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The Controversies Around Natha Yoga Center in Helsinki: Background, Causes, and Context

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ABSTRACT: Since 2009, Natha Yoga Center in Helsinki, Finland, has been subject to allegations of manipulation, human trafficking, and sexual abuse, as are other branches of the Natha and MISA organizations. This article was written by Liselotte Frisk (1959–2020) and peer-reviewed just before she died in 2020 (readers should consider it is updated to that year, without considering subsequent events and bibliography; only references to web sites have been checked and updated). It is published with her heirs' permission. It discusses the history, beliefs, and practices of the group. The controversies related to Natha Yoga are connected to the (now outdated) “brainwashing” paradigm of the 1970s and 1980s concerning new religious movements. The main material used consists of academic articles, internal material from Natha Yoga, and interviews with longtime members. The article argues that none of the controversial features proposed by the psychologist Margaret Singer as typical of “cultic brainwashing” are present in Natha Yoga.

KEYWORDS: Natha Yoga, MISA, Atman Federation, Gregorian Bivolaru, Tantra, Sacred Eroticism, Mental Manipulation, Brainwashing.

Introduction

Natha Yoga Center (also spelled “Yogacenter”) Finland started in Helsinki in 1997. In Finland there is also a small yoga center in Tampere. “Natha” is a Sanskrit name for Shiva. In the ancient scripture *Tantraraja Tantra*, we read that the Tantric teachings originally were revealed by Shiva to Shakti, and then transmitted through the nine Nathas, or perfected masters, who descended to earth and revealed Tantra to humankind (Urban 2003, 30). The name Natha Yoga thus relates to a tradition originating with Shiva, perceived as transmitted to humans via perfected masters.

Natha Yoga is part of a global movement called MISA, The Movement for Spiritual Integration into the Absolute, started by the Romanian citizen Gregorian Bivolaru together with a group of around twenty people in Romania in 1990. Natha Yoga is affiliated to Atman Federation of Yoga and Meditation, an international organization for yoga centers of MISA, which exist in about thirty countries all over the world. In the Scandinavian countries, the name of the yoga centers is “Natha,” while centers in other countries may have different names. In Britain the centers are, for example, called Tara, and in the Netherlands, Ananda. All over the world, the number of followers is estimated by the group to be about 20,000–30,000.

Since 2009, Natha Yoga Center in Helsinki has been subject to allegations of manipulation, human trafficking, and sexual abuse. Finland is not the only country where allegations against MISA have emerged. Already in Romania, where Gregorian Bivolaru started teaching yoga around 1970, his yoga group was considered controversial and was surveilled by the Securitate police, at that time because yoga was considered to be against the communist regime. The tensions with society, however, continued in post-communist Romania, and allegations later appeared also in other countries.

The aim of this article is to discuss and evaluate the context, causes, and circumstances of the allegations related to Natha Yoga Center in Helsinki. The history of the center will be described, starting with its roots in Romania, and the beliefs, practices, and lifestyle promoted by the organization will be outlined. The controversies related to Natha Yoga will be positioned in the historical controversies about new religious movements in the 1970s and 1980s, especially in the context of the now outdated and academically rejected “brainwashing” thesis. It will be argued, however, that, even by using the criteria of the “brainwashing” thesis, Natha Yoga would not be a candidate for manipulation, as significant criteria are not fulfilled in this particular case.

The method is triangular, using different kinds of sources, including internal material like the web sites of Natha Yoga/MISA, and texts written by Gregorian Bivolaru, as well as academic articles about the group, and reports and other official material. I also made a field visit to the Natha Yoga Center in Helsinki in the autumn 2018, which included observation as well as interviews with sixteen longterm ashram residents, yoga teachers, and advanced yoga students. The interviews were semistructured and aimed at getting a picture of the members’

beliefs, lifestyle, and perspectives of life. The interviewees were informed about the purpose of the study, and that the material would be treated confidentially. No personal data about the informants were collected, with the conscious aim of keeping their absolute anonymity, as the subject of the interview was sensitive in the context of the controversies and allegations related to the group. Finally, I also conducted an interview on Skype with Mihai Stoian, the coordinator of the Natha Yoga Center in Copenhagen, to get clarification on some significant themes.

The first part of the article will contain a description of MISA and Natha Yoga. In the next section, the rejected “brainwashing” theory will be described, and MISA will be positioned in that particular historical context. Lastly, Natha Yoga Center in Helsinki will be discussed in relation to the most significant characteristics of the “brainwashing” theory.

History

MISA and Natha Yoga are founded on the teachings of Gregorian Bivolaru, born in 1952 in Romania. As a young man, he developed an interest in Eastern spiritualities and yoga. Mihai Stoian, who is considered one of the leading yoga teachers in the movement (Introvigne 2017), reports that, already at the age of 15, Bivolaru read books in English and French about parapsychology, alchemy, sexology, and esoteric traditions, and also practiced yoga for eight or nine hours every day (Stoian 2018a, 309). In 1970, at the age of 18, Bivolaru started to teach yoga in Bucharest (Zoccatelli 2017, 11). Yoga was, however, at that time regarded with suspicion by the communist regime of Nicolae Ceaușescu (1918–1989), and Bivolaru was kept under surveillance by the Romanian Securitate police (Theils 2015, 63). From 1982, meditation and yoga were illegal in communist Romania, and were considered as activities against the state. However, Bivolaru, in spite of this, continued to practice and teach yoga in secrecy (Stoian 2018a, 311).

Another reason why Bivolaru was surveilled by the security police was that he was in correspondence with the exiled Mircea Eliade (1907–1986), the prominent Romanian historian of religion who was also a critic of the communist regime (Theils 2015, 63). Eliade was one of the founders of comparative studies of religion, and since 1957, he was the head of the Religions department at the

University of Chicago. In 1984, Bivolaru was arrested for political reasons for the first time (Bucharest Law Court 2011), and he was later sent to prison for one and a half years. Again, in 1989, Bivolaru was arrested and convicted as a political prisoner and was held at a psychiatric clinic (Stoian 2018a, 311–2).

After the fall of the communist regime in 1989, when Bivolaru was released from the psychiatric hospital, in 1990 he founded MISA (Thejls 2015, 63). MISA was a very successful movement; after a few years there were forty ashrams in Romania and 750 full-time members. The movement also spread to other countries, and soon had 37,000 members worldwide (Zoccatelli 2017, 11).

The police and media in Romania have, however, also during the post-communist period after 1990, accused Bivolaru and MISA of different crimes. In 2004, the Romanian police searched 16 locations inhabited by yoga practitioners of MISA, and some of the residents were taken to the police stations. Charges ranged from tax evasion, human trafficking, and dealing in drugs to money laundering and prostitution. Only one of the charges, that Bivolaru had a sexual relationship with a 17-year-old girl, illegal in Romania not because of her age but because he was allegedly her teacher and thus in a power position in relation to her, in course of time led to a conviction (Thejls 2015, 62). The girl denied the accusations (Introvigne 2017). Bivolaru was released under investigation and fled to Sweden, where he was granted political asylum in 2006 (Thejls 2015, 62).

Bivolaru was sentenced in 2013 in Romania for the relationship with the 17-year-old girl to six years in prison. He was arrested in France in 2016 and after some time extradited to Romania. In September 2017, Bivolaru was freed on parole. The European Court of Human Rights in 2017 ordered the Romanian state to pay Euro 6.980 to Bivolaru for having been illegally detained in 2004 (Introvigne 2017).

Bivolaru has also had legal problems in countries outside Romania. One of them is Finland, the case of which will be discussed below.

Beliefs: The Roots in Indian Tantra

— Gender Polarity and Sexuality

Fundamental for the philosophy of Gregorian Bivolaru are the opposite poles of masculine and feminine principles, mirroring the Indian Tantric philosophy

and practices, common to Hindu, Buddhist, and Jain traditions since at least the 7th century AD. Characteristic for the Tantric scriptures is that Shiva and Shakti, the primordial masculine and feminine Consciousness and Energy, are seen as the foundation of reality, and the erotic union of the male and female is depicted as a symbol of the eternal union of Shiva and Shakti. Sexual practices are thus described in certain Tantric scriptures. However, there are different interpretations whether the sexual practices should be interpreted literally, or whether they should just be seen as symbolical. In the same way, some scriptures describe ritual eating of meat and drinking alcohol, practices that are also discussed regarding their literal or symbolic interpretation (Urban 2003, 12; 42–3).

MISA has published extensively on Tantra, and it is clear that a perspective of erotic relationships as important and spiritual in nature is emphasized and promoted. MISA stands here not only as an actor in the age-old Indian Tantric tradition, but also in a Western tradition of Neotantrism, with precursors like the Osho movement, as well as in the trend of the much looser traditions of new spiritualities, some of which organize courses and events with the focus on connecting sexuality and spirituality (Åkerbäck 2018).

MISA—which is not always the case with the Neotantric new spiritual trends in Western society—is firmly grounded in the Indian tradition, and especially in Eliade's understanding and presentation of Tantra. Eliade and Bivolaru had a personal relationship through letters, and it is clear that Eliade was a great inspiration to Bivolaru. Bivolaru's knowledge of Tantra in his youth probably to a great extent originated from Eliade's books, which were available in Romania at the time.

Eliade had spent three years in India, studying yoga and Indian philosophy (Urban 2003, 147). In his book *Yoga: Immortality and Freedom* (originally published in 1954), there is an extensive chapter about yoga and Tantrism. Eliade in this chapter describes Tantra as a much older tradition than the Vedic Aryan patriarchal tradition (an understanding that has been contested by later research, see for example Urban 2003, 30–1), centered around the Mother Goddess and being a continual undercurrent of popular spirituality in Indian traditions. Eliade writes that, in Tantra, every woman becomes the incarnation of Shakti, and that the female symbolizes the sacred and the divine, the ultimate reality. Eliade conceives Tantra as adequate for modern times, as humans have to

set out from the basic experiences of their fallen condition, and sexuality in modern times may serve as a vehicle for attaining transcendence.

Eliade cites the Hindu Shakta scripture *Kularnava-tantra*, which states that union with God can be obtained only through sexual union, as well as the Tantric Buddhist *Guhyasamaja-tantra*, stating that perfection can be gained by satisfying all one's desires. According to the latter text, Tantrists may even eat human flesh, lie, or steal—pointing to the teaching that all contraries are illusory, and that extreme evil coincides with extreme good. Only the universal void, *shunyata*, exists, everything else being without ontological reality (Eliade 1973, 202–6). Perhaps redundant to remark, these teachings are not interpreted literally in any contemporary religious group (including MISA), but as having a deep philosophical and symbolic meaning.

Eliade writes further that the Tantric path is far from easy, and that it presupposes a long and difficult *sadhana* (spiritual practice), the aim of which is to transcend the state of duality through the reunion of the two polar principles Shiva and Shakti. Eliade also emphasizes that the Tantric path includes an initiation that can be performed only by a master, a guru. Eliade describes other Tantric practices like visualization, *mudras* (archetypal gestures), *nyasa* (ritual projection of divinities into various parts of the body), *mantras* (mystical formulae), and the construction of *mandala* (ritual diagrams). He also writes about the importance of the body in Tantrism, and the relation to Hatha Yoga in this connection. The body is not seen as a source of pain, but as the best instrument for humans to conquer death (Eliade 1973, 206–27). Closely connected to the body are also teachings about the *chakras* (energy centers), the *nadis* (energy channels), and *kundalini* (the serpent power) (Eliade 1973, 236–49).

A central portion of the text, however, is devoted to what Eliade calls “mystical eroticism,” or *maithuna* (erotic union). The yogi should, in these rituals, incarnate the god, and the woman becomes the goddess. The human couple thus becomes a divine couple (Eliade 1973, 259–60). Eliade emphasizes the importance of not emitting the semen; *maithuna* is never allowed to terminate in the emission of semen. Sensual pleasure should play the part of a vehicle, abolishing normal consciousness and inaugurating an experience of unity by immobilization of breath, thought, and semen (Eliade 1973, 266–68). Sometimes we even find texts about the “return of semen,” performed through a

practice called *vajrolimudra*, symbolizing a transcendence of the phenomenal world (Eliade 1973, 270–1).

In the foreword to Bivolaru's book *The Secret Tantric Path of Love to Happiness and Fulfillment in a Couple Relationship*, his close student Mihai Stoian writes that the amorous couple relationship, as an expression of the eternal creative game between the supreme masculine consciousness, Shiva, and the supreme feminine energy, Shakti, represents a mysterious gateway to amazing revelations (Stoian 2018b, 14). Stoian presents the book as a genuine practical guide for a harmonious amorous couple relationship (Stoian 2018b, 16). Sexual continence and mutual love are emphasized, as well as that the couple should worship each other. According to Stoian, they will through practice reach peaks of ecstasy through prolonged states of orgasm without discharge for women and without ejaculation for men. The sexual substance is claimed to be biologically transmuted, producing a huge amount of energy that can be channeled, sublimated, and accumulated in the superior levels of the human being (Stoian 2018b, 20–1). Urine, as another body fluid, is understood to have an esoteric significance (Thejls 2015, 66–7), a belief with deep roots in Indian traditions.

A contemporary reader notes that the emphasis, both in the Tantric scriptures and in Eliade's interpretation, is on the male as a subject. For example—but the examples are abundant—Eliade writes that the woman is offered and consecrated, she must be young, beautiful, and learned, and the disciple will perform the ceremony with her. On the other hand, the woman may also be of low caste or a courtesan, representing *shunya* or emptiness (Eliade 1973, 260–61). Nothing similar is, however, said from the woman's perspective. It seems that the female is considered a tool for the male; the male is the subject, and the woman is the object.

Concerning this aspect, the writings of Natha represent a more modern perspective, as there is in the texts as much emphasis on the female experience as on the male one. In the book *The Secret Tantric Path of Love* there are, however, many photos as well, and the reader notes that the visual perspective tends to lean towards showing either men and women together or naked women alone, not men only.

Members of MISA have also produced movies with erotic contents. The films are described as artistic and “erotic” and not pornographic, containing spiritual

teachings. The border could of course be discussed, and some sources claim that some films have appeared on pornographic web sites (Thejls 2015, 66; Introvigne 2017). It is emphasized that these movies have not been produced by MISA but were private initiatives from members (interview Stoian).

— Sexual continence

Massimo Introvigne (2018) refers to the fact that semen in many cultures, for example in China and India, but also in subcultures within Western Esotericism, is believed to hold mystical power. As in the microcosm semen generates children, in the macrocosm semen by specific techniques is seen as generating spiritual enlightenment or even immortality. Introvigne mentions three main sets of techniques: *continence* (orgasm without ejaculation or discharge); *assimilation, ritual ingestion, or anointing* of semen or sometimes female secretions; and *ritual use of urine* (or sometimes menstrual blood) through drinking or anointing.

In the traditional Tantric scriptures, and interpretations of Tantric scriptures, there are discussions as to whether the semen should be ejaculated or sublimated and withdrawn upward into the male body (Urban 2003, 43). Bivolaru positions himself within the tradition that emphasizes sexual continence, which he calls the superior capacity to fully control the creative erotic potential. Sexual continence involves the conscious control of the sexual function, both by man and by woman, involving erotic contact with the attainment of an unlimited number of orgasms, however not completed by male ejaculation or by “the explosive loss of the specific creative potential for the woman” (Bivolaru 2018, 51). This, according to Bivolaru, allows the biological transmutation of the sexual energy into superior forms of vital and spiritual energy by inner sublimation. Bivolaru writes that for the woman the control of discharge is very easy to achieve and requires next to no training. For the man, however, the control of ejaculation and its suspension for weeks, months, or years, requires gradual practice (Bivolaru 2018, 51–2). It is said to be achieved through certain Hatha Yoga techniques (Bivolaru 2018, 59).

Other positive effects of sexual continence are supposed to be, for example, less inner conflicts, as well as more energy, a courageous and brilliant mind, and increased intellectual potential (Bivolaru 2018, 52–3). According to Bivolaru, erotic relationships based on mutual love and sexual continence fill one’s being with happiness and enrich one’s life in inexpressible ways (Bivolaru 2018, 83). One goal described by Bivolaru is to awaken a state of androgyny; the woman

should awaken her inner man, and the man should awaken his inner woman (Bivolaru 2018, 92). The person one loves should be perceived as being the embodiment of love, in the case of a man, the masculine archetype *vira* (hero) and, in the case of the woman, the feminine archetype, *Shakti* (Bivolaru 2018, 157).

— Erotic Relationships as Divine and Transcendent

In Bivolaru's writings, the spiritual nature of loving erotic relationships is very significant. Bivolaru refers constantly to God in contexts of love and erotic relationships. For example, he writes that God is love and that love comes from God, that in love ecstasy God embraces the two lovers, that they experience states of being in God, and that God exists in their ultimate essence (Bivolaru 2018, 76). According to Bivolaru, one of the mysterious manifestations of God is the overwhelming state of cosmic orgasm (Bivolaru 2018, 376–77). "God" is defined as the infinite whole that embraces everything, comprising both the manifested and non-manifested (Bivolaru 2018, 373). Bivolaru often, however, refers to God as Father (for example Bivolaru 2018, 141), or "Him" (Bivolaru 2018, 144). Two lovers can approach the revelation of the supreme immortal self, Atman, as Atman should be contemplated in the other (Bivolaru 2018, 90).

Loving relationships are not, according to MISA, restricted to monogamous relations. Bivolaru writes that loving relationships could be parallel and multiple, without anyone ever feeling jealous or possessive (Bivolaru 2018, 270). Bivolaru writes further that selfishness and inferior states such as jealousy and desire to possess the other one, as if the lover is an object, prevent people from experiencing spiritual states (Bivolaru 2018, 77). According to Bivolaru the erotic relationship between two lovers even continues after death in the higher astral worlds (Bivolaru 2018, 268–69), and is thus not restricted to this earthly world.

— Homosexuality

MISA's perspective on genus is a complementary one. Bivolaru writes that the entire universe is born from the cosmic union of male (*yang*) and female (*yin*) principles, and that its expression at the human level is lovemaking between a man and a woman (Bivolaru 2018, 52). According to Stoian, women are receptive and passive, expecting the man to assume the initiative (Stoian 2018b, 39). On the other hand, Stoian also writes that women will initiate the erotic

revolution because they are naturally endowed with the ability to easily practice the self-discipline of sexual continence (Stoian 2018b, 20). Informants in Helsinki also talked about the different natures of men and women. The female energy is conceived of as mild, receptive, caring, while the male is courageous, protective, responsible (interview D.D.).

The complementary views on genus and spiritual sexuality also have bearings on views about homosexuality. Stoian comments that different ancient cultures accepted homoerotic relations between women (but not between men)—relations between several Shaktis—however, also noting that this kind of relationship generates different effects than a relationship between male and female. Stoian writes that an erotic love between two women awakens and amplifies their shared qualities, and that it contributes to the awakening, activation, and enrichment of their specific mysterious Shakti state (Stoian 2018b, 38–40). Stoian thus expresses some positivity towards homoerotic relationships between two women. He writes that women who open themselves to this kind of experience, awakening their femininity, will prepare for or become ready for an increasingly spiritual polar couple (man and woman) lovemaking (Stoian 2018b, 45–6).

Informants in Helsinki expressed that homosexuals (both sexes) are welcome to courses and are respected. However, the teaching about spiritual sexuality is profoundly based in the complementary functions of the two sexes and cannot, as such, be changed (interview D.D.). This perspective is far from unique for MISA.

Beliefs: Other Sources

The basis of MISA and Natha Yoga is definitely Tantric, with deep roots in Indian philosophies and practices. On the web site of the Atman Federation, it is referred to the Gupta Maha Siddha Yoga lineage, although the connections are not developed further. Kashmir Shaivism, a North Indian religious philosophical tradition that has absorbed influences from the Advaita philosophy, is, however, salient. Abhinavagupta (975–1025) shaped Kashmir Shaivism into its specific form. In the 20th century, Kashmir Shaivism was restored in India and expanded to the West (Vojtíšek 2018, 132).

There are, however, also syncretic tendencies in MISA, referring to different religions in a universalistic manner. According to Gregorian Bivolaru, his intention was to synthesize everything that is godly inspired and fundamental in the known authentic spiritual traditions. Vojtíšek writes that the members of MISA do not see their ideology as a religion, but as the essence of all religions. The yoga practitioners postulate universal spiritual principles, and among them two are very important: first of all, the laws that refer to the unity of the whole creation, the identity of this reality with God, and the correspondence between the limited realities and the cosmic ones; and second, the polarity laws, the two opposite principles masculine and feminine, or Shiva and Shakti. Bivolaru's texts are seen by many members as divinely inspired (Vojtíšek 2018, 130–33).

There are also several beliefs related to spiritual entities, not found in the Indian Tantras, which are often referred to in MISA. In the book *The Secret Tantric Path of Love*, Bivolaru writes for example about angels, Emanuel Swedenborg (1688–1772), Paramahansa Yogananda (1893–1952), and Spiritualist mediums (Bivolaru 2018, 269). His books in English encompass, in addition to Tantra and erotic mysticism, subjects such as the harmony of colors, natural medicine, nutrition, and vitamins (Bivolaru 2018, 317–18). In printed material from the Atman International Federation of Yoga and Meditation, intended for yoga courses stretching for as many as 46 years, references are made to Ramana Maharshi (1879–1950), Swami Vivekananda (1863–1902), and Ramakrishna (1836–1886). In the ashram in Helsinki, there are pictures of some of the above-mentioned spiritual masters, but also of, for example, Hariwansh Lal Poonja (“Poonjaji,” 1910–1997), Milarepa (1052–1135), Padmashambhava (8th–9th centuries), the mythical Babaji, Sri Nisargadatta (1897–1981), Sri Aurobindo (1872–1950), Ma Ananda Moyi (1896–1982), and Jesus (field visit, 17 and 18 September 2018).

Introvigne describes the sources of Bivolaru's teachings as encompassing aspects of Hinduism, Buddhism, Daoism, Western Esotericism, and esoteric Christianity (Introvigne 2017). To this could be added different aspects of New Age. Thejls describes belief in extraterrestrials, malefic as well as benevolent, as part of the belief system of MISA. Thejls refers to a text by Bivolaru on the Danish Natha web site (which I did not find there anymore), where Bivolaru claims that MISA is working together with “the Supreme Galactic Council,” consisting of benevolent extraterrestrial beings. Thejls also describes the view of Freemasonry

as a satanic and evil group that tries to control the whole earth and uses diverse methods to keep the rest of humanity in oblivion, beliefs that are used to explain the persecution MISA has been victim of. Freemasons are perceived as having developed AIDS and SARS to reduce the population of the earth (Thejls 2015, 69–71).

Practices

— Yoga and Tantra

The main objective of Helsinki Natha Yoga is to offer courses in yoga and Tantra to the public. Most of the courses do not refer to sexuality. Of around 2,100 courses, less than 100 refer to sexual components (Introvigne 2018). The yoga classes started in 1990 and are held once a week from September to July.

The courses are divided into two tracks: yoga and Tantra respectively. The yoga courses are divided into hatha yoga classes and esoteric yoga classes. Hatha yoga comprises physical exercises, relaxation, and meditation, and could be attended just once or as many times the participant wants. Once a month, couple yoga is also offered, where the yoga exercises are practiced together with a partner. The partner could be a lover or a friend. According to the web site, the practices do not include any intimate touching. Esoteric yoga classes encompass, besides physical exercises, theory and discussion, and are structured as courses continuing for many years.

According to the Finnish web site, the first year encompasses for example Patanjali's (2nd century BCE?) classic eight limbs, knowledge of the *chakras*, mantra meditation, the law of resonance, yogic diet, and a holistic view of the human being. The content of the syllabus is to a great extent focused on different yoga practices and theory, much of a classic kind. During the first year *brahmacharya*, or sexual continence, is introduced, together with the role of eroticism in spiritual development. Gradually, over the years, the extra-yogic content seems to increase. Year 7, for example, has a certain focus on angels, angelic hierarchies, archangels, and fallen angels, and year 8 encompasses correspondences between the Christian angelology and the esoteric oriental traditions. Year 8 partly deals with aspects of Tibetan Buddhism, a subject that continues in year 9 as well. In year 10, aura and bio-energetic aura modifications

make up part of the teaching, as well as healing and spiritual guidance from the subtle worlds. In year 11, the secret code of the Bible is part of the course, as well as the secret of the christening in the Christian tradition and the magic force of some rings. In year 12, the occult law of resonance is introduced, as well as neuro-linguistic programming (“Syllabus for Esoteric Yoga Course” n.d.). Theoretically, the course stretches over 46 years. Some informants interviewed in Helsinki had been engaged in the group for sometimes as long as 28 years (interview 10), but as the groups sometimes were fused due to few participants, they were at the most on year 18 (interview 3).

Most of the informants interviewed in Helsinki had been studying the esoteric yoga course for many years. Most esoteric yoga students, however, take only the first course and do not continue. From the ones starting the first course, 20 % leave during it. Only about one third of the students usually start the second year (interview D.D.). Some informants interviewed in Helsinki had family members who had taken a limited number of courses and then stopped (interview 2).

The second track to follow at the Natha Yoga Center is Tantra. Tantra is presented on the web site as an authentic spiritual path in which one says yes to life. Tantra teaches to surrender to the flow of life with a loving attitude. Applying Tantra to one’s life is said to increase happiness, improve the ability to love, and deepen erotic experiences. Courses advertised on the web site are divided into Intensive Tantra and Erotic Tantra. Intensive Tantra is taught as a course continuing for several years, as the course in esoteric yoga described above, studying a new practice or principle each week. The first year includes, for example, study of the *chakras*, the law of resonance, polarity and play between masculine and feminine energies, sacred eroticism, sexual continence, and Tantric alchemy. It is emphasized that no erotic practices are included in the course.

Erotic Tantra is taught in workshops. Participation could be with or without a partner. The erotic exercises are not practiced in the classroom but are meant to be practiced privately at home as homework. It is explained on the web site that the aim of the course is to increase erotic energy and refine it for spiritual purposes; the practices also teach to open up for love and to maintain attraction in a couple relationship. Techniques for increasing sensitivity and strengthening muscles of the pelvic floor are included.

There are also men's groups and women's groups at Natha Yoga Center. Men's groups consist of more dynamic exercises demanding more physical strength, and also offer a possibility to talk with other men about male issues (interview 1). Women's groups are described as learning techniques to awaken femininity on all levels, like health, beauty, sensuality, controlling sexual energy, natural cosmetics, and communion with nature.

— Tantric initiation

There are several initiations that Natha members could choose to take, for example mantra initiation (subtle sounds). Among the possibilities are several kinds of Tantric initiations, which could be given by the Tantra teachers. The exact content is considered esoteric and is not shared with non-initiates. Mihai Stoian explains that in initiation certain keys are given as to how to, for example, awaken certain secret energy centers. Such esoteric knowledge is given in MISA gradually in a controlled way, and shared when aspirants are at the right level. One of the most controversial initiations, often conducted through recordings with the voice of Gregorian Bivolaru, is an initiation in “amorous postures.” This initiation is offered to groups of people, and the postures are practiced in the class as postures with clothes on. The initiated person can transmit this knowledge and practice it in his/her own private life. The system is constructed in such a way that a person who has acquired this initiation can, if he/she fulfills certain criteria, initiate other people through intimate love relationships (interview Stoian).

— Camps in Romania

For those deeply engaged in Natha Yoga, there is the possibility to attend yoga camps in Romania twice a year. There is a ten-day camp in Baile Herculane, and a camp up to five weeks long in the seaside resort Costinesti. The latter one draws thousands of participants. A special event that is performed at the summer camp is the Yang Yogic spiral group meditation. The attendants are arranged according to their astrological sign, holding hands, and the meditation is believed to enhance the beneficial effects of the planets (Introvigne 2018).

At the camp in Costinesti also the Miss Shakti female beauty contest is conducted. The contest is said to be a contest of inner and outer beauty, and that it develops femininity and sexuality. On the Czech web site—where also some photos characteristic of the archetypical way MISA portrays women are posted—

the Miss Shakti contest is described as a spiritual contest where the purpose is to transcend one's own limitations and awaken the Shakti energy, the divine aspects. The contest consists of several aspects, for example sensual dance, tantric knowledge, and male psychology.

Lifestyle

As with many spiritual groups, there are possibilities to engage in Natha Yoga on different levels. The largest engaged group, the students of esoteric yoga, most of whom attend classes at the yoga center once a week, numbered in autumn 2018 around 85 in Helsinki, and 12 in Tampere (interview D.D.).

Some students are, however, more involved in Natha Yoga. A few of them, around 12–14 people, live in the “ashram”, an apartment adjoined to the yoga center (e-mail D.D. September 28, 2018). To note is that the structure of the ashram is different than in the Hindu context, from which the notion is derived. In the Indian culture, an ashram is typically centered around a guru/teacher, is characterized by a more collective lifestyle, and the residents live in celibacy. In the Natha Yoga ashram in Helsinki even one child spends his time every second weekend, as his father is one of the ashram residents (interviews 4, 8). There are in Helsinki 16 active yoga teachers as well, some of them overlapping with the group living in the ashram, but some living in their own apartments.

The interviewed informants numbered 16, and most of them had been engaged in Natha Yoga for a number of years. Some of the informants were yoga teachers, some lived in the ashram, and some were advanced yoga students. Several of the informants worked in academic professions. The overall impression from the interviews was that many of the informants continually reflect over their life choices and consciously choose again their engagement in Natha (for example, interview 10). Several of the informants reflected on and discussed critically their engagement in Natha Yoga during the interviews.

An ashram in the Natha context should mainly be understood as a living arrangement. Everyone has his/her own room under a rental agreement signed with the owner of the building, has an ordinary work outside the yoga school, and most of the time prepares his/her own meals and eats separately from the others. In weekends, there are common meditations in the morning, which most

residents attend if they are home (interview 4). The ashram residents are committed to practice yoga for at least two hours every day, except Sundays (interview 9). Many people have moved in as well as out during the years. To move into the ashram, a commitment to yoga is a precondition (interview 4). The informants agree that there are many advantages in not living alone. They get inspiration from each other as well as support in the spiritual practice (interview 6). Many of the informants who live in the ashram spend time at the yoga center about 3–4 evenings a week, participating in courses, helping with courses and other activities, and, if they are yoga teachers themselves, also conducting courses (interviews 1, 4, 6, 8, 10). Some have, however, girlfriends or boyfriends who do not live in the ashram and are not engaged in Natha Yoga (for example, interview 8).

The yoga teachers all teach yoga at the yoga center on a nonprofit basis (interview D.D.). One does not get paid for teaching yoga at the center, as it is seen as a spiritual service. Some yoga teachers who do not live in the ashram are also very engaged in Natha Yoga and spend 3–4 evenings every week at the yoga school (interviews 5, 7). Some are married to partners who are not engaged in Natha Yoga (interview 7). To become a yoga instructor, a two-year course is necessary. The Finnish yoga teacher trainees go to Denmark for Natha Yoga teacher training, which is organized by the Atman Federation. At least two years of yoga practice are necessary before participation in the yoga teacher training, plus a recommendation from the yoga school. The yoga teacher training is free of cost. The printed teaching material is, however, copyrighted and cannot be used outside of the MISA yoga schools (interview D.D.). The Atman Federation also offers a 4-year course to become a Tantra Teacher, and a 2-year Tantra for Women Teaching Course.

The summarized information from the interviewed informants gives the impression of an organization that is quite open and does not monitor the informants' lives in detail. Some informants are, as noted above, married to persons outside the school or have girlfriends or boyfriends not engaged in Natha Yoga. Some evenings each week are, for most of them, spent at the yoga center, but there is also time to do other things like socializing with nonmembers such as parents and friends (interviews 1, 8, 9, 10). Most of them have a steady job or they are students at different universities. Not all informants follow all advises given by the Natha Yoga Center. One informant had, for example, received

certain kinds of health advice from Bivolaru, but did not follow all of them (interview 9). There were also informants reporting not following the required practice of yoga for two hours every day (interview 9). Informants interviewed at the Natha Yoga Center in Helsinki report that the teachings are optional, and that the atmosphere at the yoga center is tolerant and different opinions are often discussed (interview 1). In the courses it is often repeated that the information provided in the school is not imposed, but that it is necessary to try it by own practice and through everyone's own assessment (interview 5).

Members who are deeply involved in the movement are often vegetarians (interview 10), do not drink alcohol, smoke, or drink coffee (Andreescu 2013). Fasting is also included in the lifestyle of some members, but is, however, optional (interviews 1, 9). Close friendships are valued and can also become erotic as Shiva manifests in every man and Shakti in every woman (Vojtíšek 2018, 135–36). Mihai Stoian explains that with spiritual practice and awakening, the outlook on life and relationships may become different than before. There are members who have children, but the ideal in that case is to have children in a conscious way (Stoian interview).

The Natha Yoga center is structured as a nonprofit association with statutes, members, and a board elected anew every year (interview 7). A membership fee is paid monthly; one member mentioned a sum of 200 euro each month (interview 1). If you want to leave the association, you just stop coming and stop paying (interview 7). The yoga teachers have their own group with meetings taking democratic decisions (interview 1), after discussions where different opinions are aired (interview 3). At the time of conducting the interviews there was one person, a woman with origins in Romania, as a coordinator with an overall responsibility that everything at the center should work well (interview 1). She is moderately paid by the yoga center, but she is not currently on the board (interview 7). There are also other groups with different missions, like the PR group (interview 3).

The informants interviewed do not recognize any kind of manipulation beyond ordinary social pressure at the yoga center (interviews 1, 3). The informants mention that of course mistakes happen as in any group, but in their opinion far from the scale portrayed in the critical TV programs (see below), or which could be defined as abuse (interview 3). Some of the informants suggest the possibility

that some people may set too high standards for themselves, which might cause inner problems (interviews 7, 10).

Controversies

In Finland, the controversies around Natha started in 2009 with the Finnish YLE TV show, a program called “The Dark Side of a Tantric Cult” (MOT 2009). The program claimed that Natha Yoga is a cult in which people are exploited under the guise of spirituality. Further, it was claimed that Bivolaru and his followers are suspected of involvement in human trafficking and production of pornographic films.

Another TV show was aired on Finnish TV YLE 1 in spring 2013 by the same producer, claiming that several women had been taken to Paris to meet the leader Gregorian Bivolaru resulting in sexual abuse (MOT 2013). It was suspected that advantage had been taken of the victims’ dependent position and that they were misled to travel to France. It was claimed in the film that around twenty Finnish women had this experience, some more than once. One Finnish woman, interviewed in the TV program, said that one of the Finnish leaders had told her that Gregorian Bivolaru wanted to meet her, but that she had no idea that there would be sexual components in this meeting (MOT 2013). According to representatives for Natha Yoga, other women in the same group as the woman featured in the TV show testify that no sexual interaction took place between her and the leader Gregorian Bivolaru (Holopainen 2013).

Already before the second TV program, in autumn 2012, an investigation had started in Finland about human trafficking, misuse of spiritual authority, and sexual abuse of some young women in Natha Yoga (Mäkinen 2017). The police made a house search in the ashram in Helsinki on October 31, 2012 (Soteria International 2015, 17). According to representatives for Natha, the yoga school had, before the TV program, been financially blackmailed by a person, threatening it with a scandal in the media (*Ilta-lehti* 2013).

According to media, the case connected with the Natha Yoga School in Helsinki was transferred to prosecution for three suspects of human trafficking in July 2017. Besides human trafficking, the charges were sexual abuse and attempt of sexual abuse. The suspects are reported to deny the accusations (Orjala 2017).

The TV show aired in 2013 had been preceded by conflicts between Natha Yoga and some members regarding the content of the school's program. There were voices wanting to include modern dance, which was rejected by the school as not being part of its tradition (Soteria International 2015, 6). There was also a rival yoga school opened as a result of these conflicts (interview 5). According to Massimo Introvigne, there are cases of independent teachers who impart similar teachings as those of MISA, who are cooperating with the anti-cult campaigns against MISA (Introvigne 2017). A woman featured in the TV show is reported to have been in economic conflict with Natha regarding paying rent to the ashram, not paying her share of costs for living together with other yoga colleagues, and not acting according to the agreements (Soteria International 2015, 11).

In September 2017 there was an arrest warrant set up for Gregorian Bivolaru, who was not, however, found (Mäkinen 2017).

The Concept of “Cult” and the “Brainwashing” Thesis

— The Use of the Concept of “Cult”

The sociological concept of “cult” (translated with words derived from the Latin “secta” in languages other than English) in popular discourse has become distorted to express negative value judgments about religions that are considered “false.” Value judgments like that are not, of course, scientifically valid. In sociological terms, religious organizations may have different characteristics, as for example various kinds of relationship to society, degree of engagement required of the members, or if members are typically born into the group or become members by personal conversion or decision. These—and other criteria—offer possibilities to sociologically classify religious groups into different organizational categories like “cult,” sect, denomination, and church. Even using sociological criteria, it is, however, difficult to classify religious groups and separate different kinds of religious organizations. The outcome may be different depending on how the criteria are interpreted. Additionally, several of the most common criteria used to classify religious organizations as “cults” are present in one form or the other in most religious groups. Even though these kinds of questions form one important strand within the field of sociology of religion, this kind of classification is therefore of limited usefulness (Frisk 1998, 220).

As indicated above, the concept of “cult” has, in popular discourse, been used to evaluate minority religious groups negatively. During the 1960s and 1970s, as an effect of increasing globalization and cultural pluralism, many new religions emerged in the West, several being imports from other cultures and religions, and some being culturally innovative (Stark and Bainbridge 1985). As is most of the time the case with religious (and other subcultural) groups, these groups changed and adapted with time in contact with mainstream Western society, with some characteristics decreasing and some increasing, and some simply changing. Religious change, import, and innovation are innate characteristics of religion, processes that to a different extent are going on everywhere in the world at any given time. Thus, religious change on a macro plane consists of very natural cultural processes (as indeed also on a micro plane).

— The “Brainwashing” Thesis

Many young people converted to the new religions that emerged in the 1960s and 1970s, and it was in this context that the concept of “brainwashing” came into use. It is a concept that today is considered obsolete and has been shown by a significant body of empirical research not to have any scientific base. Sociologist James T. Richardson suggested that ethnocentrism and racism are related to the use of the “brainwashing” theory, as the new religions often originated from outside Western culture (Richardson 1996, 220). To mainstream Western society, conversion to religions very different from traditional Christianity seemed so absurd that only “brainwashing” could explain the phenomenon. Religious as well as secular organizations fighting against the new religions, the so called anticult organizations, were formed in different countries in the 1970s and 1980s. Many of them were initiated by parents who were worried about their (adult) children joining the new religions, and by ex-members who had left these groups and had developed a negative attitude to the phenomenon.

The concept of “brainwashing” originally developed during the Cold War in order to explain why apparently “normal” people could convert to such an evil ideology as communism. Gradually, the theory of “brainwashing” was applied to “totalitarian” forms of religion, or even to religion in general (Introvigne 2014, 304). Dick Anthony (1939–2022), a research and forensic psychologist, and Thomas Robbins (1943–2015), a sociologist of religion, together with several other researchers, refer to Robert Jay Lifton as having produced one of the foundational works for the origin of “brainwashing” theories. Lifton studied

prisoners of war during the Korean War, who underwent Chinese thought reform in the early 1950s (Anthony and Robbins 2004, 250–51). Anthony and Robbins, however, refer to the fact that Lifton’s findings indicated—contrary to what is popularly believed—that thought reform techniques are not very effective. The overwhelming majority of Lifton’s Western subjects exhibited only behavioral compliance under physical duress and threats. Very few subjects exhibited alternation of their convictions in the direction of Maoism (Anthony and Robbins 2004, 252–53).

— “Cults” in the Model of Margaret Singer

The “brainwashing” theory that was applied to the “cults” in the 1970s and 1980s was for the most part a construction by the American psychologist Margaret Thaler Singer (1921–2003) (Introigne 2014, 304–5). Singer used the “cult” concept as basically meaning a false religious group devoted to deception and manipulation, with the sole goal of recruiting new members and earn money. This, she claimed, was opposed to the established religions, which aim at improving the lives of their members and humankind in general (Singer 1995, 9–11).

Further, Singer defined the main components of “cults” as: having cult leaders who are self-appointed, domineering, and center veneration on themselves; being authoritarian in structure; using a coordinated program of persuasion or brainwashing; being totalistic or all-encompassing in controlling their members’ behavior; and exhibiting extremism in their worldview, requiring total commitment and often requiring isolation from nonmembers. Singer stressed the isolation tactic as one of the most common mechanisms of control in “cults” (Singer 1995, 8–10). She further divided the persuasion techniques used in “cults” into physiological techniques (Singer 1995, 126), for example hyperventilation; repetitive motion; change in diet, sleep and stress; meditation; body manipulation (Singer 1995, 128–42)—and psychological techniques, for example trance and hypnosis; guided imagery; revision of personal history; and emotional manipulation (Singer 1995, 150–69).

There are, however, many possible objections to Singer’s perspective. Mainstream religious practice, for example, displays several of the characteristics Singer presented as typical of “cults.” Many of the established religions (including Christianity) would not even exist had it not been for the historical existence of a “cult leader.” One of the most prominent factors for religious

innovation and change is spiritual creativity (visions, prophetic expressions). Some human beings are certainly considered leaders (of different authority and kinds, see Frisk 2007), but may be both “self-appointed” and created by the followers, mostly through social processes in which both the leader and the followers participate actively (Dawson 2002, 82). A prominent factor in religious innovation and change is often an intense religious engagement, in protest and resistance against the secular lifestyle displayed by mainstream society. New religious movements to a great extent exhibit such intense engagement, and thus often promote a religiously intense lifestyle. This is, however, also the case with engagement in, for example, monastic orders in established religions.

Many of the physiological and psychological techniques referred to by Singer are also used in mainstream religions. They represent both quite normal lifestyle choices (diet, sleep, clothes), techniques sometimes traditionally used to induce wished for changes of mental frames, like body movements (yoga, *tai chi*, *qigong*) or meditation and guided imagery, or processes at work in any social group (social influences on emotions or revisions of personal history).

— The Academic Rejection of the “Brainwashing” Thesis

Based on empirical studies of new religious movements during the 1980s and 1990s, an overwhelming majority of the scientific community soon agreed that no support could be found for the “brainwashing” theory. Humans are certainly social beings, being constantly influenced by other people in social contexts, and many social institutions like child education and the school system are based on the understanding and acceptance of social influence as a medium for human change and social control. The “brainwashing” thesis, however, conceives “cult” psychological coercion as fully equivalent to physical constraint, and assumes that the psychologically coerced individual is as unambiguously under someone else’s control as is a physical captive. “Brainwashing” claims entail a model in which only extrinsic or external forces determine religious choices, as opposed to intrinsic or self-related forces, a point of departure that contradicts empirical research (Anthony and Robbins 2004, 244–45). The brainwashing perspective assumes humans as passive objects, without any freedom of will, with the personality and predisposing factors seen as insignificant (Anthony and Robbins 2004, 249).

Anthony and Robbins examined the existing body of research on participants in new and unconventional spiritual movements and summarized their findings on

this subject. They show that the participants typically manifest certain attributes of personal background and are not randomly chosen, as is claimed by “brainwashing” proponents (for further discussion, see Anthony and Robbins 2004, 257–69). Besides that, the power of the “brainwashing” seems to be very weak: Anthony and Robbins cite the famous study from 1984 by Eileen Barker, a professor of sociology, showing that no more than 0.005 percent of the prospective recruits who visited a Unification Church center was associated with the movement two years later (Barker 1984). After attending a 2-day workshop, 29–30 percent would attend the following 7-day workshop, 17–18 percent would attend the 21-day workshop, and 8–9 percent would join the church as full-time members. Summarily, very few potential converts were converted, and about half of the ones who did convert had left the group two years later. These results are confirmed by other studies on various groups. Anthony and Robbins conclude that many members leave the groups voluntarily, to an extent that they write about “revolving doors” through which recruits are moving in and out.

Anthony and Robbins also note, based on results from a number of studies, that ex-members were more likely to claim that they had been “brainwashed” if they had been forcibly removed from the group (deprogrammed) and if they had contacts with anticult organizations (Anthony and Robbins 2004, 262–64). James Richardson concludes, also based on the existing body of research, that reports of having been “brainwashed” tend to be learned interpretations. Richardson further writes that research shows that many participants seek out new religions to accomplish personal goals; that participation often seems to have a generally positive impact on most participants; that the “brainwashing techniques” are not very successful as proved by the fact that most new religions are very small, many participants remain in the groups for only a short time, and most of the people who come into contact with a new religion never join at all (Richardson 1996, 221–24). Richardson thus confirms the results of Anthony and Robbins on almost every point.

An important milestone regarding the status of the brainwashing thesis was when the professional associations American Psychological Association, American Sociological Association, and the Society for the Scientific Study of Religion between the end of the 1980s and the 1990s all confirmed that empirical research disconfirmed the “cultic brainwashing perspective” (Anthony and Robbins 2004, 271). This standpoint affected the outcome of court cases, where

new religious groups had been accused of “brainwashing” and manipulation. From about 1990 the new religions tended to win these cases, based on the statements of the professional organizations (for a study of court cases during that period, and the role of the professional associations, see Introvigne 2014). An important event was further when the American anticult organization CAN, Cult Awareness Network, went bankrupt after a person who had gone through a failed deprogramming process sued the organization and won (Shupe and Darnell 2006).

Discussion

Below will be discussed the allegations raised towards the Natha Yoga center in Helsinki. The allegations comprise human trafficking in the sense of manipulating female members to travel to France to meet the founder of the group, meetings alleged to have resulted in sexual abuse. The allegations will be placed in the context of the brainwashing thesis outlined above and will be related to the main characteristics of “cults” and “cultic manipulation” as formulated by Margaret Singer. Themes that will be discussed are deception and manipulation, isolation, totalistic commitment, and authoritarian structure. Finally, an additional theme, cultural challenge, will be raised, as an alternative cause of the emergence of these allegations.

— “Cults,” Deception, and Manipulation

As we have seen, the decisive characteristic of “cults,” in the perspective of Margaret Singer, the most well-known proponent of the “brainwashing” thesis, are assumed to be deception and manipulation. One may of course have different opinions about the teaching of sacred eroticism in Natha Yoga, but the standpoint of the school is far from being hidden from the participants and members. On the contrary, it is openly declared in different contexts as the website and is part of the syllabus for the first year of the esoteric yoga course. Informed consent seems to be as basic to intimate relationships in Natha Yoga as in mainstream society. Natha Yoga certainly is an esoteric group, which means that some practices and beliefs are taught only after some time, as outlined in the curriculum. The teaching about sacred eroticism is, however, openly described.

The allegation of manipulation, however, deserves a further discussion because of the blurred borders of social influence, which to some extent is present in all social groups. Human beings are social beings, and as such are susceptible to influences from other human beings. Some characteristics of social groups may strengthen the level of social influence; Singer proposes totalistic commitment, isolation, and authoritarian structure. These characteristics will therefore be discussed below in relation to Natha Yoga.

— Totalistic Commitment, Isolation, and Authoritarian Structure

Singer claims that “cults” are totalistic or all-encompassing in controlling their members’ behavior, requiring a total commitment, and also refers to “isolation” as an important characteristic of “cults.” Based on the empirical study above, it is, however, easy to see that these features do not characterize Natha Yoga. Not even the students living in the Natha Yoga ashram show a high degree of isolation from society, nor do they live in a totalistic environment requiring a high degree of commitment. All of the students living in the ashram work or study outside the yoga center, and thus have prolonged daily contacts with people who are not members of Natha Yoga. Some also have girlfriends or boyfriends who are not engaged in Natha Yoga and who live outside the ashram. Some of the informants also talk openly about the fact that they do not follow all the guidelines from the organization, and do not seem to think that this is strange.

Although several of the informants stressed the importance for them to have as close friends fellow members of the group, it is clear from the interviews that the residents of the ashram live a quite private life. They do not, for example, share meals but each of them prepares meals individually. This lifestyle could be contrasted with the behavior of some other new religious movements, where members live in communities where all aspects of life are shared, including work and meals, where the contacts with the outside world are restricted, and where marriage partners have to be chosen from inside the group.

Singer further writes about “cults” being authoritarian in structure and having domineering cult leaders. Gregorian Bivolaru is without doubt the initiator of MISA and Natha Yoga, and is held in great esteem by the yoga practitioners. He is not, however, present in the members’ daily lives, and has never visited Finland. Not all of the informants in this study have ever met him.

The allegations of the Finnish authorities hint that other people in the organization might be in a position to manipulate students to travel to France for sexual abuse. Although there are, for different reasons, in all social contexts people with more social power, research contradicts that humans are totally passive objects without any freedom of will, especially in contexts that are neither totalistic nor isolated.

An important piece of information illustrating the weakness of possible manipulation in Natha Yoga is that the statistics for staying in or leaving the group show a similar pattern as the reported empirical research on other new religious movements. Only one third of the students in the first year of the Natha Yoga course continue to the second year. The students after that keep on decreasing until the courses after a few years have to be fused due to having too few participants.

— Cultural Challenges

New religious movements offer alternatives to mainstream society concerning beliefs, practices, and lifestyles. Sometimes the alternatives are innovative, but more often to a significant extent they are imported from other cultures. Natha Yoga, although initiated by a Romanian citizen, is to a great extent imported from and formed by the Indian Tantric tradition, which has its roots in ancient India. Natha Yoga presents the polarized and gendered philosophy of Shiva and Shakti, consciousness and energy, and in this context promotes a perspective of sacred and spiritual eroticism.

Integral to new religious movements, as indicated above, is that they present alternatives compared to mainstream society. The area of sexuality and family is often included and thus differs from mainstream lifestyles (Palmer 1994). The perspective of the new religions may be more negative to sexuality than mainstream society, perhaps advocating celibacy as the preferred lifestyle, or perhaps sex only within marriage, which, at least in Sweden and Finland in contemporary society would be considered more constraining than “normal,” or, as in the case of Unification Church/ Family Federation, advocating arranged marriages, something that is also far from the norm in our society. At the other end of the scale, there are new religious groups that advocate a freer perspective on sexuality than the norm in Western societies. Still—although there are strong subcultures among young people, at least in Sweden, living polyamorously, or having several “sexual friends”—for many contemporary citizens it is still seen as

culturally challenging to simultaneously have more than one sexual partner. In spite of the emphasis by Natha Yoga that an erotic relationship has to be combined with love and a spiritual perspective, this is probably one reason that sparks the controversies between this group and mainstream society.

An observer like Thejls notes as surprising that at a time when sexual freedom is celebrated, Natha Yoga has received such a hostile attitude, especially from the media (Thejls 2015, 68). Also, Vojtíšek writes that Natha Yoga's attitude to eroticism with its consequences for human relationships is one of the core targets of criticism and repression by the Romanian authorities (2018, 138). This also holds true of the controversies in Finnish society. There are, however, also other aspects that might be conceived of as challenging for mainstream Western society. Vojtíšek writes that MISA is both a public and an esoteric community, which sparks a suspicion that keeping secrets is the same as hiding the true nature of the community, as well as that this true reason must be morally dubious. Second, the role of Bivolaru as a spiritual authority, typical for Indian traditions, is not understood in Western societies, and subsequently provokes suspicions of abuse of power (Vojtíšek 2018, 138–39).

These cultural misunderstandings, coupled with the outdated “brainwashing” thesis, form the context of the controversies related to Natha Yoga Center in Helsinki, and the allegations about manipulation and sexual abuse. Applying a non-ethnocentric perspective, Natha Yoga could as well be understood as a new religious movement with a teaching about sacred eroticism and an alternative approach to erotic relations, for each person to accept or reject.

Conclusion

Natha Yoga is a yoga group with origins in Romania, with roots in traditional yoga, Tantra, and Indian philosophies. As is common with new religious groups in contemporary Western societies, there are also additional characteristics originating in other religious traditions. To a great extent, however, the roots of Natha Yoga conform to some historic strands of yoga and Tantra. There is an emphasis on the polarity between male and female principles in the macro- as well as in the microcosm, and a perspective of eroticism as spiritual and sacred. Similar to several groups within the new religious movements' spectrum, Natha

Yoga challenges the mainstream norms of monogamy and nuclear family structure.

An overwhelming majority of the scientific community today agree that the “cultic brainwashing” theory, launched during the 1970s, cannot be confirmed based on empirical studies. A strong argument against the “brainwashing” theory is that a substantial portion of the members in new religious movements leave the groups by themselves with time. Most people coming into contact with a new religious movement do not even join. This situation is the same for Natha Yoga.

The most well-known proponent of the “brainwashing” theory, psychologist Margaret Singer, proposed deception, manipulation, isolation, totalism, and authoritarianism as important characteristics for “brainwashing cults.” None of these categories are characteristic for Natha Yoga. The perspective of sacred eroticism, which is one of the core targets for criticism from mainstream society, is openly advertised and is not introduced in any deceptive manner. Certainly, social influences in Natha Yoga do exist as in any other social group, but isolation, totalism, and authoritarianism, which strengthen social influences, are not, as shown above, present in the group to a convincing extent.

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The *Hiroshima Panels* and Soka Gakkai's Anti-Atomic-Weapon Aesthetics

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ABSTRACT: The tragedy of Hiroshima generated, since its immediate aftermath, works of art that tried to capture its horror and preserve its memory. In Japanese contemporary art, the fifteen giant *Hiroshima Panels*, painted by Iri Maruki and his wife Toshi between 1950 and 1982, epitomize this effort that marked a generation. The article explores the context, meaning, and controversies surrounding the *Panels* and compares them to other international artistic reactions to Hiroshima, including the “Eaist” movement in Italy. It then explores how Daisaku Ikeda, the third president of Soka Gakkai, presented his opposition to nuclear weapons, including through novels for children and *anime* (animated films), and discusses similarities and differences between his discourse and aesthetics and *The Hiroshima Panels*.

KEYWORDS: Hiroshima Panels, Iri Maruki, Toshi Maruki, Eaism, Daisaku Ikeda, Soka Gakkai, Soka Gakkai Anti-Nuclear-Weapon Activities, Hiroshima Bombing and the Visual Arts.

Introduction

On July 7, 2023, my wife and I visited the Hiroshima Peace Memorial Museum, with its director as our personal guide. Significantly, at the very entrance of the museum stands a work of art, a mosaic called *Caravan of Peace*. Its author is Hikuo Hirayama (1930–2009), a Japanese academic and painter famous for his depictions of deserts along the Silk Road. Hirayama was also a *hibakusha*, a survivor of the atomic bombing of Hiroshima. His *Caravan of Peace* expresses the desire to unite Western and Eastern culture in a common journey towards a world without wars.

Indeed, as we learned in the Hiroshima Peace Memorial Museum, the *hibakusha* almost immediately after the bombing of August 6, 1945, understood

the therapeutic function of art, and started drawing the horrific scenes they had seen. Although the purpose of the children and adults who created these drawings was not artistic, some works tell the horrific story of Hiroshima with such a strong power that they do belong to the realm of art. All the most dramatic moments of the tragedy were immediately captured by the drawings. As one *hibakusha*, whose words accompany the exhibition of his works in the museum as a caption, reminisced,

People were crawling towards the river, crying out for water to cool their burns. But many died on the riverbanks or drowned. The river was full of bodies [caption in the Hiroshima Peace Memorial Museum].

Collecting original drawings by the *hibakusha* in the museum serves the same purpose the Japanese Buddhist movement Soka Gakkai has pursued for many years in collecting, publishing, and translating testimonies of the bombing survivors—before it would be too late to preserve them. An important book, *Hiroshima and Nagasaki: That We Never Forget*, contains the testimonies of over fifty *hibakusha* collected and published by the Soka Gakkai Youth Division in Japan in 2017 to commemorate the 60th anniversary of second Soka Gakkai president Josei Toda's (1900–1958) “Declaration Calling for the Abolition of Nuclear Weapons” (Soka Gakkai Youth Division 2017).

This article discusses how the horror of the bombing was presented in the celebrated *Hiroshima Panels* by Iri Maruki (1901–1995) and his wife Toshiko (Toshi, 1912–2000). It will shortly compare their artistic reaction to the atomic bomb to that of Easism, an Italian movement that developed in the city of Livorno after the bombings. It will then discuss how the language of these artists presents both differences and similarities with respect to the aesthetic of Soka Gakkai's campaigns against nuclear weapons, focusing in particular on the *anime* (animation film) *Journey to Hiroshima*, based on one of the children's stories written by Soka Gakkai's third president Daisaku Ikeda (1928–2023).

Iri and Toshi Maruki

Iri Maruki was born on June 20, 1901, in Imuro-mura, Asa-gun, a small village near Hiroshima (the biographies of Iri and Toshi are summarized from Okamura 2019). His mother Suma Maruki (1875–1956) ran the shipping agency family business. Only in her seventies, urged by her daughter-in-law Toshi, she

converted a hobby into a profession and became a professional painter herself, producing more than seven hundred works, some of which won national awards. Although she was also a survivor of the Hiroshima bombing, she depicted mostly animals and flowers, in a dreamy style that showed she had finally found peace.

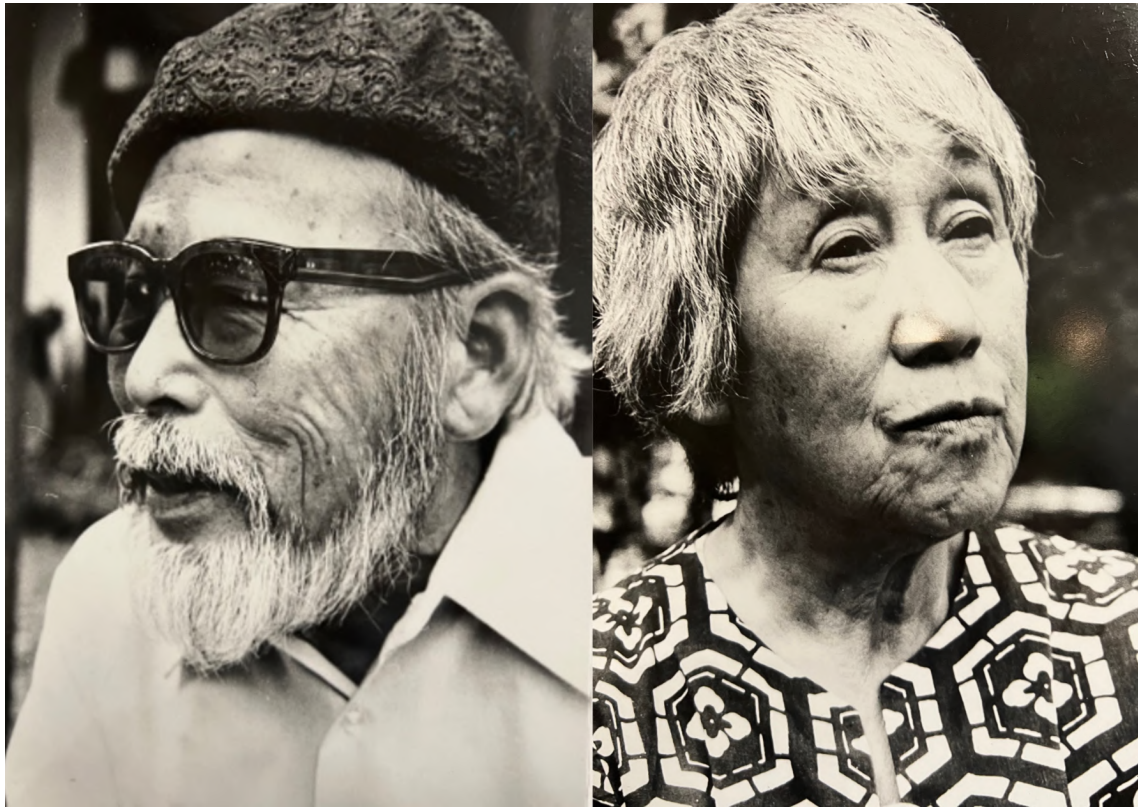


Image 1. Iri and Toshi Maruki (all pictures except the last one were taken by or on behalf of Massimo Introvigne at Higashi-Matsuyama's Maruki Gallery for the Hiroshima Panels in July 2023).

At age 18, Iri moved to Osaka to study design at the Seika Institute of Art, from where he transferred in 1923 to the Tennen School of Painting in Tokyo. He studied under Raisho Tanaka (1868–1940), at that time one of the most celebrated Japanese landscape painters. In 1928, he exhibited in Hiroshima for the first time while continuing his studies in Tokyo, from 1934 at the Metro School of Art led by another well-known artist, Rofu Ochiai (1896–1937).

Iri broadened his interests and explored Western Surrealism and abstract art. In the late 1930s, his works were increasingly featured in national exhibitions. He became a member of the Bijutsu Bunka Kyokai (Association for Art and Culture), whose members wanted to create an art in dialogue with the Western

avant-gardes yet distinctly Japanese. This dialogue is apparent in Iri's *suibokuga* (ink wash paintings) of the decade.

In 1940, Iri met fellow painter Toshiko (Toshi) Akamatsu. She was born on February 11, 1912, in Chippubetsu, Hokkaido, in a deeply religious family. One of her relatives was the head priest of a large Zen temple. In 1929, Toshi moved to Tokyo to enroll at the Women's Academy of Fine Arts, which still exists under the name Joshibi University of Art and Design. She graduated in 1933 but was not able to support herself as a full-time artist. She became a teacher at an elementary school located in Ichikawa, in the Prefecture of Chiba.

In 1937, she moved to Moscow with the better-paid job of private tutor of the children of a Japanese embassy interpreter. She returned to Tokyo in 1938 and joined the artist colony called Atelier Village. She exhibited in several galleries and, before Iri did, had her first solo exhibition in 1939 at the fashionable Kinokuniya Gallery in Tokyo's Ginza. In the same year, Iri participated in an exhibition in the same gallery, but did not meet Toshi, who was busy preparing for a five-month trip to Micronesia.

It was upon her return in September 1940 that she met Iri for the first time. They started dating, but Toshi decided to return to Moscow in January 1941, this time as tutor of the children of Japan's Ambassador to the Soviet Union. She returned to Japan and married Iri in July 1941, persuading him to join her and live in the Atelier Village. However, the war soon broke and the Marukis moved to the safest area of Urawa (a city now incorporated into Saitama), in the Prefecture of Saitama, some thirty kilometers from Tokyo.

After their traumatic stay in Hiroshima for a month in the immediate aftermath of the atomic bombing, they returned to Tokyo and joined several avant-garde artistic associations, as well as the Japanese Communist Party. However, partisan politics was neither their vocation nor their main interest. With time, they became critical of Marxism and in 1964 were expelled from the Communist Party. In 1948, they moved to Katase, in the Prefecture of Kanagawa, and decided to devote themselves to preserve the experience of the victims and survivors of the Hiroshima bombings through art. In 1950, they exhibited what will become the first of the *Hiroshima Panels* in Tokyo. What was originally conceived as a three-panel project kept growing for the next twenty-two years, until the Hiroshima paintings reached the number of fourteen in 1972. A fifteenth panel, on Nagasaki, was added in 1982. This is the only panel that is not

exhibited in the museum established in the house in the city of Higashi-Matsuyama, in the Prefecture of Saitama, where the Marukis, after having lived in Tokyo and in Matsudo, in the Prefecture of Chiba, settled in 1966 and remained until their deaths.

Panel XV is thus at the Nagasaki Atomic Bomb Museum, while Panels I to XIV remain in the Maruki's house, renamed after their deaths the Maruki Gallery for the Hiroshima Panels. It also hosts large paintings in the same style of the *Panels*, which the Marukis produced in the last period of their lives about other horrors and disasters, including Auschwitz and the Nanjing Massacre. By then, they were among the most internationally well-known and celebrated Japanese artists and spent much of their time promoting domestically and internationally the *Hiroshima Panels*.

In 1986 a documentary on the *Hiroshima Panels* directed by American filmmaker John Junkerman called *Hellfire: A Journey from Hiroshima*, was nominated for an Academy Award. In 1988, the Marukis received honorary doctorates from the Massachusetts College of Art and Design. In 1995, an international movement to award them the Nobel Peace Prize gained some momentum but did not ultimately succeed. That the Marukis, even after their break with the Japanese Communist Party, had still participated during the Cold War in regime-sponsored exhibitions in the Soviet Union, Hungary, Bulgaria, and China was still held against them.

Iri died in October 19, 1995 at age 94. Toshi died on January 13, 2000, at age 87. Although it was difficult to keep their work separated from politics in the Cold War climate, the Marukis always maintained that the message of the *Hiroshima Panels* was political only in the broader sense of the word. They were against nuclear weapons rather than against any particular country or bloc.

The Hiroshima Panels

The Marukis were both *nyusi hibakusha*, i.e., they were among those who were not in Hiroshima on August 6 but went there immediately after the bombing to help (thus exposing themselves to the radiation: Kozawa 2019, 11). Iri was from Hiroshima and had family there. Some survived the tragedy; others did not.

Both Iri and Toshi worked as volunteers (and depicted themselves as such in the eighth *Hiroshima Panel*) but also interviewed survivors and collected journals.

American historian of Japan John Dower has called the *Hiroshima Panels* “one of the most ambitious artistic undertakings of this [the 20th] century” (Dower 2019, 103). As mentioned earlier, the production of fifteen giant panels occupied the Marukis for thirty-two years, from 1950 to 1982.



Image 2. Massimo Introvigne in front of Panel VIII, where the Marukis depicted themselves as volunteers in Hiroshima.

Panel I: Ghosts

I will now shortly present the fifteen panels. Each is accompanied by a short poem written by the artists. Panel I, *Ghosts*, depicts what the Marukis encountered when they arrived in Hiroshima, shortly after the bombing. They reported that,

We lost our uncle to the Atomic Bomb and our two young nieces were killed; our younger sister suffered burns and our father died after six months; many friends perished. Iri left Tokyo for Hiroshima on the first train from Tokyo, three days after the Bomb was dropped. Toshi followed a few days later. Two kilometers from the center of

the explosion, the family house was still standing. But the roof and roof tiles were mostly gone, windows had been blown out, and even the pans, dishes, and chopsticks had been blasted out of their places in the kitchen. In what was left of the burned structure, rescued bomb victims were gathered together and lay on the floor from wall to wall until it was full (Maruki and Maruki 1983, 8).

They started working as volunteers:

We carried the injured, cremated the dead, searched for food, and found scorched sheets of tin to patch the roof. With the stench of death and the flies and the maggots all around us, we wandered about in the same manner as those who had experienced the Bomb (Maruki and Maruki 1983, 8).

A “procession of ghosts” was still going on:

A human shadow was etched on stone steps.

Did that person’s body vaporize?

Was it blown away?

No one remains to tell us what it was like near the hypocenter.

There was no way to distinguish one charred, blistered face from another.

Voices became parched and hoarse.

Friends would say their names, but still not recognize each other.

One lone baby slept innocently, with beautiful skin.

Perhaps it survived, sheltered by its mother’s breast.

We hope that at least this one child will awaken to live on (Maruki and Maruki 1983, 2).

This panel was the first to be painted. It was in 1950, and the Marukis were afraid its exhibition might be prevented from post-war censorship. It was exhibited at the Tokyo Metropolitan Art Museum. At the opening, some visitors loudly criticized the work as both unrealistic and propagandistic: did really citizens of Hiroshima walk around the city naked and disfigured? Then an old man rebuked them. He was there, he said, and had lost a daughter and a grandson in the bombing: and the painting told the story exactly as it happened (Dower 2019, 103).

Panel II: Fire

In the perverse alchemy of Hiroshima, all elements were mobilized against humanity. “Never on earth or in heaven had humankind experienced such a blast”

(Maruki and Maruki 1983, 2). Fire was everywhere. A mother refused to hand her child to the rescuers, telling them she would only be left to wander the streets, and burned with her little girl. “Mother and child were devoured by swift flames of vermillion” (Maruki and Maruki 1983, 2).



Image 3. Detail of Panel II.

These horrific scenes were based both on sketches and on an extensive collection of photographs the Maruki had gathered. According to historian Setsuko Kozawa,

The war paintings of Léonard Tsuguharu Foujita [1886–1968] and others share this methodology. Foujita’s “final battle” paintings (*gyokusai-zu*) were the product of the painter’s imagination, working in a studio, while the Marukis based their work more closely on the original scene, but they share the compositional techniques of depicting, one by one, members of a group caught in the throes of war (Kozawa 2019, 11).

The realism derived from their personal experience and familiarity with direct sources did not prevent the Marukis from mobilizing the resources of Japanese traditional art and religious traditions to build their modern-day apocalyptic icons. Dower notes that *Fire*,

intimating hell, gave a hint of the unanticipated resources that the two artists had to draw upon; for not only did their seemingly divergent styles merge effectively, but it also became apparent that many of the painterly idioms of traditional Japanese art could be applied with stunning effects to stark contemporary subjects. Thus, the brilliantly stylized flames that consume the victims of Hiroshima in *Fire* can also be seen in ancient Buddhist paintings and medieval Japanese scrolls, including classic depictions of the torments of *jigoku*, or hell (Dower 2019, 103).

Panel III: Water

The second element, water, offered a false solace. All the victims screamed for water, without knowing that drinking water would actually kill them. When they understood it, survivors were put in the cruel alternative of giving water to those who desperately asked for it and kill them instantly, or refusing and increase the pain of their loved ones who would die anyway. Jumping into the crowded river involved the risk of drowning there. Yet, many were fatally attracted by the water as if it were their way of salvation. For many, it wasn't.



Image 4. The “Hiroshima Madonna” in Panel III.

In the water, the artists depicted their twentieth-century image of Madonna and child. She gives the breast to her child; then, she realizes he is not alive.

Wounded mother and dead infant.

The statue of despair.

Let the mother and child be

a symbol of hope as it has always been.

It must be! (Maruki and Maruki 1983, 3).

The Hiroshima Madonna has become the most famous and iconic detail of the *Hiroshima Panels*. Its power derives from the inversion of symbols. Breastfeeding and water are both symbols of life. But the bomb corrupted whatever it touched, and both water and breastfeeding became symbols of death.

So powerful was this panel that, when it was finished in 1950, Iri Maruki believed that it completed their trilogy, and no further paintings were needed. However, his wife prevailed upon him, and in 1951 they decided to go on with the series (Dower 2019, 103).

Panel IV: Rainbow

A rainbow was really seen shortly after the bombing, but Panel IV remains hopelessly dark. Looking carefully, one sees American uniforms. American prisoners of war were in Hiroshima. “The Atomic Bomb kills foes and friends” (Maruki and Maruki 1983, 3).

The prisoners of war are the only Americans in the *Hiroshima Panels*. Depicting the Americans as aggressors was legally forbidden by Occupation policy. However, for the Marukis not to depict the American plane dropping the bomb was a conscious choice, not governed by legal reasons only, and one they came to after long deliberations. Kozawa reports that,

even after the Occupation ended, the Marukis did not directly depict the aggressor. In various episodes and recollections, the artists described the internal struggles they experienced over depicting the aggressor. Over time, this led to the depiction of people at war in a manner that could not be contained by the simple dichotomies of aggressor/victim or enemy/ally (Kozawa 2019, 11).

As for the rainbow, its apparition in Hiroshima is both historically accurate and seems to offer a way to the artists to escape their own desperation. However, the

dark mood still prevailing in the panel demonstrates that the way to a possible escape remained long and painful.

Panel V: Boys and Girls

School pupils, boys and girls, had been mobilized for military drills and civil work and defense. The great majority of those caught in the Hiroshima bombing did not survive. Many of those who did were physically or mentally handicapped for the rest of their lives.

The panel is an obvious critic of militarism, which promised glory and victory to young boys and girls and delivered only death:

The boys and girls had been mobilized
to do adult work that day
to tear down buildings

Whole classes died together (Maruki and Maruki 1983, 3).

However, the *Hiroshima Panels* always tell their stories both through hyper-realistic images and through symbols. Not unimportant in the panel are dead trees. Just as water in Panel III, trees are a symbol of life and beauty in traditional Japanese art. Here, the meaning of the symbol, once again, is reversed. The trees have been disfigured and killed just as the militarized boys and girls were.



Image 5. Details of Panel V.

Panel VI: Atomic Desert

The apocalyptic scenario of a post-atomic Planet Earth, featured in several movies, was a reality in Hiroshima.

There was no food, nor medicine.

Houses were all burned,

the rain came in.

No electricity, no newspaper to read, no radio.

No doctor (Maruki and Maruki 1983, 3).

—and corpses and bones everywhere. The Marukis, who completed Panel VI in 1952, noted that,

Even now

human bones are found in the soil

in Hiroshima (Maruki and Maruki 1983, 4).

Cattle had been a favorite subject of Iri's pre-war works, and here animals share in the general sadness, as cow skulls accompany the desperate wandering of survivors. In another iconic image, a mother looks for her lost little girl with a rag doll in her hand. We understand that the girl will never be found. The rag doll is all what remains of her—in a way, the rag doll *is* the girl.

Panel VII: Bamboo Grove

When the artists arrived in Hiroshima, they discovered that many had sought shelter in a bamboo grove. But nobody helped them there, and many died.

There was no one to take away the corpses—

A typhoon and flood in early September

carried them all away

out to sea (Maruki and Maruki 1983, 4).

Here, a Japanese audience's attention would be no doubt attracted by the bamboo. Traditionally, the bamboo is a symbol of harmony. It has a number of metaphorical, spiritual, and even esoteric meanings. It is said that painting a bamboo in a perfect way was the test of greatness for classic Japanese artists.

Here, what the Marukis want to show us is that even the resilient bamboo can be humiliated and killed. Those who sought refuge in it might have counted on the traditions and legends about the sacred bamboo but were deceived and disappointed.

Panel VIII: Relief

Panel VIII introduces an element of hope. Although it acknowledges that “rescue came later” (Maruki and Maruki 1983, 4), it celebrates the volunteers, including the two artists, who went to Hiroshima and did whatever possible to help, even after they were told they were exposing themselves to the radiation.

We understand that this unforgettable experience generated the *Hiroshima Panels*. The Marukis saw dead people and people dying in their arms. They tried to help others, unsure of what their fate will be, yet trying to do something for them nonetheless. They included the parents of the husband of Iri’s sister:

Sister’s mother- and father-in-law
had hundreds of glass fragments
piercing their whole bodies.
Their ankles were swollen
as thick as thighs.
From our house we put them on a cart
and pulled it to their oldest son’s home in Kaita
walking by the center of the blast (Maruki and Maruki 1983, 4).

Having told the story of their personal involvement in the tragedy, the Marukis believed they had concluded the *Hiroshima Panels*. However, something happened. Panel VIII was painted in 1954 and first exhibited in February 1955. In March 1954, the *Daigo Fukuryu Maru* incident (depicted in Panel IX) happened. By reflecting on it, the artists concluded their work should continue.

Panel IX: Yaizu

Panel IX is the first of the *Hiroshima Panels* dealing with an incident that did not happen in Hiroshima. However, the artists insisted that, unlike later

depictions of Auschwitz and other horrors, it should be regarded as part of the *Hiroshima Panels*.

After World War II, nuclear weapon tests continued. Paradoxically, the long series of American tests in the Bikini Atoll in the Marshall Islands—which Salvador Dalí (1904–1989) denounced in his famous painting *The Three Sphinxes of Bikini* (1947: see Introvigne 2023)—caused again Japanese victims. In 1954, the Japanese fishing boat *Daigo Fukuryu Maru*, from the port of Yaizu, was showered with ashes from a Bikini test explosion. Its chief radio officer, Aikichi Kuboyama (1914–1954), died after six months. Others from the crew developed various diseases, as did islanders living near Bikini.

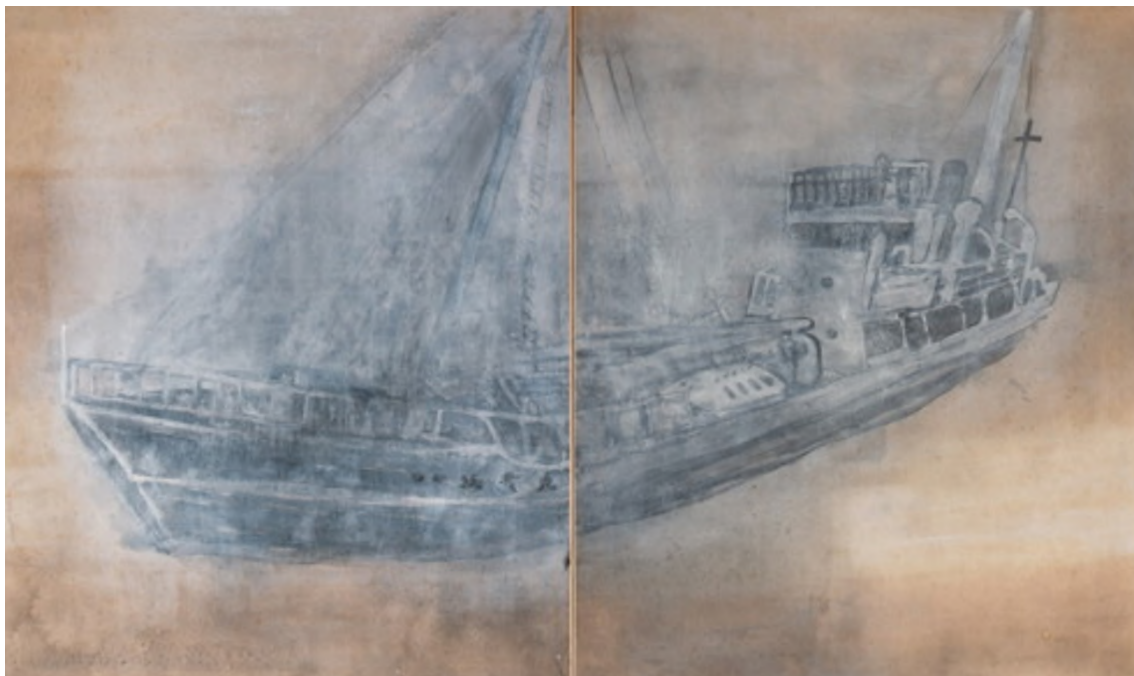


Image 6. The *Daigo Fukuryu Maru* depicted in a way reminiscent of the mythical *Flying Dutchman* in Panel IX.

The Marukis cannot be accused of ignoring the suffering of the islanders, who occupy more than half of the panel, yet their attention was caught by the paradox that, after so many discussions and apologies for Hiroshima and Nagasaki, again in 1954 a nuclear explosion had Japanese among its victims, this time outside of a war context:

Once, twice, three times

Japanese fell victim

to the Nuclear Age (Maruki and Maruki 1983, 5).

To the Marukis, just as to the members of Soka Gakkai who developed similar reflections in these years, it was now clear that the battle for preserving the memory of Hiroshima could not be separated from a battle to ban all nuclear weapons and tests altogether.

Panel X: Petition

The Bikini explosions fueled the anti-nuclear-weapon movement, which had started in Japan almost immediately after Hiroshima, and in which Soka Gakkai played a leading role. Petitions to ban atomic weapons started being signed in Tokyo and all over Japan.

On the left of the panel, signs of hope appear. Cherries and plums blossom again. The horror of the atomic bombings cannot be forgotten, but the birth of a powerful anti-nuclear-weapon movement, which was started in Japan, offered some hope.

The Marukis, however, were still hesitating between hope and despair. They were still collecting stories from the *hibakusha*. Panel X was completed in 1955. After four years, they returned to where it all started, in Hiroshima, with the very different Panel XI of 1959.

Panel XI: Mother and Child

Dower argues that with Panel XI the artists “returned to the hell fire and images of despair” (Dower 2019, 103). Indeed, at first sight, the panel is another depiction of the mother-child relationship turned into tragedy and death, in the spirit of the earlier panels III and VI.

Parent left child, child left parent,
husband left wife, wife left husband.
Nowhere to escape to.
Figures fleeing in all directions.
This was the Atomic Bomb.
In the midst of this, how eerie—
Mothers’ loving arms shielding their babies

from death, dying themselves.

There were oh! so many (Maruki and Maruki 1983, 5).

However, this was not the whole story. The Marukis were also interested in narratives of miracles. They acknowledged that legends follow all disasters but did not rule out the possibility that some stories might be true. They reported that “many witnessed the miraculous sights of children who survived, held tightly in their dead mothers’ arms” (Maruki Gallery for the Hiroshima Panels 2023). This supernatural reference makes Panel XI, of 1959, somewhat different from the panels of the early 1950s.

Panel XII: Floating Lanterns

After completing Panel XI in 1959, the Marukis did not continue the series for almost ten years. The decade was spent by organizing traveling exhibitions of the *Hiroshima Panels*. The Maruki’s ambition was to bring an anti-nuclear-weapon message “to both sides of the Cold War” (Dower 2019, 104). They took the panels to the Soviet Union, China, and North Korea, as well as to Western Europe, Australia, and the United States. While they realized how difficult it was to avoid being manipulated by different countries for propaganda purposes, they also visited museums throughout the world and were exposed to the progress of Western modern art, which they had somewhat lost touch with during the war and the long years in which they had focused on the *Panels*.

Panel XII was completed in 1968, when Hiroshima had been reconstructed and August 6 was becoming an institutional memory. It also shows how the artists had been more influenced by non-figurative art. It depicts, with reminiscences of Cubism, the sad yet poetic tradition of putting each year, in the anniversary of the bombing, floating lanterns in the Hiroshima rivers with the names of the victims. On August 6, 1945, the rivers had been full of corpses. Now, only their names remained.



Image 7. “Cubist” reminiscences in Panel XII.

In 1968, the Maruki's world tours with the *Panels* still missed the most challenging experience: showing Hiroshima to the Americans. This happened in 1970, when the artists accompanied the *Hiroshima Panels* to the United States. It was a deep, life-changing experience.

Panel XIII: Death of the American Prisoners of War

As the Marukis later reported, there were several intense moments in their American tour. Art critics generally acclaimed the *Panels*, yet non-specialized audiences had mixed reactions. Some asked the Marukis whether they hated the Americans, thus perpetuating a current of hatred that could only generate new horrors and wars. A mother who had a son killed in Pearl Harbor asked whether they had considered that Japanese militarism had killed many too. And a Chinese American inquired about how Japanese audiences would react if Chinese artists would go to Japan to exhibit panels about the atrocities of the Japanese Army in China, including the Nanjing Massacre of 1937 (Dower 2019, 104).

The Maruki did not react defensively, but asked themselves whether the *Hiroshima Panels* may inadvertently perpetuate a form of nationalistic chauvinism, while their purpose had always been to depict the atomic weapons as a form of universal evil. They were particularly disturbed by the objection that American prisoners of war who were in Hiroshima in 1945, including women,

had not been killed by the bomb as depicted in their Panel IV but had been lynched by Japanese survivors.

They didn't know for sure, and upon their return back home from the United States they decided to go to Hiroshima to investigate. They interviewed survivors and concluded that some of the 23 American prisoners of war who died in Hiroshima were killed by the bombing, but others were beaten to death by survivors who were not stopped but rather encouraged to kill them by the military police. The Marukis believed some of the Americans killed were women, although this detail is now regarded as probably false (Dower 2019, 104–5).

But the artists were now decided to include in the *Hiroshima Panels* also the less honorable moments of the aftermath of the bombing. Panel XIII shows how the American prisoners of war, including women, who were held near the epicenter of the blast and would have died anywhere, were lynched on August 6 by furious Japanese survivors.

Panel XIV: Crowds

While they were at it, the Marukis explored another dark moment in the Japanese reaction to Hiroshima. Korea was at that time a Japanese colony, from where during the war laborers were “conscripted” to work in Japan. Some 40,000 Koreans worked in Hiroshima and Nagasaki, and thousands died. The Marukis discovered that the military authorities ordered to bury the Japanese first, with the result that crows ate parts of the Koreans' corpses.

After the Bomb, the bodies of the Koreans

were left on the streets to the very last.

Some were alive but few.

Nothing to be done.

Crows descending from the sky.

Hordes of crows,

coming down to eat the eyes of the Koreans.

Eat the eyes!

Even in death, Koreans were discriminated against (Maruki and Maruki 1983, 6).

The artist did not want to give the impression of ignoring the shortcomings of the Japanese survivors and authorities. But the Marukis also criticized the government of South Korea, where some 15,000 *hibakusha* returned but, unlike in Japan, their special status and needs were not acknowledged (Maruki and Maruki 1983, 6).

Panel XV: Nagasaki

The Marukis did not have the same experience of Nagasaki as they had of Hiroshima. However, ten years after completing Panel XIV, they decided that the series should be completed by a Panel XV, both about Nagasaki and to be exhibited in that city, separated from the other paintings.

Completed in 1982, Panel XV shows how the epicenter of the Nagasaki bombing was the Catholic cathedral in Urakami (also spelled Uragami), where a Mass was being celebrated and the priest and the devotees were immediately killed:

Just above Urakami Cathedral
it exploded.

Instantaneously annihilating
the priests and believers
and all.

The cathedral at the center.

Endless concentric halo-like circles
of dead human beings (Maruki and Maruki 1983, 6).

In the last of the *Hiroshima Panels*, the theme of the inversion of the symbols is completed. Churches and temples should be arks of salvation. In Nagasaki, however, a church becomes the very center from which the deadly radiation irradiates.

The relationship between the Marukis and religion remains ambiguous. Sometimes, there seems to be hope in the miraculous. In other cases, the implicit statement is that the horror of the Bomb is so absolute that not even religion can offer salvation from it.

Beyond Panel XV

The Marukis wanted that the same museum in Higashi-Matsuyama would also host some of their other works. Their purpose was to show that Hiroshima was not the only manifestation of 20th-century evil. The museum includes their giant panels about Auschwitz and post-war ecological disasters in Japan that they attributed to corruption and greed.

Explicitly, they wanted to include a large, violent mural about the Nanjing Massacre, thus answering the challenge of the Chinese American lady who had confronted them during their American tour. Their answer was that being guilty of the atrocities of the 20th century is not a question of nationality. In the documentary *Hellfire: A Journey from Hiroshima*, Toshi acknowledged that

her own relatives, who were fighting in China at that time, might have been involved in the Nanking atrocities... There was no way of knowing (Dower 2019, 105).

The Marukis insisted that the *Hiroshima Panels* were not a Japanese “us versus them” indictment of the U.S., they were an indictment of the evil of 20th-century militarism, of ideologies, and more in general, of the corrupt human heart.

Eaism: A Comparison

After Hiroshima, several artistic movements that focused on the atomic energy and the danger of the atomic bomb were born in different countries. More than one appeared in Italy (Introigne 2022). One was Eaism (Eaismo: Era-atomicismo, Atomic-era-ism), founded in 1948 in Livorno by painter Voltolino Fontani (1920–1976), who like many other artists before the war had been close to Theosophy (Fontani 2005–6, 37).

Eaists organized their first exhibition in Florence in 1949. Fontani's 1948 work *Grafodinamica (Dinamica di Assestamento o Frattura e Coesione)* [Graphodynamics (Dynamics of Settlement or Fracture and Cohesion)] was a manifesto of Eaism in itself, and a statement of its persuasion that the new science of the atom also required a new way of painting (Introigne 2022, 26).

Fontani's *Composizione* (1949) was painted a few months after the birth of Eaism. According to a leading scholar of Fontani, Francesca Cagianelli, it depicts the anguish and bewilderment of post-Hiroshima humanity while the colors and

technique reflect the influence of Futurism (Cagianelli 2002, 20). Fontani continued to focus on atomic themes throughout the 1950s.

Fontani and his friends, just like Dalí in the 1950s, were both afraid of the atomic bomb and fascinated by the beauty of the physicists' representations of the atom and the possibilities it opened to artists. They were always against nuclear bombs and tests. However, their enthusiasm for the atom, in the predominantly leftist cultural milieu of post-war Tuscany, compelled them to react against accusations that they were not anti-nuclear-weapons enough (Fontani and Battisti 2020, 15).

That this accusation could be raised shows how audiences looking at the Eaist paintings immediately understood that the atomic theme was regarded by the artists as the possible source of a new beauty. Atomic energy could be used for peaceful purposes too, and the new prodigies of the atom could be represented, effectively creating a new form of art. As mentioned earlier, Fontani and the Eaists also denounced the perverse use of the atomic energy for weapons of mass destruction.

In the “Manifesto of Eaism,” published in 1948, the artists wrote

It should be clarified, however, that the movement does not extol the atomic age, tremendous and evil, nor is it inspired by the phenomenon of that tragic human progress that generated it in its external and mechanical aspects. EAISM will express the tragedy of the 20th century by being inspired by the sense of that tragedy, that is, the sense of humans plunged to live in it, seeking to restore again in humans, and translate into works, the shattered balance of the equation humanity-world (Favati et al. 1948, 11).

Yet, it was not immediately easy for audiences to understand.

The fascination for the atom, on the other hand, was totally absent in the Marukis. Unlike the Eaists or Dalí, they had been in Hiroshima immediately after the bombing and everything “atomic” remained for them an object of repulsion.

Ikeda at “Toda University”

Soka Gakkai is well-known internationally for its campaigns against nuclear weapons (Pellecchia 2022; Šorytė 2019, 2022, 2023). The experience of his third president, Daisaku Ikeda, was powerfully shaped by the horror of Hiroshima and the teachings of his mentor, Soka Gakkai's second President Josei Toda.

President Toda formulated some of the earlier and most radical proposals for the total ban of nuclear weapons (Šorytė 2019), including the strong-worded 1957 “Declaration Calling for the Abolition of Nuclear Weapons” (Toda 1957),

In the difficult post-war years in Japan, Ikeda received precious daily training from Toda. In subsequent years, Ikeda will affectionately refer to this training as “Toda University.” According to Japanese scholar Masayuki Shiohara, “Toda University” included:

1) all the education and training Ikeda received since he joined the Sōka Gakkai in August 1947; 2) all the education and training Ikeda received since he started working for Nihon Shōgakkai, Toda’s publishing company, in January 1949; and 3) the private one-on-one instruction Ikeda received from Toda since January 1950 (Shiohara 2021, 42).

Ikeda later reported that the term “Toda University” was first used by Toda himself:

According to Ikeda, Toda was the first to use it: “Once Mr. Toda spoke to me as follows: ‘I want very badly to send you to college. Unless you go, you may be at a disadvantage in society. However, you will be fine if you go to ‘a university of humanity,’ ‘a university of faith,’ that is, this ‘Toda University.’ Consider it a college for polishing all aspects of your character and acquiring your greatest power as a human being.’”

On another occasion, Ikeda further stated: “[Jean-Jacques] Rousseau [1712–1778] concluded, ‘true education consists less in precept than in practice.’ These are deep and important words. I fully received training from Mr. Toda. As a foremost representative [of his disciples], I was at his side from morning to night. It was a strict training and education. Mr. Toda called it ‘Toda University.’ It was a university of just the two of us. Receiving such education is the pride and happiness of my youth” (Shiohara 2021, 38–9).

In the private training Toda offered to Ikeda, the older leader insisted that at the core of both Nichiren Buddhism and an effective fight against nuclear weapons was being confident that we can always change our present and our future, no matter how dramatic our circumstances are. Toda taught that,

If people live their lives thinking only of what’s happening to them now, focusing solely on the present effects of past causes, humankind would never grow or develop. Practicing the Buddhism of true cause means bearing in mind that every instant of our lives is a cause for the future; it means having the firm resolve to make every instant a cause for the future (quoted in Ikeda 2021b).

Toda felt a special connection with Hiroshima, as evidenced by this episode of the last year of his life:

On the morning of November 20, two months after the “Declaration Calling for the Abolition of Nuclear Weapons,” Toda collapsed as he was about to head to Hiroshima, where the atomic bomb was dropped twelve years earlier. Thereafter, Toda had to rest and recuperate at home. The day before, on the 19th, Ikeda, worried about Toda’s extremely frail health, had tried to persuade Toda to cancel his trip to Hiroshima.

However, at that time Toda stubbornly rejected, saying, “I can’t turn my back on something once I’ve decided to do it. I will go even if it kills me!” (Shiohara 2021, 56).

When Ikeda worked for Toda as editor of his publishing company’s magazine for boys *Shonen Nihon*, efforts were made to tell the story of Hiroshima notwithstanding the American censorship that was then strictly enforced:

Among the articles published in the boys’ magazines during the time Ikeda served as the chief editor, one that warrants particular attention is the special series on the nuclear energy and the atomic bomb in the October and November 1949 issues of *Shōnen Nihon*. The November issue included a short story called *Genshino no hana* (Flower in the Atomic Wasteland), written by Akinaga Yoshirō [1904–1993] that depicted the aftermath of the atomic bombing in Hiroshima. At that time, Japan was under the GHQ [General Headquarters, Supreme Commander for the Allied Powers] occupation, and all publications were subject to censorship. In particular, anything related to the atomic bomb was strictly censored. Under such conditions, Toda published a novel that illustrated the atrocity of the atomic bomb. Depending on the results of censorship, the publication of the magazine could have been banned. The fact that this series was planned even with such high risk shows Toda’s strong will to actualize a peaceful society; Ikeda also learned from this experience (Shiohara 2021, 58–9).

As Ikeda himself summarized it,

as a practicing Buddhist, my mentor [Toda] acutely understood from the depths of his soul that nuclear weapons would become the greatest threat hanging over humankind (Rotblat and Ikeda 2007, 5).

Nuclear weapons threaten our right to exist and are an absolute evil. Unless we rid the world of them, peace will remain an illusion. Forty-five years ago [Ikeda wrote these words in 2002], in his declaration against them, Toda clearly identified the true nature of nuclear weapons not from the standpoint of ideology but from that of all human life (Krieger and Ikeda 2002, 129).

Ikeda's "Hiroshima Notebook"

Ikeda wrote extensively about Hiroshima. I will, however, compare the Marukis' reactions to the bombing with a story for children Ikeda wrote in 1987, *A Journey to Hiroshima*, who became a successful *anime* (Ikeda 2016). In Italy, where the Soka Gakkai campaign Senzatomica has involved thousands of schoolchildren (Pellecchia 2022), this story has become popular with the title *Il quaderno di Hiroshima* (The Hiroshima Notebook).

The book and *anime* tell the story of two young boys, Kazu and Hide. When his father goes bankrupt, Hide, a popular student and tennis table champion, is crushed by shame and tries to commit suicide. While he is in the hospital, saved from death but with serious wounds, his friend Kazu, very much concerned about Hide, travels to Hiroshima to meet his aunt Yaeko.

In Hiroshima, Aunt Yaeko reveals to Kazu that she is a *hibakusha*. She saw all the horrors of the bombing and her father and mother died, leaving her alone to care for her younger brother (Kazu's father). She contemplated committing suicide.

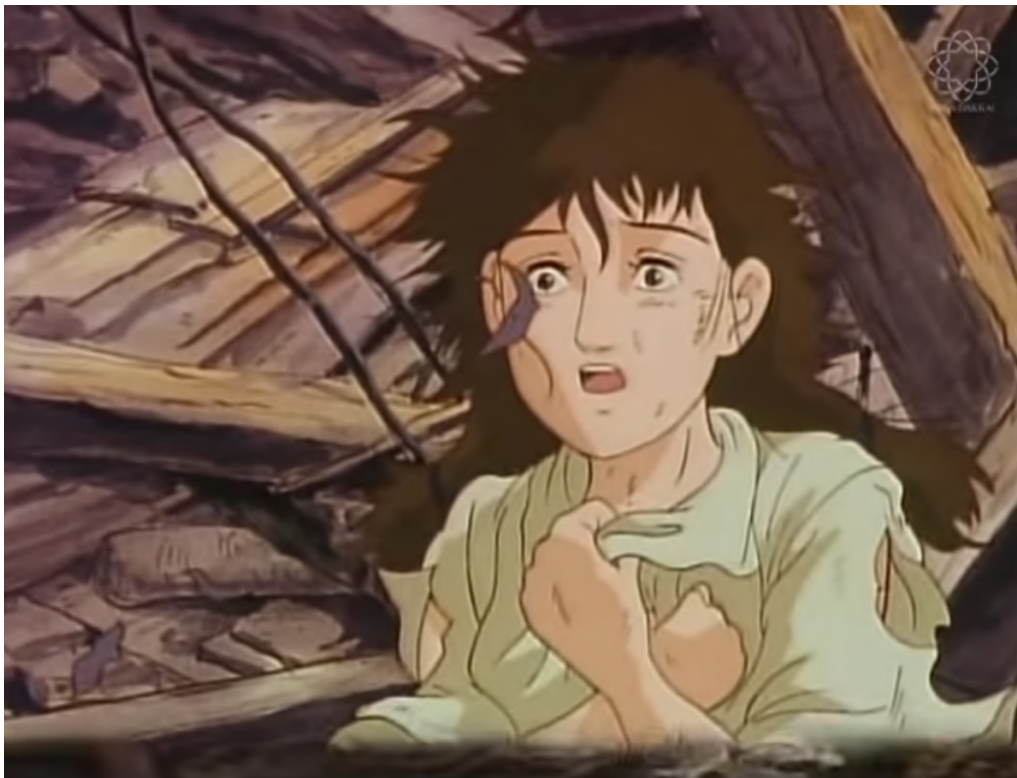


Image 8. A desperate Yaeko after the bombing in the *anime* version of Ikeda's *A Journey to Hiroshima*.

However, when she was ready to jump from a bridge, she met her primary school teacher (a figure of Ikeda himself). He told her he lost his wife and children and had also been close to suicide. But that would be spiritual defeat, he said. When he decided to live, he understood that “our spirits have not been defeated. We have more power than a single bomb!”

In trademark Ikeda style, the schoolteacher wrote down from memory on his notebook a passage from French philosopher Michel de Montaigne (1533–1592) and gave the page to Kaeko. “Fate does not determine our happiness or unhappiness. It only provides the means... It is up to our own hearts to use these means to change what is around us.” These are the same teachings of Nichiren’s “Buddhism of True Cause” as taught by Toda to Ikeda.

Aunt Kaeko gives Kazu her most precious treasure, the page where her old teacher wrote down the quote from Montaigne, which gave her the strength to live and overcome the horror of the bombing. Kazu gives it to Hide and tells him the story of how his aunt survived the bombing and its aftermath. Meditating on the story and the words, Hide recovers his joy of living and moral strength, and despite his physical problems even manages to perform and win as a tennis table player. Hide has now internalized the lesson and can give back to Aunt Kaeko the Montaigne note.

The story of Aunt Kaeko resonates with the fifth Hiroshima Panel, *Boys and Girls*. Like the boys and girls in the panel, the young Kaeko was also mobilized for civil defense, and the bomb caught her while she was working in that capacity. Although the *anime* based on Ikeda’s story is intended for children, and the images are less terrific than those depicted by the Marukis, all the horror is there. One can even speculate that those who worked to convert Ikeda’s story into an *anime* might have seen the *Hiroshima Panels*, although pictures and early drawings from 1945 may be a common source.

Conclusion

The *Hiroshima Panels* are not devoid of hope, which is represented by the heroic work of the volunteers and ultimately by the power of art himself. However, the Marukis’ meditation on evil remains fundamentally pessimistic. Ikeda sees more clearly a way out.

Faith in Nichiren Buddhism illuminates the path to happiness extending from the past to the present, and from the present to the future. To be bound by the causes of the past and lament their effects in the present makes for an unhappy life. While it is true in a certain respect that the present is the result of past causes, by elevating our life state in the present, our negative past causes are transformed into positive ones. There is no need for us to be prisoners of the past; in fact, we can even change the past (Ikeda 2021a).

“Changing the past” means modifying our mindset, and is the key for changing the future:

The moment our mindset changes, we create a cause in the present that can definitely transform the effect manifested in the future. Nichiren Buddhism is the Buddhism of the Sun. It is a philosophy of hope that enables us to transform the present and realize a bright future. Those who embrace this philosophy need never feel despondent or hopeless. They need never give in to complaint. What matters is our inner resolve right now. That is the key to building a deep and solid path to an eternally triumphant life, to putting an end to the sufferings of the cycle of life and death and to creating the causes for victory and honor (Ikeda 2021a).

While the Marukis were looking for miracles in Hiroshima, for Ikeda “changing the past” is the real miracle, and it can happen in the lives of all of us.

Toda explained:

Chanting Nam-myoho-renge-kyo is the way to transform our karma for the better. Through chanting, we are able to clean our slate of past causes and effects and reveal our true selves as ordinary people enlightened since time without beginning (quoted in Ikeda 2021b).

As a true former pupil of “Toda University,” Ikeda concluded that,

No matter what happened in the past or what has taken place up to now, we can make a new cause in the present—a true cause based on the Mystic Law, which is the strongest of all causes—and redirect the current of our lives. Our faith empowers us to continue moving forward victoriously into a bright future (Ikeda 2021b).

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Update on the Buenos Aires Yoga School

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ABSTRACT: On December 7, 2023, an important development happened in the Argentinian court case of the Buenos Aires Yoga School (BAYS). The Court of Appeals annulled the elevation to trial of the defendants and sent the case back to the investigating judge, urging him to evaluate the new evidence that had surfaced, in dialogue with the parties. The prosecutors filed an appeal in cassation against the Court of Appeals decision. The BAYS case is paradoxical, as the prosecutors insist that several mature women were victimized and compelled to work as prostitutes by the movement. On the other hand, all women deny being victims and having ever worked as prostitutes in their lives. The article insists on the crucial role of the forensic psychological expertises that found the women “normal” and believable. It also emphasizes the dissenting opinion of one of the three appeal judges, who would have simply acquitted all the defendants and closed the case.

KEYWORDS: BAYS, Buenos Aires Yoga School, PROTEX, Brainwashing, Anti-Cult Movement in Argentina.

Introduction

On December 7, 2023, the 2nd Chamber of the National Court of Appeals for Criminal and Correctional Matters of Argentina (hereinafter “Court of Appeals”) rendered three rulings in the Buenos Aires Yoga School (BAYS) case and annulled the elevation to trial of the defendants (Sala 2 de la Cámara Nacional de Apelaciones en lo Criminal y Correccional Federal de Argentina 2023a, 2023b, 2023c). Seventeen BAYS members were prosecuted for alleged human trafficking for the purpose of sexual exploitation, money laundering, smuggling, and illicit association. The Court of Appeals’ ruling means that the case file must be returned to the lower court. The latter is urged to examine the newly filed evidence and the constitutional exceptions raised by the defense.

The Journal of CESNUR has published detailed reports by Massimo Introvigne and Susan Palmer on the BAYS and its trial (Introvigne 2023a; Palmer 2023). This is an extraordinary case where, based on the accusations of one single anti-cult activist, the prosecutors of the anti-human-trafficking unit PROTEX—who have fully embraced (Introvigne 2023b) the unscientific and discredited theory of brainwashing (Introvigne 2022)—insist that a number of mature women were victimized and forced to work as prostitutes and to transfer the earnings from that activity to the yoga school.

It must be noted that, without exceptions, all the women involved in this case, who are middle-aged professionals, deny being “victims” of the BAYS and having ever worked as prostitutes in their lives. Yet, the prosecutors maintain the paradoxical theory that, having been brainwashed by the BAYS, the women could have been victims and prostitutes without realizing it (Fautré 2023a, 2023b).

Recent Developments

On July 4, 2023, the reports of the psychiatric and psychological assessments of the alleged victims were delivered. The same day the examining magistrate, Ariel Lijo, informed the prosecution office about his intention to close the investigation stage of the case. In the following days, the defense filed a nullity action and a plea for lack of action (absence of crime), with requests for the acquittal of all the defendants.

The first legal action (nullity) argued around the fact that the decision of the judge of first instance to close the investigation was hasty and arbitrary, since there had been no prior dialogue between the parties to evaluate and discuss how worth and valuable the expert reports were. According to the defense, they indicated that there were no victims of human trafficking or other crimes committed.

In addition to this lack of evaluation of key evidence (which was requested by the Court of Appeals when reviewing and partially confirming the indictments), the defense pointed out that Judge Lijo himself in his decision of July 4 indicated that it was still necessary to evaluate and collect evidence on the case.

This was in contradiction with the closing of the investigation and created a possible duplication of the procedure. Whilst the portion of evidence already

filed would be used to go to trial, instead the remaining unexamined body of evidence remained under the evaluation of the investigating judge.

The second motion presented, invoking the exception of lack of action, stated that at that point of the investigation, it was demonstrated that there was no crime committed.

By this motion, the legal representatives asked for the acquittal of the seventeen defendants and the remaining BAYS accused individuals.

This kind of exception may be raised by the defense when, from the description of the alleged facts or from the examination of the evidence, it is evident that no crime has been committed. In this exception, the defense affirmed that the psychological and psychiatric examinations demonstrated, with scientific rigor and unanimously, that the nine women, identified in the case as victims, were instead in good mental health state, without indicators that could be compatible with traumas related to mental subjugation or sexual enslavement. The mental health experts found no traits of disorders in the psychosexual sphere of these women, and a total absence of indicators of vulnerability or any characteristics of submission, emotional dependence, lability, manipulation, or the assumption of a merely passive role in their interpersonal relationships.

The defense added that these reports had been signed in agreement, without exception, both by the experts of the Forensic Medical Corps of the Supreme Court of Justice of the Argentine Nation (CSJN is its Spanish acronym) and by the experts of the defense and of the Public Prosecutor's Office (MPF is its Spanish acronym).

Consequently, the defense affirmed that “by reading the experts’ reports and their convincing conclusions, it is incontrovertibly and categorically demonstrated that [these women] have a normal psychic structure, with a good perception of self-esteem and self-concept, with a level of integration and social insertion that far exceeds their participation in BAYS, and that, fundamentally, they have not been victims of any sexual recruitment or exploitation.” Without victims of exploitation and without the proof of an intention to exploit them, the defense argued that there was no crime of human trafficking, and therefore the whole theory of the prosecution fell to the ground.

The Alleged Victims

The results of the examinations actually confirmed what the nine women had said in their statements in the Gesell Chamber (a room equipped for interviews of victims and criminals, conducted by a psychologist), when they reported details of their lives, such as the good relationships with numerous relatives and friends outside BAYS, and that – until before being exposed by the media and have their careers ruined by the false information reported about them – they had independent jobs and activities.

All of them strongly denied any coercion or compulsion to perform any sexual or other acts. As they affirmed on numerous occasions, they were always in all their decisions free and autonomous women. In addition to the Gesell Chamber and during the expert examinations, they affirmed this very circumstance in interviews with the media and with the renowned scholars Massimo Introvigne, Susan Palmer, and Holly Folk.

It must be considered that the nine women had to appoint a legal representative to be able to provide correct information, since, despite their numerous requests, they were never called to testify by the judge or the prosecutors.

Thus, each one of them was able to enter into the case file their own statements, in which they recounted and documented personal details. It was also possible to visualize through photographs what their personal lives and their family and friends' affections had been like during the last decades. They also filed numerous personal and collective writings, in which they rejected the accusations and the fact that they had been classified as victims, citing jurisprudence on women's human rights, and denouncing the gender bias in the theories of the prosecutors. Not only did they offer these contributions to shed light on this concerning case, but they also filed a formal complaint against the PROTEX prosecutors.

Elevation to Trial

The arguments presented by the defense were rejected by the prosecutor in charge of the case, Carlos Stornelli, and the deputy prosecutor for PROTEX, Alejandra Mángano. On August 7, 2023, they also presented a request for

“partial elevation to trial” of the seventeen defendants. They requested, among other things, that two of the defendants go to trial and at the same time continue to be investigated by the court of first instance. In addition, they suggested that new victims should continue to be identified. The problems already visible in the title of the request (“partial”) were not the only ones, as the prosecutors continued to present evidence in the following days. One of those elements was an “extension of the forensic report” prepared by the Forensic Medicine Unit of the General Directorate of Investigations and Technological Support for Criminal Investigations (DATIP is its Spanish acronym) after their participation in the psychiatric and psychological assessments as experts on behalf of the MPF, dated August 17, 2023.

This document is based on and advocates the application of the pseudo-scientific theory of brainwashing (under the name “coercive persuasion”) in the examinations of “victims of cults” (called “coercive organizations”: see Introvigne 2023b). In this “report,” DATIP officials stated that, although each of them participated in some of the examinations and approved and signed their results—without exception—in agreement with the other experts, the psychological post-effects of “coercive persuasion” are not visible until long after the victims have stopped participating in “coercive organizations.”

Besides, they added, those effects are evident only when examining the victims collectively and not on an individual basis. For that reason, they stated, although these alleged elaborate brainwashing techniques generate a mental slavery that completely annuls the self-perception, reasoning, and will of their victims, along with a marked social isolation, the “normal” forensic experts cannot notice their effects, as they are considered to be not competent enough, and consequently the intervention of “qualified personnel”—meaning those indoctrinated into the anti-cult ideology—is necessary. Thus, after an extensive written elaboration based on pseudo-scientific bibliography on brainwashing, and without detailing what concrete indicators the women presented and that were so strong that would allow to notice a total absence of will or logical reasoning, they concluded that the nine alleged victims of BAYS were unable to realize that they themselves were victims due to the sophisticated brainwashing and manipulation they had been submitted to for decades, through which their exploitation was carried out consistently and relentlessly.

The document presented by DATIP was strongly criticized by the defense on the basis of its numerous shortcomings. One of the critical points is that the report did not answer the questions submitted to the experts, which had been discussed between the parties and determined by the judge. It alluded to abstract and dogmatic anti-cult theories that did not apply concretely to the subjects of evaluation (the nine women) and did not offer specific indicators for the analysis of their specific cases. In addition to this, the report referred to the nine women as a homogeneous group and did not evaluate each of them individually. The defense also emphasized that DATIP's experts had approved and signed the previous examination results in agreement with the other forensic experts. They reserved the right to file supplementary comments but did not state that they disagreed with the conclusions they co-signed. At this point, in their new report they were contradicting those previous conclusions, in clear disagreement with what they had previously agreed upon and signed together with the other experts.

In practice, the DATIP supplementary report implied that the nine women had been brainwashed in such a perfect way that they had become able to brainwash in turn the experts, including those of DATIP, who only after several weeks realized they had been misled and induced to sign conclusions they did not share.

The defense claimed that, if the DATIP officials did not agree with the results of the expert opinion, they should have presented a dissent report. This would have created the corresponding discussion among all the experts, especially with those of the Forensic Medical Corps of the Supreme Court, who were in charge of the analysis.

The defense also argued that the DATIP supplementary report was included into the file after the request for elevation to trial signed by the prosecutors, which represented a "clear contradiction and a clear violation of rights." This fact, by preventing the debate between the experts and the parties, affected the guarantee of due process and defense in trial in terms of the American Convention on Human Rights and the International Covenant on Civil and Political Rights.

The report was also repudiated by the concerned analyzed women. Each of them presented an individual document exposing the falsity of the statements, denouncing the use of faulty bibliographic sources, and contrasting DATIP's claims with details and accounts of their personal lives. In addition to this, they jointly submitted a document entitled "They Exercise the Right to Be Heard," in

which they reaffirmed their right to self-determination and supported the defense's claim.

Notwithstanding this strong reaction from the defense and the nine women presented as "victims," Judge Lijo supported the prosecutors' opinion. On September 19, 2023, he signed an order of elevation to trial in which he decreed the "partial closure of the investigation" and, as in the document of July 4, 2023, he decided to continue collecting evidence and receiving testimonies in relation to the crimes charged. Finally, he rejected the defense's claims of nullity and lack of action.

Reaction to the Order of Elevation to Trial

In response to the investigating judge's decision, the defense appealed the rejection of the plea of lack of action and the nullity action and, at the same time, filed another appeal against the elevation to trial, in which it claimed the unconstitutionality of article 352 of the criminal procedure code, which declares the elevation to trial unappealable.

The appeal was filed on the grounds that the judge's decision was arbitrary and precipitated. The defense claimed that the interpretation of the evidence by the judge was capricious and biased, and that the decision was issued immediately after the production of new key evidence (the psychiatric and psychological tests) without prior discussion and evaluation of the results between the parties. In fact, they said, the order of elevation to trial only made a generic and brief reference to the reports made by the Forensic Medical Corps of the CSJN and argued that these should be compared with all the evidence in the file, particularly the reports made by the professionals of the National Program for the Rescue and Support of Persons Victims of the Crime of Trafficking (PNR its Spanish acronym) and the DATIP.

In addition to recalling the criticism made of the DATIP report, the defense added that the PNR report was superficial, partial, and biased. It was carried out in the context of a raid where police officers committed demonstrable crimes (including theft of property of the defendants and of the alleged victims, and physical abuse). In fact, several of the women questioned on that occasion, later reported that they felt coerced by the police and by the PNR personnel as they

were threateningly interrogated and urged to talk while their IDs and personal belongings were being withheld. Moreover, the PNR document presented as possible victims only one of the women mentioned in the order of elevation to trial, adding explicitly: “It is noted that none of the persons interviewed were placed under the protection of the Rescue Program.” In other words, the PNR data did not support the judge’s hypothesis.

In addition to this, the defense pointed out that the judge justified his decision with the fact that the Court of Appeals had rejected an appeal against the indictments in November 2022. However, the judge did not take into account that, on that same occasion, the higher court demanded that medical expertise be carried out to evaluate the scope of the charges based on scientific evidence. The expertise should investigate specific and punctual evidence to determine whether or not there had been sexual exploitation. The scientific evidence, the defense pointed out, had now been obtained. It indicated that none of the alleged victims examined showed indicators or evidence of vulnerability, tendency to subjugation, cooptation of the will, or similar problems. Thus, these results contradicted the DATIP and PNR reports, and indicated that not a single instance of human trafficking for the purpose of sexual exploitation had been proven.

As well as the grounds for appeal, as mentioned above, the defense claimed that the impossibility of appealing the judge’s decision violates the right legally provided for in the Criminal Code to appeal to a higher court to resolve possible contradictions between the parties before the case is sent to trial. The defense argued that “although there was double conformity in relation to the indictment, the truth is that this double conformity is not complete insofar as we are not allowed to have the effectiveness of the evidence obtained after the indictment assessed by a higher body than the judge,” even more so when obtaining this evidence had been ordered by the Court of Appeals. Then, the defense added, “the issue cannot be remedied at a later date without serious prejudice to this party, insofar as it obliges our defendants to remain involved in a court case that will be extended in time.”

In fact, the defense claimed, “the discussion in oral proceedings results in the fact of delaying the course of the process (violating the right to be judged within a reasonable period of time) as we will have to discuss the value of this evidence only in a final argument.”

This also causes “economic damages derived from the fact that the seizures ordered by the judge are seriously affecting the subsistence of our defendants.”

Thus, “the subsequent review will not be effective. It may, eventually, prevent further damage from being caused; but it will not be able to remedy all the damage that has been caused up to now and that which will be caused until the case is decided.”

The defense considered that not being able to appeal the elevation to trial was contrary to the guarantees of the right to defense in court and due process, since it contradicted the provisions of the American Convention on Human Rights and the case law of the Inter-American Court of Human Rights. The latter had established that “Every individual subject to criminal proceedings has the right to appeal any ‘important procedural order.’” This should include the order of elevation to trial, which is “the jurisdictional acceptance, against the request for its rejection, of the request for elevation to trial,” thus becoming the most important step between the two stages of the criminal proceedings. Therefore, the defense asserted, the order of elevation to trial should be considered an “important procedural order” for the purposes of the Convention, and for that reason article 352 (which prevents its appeal) should be considered unconstitutional.

The examining magistrate rejected the arguments, and the defense appealed to the Court of Appeals.

The Rulings of the Court of Appeals

On December 7, 2023, the Court of Appeals issued three rulings regarding the appeals filed by the defense (two on appeal and one on complaint: Sala 2 de la Cámara Nacional de Apelaciones en lo Criminal y Correccional Federal de Argentina 2023a, 2023b, 2023c).

1. Ruling on the appeal of the rejection of the nullity action and the complaint on the rejection of the appeal against the elevation to trial.

In response to these defense appeals, by majority vote, the opposition to the elevation to trial and the nullity of the closing of the investigation were accepted by the Court of Appeals (Sala 2 de la Cámara Nacional de Apelaciones en lo Criminal y Correccional Federal de Argentina 2023a, 2023b, 2023c). In the

evaluation of these issues, the arguments of the defense were analyzed in depth. It was concluded that Judge Lijo had acted hastily when he granted a hearing to the prosecution to close the investigation. In his opinion, Judge Martin Irurzun pointed out that, after the decree of July 4, the investigative activity had continued, since the MPF presented new elements and an additional report to which the defense objected. He also indicated that the magistrate himself, when ordering the partial closure and the elevation to trial, stated that the seized documentation and electronic elements were still being analyzed and that he had just received the new reports from the MPF. In fact, the latter judge's order took place only two days after the DATIP report was filed. In other words, at the time of its closing, the investigation was by no means complete. On the other hand, Judge Irurzun remarked that the evaluation of the expert results by the Forensic Medical Corps of the CSJN and the elements introduced by the MPF only took place in the order of elevation to trial which, as mentioned earlier, is non-appealable. This way, Judge Lijo limited the possibility of the parties to comment on the incidence or validity of such new documents (Sala 2 de la Cámara Nacional de Apelaciones en lo Criminal y Correccional Federal de Argentina 2023a, 2–3, 2023c, 1–3).

In his turn, Judge Roberto Boico clarified that, according to standard procedure, when new evidence has surfaced that affects the procedural situation of the accused after a final indictment, there must be a possibility of open bilateral debate, in accordance with the principle of congruence and the right to defense in court.

This is provided for in the law and, for that reason, it is foreseen that the indictment may be mutable in such circumstances and may be modified *ex officio*. He explained that in this way, as a guarantee, a “dialogic procedural instrument” is instituted prior to the closing of the investigation, allowing the parties to discuss and question the evidentiary aspects that may affect the situation of the accused. Therefore, according to him, the closing of the possibility of discussion in the face of new evidence is contrary to the law, otherwise the elevation to trial should logically be appealable to safeguard the rights of the defense (Sala 2 de la Cámara Nacional de Apelaciones en lo Criminal y Correccional Federal de Argentina 2023c, 12).

In the particular case that was the object of the complaint, Boico pointed out that the need for a bilateral discussion was evident, given that on November 4,

2022 “when reviewing the indictment, the majority of the court that confirmed it held that it was necessary to exhaust several pending evidentiary proceedings, especially the one referring to the expert opinions/Gesell Chamber statements of the alleged victims. This evidence was especially indicated as pending by the reviewing judicial body, and this circumstance makes the debate that did not take place even more audible” (Sala 2 de la Cámara Nacional de Apelaciones en lo Criminal y Correccional Federal de Argentina 2023c, 12).

Thus, the magistrate affirmed that the order of elevation to trial is not the appropriate place to evaluate new evidence that was not duly discussed in previous procedural instances. He then concluded that “the complaint raised here is admissible to the extent that the defense demands, and rightly so, the possibility of a review for aspects that it was not able to dispute/discuss with the prosecution” (Sala 2 de la Cámara Nacional de Apelaciones en lo Criminal y Correccional Federal de Argentina 2023c, 14).

Finally, Boico agreed with Irurzun that Judge Lijo himself, in his order of elevation to trial, ordered to continue receiving statements and producing evidence on the facts under investigation. This situation was contradictory to the action of closing the investigation stage and showed that the decree issued on July 4, 2023, lacked support (Sala 2 de la Cámara Nacional de Apelaciones en lo Criminal y Correccional Federal de Argentina 2023c, 14–6).

Consequently, the majority resolved to declare null and void the act by which the prosecutor’s office was heard for the closing of the investigation (July 4, 2023) and all the consequent acts, as well as to entrust the judge with the examination and treatment of the arguments made by the parties regarding the validity or otherwise of the new elements submitted. Judge Lijo was also instructed to deal with the objections of a constitutional nature introduced by the defense: the right to freedom of choice, freedom of thought, and freedom of religion or belief.

2. Ruling on the appeal of the rejection of the exception for lack of action.

In the exception for lack of action, as previously mentioned, the defense argued that the facts investigated did not constitute a crime because the medical (psychiatric and psychological) experts scientifically demonstrated that there were no victims of human trafficking. This, together with the fragility of the prosecution’s arguments, meant that all the defendants should be acquitted. In

relation to these arguments, after revoking the elevation to trial, the Court of Appeals decided by a majority to order Judge Lijo to reexamine the plea of lack of action once the preceding orders had been complied with.

It is interesting to review the opinion of Judge Eduardo Farah, who in dissent from his two colleagues, voted for the acquittal of all the defendants (Sala 2 de la Cámara Nacional de Apelaciones en lo Criminal y Correccional Federal de Argentina 2023a, 3–45).

In his opinion, Judge Farah made a detailed review of his previous vote on the occasion of the appeal to the indictments in November 2022, in which he evaluated the difficulties and risks of judging private and intimate decisions in relation to the religious and spiritual beliefs of individuals, which are protected by the Argentinian Constitution and the international covenants the country has signed and ratified. Thus, the magistrate observed, “the procedural object of this case touches—in my opinion—very delicate issues that affect principles and rights essential to our constitutional model” (Sala 2 de la Cámara Nacional de Apelaciones en lo Criminal y Correccional Federal de Argentina 2023a, 5).

What is at stake, Judge Farah wrote, is “freedoms such as those of self-determination, of expression of ideas, of worship, of association for useful purposes, of teaching and learning, and those contained in articles 14 and 19 of the National Constitution and in different provisions of the American Declaration of the Rights and Duties of Man, of the Universal Declaration of Human Rights, of the American Convention on Human Rights, and of the International Covenant on Civil and Political Rights” (Sala 2 de la Cámara Nacional de Apelaciones en lo Criminal y Correccional Federal de Argentina 2023a, 5).

After this, Judge Farah pointed out the evidentiary shortcomings he had indicated on that occasion, and again mentioned the weakness of the report produced with very little information by the PNR, in which certain assertions were made about psychological subjugation of “victims” allegedly practiced by “cults,” which in his opinion were not persuasive. He then developed a detailed evaluation of the medical expert reports and took into account the active participation of the alleged victims, who consistently supported the position of the defense. As he explained, all the statements of the nine women were consistent over time and emphatic in affirming their self-determination and their anger at the quality of victims that had been imposed on them by the prosecutors and the judge.

Based on this analysis, Judge Farah observed that the alleged victims did not show symptoms or signs of psycho-pathological disorders or alterations, nor psychotic disorders or intellectual deficits. He added that “there were no symptoms compatible with post-traumatic stress or indicators of trauma related to sexual subjugation or enslavement or any form of ‘depersonalization’ or ‘brainwashing’ as alleged in the accusation in the case file” (Sala 2 de la Cámara Nacional de Apelaciones en lo Criminal y Correccional Federal de Argentina 2023a, 42).

Thus, he concluded, it was possible to affirm that the mental faculties of these women were normal. On the other hand, the judge concluded that the alleged victims’ membership and participation in the BAYS was always voluntary and that this had not impeded or affected their full social integration.

In addition to this, Judge Farah pointed out that no indicators of vulnerability or any other situation were identified that would allow to sustain that the women were manipulated, unduly influenced, or controlled. The magistrate also stated that these conclusions were reflected in the impression he had gained from the statements made by the alleged victims in the hearings held before the court, “in which they emphatically denied having been victims of trafficking or any imposition to do, not do, or tolerate anything against their will. They defended their own ideals and life choices, just as they had done in their statements made in the Gesell Chamber” (Sala 2 de la Cámara Nacional de Apelaciones en lo Criminal y Correccional Federal de Argentina 2023a, 43). All this led Farah to rule out that the nine women’s own accounts in the case could be disqualified on scientific grounds.

Based on these assessments, Judge Farah considered that the exposure of private matters of the nine women concerning their personality, their intimacy, and their life choices was “more than enough to rule out the need for any further inquiry, interrogation or molestation in the future, which I reaffirm based on the impression I gathered from the statements made by these persons in the hearings held before the Court” (Sala 2 de la Cámara Nacional de Apelaciones en lo Criminal y Correccional Federal de Argentina 2023a, 43).

For the above reasons, then, his vote proposed to revoke the appealed resolution, to uphold the exception filed and to dismiss the charges against all the accused in relation to the facts for which they were investigated and prosecuted.

Conclusion

On December 22, 2023, the prosecutors filed an appeal in cassation against the decision of the Court of Appeals.

Unless this appeal in cassation is accepted, the concrete consequence of the above rulings will be the return of the case file back to the judge of first instance, Ariel Lijo, so that he may properly evaluate the evidence collected so far, with special reference to the psychiatric and psychological examinations of the alleged victims performed by experts of the Forensic Medical Corps of the Supreme Court. In addition, Judge Lijo was urged to re-examine the defense's plea of lack of action and the objections of a constitutional nature introduced by the defense. These circumstances could lead to a re-evaluation of the indictments issued and of the procedural situation of the other defendants who provided statements and documentary evidence and who have not yet received a response from the prosecution or by the judge. In the event of an unfavorable ruling for the defendants, the defense may appeal again to obtain a review by the higher court before reaching the elevation to trial.

Appendix: A Chronology of Recent Events

September 8, 2022. Judge Lijo pronounces nineteen indictments.

November 4, 2022. The Court of Appeals partially confirms 17 indictments (revoking some of the charges in 10 of them), finds lack of merit in the other two, orders the release of all detainees, and urges Judge Lijo to hear the alleged victims and especially to conduct psychological and psychiatric tests.

July 4, 2023. The expert examination of the alleged victims is concluded, with results signed in agreement by all the intervening experts of the Supreme Court of Justice of the Nation and the experts on behalf of the parties (the experts on behalf of MPF add to their agreement the clause "We reserve the right to expand"). Judge Lijo schedules a hearing for the prosecutors to conclude the investigation.

July 7, 2023. The defense files an exception for lack of action (absence of crime). They also file a nullity action (asking for the annulment of the hearing of July 4).

August 7, 2023. The prosecutors present their request for partial elevation to trial.

August 15, 2023. The defense opposes the elevation to trial and offers new evidence. The defense counsels present scientific and journalistic articles. They attach a letter from twelve NGOs (*Bitter Winter* 2023) expressing concern. They comment on the results of the forensic reports. They explain that the so-called “sleep cures” practiced by BAYS that prosecutors regarded as a sinister means of brainwashing are normal procedures and are even fashionable, with publications about them. They state that many other people who requested to be heard, as well as people who can provide key information such as clients of the companies under investigation, have not been called to testify. They present the written testimonies of more than fifty individuals; and they criticize in detail the arguments of the prosecution, questioning the veracity and coherence of the conclusions it presented.

August 17, 2023. The nine alleged victims file a brief opposing the elevation to trial. The prosecutors file a “supplementary report,” prepared by their expert witnesses (DATIP), in which they argue that the nine women are under “coercive persuasion.”

August 21 to 27, 2023. The nine alleged victims submit several briefs strongly criticizing DATIP’s “supplementary report.”

September 19, 2023. Judge Lijo signs the order of elevation to trial for the seventeen defendants. At the same time, he rejects the exception for lack of action and the nullity claim of the defense.

September 21 to 25, 2023. The defense counsels appeal the rejection of the exception for lack of action and the nullity claim. In addition, they appeal the elevation to trial order and ask for a declaration of unconstitutionality of article 352 criminal procedure code that establishes the prohibition to appeal an elevation to trial.

September 26, 2023. Judge Lijo passes the appeals for nullity claim and lack of action to Court of Appeals.

October 2, 2023. Judge Lijo rejects the appeal to elevation to trial and unconstitutionality of Article 352. The defense resubmits it in a complaint before Chamber 2 of the Court of Appeals.

December 7, 2023. The Court of Appeals rules the nullity of the decree closing the preliminary investigation and the consequent elevation to trial of defendants and sends the case back to Judge Lijo. In a dissenting opinion, Judge Farah states that he believes all the defendants should be acquitted and the case closed, while the other two judges argue that the issue of lack of crime cannot be dealt with until the validity or otherwise of the new elements submitted has been discussed.

December 22, 2023. The prosecutors file an appeal in cassation against the Court of Appeals decision of December 7.

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Research Notes

Jehovah's Witnesses and Shunning

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ABSTRACT: Opponents of the Jehovah's Witnesses increasingly call for laws and court decisions that would declare their teaching and practice of "shunning" illegal. The Jehovah's Witnesses teach that their members in good standing should avoid communication, except in a limited number of cases, with ex-members who have been disfellowshipped after having committed serious offenses (and having not repented), or who have publicly disassociated themselves from the organization. "Shunning" does not apply to cohabiting relatives. The article discusses how "shunning" is practiced in other religions, what "shunning" as taught and practiced by the Jehovah's Witnesses is all about, why they practice it, and why in the author's opinion it is in fact not illegal. It should be protected by freedom of religion or belief, which should be granted to the Jehovah's Witnesses as well as to other groups with similar teachings and practices.

KEYWORDS: Jehovah's Witnesses, Shunning, Ostracism, Jehovah's Witnesses and Shunning, Opposition Against the Jehovah's Witnesses, Anti-Cult Movement.

Introduction

Campaigns against Jehovah's Witnesses seem to be on the rise internationally. In part, these campaigns are connected with propaganda of non-democratic states, including Russia, which have banned the Jehovah's Witnesses for their own purposes (Šorytė 2023), and need to justify actions that international institutions and several countries have condemned (International Religious Freedom or Belief Alliance 2021). In part, they are fueled by the anti-cult movement, which needs to justify its existence and the financial support it

receives from some governments by claiming that “the threat of the cults” is indeed dangerous and growing (USCIRF 2020).

One of the main arguments used against the Jehovah’s Witnesses is that they teach that their members in good standing should shun disfellowshipped ex-members, except if they are part of their immediate family and cohabit with them. It is claimed that shunning psychologically harms the “ostracized” ex-members and violates their human rights.

Although an overwhelming majority of the international court decisions dealing with this matter have concluded that teaching shunning is within the scope of the Jehovah’s Witnesses’ religious liberty, on March 16, 2021, the Court of Ghent, in Belgium, fined the Jehovah’s Witnesses for their practice of “ostracism” (Fautré 2021); and on January 26, 2022, the County Governor for Oslo and Viken, in Norway, issued an administrative decision denying to the Jehovah’s Witnesses the state subsidy for the year 2021 they should have received as they did for thirty years, finding some aspects of shunning objectionable (Introvigne 2022b). Both these decisions were appealed. On June 7, 2022, the Belgian decision was overturned by the Court of Appeal of Ghent, which concluded that shunning can be freely taught and practiced in Belgium (Introvigne 2022e) through a verdict confirmed by the Court of Cassation on December 19, 2023.

In this article, I will try to clarify how shunning is practiced in other religions, what shunning as taught and practiced by the Jehovah’s Witnesses is all about, why they practice it, and why in my opinion it does in fact fall within the scope of freedom of religion, which should be granted to the Jehovah’s Witnesses—and to everybody else.

Shunning: A Common Practice in Abrahamic Religions

One can find practices similar to shunning in some Buddhist schools and elsewhere in Asian religions, but shunning as practiced by the Jehovah’s Witnesses is a typical feature of the monotheistic religions called (not without discussions) “Abrahamic,” i.e., Judaism, Christianity, and Islam. To claim that it is a practice unique to the Jehovah’s Witnesses is just propaganda. While there are differences from other faiths in the way that Jehovah’s Witnesses implement

this concept, a brief review of shunning's religious roots will provide important context.

In *Deuteronomy* 13:6–16, Jews were taught that confronted with an apostate who had left the Jewish faith and propagates the worship of other gods, even if the apostate is “your very own brother, or your son or daughter, or the wife you love, or your closest friend,” “do not yield to them or listen to them. Show them no pity. Do not spare them or shield them” (all Biblical quotes from the New International Version). In some cases, the *Deuteronomy* taught, these persons might even be sentenced to death. Christians read in *1 Corinthians* 5:13, “Expel the wicked person from among you” and 5:11, “Do not even eat with such people;” and in *2 John* 10–11, “Do not take them into your house or welcome them. Anyone who welcomes them shares in their wicked work.”

Muhammad (ca. 570–632) was even more radical, according to a widely quoted hadith collected in the *Sahib al-Bukhari*, regarded as the most authoritative statement of Islam after the *Quran*: “If a Muslim denies his [sic] religion, kill him” (Schirrmacher 2020, 90).

These were not mere words. Executing apostates was not unheard of among the ancient Jews. When the Jews lost their political power and became a persecuted minority, the execution of the apostates was replaced by rituals and practices enacting their symbolic “death.” The community, including the close relatives, regarded the apostate as dead. The apostate was mentioned by using the language usually reserved for a deceased person. According to the entry on the *herem* (shunning) written by Haim Herman Cohn (1911–2002), a leading expert of Jewish law who became Israel's Minister of Justice and then a Supreme Court judge, in the authoritative *Encyclopedia Judaica*, an apostate

had to live in confinement with his family only, no outsider being allowed to come near him, eat and drink with him, greet him (...). After his death, his coffin would be stoned, if only symbolically by placing a single stone on it (Cohn 1996, 351),

which amounted to a symbolic execution. Even today, some ultra-Orthodox Jews maintain these practices.

In the *Corpus Juris Civilis* by the Roman Emperor Justinian I (482–565), which regulated all aspects of life in Catholic and Orthodox countries for several centuries, article I.7.3 of *Codex Justinianus* mandated that those excommunicated or who had left the faith “should be separated from association

with all other persons.” They could not make valid wills, nor inherit, and in several cases their properties would be confiscated by the state. Up until the 20th century, Catholic Canon Law regarded some categories of apostates as “vitandi,” in Latin “to be avoided,” and similar provisions still exist in some Eastern Orthodox Churches (Maksimovich 2008, 274–79).

There is perhaps no need to elaborate on Islam, where the passage from the death penalty for the apostates, still part of the law in several states, to a severe form of shunning, where it happens, is regarded as a significant progress by scholars of Islamic law and history such as David Cook, as apostates at least remain alive (Cook 2006).

These prescriptions had a reason. Scholars have explained that the early Abrahamic believers lived in a world where monotheism was the exception rather than the rule. The ancient Jews and Christians and the first Muslims were all surrounded by polytheists, whom they called “pagans” and who in turn regarded monotheism as irrational and bizarre. Monotheistic believers might have had polytheist relatives and friends. The Roman Empire exerted a strong pressure, including through persecution and executions, to bring monotheists back into the polytheistic folds. So did the “pagan” Meccans when confronted with the first Muslims.

Keeping the monotheistic faith was very difficult. It was at continuous risk of being submerged by the waves of a stronger and aggressive polytheism. Jews, Christians, and later Muslims had to adopt extraordinary measures to protect their struggling faiths. One was shunning the apostates, who would have otherwise added their voices and pressures to those of the “pagans,” with the catastrophic consequence of corrupting and destroying the young monotheistic religions (Cook 2006; Schirrmacher 2020).

It is true that Christians and Muslims (although not the Jews) later gained political power. But they were still aware of the fragility of monotheism, and decided the provisions against the apostates should be maintained.

For several centuries, apostates were punished and isolated by the states, which is still the case in several Muslim countries. Within Christianity, while both Martin Luther (1483–1546) and John Calvin (1509–1564) still believed that protecting believers against apostates was a task of the state, slowly in modern times the idea of religious liberty emerged. In fact, this idea made the practice of

shunning not less but more, strict. Protestant groups advocating the separation of church and state maintained that apostates should not be punished by the state, which had no business in adjudicating religious controversies. They did not leave the apostates alone, however, but privatized the repression of apostasy. Since the state was asked to remain out of the picture, containing the danger represented by the apostates became the responsibility of individual believers, first among them the apostate's relatives and closer friends.

Those who know the simple life and old-fashioned antics of the Amish may also know that they keep a strict version of the *Meidung*, or shunning, as practiced by early Protestants. Few realize that *Meidung*, when it was introduced, was regarded as progress. The Amish fled to North America to affirm their right to religious liberty. As part of religious freedom, apostates were no longer executed, and physical violence against them was forbidden. They were free to go elsewhere and, if inclined to do so, establish new separate religious communities (Kraybill 1989, 115). The only sanction they were subjected to was *Meidung* or shunning, i.e., strict separation from their friends and relatives, which was perhaps sad but surely better than being burned at stake or drowned in the icy waters of the Limmat river, the penalty for apostates in Protestant Zurich (Gordon 2002, 215).

Today, most Christians regard appeals to the state for punishment or execution of the apostates as a thing of the past, or the mark of religions contrary to modern democratic ethos. That apostates if left unchecked, may undermine the faith of the believers, or destroy the religious communities, may be still acknowledged. But dealing with apostates is left to individuals and families rather than to the state.

The Jehovah's Witnesses would say that they practice shunning not for historical or sociological reasons but because the Bible teaches it, most notably in *1 Corinthians* 5:11 and 13 and *2 John* 10-11. Similarly, a devout Muslim would insist that the Islamic attitude on apostasy simply derives from divine revelation and the very words of Prophet Muhammad. These are internal attitudes, called "emic" in the language of social sciences, which should be acknowledged and respected. Scholars contribute a different point of view as outsiders, called "etic" (a technical term, not to be confused with "ethic"). This "etic" perspective does not replace the "emic" one. But it shows that there is nothing strange, irrational,

or unique in the position of the Jehovah's Witnesses about shunning, a practice that is part and parcel of the history of monotheism.

Jehovah's Witnesses: Who Is Disfellowshipped?

There are two categories of former Jehovah's Witnesses who may be subject to shunning. The first includes those who have been disfellowshipped. The second comprise those who have publicly disassociated themselves from the organization.

Before discussing shunning, it is therefore necessary to understand disfellowshipping, but first we should examine the case of those who voluntarily disassociate themselves. Opponents sometimes claim that it is unfair to treat in the same way those who have been disfellowshipped for serious sins and those who have simply left the Jehovah's Witnesses. However, this objection is based on a misunderstanding.

There is a large sociological literature on “non-practicing” or “lapsed” members of a religion. For instance, most of those who have been baptized as Roman Catholics are inactive, i.e., they rarely if ever attend Mass and other ceremonies, and regard themselves as “non-practicing” (for the Italian case, see Berzano 2023). In almost all countries with a Catholic majority, sociologists believe that there are now more “non-practicing” or “lapsed” Catholics than active Catholics. Only in Germany, before 2009 (when the Catholic Church changed its rules) it was comparatively common for lapsed Catholics to enter a formal declaration of “defection” in their parish's registers. They did so to avoid paying the church tax the German state collects for the benefit of the Catholic Church from those registered as Catholics.

With this very special exception, the overwhelming majority of lapsed Catholics do not formally disassociate themselves from the Catholic Church. Only a tiny minority of apostate ex-Catholics, who have turned into vociferous opponents of their former church, write strong-worded letters, or publicly declare their apostasy, or announce that they have joined another religion or become atheists. Under the prevalent interpretation of Catholic Canon Law, it can be argued that these militant apostates are *ipso facto* excommunicated, which is not the case for the lapsed Catholics.

The situation is the same among the Jehovah's Witnesses. As all large religious organizations, every year the Jehovah's Witnesses have a percentage of "lapsed" members who become in different ways inactive, just as they have a percentage of new members who join the organization. The Jehovah's Witnesses say of those who become inactive that "their faith has become weak." They no longer participate in congregational meetings, no longer preach to others, perhaps even drift away from their association with fellow believers. These "lapsed" or "weak" believers are not disfellowshipped nor shunned.

In contrast, those rarer apostate ex-members who have formally and publicly renounced their faith and disassociate themselves from the congregation either in writing or by action (e.g., by formally joining another religion, or a secular organization that according to the Jehovah's Witnesses "has objectives contrary to Bible teachings": *Organized to Do Jehovah's Will* 2021, 152) are considered as being in the same position as those who have been disfellowshipped. As mentioned earlier, this is by no means unique to the Jehovah's Witnesses. For example, according to the prevailing interpretation of Canon Law, the same situation exists in the Catholic Church.

Almost all religions have procedures for excommunicating or excluding members guilty of serious offenses from their fold. These offenses may be moral, such as adultery, systematic drunkenness, or theft, or religious, such as denying essential principles of the faith. Most religions, including the Jehovah's Witnesses, protect the privacy of the excluded members and do not publicly state the reasons for their exclusion. While this is laudable, and in some countries mandated by secular privacy laws, it allows for misrepresentation. Not surprisingly, ex-members who have been excluded for immorality or theft may not be willing to advertise their peccadillos, and may prefer to report that the reason for their exclusion was doctrinal disagreement. In fact, leading academic scholars of the Jehovah's Witnesses such as George Chryssides have observed that sexual immorality is the most frequent reason leading to being disfellowshipped (Chryssides 2021).

For the Jehovah's Witnesses, the notion of "unrepentant sin" is also important. The study edition of *The Watchtower* for October 2021, for example, specifies that "only unrepentant sinners are disfellowshipped" ("We Serve the God Who Is 'Rich in Mercy'" 2021, 11). Non-repentance is an essential factor in disfellowshipping.

It has repeatedly happened that disfellowshipped Jehovah's Witnesses have asked secular courts to reconsider the decisions of the organizations' judicial committees. They have consistently lost, with rare exceptions, such as a bizarre Norwegian decision in 2021 (Introvigne 2021b), which has been however overturned by the Norwegian Supreme Court in 2022 (Introvigne 2022d). However, these cases are in their own way useful, as they have produced a comprehensive assessment of the process leading to disfellowshipping by observers who are by definition neutral such as secular judges.

Courts of law have maintained that decisions of disfellowshipping or exclusion by a religious body are not justiciable, and are protected by the basic religious freedom principle that religions are free to self-organize themselves without interference from the states. In 2007, the Court of Appeals of Tennessee observed that the Jehovah's Witnesses

argue that the freedom of religious bodies to determine their own membership is such a fundamentally ecclesiastical matter that courts are prohibited from adjudicating disputes over membership or expulsion. We agree. Because religious bodies are free to establish their own guidelines for membership and a governance system to resolve disputes about membership without interference from civil authorities, decisions to exclude persons from membership are not reviewable by civil courts (Court of Appeals of Tennessee 2007).

In 2018, in the case *Judicial Committee of the Highwood Congregation of Jehovah's Witnesses and Highwood Congregation of Jehovah's Witnesses v. Randy Wall*, a unanimous Supreme Court of Canada reiterated that

secular judicial determinations of theological or religious disputes, or of contentious matters of religious doctrine, unjustifiably entangle the court in the affairs of religion (Supreme Court of Canada 2018, 768).

It added that "even the procedural rules of a particular religious group may involve the interpretation of religious doctrine," and concluded that "these types of [religious] procedural rules are also not justiciable" (Supreme Court of Canada 2018, 769).

Sociologists would agree, having been taught by Max Weber (1864–1920) that procedure in a religious organization is in itself theology (Weber 1968, 54–6). Among the Jehovah's Witnesses, procedural rules are rooted in religious belief rather than derived from secular law. Some terminology may sound court-like ("notice," "opportunity to be heard," "appeal") but the context is

undoubtedly religious: judicial meetings open with prayer and refer to Biblical principles. The unavoidable conclusion is that these rules and procedures are inherently religious.

While European courts have also generally ruled in favor of Jehovah's Witnesses in disfellowshipping cases, there is a nuance with respect to North American decisions. Italian courts, for example, have repeatedly commented that, while secular judges cannot compel ecclesiastical courts to adopt the same rules of national or European tribunals, because they cannot interfere with how religions decide to organize themselves, nonetheless they can examine whether judicial committees did follow their own rules, and whether in some form the right of the defendant to be heard, which is a basic human right, was granted to the person who had been disfellowshipped. Courts in Bari (in 2004 and 2007: Tribunale di Bari 2004, 2007), in Rome (2021: Introvigne 2021b), and in Teramo (2022: Introvigne 2022c) have concluded that the judicial committees do apply the rules set forth by the Jehovah's Witnesses, and these rules grant the defendants the right to be heard and defend themselves.

Additionally, after a decision disfellowshipping them, the defendants are allowed to appeal. In this case, as explained in chapter 14, no. 26, of the internal manual *Organized to Do Jehovah's Will*,

the body of elders will contact the circuit overseer, who will select qualified elders [normally from a different congregation] to serve on an appeal committee to rehear the case (*Organized to Do Jehovah's Will* 2021, 151).

All Jehovah's Witnesses' "publishers" have a copy of this book, and it is easily available in print and electronic format.

What offenses are ground for disfellowshipping, on the other hand, is a theological question on which secular judges cannot interfere, as the High Court of England and Wales, Queen's Bench Division, confirmed on June 7, 2019 (High Court of Justice, Queen's Bench Division 2019; the decision was upheld by the Court of Appeal in London, Queen's Bench Division, on March 17, 2020: Court of Appeal [London], Queen's Bench Division 2020).

While what offenses are so serious that they should lead to disfellowshipping is a matter that the Jehovah's Witnesses are free to determine themselves, it is important to note that, notwithstanding anecdotes apostate ex-members like to report (and which should always be verified without accepting them at face value),

disfellowshipping does not happen for minor mistakes but for unrepentant serious moral sins, or for publicly denying doctrines the Jehovah's Witnesses regard as essential. Some in our liberal modern societies may regard excommunication or disfellowshipping as generally unacceptable, but they exist in all religions, not to mention political parties, trade unions, and other secular organizations.

In these cases courts, including the European Court of Human Rights, have repeatedly ruled that freedom of speech and religious liberty of those excluded are not violated. If they disagree with the moral and theological standards of their religion, their individual liberty is protected by the fact that nobody prevents them from leaving it and join or establish a religious organization with entirely different practices and beliefs.

It should be added that, like other religions that practice forms of excommunication or exclusion, the Jehovah's Witnesses believe that the function of disfellowshipping is more medicinal than punitive. It is an open offer to the disfellowshipped persons to amend their ways and repent. In fact, many do. As the study edition of the official magazine *The Watchtower* stated in October 2021,

Is disfellowshipping really an expression of mercy? Yes, it is. To withhold discipline from someone who needs it is not wise, merciful, or loving. (Prov. 13:24) Can getting disfellowshipped help an unrepentant sinner change his course? It can. Many who have fallen into serious sin have found that the firm action the elders took gave them the very jolt they needed to come to their senses, change their course of action, and return to Jehovah's warm embrace ("We Serve the God Who Is 'Rich in Mercy'" 2021, 10).

Scholars who have studied the Jehovah's Witnesses have all met members who had been disfellowshipped and had later returned to their congregation. This is evidence that claims about the medicinal role of disfellowshipping are not merely rhetorical. Jehovah's Witnesses make genuine efforts to put these teachings into practice. Their efforts are often successful.

Jehovah's Witnesses' Shunning in Practice

What is shunning? Media often rely on accounts of apostate ex-members. As I have explained elsewhere, not all ex-members of a religion become "apostates" and in fact most don't. Scholars of religion use "apostates" as a technical term designating those ex-members who become militant opponents of the religion

they have left. Since they joined an oppositional coalition whose aim is to criticize and, if possible, destroy their former religion, their accounts, while not deprived of interest, are obviously biased. Sociologists have often described them as “atrocious tales,” whose first aim is to be used as weapons to hit the religion they have left (Introvigne 2022a).

Mainline scholars of new religious movements do not believe that everything an apostate reports is by definition false. Apostate accounts should be considered and studied. But certainly not everything the apostates state is true, and using them as the sole source on a religion would only lead to biased if not caricatural assessments.

This is also true when considering accounts of shunning. As one of the leading academic scholars of the Jehovah's Witnesses, George Chryssides, has observed, sometimes apostate ex-members and self-appointed “experts on cults” who rely on their accounts tell stories about shunning that range from the “unlikely” to the “absurd” (Chryssides 2021).

What happens, in reality? In the case of former Jehovah's Witnesses who have been disfellowshipped or have disassociated themselves, a sober announcement is made in the midweek meeting of their congregation that “X is no longer one of Jehovah's Witnesses.”

Some of the apostate “atrocious tales” mentioned by Chryssides pretend that in this case the disfellowshipped ex-member is

ordered out of the family home with only a few belongings such as an old van and no money for petrol, and [has] to sleep under a bridge as a consequence (Chryssides 2021).

This would perhaps make for a dramatic script for a movie but is not true.

In FAQ published on the Witnesses official website, jw.org, we read:

What of a man who is disfellowshipped but whose wife and children are still Jehovah's Witnesses? The religious ties he had with his family change, but blood ties remain. The marriage relationship and normal family affections and dealings continue (Christian Congregation of Jehovah's Witnesses 2023).

In the 2008 book *Keep Yourselves in God's Love*, also published by the Jehovah's Witnesses, we read:

Since... being disfellowshipped does not sever the family ties, normal day-to-day family activities and dealings may continue. Yet, by his [sic] course, the individual has chosen to break the spiritual bond between him and his believing family. So loyal family members

can no longer have spiritual fellowship with him. For example, if the disfellowshipped one is present, he would not participate when the family gets together for family worship (Christian Congregation of Jehovah's Witnesses 2008a, 208).

On April 15, 1991, *The Watchtower* stated that,

If in a Christian's household there is a disfellowshipped relative, that one would still be part of the normal, day-to-day household dealings and activities ("Imitate God's Mercy Today" 1991, 22).

This is not a new development. On August 1, 1974, *The Watchtower* had already explained that,

Since blood and marital relationships are not dissolved by a congregational disfellowshipping action, the situation within the family circle requires special consideration. A woman whose husband is disfellowshipped is not released from the Scriptural requirement to respect his husbandly headship over her; only death or Scriptural divorce from a husband results in such release. (Rom. 7:1–3; Mark 10:11, 12) A husband likewise is not released from loving his wife as "one flesh" with him even though she should be disfellowshipped (Matt. 19:5, 6; Eph. 5:28–31) ("Maintaining a Balanced Viewpoint Toward Disfellowshipped [sic] Ones" 1974, 470).

On April 15, 1988, the Watchtower stated again that,

A man who is disfellowshipped or who disassociates himself may still live at home with his Christian wife and faithful children. Respect for God's judgments and the congregation's action will move the wife and children to recognize that by his course, he altered the spiritual bond that existed between them. Yet, since his being disfellowshipped does not end their blood ties or marriage relationship, normal family affections and dealings can continue ("Discipline That Can Yield Peaceable Fruit" 1988, 28).

Sensational apostate accounts sometimes report cases where, notwithstanding these clear provisions, disfellowshipped spouses or adult children have been compelled to leave the family home by their relatives.

However, upon further investigation, it came out that these incidents do not refer to disagreements about religion but to abusive individuals whose habits of violence, drunkenness, or outrageous or deliberately provocative behavior made cohabitation with their family members impossible and even dangerous. Some of them had been disfellowshipped precisely for their violent behavior but they conveniently "forget" to include this detail in their stories. In these cases, the abusive person would be thrown out of the family home by relatives of all religions, and courts of law would not object.

This is not to say that shunning is not taken seriously by the Jehovah's Witnesses. It does extend to non-cohabiting relatives. The same April 15, 1988, issue of *The Watchtower* explained that, as opposite to the case of cohabiting relatives,

The situation is different if the disfellowshipped or disassociated one is a relative living outside the immediate family circle and home. It might be possible to have almost no contact at all with the relative. Even if there were some family matters requiring contact, this certainly would be kept to a minimum ("Discipline That Can Yield Peaceable Fruit" 1988, 28).

The same is true in the case of business relations with disfellowshipped or disassociated ex-members. Jehovah's Witnesses are not asked to sever these relations but are counseled to limit them to interaction and discussions about work, avoiding in particular any conversation about religion. Egregiously disrespecting these indications may be in itself cause for judicial action, and the Jehovah's Witnesses would refer to what *2 John:11* has to say about the apostates: "Anyone who welcomes them shares in their wicked work."

As Chryssides commented, "disfellowshipping is not meant to foster callousness" (Chryssides 2021). He cites an example from *The Watchtower* of a disfellowshipped woman whose car had a flat tire. In this case, congregation members were counseled to help her, and told that refusing to assist her "would be needlessly unkind and inhumane," and would show "a lack of balance" in understanding the principle of shunning ("Maintaining a Balanced Viewpoint Toward Disfellowshipped [sic] Ones" 1974, 467). This is even more true in the case of seriously sick or ageing disfellowshipped relatives in need of assistance. The Jehovah's Witnesses teach that shunning does not eliminate their relatives' duty to assist them.

This shows the difference between shunning as practiced by the Jehovah's Witnesses and the "social death" practiced by some radical ultra-Orthodox Jewish groups. The expression "social death" was coined by early 20th century scholars of Judaism to designate this version of *herem* among ultra-Orthodox Jews (Cohn 1996). Using it with reference to the Jehovah's Witnesses is baseless, and is used by apostates and anti-cultists just to impress the media and their readers.

Jehovah's Witnesses recognize that shunning is painful. For example, in the study edition of *The Watchtower* for October 2017, they comment that it is "despite our pain of heart" that

we must avoid normal contact with a disfellowshipped [non-cohabiting] family member by telephone, text messages, letters, e-mails, or social media (“The Truth Brings, ‘Not Peace, But a Sword’” 2017, 16).

The pain, on the other hand, does not affect only the disfellowshipped ex-members. Although anti-cult and apostate accounts do not mention it, scholars who have interviewed Jehovah’s Witnesses in good standing (rather than apostates only) are aware of how painful it is for one of them to have a relative or close friend who has been disfellowshipped.

There may be pain for the fact of shunning, which the Jehovah’s Witnesses regard as a duty mandated by the Bible, and there may be additional pain due to the reasons of the shunning, for example when an abusive husband has been disfellowshipped for brazenly beating his wife or unrepentantly cheating on her.

As mentioned earlier, for the Jehovah’s Witnesses, shunning comes from clear indications in the Bible, particularly in *1 Corinthians* 5:9–13 and *2 John* 9–11, and was practiced by Christians in the first centuries. They do not believe it would be right to change or disregard these biblical precepts.

However, they also believe that the Bible cannot teach anything harmful, and the divine plan is a plan of love. As painful as it is, shunning has the aim not only of protecting the believers but also of causing the sinners to come to their senses and repent. Unless these visits are refused, elders may visit disfellowshipped members to offer their counsel hoping they will repent and return.

Even opponents acknowledge that a large percentage of disfellowshipped ex-Jehovah’s Witnesses are eventually reinstated. They speculate that they ask for reinstatement only to avoid shunning, not because they are persuaded by the doctrines and practices of the Jehovah’s Witnesses. I wonder how opponents can know that this is the case. Ultimately, this is a philosophical question as old as humanity. Do disfellowshipped Jehovah’s Witnesses repent out of a sincere conversion or just to avoid the consequences of disfellowshipping? Do we respect the laws because we are good citizens or just to avoid punishment? Who can know for sure?

Minors and Shunning

Opponents of the Jehovah’s Witnesses often tell stories where members of the organization are disfellowshipped and shunned all of a sudden. Then, they reveal

features of the Jehovah's Witnesses that allegedly had been carefully hidden before. What looked like a loving and caring community now appears harsh and disciplinarian. Horrific stories are included of "children" that are disfellowshipped and then shunned by parents and siblings in their own homes. These stories are not true, although there are rare cases of minors who are disfellowshipped (but certainly not shunned at home).

Apostates and anti-cultists have their own agenda, but the reality is often quite different. Those who join the Jehovah's Witnesses know beforehand that if they unrepentantly commit serious offenses they risk being disfellowshipped. They know that shunning is a consequence of disfellowshipping. By no means is this part of the internal rules hidden from potential converts. This article itself has explained how shunning works by quoting publications of the Jehovah's Witnesses publicly available on the official website jw.org, which those who consider joining the organization are encouraged to access.

One does not become a Jehovah's Witness overnight. While some new religions and movements have been accused of accepting new members after they have attended one meeting only, or even after a short interaction with a minister at a street stall, these accusations would not be valid if directed at the Jehovah's Witnesses. On the contrary, they warn against rushing to be baptized, although when one is ready baptism should not be delayed either. We read for example in *The Watchtower*, study edition, for March 2018, that before candidates

can get baptized, they must learn the truth about God, his purpose for humans and the earth, and what he did to save mankind. (1 Timothy 2:3-6) Then they need to develop faith, which will help them to obey God's laws and to stop doing what he hates. (Acts 3:19) This is important, because Jehovah will not accept the dedication of a person who keeps doing things that He hates. (1 Corinthians 6:9, 10) But there is more. Those who want to dedicate their life to Jehovah need to attend congregation meetings and regularly preach the good news and teach others. This is required of anyone who wants to follow Christ. (Acts 1:8) ("Baptism—A Requirement for Christians" 2018, 6).

In practice, this means that before requesting baptism, candidates would have become "unbaptized publishers," meaning that they were already participating in the public ministry for which Jehovah's Witnesses are known and presenting their doctrines to others. Even before being accepted to participate with the congregation as "unbaptized publishers," some assurance would need to be given by the individual that they understand, agree with, and are living according to basic Bible principles. When candidates seek baptism, they normally go through

two one-hour sessions with the congregation's elders, a sort of assessment where the elders make sure that those who ask to be baptized understand both the teachings and the practices of the Jehovah's Witnesses. Only if the elders are satisfied that this is the case are the candidates baptized. What sins are considered serious, the possibility that unrepentant sinners will be disfellowshipped, and the consequent shunning, are among the basic teachings that candidates to baptism should know and understand.

Opponents have objected that, while this is true for those who join the Jehovah's Witnesses as adults, it is not true for "children" who are born within the organization. This objection may impress audiences in countries where the majority Christian churches practice infant baptism, also called pedobaptism, i.e., baptize children as soon as possible after they are born. This is the case for Roman Catholics, Eastern Orthodox, and several Protestants, with the exclusion of the denominations issued from the so-called "Radical Reformation" (which was often "anabaptist," meaning "without [infant] baptism"), Baptists, and some Pentecostals.

Since in many countries the majority of Christians regard infant baptism as a matter of course, they may not know or consider that Jehovah's Witnesses do not practice it. Jehovah's Witnesses are part of these minority Christian groups believing that those who practice pedobaptism misinterpret the Bible. On October 1, 2011, for example, *The Watchtower* discussed the issue, insisted that "Jesus did not teach that infants should be baptized," and observed that

those who are baptized must be disciples of Jesus. That is, they are individuals who have learned about Jesus and have chosen to follow him—a choice that no infant, of course, can make ("Should Infants Be Baptized?" 2011, 11).

There are dozens of other texts where the Jehovah's Witnesses present their criticism of infant baptism.

Being born in a Jehovah's Witnesses' household, thus, does not mean that one is automatically regarded as a Jehovah's Witnesses. Sons and daughters of Jehovah's Witnesses parents who want to join the organization (not all do) follow the same path of every other candidate to baptism. *The Watchtower*, in its study edition of July 1, 2006, addressed itself directly to children of Jehovah's Witnesses parents:

So you young ones should understand that neither your parents nor the Christian elders in the congregation are going to force you to get baptized. The desire to serve Jehovah must come from you (“Youths, Make It Your Choice to Serve Jehovah” 2006, 28).

Critics contend that they have occasionally met children as young as 10 who have been baptized. In my and other scholars’ observation of the Jehovah’s Witnesses this is not unheard of, but is comparatively rare. In modern societies, young people achieve maturity at different ages due to diverse circumstances prevailing in different areas of the world. The Jehovah’s Witnesses acknowledge this. *The Watchtower*, study edition, March 2018, stated that,

Of course, each child is unique; not all children become mature at the same rate or at the same point in life. Some have a good measure of mental and emotional maturity at a young age and express a desire to get baptized. Others may not be ready for baptism until they are a bit older. Thus, discerning parents do not pressure their children to get baptized (“Parents, Are You Helping Your Child Progress to Baptism?” 2018, 9).

The 2008 book *Questions Young People Ask—Answers That Work, Volume 2* addresses the question “Is there a certain age by which you should be baptized?” and answers as follows: “Age is not the primary factor. Still, you should be old enough—and mature enough—to understand the meaning of dedication” (Christian Congregation of Jehovah’s Witnesses 2008b, 307).

Contrary to what critics argue, that a minor may be mature enough to make choices implying important consequences is not a theory unique to the Jehovah’s Witnesses. In some countries, including the United States, England, and Wales, minors can be tried as adults in criminal courts for serious charges such as homicide and sexual assault, if the courts believe that their cognitive and moral capabilities were developed enough at the time of the crime.

The Roman Catholic Church practices infant baptism and does not require an understanding of the faith as a pre-requisite for being baptized, but it canonizes those who performed heroic moral and religious deeds as saints. Dozens of minors have been canonized, even outside the special situation of martyrdom. As reported by the daily newspaper of the Italian Catholic Bishops, in 1981 the Vatican Congregation for the Causes of Saints indicated that at age 7 some minors may consciously decide whether to accept or reject God’s plan for them, and as a consequence may be considered for canonization (Maccioni 2019). If they can be regarded as mature enough to be tried as adults for serious crimes or, at the other extreme of human possibilities, canonized for their virtuous deeds,

surely “some” minors can also be baptized as mature believers in Christian organizations such as the Jehovah’s Witnesses that do not practice pedobaptism.

Opponents also insist on the sad situation of minors disfellowshipped and shunned. Just as minors who commit crimes are tried by secular authorities, if not as adults then in juvenile courts, many religions have provisions that minors guilty of serious offenses can be excluded from the community. Among the Jehovah’s Witnesses the possibility also exists that a minor is disfellowshipped, but these cases are rare.

A controversy has recently erupted in Norway where, as mentioned earlier, the County Governor for Oslo and Viken, following a letter from two apostate ex-members and an anonymous critic, issued an administrative decision denying to the Jehovah’s Witnesses the state subsidy for the year 2021, based on their practice of shunning. In their appeal against the decision, the Jehovah’s Witnesses noted that in the last five years in Norway only one minor had been disfellowshipped, at the age of 17. Clearly calling a 17-year-old “a child” may have a propaganda value but is not correct. One of the apostate ex-members in turn answered that he had “received some information” about five cases of minors disfellowshipped in Norway (when exactly is unclear), but “they do not want to be identified,” so we only have his word for them (Introvigne 2022b).

Yes, minors can be disfellowshipped but no, it does not happen often. If they are disfellowshipped, they are certainly not shunned by their parents and siblings at home. In fact, they are not even excluded from home Bible study activities, although understandably they will no longer serve as “publishers” and preach the faith of the Jehovah’s Witnesses to others. On November 15, 1988, *The Watchtower* instructed that parents who have a disfellowshipped daughter or son “are still responsible for their child, though he [sic] is disqualified as an unbaptized publisher.”

Just as they will continue to provide him with food, clothing, and shelter, they need to instruct and discipline him in line with God’s Word. (Proverbs 6:20-22; 29:17) Loving parents may thus arrange to have a home Bible study with him, even if he is disfellowshipped. Maybe he will derive the most corrective benefit from their studying with him alone. Or they may decide that he can continue to share in the family study arrangement. Though he has gone astray, they want to see him return to Jehovah, as did the prodigal son in Jesus’ illustration (“Helping Others to Worship God” 1988, 20).

Is Shunning "Illegal"?

Is shunning against secular laws? As mentioned earlier, two controversial non-final decisions, which were both appealed, answered this question in the affirmative. The first was rendered by the Court of Ghent, in Belgium, which on March 16, 2021, fined the Jehovah's Witnesses for their practice of shunning (Fautré 2021). On June 7, 2022, it was overturned by the Court of Appeal of Ghent, which concluded that shunning can be freely taught and practiced in Belgium (Introvigne 2022e) through a verdict confirmed by the Court of Cassation on December 19, 2023. In the second, the County Governor for Oslo and Viken, in Norway, on January 26, 2022, issued an administrative decision denying to the Jehovah's Witnesses the state subsidy for the year 2021 they should have received as they did for the previous thirty years, again on the basis of some aspects of shunning (Introvigne 2022b).

Rather than the rule, these recent decisions are exceptions rendered by lower courts and authorities. There is a solid corpus of weighty international decisions stating that the teaching and practice of shunning is protected by freedom of religion, to which the Jehovah's Witnesses are as entitled as anybody else.

The first substantial discussion of the practice was included in the 1987 decision of the United States Court of Appeals for the Ninth Circuit *Paul v. Watchtower Bible and Tract Society of New York, Inc.* The court acknowledged that the plaintiff had experienced some unpleasant incidents in being "shunned" by close friends who were Jehovah's Witnesses after she was disfellowshipped. Nonetheless, the court maintained that,

Shunning is a practice engaged in by Jehovah's Witnesses pursuant to their interpretation of canonical text, and we are not free to reinterpret that text... a state tort law prohibition against shunning would directly restrict the free exercise of the Jehovah's Witnesses' religious faith (United States Court of Appeal, Ninth Circuit 1987).

In 2003, the Court of Appeal of Warsaw, in Poland, similarly concluded that

a court is not authorized to verify attitudes of members of any religion regarding principles accepted by that denomination as well as to judge sanctions imposed on an individual who encroached those principles... This also applies to the following by its members of the obligation concerning a certain conduct toward expelled members (Court of Appeal of Warsaw 2003).

In 2005 the Hungarian Supreme Court observed that

the state shall not interfere in internal matters of the church... therefore the religious beliefs and decisions of the church concerning ethical matters shall not be subjects of jurisdiction of the state or the court (Supreme Court of Hungary 2005),

and this includes the public announcement in a congregational meeting that a former Jehovah's Witness has been disfellowshipped and its consequences.

In 2007, the Court of Appeals of Tennessee observed that,

The doctrines of the Jehovah's Witnesses and their reading of scripture require that their members ostracize individuals who have been disfellowshipped. While there is no question that this practice has resulted in a painful experience for the Andersons [the plaintiffs in the case], the law does not provide a remedy for such harm. For example, in other contexts, family members sometimes become estranged from each other for various reasons on their own volition, and the law does not recognize a basis for suit for the pain caused by such estrangement. Courts are not empowered to force any individual to associate with anyone else... Shunning is a part of the Jehovah's Witnesses belief system. Individuals who choose to join the Church voluntarily accept the governance of the Church and subject themselves to being shunned if they are disfellowshipped (Court of Appeal of Tennessee 2007).

In 2012, the Administrative Court of Berlin examined a complaint by a disfellowshipped Jehovah's Witness against the public announcement in a congregational meeting of the measure against him, since "members of the association should have no social contact with disfellowshipped persons," and it would become impossible for him to "to have a picnic, celebrate, do sports, go shopping, go to the theatre, have a meal at home or in a restaurant" with friends who remained in the Jehovah's Witnesses. The court denied the request, commenting that the Jehovah's Witnesses' policy on these matters "is not subject to state authority" and is protected by "freedom of religion, the separation of Church and state, and the right of religious associations to self-determination" (Administrative Court of Berlin 2012).

The Italian Supreme Court (Cassazione) in 2017 ruled that the so called "ostracism" is also protected by the principle of non-interference. The decision observed that in this case "ostracism" is "a refusal to associate" with the disfellowshipped ex-member, and "no law requires a person to behave in the opposite manner." In fact, "no discrimination took place." Even if one would argue that refusing to associate with disfellowshipped members violate "good manners and civilized behavior," this would not "constitute a justiciable crime or civil tort." Individuals, and even a whole "category," have a right to decide to

“break off or interrupt personal relations,” and courts have no business in telling them otherwise (Corte di Cassazione 2017). Mentioning the 2017 Supreme Court decision, the Court of Rome on May 23, 2021, also stated that teaching and practicing shunning is not illegal (Introvigne 2021a).

On April 9, 2020, the Niigata District Court in Japan answered an ex-Jehovah's Witness who had asked the judges to rule that disfellowshipping and shunning are illegal, that these practices are

deeply related to the content of religious doctrine and faith, and it is impossible to judge their validity or lack thereof unless one steps into the content of said doctrine and faith (Niigata District Court 2020),

which is prohibited by constitutional principles.

In Belgium itself, before the Ghent decision of 2021, the Court of Appeal of Mons on January 10, 2012, dismissed the charge of discrimination in a case of shunning, ruling that Jehovah's Witnesses have a right to determine their own internal rules. On November 5, 2018, the Brussels Court of Appeals confirmed that a religious congregation is free to suggest its own standards of behavior to its members, and that individual congregants have the right to decide to restrict their association with a former congregant. On February 7, 2019, the Court of Cassation confirmed the decision (decisions in the archives of the author).

These decisions consistently regard shunning as a practice protected by freedom of religion and of association, based on two different arguments. The first is that secular courts of law cannot interfere on how religious organizations decide to self-regulate themselves and discipline their internal matters, a principle that has also been consistently affirmed by the European Court of Human Rights (see e.g., European Court of Human Rights [Grand Chamber] 2013). Practices such as shunning are inherently religious, and judging them would involve a judgment on theology and biblical interpretation. In the case of *Jehovah's Witnesses of Moscow v. Russia* (2010), the European Court of Human Rights confirmed that Jehovah's Witnesses are a “known religion” and stated that “it is a common feature of many religions that they determine doctrinal standards of behavior by which their followers must abide in their private lives” (European Court of Human Rights 2010; see also the decision *Taganrog LRO and Others v. Russia*, European Court of Human Rights 2022).

The second argument is that courts cannot force citizens to associate with others, be they relatives or former friends, with whom, for whatever reason, they have decided they no longer want to associate. This principle goes even beyond religious freedom and enters the most intimate sphere of personal liberty. Critics of shunning quote psychological studies concluding that those shunned suffer, in varying degrees, serious emotional harm. Some of these studies show the anti-cult prejudices of their authors, but this is not even crucial. That estrangement from relatives or former friends cause some emotional and psychological harm is somewhat obvious. However, this is not unique to shunning for religious reasons, is a frequent phenomenon in our society, and is not an area where courts of law can dictate a different behavior (Introvigne and Richardson 2023).

Sociologists who study family relationships know that family estrangement is a growing social problem. In an ideal world, divorced ex-spouses should maintain a civilized relationship with each other. Adult children should continue to maintain a relationship with their parents, even when they believe the education they received from them could have been different or better. Of course, family estrangement is unavoidable when a spouse or children have suffered violence and abuse. Unfortunately, however, estrangement is becoming widespread even in cases where disagreements did not derive from such dramatic causes.

Religious disagreements are only one subcategory among many causes leading to estrangement. Family members or former friends may seriously quarrel about politics, money, and even sport, and stop talking to each other. In case of divorce, a spouse who feels wronged by the other may decide to permanently shun the ex-husband or wife.

These are personal decisions courts of law cannot interfere with. A family court may order a husband to pay alimony to his ex-wife, but it cannot order the two of them to keep meeting and being friends. Similarly, a court of law cannot compel Jehovah's Witnesses to keep associating with those who have left the faith or have committed what they regard as serious sins. In short, no external authority can compel human beings to associate with somebody they do not, or no longer, like.

Opponents of the Jehovah's Witnesses may answer that they do not ask the courts to compel individual devotees to associate with disfellowshipped ex-members (although sometimes one has the impression that this is precisely what is requested from the judges). They want courts to rule, they say, that the Jehovah's Witnesses as an organization should be prohibited from teaching

shunning. This is even more problematic, however. Many religions have similar teachings, yet one does not hear often that those orthodox Jews who do so should be prevented from teaching *herem* or Muslims from commenting about Prophet Muhammad's hadiths about apostasy.

Few would deny that some form of shunning was taught, as mentioned earlier, by the authors of *1 Corinthians* 5:13 ("Expel the wicked person from among you") and 5:11 ("Do not even eat with such people"), and *2 John* 10–11 ("Do not take them into your house or welcome them. Anyone who welcomes them shares in their wicked work"). Some can argue that these passages are historically conditioned and should be regarded as teaching precepts no longer in force. Others may offer a different interpretation of the same biblical passages. But it should be obvious that in a democratic society affirming religious liberty how believers interpret the Bible and teach based on these interpretations is a matter that can be debated among theologians but cannot be decided by the police officer or the judge.

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