

# Psychiatric Testimony in "Cult" Litigation

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Changes in political or religious beliefs among POWs and hostages have often been attributed to "brainwashing" or "coercive persuasion." The cases reported have usually involved people held involuntarily. Since the publication of DSM-III, the authors have noted frequent usage of the term "atypical dissociative disorder" in civil lawsuits by plaintiffs seeking damages from groups or cults they joined voluntarily. The effects of "psychological captivity" are claimed to be comparable to the effects of involuntary participation in instances of kidnapping or being taken prisoner. The authors suggest that voluntary and involuntary activities are fundamentally dissimilar and that the use of DSM-III is problematic in these cases.

Behavioral scientists have long struggled to understand relatively sudden real or apparent changes in religious or political beliefs. Perhaps the first example of this phenomenon to gain the attention of the psychiatric community was that of the initially unexplained collaboration by American POWs in Korea with their Communist captors. As American servicemen began to return from Korea in 1953, the nature of their experiences became known. The POWs were subjected to a systematic, manipulative, and very heavy-handed indoctrination process.

The indoctrination process was composed of several elements: the men were separated by race, nationality, and rank, and later by willingness to cooperate. Spies and informants were used and

there were lengthy indoctrination sessions composed of tireless repetition of questions and discussion. Central to each of these elements, and indeed to the entire indoctrination process, is the fact that these men were *prisoners*, held against their will and entirely dependent on their captors for life itself. Cooperation with elements of the indoctrination process was achieved by means of extreme coercion. Prisoners were isolated and tortured, food and medical supplies were withheld pending cooperation, and the POWs were housed in a grossly inadequate environment.<sup>1</sup> Through this combination of indoctrination technique (social isolation, repetition of questions and demands, manipulation of rewards and punishments) and coercion, some American servicemen were induced to collaborate with their captors.

When this process of indoctrination/coercion was first described it was ini-

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tially referred to in both the popular press<sup>2</sup> and the professional literature<sup>3</sup> as "brainwashing." Brainwashing is actually a term coined by an American journalist in 1951 to describe the "reeducation process" for the Chinese masses after the Communist revolution.<sup>4</sup> Due partly to its subsequent overexposure in the media, the term brainwashing came to be thought of as the "total replacement" of one set of political/religious beliefs with another.<sup>5</sup> However, it became clear from interviews with the Korean POWs that their belief changes were often not total but partial, and indeed, sometimes completely feigned simply in order to obtain physical or emotional relief.<sup>1</sup> The term brainwashing was then rejected by many psychiatrists in favor of the term "coercive persuasion" to describe intense and prolonged coercive tactics and persuasion forcibly applied with whatever results.<sup>5</sup>

The concept of coercive persuasion has subsequently been used to explain apparent belief changes in other situations. In 1968, puzzling pro-Communist propaganda statements were made by captured American sailors taken from the *USS Pueblo*; later interviews with Captain Bucher revealed these statements to have been made under severe duress. Coercive persuasion was also suggested as an explanation for Patty Hearst's complicity in a bank robbery.<sup>6</sup> More recently, this concept has been used to explain various hostage situations.

Several theoretical explanations have been offered to account for the (partial) belief conversion process in coercive persuasion. These theories have been

combined by Schein<sup>5</sup> to yield a model of conversion. Briefly, a subject's commitment to his belief system is first loosened by physical threats and abuse, social isolation, deprivation, and so forth. Next, the subject adopts the beliefs of (identifies with) his or her captors out of needs to rationalize the coerced behavior and to establish communication with others. Certainly, coercive persuasion cannot occur without coercion. That is, the forced, involuntary nature of captivity is a necessary condition to account for belief change within this model. Without the use of substantial force (often torture) there is no reason to suspect that belief change would have occurred in the preceding examples.

### **Belief Changes in Voluntarily Joined Cults**

In recent years, much concern has been generated among mental health professionals, parents, and lawmakers by the relatively sudden and often radical belief changes apparently experienced by new members of unorthodox religious groups or "cults." Perhaps the best example here is that of the Unification Church, led by Reverend Sun Myung Moon. In an effort to understand apparent belief changes in "Moonies," theorists turned initially to the concepts of "brainwashing" and "coercive persuasion." However, most religious cults do not even approximate the horrid physical conditions experienced by POWs in Korea or certain hostages. In the Moonie retreat centers, for example, inductees are adequately fed, they may sleep adequately, they may communicate with outsiders (such communication is often

discouraged but not prevented), and they are not physically threatened or abused. Perhaps most importantly, inductees are aware that they are free to leave.<sup>7</sup>

The voluntary joining of a cult can thus be a qualitatively different experience from the involuntary captivity described by coercive persuasion. How, then can one account for the changes normally associated with cult membership? Some psychologists and psychiatrists have recently suggested that cult membership involves a kind of "psychological captivity" akin in effect if not in fact to coercive persuasion. The elements of this process are said to include deception during the recruiting process; manipulation of information; peer pressure; and "excessive affection," especially toward new members.<sup>8</sup> However, comparison of interviews with persons having undergone these experiences suggests that psychological captivity is similar to coercive persuasion neither in fact nor in effect.

### **Comparison of Interviews with Voluntary and Involuntary Group Members**

Among those subjects interviewed who were taken and held by force was Commander Lloyd M. Bucher, U.S. Navy (Commanding Officer of the *USS Pueblo*). Commander Bucher was interviewed on July 28 and July 29, 1976. Another subject was Patricia Hearst, who was taken captive in February 1974 by the Symbionese Liberation Army and held prisoner at first. She was subsequently free to leave but did not until her arrest by FBI agents in September

1975, at which point she was again held captive, this time by government authorities. Other subjects who were held captive included a group of survivors of Jim Jones' Peoples Temple. Although they were not physically abducted into the group, most (but not all) were eventually held captive at Jonestown, Guyana, and were not allowed to communicate with the outside world until their release after the mass murder/suicide on November 18, 1978. The subjects interviewed who were neither taken nor held by force or threat of physical force were members or former members of Reverend Moon's Unification Church. All of these subjects were examined in connection with either criminal or civil litigation, with the exception of Commander Bucher, who was interviewed at length after the U.S. Navy dropped its charges against him. All of the subjects appeared to have undergone radical changes in their political or religious beliefs as a result of their experiences, with the exception of Commander Bucher. Although Bucher's experience of coercive persuasion was the most horrendous of all (in terms of duration, intensity, and severity of physical torture) he maintains that his "confessions" of being a spy for the "U.S. Imperialist Aggressor Forces" were made solely to protect members of his crew who were being threatened with execution. He reports that at no time did he believe his own confessions and that he expected he might be court-martialed for making them. He states that he decided to worry about that problem later.

Patricia Hearst, like Bucher, was taken prisoner and subjected to physical

abuse combined with political indoctrination. She also had reason (at least initially) to fear for her own life. Her recorded political statements, like Bucher's confessions, were made under conditions of clear coercion and duress.

The conditions at Jonestown were somewhat different. People were not confined in prison cells or locked closets but, on the other hand, the geographical isolation of Jonestown made escape difficult (although not impossible). Furthermore, although there were weapons on the premises and a small "security force" authorized to use them, as a rule, members were not being held captive at gunpoint. Beatings and threats of violence were used at certain times during the almost 20-year history of Peoples Temple (especially in the mid-1970s) but not consistently. Communications with nonmembers by telephone or mail were not physically controlled until the group moved to Guyana in 1977.

Conditions at Unification Church facilities are significantly different from all of the aforementioned, based on interviews with current members as well as bitter defectors who are currently suing the church. (These data have also been confirmed by personal inspection of the facilities on May 27 and 28, 1983.) Members and potential converts are neither taken by force nor held at gunpoint. Although some of the facilities are in rural areas, they are not surrounded by barbed wire, nor are they patrolled by armed guards. Letters, phone calls, and occasional face-to-face visits with nonmembers take place, and transportation to the nearest town or city is available. In fact, despite dire warnings from the

media and others about the powerful methods of the "Moonies," 90 percent of new recruits drop out and simply leave within three weeks of their arrival.<sup>9</sup> The relationship between psychological captivity and coercive persuasion thus appears tenuous.

### **Expert Testimony in "Cult" Litigation**

Upon leaving a religious cult (either on one's own or after having been kidnapped and deprogrammed), some former cult members have instigated civil litigation against the cult. In this litigation, plaintiffs allege (among other things) that their group membership induced an emotional disorder. Since the publication of DSM-III, some psychologists and psychiatrists have testified that the emotional disorder induced by voluntarily joined groups is an "atypical dissociative disorder." "Psychological captivity," "mind control," coercive persuasion, brainwashing, and other such terms are often mentioned as important in the etiology of the alleged disorder.<sup>10</sup>

There are several difficulties with this sort of testimony. As discussed above, these terms each have different meanings and are *not* simply interchangeable. Some of these terms imply physical violence or captivity; others do not. (In fact, the term brainwashing has been used in so many different contexts that it now appears to lack any semblance of scientific precision.) Indiscriminate use of these terms in cult litigation blurs the theoretically important distinction between voluntary and involuntary cult membership.

Additionally, the term atypical disso-

ciative disorder is itself poorly defined in DSM-III. Adequate, reliable diagnostic criteria are lacking. As a result, different professionals attribute different phenomena to atypical dissociative disorder. Virtually any undesirable symptom or quality may be said to result from the disorder. One prominent expert, when asked to describe the symptoms of atypical dissociative disorder found in a former "Moonie," gave the following answer:

She described that she felt totally emotionally drained, was like a zombie. She felt absolutely empty inside.

The lawyer then asked if there were any additional symptoms of atypical dissociative disorder present. The reply was:

From her descriptions to me in the interview, she described this draining, numbed feeling and that a big behavioral change was obviously noticeable to some of the Unification Church management personnel because they tried to make contact with her. They tried to get her to smile . . .<sup>11</sup>

When asked if this "mental disorder" persisted throughout the plaintiff's five-year membership in the church the expert testified, "yes."

Such "symptoms" may in fact reflect preexisting personality variables, effects (in some instances) of kidnapping and deprogramming, or simply a normal reaction to a new, intense experience. Apparently realizing this, the trial court in a recent case described such testimony as "veiled value judgements concerning the entire outlook of the Unification Church."<sup>12</sup>

Apparent belief changes in voluntarily joined groups, then, are not yet fully understood. It may be, as Levine<sup>13</sup> sug-

gests, that for the vast majority of cult members their membership represents an unusual but fundamentally nonpathologic developmental step. It may be that some members are damaged by their membership, but this does not mean that such membership itself creates a psychiatric disorder. We suggest, first, that the distinction between involuntarily joined groups (where persons are subjected to *coercive* persuasion) and voluntarily joined groups (in which there may have been, at most, "manipulation of social variables") be kept clear, as there appear to be good reasons to suspect that these two types of groups are indeed different. Second, although atypical dissociative disorder may be a convenient label to use in cult litigation because its vague definition allows it to be applied in this context, we believe that precisely *because* the term is vague and poorly defined it should be used only with extreme caution by psychiatrists testifying in such litigation.

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