

Cults

Background

- 10.1 In examining the issue of ‘cults’, there can be problems of characteristics and definitions. The Committee does not wish to judge, or to give offence, but it is necessary to try to be clear about what some have perceived to be, or not to be, cults. These can also be called ‘sects’ or ‘new religious movements’.¹
- 10.2 Many of the confidential submissions received by the Committee dealt with cults and their impacts on the lives of parents, siblings, children, relations and friends. Cults have clearly generated very great sadness, pain and, above all, a sense of loss for many people.²
- 10.3 In most of the material received, the emphasis was on the undesirable features of cults. Little was said, therefore, about the joy and satisfaction adherents feel in, and from, their commitment. These feelings are undoubtedly real to the individual, and their existence needs to be remembered when judgements are made about what seem to be more sinister features of cults.
- 10.4 Two other points need to be made. Firstly, there are differences between cults and small but nevertheless mainstream religions that are not well understood or that some people think are ‘strange’. These could include bodies such as Ananda Marga, Hare Krishna, the Exclusive Plymouth

1 HREOC used the latter term in its Report, **Article 18: Freedom of religion and belief**. It pointed out that many of the groups so identified ‘may be neither new nor, more contentiously, correctly described as religious.’ HREOC believed nonetheless that it was ‘the most neutral’ term for the purposes of discussion: see Exhibit No 17, p. 87. Dr Max Wallace described use of this term by HREOC as ‘coy’: see Submissions, p. 365. In this Report, with all its potential difficulties in mind, the term ‘cult’ will be used.

2 See for example, Submission No 7.

Brethren, the Church of Jesus Christ of the Latter Day Saints (also known as Mormons or Seventh Day Adventists) or Jehovah's Witnesses.³

- 10.5 Secondly, membership of religious bodies, and of cults, is normally a private matter and people have the right to join, or not to join, as they choose. When rights are put at risk by the behaviour of others, when people are pressured or forced into actions that may harm them in some way, then society has the right to impose limits. This is sometimes the situation with bodies called cults.⁴
- 10.6 Dr Max Wallace noted that while some groups have 'bizarre' beliefs, few of the people who express surprise at, mock or criticise the beliefs of others escape similar responses about aspects of their own beliefs or habits. For example, in the context of the need for a definition of cults and their rights, there was a suggestion in one submission that a comparison of the Bible with the doctrines of the Catholic Church would condemn the latter as a cult.⁵
- 10.7 Dr Wallace also pointed out that, in addition to what is done to religious organisations, or between them, there has to be consideration of what happens inside such organisations. Thus, what occurs within cults cannot be dismissed simply as either unfair criticism by those with a grudge, or by the notion that certain conduct is integral to the behaviour of cults. There is, therefore, a need for a means of distinguishing between conduct that is acceptable and that which is not. Thus, he did not accept that, without legal sanction, it should be possible to encourage others to commit suicide.⁶

Occurrence

- 10.8 While there have always been cults, since the Second World War their numbers seem to have surged. Dr Wallace has estimated that, while exact numbers of members are unknown, two or three per cent of the population, about 500,000 people, in Australia are involved in cults in one

3 See Exhibit No 17, p. 68, for a reference to groups that are 'believed to be somehow deviant according to popular opinion'.

4 This is consistent with the position taken on parents' rights to prescribe medical treatment for children, non-medical healing practices, traditional Indigenous punishments and female genital mutilation: see paragraphs 8.94-8.95.

5 Transcript, Dr Wallace, 6 March 2000, p. 62. Mr Darryl Venz, Submissions, p. 227.

6 Dr Wallace: Submissions, p. 365, Transcript, 6 March 2000, p. 262.

way or another. This includes parents, friends, loved ones and associates of people in cults.⁷

- 10.9 This is a relatively small number by comparison with the situation in Japan, where it is estimated that about one-third of the population is involved in cults. South Korea has been reported as hosting 405 cults and sects, including 70 that claim connections to Christianity.⁸
- 10.10 In the material the Committee received, a number of organisations in Australia and other countries were characterised as cults, including:
- the Magnificat Meal Movement in Queensland;
 - ‘the Family’ (or Children of God);
 - the Vibrational Individuation Program;⁹
 - organisations offering ‘Personal Development’ programs and claiming to be religious organisations;¹⁰
 - the Solar temple cult in Canada and Switzerland;
 - the Branch Davidian cult, at the centre of an incident at Waco, Texas, in 1993, and
 - Heaven’s Gate in the US.
- 10.11 In addition, material produced by the organisation known as CultAware included the names of a number of other organisations that may be characterised as cults.¹¹
- 10.12 Bodies such as the Church of Scientology and the Holy Spirit Association for the Unification of World Christianity, sometimes known as ‘the Moonies’ after their founder the Reverend Sun Myung Moon, have also been accused of being cults.
- 10.13 DFAT noted that there is no legal definition which distinguishes between religions and cults. International human rights documents address freedom of religion and belief, not differentiating between organised religions and other bodies which do not have their structures.¹²

7 Transcript, Dr Wallace, 6 March 2000, p. 264.

8 Transcript, Dr Wallace, 6 March 2000, p. 264, **Far Eastern Economic Review**, 26 August 1999, p. 34.

9 Dr Wallace, Submissions, p. 366.

10 Cult Information and Family Support Inc, Submissions, p. 874.

11 Exhibit No 54, p. 10. See also Transcript, Dr Wallace, 6 March 2000, p. 266, for a partial listing. CultAware ceased to operate in 1999: see Transcript, Dr Wallace, 6 March 2000, p. 267.

12 Transcript, DFAT, 28 February 2000, p. 243.

Categories and characteristics

- 10.14 Dr Wallace provided a range of material on cults, noting that they could fall into a number of categories:
- religious;
 - cosmological;
 - personal development;
 - healing, and
 - political.¹³
- 10.15 A breakdown of the inquiries addressed to CultAware suggested that cults could be broken into the following general categories:
- religious, 34 per cent;
 - therapeutic / personal development, 25 per cent;
 - new age, 17 per cent;
 - Eastern meditation, 14 per cent;
 - commercial, 6 per cent, and
 - occult / satanic, 4 per cent.¹⁴
- 10.16 Dr Wallace suggested that there are differences between religions and cults. Religions are more outward looking and more public in their affairs than cults, which tend to be more inward looking, committed to their own affairs and totally ensconced in the activities of members inside the organisations. While mainstream religions are not so concerned as once they were, recruitment is the reason for the existence of cults and he said that they spend a great deal of time at this work. ¹⁵
- 10.17 It is also possible for cult-like activity to occur within mainstream religions. Regimented practices can develop and individuals seek to control the behaviour and the thought processes of individuals within a group, thus giving it a cult-like appearance.¹⁶

13 Exhibit No 54, p. 1.

14 Exhibit No 54, p. 10.

15 Transcript, Dr Wallace, 6 March 2000, p. 264. See also Prof Bouma's comments at Transcript, 22 October 1999, p. 191.

16 Transcript, Dr Wallace, 6 March 2000, p. 265, 266.

- 10.18 Prof Gary Bouma stated that most cults 'are not worth watching' because they are simply minor variations on some other religious beliefs. In particular, he noted that it is hard to differentiate some cults from certain intense Protestant groups.¹⁷

HREOC Report

- 10.19 HREOC's Report on Article 18 referred to views of cults, noting that some groups were suspect because they were new, unknown or marginalised. Another view is that they can be identified by shared characteristics of secrecy, 'unnatural' belief systems and dubious practices. It quoted an authority who said that the word 'cult' had become a 'negatively value-laden term to refer to a transient fad of a perverse nature'.
- 10.20 Several submissions to the HREOC inquiry suggested that some of these groups should not be considered as religions, as they shield themselves behind religious facades while practising something quite different.¹⁸
- 10.21 The HREOC report included material provided by CultAware that claimed that cults could be identified by some if not necessarily all of the following criteria:
- a leader claiming divinity or a special mission delegated to her / him;
 - the leader demands absolute and unquestioning obedience, and is the sole judge of faith and commitment;
 - systematic use of sophisticated techniques to effect ego-destruction, thought reform and dependence on the cult;
 - meaningful communication with family and pre-cult friends is sharply curtailed and the cult becomes the convert's 'family';
 - the cult's goals are placed ahead of individual and society concerns. Educational plans, career, health and well-being are ignored in pursuit of the cult's mission;
 - a preoccupation with raising funds, recruiting and worship / courses;
 - established members are guarded, vague, deceptive or secretive about beliefs, goals, demands and activities until the recruit is converted;
 - members may be maintained in a heightened state of suggestibility through lack of sleep, intense spiritual exercise, constant indoctrination, controlled group experiences and manipulated spiritual encounters;

17 Transcript, Prof Bouma, 22 October 1999, pp. 191-192.

18 Exhibit No 17, p. 68.

- members' finances are often exploited;
- members can be exploited through poor working conditions and low rates of pay, and
- deceptive techniques are used to recruit members and solicit donations, while the cult's identity is often hidden from new recruits by the use of 'front' names until the prospective member is conditioned to accept the group's identity.¹⁹

10.22 In evidence to the Committee's inquiry, the Australian Human Rights Commissioner drew particular attention to the issue of coercive conversion. While groups opposed to cults are strident about coercive conversion 'in', cults can be equally coercive about conversion 'out'.

10.23 In connection with smaller groups more on the fringes of religious activity, he also drew attention to the acceptability of genuinely held religious beliefs that do not breach the provisions of 'broader criminal law'.²⁰

Considerations

10.24 Dr Wallace thought it was useful to draw distinctions between 'harmless' cults and those that are 'not harmless', because there is a continuum of groups from the 'reasonably benign' through to groups that are hostile to their own members.²¹

10.25 While conversions into cults occur on a daily basis, he noted that there is no exit counselling or 'de-programming', for those who leave. Most people leave of their own volition, some with no ill effects, but others go with varying degrees of psychological distress. There are few people to whom parents, spouses or loved ones of the former member can turn for assistance in these situations.²²

10.26 Cult Information and Family Support Inc (CIFS) is an organisation whose members 'have seen and experienced the abuse' of freedom of religion and belief by cults in Australia.

10.27 CIFS drew attention to a group whose members are encouraged by their leaders to send their children from the age of six years to a boarding

19 Exhibit No 17, p. 68-69.

20 Transcript, 6 March 2000: HREOC, p. 274, Dr Wallace, p. 262.

21 Transcript, Dr Wallace, 6 March 2000, pp. 264, 265.

22 Submissions, p. 976.

school in northern India. These children are cut off from their parents, family and friends, and learn nothing of their Australian heritage. CIFS believes that the teachings of a group should not take precedence over the right of Australian children to be brought up as Australians.²³

10.28 CIFS also noted the terms of Article 5.5 of the UN Religion Declaration:

Practices of a religion or belief in which a child is brought up must not be injurious to his physical or mental health or to his full development...²⁴

10.29 CIFS believed that the withholding of life-saving medicines and blood transfusions from sick children because of parental beliefs was covered by this Article. It said that this raises the issue of the rights of such children.

10.30 CIFS stated that the immunity it believed was granted to some groups under s. 116 of the Australian Constitution should only extend to their beliefs. It did not accept that the actions of such groups should have the same immunity, especially actions that restricted the fundamental rights of others. Some members of groups were subject to coercive treatment which, CIFS believed, was contrary to Article 18.2 of the ICCPR:

No one shall be subject to coercion which would impair his freedom to have or adopt a religion or belief of his choice.²⁵

10.31 The submission from CIFS made a number of suggestions, including maintenance of a register of all cults in Australia, with a requirement to disclose information comparable to that in Australian company law. According to this proposal, the background of the founder/leader would be required. An outline would also be required of the aims, beliefs and practices set out in the Articles and Memoranda of Association for each organisation. Annual returns would have to be submitted, setting out the financial arrangements of the group.

10.32 CIFS' submission suggested that recruiters should have to wear identification badges, showing their name and that of the organisation and, as appropriate, the name of any parent organisation. Prospective members should also be informed of any special dietary restrictions. Finally, information should be available about the daily routine of any group, such as the repetitive chanting that can lead to hypnotism and mind control.

23 Submissions, p. 874. The group was not named.

24 This Article of the Declaration refers back to its Article 1.3, which deals with limitations to freedom of religion prescribed by law, or necessary to protect 'public safety, order, health or morals or the fundamental rights and freedoms of others.'

25 Submissions, p. 874.

- 10.33 CIFS concluded that, if adopted, there were breaches of any of these suggested measures or a group member complained, the group should be liable to investigation / prosecution by a statutory authority.²⁶
- 10.34 While there are reasons for concerns about the ways some cults can infringe the human rights of their members, in 1994, **The Canberra Times** reported the launching of a booklet whose authors claimed that:
- Individual and organisational freedoms of belief, association and practice in Australia are being corrupted by unchallenged activities directed against a broad range of groups labelled as cults...²⁷
- 10.35 That media report went on to state that people and groups that ‘espouse new ideas, beliefs, philosophies and life-styles’ were being targeted by the Anti-Cult Movement, ‘a reactionary movement of inquisitors’ spreading tales of atrocities. This body had been able to influence sections of the media, Parliaments and public opinion. It had ‘sensationally promoted fear’ by use of tales and atrocities by labelling groups as cults with a view to mobilising state-authorised sanctions against them.
- 10.36 Finally, the newspaper reported that there was no Bill of Rights in Australia to protect ‘individual rights of freedom, association and belief’.
- 10.37 In its Article 18 Report, HREOC recommended that:
- The Federal Attorney General’s Department should convene an inter-faith dialogue
1. to examine the question of methods of coercion in religious belief and practice and how they should be dealt with
 2. to consider whether legal limitations should be imposed on religious groups regarding coercive tactics
 3. to formulate an agreed list of minimum standards for the practice of religious groups.²⁸
- 10.38 In its 1996 Discussion Paper, **Non Fatal Offences Against the Person**, the Model Criminal Code Officers Committee (MCCOC) sought submissions on whether the sort of harm that can be done to people by cults and ‘obsessive small religious groups should be included in the definition of ‘harm’ for the purposes of the criminal law. It cited a number of the

26 Submissions, p. 875.

27 **The Canberra Times**, 17 April 1994, in Exhibit No 54, p. 9.

28 Exhibit No 17, R3.15, pp. 81-82.

techniques of coercive persuasion that can be used to induce a person to act, or not to act, in a particular way.²⁹

- 10.39 In its 1998 Report on this matter, the MCCOC was concerned that the criminal offence proposed would catch the causing of 'significant psychological harm to people, accompanied with criminal intention. If this is done by a religious organisation, it, like anyone else, should be guilty of the appropriate criminal offence. "Freedom of religion," the Report continued, 'is not freedom to defraud, nor is it freedom to cause significant psychological or psychiatric harm to any person.' Interestingly, the MCCOC added that the same statement applied to those sometimes referred to as 'de-programmers'.
- 10.40 The MCCOC was persuaded that the definition it had proposed captured the harm that could come from cults as it ought to, and that it did not need to make a specific and repetitive provision for this area of psychological 'harm'.³⁰

Conclusions and recommendation

- 10.41 The existence of cults and their practices raises serious issues about the right of the State, or the international community via its legal instruments, to be involved in such issues as the individual's right to join a legal organisation, or parents' rights to raise their children in accordance with their beliefs. To resolve disputes, it can also raise the question of the need for and possible negotiation and implementation of guidelines for the practices of cults.
- 10.42 Cults can cause great unhappiness to many people, just as they bring happiness and fulfilment to many of their members. The existence of cults raises a number of complex issues, many of which remain outside government or other controls.
- 10.43 It is normally a matter for individuals whether they join, or do not join, particular bodies. It is usually only in cases where influence is used to force a continuation of membership, or where other rights and freedoms are actually or potentially threatened, that society can sanction intervention.³¹

29 Exhibit No 56, p. 21.

30 Exhibit No 57, p. 31.

31 See paragraphs 8.94-8.95.

- 10.44 Many of the recommendations made by CIFS would, unfortunately, not be practical to implement. It is understandable that its proposals are directed towards controlling the worst manifestations of cults. There would be a considerable problem in defining the groups that would be subjected to the regime suggested. It would not be possible to regulate these bodies to the extent proposed, nor would it be acceptable to impose these restrictions on all such bodies.
- 10.45 The MCCOC expressed concern about the harm that cults could do to their members. There are clearly harmful and less harmful cults. In its Article 18 Report, HREOC recommended that the Commonwealth Attorney-General convene an inter-faith dialogue to examine coercion in cults and to formulate minimum standards for the practices of religious groups. As with the others in that Report, no response has yet been given to this Recommendation of the Commission.
- 10.46 It may not be possible to arrive at a set of guidelines or minimum standards for the practices of cults. It is far from clear how practical and enforceable any set of guidelines would be. For all those who are connected with cults, however, there would be value in undertaking such a dialogue, as it would provide valuable information on how cults actually operate.³²

Recommendation 9

- 10.47 **The Committee recommends that the Commonwealth Attorney-General give consideration to the convening of an inter-faith dialogue to formulate a set of minimum standards for the practices of cults.**

32 Transcript, HREOC, 6 March 2000, p. 274.