

Does “Mental Slavery” Exist? An Expert Opinion

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ABSTRACT: In August 2018, lawyers representing Daniel Ambash requested five leading scholars of new religious movements to prepare an expert opinion on whether something called “mental slavery” is generally recognized as a feature of the controversial new religious movement labeled as “cults” by their opponents. The scholars accepted to prepare an opinion pro bono (i.e. without requesting or accepting any honorary) on the general issue of “mental slavery,” summarizing or reproducing their previous work, without directly addressing the case of Daniel Ambash. Their conclusion was that “mental slavery” is simply used in this context as a synonym for “brainwashing,” and that brainwashing theories have been debunked long ago as pseudo-scientific tools used to limit religious liberty of unpopular minorities and justify the criminal practice of deprogramming.

KEYWORDS: Mental Slavery, Mind Control, Brainwashing, Anti-Cult Movements, Margaret Singer, Deprogramming.

Introduction

We have been requested of an expert opinion on the subject whether notions such as “brainwashing,” “mind control,” or “mental slavery,” allegedly used by “cults” to control their “victims,” are generally accepted in the social scientific study of new religious movements.

We have prepared this answer to the general question, without entering into the details of any specific case. We are also signatories of a letter written to the Knesset by several international leading scholars of new religious movements, urging members of the Israeli Parliament not to pass a proposed law against “cults” based on notions of mind control we regard as non-scientific (Introvigne et al. 2016).

The question was debated in depth during the so called “cult wars” of the 1970s and 1980s (Shupe and Bromley 1980; Bromley and Shupe 1981; Shupe and Bromley 1994), when a societal reaction developed against the success in the West of new religious movements, either imported from Asia or domestic, labeled as “cults” by their opponents. By the 1990s, the “cult wars” had largely ended in North America, although they continued in certain European countries and elsewhere, including in Israel.

We have studied the “cult wars” for decades, and some of us have been active participants in them. Others have served in institutional capacities dealing with problems of religious liberty involving small and unpopular minorities. In 2011, for example, Massimo Introvigne served as the Representative of the OSCE (Organization for Security and Cooperation in Europe) for combating racism, xenophobia, and intolerance and discrimination against Christians and members of other religions.

The Cult Wars

In the period from the late 1960s to the early 1970s, dozens of new religious movements appeared in the United States and in Europe, some originating from Asia. Many of these movements targeted college students in particular, leading some to drop out of school and become full-time missionaries, throwing their families into shock. While some of the converts’ parents were not religious, others found the religious reaction to the phenomenon to be weak and

inadequate. Most religious organizations limited themselves to a theological critique and to the labeling of the movements as “heretical.” Thus, next to an old religious “counter-cult” movement, a similar, but secular, “anti-cult” movement appeared (Introvigne 1995, 32–54). The secular movement claimed not to be interested in creeds, but only in deeds, wanting to scrutinize the new movements from a non-religious perspective and to take some sort of action in order to save the “victims” of the “cults.”

We shall not retrace the full path of the anti-cult movement here. Suffice it to note that in the United States in the 1970s and contemporaneously in Europe, in France especially, the anti-cult movement became “professional,” moving from an early stage, when it was led by the parents of “cult” members, to a new stage dominated by psychologists and attorneys. In this new phase, there was a merging of the theories about the harmfulness of “cults” in general and the body of theories connected to brainwashing and mental slavery.

“Mental slavery” was obviously a metaphor based on physical slavery, with “mental chains” replacing the physical chains of the slaves of old. “Brainwashing” was a concept originally developed during the Cold War in order to explain why apparently “normal” people could convert to such an evil ideology as Communism. The two words were truly interchangeable, and the comments we offer here on “brainwashing” also apply to “mental slavery.”

Brainwashing theories offered a crude, popularized version of previous research on why so many working-class Germans joined Nazism, carried out in the 1920s by the Marxist Frankfurt’s Institute for Social Research. The word “brainwashing” was coined by Edward Hunter (1902–1978), an OSS and later CIA agent whose cover job was that of a reporter, first with English-language publications in China and later at the *Miami Daily News*. Hunter expounded the theory of brainwashing in several books, starting from *Brain-Washing in Red China* (Hunter 1951). As used by CIA propaganda, the brainwashing theory was a gross simplification of the complex, Frankfurt-style scholarly analysis of totalitarian influence. In a 1953 speech, Allen Welsh Dulles (1893–1969), then the CIA director, explained that “the brain under these circumstances [i.e. under Communist influence] becomes a phonograph playing a disc put on its spindle by an outside genius over which it has no control” (Schefflin and Opton 1978, 437).

Gradually, from Communism the theory of brainwashing was applied to “totalitarian” forms of religion, and even to religion in general. A crucial step in this direction was the publication in 1957 of *The Battle for the Mind* by English psychiatrist William Walters Sargant (1907–1988) (Sargant 1957). The CIA, in the meantime, continued to study brainwashing and recruited, during his professorship at the University of Oklahoma, psychiatrist Louis Jolyon “Jolly” West (1924–1999), who later went on to become the director of the Department of Neuropsychiatry at the University of California at Los Angeles, and served as a link with the anti-cult movement. While Sargant thought that brainwashing was at work in processes of religious conversion in general, West was instrumental in restricting the application of the theory to “non-legitimate” or “manipulative” forms of religion only, i.e. “cults,” making it more acceptable for the general public.

West rarely testified in the courts on the matter of “cults,” and his “epidemiological” theory of brainwashing that considered the joining of “cults” a “disease” and an “epidemic” (West 1989, 165–92) found only limited acceptance. The brainwashing theory that was applied to the “cults” by the anti-cult movement in the 1970s and 1980s was for the most part a construction of Margaret Thaler Singer (1921–2003).

A clinical psychologist who lectured (without ever becoming a tenured professor) at the University of California, Berkeley, Singer had been a student of Edgar Schein (1928–), a leading scholar of manipulative influences, and even co-authored some articles with him. Schein and Robert Jay Lifton (1926–) tried to make sense of the CIA brainwashing theories by studying Chinese Communist “thought reform” practices, producing controversial but well-written academic statements about manipulation (Schein, Schneider, and Barker 1961; Lifton 1961).

Singer often appeared in court as an expert witness and, in a sense, she invented a new profession as a psychologist in the service, practically full-time, of anti-cult lawsuits and initiatives. Singer made frequent use of terms such as Schein’s “coercive persuasion” and Lifton’s “thought reform,” treating them as synonyms for “brainwashing.” In the 1990s, she wrote books and articles with Janja Lalich, who believed she had been the victim of brainwashing by a “political cult,” having been a member of the Democratic Workers Party, a Stalinist organization regarded by the American authorities as connected with

international extreme-left terrorism. Having left that organization, trying to make sense of her own experience, Lalich worked with Singer (Singer and Lalich 1995) and eventually earned a doctorate.

Critics of Singer, including forensic psychologist Dick Anthony, countered that Singer was misusing Schein and Lifton, and that the latter explicitly cautioned about using his theory in order to make distinctions about legal and non-legal religious indoctrination. Anthony, himself a respected expert of new religious movements, wrote a landmark article on the controversy in 1990 (Anthony 1990, 295–341), followed by a comprehensive doctoral dissertation in 1996 (Anthony 1996). He was often called to testify in court against Singer, and was in turn one of the key figures in the counter-advocacy movement by those scholars who perceived the activities of Singer and of the anti-cult activists as an abuse of science and a serious threat to religious liberty.

Singer suggested a framework of “six-conditions” in order to identify whether religious movements were in fact “cults” and were “brainwashing” or “enslaving” their followers: “keep the person unaware that there is an agenda to control or change the person;” “control time and physical environment (contacts, information);” “create a sense of powerlessness, fear, and dependency;” “suppress old behavior and attitudes;” “instill new behavior and attitudes;” “put forth a closed system of logic” (Singer and Lalich 1995, 63–4).

Singer claimed to have derived her six conditions from similar sets of criteria employed by Lifton (“eight themes”) and Schein (“three stages”). Anthony countered that this was not the case. Both Schein and Lifton, Anthony noted, mentioned “coercive persuasion” and “thought reform” as processes that are at work in greater or lesser degree in a great number of institutions such as political parties, convents, prisons, or military academies. Singer did not just claim that a “cult” is quantitatively different from other institutions committed to changing ideas and behavior because it applies “coercive persuasion” or “thought reform” more intensely than others. She rejected outright the idea that was central to Schein, i.e. that societal approval or disapproval of “coercive persuasion” depends upon its contents: “I am less interested in [...] the content of the group” (Singer and Lalich 1995, 61). According to Singer, the problem laid neither with degree of intensity nor with contents. It was the type of brainwashing process adopted by a religious group that defined it as a “cult.” And this process, as used by “cults,” she claimed, was qualitatively different from the methods employed by

“legitimate” institutions such as Catholic religious orders or the U.S. Marine Corps.

In fact, Singer listed nineteen points of difference between the “cults” and the Marines, stressing that these difference from the Marines also applied, for example, when comparing “cults” to the Jesuits or other “legitimate” forms of religion. Singer then concluded that the Marines practice a type of “indoctrination,” while “cults” apply real “brainwashing.” The key factor distinguishing indoctrination from brainwashing, Singer claimed, was deceit, for according to her those indoctrinated by the Marines or the Jesuits know exactly what sort of organization they are joining, while those who approach the “cults” are “recruited by deceit.”

Marine recruiters do not pretend to be florists or recruiters for children’s clubs. Nor do Jesuits go afield claiming they are ‘just an international living group teaching breathing exercises to clear the mind of stress’ (Singer and Lalich 1995, 101).

Here, the American psychologist referred to her campaign in American and European courts as an expert witness opposing the Unification Church founded by the Korean self-styled messiah Sun Myung Moon (1920–2012). Singer could rightly state that, at a certain point in its history, and in a specific location (California), Moon’s church was in fact enticing young people to attend its seminars without revealing the organizing group’s identity. This practice was, however, restricted to a special sub-group of the Unification Church, the so called “Oakland Family,” was never generalized in Moon’s organization, and was comparatively short-lived (Barker 1984). Critics maintained that generalizing the Oakland Family’s practices as if they were typical of the Unification Church everywhere, or of “cults” in general, was grossly unfair.

The Rise and Fall of Deprogrammers

Singer, however, went on and, together with sociologist Richard Ofshe, started a systematic cooperation with the anti-cult organizations and with the law firms that for the first time forcefully posed the question of whether the brainwashing that “cults” allegedly practiced should be considered illegal and entitle the “victims” to a monetary compensation, creating at the same time a lucrative business for the lawyers. In fact, not all the parents of young people who had joined new religious movements were so patient as to wait for the dictates of the

courts. Some of them hired “deprogrammers,” a new profession that first arose in the 1970s, whose members were neither psychologists nor psychiatrists but had backgrounds in private security or law enforcement, or were themselves former members of controversial groups or even petty criminals.

For example, Steve Hassan was a former member of Reverend Moon’s Unification Church and Rick Ross had been convicted for burglary and grand theft before discovering that posing as a self-styled specialist in “cults” and offering deprogramming services was less dangerous than robbing jewelries, an activity he had engaged into before re-inventing himself as a “cult expert.” On 10 January 1975, Ross was charged for attempted burglary and pleaded guilty in exchange of an agreement lowering the charge to conspiracy (Justice Court, Northeast Phoenix Precinct, Maricopa County, Arizona 1975; Superior Court of the State of Arizona in and for the County of Maricopa 1975). On July 23, 1975, Ross, with a store clerk as an accomplice, was able to steal 306 pieces of jewelry from a Phoenix shop, pretending he had a bomb in a box ready to detonate (Kastrow 1975). On 2 April 1976, he was sentenced to four years in jail for the robbery (Superior Court of the State of Arizona, Criminal Division 1976).

Without stopping to think whether their actions might in turn be illegal, these “deprogrammers” lured the members of new religious movements into their parents’ homes under various pretexts, sometimes even kidnapping them in the streets or in the religious group’s residences. They then shut them for days in hotels or isolated houses, “bombarding” them with negative information about the group, hoping to “decondition” them and “reverse” the effects of brainwashing.

Although they tried to introduce some distinctions, anti-cultists such as Singer and Ofshe were often perceived as justifying deprogrammers, which made their advocacy even more controversial. In the 1970s and 1980s, there were many instances of “deprogrammers” accused of resorting to drugs, physical violence, and even sexual relations (including sexual abuse) to “deprogram” their clients (Shupe and Darnell 2000; Shupe and Darnell 2006). Several well-known “deprogrammers” ended up in jail. In the end, in the 1990s the organized anti-cult movement distanced itself from the deprogrammers, publicly disapproving their methods. Deprogramming, however, kept going on, often disguised under the label of “exit counseling,” which should be theoretically non-coercive, although the difference is sometimes hard to tell in practice.

From the end of the 1970s throughout the 1980s, the legal outcome in the United States of the “cult wars” looked shaky. The lower-court judges, especially in small-town courts far from large cities, were sympathetic to the parents’ arguments and took various actions against the “cults” that were accused of “brainwashing” practices. Sometimes, the judges even cooperated with the “deprogrammers,” by entrusting in the custody of the parents, for periods of time, adult children who were ruled to be temporarily mentally incapacitated so that they could be “deprogrammed” without problems. But most of these decisions were overturned on appeal, where both Singer and Ofshe often testified against “cults” and Anthony, together with several senior academic sociologists who had studied new religions movements, in their favor.

In the well-known 1977 ruling *Katz*, a California Court of Appeals overturned an order that had granted temporary custody to the parents of adult members of the Unification Church. In their decision, the Court of Appeals judges asked whether investigating if a conversion “was induced by faith or by coercive persuasion is (...) not in turn investigating and questioning the validity of that faith,” which is clearly prohibited under the U.S. Constitution (Court of Appeals of California 1977). “Coercive persuasion” was Schein’s terminology, although the judges used it in the meaning that, in the meantime, Singer had given it. But, for all purposes, *Katz* put an end to temporary custody orders issued on behalf of “deprogrammers,” and started criticizing advocacy by Singer and her followers by suggesting that too often brainwashing theories and the liberal use of the label “cult” functioned as no more than an attempt to use a so-called “scientific” language to mask value judgments about unpopular beliefs.

In 1978, one year after the *Katz* decision, the Peoples Temple suicide-homicide in Guyana sowed panic against the “cults” all over the world, breathing new life into the anti-cult movement. In this new climate, “deprogramming” found new impetus, and some attorneys linked to the anti-cult movement pursued new strategies meant to induce former, “deprogrammed” members to claim damages for the brainwashing to which the “cults” had allegedly subjected them. For a number of reasons, the legal battle focused on the lawsuit of David Molko and Tracy Leal, two teenagers (now of age) who had joined the San Francisco Unification Church despite their respective parents’ strong opposition. Six months after joining, they had been successfully “deprogrammed,” to the point that they brought a lawsuit against the Unification Church for damages they

claimed to have suffered as a result of brainwashing. In 1983 and 1986, two California courts rejected Molko's and Leal's complaints (Anthony and Introvigne 2006; Introvigne and Melton 2000).

These episodes confirmed that two opposed camps existed at the time, and were so perceived by the media and public opinion. On one side were the anti-cult associations (among them, the Cult Awareness Network was very active in the courts and in deprogramming, while the American Family Foundation was more oriented to information and research), the deprogrammers, a group of psychologists and psychiatrists who applied brainwashing theories to the new religious movements, several journalists, and a handful of anti-cult academics. In the other camp were the new religious movements and their lawyers, associations that promoted religious freedom, some psychologists of religion, and nearly all sociologists and historians who were busy defining the study of new religious movements as a specialized field of the social sciences applied to religion. In the latter group the leading figures were J. Gordon Melton and James T. Richardson in the U.S. and Eileen Barker in Great Britain; in 1984, the latter had written what quickly became the standard critique of brainwashing theories with respect to the Unification Church (Barker 1984).

The two camps faced each other in the courts. The psychologists and psychiatrists who supported the brainwashing theory were accused of covering up the illegal activities of the "deprogrammers." They replied that the scholars (sociologists and historians in particular) of new religious movements were covering up the similarly illegal activities of the "cults." Both camps also accused each other of using unscientific methods to further preconceived ideologies.

Enter the American Psychological Association

For various reasons, the American Psychological Association (APA, not to be confused with the American Psychiatric Association that uses the same acronym) was caught in the eye of the storm. Similar problems also surfaced in the ASA (American Sociological Association), but they were less serious since, irrespective of the ASA, it was clear that a heavy majority of sociologists of religion did not agree with the brainwashing hypothesis and sided against Singer and Ofshe.

In 1983, during the *Molko* lawsuit, the American Psychological Association (APA, acronym that for the rest of this opinion will be used to identify this association), accepted the proposal of forming a task force, DIMPAC (Deceptive and Indirect Methods of Persuasion and Control), for the purpose of assessing the scientific status of the brainwashing theories about “cults.” Margaret Singer, who was at the head of the task force, chose the other members, including Louis “Jolly” West and Michael D. Langone, a psychologist active in the anti-cult American Family Foundation. The task force continued its work for several years. In the meantime, the *Molko* case reached the Supreme Court of California. According to a reconstruction of the events prepared in 1989 by the APA,

on February 5, 1987, during its winter meeting, the APA Board of Directors voted for APA to participate in the case [*Molko*] as an *amicus* (American Psychological Association 1989, 1).

In the U.S. legal system, an *amicus curiae* is an independent entity or individual who spontaneously submits to the court elements that it believes may be relevant to resolve a case. On 10 February 1987, the APA and others filed an *amicus curiae* brief in the *Molko* case. The brief stated that the theory Margaret Singer had labeled “coercive persuasion” “is not accepted in the scientific community” and that the corresponding methodology “has been repudiated by the scientific community.” The brief went on to specify that the choice of labels, among “brainwashing,” “mental manipulation,” and “coercive persuasion” (always in the meaning used by Singer) was irrelevant, for none of those theories could be considered to be “scientific” (American Psychological Association 1987).

The filing of the brief provoked numerous protests. Since the community of psychologists and psychiatrists was divided on the subject, several clinical psychologists disagreed on the substance, while others denounced the method. How could the APA, after asking the DIMPAC task force to prepare a report on the subject, presumably to be accepted or rejected by the association, proceed to take an official position before having read and passed judgment on the report? Several APA officials replied that the California Supreme Court was expected to soon issue a ruling on the *Molko* case that would greatly impact the issues at hand, and this made it impossible to wait for the findings of the DIMPAC committee.

However, the procedural argument found favor with many, while others were afraid that clinical psychologists may be persuaded by the campaign organized by

Singer and West to resign from the APA en masse. For this reason, always according to the APA 1989 reconstruction of events,

the [APA] Board of Directors, in the spring of 1987, reconsidered its prior decision to participate in the brief and voted, narrowly, to withdraw (American Psychological Association 1989, 1).

This meant that the

APA's decision to withdraw from the [*Molko*] case was based on procedural as opposed to substantive concerns. APA never rejected the brief [of 10 February 1987] on the ground that it was inaccurate in substance (American Psychological Association 1989, 2).

Therefore, on 24 March 1987 the APA filed a motion in which it withdrew from the *Molko* case. In it, the APA stated that

by this action, APA does not mean to suggest endorsement of any views opposed to those set forth in the *amicus* brief [of 10 February 1987] (American Psychological Association 1987b).

Eventually, the California Supreme Court found against the Unification Church, considering an essential element for its finding that *Molko* and *Leal* were initially recruited without being told that the movement whose meetings they were invited to attend was Reverend Moon's group. Had they known this, the court argued, they would not have attended the meetings where they were eventually submitted to "coercive persuasion" techniques, since they were aware of the negative media image of Reverend Moon (Supreme Court of California 1988).

In the meantime, the APA decided to reach some kind of conclusion about the DIMPAC task force that had been active since 1983. At the end of 1986, the task force submitted to the BSERP (Board of Social and Ethical Responsibility, the APA board in charge of public policy), a "draft" of its report. Subsequently, Margaret Singer and others claimed that it was not a final draft. In actuality, according to BSERP, the draft had been filed as a "final draft of the report, minus the reference list" (Thomas 1986). BSERP found that the draft had sufficient information to warrant issuing a statement, and forwarded it to two inside and two outside auditors. The latter were Jeffrey D. Fisher (from University of Connecticut) and Benjamin Beit-Hallahmi (from University of Haifa, Israel).

In the "publicly distributed" (according to Margaret Singer) (Singer and Ofshe 1994, 31) version of the BSERP statement, the only attachments were the

opinions of Fisher and Beit-Hallahmi, the two outside auditors. In a later lawsuit however, the opinion of one of the inside auditors, Dr. Catherine Grady, was also filed. According to Grady, the coercive persuasion techniques used, in the task force estimate, by the religious movements

are not defined and cannot be distinguished from methods used in advertising, elementary schools, main-line churches, AA and Weight Watchers.

According to her, the references to “harm” are “extremely confused”:

It’s all unsubstantiated and unproved newspaper reports and unresolved court cases. It’s not evidence (Grady 1987).

Fisher wrote that the report is “unscientific in tone, and biased in nature,” “sometimes [...] characterized by the use of deceptive, indirect techniques of persuasion and control—the very thing it is investigating.” “At times, wrote Fisher, the reasoning seems flawed to the point of being almost ridiculous.” Fisher added that the historical excursion on the “cults” “reads more like hysterical ramblings than a scientific task force report.” The DIMPAC task force had criticized the use of the expression “new religious movements,” arguing that the term “cults” should be retained as more appropriate. Fisher commented that

the reasoning becomes absolutely some of the most polemical, ridiculous reasoning I’ve ever seen anywhere, much less in the context of an A.P.A. technical report (BSERP 1987).

Beit-Hallahmi, in his review of the report, asked himself:

What exactly are deceptive and indirect techniques of persuasion and control? I don’t think that psychologists know much about techniques of persuasion and control, either direct or indirect, either deceptive or honest. We just don’t know, and we should admit it. Lacking psychological theory, the report resorts to sensationalism in the style of certain tabloids (BSERP 1987).

Beit-Hallahmi, although a scholar who was sympathetic to the anti-cult camp, ended with a radical conclusion:

The term ‘brainwashing’ is not a recognized theoretical concept, and is just a sensationalist ‘explanation’ more suitable to ‘cultists’ and revival preachers. It should not be used by psychologists, since it does not explain anything (BSERP 1987).

The heart of the DIMPAC report consisted of three clearly presented and amply illustrated concepts that are the crux of the anti-cult body of reasoning about “cults” and brainwashing. The first concept is that cults deceive. The case of Molko and Leal became paradigmatic: they went to meetings of the Unification Church without knowing it was the Unification Church. The second concept is

that cults are not religions. They should not be labeled “new religions” or “new religious movements,” since the use of these terms

results in [...] an attitude of deviance deamplification toward extremist cults, and a tendency to gloss over critical differences between cultic and non-cultic groups (DIMPAC 1986, 13).

The third fundamental concept added to the key element, deception, other secondary elements further explaining how to differentiate between “cults” and religions. The task force defined a “cult” as a deceptive group

exhibiting a great or excessive devotion or dedication to some person, idea, or thing and employing unethically manipulative (i.e., deceptive and indirect) techniques of persuasion and control designed to advance the goals of the group’s leaders, to the actual or possible detriment of members, their families, or the community (DIMPAC 1986, 14).

And what do these “unethically manipulative techniques” consist in? According to the task force, they include, in addition to deception, the

isolation from former friends and family, debilitation, use of special methods to heighten suggestibility and subservience, powerful group pressures, information management, suspension of individuality or critical judgment, promotion of total dependency on the group and fear of leaving it, etc. (DIMPAC 1986, 14).

In short, deceptive

totalist cults [...] are likely to exhibit three elements to varying degrees: (1) excessively zealous, unquestioning commitment by members to the identity and leadership of the group; (2) exploitative manipulation of members, and (3) harm or the danger of harm.

Therefore, according to the task force, we can indeed differentiate between “religions” and “cults” using strictly non-religious, secular and factual criteria: “cults” differ from “religions” “if not by their professed beliefs then certainly by their actual practices” (DIMPAC 1986, 14-5).

According to the reviewers, the differentiation between cult and religion (Fisher), the idea that one can distinguish between the methods of persuasion employed by the “cults” and those employed by mainline churches (Grady), and the very concept of brainwashing (Beit-Hallahmi) were examples of a partisan advocacy going beyond accepted science. As a result of these reviewers’ opinions, on 11 May 1987 BSERP, speaking on behalf of APA, issued a Memorandum evaluating what it called the “task force’s final report.” They rejected the DIMPAC report on the grounds that it “lacks the scientific rigor and evenhanded critical approach necessary for APA imprimatur” (BSERP 1987).

For a number of reasons having to do with the second (1990s) phase of the “cult wars,” which happened mostly in Europe, the 1987 Memorandum was the object of extensive controversy. Margaret Singer did not peacefully accept the APA verdict, convinced that it was the upshot of a sinister “Conspiracy” (Singer always capitalized the word), plotted by APA’s top management and by leading international scholars of new religious movements who acted as cult apologists and advocates. According to Singer, the accused were all responsible for the events that resulted in the APA’s 1987 Memorandum, acting

fraudulently, intentionally, falsely, and/or in reckless disregard for the truth, with intent to deceive and in furtherance of the Conspiracy (Singer and Ofshe 1994, 30).

Singer and her colleague Ofshe did not stop at verbal accusations. They filed a complaint in the U.S. District Court, Southern District of New York, against APA, the American Sociological Association and several scholars accusing them of forming a “racket” and as such, of being subject to anti-racketeering statutes that had originally been conceived to pursue organized crime. After a long and complicated case (Richardson 1996, 115-137), on August 9, 1993 the Court ruled that anti-racketeering laws “can have no role in sanctioning conduct motivated by academic and legal differences” (Superior Court of the State of California in and for the County of Alameda 1994). After losing in federal court, Singer turned to the laws of the State of California, producing what she believed was solid evidence of the Conspiracy. But she lost again: on June 17, 1994 Judge James R. Lambden ruled that

plaintiffs have not presented sufficient evidence to establish any reasonable probability of success on any cause of action (Superior Court of the State of California in and for the County of Alameda 1994, 1).

In the 1990s lawsuits, Singer herself took it for granted that the 1987 Memorandum constituted “a rejection of the scientific validity of [her] theory of coercive persuasion” and was even “described by the APA” as such (Singer and Ofshe 1994, 31). Later, however, Singer’s supporters, particularly in Europe, made much of the Memorandum’s mention in its fourth paragraph that

after much consideration, BSERP does not believe that we have sufficient information available to guide us in taking a position on this issue (BSERP 1987).

They concluded that the Memorandum, in fact, was not a rejection of Singer’s theory. That theory was, they claimed, neither accepted nor rejected. But in fact what was “this issue” on which the APA refused to “take a position”? It cannot be

the task force report because the Memorandum did, as a matter of fact, take a position on it. Nor can it be the subject matter of the task force report, i.e. the brainwashing theory as customarily presented by Margaret Singer and the anti-cult movement of the time, because that theory is comprehensively illustrated in the report. It seems safe to conclude that the intent of the APA 1987 Memorandum was, on one hand, to argue that the brainwashing theory as typically presented by Margaret Singer and the anti-cult movement lacked “scientific rigor,” while leaving the door open to different theories of persuasion and manipulation, perhaps following more faithfully the original models of Schein and Lifton. Singer herself always regarded the Memorandum as a clear rejection of her theory.

Among the other issues the APA left unresolved in 1987 and relevant for the question of advocacy was the “deceitful” behavior of psychotherapists themselves, including some working with former “cultists” and helping the illegal activities of the deprogrammers. In his opinion, Beit-Hallahmi wrote that

psychotherapy as it is practiced most of the time (private practice) is likely to lead to immoral behavior. I have no sympathy for Rev. Moon, [Bhagwan Shree] Rajneesh [1931–1990], or Scientology, but I think that psychologists will be doing the public a greater favor by cleaning their own act, before they pick on various strange religions (BSERP 1987).

Singer also tried to react to the APA debacle by starting a “war of manuals.” What was in the manuals, she claimed, was not partisan advocacy but accepted science. She maintained that the short but meaningful entry in the diagnostic manual of the American Psychiatric Association DSM-III (American Psychiatric Association 1980, 260) about the “brainwashing” that was allegedly practiced on “the captives of terrorists or cultists” had been written by herself. Singer’s critics responded that, although the DSM-III was an authoritative text, a short entry in a manual did not in and of itself constitute sufficient proof that a controversial theory had found general acceptance. In fact, in 1994 the DSM-IV that replaced DSM-III eliminated the reference to “cultists” in its coverage of unspecified dissociation disorders, although it retained the expression “brainwashing” (without defining it) and associated it to being a “prisoner” in a scenario of physical segregation (American Psychiatric Association 1984, 490; for the battles on “cults” around the various editions of the DSM, see Richardson 1993a, 1-21).

During the “cult wars,” writing entries in manuals became in itself an act of advocacy. Anthony later commented that for long

Singer’s authorship of this sentence [about the “brainwashing” practiced by “cults”] and its inclusion in the DSM III through her efforts was a significant coup for anti-cult ‘experts,’ who have used this fact to argue that their testimony was based on a theoretical foundation that was generally accepted in the relevant scientific community (Anthony 1999, 421–56).

The elimination of the reference to “cults” when DSM-III was replaced by DSM-IV signaled, however, that the mental health community had become aware that Singer’s theories had been discredited.

The Fishman Case

The turning battle between the two camps took place in the U.S. District Court for the Northern District of California in 1990, in the *Fishman* case. Steven Fishman was a “professional troublemaker” who attended the stockholders’ meetings of large corporations for the purpose of suing the corporations with the support of other minority stockholders. He then signed settlements that left the stockholders who had trusted him empty-handed. In a lawsuit brought against him for fraud, in his defense Fishman claimed that at the time he was temporarily incapable of understanding or forming judgments since he had been a member of the Church of Scientology since 1979, and as such had been subjected to systematic brainwashing. The case was not easy for Singer and Ofshe, who were asked to give expert testimony about the type of brainwashing practiced by Scientology. In addition to Scientology having nothing to do with Fishman’s fraudulent activities, the prosecutor easily showed that the defendant had been guilty of similar practices even before being introduced to Scientology. This notwithstanding, Fishman’s defense insisted in calling Singer and Ofshe to the stand.

On April 13, 1990 Judge D. Lowell Jensen ruled on the case. He pointed out that, unlike in earlier cases, this time it was possible to review hundreds of documents on brainwashing. Jensen had a large dossier on his desk about the APA’s position on the DIMPAC task force; he was also acquainted with the critical literature about the *Molko* case; and he relied on the expert opinions rendered for the prosecution by Anthony and by psychiatrist Perry London (1931–1992). Jensen noted that the brainwashing theory first emerged with

“journalist and CIA operative Edward Hunter” and did not coincide with the “thought reform theory” put forth by Lifton and Schein. Although Singer and Ofshe argued that they were faithfully applying Lifton and Schein’s theories to the matter of “cults,” their claim “has met with resistance from members of the scientific community.” Even though some of Singer’s positions on brainwashing were shortly mentioned in respectable psychiatric manuals,

a more significant barometer of prevailing views within the scientific community is provided by professional organizations such as the American Psychological Association (U.S. District Court for the Northern District of California 1990, 12–3).

Judge Jensen retraced the APA’s intervention as follows: “The APA considered the scientific merit of the Singer-Ofshe position on coercive persuasion in the mid-1980s” by setting up the DIMPAC task force; it also “publicly endorsed a position on coercive persuasion contrary to Dr. Singer’s” by submitting a brief in the *Molko* case in which it was argued that the theory of brainwashing as applied to “cults” “did not represent a meaningful scientific concept.” It is true, argued Judge Jensen, that the APA subsequently withdrew its signature on the above brief, but “in truth the withdrawal occurred for procedural and not substantive reasons,” as shown by the fact that soon after the APA “rejected the Singer task force report on coercive persuasion.” The judge recalled that similar events had transpired in the American Sociological Association. Therefore, the documentation “establishes that the scientific community has resisted the Singer-Ofshe thesis applying coercive persuasions to religious cults.”

Besides, noted Jensen, even Lifton, a scholar who had no sympathy for the “cults” and repeatedly manifested his personal friendship with Singer, expressed “reservations regarding the application of coercive persuasion theory to religious cults” (U.S. District Court for the Northern District of California 1990, 14). According to Jensen, for a scientific theory to serve as the foundation for a legal decision, it ought to find general acceptance in the reference community. In the instant case,

not only has Dr. Lifton expressed reservations regarding these theories, but more importantly the Singer-Ofshe thesis lacks the imprimatur of the APA and the ASA.

In essence,

theories regarding the coercive persuasion practiced by religious cults are not sufficiently established to be admitted as evidence in federal courts of law (U.S. District Court for the Northern District of California 1990, 14).

Three important conclusions were reached in the *Fishman* ruling. The first applied to method: the APA did not simply refuse to approve the DIMPAC task force report; in 1987, it expressed disapproval of Margaret Singer’s theory of brainwashing, which was the theory about brainwashing generally presented by the anti-cult advocates in the courts. The second conclusion was that within the academia a clear majority rejected Singer’s theories. The third was that, while Margaret Singer claimed to derive her brainwashing “anti-cult” theory from Lifton and Schein, in truth she was much closer to the CIA and Hunter theories—and the latter, unlike Lifton’s and Schein’s, did not enjoy even a minimum level of credibility in the scientific community.

The Demise of CAN

The *Fishman* ruling made a deep impact in English-speaking countries, as it became almost impossible for Singer and other anti-cult advocates to be accepted in the courts as expert witnesses on brainwashing. Deprogramming became gradually less acceptable even in local courts, and many deprogrammers lost civil suits. Some were sent to jail. Although some later decisions deviated in varying degrees from it, so that the *Fishman* ruling did not spell out once and for all the death of the anti-cult legal initiatives, an important precedent, still decisive today, had been established in the United States that set in motion a chain of events leading to the end of deprogramming and even of the Cult Awareness Network (CAN). Caught red-handed in the act of referring a family to deprogrammers, CAN was sentenced to such a heavy fine that it was forced to file for bankruptcy. In 1996, the court-appointed trustee-in-bankruptcy sold at auction CAN’s files, its name and its logo to a coalition of activists led by members of the Church of Scientology. Having become the legitimate owner of the trademark, the coalition organized a “New CAN” that supplied information that was clearly the opposite of what the old CAN used to furnish.

The case that bankrupted CAN involved the failed deprogramming by Rick Ross of Jason Scott, a young adult member of the United Pentecostal Church International. Ross and CAN were confident that, even if things went wrong, the Pentecostal group was not familiar with the “cult wars” and lacked the resources to sue them. However, the United Pentecostals, with a move not popular in their Christian milieu but that was crucial for the outcome of the “cult wars,” sought

the help of the well-equipped Church of Scientology, which co-operated in their civil lawsuit, in the course of which the embarrassing criminal record of Rick Ross also surfaced. In the end, Scott got a judgement against Ross and CAN in excess of four million dollars. The decision stated, inter alia, that Ross in his deprogramming activities

intentionally or recklessly acted in a way so outrageous in character and so extreme in degree as to go beyond all possible bounds of decency and to be regarded as atrocious and utterly intolerable in a civilized community (U.S. Court of Appeal for the Ninth Circuit 1998).

As a result, CAN's assets were seized by a judge, put on auction, and purchased by Scientologists who deposited them in a public library, opening them to scholars. A leading sociologist, Andrew Shupe (1948–2015), guided a team who studied these documents, and told the sordid story of CAN's involvement in illegal deprogramming, a story that involved also Margaret Singer and Steve Hassan (Shupe and Darnell 2000). Hassan was subsequently accused of unethical conduct in his deprogramming business and of charging truly exorbitant sums for his activities by voices from within the anti-cult community itself (The Cult Education Institute of New Jersey 2013).

The demise of CAN and the fall of Rick Ross basically ended the “cult wars” in the United States. Deprogramming continued for a while in Europe, until the *Riera Blume* decision of 1999 by the European Court of Human Rights in a Spanish case banned not only the activities of deprogrammers, but also the laws of the states that indirectly favored them (European Court of Human Rights 1999).

After the above legal developments, some North American anti-cultists adopted a somewhat more moderate position. A case in point is Michael Langone, a former member of the DIMPAC committee who remains a leading figure in the anti-cult community, and still regards “cults” in general as harmful. However, unlike other anti-cultists, Langone started a dialogue with academics, invited scholars such as Massimo Introvigne and Eileen Barker to his conferences, and argued that notions of brainwashing were too controversial to be used in courts of law or as basis for creating new law against the “cults” (Di Marzio 2008). Canadian leading anti-cultist, Mike Kropveld, also expressed similar ideas (Kropveld 2016, 1–3). Other anti-cultists still believe in concepts such as “brainwashing” and “mental slavery,” but realize their position is not regarded by the academia as part of accepted science.

Conclusions

Influence is obviously at work in all human relationships. The field of high-demand religious groups is no exception. If the question, however, is whether, in absence of extreme forms of torture or the systematic use of drugs, influence in these groups can deprive men and women of their free will through “brainwashing” or “mental slavery,” the answer scholars of new religious movements have derived from their observation of hundreds of groups, including the most controversial, is simply “no.”

Obviously, some new religious movements commit serious crimes, from child abuse to homicide. These crimes are also committed in “old” religions, as the cases of pedophile Catholic priests or terrorists who claim to act in the name of Islam tragically prove. These crimes should not be condoned and should be punished according to the laws.

But not even these crimes are the fruit of “brainwashing” or “mental slavery,” for the good reason that brainwashing and mental slavery, as commonly depicted by anti-cultists, do not exist. Distinguishing evil “cults” from benign “religions” based on concepts such as “mental slavery” and “brainwashing,” as a consequence, does not make sense (Richardson 1978, 29–52; 1979, 139–66; 1993b, 348–56; 1996, 115–37; 2014, 77–85; 2015, 210–15). Countless studies prove that members of the so called “cults” do not lose their free agency (in fact, thousands leave the “cults” spontaneously after a few months and years), and “brainwashing” and “mental slavery” are just labels based on faulty science disguising a political and social attempt to discriminate against unpopular beliefs and practices.

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