RELIGIOUS TOTALISM AS SLAVERY

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I

INTRODUCTION

Previous discussions[1] of proposed intervention into the conversion activity of religious cults begin with considerations of harm[2] and voluntariness.[3] Intervention[4] is justified, proponents argue, because the practices that cults utilize are damaging to the physical and mental health of converts, reduce autonomy, and threaten such social institutions as the family.[5] Moreover, these advocates assert, intervention does not conflict with notions of liberty and freedom of judgment, because the individuals harmed are young persons who are not fully informed and whose decisionmaking abilities are impaired by peer pressure, isolation, sleep and dietary deprivation, and manipulation of guilt and anxiety.[6] Those who counsel intervention argue that it is possible to "draw the line" between the more extreme forms of thought control practiced by cults and those practiced by military school, Jesuit seminaries, and television advertising.[7]

The opponents of intervention argue, however, that cultist conversion practices do not harm the convert, they are undergone willingly and freely, and they do not differ significantly from those of other social institutions or

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1. *See, e.g.*, Delgado, *Religious Totalism: Gentle and Ungentle Persuasion Under the First Amendment*, 51 S. CAL. L. REV. 1 (1977) [hereinafter cited as *Religious Totalism*]; NEW YORK ATTORNEY GENERAL, FINAL REPORT ON THE ACTIVITIES OF THE CHILDREN OF GOD (1974); *California Sen. Select Comm. on Children & Youth: Hearings on the Impact of Cults on Today's Youth* (1974); *Hearings, Vermont Sen. Comm. for the Investigation of Alleged Deceptive, Fraudulent and Criminal Practices of Various Organizations in the State* (Aug. 18, 1976).

2. Although religious belief is protected absolutely, religiously motivated conduct, including proselytizing, is subject to a balancing test in which the state interests in regulating or forbidding the activity are weighed against the interest of the religious group or individual in carrying it out. In the case of cult conversion activity, the state's interests lie in abating the various harms that are alleged to result from it.

3. *See Religious Totalism, supra* note 1, at 49-61. Our legal and moral system is reluctant to designate something as a "harm" when the individual suffering it either does not see it as a harm, or accepts his situation freely and voluntarily. Thus, if it could be shown that a cult member consents to the conversion process, the harms resulting from the process would be given substantially less weight in the constitutional equation.

4. Proposed intervention could take the form of compelled disclosure, mandatory "cooling off" periods, procedures to request rescue, prohibitions against licensure of behavior-modifying techniques, public education, and conservatorships. *See Religious Totalism, supra* note 1, at 73-78, 88-91.

5. *Id.* at 10-35.

6. *Id.* at 49-62.

7. *Id.* at 62-73.

groups. These opponents assert that any determination that an individual suffers from mind control must be made under strict and clearly defined standards; an individual must be "demonstrably deprived of his 'own' mind by specific techniques of involuntary coercion" [8] before intervention can occur. Both sides of the debate therefore use the terminology of harm, voluntariness, and line-drawing. In this article I propose a new way of looking at the cult controversy, and a new set of terms for analyzing the issues raised by cultist thought reform. As one who has come to believe that cult practices deserve greater public scrutiny than they have so far received, I shall proceed from a viewpoint that is largely pro-intervention.[9]

My thesis is that looking at religious totalism in terms of *slavery* can help illuminate some of the difficult conceptual and legal problems it poses and, possibly, show the way to a practical solution. The argument has two variants. The first asserts that the rigidly hierarchical, authoritarian, and isolated living arrangements established, by certain religious cults with the aid of intensive thought manipulation techniques, contravene the thirteenth amendment.[10] A second, more limited variant, asserts that these arrangements, if not themselves constituting slavery and involuntary servitude, nevertheless violate a number of values protected by the thirteenth amendment, giving rise to a compelling state interest in their abatement.[11] Since the present inquiry is a highly tentative and preliminary one, I shall not differentiate between these two theses but instead shall address those features of cult life that trigger thirteenth amendment concerns generally.

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8. *Comment, "Mind Control" or Intensity of Faith: The Constitutional Protection of Religious Beliefs*, 13 HARV. C.R.-C.L. L. REV. 751, 796 (1978). *See also* Note, *Conservatorships and Religious Cults: Divining a Theory of Free Exercise*, 53 N.Y.U. L. REV. 1247 (1978).

9. The same argument could be used by those opposing deprogramming. Cult defenders have argued, for example, that deprogramming, which is aimed at restoring a cultist to his original condition and restoring freedom of choice, is really a kind of "reverse brainwashing." *See* A.C.L.U. CONFERENCE ON RELIGIOUS DEPROGRAMMING, DEPROGRAMMING: DOCUMENTING THE ISSUE 5-8 (1977); Editorial, *Deprogramming and Religious Liberty*, 29 CHURCH & STATE 212 (1977). These persons would be likely to see parallels to slavery in some of the remedies proposed, especially forcible deprogramming, which pro-cult writers portray in terms of liberation or treatment.

10. United States v. Carr, No. CR-79-195-D (M.D.N.C., filed Oct. 31, 1979). Three members of the Church of God and True Holiness were charged with holding church members in a state of slavery. Among the accusations were claims that defendant church leaders beat and whipped members, forced persons to marry each other against their will, told congregation members where to work and then took their paychecks, ordered members to live in certain cities, and withheld food and water as punishment. Religious and psychological pressures were among the means used to induce compliance. *See* Turner v. Unification Church, 473 F. Supp. 367 (D.R.I. 1978), *aff'd*, 602 F.2d 458 (1st Cir. 1979) (holding that "the free exercise clause of the first amendment does not immunize the defendants [religious cult leaders] from causes of action that allege involuntary servitude or intentional tortious activity," *id.* at 371, but nevertheless finding no private cause of action under the theories advanced).

11. *Compare Religious Totalism, supra* note 1, at 10-36 (discussing other social interests in regulating religiously motivated conversion activity).

First, I discuss a number of the advantages, both doctrinal and practical, that a thirteenth amendment analysis can offer.[12] Next I review the case law relating to slavery and peonage in an effort to identify points of similarity and difference between the fact patterns of existing cases and those presented by religious cults.[13] Finding the results inconclusive, I then identify four values fundamental to the thirteenth amendment and its implementing legislation and explore the extent to which the conditions established by cult groups offend these values.[14] Finally, I review the remedies that are available if we conclude that in a given case religious totalism constitutes slavery.[15]

II

ADVANTAGES OF A THIRTEENTH AMENDMENT ANALYSIS

The first and perhaps foremost advantage of a thirteenth amendment analysis over a more conventional harm-voluntariness approach is that the injunction against involuntary servitude is categorical.[16] The thirteenth amendment states that "slavery . . . , except as punishment for crime . . . , shall [not] exist within the United States, or any place subject to their jurisdiction."[17] Court opinions have interpreted these words to imply an absolute prohibition; if a particular practice constitutes slavery, it is prohibited.[18] This

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12. *See* text accompanying notes 16-38 *infra*.
13. *See* text accompanying notes 39-80 *infra*.
14. *See* text accompanying notes 81-99 *infra*.
15. *See* text accompanying notes 100-126 *infra*.
16. *See* Turner v. Unification Church, 473 F. Supp. 367, 371-72 (D.R.I. 1978):
> [T]he free exercise clause of the first amendment does not immunize the defendants from causes of action that allege involuntary servitude . . . . The alleged involuntary servitude is unquestionably an act which has a serious adverse effect upon one of the Church's followers and constitutes conduct that violates the most fundamental tenets of both American society and the United States Constitution. The Unification Church cannot seek the protection of one constitutional amendment while it allegedly deprives citizens the protection of other constitutional guarantees.

17. U.S. CONST. amend. XIII.

18. *See, e.g.*, Jones v. Alfred H. Mayer Co., 392 U.S. 409, 411-43 n.78 (1968); United States v. Reynolds, 235 U.S. 133 (1914); United States v. Shackney, 333 F.2d 475, 485 (2d Cir. 1964). The thirteenth amendment has a narrow scope; not every act that limits personal freedom constitutes slavery. Misner & Clough, *Arrestees as Informants: A Thirteenth Amendment Analysis*, 29 STAN. L. REV. 713, 717-24 (1977). *See also* Robertson v. Baldwin, 165 U.S. 275, 282 (1897) where the Court held that the thirteenth amendment is "not intended to introduce any novel doctrine with respect to certain descriptions of service which have always been treated as exceptional" (in this case seamen's contracts), but the Court made it clear that public and private services which have traditionally been accepted are not to be included within the amendment's scope. *But see* Weidenfeller v. Kidulis, 380 F. Supp. 445, 450 (E.D. Wis. 1974), which seemed to imply that a compelling state interest might justify state-imposed involuntary servitude. *Weidenfeller* is contrary to the weight of authority, however, and the better view is that the thirteenth amendment remains categorical. Cases where thirteenth amendment challenges failed can be better explained by finding that the practice in question did not fall within the scope of the amendment at all. *See, e.g.*, Selective Draft Law Cases, 245 U.S. 366, 390 (1918) (summarily rejecting claim that the draft constitutes slavery); Butler v. Perry, 240 U.S. 328, 333

feature of the thirteenth amendment is helpful because it avoids the need to carry out the tenuous and often tortured interest-balancing that is required under a more conventional analysis. Under the conventional approach, the free exercise right of the proselytizer is weighed against the interest of the state in averting harm to the proselyte and to society.[19] Although landmark cases such as *Leary v. United States*,[20] *Wisconsin v. Yoder*,[21] *Reynolds v. United States*,[22] and *Jacobson v. Massachusetts*,[23] may serve as benchmarks in reaching a particular decision, the balancing and case comparison may be difficult and the result far from obvious.[24] If cultist conversion techniques can be characterized as enslavement, engagement in these difficult comparisons can be avoided.

A further advantage of a slavery analysis is that it avoids the issue of initial voluntariness.[25] At the time of initial contact with the cult, the incipient cultist has little, if any, knowledge of the cult's identity and the future it holds for him.[26] Most recruiters deliberately withhold such information, inviting the young person to attend what is described only as a gathering of a group of friends.[27] At this time, the target person's capacity for decisionmaking is relatively intact; what is lacking is information on which to base a choice.[28] After conditioning has proceeded for a few weeks or months, the individual is given some knowledge of the organization and the demands it will place on him, but his capacity to make decisions has been so reduced by isolation, sleep deprivation, dietary inadequacy, chanting, singing, and guilt manipulation that he is unable to bring an intact mind to bear on the decision.[29]

(1916) (statute requiring every able-bodied man to work on country roads for six days each year does not constitute slavery); Heflin v. Sanford, 142 F.2d 798, 799 (5th Cir. 1944) (compulsory service for conscientious objectors does not fall within scope of thirteenth amendment).

19. *See, e.g.*, Wisconsin v. Yoder, 406 U.S. 205 (1972); Sherbert v. Verner, 374 U.S. 398 (1963); *Religious Totalism, supra* note 1, at 10-49.

20. 383 F.2d 851 (5th Cir. 1967) (religiously motivated drug use), *rev'd on other grounds*, 395 U.S. 6 (1969).

21. 406 U.S. 205 (1972) (religiously motivated refusal to send children to public school).

22. 98 U.S. 145, 165-66 (1878) (protection of monogamous marriage as an institution).

23. 197 U.S. 11 (1905) (religiously motivated refusal to receive a vaccination).

24. *See Religious Totalism, supra* note 1, at 10-36 (attempting to assess harms attributed to cultist thought reform practices).

25. I assume that our society would not tolerate slavery even if it could be shown that the slaves originally assented to their condition. *See* State v. Oliva, 144 La. 51, 52-53, 80 So. 195, 196 (1918) ("It matters not that the service was begun voluntarily . . . , for, if it is enforceable by criminal prosecution . . . it is nevertheless peonage"); Bailey v. Alabama, 219 U.S. 219, 242 (1911); *In re* Peonage Charge, 138 F. 686, 687 (N.D. Fla. 1905); Peonage Cases, 123 F. 671, 680 (M.D. Ala. 1903); *In re* Thompson, 117 Mo. 83, 90, 22 S.W. 863, 864 (1893). Slavery, like suicide, is too final, too irreversible, too inconsistent with our views of personhood and human dignity to be allowed to exist. J. S. MILL, ON LIBERTY 157-58 (A. Lindsay ed. 1971). *See also* J. RAWLS, A THEORY OF JUSTICE 158-60, 325-33 (1971).

26. *See Religious Totalism, supra* note 1, at 54-55.

27. *Id.* at 52-53.

28. *Id.* at 52-56.

29. *Id.* at 54-56.

In most other contexts, voluntariness is judged in terms of the dual requirements of knowledge and capacity.[30] Cults maintain the two essential elements of an informed decision in inverse proportion, however: when capacity is high, knowledge is low, and when knowledge is high, capacity is low.[31] Deciding whether such impaired assent is valid is extremely difficult. Thus, an analysis which entirely avoids the issue of voluntariness should be highly welcome.

A third advantage of a thirteenth amendment approach is that it avoids reliance on the medical model that earlier analyses of the cult problem have found undesirable or unreliable.[32] No longer is it necessary to introduce medical testimony to show that cultists are underfed, overworked, diseased, drugged, or exhausted. It is unnecessary to compare the health threats raised by cults to those presented in classic court cases dealing with blood transfusions, refusals of vaccination, ritual ingestion of psychedelic substances, and snake handling.[33] Furthermore, there is no need to rely on psychiatric expertise to prove incapacity or a need for conservatorship.[34] To demonstrate slave camp conditions, one need not show that the slaves are unhealthy, incompetent, or in danger of becoming insane; it is enough to show that they are slaves.

Finally, a thirteenth amendment approach avoids certain problems presented by any attempt to regulate thought- and behavior-altering practices.[35] It seems quite possible that, as cultist brainwashing becomes increasingly sophisticated, it will enable the manipulator to gain effective control of the minds of young members without causing serious and observable disease, or resorting to legally suspect modalities such as drugs, physical threats, or removal to isolated settings.[36] Even if a particular group were suspected of engaging in such extreme practices, the problems of proof might be formidable. Due to their indoctrination, members might lie about their own conversion process, or see obvious violations of their own autonomy as minor transgressions necessary to enable them to achieve enlightenment.[37] Members who have left the group or undergone deprogramming can be written off as malcontents, misfits, or as products of the deprogrammer's own brand of

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30. *Id.* at 54.

31. *Id.*

32. *E.g.*, Szasz, *Patty Hearst's Conversion: Some Call it Brainwashing*, THE NEW REPUBLIC, March 6, 1976, at 10-12; Reich, *Brainwashing, Psychiatry & the Law*, 39 PSYCH. 400 (1976).

33. *Religious Totalism*, *supra* note 1, at 10-36.

34. *See id.* at 15-16, 88-91.

35. *See generally* Delgado, *Organically Induced Behavioral Change in Correctional Institutions: Release Decisions and the "New Man" Phenomenon*, 50 S. CAL. L. REV. 215, 251-54 (1977); Delgado, *Ascription of Criminal States of Mind: Toward a Defense Theory for the Coercively Persuaded ("Brainwashed") Defendant*, 63 MINN. L. REV. 1, 11-17 (1978).

36. *See* Moya & Achtenberg, *Behavior Modification: Legal Limitations on Methods and Goals*, 50 NOTRE DAME LAW. 230 (1974).

37. *See, e.g.*, *Religious Totalism*, *supra* note 1, at 57-62.

brainwashing. A thirteenth amendment analysis avoids all this. It does not matter that the slave believes in or praises his or her own enslavement,[38] or sees it as essential to his or her spiritual well-being. Nor is it necessary to demonstrate that slavery arose through legally suspect means; it is the end result alone that counts. A thirteenth amendment analysis, then, can avoid many of the difficulties and pitfalls of earlier, more conventional approaches. I would now like to sketch, in very preliminary form, the way such an analysis might proceed.

III

ANALYZING RELIGIOUS TOTALISM IN THIRTEENTH AMENDMENT TERMS

A. Cult Practices and Thirteenth Amendment Case Law

The thirteenth amendment, initially aimed at eliminating the evils of African slavery, has been extended by judicial interpretation to encompass any "condition of enforced compulsory service of one to another."[39] It reaches "every race and every individual . . . . Slavery or involuntary servitude of the Chinese, of the Italian, of the Anglo-Saxon, are as much within its compass as slavery . . . of the African."[40] It covers "those forms of compulsory labor akin to African slavery which, in practical operation, would tend to produce like undesirable results."[41] Bondage produced by physical force clearly qualifies,[42] as does bondage induced by debt, terror, or confinement.[43]

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38. *Compare* Elkins, *Slavery and Negro Personality* in AMERICAN NEGRO SLAVERY 234 (A. Weinstein & F. Gatell eds. 1968) (phenomenon of the "happy slave") *with* GROUP FOR THE ADVANCEMENT OF PSYCHIATRY, SYMPOSIUM NO. 3: FACTORS USED TO INCREASE THE SUSCEPTIBILITY OF INDIVIDUALS TO FORCEFUL INDOCTRINATION: OBSERVATIONS AND EXPERIMENTS (1956) (psychological study of the American POW experience).

39. Hodges v. United States, 203 U.S. 1, 16 (1906), *overruled in part,* Jones v. Alfred H. Mayer Co., 392 U.S. 409 (1968); *See* United States v. Bibbs, 564 F.2d 1165, 1167 (5th Cir. 1977) ("the law takes no account of the means of coercion") *cert. denied,* 435 U.S. 1007 (1978). Hodges v. United States, 203 U.S. 1, 17 (1906). *See also* Tyler v. Heidorn, 46 Barb. 439, 458 (N.Y. App. Div. 1866) (slavery is "that which gives to one person the control and ownership of the involuntary and compulsory services of another against his will and consent"). Slavery was not found to be present where the restriction on liberty was either minimal or of long standing; Butler v. Perry, 240 U.S. 328 (1916) (public works on roads and bridges); Robertson v. Baldwin, 165 U.S. 275 (1897) (seaman's contract); United States v. Crocker, 420 F.2d 307 (8th Cir. 1970) (the draft); Ward v. Flood, 48 Cal. 36 (1874) (school attendance in a segregated school); State v. Rush, 46 N.J. 399, 217 A.2d 441 (1966) (assigning an attorney to represent an indigent).

41. Butler v. Perry, 240 U.S. 328, 332 (1916); *see* United States v. Shackney, 333 F.2d 475 (2d Cir. 1964). *See also* L.A. Times, Jan. 8, 1980, § 1, at 2, col. 3 (federal anti-slavery prosecution of farm foreman for keeping Mexican aliens in state of "slavery peonage").

42. Butler v. Perry, 240 U.S. 328 (1916); United States v. Shackney, 333 F.2d 475 (2d Cir. 1964).

43. United States v. Bibbs, 564 F.2d 1165, 1167-68 (5th Cir. 1977); Pierce v. United States, 146 F.2d 84 (5th Cir. 1944), *cert. denied* 324 U.S. 873 (1945); Bernal v. United States, 241 F. 339 (5th Cir. 1917), *cert. denied,* 245 U.S. 672 (1918).

Peonage statutes, enacted as implementing legislation under the thirteenth amendment, prohibit compulsory service based upon indebtedness.[44] Aimed initially at Indian and Mexican peonage in the territory of New Mexico, the statutes have been interpreted to proscribe all practices that have the effect of compelling labor on the basis of an obligation asserted by the master.[45] The obligation need not be monetary, but can arise from any debt, real or imagined, used to generate an obligation to work.[46] Both antislavery and antipeonage provisions reach private as well as state action.[47]

United States v. Ingalls[48] illustrates the scope courts have given the prohibitions against slavery and peonage. In *Ingalls*, a Negro domestic was forbidden to leave the house of the master, forced to do menial work, denied the right to have friends, given an inadequate diet, and provided no compensation.[49] She was forced, under threat of punishment, to remain in her master's house and told that if she left she would be confined in a prison or mental institution.[50] By such means, the master had been able to reduce her to a condition of complete subjugation.[51] The court held that her treatment amounted to involuntary servitude in violation of federal antislavery legislation.[52]

In *United States v. Bibbs*,[53] the Fifth Circuit Court of Appeals upheld a conviction of several Florida farm owners and labor contractors for maintaining field hands in a condition of slavery. The defendants had threatened the workers with extreme punishment if they left the camp. They were required to purchase food and to rent farm housing from the defendants at exorbitant prices, and were told they could not leave until their debts were paid. The court held that the defendants' course of conduct constituted "incidents of slavery" prohibited by the thirteenth amendment and federal involuntary servitude statutes.[54] The court also held that the means used to maintain the field hands in a state of bondage satisfied the coercion requirement.[55] Even

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44. 42 U.S.C. § 1983 (1976); 18 U.S.C. § 1581(a) (1976); Clyatt v. United States, 197 U.S. 207 (1905).

45. Peonage Cases, 123 F. 671 (M.D. Ala. 1903).

46. *Id.* at 680.

47. Jones v. Alfred H. Mayer Co., 392 U.S. 409 (1968); Clyatt v. United States, 197 U.S. 207 (1905); Civil Rights Cases, 109 U.S. 3 (1883); Salt Lake City v. Tax Comm'n, 11 Utah 2d 359, 359 P.2d 397 (1961).

48. 73 F. Supp. 76 (S.D. Cal. 1947).

49. *Id.* at 77.

50. *Id.*

51. *Id.* at 78.

52. The court defined a slave as "a person who is wholly subject to the will of another, one who has no freedom of action but whose person and services are wholly under the control of another." *Id.* His condition is that of "entire subjection . . . to the will of another;" he is "one who has lost the power of resistance." *Id.* at 79.

53. 564 F.2d 1165 (5th Cir. 1977).

54. *Id.* at 1167-68 (construing 18 U.S.C. § 1584 (1976)).

55. *Id.*

though the workers had not availed themselves of opportunities to escape, defendants were not relieved of liability, since they had made the workers fearful of the consequences of escape.[56]

Many features of cult life resemble those that violate laws relating to slavery and peonage. Cultists often are recruited by force and deception, then removed to isolated surroundings from which escape is difficult or impossible.[57] While conditioning is carried out, the member may be denied access to a telephone, forbidden to leave the camp, or denied any opportunity for rest or reflection.[58] In many cases, he or she is required to engage in nonstop chanting, recitation, and prayer, interspersed with lectures and "struggle sessions," all accompanied by an unceasing sensory barrage.[59] The recruit may be denied adequate sleep and fed a diet deficient in protein and vitamins.[60] Those who express a desire to leave are subjected to intense psychological pressure, or even physical force.[61] Locked gates or barbed wire may make leaving difficult.[62] Camps are commonly located in the remote countryside, or on an island where escape is almost impossible.[63] Doubts, "improper" thoughts, or insufficient fund-raising may be punished by forcing the recruit to "pay indemnity" and undergo physical self-mortification.[64]

After weeks or months of conditioning, the new member's mental state is narrowed to such an extent that some psychiatrists describe it as a form of trance.[65] Once in this condition, the victim is compelled to reorganize his or her thoughts and relationships into simplistic patterns of right and wrong, good and evil.[66] Memories of his past life begin to fade; all that is real is the present, with its intense preoccupation with frightening problems of the supernatural and cosmic struggles between the forces of good and evil.[67] Language and thought patterns change. Speech becomes literal, magical, and task-oriented. Independent critical thinking is discouraged; the convert is taught to obey.[68]

In time, the convert is deemed ready to function outside the confines of the camp. In the company of more experienced cult members, he or she begins outside work, which may take the form of raising funds on street corners, scavenging for edible garbage, or working in a cult-operated shop or business.[69] Work assignments are made by the leaders, who control every detail

56. *Id.* at 1168.
57. *Religious Totalism, supra* note 1, at 50-53.
58. *Id.* at 40-41.
59. *Id.* at 11-16.
60. *Id.* at 19.
61. *Id.* at 50-52.
62. *Id.* at 40-41, 50-51.
63. *Id.*
64. *Id.* at 17, 19-20.
65. *Id.* at 13.
66. *Id.*
67. *Id.* at 14.
68. *Id.* at 14-15.
69. *Id.* at 14.

of the convert's life, including residence, meals, hours of sleep, even choice of marital partner.[70] The convert is required to donate all worldly possessions to the leader.[71] Recruits work 12- 14-hour work days, seven days a week.[72] All the proceeds are turned over to the cult leaders; none are retained by the member, who continues to receive a subsistence diet and barely adequate shelter and clothing.[73] Although the cultist now moves about in the outside world, his thought processes have been controlled so that he has no desire to escape.[74] He has been forcibly taught to believe that the outside world is dangerous and satanical, that his parents hate him, and that his only chance for salvation lies with the group.[75] Many are taught to chant inwardly to shut out distracting stimuli, such as bystanders who might try to argue with them.[76] They show no interest in newspapers, magazines, or world events.[77] Parents and friends who have known these individuals in their previous lives are shocked at the changes they observe: abandonment of previous goals, robot-like behavior, repetitive speech patterns, physical changes, and a fixed, unchanging facial expression.[78]

B. Cult Practices and Thirteenth Amendment Policies

It appears, then, that many features of cult life resemble peonage or involuntary servitude. The fit is not perfect, however, and assertions must be made cautiously. No court, for example, has considered whether forced internalization of supernatural fears or threats would constitute an impermissible means of induction into a cult,[79] nor whether the servitude imposed

70. *Id.* at 44-47. In much the same way, slaves' lives were controlled by their masters. *See generally* Civil Rights Cases, 109 U.S. 3, 22 (1883) (slavery entailed restraint of movements, inability to hold property, to make contracts, to have access to courts); Hall v. United States, 92 U.S. 27, 30 (1875) (slavery entails inability to enter into any contract, including a marriage contract).

71. *Religious Totalism, supra* note 1, at 44-45.

72. *Id.* at 45.

73. *Id.* at 19, 45.

74. *Id.* at 14, 21-25; *see* United States v. Bibbs, 564 F.2d 1165, 1168 (5th Cir. 1977) (failure to escape when opportunity to do so presented itself held not an indication of voluntariness).

75. *Religious Totalism, supra* note 1, at 13-14, 16-17, 26-28, 31-33.

76. Interview with John Clark, M.D., Professor of Psychiatry, Harvard Medical School, in Washington, D.C. (June 1978). *See Religious Totalism, supra* note 1, at 21-23.

77. Interview with John Clark, M.D., *supra* note 76.

78. *Religious Totalism, supra* note 1, at 14, 22.

79. Although the forbidden means of induction into voluntary servitude are broadly defined, *e.g.*, United States v. Bibbs, 564 F.2d 1165, 1167-68 (5th Cir. 1977), the precise scope of forbidden means has never been stated, Misner & Clough, *Arrestees as Informants: A Thirteenth Amendment Analysis*, 29 STAN. L. REV. 713, 717-19 (1977), nor have courts squarely ruled on conditions that would render physical compulsion unnecessary where the victim's mechanisms of choice have been rendered nonfunctional. *See* Pierce v. United States, 146 F.2d 84, 86 (5th Cir. 1944) ("the law takes no account of . . . the means and method of coercion"); United States v. Shackney, 333 F.2d 475, 486 (2d Cir. 1964) (action by a master which causes a victim to believe that he has no way to avoid continued service would constitute involuntary servitude) (dictum); *id.* at 487 (Dimock, J., concurring) (subjugation of the will sufficient cause for finding

by cults would constitute the requisite degree of bondage.[80] Until actual cases are brought, these must be considered open questions. When these questions are ultimately presented to the courts, decisions will be rendered in light of the policies that underlie the constitutional prohibitions against slavery and bondage. These policies include:

(1) Prevention of the degradation of the human personality likely to result if persons are treated like items of property;

(2) Prevention of the slave's misery and suffering;

(3) Prevention of the corruption of the master as the result of his unnatural control over other human beings; and

(4) Prevention of social stagnation resulting from the institution of slavery itself.

The first policy, prevention of the degradation of the human personality, lies at the very core of our rejection of slavery. This policy is based on notions of respect for the human personality, a consideration which goes beyond simple concern for the physical well-being of the slave. Slavery offends the dignity of the individual, a deeply held value.[81] Thus, even if it were to appear that tolerating slavery served utilitarian purposes, or was imposed only by benign and considerate masters, society would still not permit it.[82]

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involuntary servitude and particular means used to effect subjugation not significant); Turner v. Unification Church, 473 F. Supp. 367, 375-76 (D.R.I.1978) ("It is unclear whether [18 U.S.C.] section 1583 should be expanded to include the type of involuntary servitude alleged in this case, namely servitude . . . based upon psychological control or dominance . . .") (dictum).

Other courts state that only a showing of "compulsion" will satisfy the requirements of illegitimate bondage. Flood v. Kuhn, 316 F. Supp. 271, 281 (S.D.N.Y. 1970), *aff'd*, 443 F.2d 264 (2d Cir. 1971), *aff'd* 407 U.S. 258 (1972). These results may have been different, however, had the possibility of more sophisticated psychological means of effecting the same result been before the court. *See also* Jones v. Alfred H. Mayer Co., 392 U.S. 409, 438 (1967) (Congress has power under the thirteenth amendment to eradicate *conditions* of servitude); United States v. Clement, 171 F. 974, 976 (D.S.C. 1909) ("What constitutes force or intimidation is a question of fact, and each case must depend upon its own circumstances. The character and condition of life of the two parties are always to be considered . . ."). These dicta seem to leave open the possibility of finding that paralysis of the will induced by psychological means and resulting in complete domination of the victim by another would qualify as slavery.

80. The bondage requirement demands that labor of some sort be performed for the primary benefit of the master rather than for that of the servant. Jobson v. Henne, 355 F.2d 129, 131-32 (2d Cir. 1966) (inmates at mental institution could be compelled to work since the labor was "therapeutic," and hence for their own benefit). Cult leaders would, no doubt, assert that the labor of the followers was exacted for the benefit of God, or of some other spiritual entity or value, rather than for that of the leaders personally. These leaders, however, are almost invariably very wealthy men. *See Religious Totalism, supra* note 1, at 44-45.

81. T. JEFFERSON, *Notes on Virginia, Query XVIII*, in THE POLITICAL WRITINGS OF THOMAS JEFFERSON 60-61 (E. Dumbauld ed. 1955) (slavery "transforms those into despots and these into enemies, destroys the morals of the one part and the amor patriae of the other. . . . Indeed I tremble for my country when I reflect that God is just . . . ."); CONG. GLOBE, 38th Cong., 1st Sess. 1321 (1864) (slavery opposed because it degrades the slave).

82. *See* Hare, *What is Wrong with Slavery*, 8 PHIL. & PUB. AFF. 103 (1979); J. RAWLS, A THEORY OF JUSTICE 158-60, 325-33 (1971).

Of the four interests, the interest in preventing debasement of the human personality most clearly justifies intervention. The thought of the People's Temple members, trained to perfect obedience, who followed their leader to their deaths,[83] or that of the glassy-eyed, weary street corner cultist, prepared to solicit yet another donation in the name of a nonexistent charity, fills us with a wonder approaching dread. Is the human personality so malleable? The thirteenth amendment's prohibition of human bondage offers a method by which our instinctive reaction to such cases can be made legally cognizable. Our intuitions should respond to fundamental notions about the way in which we, as a society, wish to live. We do not want slavery.

The second interest is that of preventing the infliction of suffering and misery upon the slave. Although cult leaders may live in palaces, own yachts, and have an army of servants and chauffeurs to do their work,[84] the rank and file live in wretched conditions, suffering from crowded, unsanitary living arrangements, little or no medical care, inadequate diet and sleep, and tormented by deliberately inculcated guilt and fears.[85]

By ordinary standards these people are leading lives of misery. The difficulty, of course, is that if approached while still with the group, they will declare that they are happy, that their bodies are of no concern to them, and that they must make sacrifices in order to advance the group's spiritual and worldly missions.[86] Interviews with ex-members, however, reveal that they recall their former lives as sustained torment, from which they are thankful to have escaped.[87] It is intuitively sounder to judge the conditions within these groups from the perspective of the outsider rather than that of the "happy slave." By our standards, and by those of ex-cult members, rank and file cult members live lives of misery and deprivation. The ameliorative thrust of thirteenth amendment analysis dictates that we provide some form of relief for their condition.

The third interest is that of preventing the corruption of the master which results from his all-encompassing control over the slaves. Power corrupts, and power over persons corrupts most completely of all.[88] The career of Jim Jones is a ready illustration of this corrosive force;[89] other cult leaders evi-

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83. NEWSWEEK, Dec. 4, 1978, at 38.

84. *Religious Totalism, supra* note 1, at 44-45.

85. *Id.* at 19-21, 31.

86. *Id.* at 57-62.

87. *Id.* at 58 n.309, 79-81.

88. *See generally* W. JORDAN, WHITE OVER BLACK: AMERICAN ATTITUDES TOWARD THE NEGRO 1550-1812 (1968); AMERICAN NEGRO SLAVERY: A MODERN READER 135-212, 221-328 (A. Weinstein & F. Gatell eds. 1968); J.S. MILL, REPRESENTATIVE GOVERNMENT 198 (A. Lindsay ed. 1971) ("slavery is, in all its details . . . corrupting to the master class . . . .").

89. *See The Assassination of Representative Leo J. Ryan and the Jonestown, Guyana Tragedy: Report of a Staff Investigative Group to the House Comm. on Foreign Affairs*, 96th Cong., 1st Sess. (1979); West & Delgado, *Psyching out the Cult's Collective Mania*, L.A. Times, Nov. 26, 1978, Part VII, at 1, col. 1.

dence a similar loss of judgment and growing megalomania.[90] Psychiatrists and psychohistorians who have studied the rise of Hitlerism and other totalistic movements find these developments alarming;[91] further tragedies, spawned by megalomaniacal leaders confident of the instant obedience of their followers, seem possible.

The final interest is that of preventing the social stagnation which results from slavery.[92] In terms of the present controversy, this interest translates into a concern over cults' refusal to interact with society,[93] except for certain limited, ritualized purposes: panhandling, recruiting new members, and obtaining food, money, and clothing from parents and merchants.[94] Diversity is lost within the group, through indoctrination practices and the well-known phenomenon of "identification with the aggressor."[95] Cultists are not open to change on a religious, or any other, level.[96] Few leave voluntarily.[97] The

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90. *Id.; see also Religious Totalism, supra* note 1, at 25 & n.152. What accounts for this phenomenon is not clear. Perhaps it is natural selection; cult leaders often are power-hungry individuals whose grandiose tendencies are accentuated by the experience of controlling others. Or, it may be that leadership roles involving total power exacerbate traits of rigidity and authoritarianism. In Freudian terms, the leaders may tend toward unbalance because they represent, in exaggerated form, the superego function of the group, without adequate controls.

91. *E.g., Transcript, National Ad Hoc Committee, The Unification Church: Its Activities and Practices* (April 20, 1976) ("Dole-Buckley Hearings"), pt. 1, at 40 (testimony of Rabbi Maurice Davis, Professor of Psychology). *See also* sources cited in notes 89 & 90 *supra*.

92. A society based on slavery is relieved of the necessity of fending for itself, of finding free-market means for seeing to its own survival. Abraham Lincoln stated: "Familiarize yourselves with the chains of bondage and prepare your limbs to wear them. Accustomed to trample on the rights of others, you have lost the genius of your own independence . . . ." Mendelson, *The Dred Scott Case—Revisited*, 7 LA. L. REV. 398, 403 (1947). By contrast, Andrew Johnson stated: "Slavery was essentially a monopoly of labor, and as such locked the states where it prevailed against the incoming of free industry . . . . Monopolies, perpetuities, and class legislation are contrary to the genius of free government, and ought not to be allowed . . . . [T]he principle of our Government is that of equal laws and freedom of industry." 6 J. RICHARDSON, MESSAGES AND PAPERS OF THE PRESIDENTS 3559 (1897) (Andrew Johnson, First Annual Message to Congress, Dec. 4, 1865).

Other commentators have argued that society should not tolerate slavery because the nation is no freer than its least free member. *See generally* J.S. MILL, *The Subjection of Women*, in ON LIBERTY AND OTHER ESSAYS 311 (MacMillan Co. ed. 1926) (n.p. 1st ed. 1869) ("[E]very restraint on the freedom of conduct of any of their human fellow creatures . . . dries up *pro tanto* the principal fountain of human happiness, and leaves the species less rich, to an inappreciable degree, in all that makes life valuable to the individual human being.") *See also* tenBroek, *Thirteenth Amendment to the Constitution of the United States*, 39 CALIF. L. REV. 171, 180 (1951) (the thirteenth amendment "was meant to be a direct ban against many of the evils radiating out from the system of slavery as well as a prohibition of the system itself").

93. "[A slave] stood upon the face of the earth completely isolated from the society in which he happened to be; he was nothing but a chattel . . . ." CONG. GLOBE, 39th Cong., 1st Sess. 503-04 (1866) (Sen. Jacob M. Howard).

94. *See* West & Delgado, *Psyching out the Cult's Collective Mania*, L.A. Times, Nov. 26, 1978, Part VII, at 1, col. 1.

95. *Id.; Religious Totalism, supra* note 1, at 13-15, 17, 21-25.

96. West & Delgado, *supra* note 94, at 1, col. 1; *see Religious Totalism, supra* note 1, at 48.

97. *Religious Totalism, supra* note 1, at 81-82, 90.

leaders are probably even more inaccessible. This state of affairs is inconsistent with the idea of a society committed to pluralism and the marketplace of ideas,[98] not to mention a view of religion as an exercise of freedom of the mind.[99]

IV

REMEDIES

An express finding that conditions within a religious society constitute involuntary servitude would support criminal prosecutions under the thirteenth amendment's implementing statutes.[100] If needed, Congress could enact a statute addressed specifically to the conditions found to prevail in cult environments.[101] Private actions for damages or injunctive relief could be brought, either as an implied action under an implementing statute,[102] or as a tort action for unlawful imprisonment and intentional infliction of emotional distress.[103]

A finding that cult social arrangements violated any of the interests protected by the thirteenth amendment would give rise to a compelling state interest that would support narrowly tailored[104] remedial action.[105] States could require, for example, that religious proselytizers disclose, at a time

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98. *See* sources cited in notes 92-96 *supra*.

99. For a description of Jefferson's view, *see* D. MALONE, JEFFERSON AND THE RIGHTS OF MAN 110 (1951); T. JEFFERSON, *A Bill for Establishing Religious Freedom*, in 2 THE PAPERS OF THOMAS JEFFERSON 545 (J. Boyd ed. 1950) ("Almighty God hath created the mind free, and manifested his supreme will that free it shall remain . . . .").

100. *See* 18 U.S.C. §§ 1581, 1583, 1584 (1976) (providing criminal penalties for persons responsible for states of peonage or slavery); *see also* 42 U.S.C. § 1994 (1976) (declaring void acts, regulations, or "usages" which maintain slavery and peonage).

101. *See Religious Totalism, supra* note 1, at 92-95. *But see* Turner v. Unification Church, 473 F. Supp. 367 (D.R.I. 1978) (finding no private civil cause of action against private defendants for violations of thirteenth amendment and antipeonage legislation; plaintiff remitted to common law tort remedies, such as unlawful imprisonment and intentional infliction of emotional distress).

102. *See* Griffin v. Breckenridge, 403 U.S. 88 (1971); Jones v. Alfred H. Mayer Co., 392 U.S. 409 (1968) (private remedies for constitutional wrongs). *See also Religious Totalism, supra* note 1, at 92-95. *But see* Turner v. Unification Church, 473 F. Supp. 367 (D.R.I. 1978) (no private civil cause of action against private defendants for violations of thirteenth amendment and federal antipeonage legislation; plaintiff remitted to common law tort remedies). If other courts follow the *Turner* ruling, Congress could enact legislation providing for civil relief, as it has done in other areas of great regulatory concern, such as antitrust and civil rights.

103. False or unlawful imprisonment requires that the defendant interfere with plaintiff's freedom to move about. *E.g.*, W. PROSSER & J. WADE, CASES AND MATERIALS ON TORTS 43-54 (5th ed. 1971); RESTATEMENT (SECOND) OF TORTS, § 35 (1971). Intentional infliction of emotional distress requires that defendant engage in outrageous conduct causing severe emotional distress to the plaintiff. *E.g.*, W. PROSSER & J. WADE, *supra*, at 55-74.

104. The remedy must be narrowly tailored to comport with constitutional requirements in effect when state action trenches on liberty protected by the Constitution—in this case, the first amendment right of free exercise of religion. *E.g.*, Wisconsin v. Yoder, 406 U.S. 205, 215 (1972); Sherbert v. Verner, 374 U.S. 398, 407 (1963).

105. *See* text accompanying notes 2-3 *supra*; *Religious Totalism, supra* note 1, at 73-97.

specified by statute, the identity of the group and also, perhaps, the conditions of membership.[106] Provision could be made for mandatory "cooling off" periods, or interruptions of the conditioning process, during which the recruit would be required to leave the group.[107] During this time, he or she could seek advice, think, rest, reconsider his or her situation and decide whether or not to return to the group for further indoctrination.[108] Both measures would make it less likely that an individual would unwittingly, or without full consideration, become a member of an organization whose practices might make it difficult or impossible for him or her to leave voluntarily at a later date.

States could launch programs of research and education, designed to increase the public's understanding of the risks of associating with groups which practice thought-reform methods and techniques.[109] Such efforts would be similar to existing efforts to deter young children from smoking, drinking, using drugs, or engaging in irresponsible sexual activity.

Under its general police power, the state might forbid, by means of clearly drawn statutes, conduct known to present risks of mental harm or enslavement of others.[110] The arsenal of thought reform technology could thus be made inaccessible to cult recruiters and others. Alternatively, use of these techniques could be restricted to individuals trained and licensed in psychology or behavioral therapy.[111] Such prohibitory rules are comparable to

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106. Such a requirement could be compared to consumer protection, or "truth in merchandising," rulings and statutes. *E.g.*, Encyclopaedia Britannica, Inc., 87 F.T.C. 421, 516, 524-26, 531 (Mar. 9, 1976) (final order to cease and desist) (salespersons ordered to present to homeowners, at time of initial contact, 3 x 5 inch card containing name of corporation, name of salesperson, and statement: "The purpose of this . . . call is to solicit the sale of encyclopedias"; corporation found to engage in deceptive sales practices in the past, including representing that the salesperson's purpose was to conduct a marketing survey or give away books).

107. This remedy would also be similar in effect to consumer protection rules that permit consumers to rescind purchase contracts within a specific period if, once free of the salesperson's influence they decide they do not want the product. *See, e.g.*, P. KEETON & M. SHAPO, PRODUCTS AND THE CONSUMER: DECEPTIVE PRACTICES 454-61 (1972); *see* Sandoval, *A Critical Analysis of the Cooling-Off Period for Door to Door Sales*, 3 CHICANO L. REV. 110 (1976).

108. The statute could prohibit contact by the group during this period of time, in order to minimize the possibility that further pressure would be brought to bear during the cooling-off period.

109. *See* N.Y. Times, Oct. 14, 1974, at 37, col. 1 (New York Attorney General Louis Lefkowitz sees alerting public as one of anticipated benefits of hearings into Children of God sect).

110. *See* U. of R.I. Daily, Apr. 14, 1975, at 1 (reporting student senate vote to deny on-campus status to Unification Church front group because of danger they pose to autonomy and well-being of students); Student Ass'n of State U. of N.Y. at Albany, Executive Branch Memorandum (May 22, 1975) (Moon group denied campus status because, among other reasons, its practices endanger free choice of students).

111. Violating the provisions of such a statute would be punished as practicing psychology or psychiatry without a license. *See* Comment, *Standard of Care in Administering Non-Traditional Psychotherapy*, U. CAL. D.L. REV. 56, 77-81 (1974).

strictures permitting quarantines[112] or to those forbidding religious snake handling.[113] Regulatory rules could insure that only licensed, knowledgeable, and presumably humane professionals would tamper with the mental processes of others.[114]

Provision could be made for the filing of documents requesting rescue with an appropriate court or agency.[115] These statements, analogous to the "living wills" utilized in states having death-with-dignity statutes,[116] would recite that the maker does not desire to associate with certain named groups and desires to be retrieved should he or she find himself or herself ensnared with such a group.[117] These documents which would give a court an indication of the individual's desires at a time when his or her knowledge and capacity were both high, would be entitled to considerable weight in connection with any request for a court order directing removal.[118]

Finally, conservatorship and guardianship orders could be obtained by relatives, friends, or agencies of the state directing the removal of persons who have fallen under the domination of cult leaders and whose psychological freedom has been demonstrably impaired.[119] That the proposed conservatee or ward had been reduced to, or was in the process of being reduced to, a condition of near-servitude would constitute a strong justification for the issuance of such an order.[120]

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112. *E.g.*, CAL. HEALTH & SAFETY CODE §§ 3050-51 (West 1970); MICH. COMP. LAWS §§ 329.1-.3 (1970) (quarantine statutes for communicable diseases).

113. *E.g.*, State *ex rel.* Swann v. Pack, 527 S.W.2d 99, 112 (Tenn. 1975), *cert. denied*, 424 U.S. 954 (1976); Harden v. State, 188 Tenn. 17, 216 S.W.2d 708 (1948).

114. It is not assumed that all professionals will utilize behavior modification technology humanely. It is only asserted that the likelihood of abuse is smaller when these techniques are carried out by trained and licensed professionals subject to the scrutiny of their professional peers and loss of their license for improper treatment.

115. *See Religious Totalism, supra* note 1, at 77.

116. *E.g.*, CAL. HEALTH & SAFETY CODE §§ 7185-95 (West Supp. 1977) (permitting withdrawal of medical treatment when patient has indicated such a desire in writing).

117. *See* the model instrument used by anti-cult group, reproduced in *Religious Totalism, supra* note 1, at 77 n.389.

118. Some might argue that cult leaders could require that inductees simply rescind such documents. The very process of rescission, however, would bring the rescinder before a court, enable the court to question him or her about his or her freedom from coercion and influence, and provide an element of visibility for cult practices that is presently lacking.

119. *See generally* AMER. BAR FOUNDATION, THE MENTALLY DISABLED AND THE LAW 250-302 (S. Brakel & R. Rock eds. 1971); UNIFORM PROB. CODE § 5-310 (temporary guardianship for period not to exceed six months); 39 C.J.S. *Guardian and Ward* § 11, at 28 (1976); *In re* Petri, No. NCP 5267B (L.A. County (Cal.) Super. Ct. Mar. 1, 1976); *In re* Coleman, No. 16386 (Mendocino County (Cal.) Super. Ct. Dec. 3, 1975) (conservatorship orders issued for cult members).

120. *See* cases cited note 119 *supra*, in which a conservatorship or guardianship was granted on a showing that the proposed ward of conservatee was being subjected to harmful physical and psychological influences.

In addition, the government's power to exclude from its territory individuals who are likely to engage in criminal or antisocial activity[121] could be used to prevent the entry of foreign cult leaders whose careers demonstrate a history of enslavement of others. Although this will do little to ameliorate existing slavery in this country, it will at least minimize the likelihood that new forms will be introduced.[122]

In general, the remedy chosen will need to represent the least onerous alternative available to effectuate the interest in preventing or abating slavery.[123] The remedy will therefore vary according to the stage of the conditioning process at which it is aimed: at early stages mild or preventive remedies should be tried.[124] At later stages, when it appears the conditioning or enslaving process has proceeded further, a more drastic remedy may be necessary.[125]

V

CONCLUSION

The advantages of a thirteenth amendment approach to religious enslavement are substantial: the prohibition against slavery is categorical, initial voluntariness is immaterial, resort to a medical model is unnecessary and end-states rather than means are emphasized, thereby avoiding the difficulties of proof which are inevitable when the case rests on means alone. At the same time, uncertainties are inherent in such an analysis. Few courts have tested

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121. *E.g.*, 8 U.S.C. § 1182(a) (providing categories of excludable aliens); Galvan v. Press, 347 U.S. 522 (1954); Harisiades v. Shaughnessy, 342 U.S. 580 (1952); Lem Moon Sing v. United States, 158 U.S. 538 (1895) (general power of nation to exclude persons from its borders). I am indebted to Michael Woodruff, attorney at law, for this suggestion.

122. 8 U.S.C. § 1182(a)(27) (consular officers' and Attorney General's power to exclude persons likely to endanger safety of citizens or engage in activities prejudicial to the public interest).

123. *See Religious Totalism, supra* note 1, at 73 (discussion of least-onerous-alternative requirement). The least-onerous-alternative requirement is imposed when state action interferes with the exercise of a constitutionally protected liberty. Like the "narrow tailoring" requirement discussed at notes 104-21, *supra*, this requirement ensures that state regulation of fundamental liberties not be broader than necessary to effectuate the state's legitimate interest. In the present context, for example, the requirement would prevent the state from sentencing a cult proselytizer to a long jail term if it appeared that a simple requirement of disclosure would prevent fraudulent recruitment and subsequent enslavement of a person now in the initial phases of contact with the religious organization.

124. Examples of mild or preventive remedies are discussed *supra* notes 106-18. These may prove effective in the case of persons at the point of first contact with the organization, when their psychological or physical enslavement has not progressed far.

125. If it should appear that a cult organization has already achieved domination over a group of individuals, mild or preventive remedies will prove ineffectual. In these cases more forceful action will be necessary, generally including the physical removal of the victim from the cult environment; *see, e.g.*, text accompanying notes 119 & 120 (conservatorship and guardianship remedy).

thirteenth amendment concerns in religious contexts or have grappled with the question of control effected by psychological means. In the absence of clear-cut guidance from the decisional law, courts and legislatures confronted with this problem will undoubtedly analyze it in terms of the underlying policies of the thirteenth amendment. In this article, four policies were identified and found applicable, in varying degrees, to present-day cult practices and conditions. Remedies under the thirteenth amendment can and should be implemented to limit the unique but harmful brand of slavery that cults impose on their members.