, requiring much more of their followers than weekly church attendance and a nominal tithe; all had a charismatic leader; most involved communal living as at least an option and very often a requirement. Further, since these were truly *new* religious movements, they all needed to grow and therefore to make converts, and they concentrated their conversion attempts upon young, idealistic, mostly white, and middle-class Americans. That, of course, brought them into conflict with the young people's parents, who tried to bring legal pressures to bear against the new religions.

The parents of these converts, as well as the defenders of mainstream religions from whom the young people were defecting, had some hurdles to overcome in their fight against the "cults." The young converts were almost always legal adults, and the parents—much less the mainstream religious leaders—could hardly claim to be against religious commitment *per se*, so on what grounds could they forcefully object to their children's new allegiance? The answer they found was to claim that these were not "genuine" religious movements—i.e., not worthy of tolerance and respect—and the converts' choices were not actually free choices at all, but the result of "brainwashing,"

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sometimes called "coercive persuasion," "thought reform," or "mind control."² Thus, the parents were not interfering in the converts' right to choose their religion, but rescuing their adult children from the clutches of evil people who had rendered them powerless.

The "brainwashing" theory has important legal implications. After all, the religion clauses of the First Amendment forbid government from preferring some religions over others, and from interfering in a person's religious practice without a compelling reason.³ Thus, if parents are to have the law on their side while engaging in activities that are normally illegal—e.g., kidnapping and imprisoning an adult in order to "deprogram" her—they have to find a way to describe these "cults," and the conversion experience, as completely divorced from our usual understanding of religion.

Two 1980s cases highlight the importance of the "brainwashing" theory. In 1989, Robin George and her mother brought suit against various groups and individuals associated with the International Society for Krishna Consciousness (ISKCON), claiming, among other things, that they had falsely imprisoned Robin.⁴ Since Robin appeared to have had run away from her parents' home of her own free will and was never physically restrained during the nearly two years she spent in the movement, it would have been impossible to sustain the false imprisonment claim (for which a jury initially awarded Robin five million dollars) without the argument that Robin had been "brainwashed" and her "will . . . overborne" by the defendants.⁵ Similarly, in 1986 David Molko and Tracy Leal, former members of the Unification Church, claimed that they were falsely imprisoned, despite their ostensible freedom to leave at any time, because "agents of the Church had gained control of their minds," "stripped them of independent judgment," and thus rendered them "incapable of resisting the inducement to join the Church and work diligently to further its purposes."⁶

In this article, I will analyze the different theories about "cult" membership and conversion, specifically focusing upon whether or not conversions to cults ought to be respected by the law in the same way that the law respects conversion to and membership in, mainstream religions. In section II, I attempt (unsuccessfully) to define a "cult." In section III, I discuss the civil liberties issues surrounding "cults" and the public furor they have engendered. In section IV, I discuss the different and competing theories about why young

²Peggy Fletcher Stack, *Cults or Just New Beliefs? Experts Aim at Newest of Religions*, SALT LAKE TRIB., June 10, 1995, at D1.

³*Everson v. Board of Educ. of Ewing Township*, 330 U.S. 1 (1947).

⁴*George v. International Soc'y for Krishna Consciousness of Cal.*, 262 Cal. Rptr. 217 (Cal Ct. App. 4th Dist. 1989).

⁵*Id.* at 231.

⁶*Molko v. Holy Spirit Assoc. for the Unification of World Christianity*, 224 Cal. Rptr. 817, 825 (Cal. Ct. App. 1st Dist., *rev'd in part*, 46 Cal. 3d 1092 (1988), *cert. denied*, 490 U.S. 1084 (1989)).

people join "cults," and the implication of those theories for public policy responses. Finally, in section VI I conclude that none of the arguments which attempt to draw distinctions between "cults" and mainstream religions are solid enough to ground legal interventions against those who choose to join new religious movements.

II. WHAT IS A "CULT"?

According to the anti-cult Cult Awareness Network, a cult is "a closed system whose followers have been unethically and deceptively recruited through the use of manipulative techniques of thought reform or mind control."⁷ Probably the best definition comes from sociologists Melton and Moore, who explain, only somewhat tongue-in-cheek, that "cults are religions that espouse an alien belief system that deviates strongly from the traditional faiths with which most people have grown up."⁸ For sociologists, a cult is the starting point of every religion, at the stage where there is simply a charismatic leader and an enthusiastic band of followers, who have not yet developed anything more than the simplest organizational structure. Most cults die before they get beyond this stage; others become more bureaucratized, as happened to Christianity.⁹ However, when the term cult is used today, we know that the subject is a controversial "high demand" religion, or some other group which has come to be associated with the term in the minds of the media. As we shall soon see, there is much disagreement even among the most strident anti-cultists as to which groups fit the category. Leo Pfeffer suggests: "[i]f you believe in it, it is a religion or perhaps *the* religion; and if you do not care one way or another about it, it is a sect; but if you fear and hate it, it is a cult."¹⁰ Meanwhile, social scientists proffer phrases such as "alternative religions," "marginal churches," "new religious movements," and so on.

Groups that have commonly been identified as cults include those with non-Western flavors such as the ISKCON, the Divine Light Movement (DLM), and the Unification Church ("Moonies"); Christian groups such as the Way International and the Children of God; self-help movements such as Synanon and the Church of Scientology. Robbins and Anthony list six attributes shared by almost all groups which are labeled as cults. These groups are: 1) authoritarian; 2) communal and totalistic; 3) aggressive in their proselytizing;

⁷Stack, *supra* note 2.

⁸J. GORDON MELTON & ROBERT L. MOORE, *THE CULT EXPERIENCE: RESPONDING TO THE NEW RELIGIOUS PLURALISM* 15 (1982).

⁹DAVID G. BROMLEY & ANSON D. SHUPE, JR., *STRANGE GODS: THE GREAT AMERICAN CULT SCARE* 23-24 (1981).

¹⁰Leo Pfeffer, *Equal Protection for Unpopular Sects*, 9(1) *N.Y.U. REV. L. & SOC. CHANGE* 9-10 (1979-80).

4) systematic in their programs of indoctrination; 5) relatively new in the United States; 6) middle-class in their clientele.¹¹

Interestingly, the three recent religious groups whose stories have ended in tragedy—the People's Temple, the Branch Davidians, and Heaven's Gate—do not fit the usual profile of a "cult" which attracts primarily young and single adherents. The Heaven's Gate group, thirty-nine of whom committed suicide in March of 1997, included someone who had joined the group when he was nineteen and remained for twenty-two years, but also a seventy-two-year-old grandmother. Particularly striking were the converts who had left spouses and young children behind.¹²

Cult membership raises important ethical, medical, and civil liberties questions. Courts must decide whether or not parents will be granted "conservatorship" over their adult children who have joined new religions, and whether to convict parents whose adult children charge them with kidnapping and false imprisonment. On the public policy level, the issue seems to have been decided by default, as legislators have failed to design laws that would attack cult membership and still be Constitutional. For example, the law passed twice in New York State but vetoed by the Governor (who went on record as being sympathetic to the bill's goals, but convinced that this particular bill would not stand up in court), reads in part:

The supreme court and the county courts outside the city of New York, shall have the power to appoint one or more temporary conservators of the person and the property of any person over fifteen years of age, upon showing that such person for whom the temporary conservator is to be appointed has become closely and regularly associated with a group which practices the use of deception in the recruitment of members and which engages in systematic food or sleep deprivation or isolation from family or unusually long work schedules and that such person for whom the temporary conservator is to be appointed has undergone a sudden and radical change in behavior, lifestyle, habits and attitudes, and has become unable to care for his welfare and that his judgment has become impaired to the extent that he is unable to understand the need for such care.¹³

¹¹Thomas Robbins & Dick Anthony, *Deprogramming, Brainwashing, and the Medicalization of Deviant Religious Groups*, 29 SOC. PROBS. 284 (Feb. 1982). For a more lengthy and also more negative list of attributes, see Marcia Rudin, *The Cult Phenomenon: Fad or Fact?*, 9(1) N.Y.U. REV. L. & SOC. CHANGE 24-29 (1979-80).

¹²Pam Belluck, *Death in a Cult: The Dead*, N.Y. TIMES, Mar. 30, 1997, at A16. Presumably, this is the reason why members of these groups were not the objects of attempts at deprogramming and conservatorship. This article focuses on groups that recruit primarily young adults.

¹³NEW RELIGIONS & MENTAL HEALTH: UNDERSTANDING THE ISSUES 20 (Herbert Richardson ed., 1980) [hereinafter RICHARDSON].

After reading *The Seven Storey Mountain* it is hard to see why, using these guidelines, writer and philosopher Thomas Merton should not have been put under conservatorship when he first joined the Trappist monks in his mid-twenties.¹⁴ The odd hours at which he was awakened to chant on a nightly basis, the sparse diet and uniform clothing, the restrictions on reading matter and visitors, and, most of all, the "no talking" rule, are certainly open to the interpretation of mind control. As far as "deception" is concerned, that is very much in the eye of the beholder; certainly the claims of any church to sacerdotal efficacy, the importance of prayer and meditation, etc., have no provable connection to the palpable world.

III. THE CIVIL LIBERTIES ISSUES

The danger to civil liberties, especially to the religion clauses of the First Amendment, can be summed up briefly under five headings.¹⁵ *First*, there is the straightforward claim that every adult has the right to join any religion he wishes, no matter how obnoxious it may appear to others, and that those religions which are currently under pressure are no different with respect to the First Amendment than any other. To quote Leo Pfeffer:

The purpose of the first amendment's guarantee of freedom of religion was and is the protection of unpopular creeds and faiths. It needs no constitution to assure security for the Episcopalians, Methodists, Presbyterians, or other well-established and long-accepted religions. The heart of the first amendment would be mortally wounded if the religions we now call cults were excluded from the zone of its protection because of their disfavor in the eyes of government officials or of the majority of Americans.¹⁶

Second, even if one posited that there could be a demonstrable theoretical difference between exercising one's "religion" and joining a "cult," in practice it turns out that one person's cult is another's valid religion. Therefore, anti-cult legislation, even if it *could* be valid in and of itself, inevitably encroaches on "legitimate" denominations as well. For example, according to the Union of American Hebrew Congregations, Jews for Jesus and Hebrew Christians constitute two of the most dangerous cults, and its members are appropriate candidates for deprogramming. Anti-cult evangelicals, not surprisingly, while vociferous against groups such as the DLM and the "Moonies," protest that "aggressiveness and proselytizing . . . are basic to authentic Christianity," and that Jews for Jesus and Campus Crusade for Christ are *not* to be labeled as cults. Furthermore, certain Hassidic groups who

¹⁴THOMAS MERTON, *THE SEVEN STOREY MOUNTAIN* (1948).

¹⁵For a thorough overview of the legal situation with regard to cults, see WILLIAM C. SHEPHERD, *TO SECURE THE BLESSINGS OF LIBERTY: AMERICAN CONSTITUTIONAL LAW AND THE NEW RELIGIOUS MOVEMENTS* (1985).

¹⁶Pfeffer, *supra* note 10, at 11.

physically attacked a meeting of the Hebrew Christian "cult" have themselves been labeled a "cult" and equated with the followers of Reverend Moon, by none other than the President of the Central Conference of American Rabbis.¹⁷ Also, as we shall discuss later, family dynamics are so crucial to who is identified as a "cult victim," that what may prove more important than the objective criteria for a cult is the extent to which the convert violates family values.

Third, we see in the history of anti-cult activism a disturbing erosion of due process and of the role of police as protectors of citizens. Conservatorships are frequently granted in hearings in the judge's chambers from which the potential conservative and his legal representative are excluded; the Vermont senate passed a bill empowering judges to issue conservatorships without adversary hearings.¹⁸ Deprogrammer Ted Patrick gleefully recounts many instances in which police, after being appealed to by adult victims of kidnapping and enforced detention, not only turned a blind eye, but actually helped the deprogrammers.¹⁹

Fourth, and as a consequence of all of the above, we see a slippage from abduction and deprogramming of members of groups which do function as total institutions, to using these same techniques on those who are merely different. Given the passionate belief in "mind control" which is so crucial to the anti-cult movement, this slippage seems inevitable—a Svengali does not need to have his victim literally under his eye twenty-four hours a day. Ted Patrick claims to see "not a brown penny's worth of difference[s] between such a diverse list as Hare Krishna, The Divine Light Mission, the New Testament Missionary Fellowship, Brother Julius, Love Israel, and the Children of God, for example."²⁰ Although some accounts of deprogrammings speak of "rescue" from cults which exist in total isolation behind barbed wire encampments, other situations are more ambiguous.

In January of 1973, for example, Ted Patrick abducted and deprogrammed a young man named Wes Lockwood, member of a group called The New Testament Missionary fellowship, led by Hannah Lowe. Patrick told Lockwood's father, "[y]ou have to understand, . . . you're not dealing with your son anymore. You're dealing with a robot. A zombie. You can't reason with him. He's beyond reasoning. The only way you can get him is to take him out bodily." But even using Patrick's account of the case, we see that Lockwood had been a member of the group for two-and-a-half years, and that during that time he had continued to live in the Yale dormitory, to hold down a part-time job (the proceeds of which went primarily to the group), and to attend and pass his

¹⁷RICHARDSON, *supra* note 13, at xi-xii.

¹⁸Dick Anthony & Thomas Robbins, *New Religions, Families, and 'Brainwashing,'* in *IN GODS WE TRUST: NEW PATTERNS OF RELIGIOUS PLURALISM IN AMERICA* 263-64 (Thomas Robbins & Dick Anthony eds., 1981).

¹⁹TED PATRICK & TOM DULACK, *LET OUR CHILDREN GO!* 172-74 (1976).

²⁰*Id.* at 40.

classes.²¹ (When Patrick later made an unsuccessful attempt to snatch another member, Dan Voll, and he and Voll's parents were tried on charges of "unlawful restraint and imprisonment;" they were acquitted on the grounds that the parents' concern and actions were "justified." As Patrick said, "[i]t was the cult that was on trial, not me."²²)

In February 1982, *The Washington Post* ran a three-day description and analysis of the case of a Silver Spring couple who had tried and failed three times to "successfully deprogram" their daughter, and who finally pleaded guilty in court to charges of unlawful imprisonment. The subject was Emily Dietz, an intelligent girl from a moneyed and sophisticated background, who became interested in the DLM at age fifteen. Again we see that, despite her increasing involvement with the group, she graduated from high school in the top three percent of her class, went on to Hampshire College, and remained there for three years before leaving to become a full-time member of the DLM. Until the first abduction attempt, she occasionally returned home for visits.

To quote the *Post*, "[i]n an unregulated practice that often involves kidnapping and imprisonment, even defenders of deprogramming deplore its abuses. A Roman Catholic, a lesbian, even a thirty-one-year-old woman whose mother did not care for her fiancée have been targets of deprogramming."²³ Theologian Harvey Cox calls deprogrammers "hired guns," and charges that some have "gladly deprogrammed people in the Episcopal and Catholic churches, depending on the preferences of those who wanted them deprogrammed."²⁴

Fifth, the current situation threatens the Establishment Clause of the First Amendment. The current understanding of this clause is that any statute related to religion, if it is to be constitutional, "must have a secular legislative purpose; . . . its principal or primary effect must be one that neither advances nor inhibits religion . . . [and it] must not foster an excessive government entanglement with religion."²⁵ Courts and legislatures, if they attempt to make distinctions between "destructive cults" and "genuine religions," must necessarily monitor their activities to the extent of fostering "an excessive government entanglement."²⁶

²¹*Id.* at 80.

²²*Id.* at 173.

²³*A Question of Will*, WASH. POST, Feb. 15, 1982, at A11.

²⁴*Interview with Harvey Cox*, in HARE KRISHNA, HARE KRISHNA, 56-57 (Steven J. Gelberg ed., 1983) [hereinafter *Interview with Harvey Cox*].

²⁵DOROTHY NELKIN, THE CREATION CONTROVERSY: SCIENCE OR SCRIPTURE IN THE SCHOOLS 204 (1982).

²⁶Richard Delgado argues that it is possible to regulate cults without contravening the Establishment Clause in *When Religious Exercise Is Not Free: Deprogramming and the Constitutional Status of Coercively Induced Belief*, 37 VAND. L. REV. 1071 (1984). Jeremiah Gutman disputes Delgado's argument in *Extemporaneous Remarks*, 9(1) N.Y. U. REV. L. & SOC. CHANGE 69 (1979-80).

IV. MEDICALIZING A POLITICAL ISSUE

So strong is the tradition of freedom of religion in this country that few suggest that adults can be removed from religious groups simply because the latter are destructive to the members' physical health, offensive to the majority, and so on. Although there are other reasons for the wholesale adoption of the "brainwashing" theory, certainly the strongest is that it justifies a hair-raising variety of coercive interventions by claiming that the subject is so non-autonomous as to be almost literally "not there." This maneuver has a number of results, not all of them consciously intended. First, it takes activities, such as forcible restraint of adults, that would normally be classified, ethically and legally, as harms and injuries, and reclassifies them as helpful and benign, even necessary, if done as part of a "deprogramming" attempt.

Second, by medicalizing a political issue, it attempts to move the locus of debate from freedom of religion and association, subjects which invite the active involvement of all citizens, to definitions and diagnosis of mental illness, a topic on which a tiny percentage of the population can claim an intimidating amount of mysterious expertise.

Third, by changing the definition of the arena from political/legal to medical, anti-cult activists take advantage of a tendency already present in our society to strip people of their legal protections by claiming to be acting in their best interests.²⁷ Our democracy, and the many fences erected by our legal structure to guard our individual freedoms, has been traditionally understood as a defense primarily against a government wishing to do us harm by safeguarding or enriching itself at our expense; that was the background of the American Revolution and of the philosophical thinking which grounded the Constitution. We are much more poorly defended against those who would do us good.²⁸

But is such a shift of ground appropriate? Are members of cults indeed brainwashed victims of sophisticated mind control? In the next pages we will look at six different (though not mutually exclusive) ways of understanding the phenomenon of conversion to cults.

V. THE CONVERSION PHENOMENON

A. The first approach understands cult conversion as the result of being "zapped;" I call this the "rays from outer space" theory. In this scenario, a young person who is a well-adjusted member of a healthy family happens on a cult recruiter in some public place, and is either instantly sucked in or barely escapes to tell the tale. The psychological understanding in this approach is usually fairly crude and dramatic, with phrases such as "spot" hypnosis and "zombie"

²⁷THOMAS S. SZASZ, *IDEOLOGY AND INSANITY: ESSAYS ON THE PSYCHIATRIC DEHUMANIZATION OF MAN* (1970); THOMAS S. SZASZ, *LAW, LIBERTY, AND PSYCHIATRY: AN INQUIRY INTO THE SOCIAL USES OF MENTAL HEALTH PRACTICES* (1963).

²⁸NICHOLAS N. KITTRIE, *THE RIGHT TO BE DIFFERENT: DEVIANCE AND ENFORCED THERAPY: DEVIANCE AND ENFORCED THERAPY* (1971).

much in evidence, and even allegations that recruiters emanate invisible energy rays through their fingertips.²⁹ It is interesting that Ted Patrick's own involvement in the anti-cult movement began when his fourteen-year-old son had a "narrow escape" from a Children of God recruiter on a California beach.³⁰

B. The second way of understanding the phenomenon of cult membership is that of the anti-cult psychologists, of whom John Clark and Margaret Singer are among the most active, with Robert Jay Lifton's work on brainwashing on prisoners of war in Korea their most important cognitive tool.³¹ In this connection, it is worth considering the attitude of psychiatrists and psychologists toward religion. With perhaps the exception of those who have chosen to focus their studies on the psychology of religion, it is fair to say that in general the attitude of the mental health profession is that religious commitment is not a sign of robust mental health. David A.J. Richards remarks that the reductionist theories of religion put forth by Marx and Freud are "enormously influential,"³² and Jeremiah Gutman has stated: "I believe that many of those who attack the so-called "cults" as being bad for the mental health of the communicants are really saying that religion is bad for one's

²⁹BROMLEY & SHUPE, *supra* note 9, at 93.

³⁰ I was struck . . . by the look on my son's face. The first thought that passed through my mind was, "He's been smoking grass!" He looked vacant, somehow—glazed, drifting.

"Where the heck you been?" I started in on him. "We've been out all over town looking for you. What did I tell you about getting back here on time?"

Michael shook his head, as if he were trying to clear it.

"What's wrong, you been drinking?" I asked him, continuing to bluster a little but puzzled now.

"I don't know," he said finally, speaking very low, his eyes still not focusing." We were on our way back to the hotel. We saw the fireworks and we were coming back, and then"

"Some people stopped us," my nephew put in. He looked nervous and upset, but not as vague and "spacey" as Michael.

Michael nodded. "They had Bibles and guitars. One of them asked us, 'Do you believe in God? Do you know Christ died on the cross for our sins? Do you have Christ in your hearts?'"

"We didn't want to talk to them, they were creepy. But, I don't know, there was something about them, we couldn't leave." . . .

And then Michael told me, "Every time we tried to leave, they grabbed us by the arms, made us look into their eyes. I never saw eyes like that before. It made me dizzy to look at them."

PATRICK & DULACK, *supra* note 19, at 29-30.

³¹ROBERT JAY LIFTON, THOUGHT REFORM AND THE PSYCHOLOGY OF TOTALISM: A STUDY OF "BRAINWASHING" IN CHINA (1963).

³²David A.J. Richards, *Panel Discussion: Effects of Cult Membership and Activities*, 9(1) N.Y.U. REV. L. & SOC. CHANGE 91 (1979-80).

mental health. Many respectable professionals in the mental health field seem to believe this.³³ Furthermore, as Robbins and Anthony point out, there are a number of ways in which cults and the "helping professions" are in competition.³⁴ As numerous studies have shown, many young people turn to alternative religions to perform the services normally thought of as the domain of licensed therapists: controlling substance abuse or combatting depression, loneliness and meaninglessness. At least in some cases, cults seem to have quite a good track record. Therefore, it is not surprising that Psychologists for Social Action complain that cults offer a "substitute for therapy," and that they commit fraud by "substitution of the closed logic system of the cult for desperately

³³Gutman, *supra* note 26, at 70. The following dialogue between Steven J. Gelberg (a Krishna devotee) and theologian Harvey Cox is illuminating:

SJG: There's an old tradition within psychology, especially since Freud, which tends to equate religious, mystical, or conversionary experience with mental illness. Do you think that perhaps this sort of anti-religious bias is coming into play here? Isn't there a tendency to view any expression of spirituality that goes beyond socially accepted religious norms as a sign of psychopathology or, more colloquially, as "brainwashing"?

HC: Yes, as a symptom of brainwashing, or as a symptom of psychotic, schizophrenic, paranoid, or some other deranged or unhealthy form of behavior. . . . A lot of this, I think, has to do with the real underlying goal of America, which is production, efficiency, and accumulation. You can't allow much eccentricity and ecstasy if everyone has to be geared into the productive process all the time. One of the criticisms that sometimes people make of the Hare Krishna devotees is that they're wasting their time. "They're just out there chanting. Why aren't they working? Why aren't they doing something *productive*?" There's some suspicion even of people who live in monasteries—that they're just sitting around, kneeling around, praying. They're not doing anything that's really *useful*. Now, there's something curious about this. It doesn't really matter what you're doing productively. You could be manufacturing hand-grenades or bottling liquor; but if you're working somehow or other, that's commendable. . . . So, what we have here is a set of cultural assumptions which are not self-evident. They are a particular set of assumptions which are drawn upon often by people who pretend to be very scientific and therapeutic, in order to enforce a particular view of reality or a particular standard of behavior on other people. And all this applies in the face of our insistence that we are a free and open society.

SJG: Consider, for example, Dr. John Clark's testimony before the Vermont Senate. . . . While delineating the psychological dangers of cults, he offers several interesting examples of pathological aberrations found therein: The belief, held by some cults, that one is not the physical body but the soul, he diagnoses as "ego-loss." Living in any sort of religious community is "loss of autonomy;" acceptance of religious authority, such as guru or scripture, is "loss of critical thinking," and so forth.

Interview with Harvey Cox supra note 24, at 52-54.

³⁴Robbins & Anthony, *supra* note 11.

needed professional therapy."³⁵ Cults present a threat to the monopoly of the licensed medical professional, as John Clark states:

Though the physician is all too likely to become aware of the more destructive effects of cult membership through clinical experience, he may not immediately appreciate the degree to which the medical profession as a whole is under attack by these organizations. For one thing, almost all embrace magic in many forms, including faith healing, and in their general rejection of their surrounding culture discard scientific linear thinking. Thus, they reject modern medicine and consider physicians as enemies. In practice even those cults who occasionally use medical facilities are extremely reluctant to seek this help or to pay the bills.³⁶

Although attention is paid to the psychological conditions which may predispose some young people's attraction to cults, the dominant assumption among anti-cult psychologists is that conversion results from manipulative, "brainwashing" interventions by the recruiters, that it has little to do with the content of the group's beliefs and almost everything to do with the process of "indoctrination," and that the experience of recruitment, indoctrination, and membership is essentially identical for all people in all groups. Anti-cult psychologists and physicians share with the "rays from outer space" theorists a conviction that the situation is of emergency proportions. For example, writing in *The American Family Physician*, Eli Shapiro says:

As a result of information obtained through personal contact with involved persons and through access to case history material, I have concluded that a distinct syndrome of *destructive cultism* can be defined. . . . Destructive cultism is a sociopathic illness which is rapidly spreading throughout the U.S. and the rest of the world in the form of a pandemic. Further research in prevention and therapy is necessary for the protection of the innocent adolescent or adult who may be lured into one of these cults.³⁷

Brainwashing—or coercive persuasion, to use the more polite phrase—has become an issue in a number of different legal settings. Courts were first confronted with it when asked to acquit returned POWs from Korea who had been charged with collaborative acts. Defense attorneys argued that the mind control practiced on the servicemen rendered them not responsible for their actions. The 1980 court martial of Bobby Garwood, a young marine who was captured by the Vietcong in 1965 and released fourteen years later, looked again at many of the same issues. In criminal proceedings, Leslie van Houton of the

³⁵*Id.* at 289.

³⁶*Id.*

³⁷Eli Shapiro, *Destructive Cultism*, 15 AM. FAM. PHYS. 83 (1977). It is probably worth noting that Shapiro's son was a member of the Hare Krishna group, according to Robbins & Anthony, *supra* note 11.

Manson "family" and Patty Hearst asserted, both unsuccessfully, that they were innocent of their crimes because they had been the victims of coercive persuasion.³⁸

Coercive persuasion, according to psychiatrist Willard Gaylin, is intended not simply to force "a person to do that which you will, but rather to force him through the manipulation of his emotions to will that which you will."³⁹ Most sophisticated theories of coercive persuasion rely in one way or another on the work done by Robert Jay Lifton, adapting it to fit the cult situation. Margaret Singer and L.J. West, for example, identify the following elements of the conversion process, "which contribute to major belief/attitude changes that approach and sometimes surpass those observed in brainwashed Korean war prisoners":

1. isolation of the recruit and manipulation of his environment;
2. control over channels of communication and information;
3. debilitation through inadequate diet and fatigue;
4. degradation or diminution of the self;
5. introduction of uncertainty, fear, and confusion, with joy and certainty through surrender to the group as a goal;
6. alternation of harshness and leniency in a context of discipline;
7. peer pressure, often applied through ritualized "struggle sessions," generating guilt and requiring open confessions;
8. insistence by seemingly all-powerful hosts that the recruit's survival—physical or spiritual—depends on identifying with the group;
9. assignment of monotonous tasks or repetitive activities, such as chanting or copying written materials;
10. acts of symbolic betrayal or renunciation of self, family, and previously held values, all designed to increase the psychological distance between the recruit and his previous way of life.⁴⁰

Other accounts speak of the exploitation of sexual drives and of ambivalence about one's sexuality, of smiling faces, promises of total acceptance, and "love bombing," and of never being left alone, not even to use the toilet.⁴¹

J. Gordon Melton and Robert L. Moore identify five assumptions that underlie the brainwashing interpretation of cult membership:

³⁸Vanessa Merton & Robert Kinschoff, *Coercive Persuasion and the Culpable Mind*, 11 HASTINGS CTR. REP. (June 1981).

³⁹*Id.* at 6.

⁴⁰JOHN G. CLARK, JR., M.D., *DESTRUCTIVE CULT CONVERSION; THEORY, RESEARCH, AND TREATMENT* 36-37 (1981).

⁴¹CHRISTOPHER EDWARDS, *CRAZY FOR GOD: THE NIGHTMARE OF CULT LIFE* (1979).

1. Cult members are coerced and deceived into joining these groups.
2. "The . . . member is, by virtue of membership, in a . . . pathological state."
3. "If a young person manifests symptoms of psychopathology during or after involvement in an alternative religion, the group caused the disorder in a person who was without emotional difficulties before joining."
4. "Once a person enters the sphere of influence of an alternative religion this person is forever lost to his or her family and to life outside the group." (Unless, of course, the person is forcibly rescued.)
5. "All alternative religious groups are merely machines for pseudo-religious manipulation of persons who have lost their capacity to choose, and therefore participation in these groups is not to be considered an expression of an authentic religious impulse."⁴²

In fact, all of these assumptions are on shaky ground. It is certainly true that some cults use coercion and deception some of the time. But it is equally true that many people join with a very good knowledge of what they are getting into. For example, Emily Dietz, discussed above, seems to have entered the DLM in a very gradual fashion; five years elapsed between her first encounter with the group and her decision to leave college to devote her life to it. As Robbins and Anthony have pointed out,

[i]t is difficult to envision anyone joining the Hare Krishna movement without being aware at the outset of involvement that this sect, whose members are visible on streets dancing and singing and wearing long robes and shaved heads, constitutes a highly unusual group possessing a distinctly eccentric and ritualized lifestyle.⁴³

Furthermore, in an effort to cut down on the number of members who drop out shortly after joining, the Krishnas have instituted a mandatory six-month preconversion probationary period for all new members.⁴⁴

Bromley and Shupe contend that the stereotypical accusation of deception is generally untrue of most cults, including the Moonies, and that the conception of cults as deceptive arose from an overgeneralization of the activities of one branch of the Unification Church: the Oakland family, whose strategy of downplaying religion and their connection with Reverend Moon until recruits have begun to establish emotional bonds with recruiters, has not

⁴²MELTON & MOORE, *supra* note 8, 38-46.

⁴³BROMLEY & SHUPE, *supra* note 9, at 101-02.

⁴⁴*Id.* at 101-04.

been copied by other Moonies recruiting groups, despite Oakland's obvious success. Elsewhere,

at most dinners, lectures, or workshops across the nation to which street witnesses bring potential recruits, there are beaming pictures of Sun Myung Moon hanging on the walls. "Guests" view slide shows and films about Moon and the Unification Church and sit through tedious theological lectures that would leave anyone of even modest intelligence with the unmistakable impression that this is not merely a group of enthusiastic Protestants or UP With People.⁴⁵

Bromley and Shupe point out that the Unification Church's high visibility, and the recruiting success of the Oakland Family, have made it the number one target of the anti-cult movement, with all of the media coverage that entails.⁴⁶ Furthermore, as is so often the case, the media to some extent creates its own news:

[A] process of "self-fulfilling focus" has insured that once attention was called to its existence by angry parents, the Oakland Family would come under increasing scrutiny by the media. Self-fulfilling focus basically means that publicity begets further publicity. Because some journalists wrote sensationalist articles on the group, others (not to be outdone) followed suit until, by the late 1970s, reporters were routinely "going underground" to wander the Berkeley campus or San Francisco's Fisherman's Wharf in the hopes of being invited to the evening lectures by unknowing Oakland Family street missionaries. Afterward, such journalists, mistaking the Oakland Family as typical of the larger Unification Church, published lurid 'exposés' of deceptive recruitment in various popular magazines and newspapers. In doing so they established a folklore of deception as a common tactic in all Unificationist mission work. Anticult spokespersons have fanned the fire by generalizing beyond the Oakland Family and the Unification Church to *all* nonconventional religions, such as the Hare Krishna movement, the Divine Light Mission, and Scientology. The fact that reality does not resemble the stereotype seems not to disturb them. Many journalists have publicized these accusations uncritically. The mechanics of news reporting virtually guarantees that once an allegation . . . has been published somewhere, somewhere else another journalist researching previous articles as background for his own piece will, because of deadlines and editorial pressures, uncritically include it as fact. Thereafter the allegation takes on a well-nigh independent life of its own.⁴⁷

⁴⁵*Id.* at 103-04.

⁴⁶ANSON D. SHUPE, JR. & DAVID G. BROMLEY, 113 THE NEW VIGILANTES: DEPROGRAMMERS, ANTI-CULTISTS, AND THE NEW RELIGIONS (1980).

⁴⁷BROMLEY & SHUPE, *supra* note 9, at 105-06.

Shupe and Bromley insist also that coercion is primarily a mark only of the Oakland Family. They point out that many Unification Church members, rather than joining as a result of high-pressure recruitment, rejected the movement after their first contact, and took weeks or months to study its doctrines before joining. Further, they claim that the diet is nutritious, and sleep averages five to six hours a night, interspersed with occasional naps. On their unannounced visits to various Unification Church centers, they found "Moonies" reading literature like *The Lord of the Rings* and *Jackie O!* and attending movies such as *Star Wars* and *Oh, God!*⁴⁸

The second assumption, that membership necessarily entails a pathological state; is also the subject of much debate. On one level, as Melton and Moore point out, this is an *a priori* argument which does not lend itself to empirical proof. "If one has a religious stance that assumes a person of another faith is either deluded by false teachers or inspired by demonic forces, then a negative interpretation of a person's involvement in a religious group . . . outside the national religious consensus is guaranteed."⁴⁹

However, some social scientists have attempted to approach the problem objectively, and their results, while not conclusive, are certainly suggestive. Ungerleider and Wellisch gave a battery of intelligence and personality tests to two young people who had recently escaped from long-term deprogramming efforts and returned to their Christian, celibate, communalist group. Although both persons tested as having strong dependency needs (of the sort often associated with alcoholism/drug addiction) and a high level of "over-controlled" hostility, both were also very intelligent, with subtests in the areas of comprehension and judgment in the superior range. Ungerleider and Wellisch concluded that "the two abducted group members were able to make informed decisions and were in no way legally mentally incompetent."⁵⁰ In another study, the same investigators performed psychiatric interviews and psychological testing on fifty members or former members of a variety of religious cults. Twenty-two subjects were currently in cults, and mentioned fears of being forcibly deprogrammed; eleven had returned to the cult after deprogramming; nine had not returned after deprogramming; eight had left of their own volition. Again, "no data emerged from intellectual, personality or mental status testing to suggest that any of these subjects are unable or even limited in their ability to make sound judgments and legal decisions as related to their persons and property."⁵¹ The studies in this area could be summed up by concluding that cult members tended to have strong needs for authority and

⁴⁸ *Id.* at 111.

⁴⁹ MELTON & MOORE, *supra* note 8, at 40.

⁵⁰ J. THOMAS UNGERLEIDER & DAVID K. WELLISCH, *Cultism, Thought Control, and Deprogramming*, 16 PSYCHIATRIC OPINION 10-15 (Jan. 1979).

⁵¹ J. THOMAS UNGERLEIDER & DAVID K. WELLISCH, *Coercive Persuasion: Brainwashing, Religious Cults, and Deprogramming*, 136 AM. J. PSYCHIATRY 281 (Mar. 1979).

certainty in their lives, but no evidence of pathological mental states.⁵² In contrast, articles like those by Shapiro and Etamed, who claims that "[i]n the first year-and-a-half after the [Moonies] moved to the group's 225-acre estate in Barrytown, N.Y., cases of hysteria, trauma, and attempted suicide dramatically increased in that city," are without any documentation or citations.⁵³

The third assumption, that all symptoms of psychopathology have been caused by cult involvement, has also been disproved. Galanter, in a study of 237 members of the Unification Church, found that they had had a significantly higher degree of neurotic distress before conversion when compared to a control group; thirty percent had sought professional help for emotional problems before conversion, and six percent had been hospitalized.⁵⁴ At least two studies have found that recruits to various cults had been heavy drug and alcohol users before joining, and that the group had facilitated termination of drug use.⁵⁵

The fourth assumption, that a person who joins a religious cult is forever lost to family, friends, and the outside world, is crucial to the existence of the organized anti-cult movement and also to the livelihood of deprogrammers.⁵⁶ Furthermore, this assertion is linked closely with the allegations of coercion, deception, and psychopathology described above. In fact, it appears that, in every group studied, a significant proportion of members left voluntarily. Even John Clark reports that, in a study of many different cults, about a third or more of ex-members had left the cult voluntarily.⁵⁷ Bromley and Shupe point out that, among the elite members of the Unification Church who were chosen to attend the seminary in Barrytown, seventeen percent of the first graduating class left the movement shortly afterwards. Looser organizations such as the DLM are particularly noted for their high drop-out rate.⁵⁸

⁵²Marc Galanter et al., *The "Moonies": A Psychological Study of Conversion and Membership in a Contemporary Religious Sect*, 136 AM. J. PSYCHIATRY 165-70 (Feb. 1979); Saul V. Levine & Nancy E. Salter, *Youth and Contemporary Religious Movements: Psychosocial Findings*, 21(6) CANADIAN PSYCHOL. ASS'N J. 411-20 (1976).

⁵³B. Etamed, *Extrication from Cultism*, in 18 CURRENT PSYCHIATRIC THERAPIES (J. Masserman ed., 1979).

⁵⁴Galanter et al., *supra* note 52.

⁵⁵Levine & Salter, *supra* note 52; Thomas Robbins & Dick Anthony, *Getting Straight with Meher Baba: A Study of Mysticism, Drug-Rehabilitation, and Postadolescent Role Conflict*, 11 J. SCI. STUD. RELIGION 122-40 (June 1972).

⁵⁶The use of the term "anti-cult movement" and a discussion of the etiology and characteristics of that movement can be found in SHUPE & BROMLEY, *supra* note 46.

⁵⁷CLARK, *supra* note 40 at 41.

⁵⁸BROMLEY & SHUPE, *supra* note 9, at 110-12. On the subject of voluntary defection from cults, see also Dick Anthony, *The Fact Pattern Behind the Deprogramming Controversy: An Analysis and An Alternative*, 9(1) N.Y.U. REV. L. & SOC. CHANGE 73 (1979-80); Norman Skonovd, *Leaving the Cultic Religious Milieu*, and Stuart A. Wright, *Defection from New Religious Movements: A Test of Some Theoretical Propositions*, both in V. THE

Ironically, much depends on what is meant by being "lost" to family. It is striking how many families were in relatively good contact with their errant children *until* they attempted to deprogram them; in fact, it was the continued contact between cult member and family which enabled the abduction to take place. Emily Dietz, for example, was first taken when she came to her family's home for one of her periodic visits to her siblings. Kathy Crampton's mother occasionally spent the night with her daughter at the group's house, before arranging for her (unsuccessful) abduction and deprogramming by Ted Patrick.⁵⁹ Pam Fanshier, after escaping from two previous abduction and deprogramming attempts by her parents—and an attempt to have her committed to a mental institution—was abducted for yet a third time when she went home for a visit after her graduation from the Unification Church seminary.⁶⁰ Not surprisingly, these failed attempts resulted in much sharper estrangement than before, often including attempting to hide from one's family completely, for fear of another abduction.

The fifth and final assumption is complicated, and not susceptible to empirical proof: that all alternative religious groups are merely machines for pseudo-religious manipulation of persons who have lost their capacity to choose, and therefore participation in these groups is not to be considered an expression of an authentic religious impulse. The "machine" part of this indictment seems to relate to the religious sincerity of the founder/leader of the cult. This is a hard claim to evaluate. One of the most common accusations is that the luxurious lifestyles of the leaders are in stark and damning contrast to the frugality or poverty of their followers. This is often true, but it is also such a cliché of American religious experience that it hardly qualifies as a criterion for calling the group a pseudoreligious machine. And even such passionate anti-cult crusaders as Stoner and Parke have had to admit that Prabhupada, the leader of ISKCON until his death in 1977, lived the life of an ascetic Hindu monk.⁶¹ On other indices of sincerity, Bromley and Shupe find that cult leaders are a very mixed bag indeed.⁶²

On the question of "capacity to choose," we have already seen a great deal of research indicating that cult members are not impaired. Further, it is surely the case that one can have an "authentic religious impulse" toward a meretricious object. Can cult membership be considered an "authentic religious impulse"? This brings us to the third way of understanding the phenomenon.

C. What I shall call the *functional* understanding of cult conversion and membership sees the experience as one which has a coherent connection to the

BRAINWASHING/DEPROGRAMMING CONTROVERSY: SOCIOLOGICAL, PSYCHOLOGICAL, LEGAL AND HISTORICAL PERSPECTIVES (David G. Bromley & James T. Richardson eds., 1983).

⁵⁹PATRICK & DULACK, *supra* note 19, at 112-15.

⁶⁰BROMLEY & SHUPE, *supra* note 9, at 177-80.

⁶¹CARROLL STONER & JO ANNE PARKE, *ALL GOD'S CHILDREN*, 60-64 (1977).

⁶²BROMLEY & SHUPE, *supra* note 9, Chapter 5, 128-56.

rest of the person's life, his concerns and anxieties, patterns of coping, and general understanding of his place in the world.

From a purely psychological point of view, it is by no means clear that cult membership is "bad" for the person; joining an alternative religious group may be a very effective way of coping with personality difficulties. We have already cited studies which show that joining a cult can be a way of ending substance abuse. The "strong dependency needs," intolerance of ambiguity, and "ideological hunger" identified by Ungerleider and Wellisch⁶³ can make cult membership a rational choice, not essentially different, except in its acceptability to society, from joining a convent or the armed services. Galanter found that "affiliation with the Unification Church apparently provided considerable and sustained relief from neurotic distress."⁶⁴ Levine and Salter, who in 1976 published findings from a study of 106 members of nine "fringe religious groups," including Children of God, Hare Krishna, Unification Church, and the DLM, reported that the motivation for joining these groups was explained by the members as dissatisfaction and alienation with contemporary society. These feelings were markedly reduced after cult affiliation:

For whatever reason, they feel better. On a more specific level, in those who had them, the symptoms of anxiety and depression . . . have diminished markedly. They are happier, more self-accepting, no longer on drugs (if that was a problem), and in better control of their bodies. There is a heightened sense of security and inner satisfaction among many of them—a great improvement over their psychological state prior to joining. What causes some reservations is the suddenness and sharpness of the change.⁶⁵

Sociologists of religion Melton and Moore use the concept of *liminality* and *transition state phenomena* to describe the function of the cult experience.⁶⁶ They point out that entering an alternative religion usually occurs during or after the "severe buffeting of early adult transition;" in order to grasp the nature and significance of cult experience as it relates to psychosocial issues, the experience must be seen in the context of transition state phenomena. Larry Shinn backs up this theory with his finding that almost all people who join the Hare Krishna movement had been in a state of psychological crisis—e.g. identity confusion, religious uncertainty—before joining the group.⁶⁷

⁶³Ungerleider & Wellisch, *supra* notes 50 and 51.

⁶⁴Galanter et al., *supra* note 52.

⁶⁵Levine & Salter, *supra* note 52, at 415.

⁶⁶MELTON & MOORE, *supra* note 8, at 47-57.

⁶⁷Interview with Harvey Cox, *supra* note 24, at 64.

As we can see by examining many of our cultural traditions, it is very often the case that a transition from one niche in society to another is accomplished by entering a limbo-like, transition state before reintegration into society in one's new status. The institution of the honeymoon is a good example. Marriage involves a radical transformation of almost all one's societal relationships—family loyalties, patterns of spending, leisure time activities, sexual and social availability, etc. Particularly if one remains in one's hometown after marriage, it may be difficult for the young marrieds and their friends and family to make the transition to new patterns of interaction. Customs such as wearing a ring and changing one's name all help to reinforce new patterns with institutionalized cues, but the honeymoon, a liminal state in which one leaves one's accustomed place, engages in a limbo-like period of no material responsibilities, and then returns to a different place in society, also helps to facilitate the change.

Conversion, William James tells us, "is in its essence a normal adolescent phenomenon, incidental to the passage from the child's small universe to the wider intellectual and spiritual life of maturity."⁶⁸ It is a commonplace that contemporary society offers few transitional structures for the difficult move from adolescent dependence to adult independence (although the residential college certainly is a strong example). The lengthy period of economic dependency expected of middle-class children pursuing ever-more advanced degrees, has exacerbated the situation. As MacGowan suggests, "[i]t is possible that, for some, membership in the [Unification C]hurch offers what Erikson spoke of as a pause for identity completion before beginning life's real work."⁶⁹ Bromley and Shupe assert:

Most converts to new religions ultimately discover that they do not wish to dedicate their entire lives to the cause, and they simply resume their former lives or start anew. This is not wasted effort, however; it is a discovery that allows these individuals to define a personal course for themselves that holds out a greater potential for personal satisfaction and fulfillment. Were it not for the overwhelmingly negative public judgment of the new religions many converts could look back on that period as a high point of personal growth.⁷⁰

Cult membership, according to Melton and Moore, is one way of giving outward expression to the inward liminal state of young adulthood, and an effective way of achieving separation from family. The highly structured cult environment, in which many decisions and personal needs are taken care of, resembles the "floating" or liminal state of the honeymoon or other institutionalized transitional structure. Further, the researchers claim, the

⁶⁸WILLIAM JAMES, *VARIETIES OF RELIGIOUS EXPERIENCE* 164 (1958).

⁶⁹Thomas MacGowan, *Conversion and Human Development, in NEW RELIGIONS AND MENTAL HEALTH: UNDERSTANDING THE ISSUES* 167 (Herbert Richardson ed., 1980).

⁷⁰BROMLEY & SHUPE, *supra* note 9, at 209-10.

unresponsive and trance-like behavior that psychologists such as Margaret Singer report as "characteristic of the ex-cultist and that she blames on the behavior-conditioning practices of the groups is further expression of a state of liminality, one which has *not* been terminated by simply leaving or being coerced into leaving the group."⁷¹

Another helpful way in which to look at joining a cult is as another (probably not final) step in a lengthy "conversion career."⁷² Most people who join cults would have described themselves as "seekers" before their conversion; urged on by the basic questions of the meaning and value of their lives, they have at the very least engaged in an ongoing internal dialogue critical of mainstream religion and values, and typically sampled a number of alternative options. Thomas Pilarzyk, in his study of members of ISKCON and the DLM,⁷³ found that over eighty percent had used hallucinogens and about half had participated in communal living arrangements. Twenty-five percent had been involved with radical political organizations (e.g. Yippies and Students for a Democratic Society); sixty-six percent had had some contact with political groups. Sixty-eight percent of Hare Krishna members told the interviewer of past involvement with groups somewhat like ISKCON in that they were "authoritarian religions with absolutist meaning systems."⁷⁴ For example, one member explained:

I was a real believer in the "heart-way" in Jesus Christ. I felt I was saved at twenty-five and freed from sin and its guilt. But I didn't realize at the time that I had a lot more *karma* to burn off.⁷⁵

Interestingly, while members of the DLM also showed a high incidence of previous involvement (forty-five percent) this was typically with groups, such as Transcendental Meditation and yoga groups, which were like the DLM in their somewhat loose structure and syncretistic style.

Here are two accounts of conversion journeys to the Unification Church:

After graduating Pratt with honors, my desire to find God became the most important thing in my life. . . . By graduating, I had fulfilled my responsibility to my parents. Yet I hadn't found my life work. I was convinced that God knew my life work, and so I determined to find a way to meet Him. In college, I had fellowshipped with three major Hindu spiritual groups and done much reading. (I had lost respect for

⁷¹MELTON & MOORE, *supra* note 8, at 57.

⁷²This term was originally coined by sociologist James Richardson.

⁷³Thomas Pilarzyk, *Conversion and Alteration Processes in the Youth Culture: A Comparative Analysis of Religious Transformation*, in V. THE BRAINWASHING/DEPROGRAMMING CONTROVERSY: SOCIOLOGICAL, PSYCHOLOGICAL, LEGAL AND HISTORICAL PERSPECTIVES 51 (David G. Bromley & James T. Richardson eds., 1983).

⁷⁴*Id.* at 59; See also Galanter et al., *supra* note 52.

⁷⁵Pilarzyk, *supra* note 73, at 59.

Christianity.) When I heard the Divine Principle, I was impressed by its comprehensiveness, its logic, and its implications. So I determined to study it and examine it until I could prove its veracity or falsity. I moved in physically and really joined about eight months later. By that time my major questions had been answered. . . .

While I was a Catholic nun I was considered to be happy and successful. But after many years as a nun I realized that what had formerly held meaning for me no longer did. I would go to Mass in the morning and feel nothing. I was aware of my searching for answers when I first met the Unification Church members and began to spend time with them. In fact, I became a member of the Unification Church even before I left my former community. When I told the nuns that I had become a "Moonie" they thought I had had some kind of breakdown, but I know that I have found meaning and happiness in my new life.⁷⁶

Benton Johnson argues that new religions are more effective than new therapies as a cure for the kind of emotional distress that might be articulated as a sense of meaninglessness, because the source of distress is narcissism, lack of commitment, and so on:

In new religions, the general conduct of [members'] lives is guided by a single purpose and a single moral code. Whether they live and work together communally, or whether the religious community is a kind of support group or spiritual home base after the model of most Christian congregations, the whole of life takes on a meaning marked by warmth and love for the serious devotee. Just as typically, however, sexual intimacy is governed by a strict moral code that would strike most modern Americans as repressive. It may be that these new believers have rediscovered, albeit, in exaggerated form, that impulsive sexuality is just as destructive to solidary relationships as is impulsive hostility.⁷⁷

From this more or less tolerant, functionalist view of conversion, it is but a short step to our fourth view: conversion to a cult is, quite simply, a legitimate religious experience.

D. A number of writers have pointed out that the current furor over cults is merely another instance of the religious intolerance that has always marked American society. Donald E. Miller details the persecution of Jehovah's Witnesses, Mormons, Catholics, and Shakers, quoting eighteenth and nineteenth century tracts that are uncannily like those of today's anti-cult

⁷⁶MacGowan, *supra* note 69, at 162-63.

⁷⁷Benton Johnson, *A Sociological Perspective on New Religions* in *IN GODS WE TRUST: NEW PATTERNS OF RELIGIOUS PLURALISM IN AMERICA* 51 (Thomas Robbins & Dick Anthony eds., 1981).

movement.⁷⁸ Bromley and Shupe argue that one way in which to understand religious intolerance in America is as a series of conflicts of interest between established religious institutions and new competitors.⁷⁹

Herbert Richardson has shown how the charges leveled at the Unification Church today are almost exactly the same as those used earlier against Catholics and Jews, for example charges of loyalties to foreign powers or organizations, and an obsession with money.⁸⁰ Even some of the rhetoric remains astonishingly similar.⁸¹

⁷⁸Donald E. Miller, *Deprogramming in Historical Perspective*, in V. THE BRAINWASHING/DEPROGRAMMING CONTROVERSY: SOCIOLOGICAL, PSYCHOLOGICAL, LEGAL AND HISTORICAL PERSPECTIVES 15 (David G. Bromley & James T. Richardson eds., 1983).

⁷⁹Historically, when new religious movements have appeared they have created confrontations with groups seeking to preserve the status quo. Virtually every new religious group of any size that has sought major change in traditional values and established institutions has also been the target of severe persecution. In each such case some other group in society that perceived this intended change to be a threat took the lead in mobilizing opposition. Whether or not these perceptions of threat were justified, opposition groups determined that these new religions would subvert the social order if left unchallenged. There have been few features shared by the groups we describe, i.e. Quakers, Mormons, Roman Catholics, Christian Scientists, Seventh Day Adventists. They have differed widely in their beliefs, their organizations, and their memberships. The common element of such persecuted groups has not been any specific characteristics as much as others' fears that they would have some detrimental effect on American society.

BROMLEY & SHUPE, *supra* note 9, at 7.

⁸⁰RICHARDSON, *supra* note 13, at xxvii.

⁸¹ [I]n the 19th century, Harper Brothers . . . set up a dummy publishing company to sell and promote Maria Monk's "Awful Disclosures of the Hotel Dieu Nunnery of Montreal." . . . Maria claimed that she had become pregnant by one of the priests whose lust she was obligated to serve, and fled the nunnery because she would have been required to strangle her own infant at birth. . . .

Maria's story, loudly vented in the public press, appealed to the increasing anti-Catholic feeling in the America of the 1840s. Journals sought to outdo themselves in reporting Catholic atrocities. The public was enraged and, in certain cases, broke into religious houses in order to liberate the young novices who were held there captive. A perverse power to enslave the young was attributed to the Catholic clergy—especially Jesuits—who were accused of playing on the superstitions and credulity of the young. . . .

When I hear the Catholic Father LeBar vilifying "cultists," I am always reminded that I, when young, heard a Protestant fundamentalist describe Catholics in the same way. There was even a "converted Catholic priest" who, coming on a regular lecture circuit, would describe how horribly the Catholic church had held him by the mental chains of "superstition" until he escaped. Today, "ex-cultists" travel the same circuit telling how they were "mentally imprisoned" by Sun Myong Moon.

Id. at xxvi-xxviii.

Time eventually cloaks most of these groups with an aura of respectability, as we become accustomed to their presence on the American scene. But sometimes older religious practices can become the new targets. Thomas Robbins describes how practices (e.g. speaking in tongues) which were once almost exclusively the province of rural, lower-class religiosity, have now broken their bounds and are to be found on college campuses (e.g. the Maranatha organization). What was once accepted as genuine, if déclassé, spirituality, can now be caught up in the generalized rush to condemn anything different (and, as Robbins suggests, to expand the clientele of the anti-cult professionals). So John Clark, the leading anti-cult psychiatrist, was quoted in *Teen Magazine* (April 1983) as saying that speaking in tongues is a mind control technique.⁸²

These scholars would claim that one cannot pick and choose among "legitimate" and "illegitimate" conversion experiences. Thomas MacGowan asks,

[h]ow can we claim consistency if we acknowledge Paul's experience on the road to Damascus to be religious conversion but deny the same possibility to a young Krishna devotee? There is a danger if we always explain away in purely psychological or sociological terms conversion to a new religion because we then have difficulty holding on to the distinctively spiritual dimension of our own life.⁸³

Herbert Richardson presents an example of a legitimate conversion to an alternative religion in the experience of his daughter Ruth. Apparently a "seeker" most of her life, Ruth had been a member of the Children of God at some point during adolescence. She had been fascinated for many years by the story of Joan of Arc, especially the voices Joan claimed to have heard.

Ruth's own conversion to a group called Diliram, a communal Christian group living in Nepal, also involved hearing voices. Richardson writes:

I was struck by the fact that both the religious and the medical authorities around her were so insistent that her way of explaining her conversion was wrong or, still worse, that what she described simply hadn't occurred. When I heard her story, I didn't know what to make of it, but it seemed to me at least I should credit what she said enough to try to understand it rather than, by discrediting it, to try to evade that task.⁸⁴

In a letter to his wife, written from the monastery where he had gone to visit his daughter, Richardson reports:

⁸²Thomas Robbins, *Objectionable Aspects of 'Cults': Rhetoric and Reality* 23 (unpublished).

⁸³MacGowan, *supra* note 69, at 127.

⁸⁴*Id.* at xlix.

I like the Diliram people very much. They are a diverse group. . . , Each one has a story of how he or she got here that is as unique as Ruth's. A little monastery in the foothills of the Himalayas! It is amazing to me that such people still decide to 'serve Christ'.

That's what Ruth seems to have come to. She said to me, quite insistently, that being a Christian doesn't mean being "saved," but following God's will and being his minister. It means living for God. So her conversion seems to be primarily a moral thing. It involves a new and specific idea of who she is and what she should be doing with her life. It is her committing herself to an ideal of life and life's purpose so that she can begin to move in a specific direction. Concretely, this means that she now wants to learn some skills so that she will be able to do serviceable work. (She has an idea that she'd like to try working with the deaf.) This Fall she plans to return to school.

How does one know whether this is just another teen-age trip like the Children of God episode or whether it is an authentic conversion? Do I believe in conversions? God's so entering the life of a person that it is totally turned around? Yes I do. And I believe that such conversions mark the beginning of someone's becoming what they are meant by God to be. As Ruth said, "My first baptism was for you, but this second one's for *me*."

But how do we tell a true conversion from just a transient "high"? Are the unusual experiences, voices, Scripture texts, and visions the real sign? Or is it that the changes in Ruth have been preceded by and spring from suffering? Or is it the emergence in her of a moral will, a sense of vocation, and a commitment to serve God with her life? I think that all these things are important and, in Ruth's case, equally essential. Why? Because it seems to me that the truth of her conversion doesn't hang on one or another factor alone, but on the integrity of the whole story. Her conversion is true because it is the fitting outcome to a long odyssey which has been moved throughout by the providence of God.⁸⁵

One can do quite a bit of reading between the lines here: many explanations occur for the father's acceptance of his daughter's new direction. As a scholar of religion, Richardson was already committed to a less than hysterical approach to new religions. His description of Ruth's religious journey, including involvement with Children of God, suggests that the Richardsons had long ceased to expect—assuming they had ever wanted it—that Ruth would turn into a "normal" middle-class daughter, and further that Diliram would be quite a relief after Children of God! One also notes a certain congruence between the religion of the parents and that of the daughter; both are using basic Christian concepts and symbols. Also, the immediate practical

⁸⁵*Id.* at 1-*lii*.

result of Ruth's conversion seems to be in the direction of greater involvement in mainstream society—i.e. returning to school. Most families do not accede so graciously to dramatic shifts in their children's religious commitments and lifestyle. This brings us to the final approach to the phenomenon of cult membership.

E. It is my contention that the pivotal factor in most of the issues surrounding cult membership and forced deprogramming is *generational conflict*; understanding the anti-cult movement as the product of disparate values and family tensions is the best way of sorting out what is "really" going on here.

Parents' expectations for their children have always been a strong force in human history. In our own time, among white middle-class Americans—practically the only group from whom cults recruit—the pressures created by these expectations can be intense.⁸⁶ These families tend to have fewer children and to invest more time, money, and emotional energy in them than did earlier generations. Furthermore, for those of recent immigrant background, America represents the land where one can dream dreams for one's children and have them come true.

It is possible to understand the cult controversy as primarily a desperate attempt by hurt and baffled parents to retrieve offspring who have spectacularly rejected the family's values. Numerous interviews and accounts by parents who had "lost" their adult children to an alternative religion stress the gulf between parent and child as the motivation behind the decision to deprogram. (Ironically, of course, a deprogramming that fails to achieve its ends will usually result in further alienation.) To return to the case of Emily Dietz, her parents explained why they decided to have their daughter forcibly deprogrammed:

Emily had reached a point where she was hardly a member of the family. If the deprogramming were unsuccessful, we ran the risk of losing her completely. Since we didn't have that much of her already—she was so distant, so alienated—the risk didn't seem so much.⁸⁷

Concerns about bright, college-educated progeny engaging in menial labor form almost a *leitmotif* in parental accounts. Mrs. Deitz remarked to the reporter that when Emily dropped out of college, she returned to the Washington area and cleaned houses, "although she was a girl whose room was always a mess."⁸⁸ The judge in the Dan Voll case, in which Ted Patrick and Voll's parents were acquitted of charges of assault and unlawful imprisonment, directed the jury that "[y]ou may also consider the effect upon the minds of the Volls when

⁸⁶Jim Jones' People's Temple is an obvious counter-example, and the only counter-example I know of. The fact that Jones began as a mainstream Protestant minister, and the obvious sincerity of his ministry to the poor and his concern for racial integration, all make the People's Temple a wild card among the alternative religions.

⁸⁷*A Question of Will*, *supra* note 23, All.

⁸⁸*Id.*

they learned that their son was cleaning the apartment of McCandlish Phillips."⁸⁹ In general, it can be said that families show as much concern for the precipitous drop in their child's educational goals as they do for the child's religious practices. For example, a woman, both of whose privately educated children had joined the Unification Church, told a researcher:

You cannot believe that all the sacrifice in years is just tossed lightly on one side and nobody's the slightest bit concerned. . . . Here are two parents, and many others like us, that have done without to give their children a good start in life and it's tossed on one side; and they are told that colleges and universities are satanic. It's nonsense and very wrong!⁹⁰

Sociologist James A. Beckford, in a study of family response to new religious movements, makes a number of interesting points. The typical recruit is in his or her mid-twenties, unmarried, often still in the process of higher education. In other words, recruits are predominantly young people for whom parents still feel a strong measure of responsibility.⁹¹ Furthermore, the families in Beckford's study who responded with "strong and sustained anger" to the child's joining the Unification Church and who often became involved with the anti-cult movement were those who described their family as close-knit, affectionate, characterized by firm and fair discipline. The recruit was often described as a model child, sharing in family activities, and exhibiting no problems until he joined the cult. The child's rejection of such an ideal family and failure to respond to parental sacrifices in expected ways, constitutes what Shupe and Bromley call a "breach of reciprocity."⁹²

Cults are particularly likely to invite the wrath of families by an almost provocative show of replacing the family. Cults often have words like "children" or "family" in their group name, and refer to their "spiritual parents" replacing their "earthly parents." The recruit may be asked to make gestures of symbolic repudiation of her "former" family, and may even take a new name and insist that her "old" family address her by it. Of course, these symbols of altered spiritual status are not unique to "cults;" all or most of them are hallmarks of joining religious orders of the more conventional sort.

Families whose progeny have joined a strange and societally unacceptable religion have roughly three choices in how to respond. The first is to accept the

⁸⁹PATRICK & DULACK, *supra* note 19, at 149.

⁹⁰James A. Beckford, *A Typology of Family Responses to a New Religious Movement*, in *CULTS AND THE FAMILY* 47 (Florence Kaslow & Marvin B. Sussman eds., 1982).

⁹¹James A. Beckford, "Brainwashing" and "Deprogramming" in Britain: *The Social Sources of Anti-Cult Sentiment*, in *V. THE BRAINWASHING/DEPROGRAMMING CONTROVERSY: SOCIOLOGICAL, PSYCHOLOGICAL, LEGAL AND HISTORICAL PERSPECTIVES* 132-37 (David G. Bromley & James T. Richardson eds., 1983).

⁹²Anson D. Shupe, Jr. & David G. Bromley, *Witches, Moonies, and Accusations of Evil*, in *IN GODS WE TRUST: NEW PATTERNS OF RELIGIOUS PLURALISM IN AMERICA* 248-29 (Thomas Robbins & Dick Anthony eds., 1981).

choice as the reasonable though unusual act of a rational person.⁹³ This is the choice Richardson made. For most families, even if they are inclined to be tolerant of their child's religious choice, the pressures of the anti-cult movement tend to push them toward a more interventionist stance. Parents attending a lecture by the celebrated anti-cult activist Rabbi Maurice Davis, for example, might hear him compare the Unification Church to the Nazi youth movement, as he did in the Dole hearings in 1976.⁹⁴

The second choice is to define the act of joining as due primarily to the weakness of the recruit—that is, the result of some emotional strain, personality defect, and so on. The problem here is that our society tends to make families responsible for their children's actions: religion tells us that "families that pray together stay together;" it was almost a cliché of the baby-boom period that parents, especially mothers, were responsible for all of their children's emotional mishaps. Therefore, to admit that one's child had joined a cult was to admit that one's family had failed in its function.⁹⁵

⁹³A striking example of parents who accept their child's decision is that of the Van Sinderen family, whose son Davis died in the Heaven's Gate suicides in California in March, 1997. The family, prominent in New England social and financial circles, issued a statement in which they said that

While we did not completely understand or agree with David's beliefs, it was apparent to us that he was happy, healthy and acting under his own volition. It seemed to us that the group members were a supportive family unit and Davis was spiritually fulfilled in his life with them

Jonathan Rabinowitz, *Death in a Cult: The Relatives*, N.Y. TIMES, Mar. 30, 1997, at A16.

⁹⁴Shupe & Bromley, *supra* note 92, at 249.

⁹⁵As Robbins & Anthony argue:

Larger institutions have usurped the authority of the family but not its culpability. Parents continue to think of themselves as responsible for the way their children turn out because schools and psychotherapists blame them when things go wrong. It is not surprising that they react defensively when their children repudiate the social institutions with which they are identified. . . . Social science is that part of the affective control apparatus of society which has stripped the family of its status as the ultimate arbiter of affective legitimacy. Parents of converts are caught in between their own allegiance to society and their children's repudiation of it. They thus tend to use metaphors and a style of argumentation characteristic of the institutions which have usurped their authority.

The anticult movement's use of brainwashing imagery represents the use of social science as a rhetoric of social control. By their acceptance of this metaphor, parents tend to mask the nature of the value conflict between themselves and their children. . . . Our children only *appear* to be repudiating our values because they have been driven crazy by evil men. In this way parents are able to absolve themselves of responsibility for their child's defection. Moreover, by using the social scientific style of explanation of deviant behavior, they hope to enlist the aid of those institutions to which they have ceded their authority, e.g. courts and psychiatrists, in subduing their children's desertion from themselves and their world.

Anthony & Robbins, *supra* note 18, at 268-70.

The third option, then, is the one which many families choose: they conceptualize their child's allegiance to his or her religion as something that has happened *to* the child as a result of some insidious outside force (brainwashing, hypnosis, coercive persuasion, etc.). This is a pandemic, as Eli Shapiro claims,⁹⁶ and who can blame the parents if the child is exposed to contagion? In this way, the understandable concerns and angers of parents who have been "betrayed and deserted" provide the human energy that drives the charge of brain-washing and its associated remedy, deprogramming. This then leads to the kind of abuse of civil liberties described above as well as to attempts by various states to legislate against "cults."

To summarize, of these five modes of understanding the phenomenon of conversion to cults, only the "rays from outer space" theory or what Harvey Cox has called "zombi-itis"⁹⁷ seems completely without merit. Psychological, sociological, historical, spiritual, and familial explanations are all useful, and will apply in different combinations to different person's experiences. However, it is my thesis that the explanation of intergenerational conflict is the one which finally governs much of the public responses to cults today.

VI. CONCLUSION

New religions which demand a high degree of commitment from adherents are bound to be disturbing to outsiders, especially to family members of those who join. The existence of a dramatic "threat" to middle-class families inevitably evokes responses from psychologists, therapists (both licensed and self-proclaimed), legislators, and mainstream clergy. Some of these responses are undoubtedly sincere, others are clearly self-serving. Most of these responses (e.g., deprogramming, conservatorship laws) rely for their logic on a stance of delegitimizing the "cult" as a religion which can command the respect and protection afforded to mainstream beliefs. By the same token, the conversion experience is explained, not in terms of religious belief, but in terms of "brainwashing" and mental illness. This allows the cult member to be identified, not as a maverick family member who has chosen a different path, but as the victim of coercive persuasion in need of rescue.

As this paper has shown, none of these contentions can survive scrutiny. It is impossible, on both theoretical and empirical grounds, to draw a bright line between "real" religions and "destructive cults," or between sincere conversion to a religious belief and being the object of "coercive persuasion." Nor is it possible to identify cult membership with mental illness. Therefore, courts ought not to accept arguments, e.g. in the context of claims for unlawful imprisonment, that adults who join "cults" are to be treated any differently than those who choose to join other high-demand groups, such as Roman Catholic convents or the U.S. Army.

⁹⁶Shapiro, *supra* note 37.

⁹⁷Interview with Harvey Cox, *supra* note 24, at 47.