

PANEL DISCUSSION:
EFFECTS OF CULT MEMBERSHIP
AND ACTIVITIES

DAVID RICHARDS, MODERATOR

OPENING REMARKS OF DAVID RICHARDS: I am David Richards, a member of the faculty of this law school who teaches Criminal Law, Constitutional Law, and Jurisprudence. I will be the moderator of this afternoon's panel on effects, and would like, first, to welcome you all to the law school and to the hopefully spirited exchange of views which this panel will involve.

This afternoon's panel consists of people with widely divergent viewpoints on issues of concern to Americans committed to a reasonable accommodation of constitutional traditions of religious tolerance and other values. We come to this afternoon's discussion in the shadow of the American commitment, in the first amendment of the Bill of Rights, to the free exercise and nonestablishment of religion in this country. Any student of the constitutional history of civil liberties and human rights knows that these concepts were brought into political thought and practice in the English civil liberties debates of the seventeenth century by radical religious sects (notably, Cromwell's Puritans) which many conventional Englishmen, including one great political theorist, Thomas Hobbes, thought of as mad, insane, and bereft of reason and common sense. The human rights claims, fought for by these radical political sects in England and continued in the United States where many of these sects were driven, included religious liberty, a fundamental guarantee of the right to religious inwardness, to spiritual subjectivity—in short, a new vision of the person, as such, a vision from which other forms of civil rights flowed. Present debates over appropriate regulation of new religious cults inevitably must face this deep constitutional tradition; this is one of our objectives this afternoon.

In addition, we face the discussion of these matters in the light of empirical traditions unfamiliar to the founders of the republic, namely, the enormously influential modern reductionist theories of religion. I mean, of course, Marx and Freud. How are our constitutional traditions of religious tolerance to be interpreted in the light of psychotic or neurotic patterns of thought and behavior of cult members, or in light of Freud's general view of religion as regressive, and possibly self-destructive, infantilism? How are we to take account of a Marxist's view of the use of religion to oppress the poor and the ignorant, to bind them to realistic ways to ameliorate their class exploitation? Surely, the moral tragedy of Jonestown, for many of us, is that the aggression of these poor and racially exploited people was directed, at the last, not against society, but against themselves. Does our tolerance of such religions aggravate our moral implication in continuing injustices?

Finally, we face the issues of today's discussion in the familiar contemporary contexts of intergenerational conflict within the family. Often, parents—understandably disturbed by their children's commitment to what parents conceive of as empty and self-destructive visions of life legitimated by cult religions—believe it to be their moral responsibility to combat their children's alternative life choices. On the other hand, these issues of parental control arise in the context of post-industrial society's enormously long period of non-age that we call adolescence, a period in which paternalistic control seems increasingly threadbare, and indeed—in the view of children's rights advocates—clearly unjust. This moral crisis of parental authority in adolescence is heightened when parents conflict with alternative religions. Jesus of Nazareth, in one of his more revolutionary utterances, said that his followers must give up mother and father and family. Surely, great religions have often afforded ways in which the young were able to individuate themselves from a parochial parental vision (perhaps, one of mercenary upward mobility) into a broader nonfamilial, nonconventional conception of social responsibility and spiritual aspiration. May not cult religions perform this inestimably important function today?

This afternoon's panel will explore these questions and tensions regarding our constitutional and empirical traditions. I would like to begin by introducing our distinguished panel, in the order in which they will speak: Marcia Rudin, co-author of *Prison or Paradise: The New Religious Cults*; Richard Delgado, UCLA law professor; Thomas Robbins, a post-doctoral fellow in the sociology department at Yale University; Paul Traub, an attorney representing deprogrammers; Leo Pfeffer, a professor of constitutional law at Long Island University; and Paul Chevigny, a member of the faculty of this law school and the author of *Police Power* and *Criminal Mischief*. First, we will hear from Marcia Rudin.

OPENING REMARKS OF MARCIA RUDIN: I am not going to talk about religious cults because I believe that my remarks this morning revealed my thoughts on this issue. Instead I would like to respond to some of the comments made this morning by the other speakers.

We people who do not like religious cults do *not* want to abolish them. We do not want a law that says that religious cults cannot exist; we do not want a law that says one cannot join the Hare Krishnas or the Unification Church. No one wants a law like that; I, as a Jew, particularly do not want a law like that because too many laws in the past have prohibited the practice of Judaism.

No one wants to prevent anyone from joining these groups. Certain people will always be willing to join these cults—not only young people but older people as well. The first amendment mandates that these people be allowed to join any religious group they wish; yet this does not mean that the issue of dangerous effects should be buried under the protective cries of first amendment absolutism. The first amendment and freedom of religion need not prevent a solution to this problem. First amendment rights are not the only

rights at issue here; other human rights also are involved. I want to know, for example, what happens to the rights of those people who are not allowed to leave these cults. Many groups deny this right, for many reasons. I want a law that says that these people can leave these cults freely; I want that kind of human right to be exercised. What about the right to medical care, to a healthy diet, and to decent living conditions? These people must not be denied the opportunity to obtain the benefits these rights represent. This issue, therefore, should be seen not only in terms of the first amendment, but in terms of other rights as well. This is what must not be forgotten. The first amendment deals with freedom of religion. One cannot have freedom of religion, however, without freedom of thought and without being able to freely decide to accept or remain with a particular religion. I question whether this freedom exists in many of these new religious groups. The legal community can do something about religious cults which will protect these freedoms, yet not offend the first amendment.

Religious cults must be made answerable to both the criminal and civil laws; many of the cults violate these laws with impunity. Although additional statutes may be necessary, existing statutes can be used to attack many of a cult's offenses without infringing upon first amendment freedoms.

How can this be done? I am not a lawyer, so I cannot go into detail, but many approaches seem possible. First, there are solicitation laws. One must ask who has the right to solicit on the streets. The public must be protected as well as the cult member. If a member of the Hare Krishnas tells someone that he is collecting for a Roman Catholic mission, he must be stopped. Solicitation laws would require cult members honestly to identify themselves before soliciting money.

The tax-exempt status of many of these religious groups could be challenged. Many of the profitable businesses of some of these groups have nothing to do with their religious functions; the profit from these businesses, therefore, should be taxed.

Health and sanitary codes, child abuse laws, immigration statutes, interstate commerce regulations, and federal banking and currency laws all should be examined. Minimum wage statutes can also be applied. Accreditation of these groups' educational institutions should be granted only if the educational standards of these institutions are equal to that of any other accredited institution. Consumer-protection legislation can be utilized as well. Consumer fraud should not be tolerated—even when it is a religious group perpetrating the fraud. Religious proselytization could be more closely regulated. Proselytization should not occur in mental hospitals, mental institutions, or prisons. Wards of the state should be protected from proselytization.

These are just a few of the legal possibilities available to us—possibilities which avoid the problems of the first amendment. I am not trying to belittle the first amendment; I wish to uphold it. I think, however, it must be viewed in light of the broader issue of the protection of general human rights, including a cultist's right to leave the group.

OPENING REMARKS OF RICHARD DELGADO: The subject of this panel session—namely, the effects of cultism, particularly on young people—is very important because the first amendment, insofar as conduct is concerned, clearly is not an absolute. In commenting on these effects, I would take issue a little bit with Mrs. Rudin. If courts were to test any restrictions placed on religious proselytizing, I suspect they would conclude that virtually any organization labeled a “cult” would be found to be a religion. I do not think that this conclusion makes a real difference, however, because religious conduct has never been held to be an absolute liberty. Religious *belief* is an absolute liberty; one can believe any crazy, extravagant religious notion one wishes. When one begins to put those beliefs into action which affects the rights of others, however, the protection of this conduct is no longer an absolute, but instead is subject to balancing. If this strikes you as an overly constricting position, imagine your reaction to hearing that someone was setting up a religious cult that practiced human sacrifice, and that this cult was scouting about for victims purportedly ready to sacrifice themselves. Certainly no one would allow *any* religion to act in such a way.

Effects on young people who are “put through the mill” by cults thus *are* highly significant because an analysis of these effects could lead to regulation of the conduct that caused them. If religious conduct can be regulated without offending the first amendment, questionable cult practices can be controlled. Although methods of avoiding this analysis are available, such as the thirteenth amendment approach I suggested this morning, I think that questions regarding this analysis must be met head on.

The first question is: How harmful *are* these effects; how badly scarred are people physically, psychologically, and emotionally by the cults? How adverse are the effects on families and the social mores which require one to abide by the law? I think it is important to realize that a particular behavior pattern practiced by cults need not rise to the level of criminal activity before we can question it. A compelling state interest can be triggered long before criminal activity occurs. The snake handling cases and the blood transfusion cases, for example, proceeded on completely different bases; criminal activity was not involved in either case but rather, in one case, public nuisance, and in the other, the state’s police power to protect the public from health risks.

The second issue that I think we need to talk about is the extent to which the harmful effects are voluntarily incurred, willingly suffered, and consensually met by the young person. Our legal system is reluctant to characterize as a “harm” something that the people undergoing it do not consider a harm—that they, indeed, may consider a blessing. We must question whether the people on whom these effects are falling really do meet them freely, willingly, and with full knowledge of what is occurring.

The third issue, if we do find that there are harms which were not incurred freely and that therefore a sufficient basis for the state’s intrusion has arisen, is whether a line can be drawn. Can the crazy behavior, the conditioning behavior of cults be distinguished from that of television, schools, military

training camps, or seminaries? In my opinion, there are horrendous harms, there is a lack of full consent, and there are ways of drawing the line. The final question then becomes "What do we do about it?" "What are the remedies?"

OPENING REMARKS OF THOMAS ROBBINS: I have two sets of comments I would like to make. One set is my prepared comments and the other set has occurred to me throughout the day.

First of all, in my paper I cite several scholars and journalists who have looked at these movements and say that, even in the relatively authoritarian movements, like the Unification Church or the Hare Krishna sect, a substantial voluntary turnover rate exists. While it may not have been true of Jonestown, with the crossbow squad, it was true of Synanon, despite intermittent episodic violence or threats of violence against people who wanted to leave. This must have some bearing on our consideration of the extent to which groups such as the Unification Church or the Hare Krishnas are coercive, and whether this really can be called slavery.

Secondly, I want to comment on the issue of deception, particularly in the gross sense about which Professor Delgado has written, where the cult pretends that it is not really a cult, but a conventional group. This does happen, particularly with the west coast Unification Church. They come on campus and claim to be from the Creative Community Project which distributes food to children. This does not happen with all Moonie groups; it is much different on the east coast. I did, for purposes of participant observation, a Moonie workshop in 1974. Although it was heavy-handed and manipulative, in my opinion it was within the boundaries of what would be permissible. One knew immediately that this was a religious meeting; they were giving lectures about God and man. I have been to Moonie workshops at Yale, however, which were very deceptive. The Hare Krishnas, too, sometimes deceive people at airports for purposes of soliciting money, but when they recruit people, it is very difficult to encounter the Hare Krishna group and not *know* that this is a religious group, for obvious reasons. What must be remembered is that the Hare Krishnas are not an exception. Fifty varieties of Jesus freaks can come up to you on the street and say, "Do you know the Lord?" In New York, they may come up to you with a button that says, "Get Smart—Get Saved." Well, if you conclude that this is an outreach program for the Methodist Church, this can only say something about you.

Almost every allegation that I read refers either implicitly or explicitly to the Unification Church. In fact, the allegations may actually refer to one segment of the Church, but the persons making the allegations generalize to include the entire Unification Church. While I am sure some other groups use extreme deception in the sense of pretending to be something other than a cult, almost all allegations refer very obviously to the Unification Church even if the person is speaking generically. The activities of one group should not be viewed as typical cult activity; this is a clear case of over-generalization.

In line with Professor Richards' comments, I would just like to comment that, in our society, certain services, such as psychotherapy, counseling, child care, and medical care, have certain attributes. They tend to be costly, they tend to be bureaucratically organized, they tend, rightly or wrongly, to seem "impersonal" to people, they tend to be functionally specific (that is, one service provided independent of others), and finally, they often appear to be unrelated to broader philosophical concerns. These attributes may make these services unsatisfying to some people. Some people do not want to be just "clients." They want to be "brethren." They do not necessarily want the therapy to end at the end of the hour. I think the problem of organizing these kinds of services in a bureaucratized society is one reason for the present appeal of innovative spiritual communities or "cults." These groups provide and interrelate a number of services and link these services to an over-arching spiritual meaning system or sacred cosmos.

Traditional collectivities that provided an interrelated range of services, like the extended-family network, or homogeneous neighborhoods, are declining in our society. It used to be that while mother went shopping, auntie babysat, or uncle took the kids to the zoo, and when grandma was sick or senile, the family took care of her. What happens when grandma is sent off to an institution which is commercial, functionally specific, and not linked to kinship or religious groups? I think that cults can recreate the services that the traditional collectivity provided, and fill the void left by its demise. The cults do this by providing social supports and conceptions of personal identity, as well as therapeutic "mystiques," and by interrelating these services under one ideological rubric.

When cults try to provide these services, problems do arise. People working in cult operations primarily for spiritual rather than physical remuneration may be exploited; psychological harms also may occur, but the harms certainly are not as evil as many have claimed. If one looks at the literature on psychological harms that has been published in journals like the *American Journal of Psychiatry*, one finds that the results are mixed. Several studies indicate that cultists do not suffer from strong psychopathologies, and that conversion may even reduce neurotic distress symptoms. Of course, studies exist that have other indications. The picture, therefore, is just not clear enough to make very strong general statements at this time. Although the abuses and exploitation that can be documented do call for some government activity, I cannot support some of the measures that currently are employed or have been suggested, when the results of these studies are so mixed.

OPENING REMARKS OF PAUL TRAUB: I am an attorney, and I represent people who perjoratively are called "deprogrammers," although I choose not to call them that. That is a language problem that I will get back to later. An even more general problem I encountered was deciding whether I should come and speak here today. I knew it was a great honor so I thought it was something to consider. When they showed me the two panels available, I saw

“regulation of alternative religions by law or private action” and that seemed like the panel on which I should speak because I am an attorney involved in two pending lawsuits against the Unification Church. What troubled me was the fact that this colloquium was labeled “Alternative Religions”; I thought I was walking into a trap.

To call the more prominent cults “alternative religions” is to elevate them to a status which they may or may not deserve. Once one admits, as their first fact, that these groups are religions, one immediately wants to provide for them certain rights and privileges. If these groups are considered religions all their beliefs are basically unquestioned, they probably do not have to pay taxes, and the courts and the legislatures generally would fear ruling in any way against them.

The rights and privileges accorded these groups gave me an idea. The idea was as follows: If I were to describe the people that I represent as a religious group, I could obtain for my clients the same protections that these cult groups are seeking for themselves. If we called ourselves “agnostic missionaries” and the activities of deprogrammers religious activities, and said that the deprogrammers are, in fact, religious counselors, their activities would be protected and the perjorative connotations erased.

In a case presently pending in the federal district court here in New York, I am representing an individual by the name of Joe Alexander, Sr., a religious counselor, who amazed both the court reporter and Mr. Gutman (who is also on our panel) by the amount of love he feels for every one of the cult members with whom he has dealt. He considers them friends. He is not a monster, but he is the victim of being called a “deprogrammer.” When you do not know that Mr. Alexander happens to talk about religions for a living, or that he is a deprogrammer, it becomes much easier to relate and deal with him. Rather than just discuss this notion in the abstract, I have put this idea into action. My clients are Joe Alexander, Sr. and his wife, Esther Alexander. Five members of their family, who are so-called deprogrammers, are now the subject of ten separate lawsuits by the Unification Church all over the country. They were sued by Wendy Helander, a member of the Unification Church. Sometime during that litigation (she was represented, incidentally, by Mr. Gutman and Mr. Richard Ben Veniste), it became obvious to us that she was not the driving force behind this litigation. We felt the driving force was the Unification Church and Mr. Moon. On deposition of Wendy Helander, therefore, we asked her how she was paying for her lawyers, because we know that Mr. Gutman does not work cheaply, nor does Mr. Ben Veniste. She said, “I don’t know.” We then asked her, “Do you expect to pay them?” She responded in the affirmative, and noted that the funds would come out of the proceeds of this lawsuit. In fact, she admitted that Mr. Neil Salonen, the president of the Unification Church, was directing the lawsuit. So we then made a motion to the judge and said, “Your Honor, this is not the real party in interest. The real party in interest is the Unification Church, and we demand to know how much the Unification Church is paying to stop my clients from

exercising their freedom of religion by discussing alternative religions and practicing their religion of agnostic missionaries.”

As you can imagine, the judge did not want to hear this because we were seeking to bring in the Church as a party, based on those grounds. We were saying that if the Church really is the party in interest, and the court were to grant a judgment in its favor, one religion would be granted a preference over other religions and that would amount to a violation of the establishment clause.

The definition of a group entitled to religious protection is quite broad. As laid out in *United States v. Seeger*¹ and *Welsh v. United States*,² the Supreme Court has stated that basically any group or any individual that holds convictions seriously is entitled to freely exercise their religious beliefs. Rather than automatically erecting the first amendment as a barrier to regulation, we must examine these groups and either drop the charade of calling some of these groups cults, alternative religions, or even “religions,” or accord that protection and that degree of care to those people who are willing to discuss all sorts of religions with these people freely.

OPENING REMARKS OF LEO PFEFFER: I have no competence to pass judgment on the ill effects these groups have on anyone; this is not my field. What I would like to comment on is the ill effects caused by suppression of the activities of people involved in cults. I am very troubled by the creative imaginations of those who feel that they must use whatever they can get away with under existing law, or even create new laws, to attack these cults. I have devoted my entire adult life to the expansion rather than the restriction of American liberties and the Bill of Rights. Next to God, I believe in the Bill of Rights; sometimes God even comes out in second place. The greatest contribution that American democracy has made to Western civilization is the Bill of Rights, and more specifically within the Bill of Rights, the guarantees of religious freedom and of separation of church and state. It basically is an original American contribution; it is something which has survived now for two centuries under our Constitution. I look upon anyone as a personal enemy of mine who wants to narrow down this guarantee and restrict it. The greatest danger is to try to find ways to get around this guarantee, for this will lead to a narrowing not only of religious liberties, but of all liberty.

One cannot turn to a victim of this narrowing and say, “Well, I am only concerned with religious cults and not any other groups. What I suggest about cults should not be applied to anything else.” It does not work that way. If the first amendment is to be narrowed as to religion, the same principles will be applied elsewhere to narrow or destroy other first amendment freedoms.

Thus, the effects of trying to suppress these cults are just as harmful as the effects of those who hate the cults and are trying to phase them out. If you

1. 380 U.S. 163 (1965).

2. 398 U.S. 333 (1970).

let the cults alone, you actually will do a great deal of good for what you believe, assuming you believe in religions which are accepted and which are respectable religions. If we do not have what might be called a religious Sherman antitrust law, we will get a religious monopoly. There must be freedom of competition for commercial groups. The benefits of the Sherman antitrust law in the mundane world have been recognized. We accept the antitrust law; we are against monopolies. Why should we not apply this same kind of philosophy to religion and thereby encourage the free competition of ideas? Are we afraid that our own religions will not hold up? Are we afraid that we need the artificial protection of the law to protect us from the competition of new sects? We should welcome competition from any sects, irrespective of whether we like them.

Of course, I repeat, I do not think that anyone doubts that if these sects violate neutral laws they should be treated like anyone else who violates neutral laws. They should not be singled out, however. The law should not look for ways of "getting" the cults. I am convinced that if you allow the cults the freedom which is enjoyed by every other religion they simply will fail on their own. I have tremendous confidence in the American people. I am certain that, just as previous cults over the years have not been able to meet the competition of the religions which have become part of our civilization, the cults will not either.

I suspect that the cults may be financing all these attacks against themselves. There is no better way of spreading publicity about yourself and of attracting people than to indicate that you are a victim of the establishment and that the establishment is trying to suppress you. People immediately reach the conclusion that the reason you are being suppressed is because you have got the truth. If you did not have the "truth" (or so it is assumed), the government would say, "The hell with them." People assume, therefore, that these groups must have the truth and the government is simply trying to suppress them by various legal procedures.

Let the cults alone. They will not survive if you let them alone. Try to suppress them and you will be digging your own graves. The churches who have tried (many, thank God, do not try) think they are on *my* side, but they are not. If you try to suppress the cults by using gimmicks of law, then you are going to defeat your own purpose. You are going to have an increase in their numbers and they are going to be even more attractive to young people. Leave them alone and the cults will come home. Their home will be the graveyard of rejection by the American community.

OPENING REMARKS BY PAUL CHEVIGNY: I guess I am an agnostic missionary in some sense of the word—in the sense that I tend to think, according to my own values, that the effects of religion on people are actually rather bad. I am not religious myself; I guess I am a bit of an eighteenth century rationalist. I am bored by religion. I think it tends to "twist" people's minds, and sometimes it even sounds insane. That includes the views of the Jews and the

Catholic Church, as well as the Moonies, the Baptists, and all the rest of it.

I want to talk to you a little about one very bad effect which I once observed. I must preface this story by noting that it does not concern a religious cult, but it does concern a point I want to make—the point being that there is a continuum (with respect to belief) between political and religious belief, a kind of messianism which goes along with a lot of political belief. Although this story concerns the U.S. Labor Party, which has a set of messianic beliefs with respect to the political and economic reality, its point can be applied to religious groups as well.

I was invited by a leader of the U.S. Labor Party to watch a young member of the group “confess” to a plot to kill the leader. The young man seemed, to my untrained eye, to be clearly unbalanced. I watched him “confessing” into a tape recorder about his participation in a plot with the KGB, the CIA, and himself to kill the Party’s leader. The members of the group had been questioning him in excess of 48 hours. He had gotten the “rhythm” of the thing, and seemed rather to enjoy giving them what they wanted to hear. We, from the Civil Liberties Union, had been invited because we had expressed doubt about the existence of such a plot, and we were being asked to witness the “proof.”

Now, my point is that the effect of this young man’s participation in the group was extremely bad. The story struck me as poppycock, but a definite give-and-take was going on between him and the leader and other members; they were all participating in this thing, practicing their beliefs in the existence of a conspiracy by the western and eastern powers against them. Although this was a political matter, I am sure you can see the resemblance in form to certain types of religious belief. Persons get together, they pray together, they talk about their problems together, they talk about their beliefs together, they buttress their beliefs through revelations which may come through speaking in tongues or through visions, and those things are worked into the text of the religion and become part of the beliefs.

My point is that, across the board, a very long period of collapse in both economic and religious customary beliefs has occurred. Customs in relation to family and to school collapsed and, having collapsed, were replaced in the sixties by a series of hopeful “visions” with relation to economic equality and racial equality, visions which then also collapsed, and which were then superseded by a terrible war. Under these kinds of social conditions, it is usual in history that an enormous amount of searching for a new belief occurs. It is natural for persons to search for belief. It has happened time out of mind. In fact, part of the history of this country is based on the fact that we permit persons to search for belief regardless of what it is that they may find. It is from an open society that this search for belief arises, and it is the duty of society to supply persons with a stable set of customs and a just society, so that this search may take place. That seems to us rationalists, us agnostics, to be a rational world, and we have no business interfering with these persons. They *may* search for their beliefs, albeit irrationally.

If we attempt to harass them and destroy their structure of belief, we are blaming the victims because they are simply the victims of the customs and the other structures of belief that were destroyed by war and by economic injustice. Accordingly, it is unfair and inexcusable for us to attempt to interfere with their beliefs. I do not think their beliefs are good for them. I think they are probably bad for them, but I think that history shows that it is natural for persons to search for a structure which will explain reality, and there is nothing crueller than to say to people, "It is natural for you to search for a structure to your reality," and then say, "but the structure you find has got to be the one that I tell you about, or else."

I want to say something more in connection with this issue of blaming the victim. I represented persons who had been arrested as material witnesses in a Hare Krishna case and were Hare Krishnas themselves. I had never met any Hare Krishnas. I had been solicited on the street by them and had always been extremely rude. When I went to meet my clients, I was struck by the nature of the world from which these two kids had come. They were both in their early twenties. One of them was diabetic, and the only child of a doctor. His mother had died when he was young and his father was terribly concerned about him. His father was worried that the Hare Krishnas were not going to give him the insulin that he needed because sometimes he did not take his insulin as he was supposed to. The boy told me the story. It was apparent from the father's behavior that all the boy's life his father had been coming around with a needle and sticking it into him. Now, that I can understand and I do not blame his father at all. It had, however, been terrifying to the child and he was frightened to death of his father. He had lived an empty life because his father thought only about keeping him within the family structure that had been built for him. I felt that the conflict between them and the terror of the child made it obvious that the son was going to search for some way to get back at his father and get away from him.

The other witness was a girl who came from a family of divorced parents. The mother told a story of capturing the girl (although she subsequently got away) and putting her into the hands of one of these so-called "agnostic missionaries." The mother testified to unbelievable physical treatment of the girl. The father, who was separated from the mother, would come to see the girl in jail, with our permission (because we thought it might make her a little happier); yet he took the stand and testified against her so that the police would keep her in jail. It was apparent that it was a conflict between the mother and the father over the daughter's involvement.

My point of the story is that these people come from ferocious families who had been embittered by their families; this is true of many of the people who join these cults. Modern life and ancient life does and did have people who seek belief, and it is cruel to deprive them of this search.

DAVID RICHARDS: Thank you. I would now like the panelists to comment on each others' remarks. Questions from the audience also are welcome.

MARCIA RUDIN: There are things wrong with society; there are things wrong with organized religion. Obviously, organized religion is not meeting the needs of a lot of people. That is why cults are growing so rapidly. A market certainly exists. I am also sure that some parents have cruelly raised their children and children will do anything to get away from this abuse. Nonetheless, these cults are not the victims of harpies who are trying to destroy them. We are not trying to destroy them. We simply are trying to help those people who are victims of the cults themselves.

The people who are responsible for the growth and immense wealth of these cults are not the victims; they are not the ones who are coercively persuaded. They are the ones who are doing the persuading and are benefiting therefrom.

What we are trying to do is dispel the notion that these cults are the victims. It is the cult members who are being victimized and so, too, are the rest of us. We are being taken for a ride. Rather than allow these cults to hide behind the first amendment, all I ask is that we consider the human rights of the cultists, who have joined and cannot leave, and the parents, who are still parents, even if they are one hundred and their children are sixty. We must consider the rights of a society that is being taken advantage of. The cults are getting wealthy, they are getting powerful, they are breaking both criminal and civil laws. I think it is time that we stopped this and started protecting the parents and their children.

THOMAS ROBBINS: It is too much of an absolute statement to say that cults are not victims, and that only the people in cults are being victimized by the cults. I had a friend, for example, who was a follower of Meher Baba, a relatively non-authoritarian and relatively non-controversial guru. Nonetheless, her parents hired Ted Patrick. She was seized in New York and taken to the west coast. Although she finally got away, she lost her job because of her absence. She is a victim, a victim of her parents, not a victim of Meher Baba or the followers of Meher Baba. Although some people in cults are victims and perhaps some exploitation and deception does occur, some people in cults also are victims of "harpies" (to use a term I did not introduce into this discussion). Sometimes the cults are victims, as when laws devised for another purpose are distorted, as Dr. Pfeffer pointed out, to attack them. This must not be ignored.

I want to say just one more thing. If I wanted to make sure that the audience would listen to me, I could lock the door and they would have to listen, or I could use various deceptive techniques to seduce them into listening. In my opinion, the first method is totally unconscionable, and it is not any less unconscionable when it is done by someone who says he is a religious person or a spiritual agnostic minister than when it is done by someone who says he is a deprogrammer.

The immorality of the second method is a bit more dubious because it is difficult to define mind control and to determine when a person has free will.

We must presume that people in general are rational and autonomous, and that this is a deep-seated trait that is difficult to alienate. While some people may have lost their rationality or their personal autonomy, a burden of substantiation must be placed on those who would say that these people are mind-controlled and therefore must be liberated by forcible means. We must distinguish between physical coercion and other methods of persuasion. These methods, which I will call manipulation, may also be reprehensible and legally actionable, but they are not quite the same thing as physical coercion. The use of physical coercion is truly reprehensible.

PAUL TRAUB: The purpose of this panel discussion is to determine the effects of cults. The unfortunate fact is that the people who are most affected by all the litigation that is occurring and all the hatred that is in the air are the parents. Parents are the most affected group because they are disenfranchised: they are not allowed to say anything. The only strength they have if they are not attorneys or they are not in a position of power is to get together as a "we" and collectively examine where they went wrong.

In this post-sixties, post-psychedelic, post-New Consciousness period, a lot of artful and designing people have awakened some of the spirituality that young people developed during the sixties and have answered many spiritual and intellectual problems that have not been answered at home. While this is the positive effect of these groups, the negative effect is that no room is left for the parent and child, the people most affected by this phenomenon, to speak with one another. A child would not sue his parent of his own volition just because his parent was trying to speak to him about what the child was doing. Nonetheless these groups, in the interests of attracting publicity by showing how persecuted they are, finance litigation by young adults against their parents. The express purpose of this litigation is to call attention to the fact that these groups are persecuted because a young member is being "acted upon" by his parents and by deprogrammers, a word that was invented by the cults. This, however, is not what is occurring; the parents merely are part of a society that is trying to have an intelligent discourse about spiritual subjects.

AUDIENCE COMMENT: I think people on the panel are merging two separate fact patterns, thereby confusing the issue. One fact pattern involves someone who is in a cult and wants to get out but is prevented from doing so. As far as I can tell, no one on the panel would approve of this. The other fact pattern involves someone over eighteen, the age of majority, who is in a cult of his own volition and is separated from the cult against his will. These are two entirely different situations. I, for one, have not heard an argument today which recognizes the right of a parent to pull someone out of a cult when that person wants to be there.

PAUL CHEVIGNY: I would like to speak about the first fact pattern, the person who is there voluntarily but now wants to leave. As in the Marine Corps or

other relatively hermetic institutions, a person goes voluntarily, and when a person is taken into a highly authoritarian organization, the person then voluntarily subjects himself to discipline. This discipline ordinarily strengthens whatever convictions the person brought to the group. A request to leave will ordinarily be met with, at the very least, shame. That is to say the person will be ridiculed; persuasive arguments will be used; accusations may be made which are untrue. That happens in authoritarian groups and has happened time and again. I think it also is characteristic of a great many religions. Unfortunately, it appears to be within the purview of freedom of religion: once one volunteers to enter an authoritarian group, whether a nunnery or a cult, one is going to receive the discipline.

The idea of physical coercion is different. It happened to some extent in Jonestown. I have heard that Hare Krishnas keep children away as a way of punishing the mothers. If those things can be investigated by means which are not intrusive upon the religion (in other words, if probable cause can be found outside the religion by a complaint from a credible witness), probable cause for arrest will exist. It is a commission of a crime and no one has any problem with that. The idea of intruding because of a coercive disciplinary program, however, is poppycock. One cannot intrude upon religion for that. It is totally improper, it is an intrusion upon the first amendment.

AUDIENCE COMMENT: I would like to hear an answer to the first question. Does the family have the right to remove an adult from a cult when he does not want to leave?

MARCIA RUDIN: I want that family to be able to talk to that person freely about his decision. I think that is a right. A family should be able to talk to the child.

AUDIENCE COMMENT: What if the child does not want to listen?

MARCIA RUDIN: The child may not want to listen. If the child is in the group and (a) physically cannot leave the group, or (b) does leave the group, but leaves with another cult member who is the spiritual parent, then the child is made to feel guilty. The child is told that the parent is Satanic and that the child will be kidnapped. The child is told that the deprogrammers will do all sorts of awful things, such as stuff rats down his throat, tie him to tables, or beat him.

I want that child to be able to come out of the cult and talk to the parent. Maybe he or she will return; maybe he or she does want to be there. Nonetheless, the family should have the right to talk to the child freely. Certain groups do not allow parent and child to talk privately; the child is not allowed to talk on the phone. If allowed to come home the child must be accompanied by other people in the cult. Sometimes the families are physically harassed by the cult; sometimes the families are threatened. There are going to be people who do want to be in the cult. The family has the right to talk to these children and discover this.

Families do not have the right to snatch children and keep them imprisoned against their will. I do not think, however, that this happens very often. I think these are stories that the cults feed to people about deprogrammers. I am sure some deprogrammers are a little less virtuous than others, but I think it the right of the cult members' parents to be able to talk to their child. Moreover, I do not think you can distinguish quite as neatly as you did between the person who wants to be in the cult and the person who does not. If a person is mentally coerced and guilt ridden, he may not know any longer what he wants. If he is threatened that he will be beaten, or thrown into a cold shower until he retracts any doubts about the cult, free will seems obliterated.

THOMAS ROBBINS: I want to say two things. First of all, how do we tell whether a movement is totally evil or is disrupting a person's ability to think? We think a person's ability to think is disrupted when he does not think the thoughts we would like him to think, or when he thinks thoughts that we think are horrendous. A strong element of subjectivity, therefore, is involved in any claim that another's ability to think has been disrupted.

AUDIENCE COMMENT: I think your position is morally bankrupt. (Applause.) I do not think everything can be relegated to the position of subjectivity. Controls do exist to determine whether something is bad or not. Some things simply are categorically wrong. The framers of the Constitution and philosophers like Rousseau held that notion.

THOMAS ROBBINS: I certainly think that we can make distinctions between right and wrong in our society. Determining whose thought patterns are right and competent and whose are not, however, is a determination that is particularly problematic. The standards for determining that someone's ability to think has been disrupted should be very strict. A person's ability should not be considered disrupted simply because he talks in dogma or cliché. If he cannot talk at all, or if he is incoherent, that is something different.

It is not absolutely essential that the government ensure that everyone remain in the free marketplace of ideas. People can make strong commitments that close them off from alternative commitments. Moses did not remain in the free marketplace of thought; neither did Jesus, or Mohammed. Although certain methods of getting people to make commitments should be discouraged, the assumption that dogmatism, intolerance, and authoritarianism, even if non-violent, must be considered wrong is intellectually bankrupt. The government must act to suppress these assumptions; it must act intolerantly to keep us tolerant; it must, in the words of Rousseau, force us to be free.

AUDIENCE COMMENT: To what extent would you like to limit deprogramming? Would you support the deprogramming of an Episcopalian or a Catholic? Where do you draw the line?

RICHARD DELGADO: If a mainstream religious organization, like the Episcopalians or the Catholics, were approaching young people who seemed lonely or depressed, artfully trying to elicit from them the cause of their depression, and

if this religion then were asking these people to attend a meeting of friends who supposedly were concerned about the very same things—the impersonality of modern life, the amorality of the universe, war, racism, and economic inequality—if this meeting were to occur with no mention of the group's name or its affiliation, with no mention of the fate that lies ahead if the person pursues the contact beyond the initial meeting; if a continued use of peer pressure and pretended affection (perhaps you remember the term "love bombing") were used to entice the young person to a remote location in the country; if once in this remote setting where no telephone and no time for privacy or reflection existed, and a constant round of activity and inadequate hours of sleep were combined with little chance to leave; if the recruit were constantly hectored and harrassed and forced to chant, sing, pray without an opportunity to think where this was leading; if the group still were not identified; if that combination of deception and concealment, together with the application of those illegitimate pressures which sap a person's ability to make an independent decision were practiced by an established religion, then I would think that we ought to consider drawing the line at that point. The fact is, however, that I do not see the established religions using these techniques.

AUDIENCE COMMENT: When I recruit, I always tell people I am with the Unification Church. I would be very uncomfortable if I were deceptive.

PAUL CHEVIGNY: Something like that happened to me when I was in high school with the Episcopalians. I was asked if I was depressed or if it was trouble with my work. I did not go to their meeting because religion does not interest me. I was, however, pressured by my classmates. The point is that religion has always been a recipe for depression and the inability to deal with the real world; that is what religion tries to conquer.

MARCIA RUDIN: I think the answer to this young person's question is this. If I want to leave the Catholic Church or any other established religion, I do not have to be deprogrammed because I can leave. With the cults, however, some persons cannot leave either physically or psychologically, without deprogramming. Although a few who have been deprogrammed return to the cults, most of those who have been deprogrammed claim they are thankful that it was done and that they could not have left on their own. You talk about objecting to cult members being locked in a hotel room. Why do you not object to them being restrained in Guyana or even in the middle of New York City? Deprogramming is the only way to free many of these people.

AUDIENCE COMMENT: Are you saying that right now I want to leave the Unification Church but I am too stupid?

MARCIA RUDIN: No, you may be very happy but many cult members are not.

AUDIENCE COMMENT: But I have to go through deprogramming?

MARCIA RUDIN: No, not necessarily, but a lot of people do. I do not think deprogramming is the greatest thing in the world, but it seems to be the only answer.

THOMAS ROBBINS: When we talk about deprogramming, there is one thing that we forget. We talk about "releasing" the person or "removing" him from the movement. Sometimes we even say "rescue." The image that is conjured up is that of opening the cage door and letting the bird fly away. Unfortunately, it is not that simple. What "rescue" really amounts to is establishing a conservatorship that may last as long as thirty days, and that contravenes what the "rescuee" says he wants. The "rescuee" is not invited to the hearing or, if he is, he is not legally represented at the hearing. The fact that someone may have been deceptively manipulated or seduced into a movement does not justify railroading him into a relationship which is more blatantly coercive than the cult's relationship with the "rescuee." When a person says, "I am a member of the movement and I want to remain a member," a strong presumption on behalf of his autonomy and rationality must arise. This presumption should be overridden only if the devotee were gravely disabled or seriously deranged.

AUDIENCE COMMENT: I am a member of the Unification Church. I would like to comment on the stereotype regarding the purported way in which I was convinced to join the Church as well as my mental state now. Legally, I feel quite protected. Academically, however, little real knowledge about what is really happening in the groups exists outside the groups. Once the academic world takes the responsibility of investigating what is happening, these stereotypes will be overcome.

AUDIENCE COMMENT: In your original presentation to the group, Dr. Delgado, you asserted that we could draw a line. I still am not sure as to how you want to distinguish between different practices.

RICHARD DELGADO: I do not know if I can embellish a great deal on what I said before. I think that the mainstream religious groups are aboveboard about who they are when they approach young people. They invite them to attend classes and song sessions and retreats but one is never unaware that they are Presbyterians or Catholics. Religious cults, on the other hand, always seem to be hiding behind a facade. How would they possibly recruit members if they approached someone and said, "Hi, I'm a Moonie and how would you like to be a Moonie?" Not very many people would.

Differences also exist in the kind of treatment that young people receive once they are initiated. While the cults deliberately use pretended affection, known as "love bombing," the Presbyterians and the Catholics do not do anything like this. What mainstream religious groups make their people work sixteen-hour work days? What mainstream religious groups inflict vitamin deficiencies on their members? What mainstream religious groups make their members come out such a wreck that they are essentially "out of it" for a period of up to a year? Some psychiatrists have compared the experiences of young people leaving the cults to the POWs' release from confinement. If I were in fact to find that there were similarities between what I observe going on in religious cults, and mainstream religious groups, then I would want to do

something about mainstream religions. The fact is, however, that I do not see this similarity.

DAVID RICHARDS: Thank you. That is all the time we have.