

**Deception, New Religious Movements, and Claims for Damages:  
The Case of *H.E. et al. v Seosan Church of Shincheonji et al.***

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**ABSTRACT:** On January 14, 2020, the Seosan Branch of Daejeon District Court, in South Korea, rendered a decision on claims for damages by three ex-members of Shincheonji, who argued they had been converted through deceptive techniques of evangelization. While the court rejected most of their claims, it accepted that one of the ex-members had suffered “mental pain” because of the deceptive proselytization, and should be awarded a modest compensation. The verdict did not represent the “victory” the anti-Shincheonji camp promptly claimed it was. However, its assessment of “mental pain” was problematic, and may constitute a dangerous precedent for the religious liberty of unpopular movements in South Korea.

**KEYWORDS:** Shincheonji, Shincheonji Church of Jesus the Temple of the Tabernacle of the Testimony, Brainwashing, Deception and New Religious Movements, New Religious Movements: Legal Cases, New Religious Movements in South Korea.

*Shincheonji and the Courts*

Shincheonji Church of Jesus the Temple of the Tabernacle of the Testimony (in short, Shincheonji) is a large Christian new religious movement headquartered in South Korea (Introvigne 2019, 2020a). Shincheonji involuntarily acquired an international notoriety when one of its devotees was diagnosed with COVID-19 on February 18, 2020. Before being diagnosed, she had attended Shincheonji events and infected many co-religionists. A national controversy followed. Shincheonji was accused of not having co-operated with the authorities in supplying a full list of its members when requested. Although this claim was not accurate (Introvigne et al. 2020a, 2020b), as members of the South

Korean government and law enforcement officers recognized (Kim 2020, Lee 2020), some local authorities and politicians used the opportunity to launch a number of legal investigations against Shincheonji and its related humanitarian organization, HWPL, with opponents asking that they should be disbanded and their leaders criminally prosecuted (Introvigne 2020b, 2020c). While international watchdogs for religious liberty such as the U.S. Commission on International Religious Freedom denounced the campaign as an attempt to destroy a religious minority by using the pretext of the epidemic (U.S. Commission on International Religious Freedom 2020a, 2020b), the incident confirmed how powerful and well-connected politically the Christian opponents of Shincheonji in South Korea are (Šorytè 2020).

In the past, opponents have resorted to both violence (Fautré 2020a, 2020b; Di Marzio 2020) and to legal actions to try, without success, to put a halt to Shincheonji's rapid growth. When the COVID-19 crisis hit, opponents in the Reddit group r/Shincheonji, devoted to disseminating anti-Shincheonji material, noted that, while the actions about the virus may eventually fail, in January 2020 a court in Seosan, South Chungcheong Province, had created a precedent that could potentially bankrupt Shincheonji, as well as other movements labeled as "cults" or "heresies" by their Christian foes (see "Gildicchia" 2020). In this article, I examine the issue decided by the Daejeon District Court, Seosan Branch, within the context of old and new controversies about "cults."

### *The Case: Overview and Decision*

The case was brought before the Seosan Branch of the Daejeon District Court by three former members of Shincheonji whom, in the interest of privacy, I will indicate only with their initials, H.E., H.Y. and C.T., against the Seosan Church of Shincheonji, which is part of the Matthias Tribe of the Shincheonji Church, and five individual members of that church. Shincheonji is organized through twelve tribes, and the Matthias Tribe is one of them.

The individual members of Shincheonji who were sued together with the Seosan Church are of limited interest here, as the court decided that "what exactly the defendants did during the process of evangelizing" is unclear, and at any rate they were not the "dominating force" in that process (the church was). They were exonerated from all charges, and awarded their litigation costs

(Daejeon District Church, Seosan Branch 2020, from which the other quotes in this paragraph are also taken).

All three plaintiffs had spent several years in Shincheonji. According to the decision, H.E. was a member from early 2012 to around September 2018, H.Y., from late 2014 to around September 2018, and C.T., from May 2016 to around October 2018.

All three plaintiffs claimed that they had been recruited into Shincheonji by deception, because the movement

used the evangelism method of engaging them to learn the doctrines of Shincheonji Church of Jesus in the name of a cultural experience program or Bible study. If the one who is being evangelized suspects that it is Shincheonji, the Shincheonji congregation members who are disguised as ones who are learning along with the person who is being evangelized, thoroughly and skillfully manage the one who is being evangelized to not suspect and to be obedient to the doctrines, They hide the truth until a certain degree of purification by the doctrines is reached (so called, “until the seed is planted”). Only after that, they disclose that they are from Shincheonji Church of Jesus.

The three plaintiffs claimed that they became active members of Shincheonji because of this deception. They argued that membership in Shincheonji caused to them significant material and moral damages, as they spent time for the movement without pay, and experienced painful conflicts with their families. H.E. claimed that she worked for Shincheonji full-time without pay for four years. Both H.Y. and C.T. reported that they had abandoned their studies to qualify as social workers to devote more time to Shincheonji. H.Y. added that, because he had become a member of Shincheonji, his wife had divorced him. C.T. insisted that harassment by former co-religionists when he was leaving Shincheonji added to his mental pain.

The plaintiffs calculated the damages they asked from Shincheonji, and the individual members involved in their conversion, based on the money they might have earned had they devoted to profitable activities the time they spent working for the movement, and added additional claims for the mental pain. H.E. asked for Won 40 million (\$ 33,400), including 10 million (\$ 8,346) for the mental suffering, to be paid by each defendant, in her case the Seosan Church and the two members who had converted her. H.Y. requested that the Seosan Church and the member who had converted him should each pay Won 20 million (\$16,691). C.T. asked that the Seosan Church and the two members involved in his

conversion pay each Won 10 million (\$ 8,346). The different monetary requests were justified by the fact that the period spent by each defendant in Shincheonji was different.

Besides dismissing the claims against the individual Shincheonji members, the court rejected all claims by H.Y. and C.T., and asked them to pay the corresponding legal expenses. The court regarded H.Y.'s claims as "groundless," considering that, when he joined Shincheonji, his daughter was already a member and a full-time worker for the church. That he could have been deceived, and had not recognized that the movement he was evangelized into was Shincheonji, was therefore not believable. C.T.'s claims were also dismissed as "difficult to believe." The hours he had devoted to Shincheonji in the short time he was a member (2 years and five months), the court argued, would have allowed him to continue his studies, and there was not enough evidence supporting his statement that, "if he tried to leave the church, congregation members would come bully him at work, and he would suffer at his workplace."

On the other hand, the court accepted some of the claims by H.E., the ex-member who had remained in Shincheonji for the longer period, more than six years, four of them spent working for the movement full-time. The court awarded H.E. only a fraction of what she had requested, i.e. Won 5 million (\$ 4,173), plus interests in case of non-payment. The only claims accepted were against the Seosan Church, and the award was a far cry from the Won 40 million asked by H.E., which would have become Won 120 million in case her original claims against the two members involved in her conversion would have been accepted, in addition to the claims against the church. In addition, H.E. was sentenced to pay the expenses of the individual Shincheonji members she had sued, while the expenses of the case between her and the church were divided, with H.E. paying 80% and the Seosan Church, 20%.

The court came to accept some of H.E.'s claims through three passages. First, it claimed that deceptive methods of evangelization are not protected by the religious liberty clause of the South Korean Constitution.

The first and the second section of the 20<sup>th</sup> article of the Constitution of the Republic of Korea state that, "All citizens shall enjoy freedom of religion," and "No state religion shall be recognized, and religion and state shall be separated," respectively declaring freedom of religion and separation of politics and religion. Regarding the details of the freedom of religion, it is generally explained that its contents are 3 factors: freedom of

worship, freedom of religious conduct, and freedom of religious assembly and association. The freedom of religious conduct, unlike the freedom of worship, is not an absolute freedom, and the freedom of religious conduct includes the liberty of missionary work—that is, to promote the religion that one follows and to gather new members. Inside the liberty of missionary work, there is the liberty to criticize other religions and to suggest conversion (Refer to Supreme Court September 6, 1996 Sentence 96Da19246, 19253 Ruling, Constitutional Court September 27, 2001, 2000HeonMa159 Ruling etc.).

However,

although the liberty of missionary work is a part of the fundamental rights that are guaranteed in the Constitution, it is not an absolute right as seen above. Therefore, it must be carried out so that it may not interfere with the constitutional law and the fundamental rights of others, and it must be limited when it interferes with the peaceful life of others or social order. When others refuse to listen or to accept, the act of continuing to spread one's religion or to forcefully make them accept it, the very act itself, may infringe the right to freedom of privacy, religion, and conscience.

Second, the court accepted the plaintiff's claim that she had been initially recruited into Shincheonji through deception, commenting that one effect of

the evangelism method of this case, is to block the opportunity of the target to make sound judgments and to acquire sufficient information, by offering consideration and kindness while hiding that the actants are affiliated to Shincheonji Church of Jesus, and making them end or worsen the relationship with the people who were informing them of objective facts. Not only that, they actively managed the target even after the target had been won over as a member. This act is to manipulate the anxiety of the targets, that is, that they might be left alone if the kindness and the consideration to make them members of their church is suddenly gone. Therefore, it goes beyond the limits of the freedom of religion that the Constitution guarantees. Moreover, it is illegal, because it resembles fraud or blackmailing, which are against the laws whose purpose is to protect the order of the society.

Having established that an element of deception was involved in H.E.'s conversion to Shincheonji, and declared deception illegal, the court had to go through a third passage, i.e. it should determine whether being a member of Shincheonji was actually harmful for the woman. As in the case of the co-plaintiffs H.Y. and C.T., the court was not persuaded that, during the time she spent in Shincheonji, H.E. would have been unable to organize her days in a different way, and pursue a profitable career while continuing as a believer and a member of the church. No damages were awarded to her for the loss of potential profits.

However, damages were awarded for the “mental pain” H.E. allegedly suffered. She, the court said,

was active as a church member from early 2012 to September 2018, and due to this, it is acknowledged that plaintiff [H.E.] went through mental conflict and a sense of betrayal and shame caused by worsened relationships with family and acquaintances. Therefore, the defendant church is obligated to compensate for the plaintiff [H.E.]’s mental pain, and the detailed amount of the compensation is set as 5,000,000 Won.

### *The Verdict and Anti-Cult Propaganda*

Anti-cultists fighting Shincheonji in South Korea come from conservative and fundamentalist Christian churches. They were heavily involved in the Seosan lawsuit. H.E. was introduced in the Christian media as a member of the National Association of Solidarity with the Victims of Shincheonji, an anti-cult group, whose leader Hong Yeon-ho was in the courtroom when the verdict was read. According to Christian media, which nicknamed the case the “Youth Return Suit,” the anti-cult leader and the plaintiffs,

held each other’s hands tightly and listened to the verdict. When the judge admitted that the evangelism method of Shincheonji was illegal, a sigh of relief erupted here and there in the silence of the court (Kwak 2020, from where the other quotes in this paragraph are also taken).

In reporting the case, Christian media had to acknowledge that, “although the court acknowledged the illegitimacy of the proselyting method, it granted only some of the plaintiffs’ demands for compensation.” The National Association of Solidarity with the Victims of Shincheonji, the anti-cult organization that was described as “leading the Youth Return lawsuit,” “held a press conference in front of the court after the trial.” There, Hong Yeon-ho, described as the CEO of the anti-Shincheonji association, commented that,

It is significant that deceptive evangelization, a representative method of proselytization used by Shincheonji, has been deemed illegal. This will contribute to stop their increasingly zealous missionary work and the fanatical proselytism. If we look at the damage that not only Shincheonji, but also other pseudo-religious frauds, produce, this will be a valuable precedent for obtaining legal compensation for the damages.

H.E. also spoke at the impromptu press conference, stating that,

This verdict will have a huge impact on Shincheonji. Several people of Shincheonji are watching this press conference. It is that important. A person who plays an important

role in the Shincheonji Seosan Church is in the process of leaving Shincheonji. More similar cases will occur in the future.

The lawyer who represented the plaintiffs was later interviewed, and insisted that, the decision is significant, because the deceptive evangelism that Shincheonji is conducting has been recognized as a criminal act. Now we will proceed through the appeal, to prove that deceptive evangelism was at work also in the two cases that were not recognized, and will provide further evidence. In another district, the “fruit,” the person who was evangelized, and the “guide” who lured him into Shincheonji, both simultaneously left the movement and are preparing to file a lawsuit against Shincheonji. In this case, we can expect better results because we can prove the specifics of the plot.

We cannot expect anti-cult activists to report objectively on the case. For them, the court action was part of a larger propaganda campaign. Their claims of “victory” were, however, inaccurate. Two of the plaintiffs had all their claims rejected, and even in the case of H.E., it is a telltale sign of the court’s general assessment of her position that she had to pay 80% of the legal fees for the case against the church, while Shincheonji was requested to pay the remaining 20%.

Shincheonji has also appealed the case. The appeal will take place in the heated post-COVID-19 climate, which indeed puts Shincheonji at further risk. Hoping that, notwithstanding what had become a national witch hunt, cooler tempers can prevail in the appeal court, I would now address the question of deceptive evangelism and its legal status.

### *“Heavenly Deception”*

The opponents claim that “deceptive evangelism” in Shincheonji consists in having the subject study the doctrine of Shincheonji under the guise of cultural experience programs or Bible studies, and having Shincheonji members who are hiding their identities stay by the subject side while he or she is receiving the education, and until is fully indoctrinated (Kwak 2020).

Interestingly, in my own interviews with Shincheonji members, they did not deny that a certain amount of dissimulation is at work in their proselytizing activities. They claimed that this is needed because of the massive anti-cult campaigns targeting Shincheonji and the hostile attitude of most Korean media. One devotee told me that,

Very few people would accept an invitation if we would ask them to come to a Shincheonji meeting. Even if they have not read bad articles before, they would go to the Internet and encounter the anti-Shincheonji propaganda first.

There is also, Shincheonji claims, a Biblical justification for this behavior. Apostle Paul in *1 Thessalonians* 5:2 prophesied that, at his second coming, Jesus will come “as a thief in the night.” Shincheonji interprets Paul’s passage to the effect that the “harvesting” in the last days (i.e. in our time) will be exceedingly difficult due to organized opposition, and some dissimulation will be justified.

On the other hand, the Shincheonji members I interviewed are conscious that what they prefer to call “covered evangelism” perpetuates a vicious circle. It is mentioned by opponents as evidence that Shincheonji is a devious, deceptive “cult,” generating more hostile media coverage and, in the eyes of the devotees, the need for an even more cautious approach. For these reasons, several Shincheonji local communities are moving to “open evangelism,” using now the name Shincheonji from the very first contact with potential converts.

How “covered evangelism” worked? Stalls in the streets were organized to attract the attention of passers-by, where the name Shincheonji was not used. Those approached there, or privately by friends, were invited to Christian “Bible study classes,” again not mentioning Shincheonji. There, some of the fellow students would be Shincheonji members, who would not disclose their identity as devotees to the recruit. According to the opponents, Shincheonji members would also “infiltrate” other Christian churches, where they would make friends and invite them to “Bible studies,” without disclosing that these are Shincheonji activities.

All this was not new. As the anti-cultists mentioned when commenting on the Seosan trial, the same practices are also found in other Korean new religious movements. International anti-cult literature mentions “heavenly deception” as allegedly typical of “cults” in general. The term was initially used within another Korean new religious movement, the Unification Church of Reverend Sun Myung Moon (1920–2012), which sometimes approached students and others without disclosing the name of the organization that was inviting them to a seminar on spirituality. Like Shincheonji today, the Unification Church in the 1970s and 1980s had a bad press. One branch of the Unification movement, the “Oakland family” in California, led by a Jewish-born university lecturer, Dr. Mose Durst (b. 1939), went to somewhat extreme lengths to disguise the name of the Unification



Church, and it took weeks and even months for recruits to realize which movement they were being asked to join (Bromley and Shupe 1980, 231–33). Even in the United Kingdom, in the early 1980s, as a famous study by sociologist Eileen Barker reported, it took a few meetings before one third of the recruits realized the seminars they were attending were organized by the notorious Unification Church, although it was also true that two thirds understood it very quickly (Barker 1984).

The deception was “heavenly” as it was justified by the claim that leading somebody to join the Unification Church was beneficial to the convert’s happiness and eternal salvation. By speaking of a generalized gross deception, however, anti-cultists failed to note that the practices of the “Oakland family” did not exist in other local groups of the Unification Church. They were short-lived, and might have been influenced by equally short-lived proselytization methods used in California by the not less controversial Hare Krishna devotees, who called them “transcendental trickery” (Bromley and Shupe 1980, 231–33).

It seems that this was a common reaction to hostile media by *Asian* new religious movements. In South Korea and beyond, both the World Mission Society Church of God (although it won some court cases for defamation against especially vitriolic attacks by anti-cultists: Introvigne and Folk 2017) and Providence (*ABC News* 2017) received similar accusations of practicing “heavenly deception.” Even in the case of the largest non-Christian Korean new religion, Daesoon Jinrihoe, alternatively spelled Taesunchillihoe, one critical scholar claimed in 2001 that,

Propaganda methods include haunting [...] the large bookstores, especially the Asian thought and religion sections, and the Seoul underground. The usual solicitation is to inquire if one is interested in Eastern thought or the Way, and then an invitation to a place that teaches such ideas, without mention of Taesunchillihoe (Jorgensen 2001, 84; for a criticism of Jorgensen’s methodology, see however Yongbok and Introvigne 2018).

The situation in Mainland China is different, because proselytization on behalf of a non-authorized religious group is forbidden by the law. Using alternative names when evangelizing is thus a need due to the persecution. On the other hand, some Chinese new religious movements, including the fast-growing Church of Almighty God (CAG), have been accused of resorting to deception even outside China. In the early 2000s, Christian anti-cultists circulated an alleged CAG recruitment manual, whose title was “Detailed Instructions for Sounding Out and

Paving the Way” (摸底铺路细则), where members were taught to “infiltrate” Christian churches without initially revealing they belonged to the CAG. Australian scholar Emily Dunn (2015, 147–51) considered the hypothesis that the manual was just a fabrication as not impossible, but stated that it might also have been genuine, and in this case aimed at resisting persecution rather than deceiving other Christians:

While Protestant and [Chinese] government sources depict “sounding out” as typifying the general cunning and evil of the movement, the tactic has probably been developed primarily with the goal of protecting vulnerable evangelists, rather than preying upon unsuspecting Protestants (Dunn 2015, 151).

Based on a study of the language of the text, which includes sentences not typical of CAG’s jargon and contradicting its theology, I concluded that the document was fabricated to slander the CAG, probably by Christian pastors concerned about the high number of conversions to the movement from their churches, although it might have incorporated sentences copied from genuine CAG material (Introvigne 2020d, 115).

Apart from the manual, however, the highest administrative leadership of the CAG noticed at one stage that some rogue CAG members did use “low and base means” of evangelization, which may have been a reference to deceptive strategies, and told them to stop doing this, threatening expulsion (The Church of Almighty God n.d.). On April 14, 2005, the chief administrative leader of the CAG, Zhao Weishan, known to the members as “the Man used by the Holy Spirit,” instructed that,

The gospel must be preached by using regular ways. This has been emphasized many times. Some people still use low and base means to preach the gospel. This must be forbidden. Whoever uses such means to preach the gospel must stop immediately. Anyone who uses them again will be expelled (The Church of Almighty God 2017, 68).

Outside the Asian context, Scientology has been accused of proposing “personality tests” to passers-by in the streets and other activities without disclosing its name, although some court decisions concluded that these strategies were promoted by local groups without sanction from the headquarters, and were abandoned after they had been objected to in court cases (Corte di Cassazione 1997).

When a new religious movement believes that its message is a unique and urgent call to salvation, zealous efforts at proselytization normally follows. Some

movements, or their members, may easily become over-zealous. Christian critics claim that such over-zealousness is a unique feature of Shincheonji, while it is in fact common among new religious movements. The accusation of “sheep-stealing” through deception is both frequent and understandable when a new movement grows by converting many members of older religions. From early Christians, indeed from the direct followers of Jesus Christ themselves, to the first Methodists, such accusations mark the whole history of Christianity. Normally, they disappear with time. As a subsequent generation follows the enthusiastic first one, new religious movements go through processes of routinization of charisma and mainstreaming. Most of those I have mentioned here have abandoned “heavenly deception” and similar tactics, realizing that proclaiming to the world that they are proud members of their movements is a more effective way to answer media slander. It may also save them time and money in courts of law.

### *But Is It Illegal?*

Whether “heavenly deception” is immoral or illegal, besides being bad PR, is a different question, and an old one. Within the Catholic Church, the Jesuits, who had a significant number of enemies, were also accused of dissimulating their identity. They answered by elaborating on a classification of lies, which was actually based on texts dating back to Augustine of Hippo (354–430) and Thomas Aquinas (1225–1274), but whose definitive statement is due to the Jesuit cardinal Robert Bellarmine (1542–1621, canonized as a saint by the Catholic Church in 1930). It distinguishes between jocose, officious, and injurious lies. Jocose lies are told to amuse or entertain, officious lies to achieve an aim (which in turn may be good, bad, or indifferent), and injurious lies to harm others. Catholic doctrine distinguishes between a mortal sin, a gravely sinful act that leads to damnation if the sinner does not repent and confess the sin before death, and a venial, or minor, sin. Although venial sins should also be avoided, Catholics believe that, unlike mortal sins, they require penance in this life or after death, in Purgatory, but do not lead to damnation. An unconfessed mortal sin prevents a Catholic from taking communion; a venial sin does not. Bellarmine maintained that, while injurious lies are mortal sins, both jocose lies and officious

lies told to achieve a good or indifferent aim are merely venial sins (Bellarmino 1853, 130–31).

This position still reflects a majority consensus in Christian ethics. Lies should be avoided, but “officious” lies told in service of a good cause are somewhat regarded as a minor sin, with some even believing that in certain circumstances they may be morally permissible (Kaczor 2012). Of course, any such argument would fail to persuade Shincheonji’s opponents, for whom conversion to Shincheonji is not a good cause. They may be, in turn, accused of double standards, since when they try to “deconvert” devotees *out* of Shincheonji they have no problems in telling them lies and leading them to the deprogrammers under false pretenses (Di Marzio 2020).

But what about courts of law? Is deception on behalf of proselytization illegal? Does it entitle those who converted to recover damages? In fact, there are here two different questions. The first is whether “covert” proselytization is illegal, and the second is whether it entitles those converted to claim damages, and in what amount.

The Seosan court claimed that deception may “block the opportunity of the target to make sound judgment and to acquire sufficient information.” I believe that this part of the court’s opinion is questionable, and based on a naïve model of conversion, which has been abandoned by most scholars from several decades. This model posits that one converts to a new religion by gathering information on it, placing favorable and negative information on an ideal scale, and taking a decision. Indeed, this is how converts sometimes reconstruct their own conversions *post factum*. But in real life, this kind of purely intellectual conversion is rare. The author of the *Gospel of John* already knew this.

Jesus said, “Come and see.” They went and saw the place where Jesus was staying. The time was about four o’clock in the afternoon. They stayed with Jesus the rest of the day. Andrew was one of those [...] who [...] went after Jesus. He was Simon Peter’s brother. The first thing Andrew did then was to find his brother Simon. He said, “We have found the Messiah!” (John 1:39–41).

Andrew and Simon Peter did not ask Jesus for a full doctrinal statement of Christianity, then ran to the next synagogue to obtain more information on Judaism and started a comparative study. They “went and saw”—and believed. “We have found the Messiah!”

Conversion to new religious movements is a widely studied phenomenon (Robbins 1988, 63). Most scholars concluded that, while doctrine is not irrelevant, conversion is almost never a purely intellectual experience. It is an experiential feeling of being “born again”: as Gerardus Van der Leeuw (1890–1950) famously stated,

the experience of conversion tends to be the same in all religions: a new “me” is born near the old one, a new life starts, all is transformed (Van der Leeuw 1970, 517–18).

“Feeling well” in the group, finding new friends, perceiving a new purpose in life are in most cases more crucial factors of conversion than theology (Mathé 2005), and this is particularly true for new religious movements (Lofland 1977; Greil and Rudy 1984). In a video shoot through a hidden camera during a deprogramming, later used by Korean conservative Christians to promote this practice, a girl is confronted by a Christian “counselor” who tries to prove to her that Shincheonji’s doctrine is false. She reacts by telling her parents, who are in the room, that “I was more happy when I lived there [in Shincheonji] than in the 25 years I have lived with you” (CBS 2017, 30.26, 30.30).

The Korean court seems to regard as sinister that H.E. converted because she found “consideration and kindness” in Shincheonji, rather than following a rational examination of the respective doctrines of the movement and mainline Protestantism. But in fact, this is the rule, rather than the exception, in real-life conversion processes as described by contemporary scholars. The court also seems to believe that converts are totally “passive,” another myth that has been debunked by scholars long ago (Richardson 1985). Conversion is an interactive process, where both the movement and the convert are actively and cooperatively engaged.

Finally, it is questionable that H.E.’s choice would have been more rational, had she immediately understood she had been approached by Shincheonji and searched for information on the Web. Some contemporary scholars of the fake news phenomenon would say that, given the prevalence of misleading material on the Internet, those who look for information there may in fact be led to a *less* informed judgement (Gelfert 2018).

Ultimately, the question is what role the deception played in the process of conversion. When the naïve models of passive conversions, and of converts weighing on a scale the respective merits of their old and new doctrines, are abandoned, the initial deception appears to be of lesser importance. “Initial” is

the operative word here. Deception cannot be maintained for long. Pretty soon, the potential convert will be exposed to the peculiar doctrines of Shincheonji, including that its founder, Chairman Lee Man Hee, is the “promised pastor” appointed by God to lead humanity into the Millennium (Introvigne 2019, 2020a). Even the dumbest recruit will understand which group he or she is being dealing with.

Nobody can become a member of Shincheonji without fully understanding its theology. One is not baptized into Shincheonji, and members proudly proclaim that theirs is the only religion one joins by graduating after an exam. The exam comes after a demanding course, and includes 300 questions candidates should answer in writing. It is by no means a mere formality, and statistics indicate that several candidates fail and must repeat the exam (Shincheonji Church of Jesus the Temple of the Tabernacle of the Testimony 2018). Accordingly, it is impossible to become a member of Shincheonji without understanding what the movement is all about.

To claim that the initial deception had permanent effects, lasting after the deceived recruit has realized which religion he or she is being asked to join, one should believe in old-fashioned brainwashing models, such as the ones promoted by the controversial American psychologist Margaret Singer (1921–2003). Indeed, Singer’s model seems to be implicitly at work when Christian “counselors” try to deprogram members of Shincheonji in South Korea (Di Marzio 2020, 58).

Singer offered her most comprehensive statement of her brainwashing theories to the academic community in a report signed by DIMPAC (Deceptive and Indirect Methods of Persuasion and Control: DIMPAC 1986), a task force that was established in 1983 by the American Psychological Association (APA), for the purpose of assessing the scientific status of the brainwashing theories about “cults.” Singer, who was at the head of the task force, chose the other members. The DIMPAC report was firstly severely criticized by its assigned auditors, and then rejected by the APA on the grounds that it “lacks the scientific rigor and evenhanded critical approach necessary for APA imprimatur” (BSERP 1987).

Eventually, the brainwashing explanation of conversion to new religious movements was repudiated by both mainline scholars and courts of law, since the landmark 1990 *Fishman* decision (U.S. District Court for the Northern District of California 1990) in California, as pseudoscience. The name DIMPAC, with its

reference to “deceptive and indirect” techniques of persuasion, signaled Singer’s pet theory, initially formulated for the Unification Church, that an initial deception creates a permanent “brainwashing” effect in the victims’ brain. This theory, however, was repudiated by the scientific community. Israeli scholar Benjamin Beit-Hallahmi, himself a well-known critic of “cults,” in his review of the report DIMPAC had prepared for the APA, 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. [...] 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; for a detailed story of the DIMPAC controversy, see Introvigne 2014).

The Seosan court maintained that deception is illegal *per se*, and outside the constitutionally protected freedom of religion. It is unclear to me on what provisions of Korean law this conclusion was based, perhaps on some general statute about false and deceptive advertising. However, even assuming that deception in evangelism is *per se* illegal, to successfully claim damages plaintiffs should prove that they have suffered an actual harm. Here, the Seosan court was much more reluctant in following the plaintiffs. It dismissed the claims of H.Y. and C.T. Even in the case of H.E., the court refused to compensate her for the time spent in Shincheonji and her work on the movement’s behalf. These elements only entered the court’s determination to determine the amount of damages for “mental pain,” where the judges considered

the period when plaintiff [H.E.] was evangelized to and worked in the defendant church, the degree of work, the details of evangelism, and the situation after she left the church (Daejeon District Court, Seosan Branch 2020).

Damages were awarded for “mental pain,” not as compensation for post-conversion unpaid work. The “mental pain,” the court argued, consisted in the fact that, having been “deluded” by Shincheonji’s deceptive evangelism, H.E.

went through mental conflict and a sense of betrayal and shame caused by worsened relationships with family and acquaintances (Daejeon District Court, Seosan Branch 2020).

Here, the conclusion seems contradictory. Presumably, the “worsened relationships” were a consequence of her conversion to Shincheonji, not of the

initial fact of attending Bible classes without knowing they were run by Shincheonji. In this initial period, if H.E. did not know she was attending a Shincheonji course, neither did her parents and friends know it, so no conflict was generated. By denying H.E.'s claim for damages based on her post-conversion work for Shincheonji, the court recognized that there was no chain-connection between deception and conversion. This should have also excluded damages for the “worsened relationships with family and acquaintances,” as this also happened after the conversion.

Concluding that damages should be paid by a religious group because those who convert to it experience a “worsened relationship” with family and friends is extremely dangerous for religious liberty. Again, this is not a unique consequence of converting to Shincheonji. It is a frequent effect of conversion in general. If a Christian converts to Islam, or vice versa, it is very much likely that he or she will be shunned by relatives and friends, not to mention legal provisions in several Muslim countries making apostasy from Islam a serious crime. It is a well-known fact that, when only one spouse changes his or her religion, divorce is frequent—in all religions. This can be documented through the case of India, where family law allows for a quick divorce in case of conversion of one spouse to a different religion, and tens of thousands of applications for “conversion divorce” are filed every year (Garg 1998). Punishment of religious proselytization because conversions lead to “worsened relationships” with these spouses, relatives and friends who remain in the convert’s previous religion would strip religious liberty of one of its fundamental components, the right to evangelize and convert.

We are left with the impression that the Korean court disapproved of deception, and tried to find a way to punish it, while limiting the amount of damages. If the conclusion that deception is not directly connected with conversion to Shincheonji is, as I believe, unescapable, and assuming that in Korean law there is some basis to punish deception *irrespective of its consequences*, the damages a plaintiff can collect should be limited to the time spent (or wasted) attending seminars or courses *before* understanding which religion or movement was organizing them. Additionally, this claim should be valid only in case the plaintiff, upon understanding that the courses were organized by Shincheonji, abandoned them, and complained about the wasted time. If, having realized that the path was leading to Shincheonji, the plaintiff



continued in it, and eventually converted, he or she was implicitly declaring that conversion was not harmful.

That, after many years in a religious movement, one can decide to move on and change again a religious affiliation, is in turn normal. Ours is a time of increased religious mobility, and most new religious movements operate like revolving doors, where members come and go continuously (Barker 1984). If they should be compensated for the time spent in a religion they later repudiated, all religions, old or new, will quickly go bankrupted.

It may be a good idea, for Shincheonji, to move completely from “covert” to “open” evangelism. It would certainly improve its image in difficult times. At the same time, Korean courts of law should carefully consider claims for damages based on deceptive conversion techniques. Their decisions may be based on faulty and outdated theories of religious conversion. They may also adversely affect the already precarious state of religious liberty in a country where conservative Protestants seems to receive a dangerous amount of political support for their witch hunts against “heretics” (Fautré 2020a, Šorytė 2020).

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