

The Police Raids Against MISA in France, November 28, 2023

Susan J. Palmer

McGill University, Montreal, Quebec

susan.palmer@mcgill.ca

ABSTRACT: On November 28, 2023, yet another militarized raid against a “cult” led to the arrest in France of Gregorian Bivolaru, the spiritual master of MISA, the Movement for Spiritual Integration into the Absolute, and of several disciples. The police also claimed that “victims” had been “liberated.” This article is based on interviews with 25 MISA yoga students 14 of whom were caught in the raids. Some were initially classified as “perpetrators,” but liberated for lack of evidence, and others as “victims.” Although those arrested were accused of human trafficking and sexual abuse, none of the “liberated victims” admitted to being a victim. All said they had freely embraced a spiritual path based on Tantrism and including teachings on sacred eroticism. This article discusses the raids within the broader framework of France’s government-sponsored campaigns against *sectes* (“cults”) and their “gurus.”

KEYWORDS: Gregorian Bivolaru, MISA, Movement for the Spiritual Integration into the Absolute, Anti-Cult Movement in France, Tantra Yoga, Police Raids Against “Cults,” MIVILUDES.

Introduction

On November 28, 2023, there was a militarized police raid on a yoga school in France known as “MISA” in Romania and “Atman” in Europe. “MISA” stands for “Movement for Spiritual Integration into the Absolute.”

Just after 6 a.m., a SWAT team of around 175 police, wearing black masks, Kevlar helmets, and bullet proof vests, descended on eight separate houses, five in Paris and three located in the same yard in Nice, brandishing semi-automatic rifles. They smashed in the doors and ran up and down the stairs, shouting orders. Their targets were neither terrorists nor drug dealers. What the police were searching for were members of a *secte* (“cult” in English). They found some 95 vegetarian, non-smoking, alcohol-abstaining yoga practitioners.

On that fateful morning, most of these yogis were still in bed. A few were in the kitchen boiling water for tisane. The masked police handcuffed them, made them stand outside the house without coats or shoes in the freezing courtyard, then bussed them to the police station of Nanterre, in the Paris suburbs, and other police stations, where they were held for questioning (*garde à vue*) for up to 48 hours (there is no habeas corpus in France).

As co-author of a book called *Storming Zion: Government Raids on Religious Communities* (Wright and Palmer 2016), I was curious about this raid. So, I contacted MISA's administrators and arranged to visit their yoga school in Bucharest, where several of those released with no charges had returned (others went to their respective countries, other than Romania, and some remained in France). Among the six who are being detained in different prisons of the Paris area on charges related to "abuse of weakness," rape, kidnapping, and human trafficking, is Gregorian Bivolaru (b.1952), MISA's co-founder and spiritual teacher.

I flew to Bucharest on January 7, 2024, and interviewed twenty-five Romanian yogis, all students of MISA, 14 of whom were caught in the French raids, over nine days. The interviews were conducted in English and occasionally in French, with the help of an interpreter for those who spoke only Romanian. Their ages ranged from 27 to 72, and their professions and occupations were quite varied.

There are two aspects of the raid on MISA that I found significant. First, the masked police team belonged to a special unit called CAIMADES. They are specially trained to deal with crimes and misdemeanors perpetrated by the *gourous* of *les sectes* ("cult leaders") and to "rescue the victims." Second, Gregorian Bivolaru teaches a form of sacred eroticism, and he has been incorporating ancient Tantric erotic philosophy and techniques into MISA's yogic practice for decades. From the perspective of the "cult watchers" in France's state-sponsored anti-cult movement, these would be considered as *dérives sectaires* (cultic deviances), which must inevitably result in the *abus de faiblesse* (abuse of weakness) of Bivolaru's "victims." Moreover, for France's anti-cult activists, Tantra yoga and ancient Hindu erotic practices in a "cult setting" could hardly be considered consensual. "Brainwashing," rape, kidnapping, and human trafficking must somehow be involved.

The story of how Bivolaru, a Romanian spiritual leader and erotic mystic, came to be captured and put on trial by France's government-sponsored anti-cult movement is complicated but fascinating. One finds three fiercely conflicting perspectives in the case.

From a feminist #MeToo perspective, one sees a powerful male leader imposing Hindu patriarchal dogma on Western female disciples to facilitate sexual exploitation and maintain a rigid gender-based hierarchy.

From the French anti-cult perspective, one sees a "guru" relying on techniques of mental manipulation to enslave his female followers in a vast, international human trafficking ring that funds his *secte*. In France a *secte* is not a "religion." Rather, it is regarded as a kind of *bande organisée* (criminal gang).

Finally, there is the third perspective on the case shared by MISA's 30,000-odd yoga students who view "Grieg" (Gregorian Bivolaru) as an enlightened spiritual master who has devised the spiritual path of "mystical eroticism" based on his studies of Tantra yoga in ancient Indian sources, filtered through the writings of his correspondent and source of inspiration, Mircea Eliade (1907–1986), one of the great scholars in the Chicago school of comparative religion (Vojtíšek 2018).

From MISA students' perspective, Bivolaru's 2010 book *The Secret Tantric Path of Love to Happiness and Fulfillment in a Couple Relationship* (Bivolaru 2010) is a practical guide for a harmonious and long-term heterosexual relationship (Stoian 2010; Introvigne 2022a). For Bivolaru's women disciples, since his Tantric teachings are centered on the Mother Goddess, every woman on this path can become the incarnation of the goddess Shakti (Frisk 2024). MISA women explained in our interviews how through "mystical eroticism" their minds became liberated from patriarchy and their bodies exalted as feminine symbols of the Divine.

There is no time or space in this article to discuss these conflicting views on Bivolaru's case. For those interested in this "cult controversy" (Beckford 1985) and for MISA members awaiting trial, the *denouement* to this story is impossible to predict. Therefore, I will limit my efforts to exploring this complex situation within the context of France's government-sponsored anti-cult movement and "anti-sect wars" (Palmer 2002). To this end, I will follow three steps:

1. I will present an anatomy of the raid and its aftermath. Based on the data gleaned from interviews with MISA students, I will argue that the Judicial Police violated France's legal regime for the *garde à vue* (the detention and interrogation of suspects in police custody).

2. I will examine the role of MIVILUDES (Mission interministérielle de vigilance et de lutte contre les dérives sectaires, Inter-ministerial Mission for Monitoring and Combating Cultic Deviances) in Bivolaru's arrest and will discuss MIVILUDES' concept of *dérives sectaires* and its mission to control France's *sectes*.

3. I will explain the charges of *abus de faiblesse* against Bivolaru and five MISA members within the context of France's 2001 About-Picard law. The modus operandi of *abus de faiblesse* allegations as a "weapon" for controlling *gourous* will be explored and its implications for Bivolaru's legal situation will be discussed.

The accounts below of the 2023 raids on MISA and the Romanian detainees' experiences with the French police are gleaned from the interviews that I conducted in Bucharest in January 2024 at MISA's Yoga School. My research participants described blatantly illegal treatment by the police and a general disregard for their rights and well-being while they were being held in police custody for questioning.

Law professor Jaqueline Hodgson describes the proper procedures of *garde à vue*:

Under art 63 of the CPP (*Code de procédure pénale*) a police officer may place a person in *garde à vue* where there is reasonable suspicion that she has committed or attempted to commit an offence and the officer considers detention necessary to the investigation. The public prosecutor (the *procureur*) must be informed at the start of the *garde à vue*, which lasts initially for 24 hours, and her authority is required to extend the period of detention for a further 24 hours. This is the primary guarantee for the proper treatment of the suspect (...). Under art 63-1 CPP, the detainee must be informed, in a language that she understands, of the nature of the offence for which she is being held and of her rights to inform someone of her detention (under art 63-2 CPP), to be examined by a doctor (art 63-3 CPP) and to see a lawyer (art 63-4 CPP). The right to custodial legal advice was first introduced in 1993; the suspect was allowed a 30- minute meeting with her lawyer, 20 hours after the start of the *garde à vue*. In 2000, this was amended to allow access to legal advice from the start of detention, but still only for 30 minutes (Hodgson 2010).

The Paris Raids

The Paris raids were carried out simultaneously and targeted five locations. One location raided was a yoga studio administered by Sorin Turc, a violinist who played with the Monaco orchestra. Three large houses that were used as yoga-meditation retreats where around 90 Romanian yogis were staying on vacation were raided, as well as small 2-room apartment where Gregorian Bivolaru was temporarily residing.

The Nice raids were conducted that same morning. There, the police targeted three buildings in the same yard in Nice's suburbs, where twelve Romanian yogis who were working on a construction contract were staying.

My informants' accounts of the Paris raids were all very similar. One woman spoke of how her family owned a large house with twenty-two rooms in a beautiful rural area 100 kms from Paris, and she had invited her yogi friends from Romania and other countries to visit for a spiritual retreat:

I woke up with police in my room, with masks, heavily armed. I got scared and hid under my blanket and started to pray. They threw the blanket off and cast it aside. I asked the policeman to let me get dressed, in English. He put himself between me and my clothes and pointed the gun at me. He finally let me get dressed and put handcuffs on behind my back. I was just in pajama pants, bare feet, and a light blouse and I started to get cold. The door to the outside courtyard was open.

A man who was staying at another spiritual retreat house also described being subjected to hypothermia:

I stood outside for an hour and a half, and it was almost zero and I was in pajamas and t-shirt with bare feet. Then they took us downstairs to the kitchen, but they left all the doors open so it was cold. They were warm [the police] enough in boots and jackets and bullet proof vests, but we were mostly barefoot in our PJs.

One man who was staying in a wooden cabin on the grounds of the main house described a similar experience:

I heard dogs barking, then a masked policeman came into the cabin, dragged me to the ground and put handcuffs on me. Then took me to the courtyard of the house. The police were running up and down the stairs shouting, 'Ouvrez la porte!' [Open the door!] and smashing in the doors. I shouted, 'I have the keys!' But it was too late, they had already broken all the doors and mirrors. We were twenty–twenty-five people, the police were maybe fifty.

My informants identified four different kinds of police involved in the raid:

the masked ones with guns, the police without masks, the drug squad, and the human trafficking police—the ones who were taking videos and photos of us and communicating with their boss on the phone.

Several Romanians were surprised by the attitude of the masked police: “They acted like they came to rescue us. They said, ‘We are here to help you.’ (I thought, but you are the ones abusing us now!).” Several of my informants noticed that the police seemed to be puzzled, as they were trying to categorize each Romanian as a “suspect,” as a “victim,” or as a “witness.” They noticed a pattern where the police were trying to discern whether their captives were suspects (of rape, trafficking, etc.), victims, or whether they might be useful as witnesses. One woman said,

It was very confusing. Some of us were treated like traffickers, others like victims—but how did they decide who was what? The Judiciary Police who took over the case told us, ‘We are part of a very big investigation that involves human trafficking, rape, mental abuse—and you are the victims—but you don’t recognize that you are victims. We are here to help you.’ I tried to talk to my friends, but [the police] said ‘Shush!’ We were not allowed to speak at all. Very weird.

Those detainees who understood French reported overhearing the police express their uncertainty and surprise. One woman said:

I signed everything. I tried to be very open and honest, but it was difficult to understand what they wanted. It seems it was not clear to them either. I understand a bit of French and they were speaking between themselves saying, ‘Who are these people? It is not like what we were told it would be.’

The Nice Raids

As mentioned earlier, three houses in the same yard in the suburbs of Nice were raided, where twelve Romanian construction workers were staying. One man from the Nice raids told me his story. He was around 6’6” tall and very strong. He explained how he often traveled to France to work on contracts with his team of construction workers, all members of the MISA yoga school in Bucharest:

Me and my friends we prefer to work together. We find it difficult to work with people who are drinking and smoking [something MISA students do not do]—it leads to problems.

These workers were guests of Sorin Turc, the already mentioned musician who was a yoga teacher at one of the schools affiliated with Atman. The violinist owned the three contiguous houses in Nice and had offered them free accommodation, with four men staying in each house.

On the morning of November 28, one of my informants told me he was in bed with the flu when he heard a crash and loud bellowing:

Police were coming up the stairs pointing big guns at me, and they told me to kneel with my hands up. Why so much force? There were around 150 police with three dogs, and they were screaming and pushing me as they put on the handcuffs. They kept us outside in the garden for three hours, squatting against the wall in handcuffs, I was freezing, shivering. I told them I was sick and needed to dress, but they would not allow me even to get my coat in the hallway. We asked if they had an arrest warrant and they said they did not need one. At first, we thought they suspected us of working in France with no papers, but we were all legal employees of a construction company. They kept asking me, 'Where are the girls? There are supposed to be women staying in the house.' 'No women,' I said, 'only men working on construction.' They asked, 'Where is the room in the house for the sex video chats?' We told them there was no internet in the whole house. So, it seems they thought we were part of a human trafficking ring. Then at the police station they told us we were 'suspects' and took our ID and made us fill out forms. We were held for 48 hours. 'The FBI' came to my cell... at least they were wearing FBI badges and spoke in English. They asked for my passwords so they could access my laptops. I refused. They later told me all my belongings had been sent to Nanterre to the prosecutor in charge of the case.

Suddenly, they released us all, around 10 or 11 p.m. They had taken our cellphones and our money and would not give them back to us. We were downtown in the city of Nice, 30 kilometers from our house. It was dark, cold, and raining heavily. They allowed us socks and shoes and I had my windbreaker with a hood, so I walked very fast, almost running and after five hours I arrived home. The house was not sealed, the gate was smashed in, and the front door was open, but I found my wallet with my cards still in my room, and the key to the car. So, I took the car and collected my friends who were walking home. Some of them did not take the main route, so I could not find them, and they had to walk all the way back alone in the cold rain.

The Pressure to Sign French Documents

The police interrogators exerted heavy pressure on the Romanian detainees to sign documents written in French. With few exceptions, none of the Romanians read or spoke French. One detainee who had just been dragged out of bed and

was handcuffed in the freezing cold kitchen was told she had to sign now: that it was mandatory, that she would be able to see a lawyer later on that afternoon at the police station—after she had already signed.

Even when interpreters were supplied who could translate the documents, the allegations listed were baffling to these Romanians and seemed irrelevant to their lives. One woman described her treatment at the Nanterre police station:

A translator and a policeman came with papers and wanted my declaration. I filled in my ID page and then there were five accusations they wanted me to sign. I didn't understand what they had to do with me. I said, 'What are these accusations? Why should I sign?' They said it was mandatory, that it was 'just a procedure.' But I did not sign, and so I sat in handcuffs for three to four hours.

Deceptive and Coercive Treatment

Some of the Romanians described how they were deliberately deceived about the nature of the documents they were asked to sign. They were told it was a simple "declaration" affirming that they had been arrested, or that "it's just a procedure." Some of these Romanians complied, not realizing they were signing a confession to charges of human trafficking, rape, kidnapping, and abuse of weakness. One Romanian detainee even found her translator unhelpful and deceptive:

My translator said, 'I am not going to read you these ten pages again. I am not going to translate these questions again.' I begged her, 'But it's my life, my freedom! I want you to translate, I cannot sign otherwise.' Then, on the last page of the document, I saw a note in a smaller font that read, 'She refused to have a lawyer.' Then I felt sick. I knew I could not trust these people.

Deprived of the Right of Legal Representation

Many of my informants described how their demands for a lawyer were ignored or brushed aside:

They said I could have one call, but it had to be in France. I said I would not sign anything without my Romanian lawyer, but they said there was a lawyer at the police station who was free. I said I need my own lawyer. They said, 'No, no, no! You are jeopardizing the investigation!' They were not pleased.

Another woman asked if she had a designated lawyer.

They said, ok they would call a lawyer later when we went to the police station. But I said I would not sign anything except in the presence of a lawyer.

A few of the detainees were given an “in-house” lawyer, who advised them to “tell the truth or you will be jeopardizing the investigation.” In the two instances where a Romanian detainee was able to contact a French lawyer unaffiliated with the police, the lawyer strongly advised, “Don’t say anything, don’t sign anything. Wait until you are in the presence of the magistrate.”

But even the external French lawyers did not always prove helpful, according to one detainee:

On the second day my lawyer arrives. He has the same attitude as the prosecuting attorney. He said, ‘Listen, you are celebrities in the mass media, you are a Tantric cult, so it would be good to speak up. I am sure you will remain in custody for more than 48 hours.’ ‘Why are you so sure?’ I asked. He replied, ‘Honestly, with what you are accused of, I am sure it will be long.’

Insulting Treatment

Several informants complained they were “insulted” by the police. One Romanian reports he was asked by the police if he would agree to take a psychological test that would prove he was mentally manipulated. “I said no. Do I look like a person who can’t make my own decisions?”

Some complained of being “treated like criminals”: “We had to give our fingerprints DNA samples, our saliva samples, they took photos with ID.” Others were asked insulting questions by their interlocutors. One man said he was asked, “Do you have sex with men?” Another man was asked, “Do you rape your girlfriend?” He replied, “You should be kidding! Why don’t you ask her?”

One woman was asked leading questions:

The police officer who was interrogating me was talking on the phone with his boss and getting more stressed, and he got aggressive with me just to impress his boss. He asked loaded questions like, ‘When you were drugged... When you were raped... When you had sex with your brother-in-law...’ It sounded like a comedy in a stupid movie.

Harsh Prison Conditions

All the detainees I interviewed described unpleasant and harsh prison conditions:

My cell was 2x3 meters and very cold with a concrete floor and a Turkish toilet—very filthy and smelly. I had sore muscles and did a lot of yoga. I could not sleep. There was no night and no day. I had two cell colleagues who were very hostile. A policeman took... brought us to a cell that was very cold. I asked many times if I could have a second blanket, or toilet paper, there wasn't even a glass where we washed, or plastic cups. There was a thin mattress on the cement floor, one blanket, no pillow. Lights were on all night and there were drugs addicts with withdrawal symptoms screaming their heads off, and all night there were prisoners brought in and out.

My informants complained of being very uncomfortable in police custody. They were interrogated for up to five hours at a time, often handcuffed to a chair, and had to beg to be escorted to the toilet. Many were deprived of food and water during the interrogations:

When we arrived at the police station the translators were waiting. They gave us some food—but then we realized it was from our own storage unit in the house, like they gave us these very familiar Romanian biscuits.

How the Detainees Were Released from Garde à Vue

In most cases, after being held for 48 hours, the detainees were suddenly told they had to leave. This usually occurred between 10:30 p.m. and midnight, when they were promptly escorted to the exit of the police compound and locked out. They found themselves on the street late at night with their ID, but no money or cellphone. One helpful policewoman at the Nanterre police station had advised two of my informants to walk to the nearest metro station and told them there would be no conductors on duty this late, so they could sneak in under the turn style and return to Paris.

But one man told her he needed to catch a train to the country house, and he had no money to buy a ticket. This policewoman then gave him the most extraordinary advice: “You don't need money,” she told him. “Just watch the black people and do what they do.” “She told me to go to the part of the platform where the ‘black people’ were standing,” the man reported, “because they know how to sneak on trains without paying. So I did, and it worked!”

Several detainees who had been just released had to ask passersby if they could borrow their cellphones, so they could contact friends for help. Most of them contacted their lovers in Romania who bought their airline tickets so they could return home.

For one man, being released was almost as shocking as being raided:

Then, suddenly, I was released. I found it very disturbing that they never explained why we were suspects. One minute we are under judicial control, and the next: ‘You are free. Grab your things and go!’ As soon as I got out, I was running down the street, away from the police station, afraid they might change their mind.

Garde à Vue and Its Dérives

These interviews tell us that the police refused to inform most these Romanians in their own language about the allegations for which they were being held. They denied them their right to inform someone of their detention, which under article 63-2 CPP is the legally required treatment of a suspect held in *garde à vue*. Moreover, the police denied most of them the right to legal advice during the 48 hours of their *garde à vue*, which under art 63-4 CPP is “the primary guarantee for the proper treatment of the suspect” (Hodgson 2010).

It appears likely that the police figured that, since the detainees were the “brainwashed,” powerless members of a *secte*, and non-French to boot, they could get away with cutting corners in trying to extort confessions and incriminating signatures.

The Role of the MIVILUDES in the MISA Case

The investigation on MISA and Bivolaru that culminated in the November 2023 multipronged raid arose from a report of July 2023 from the MIVILUDES that cited twelve testimonies from former members of MISA (Fernandez 2023). The Paris Prosecutor’s Office then opened a judicial investigation (*Le Figaro* 2023).

The MIVILUDES was created on 28 November 2002 under President Jacques Chirac (1932–2019), as the successor of the MILS (Mission interministérielle de lutte contre les sectes, Inter-ministerial Mission for Combating Cults). The

French government acknowledged the criticism that the MILS had received from outside France for certain activities that could be considered in violation of religious freedom. The 2002 decree thus repealed the decree of 7 October 1998 establishing the MILS.

When the MILS (whose purpose was literally to “fight cults”) was replaced by the MIVILUDES in 2002, the latter found it expedient to revise its mission. Most of France’s smaller persecuted spiritual movements were no longer visible on the French landscape due to the vigorous intense anti-cult persecution and had either relocated to other countries or disbanded as legal “associations” to operate under the radar or had transformed into cultural centers (Palmer 2011). For this reason, MIVILUDES could no longer rely on picturesque sectes like the Mandarom, or on violent groups like the Solar Temple to regularly commit spectacular crimes, which would justify its ongoing government funding. Therefore, instead of rooting out and cracking down on *sectes*, MIVILUDES’ new mission was to focus on *dérives sectaires* (cultic deviances, “going off the rails,” “cultic harm,” etc.)

Dérives sectaires is a concept that is conveniently vague and nebulous. It purports to mean “the harm resulting or emanating from *les sectes*.” It has been translated variously and ineptly as “cultic harm,” “sectarian drift” or “sectarian deviance.” This new concept was in essence based on the assumption: “Cults are bad. Ergo, bad things come out of cults.”

A MIVILUDES spokesperson admitted in a March 2003 interview that the current French law lacked a definition for a “*secte*” therefore “the law cannot define *dérives sectaires*.” However, he predicted that the MIVILUDES would contribute “to defining what could simply be an administrative jurisprudence” (Fautré 2003).

The MIVILUDES’ social construction of a new social problem (Berger and Luckmann 1966) that they have dubbed *dérives sectaires*, and how this applies to MISA, should be analyzed, as well as the strategies of this anti-cult “Mission” to root out, expose, and prosecute the “gurus” held responsible for the “cultic deviances.” In recent years, the MIVILUDES has conducted annual training workshops on the “phenomenon of cults” to sensitize the judges of France to the dangers of *les sectes*. This was already stated in the 2004 MIVILUDES report to the Prime Minister, reporting that for seven years, the National School for Magistrates (ENM) had organized a one-week workshop on cults, conducted by

the head of *the cult section* of the Department of criminal affairs. This workshop was aimed at magistrates and the personnel of various legal administrations. The MIVILUDES also noted it was in regular contact with magistrates designated as its correspondents within each Court of Appeals. If France's magistrates are indoctrinated into anti-cult attitudes and biased perspectives to prepare them for cases involving "cult leaders," it appears reasonable to assume that many of the latter are unlikely to receive a fair and impartial hearing in court (Palmer 2011).

The MIVILUDES' Mounting Concerns Regarding Yoga

The MIVILUDES is bound to write an annual report in which it justifies its government funding, demonstrates its usefulness to the Republic, and attempts to expand its jurisdiction. A review of the MIVILUDES' annual activity reports reveals its dedication to rooting out the latest spawning grounds for *dérives sectaires*, which might lurk in seemingly respectable and benign secular institutions like public schools or sales motivational workshops. In 2021, the MIVILUDES began to target yoga schools as potential *domaines d'infiltration* (UNADFI 2024) for the *gourous* and their *dérives sectaires*.

In 2020, MIVILUDES had recorded 160 complaints about yoga and its "component," meditation. In the MIVILUDES 2021 report, "Alerte sur le yoga et ses dérives," they warn the public:

Yoga, perceived in the West as a healthy and moderate practice, is however not free from cultic abuses....[since] yoga and meditation are often associated with unconventional healing practices, personal development techniques or belief systems... this generates an increase in the risk of cultic aberrations (UNADFI 2021b).

Based on the data provided in the bulletins of the anti-cult organization UNADFI (Union nationale des associations de défense des familles et de l'individu, National Union of Associations for the Defense of the Families and the Individual) and media reports, it appears that in 2021–2022 yoga became a new focus for France's anti-cult movement. One French yoga practitioner described it as a "chasse aux sorcières" (witch hunt). On July 13, 2022, the UNADFI bulletin featured the report, "The Declining Reputation of Yoga" (La réputation du yoga en baisse). In 2021, MIVILUDES warned of a "growing increase in cultic risks in... movements focused on health, well-being, and pure food" (UNADFI 2022). MIVILUDES is also concerned about the gurus who offer "sacred feminine"

workshops, or “discussion and meditation groups reserved for women,” where the risks of “psychological influence exerted on vulnerable female members” is higher (MIVILUDES 2022, 118–19).

Before the November 2023 arrest of Gregorian Bivolaru, three other yoga teachers had been arrested in France on charge of “abus de faiblesse.” In 2011, Gabriel Loison (b. 1940), described in the media as a “Tantra sex guru,” was captured in a raid by CAIMADES. A self-styled psychologist and alchemist, Loison is the founder of L’Université de la nature et de l’écologie de la relation. In 2022, he was found guilty of *abus de faiblesse*, *escroquerie* (fraud), and the rape of a “vulnerable person” (a 14-year-old girl who enrolled in one of his Tantra workshops in Morocco). Loison was condemned to 15 years in prison. His female companion was initially prosecuted as his accomplice in *abus de faiblesse* and other crimes but while she was held in *garde à vue* the charges against her were dismissed since she was considered as a victim of Loison. CAIMADES took full credit for liberating her from his *emprise* (Radio France 2023).

In 2016, Christian Rouhaut, a yoga teacher was arrested and charged with *abus de faiblesse* and forcing his yoga students to participate in sexual rituals “outside the norm.” The investigators determined that Ruhaut and his wife had allegedly subjected a dozen people to “cultic” psychological subjection with physical violence and forced sexual practices (Sud-Ouest 2016; La Nouvelle République 2016). These “forced sexual practices” appear to have been nothing more than private sexual fantasies Ruhaut’s students shared in a therapeutic setting. He didn’t literally force them to have sex with eels and deer, as the media claimed. Ruhaut was sentenced to four years in prison for abuse of weakness and money laundering, and his wife was sentenced to two years in prison—both sentences were suspended (UNADFI 2021a).

On October 19, 2023, just one month before Bivolaru was arrested, Jean-Louis Astoul, the director of Amrit Nam Sarovar, a kundalini yoga school in Michel-les-Portes, was taken into *garde à vue* (Jacob 2023). He had been accused of sexual aggression, forcing disciples to work without salary, and *abus de faiblesse* within a context of *dérives sectaires* (Minisini 2023). Astoul is a Sikh and teaches techniques of kundalini yoga. He was accused by four women of inappropriate touching during private yoga sessions. The “travail dissimulé” in this case concerned the tasks performed by volunteers as part of the yoga student’s “seva”—a “selfless service” tradition that is common among Sikhs, and

at this ashram took the form of unpaid household services. The case is still pending.

These cases indicate that the MIVILUDES has been monitoring yoga teachers since 2011 but has recently moved yoga to the top of its list of *domaines d'infiltration*. Also, it identified those yoga teachers who “mix” different yogic systems, such as kundalini or Tantra, with the regular and harmless “sport” of yoga asanas as being suspects of particular interest.

On July 13, 2022, France’s main anticult group UNADFI published an article that described the “brainwashed” state of a yoga instructor in training:

She decided, a few months ago, to follow professional yoga training (...) She seems anesthetized, robotic sometimes. And she has memory loss, she searches for words as she goes along. And she seems elsewhere, disconnected from everything, except her approach to becoming a yoga teacher (UNADFI 2022).

This passage echoes one in the 1960 book by Edward Hunter (1902–1978), a CIA agent whose cover job was that of a reporter and who coined the word “brainwashing,” *Brainwashing, from Pavlov to Powers*. Hunter describes how Mao Zedong’s (1893–1976) Red Army allegedly used terrifying ancient techniques to turn the Chinese people into mindless, Communist automatons:

The intent is to change a mind radically so that its owner becomes a living puppet—a human robot—without the atrocity being visible from the outside. The aim is to create a mechanism in flesh and blood, with new beliefs and new thought processes inserted into a captive body. What that amounts to is the search for a slave race that, unlike the slaves of olden times, can be trusted never to revolt, always to be amenable to orders, like an insect to its instincts (Hunter 1960, 309).

Brainwashing Theory Revisited: Allegations of “Abus de Faiblesse”

To understand the charges against Bivolaru and MISA members in France, one must deconstruct the notion of *abus de faiblesse* within the socio-political context of the 2001 About-Picard law (often referred to as “France’s brainwashing law”). This law was passed by the National Assembly in May 2001. Its co-sponsors were centrist Senator Nicholas About and Catherine Picard, a socialist deputy in the National Assembly.

This law of 2001 was a strategic move by France’s government-sponsored anti-cult movement to control the “problem of cults.” The purpose of the 2001

law was to enable the state to prosecute “cult leaders” (labelled as *gourous* in France) who (putatively) harm their followers through the power of mental manipulation. This law created the new crime called *abus de faiblesse* that pointed to the exploitation of vulnerable followers by ruthless charismatic leaders of “cults,” whose influence was predicted to lead inexorably to various forms of social deviance: fraud, physical and psychological abuse, mass suicide, mental illness, pedophilia, money laundering, and the illegal practice of medicine. Any “cult” leader found guilty of “*abus frauduleux de l'état d'ignorance ou de faiblesse*” (fraudulent abuse of a state of ignorance or weakness) can be liable to a five-year prison sentence and fines of up to 750,000 euros.

The first application of the 2001 law was in October 2004, when Arnaud Mussy stood on trial before the Tribunal Correctionnel of Nantes, charged with *abus de faiblesse* (Palmer 2018). As the prophet/leader of the tiny Theosophical group Néo-Phare, he was accused of “mentally manipulating” a vulnerable follower to commit suicide. Mussy was found guilty and sentenced to three years in prison (suspended) and fined 115,000 Euros.

This trial received much publicity in France, for it possessed both a legal and pedagogical value. It was a warning to all “cult leaders” to stop “brainwashing,” and to all French citizens to stop joining *les sectes* (Palmer 2011, 147).

“Cults” are also accused of “human trafficking” as they allegedly “abuse the weakness” of their followers to make them work for free (see UNADFI 2020). It is well-known that voluntary labor (washing dishes and laundry, chopping carrots, or sweeping floors) is commonly practiced in Catholic monasteries (where domestic work is a kind of “worship”) and in Hindu ashrams and Buddhist sanghas (where unpaid domestic labor is understood to be “karma yoga” and is imbued with a meditative quality). It appears extraordinary that in the past decade we have witnessed a series of police raids on spiritual communes simply (or mostly) because an ex-member has complained of being forced to wash too many dishes (as in the military-style raids on Ananda Assisi in Italy, and on MISA itself in Romania in 2004, and on various spiritual communities in France and Belgium accused of *travail dissimulé*).

There are several characteristics of the legal process in *abus de faiblesse* cases that appear to undermine the principles of presumption of innocence and the impartiality of the court. First, there is the question of the authenticity and

reliability of the alleged victims. It only takes one client or ex-member to file a complaint against a therapist or spiritual master at their local ADFI. This is enough to stimulate investigations and/or arrests, as an article in *Le Monde* pointed out (Bordenave 2009). Questions have been raised concerning the personal motives of some of the self-styled “victims” and often it turns out they are overprotective parents, or jealous spouses, spurned ex-lovers, or competitive co-workers (a factor in the MISA case as well).

One serious problem for those charged with *abus de faiblesse* is that the lawyers working for the UNADFI or the MIVILUDES, have the power to file complaints on behalf of the alleged victims—without the latter’s assent, or even without their knowledge. When the so-called “victims” protest they are not victims, the court’s response is often to interpret their denial as *proof* of “brainwashing,” since “brainwashed” people don’t realize they are “brainwashed.” If their statements are not accepted by the court, it is the job of the Prosecutor to scrounge up additional “victims.”

In the case of the alleged “guru” Neelam Makhija’s girlfriend, she pointed out that since the police had conducted surveillance on her phone calls for over a year, the names of people who had called a wrong number to her cell and immediately hung up were included among the prospective clients who were her putative “victims”—and of course these were complete strangers she had never met or spoken to (see Palmer 2018).

Finally, the *abus de faiblesse* concept relies on the highly-contested theory of “brainwashing,” called *manipulation mentale* or *emprise* in France. The concept of “brainwashing” dates back to the 1950s and its origins and plausibility as a theory has been amply documented and debated by sociologists and psychologists (Lifton 1961; Barker 1984; Anthony and Robbins 2004; Introvigne 2022b).

The scientific validity of the “brainwashing” theory has been questioned since it fails to pass the test of Karl Popper’s (1902–1994) principle of falsifiability (Popper 1934). “Brainwashing” is even one of the entries in the *Encyclopedia of Pseudoscience: From Alien Abductions to Zone Therapy* (Williams 2013, 217–18).

Although the public in various countries still embrace “brainwashing” as if it were a scientific fact that offers a straightforward psychological explanation for an individual’s sudden conversion to a radical religious or political movement, since

the 1980s the scientific community and the courts have discarded “brainwashing” theory as lacking in scientific rigor. The vagueness of the “brainwashing” theory, and the inherent difficulty in proving or disproving its claims puts the alleged perpetrator of *abus de faiblesse* into what one of my informants described as a “Kafkaesque” situation (Palmer 2018).

The law of 2001 is based on three “anticult” stereotypical assumptions:

1. That all *sectes* are like organized gangs or cartels: intrinsically evil and ineluctably prone to harmful and criminal activities.

2. That *gourous* tend to be manipulators who have mastered a mysterious, ineluctable technology of mind control/ coercive persuasion/ “brainwashing”—which they rely on to convert, control, and exploit their followers.

3. All “cult members,” due to their “brainwashed” state, are “vulnerable,” weak, and psychologically helpless, and therefore cannot be held accountable for their regrettable decisions—hence they must be protected by the state.

It is important to be aware of the social and political context of the law of 2001. It emerged out of the anti-cult activism of France’s state-sponsored *antisectes* movement, which established a series of interministerial missions at the highest level of government, whose stated mandate was *la lutte contre les sectes*, “fighting cults.” Hence, one finds a strong bias against new alternative religions written into the About-Picard law. The amendments the government introduced in 2023, creating yet another new crime of “psychological subjection” in addition to the “abuse of weakness,” the difference being that one can become a victim of “psychological subjection” without being in a situation of “weakness,” signal the willingness to make the “fight against cults” even tougher (Introvigne 2023, Barker 2024).

However, the new provisions will not be applicable retroactively to Bivolaru. His case is yet another application of the About-Picard law in France’s “war against the *sectes*,” and it points to a growing tendency to frame, psychologize, and criminalize the guru-chela (master-disciple) relationship, a venerable Hindu tradition, as an “abuse of weakness.”

Conclusion

The complex legal history of Bivolaru that spans forty years and extends across seven countries has been documented in book-length studies of MISA by Andreescu (2008, 2013) and Introvigne (2022a) and has not been recounted herein. However, these studies make it clear that allegations of rape, prostitution, human trafficking, so eagerly broadcast in the media, have not been supported by the Supreme Court of Sweden in 2005, the European Court of Human Rights in 2014, 2016, 2017, and the Romanian courts themselves. Moreover, the charges against Bivolaru in Finland are based on theories of “brainwashing” that have been rejected as pseudoscientific in other jurisdictions (Introvigne 2022a, 115).

It appears that France has taken up these old allegations based on the complaints of female apostates and crafted a new, “only in France” case against MISA’s *gourou* in which nebulous notions of *abus de faiblesse* and *dérives sectaires* clash with esoteric concepts of sacred eroticism.

Why is MISA so controversial? Introvigne suggests that there is one “red line” that, in most societies, should not be crossed; that “religion and eroticism should not be offered together” (Introvigne 2022a, 117).

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